



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, June 16, 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_INbWtYxqSNq7R_8SpTQEug
After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 860 4112 2141*

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. Stephen Fleck Request to Delay Voting on the Aura Conditional Zoning Permit Application. [\[21-0556\]](#)

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

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

2. Approve all Consent Agenda Items. [\[21-0557\]](#)

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

3. Authorize the Town Manager and Town Attorney to Initiate Eminent Domain Proceedings for the Elliott Road Extension Project. [\[21-0558\]](#)

By adopting the resolution, the Council authorizes the Town Manager and Town Attorney to initiate eminent domain proceedings, if necessary, for properties related to the Elliott Road Extension Project.

4. Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Rosemary Parking Deck Project. [\[21-0559\]](#)

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a construction contract for the Rosemary Parking Deck.

5. Adopt a Calendar of Council Meetings through December 2021. [\[21-0560\]](#)

By adopting the resolution, the Council adopts its meeting calendar through December 2021.

DISCUSSION

6. Review Draft Orange Countywide Racial Equity Plan Framework. [\[21-0561\]](#)

PRESENTER: Rae Buckley, Director of Organizational and Strategic Initiatives
Sarah Osmer Viñas, Assistant Director of Housing and Community

RECOMMENDATION: That the Council provide feedback about the Orange Countywide Racial Equity Plan Framework.

- 7.** Consider a Land Use Management Ordinance Text Amendment - Proposed Changes to Section 3.11 Regarding Blue Hill Form District Use Categories. [\[21-0562\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Introduction and revised recommendation
- b. Comments and questions from the Mayor and Town Council
- c. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- d. Motion to enact the ordinance to approve the changes to the Land Use Management Ordinance.

RECOMMENDATION: That the Council adopt the resolution of consistency, and enact the ordinance to approve the changes to the Land Use Management Ordinance.

- 8.** Consider an Application for Conditional Zoning - Aura Development, 1000 Martin Luther King Jr. Blvd. from Residential-1 (R-1) to Office/Institutional-3 (OI-3) (Project 20-074) [\[21-0563\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- 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.

- 9.** Continued Public Hearing: Land Use Management Ordinance Text Amendments - Proposed Changes to Articles 3, 4, 6, and Appendix A Related to Short-Term Rentals. [\[21-0564\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Introduction and revised recommendation
- b. Recommendation of the Planning 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 continue the on-going 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.

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.

- 10.** Consider an Application for Special Use Permit
Modification for University Place, 201 S. Estes Drive.

[21-0565]

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation of evidence by the applicant
- d. Recommendations by advisory boards and commissions
- e. Presentation of evidence by the public
- f. Applicant's statement regarding proposed conditions
- g. Comments and questions from the Mayor and Town Council
- h. Motion to close the Evidentiary Hearing
- i. Motion to adopt Revised Resolution A

RECOMMENDATION: That the Council 1) continue the public hearing, 2) receive evidence, 3) close the evidentiary hearing, and 4) adopt Revised Resolution A.

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



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 1., **File #:** [21-0556], **Version:** 1

Meeting Date: 6/16/2021

Stephen Fleck Request to Delay Voting on the Aura Conditional Zoning Permit Application.

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:

- Stephen Fleck Request

Amy Harvey

From: Steve Fleck <magritte88@yahoo.com>
Sent: Thursday, June 10, 2021 9:20 AM
To: Amy Harvey
Cc: Pam Hemminger; Michael Parker; Karen Stegman; Hongbin Gu; Amy Ryan; "tai.tr.huynh@gmail.com"; "jcooperanderson@gmail.com"; Hongbin Gu; "allenbuansi23@gmail.com"
Subject: Petition
Attachments: Petition to Town.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Agenda Packet Process

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Ms. Harvey,

Attached please find a petition to Mayor Hemminger and the Town Council.

Thank you,
Stephen Fleck, Rita May
102 Sycamore Drive

PETITION TO MAYOR AND COUNCIL

1. Given the last minute introduction of stormwater management assertions by Trinsic, stated verbally but not presented in writing in time for evaluation by either the Town staff or the public;
2. Given plans for stormwater conduit under the proposed multi-use buffer along Estes (presented to the Town by McAdams on June 9, after public hearing had been closed);
3. Given the novel townwide traffic plan that lacks modeling of pedestrian, bicycle, or crossing guard traffic data, the limited data and validity testing of the traffic model, and the uncertain funding of a rapid bus transit system;
4. Given the statement from NC DOT that the intersection of Somerset and N. Estes Drive does not meet warrants for a traffic signal installation;
5. Given the topography of not just the proposed site, but of the impact on the environment to Bolin and Booker Creeks and the properties South of Estes that will be felt for decades;
6. Given the lack of demonstrated need in Chapel Hill for additional, “luxury” apartments with a projected 40-year life span;

We the undersigned see the above factors as inimical to the Town’s overall interests as well as to the interests of area residents.

We therefore respectfully request that the Town Council **delay voting on the Conditional Zoning Permit application** until the above questions have been substantially resolved.

Respectfully submitted on June 10, 2021

Stephen Fleck and Rita May
Jill and Dick Blackburn
Thomas and Betty Bouldin
Jason and Megan Foureman
Jan Hendrickson-Smith and Douglas Smith
Tom Henkel and Teddy Lovejoy
Charles Humble
Julie McClintock
Bob Nau
Roger Shumate

Signatures Added post-June 10 submission:

Judith Bergman
Linda Brown
Glen H. Elder, Jr. and Sandy Turbeville
Candace Kern
Bryan and Heather Smith



TOWN OF CHAPEL HILL

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Item Overview

Item #: 2., **File #:** [21-0557], **Version:** 1

Meeting Date: 6/16/2021

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
(2021-06-16/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:

3. Authorize the Town Manager and Town Attorney to Initiate Eminent Domain Proceedings for the Elliott Road Extension Project. (R-2)
4. Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Rosemary Parking Deck Project. (R-3)
5. Adopt a Calendar of Council Meetings through December 2021. (R-4)

This the 16th day of June, 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 #: 3., **File #:** [21-0558], **Version:** 1

Meeting Date: 6/16/2021

Authorize the Town Manager and Town Attorney to Initiate Eminent Domain Proceedings for the Elliott Road Extension Project.

Staff:

Lance Norris, Director
Chris Roberts, Manager of Engineering and Infrastructure

Department:

Public Works

Overview: There are several portions of property needed from adjacent owners to construct the Elliott Road Extension Project. Town staff has not been able to reach an agreement with two property owners associated with this project. Negotiations will continue; however, if they fail, eminent domain proceedings may need to be initiated.

The two portions needed are located at:

- 1320 Ephesus Church Road (Kings Arm Apartments) - 3,555 square feet of land area needs to be purchased
- 6 Bypass Lane - 1,584 square feet of land area needed for a permanent drainage easement



Recommendation(s):

That the Council adopt a resolution authorizing the initiation of Eminent Domain Proceedings for the Elliott Road Extension Project.

Key Issues:

- Negotiations will continue, but should those negotiations fail, then eminent domain proceedings may need to be initiated
- If these land acquisitions do not occur, then the project cannot be finished
- The Town's construction contractor is at a critical stage in needing these land areas available in the near future

Fiscal Impact/Resources: The Town's appraisal for 1320 Ephesus Church Road is \$149,175. The appraisal for 6 Bypass Lane is \$10,450.



Attachments:

- Resolution
- Map of area needed for 1320 Ephesus Church Road and 6 Bypass Lane

A RESOLUTION AUTHORIZING THE INITIATION OF EMINENT DOMAIN PROCEEDINGS (2021-06-16/R-2)

WHEREAS, the Council of the Town of Chapel Hill has authorized the construction of the Elliott Road Extension Project; and

WHEREAS, Town Staff, in consultation with project consultants, have determined that it is necessary to obtain land areas of several adjacent property owners to provide permanent right-of-way or easements; and

WHEREAS, based on real estate appraisals, Town representatives have been negotiating with the property owners of 1320 Ephesus Church Road (Kings Arm Apartments) and 6 Bypass Lane to complete a voluntary acquisition of the needed areas, and these negotiations have not succeeded; and,

WHEREAS, based on reports from Town Staff, the areas of 1320 Ephesus Church needed for new right-of-way area cannot therefore be acquired through voluntary purchase; and

WHEREAS, based on reports from Town Staff, the area of 6 Bypass Lane needed for new permanent drainage easement cannot therefore be acquired through voluntary purchase; and

WHEREAS, the authorized schedule for work on the project requires that the Town move forward expeditiously to acquire the needed land areas for the improvements.

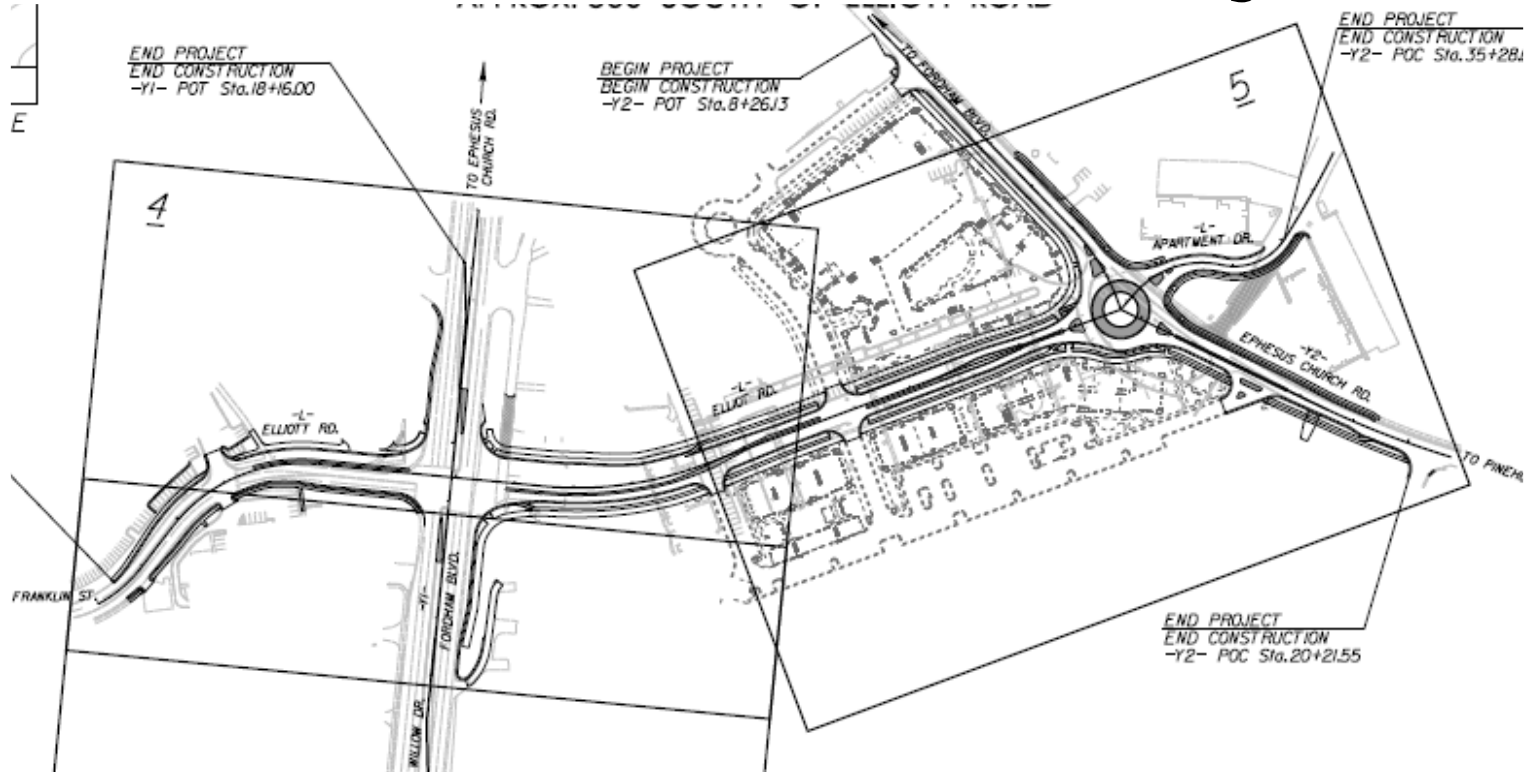
NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the Town Manager and Town Attorney to, as necessary, initiate eminent domain proceedings if reasonable negotiations for the parcels fail to result in voluntary transactions.

This the 16th day of June, 2021.

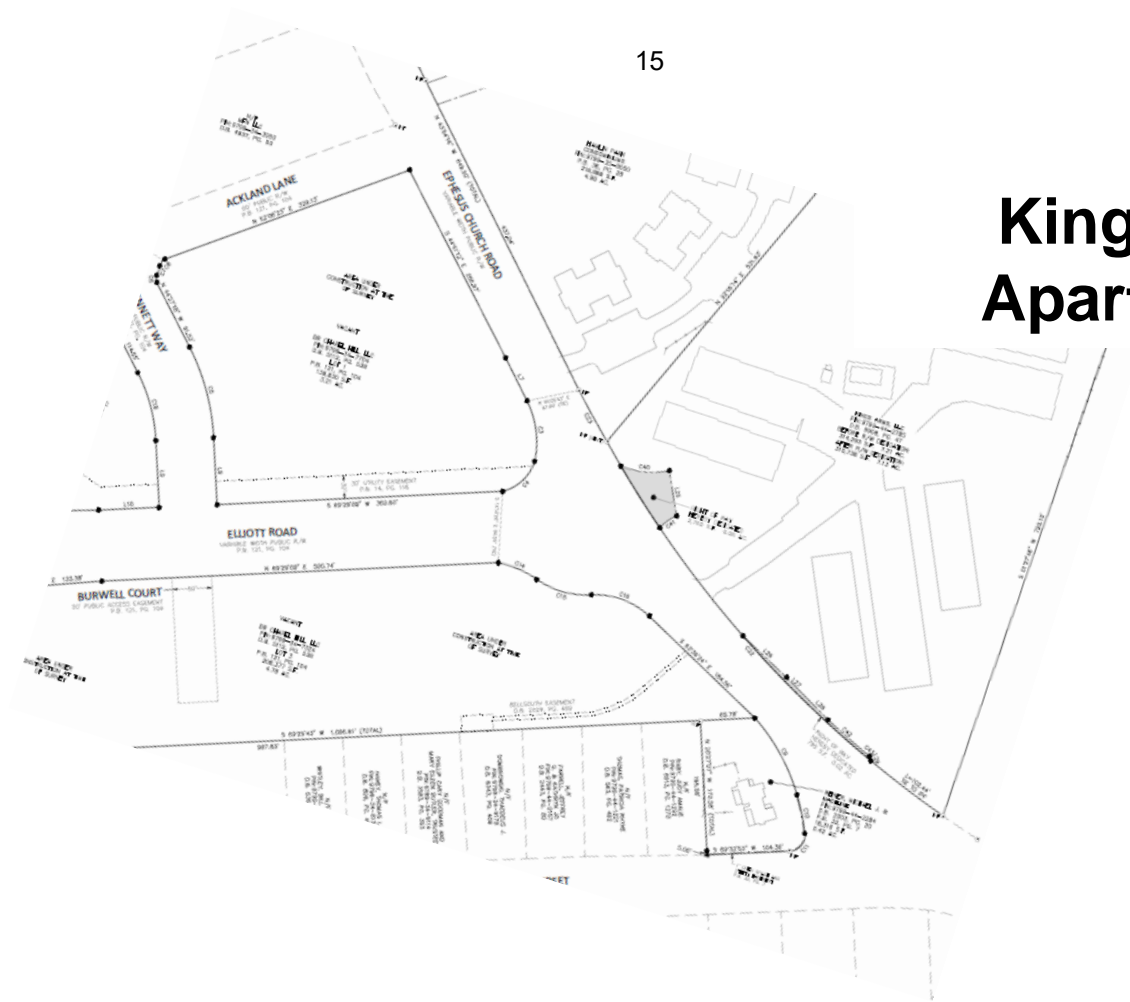
The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council authorizes the Town Manager and Town Attorney to initiate eminent domain proceedings, if necessary, for properties related to the Elliott Road Extension Project.

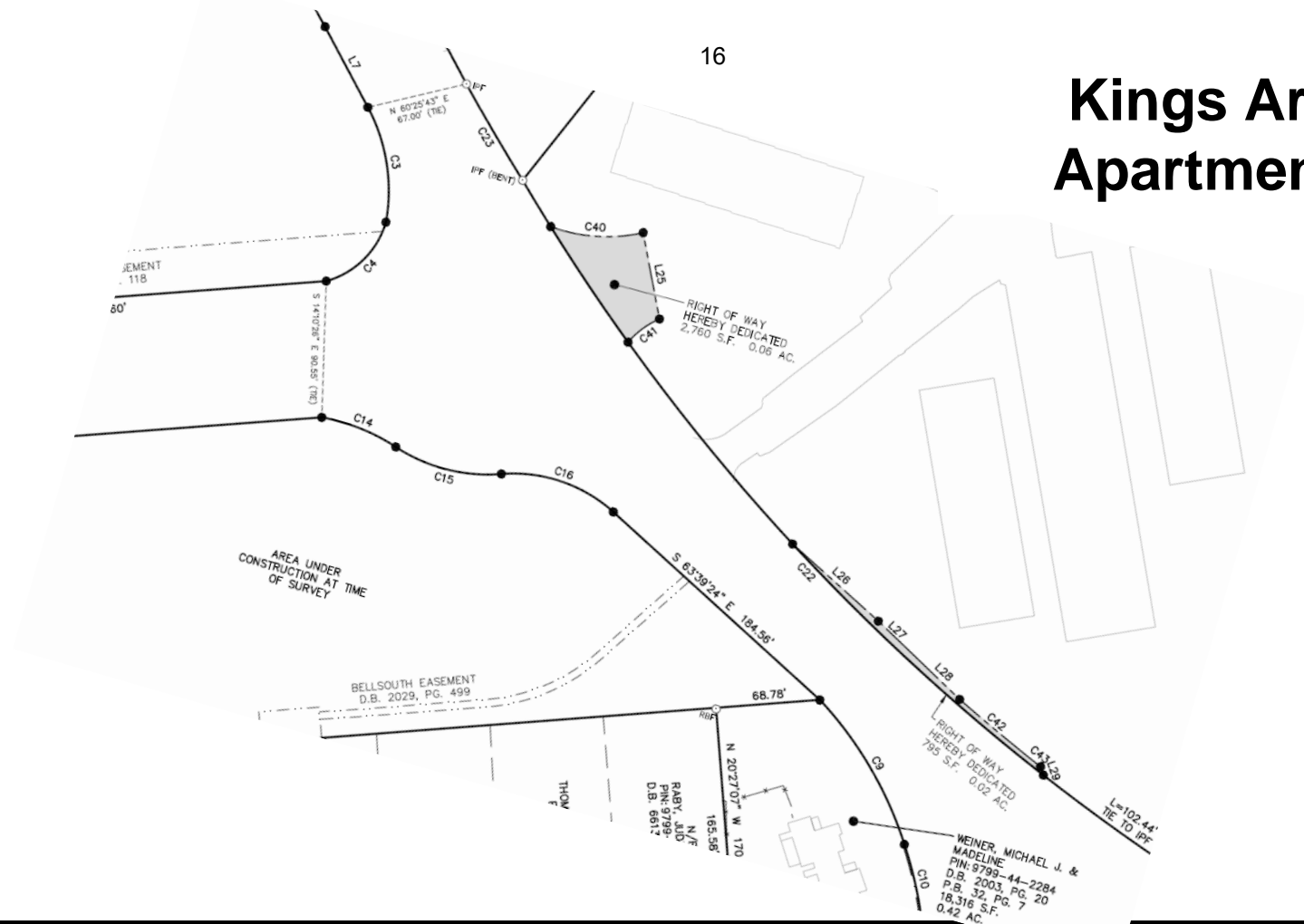
Elliott Road Ext. Project



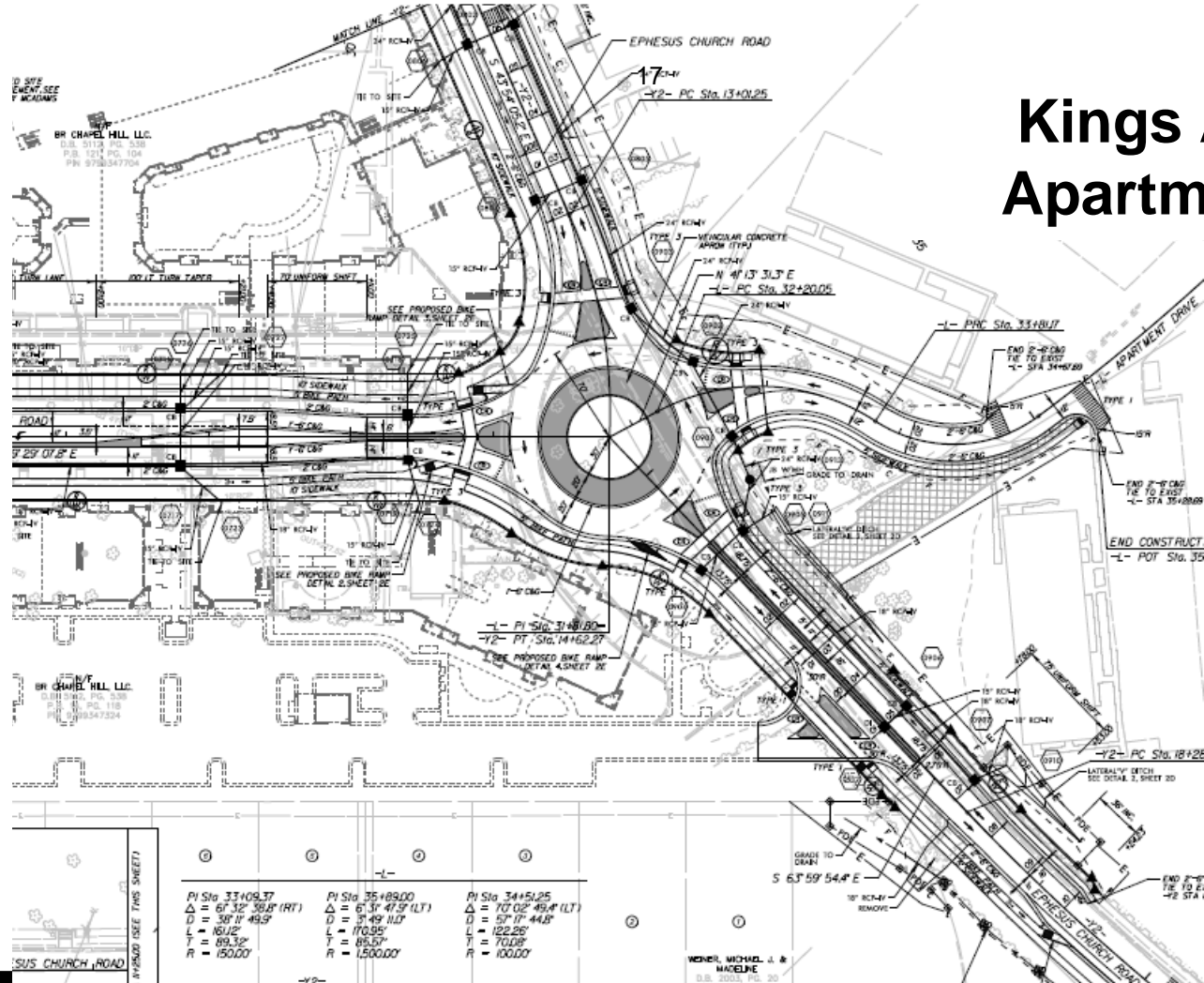
Kings Arm Apartments



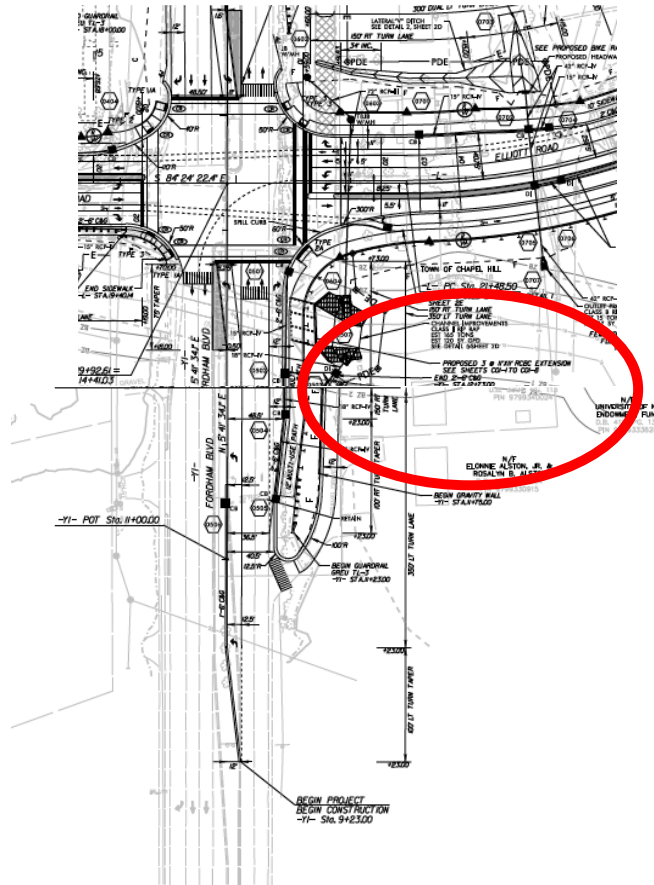
Kings Arm Apartments



Kings Arm Apartments



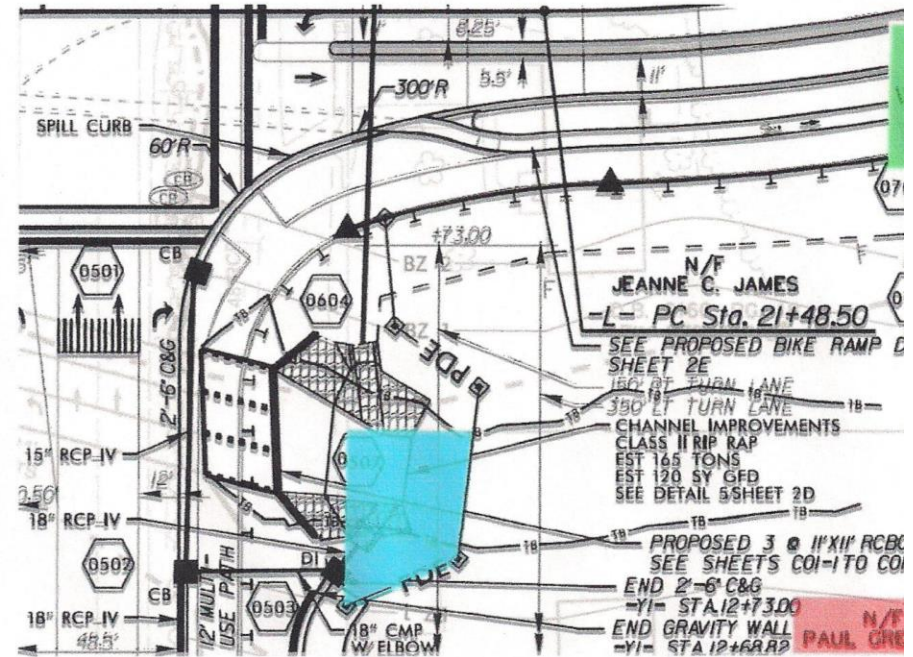
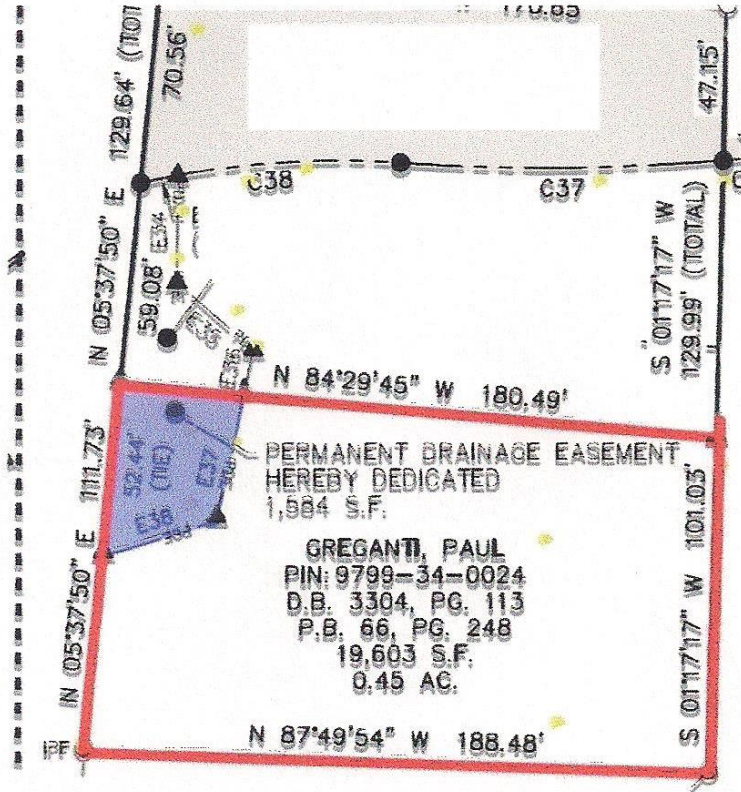
6 Bypass Lane (Permanent Drainage Easement Only)





6 Bypass Lane (Permanent Drainage Easement Only)

20





21
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., File #: [21-0559], Version: 1

Meeting Date: 6/16/2021

Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Rosemary Parking Deck Project.

Staff:

Mary Jane Nirdlinger, Deputy Town Manager
Amy Oland, Director

Department:

Manager's Office
Business Management

Overview: On June 9, 2021, the Town Council approved the overall project budget for the Rosemary Parking Deck. The Construction Contract must be executed prior to closing on the property, currently anticipated to happen on June 23, 2021.

**Recommendation(s):**

That the Council authorize the Town Manager to negotiate and execute a construction contract for the Rosemary Parking Deck.

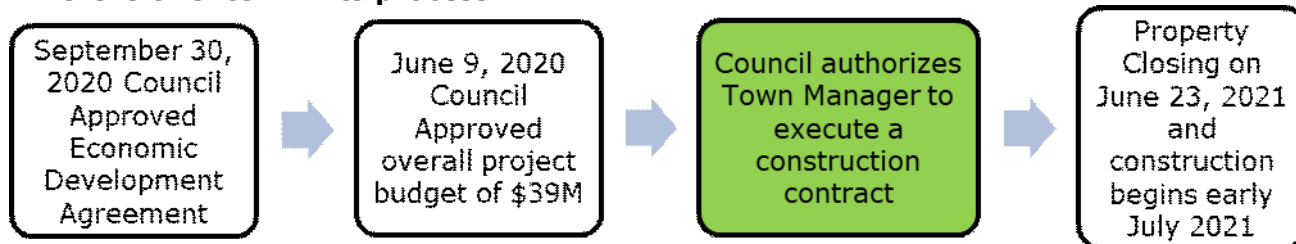
Decision Points:

- The construction contract will be between Samet Corporation and the Town of Chapel Hill.

Key Issues:

- On June 9, 2021, the Council directed staff to include a target of 15% Minority and Women owned business enterprises (MWBE) in the construction contract.
- The contract will be based on the project budget as presented on June 9, 2021.

Fiscal Impact/Resources: The construction contract and other related project expenditures will not exceed the Council approved Total Project Budget of \$39 million dollars.

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

- Resolution

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT FOR THE ROSEMARY PARKING DECK PROJECT (2021-06-16/R-3)

WHEREAS, the Council approved an Economic Development Agreement for the Rosemary Parking Deck on September 30, 2020; and

WHEREAS, the Council approved an overall project budget of \$39 million dollars on June 9, 2021; and

WHEREAS, the Guaranteed Maximum Price for the construction contract is a portion of that overall project budget; and

WHEREAS, the construction contract will include language reflecting the Council's target for Minority and Women owned business enterprise participation as approved on June 9, 2021, and

WHEREAS, the Council wishes to proceed with construction of the Rosemary Parking Deck.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to negotiate and execute a construction contract with Samet Corporation the Rosemary Parking Deck.

This the 16th day of June, 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 negotiate and execute a construction contract for the Rosemary Parking Deck.



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Item Overview

Item #: 5., File #: [21-0560], Version: 1

Meeting Date: 6/16/2021

Adopt a Calendar of Council Meetings through December 2021.

Staff:

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

Department:

Communications and Public Affairs

Overview: The [Town Charter <%3chttps://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?>](#) and the [Town Code <%3chttps://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?>](#) state that the Council shall fix suitable times for its regular meetings. Adopting the calendar establishes Regular meetings, Work Sessions and other meetings.

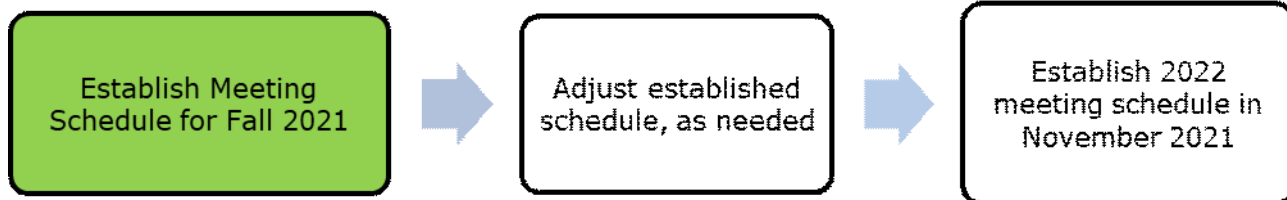


Recommendation(s):

That the Council adopt the attached resolution establishing the Council calendar through December 2021.

Fiscal Impact/Resources: Fiscal impact not determined.

Where is this item in its process?



Attachments:

- Resolution
- Proposed Chapel Hill Town Council Fall 2021 Meeting Calendar

**A RESOLUTION ADOPTING A CALENDAR OF COUNCIL MEETINGS THROUGH DECEMBER 2021
(2021-06-16/R-4)**

WHEREAS, the [Town Charter <%3chttps://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?>](#) and the [Town Code <%3chttps://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?>](#) state that the Council shall fix suitable times for its regular meetings; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopt the following meeting schedule through December 2021

August 2021¹

- 25-W-Special Meeting², 7 PM, location TBD
- 30-M-Special Meeting, 7 PM, Library Room B
- TBD-Special Meeting²

September 2021

- 1-W-Regular Meeting
- 22-W-Regular Meeting
- 29-W-Work Session

October 2021

- 13-W-Regular Meeting
- 20-W-Work Session
- 27-W-Regular Meeting

November 2021

- 10-W-Regular Meeting
- 17-W-Regular Meeting

December 2021

- 1-W-Work Session
- 8-W-Organizational Meeting

¹ Unless otherwise noted, Council Regular and Organizational meetings start at 7:00 p.m. and Council Work Sessions start at 6:30 p.m. both are held virtually, see web calendar (<https://www.townofchapelhill.org/government/newsroom/calendar>) for details. When Council returns

Item #: 5., File #: [21-0560], Version: 1**Meeting Date: 6/16/2021**

to physical meetings Council Regular and Organizational meetings are held in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions start at 6:30 p.m. and are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514)

2 It is anticipated that the Council will go into closed session, as authorized by North Carolina General Statute Section 143-318.11(a)(6) to discuss a personnel matter.

BE IT FURTHER RESOLVED that the Council continues to hold meetings in a virtual environment until conditions permit meetings in a physical environment. This extends the provisions in (2020-10-28/R-13).

BE IT FURTHER RESOLVED that the Council will conduct the remote meetings as described in Resolution (2020-04-22/R-7).

This the 16th day of June, 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 adopts its meeting calendar through December 2021.

Proposed Chapel Hill Town Council 2021 Meeting Calendar

JULY							AUGUST							SEPTEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7				1	2	3	4
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25
25	26	27	28	29	30	31	29	30	31					26	27	28	29	30		
OCTOBER							NOVEMBER							DECEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6				1	2	3	4
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31	
31																				

6	Regular Meetings 7 PM @ Town Hall	3	Council Work Sessions 6:30 PM @ Library	3	Other Meetings *Check web calendar for time/location
12	Total Number of Meetings	8	Town Holidays	4	CCES Meetings**

List of Meetings by Date

August 2021¹

- 25-W-Special Meeting², 7 PM, location TBD
- 30-M-Special Meeting, 7 PM, Library Room B
- TBD-Special Meeting²

October 2021

- 13-W-Regular Meeting
- 20-W-Work Session
- 27-W-Regular Meeting

September 2021

- 1-W-Regular Meeting
- 22-W-Work Session
- 29-W-Regular Meeting

November 2021

- 10-W-Regular Meeting
- 17-W-Regular Meeting

December 2021

- 1-W-Work Session
- 8-W-Organizational Meeting

**Council Committee on Economic Sustainability

Meets monthly on the first Friday at 8 AM, unless otherwise indicated. These are held virtually, see [web calendar](https://www.townofchapelhill.org/government/newsroom/calendar) for details. When the Committee returns to physical meetings the Council Committee on Economic Sustainability meetings are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514) For more Committee information, see <https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee>

¹ Unless otherwise noted, Council Regular and Organizational meetings start at 7:00 p.m. and Council Work Sessions start at 6:30 p.m. both are held virtually, see web calendar (<https://www.townofchapelhill.org/government/newsroom/calendar>) for details. When Council returns to physical meetings Council Regular and Organizational meetings are held in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514)

² It is anticipated that the Council will go into closed session, as authorized by North Carolina General Statute Section 143-318.11(a)(6) to discuss a personnel matter.



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Item Overview

Item #: 6., File #: [21-0561], Version: 1

Meeting Date: 6/16/2021

Review Draft Orange Countywide Racial Equity Plan Framework.

Staff:

Rae Buckley, Director, Organizational and Strategic Initiatives
Sarah Osmer Viñas, Assistant Director

Department:

Manager's Office
Housing and Community

Overview: This memorandum shares the Orange Countywide Racial Equity Plan Framework and draft Racial Equity Review Form with the Town Council for review and comment. These materials are also being shared with the elected bodies of Orange County, Carrboro, and Hillsborough for review. The Racial Equity Plan and Racial Equity Review Form are implementation tools for local government based on the Government Alliance on Race and Equity (GARE) models.



Recommendation(s):

That the Council provide feedback about the draft Orange Countywide Racial Equity Plan Framework.

Chapel Hill Diversity, Equity and Inclusion Context

- The Town Council identified equity as an overarching priority that should be considered in all goals and objectives of the [Strategic Plan <https://www.townofchapelhill.org/home/showdocument?id=43339>](https://www.townofchapelhill.org/home/showdocument?id=43339). Racial equity is also a cornerstone of the Town's [Community Connections Strategy <https://www.townofchapelhill.org/home/showpublisheddocument?id=44505>](https://www.townofchapelhill.org/home/showpublisheddocument?id=44505), our framework for equitable engagement.
- The Town is hiring a Diversity, Equity and Inclusion Officer who will strategically manage the Diversity, Equity and Inclusion Portfolio of initiatives and work with the Council to set goals and objectives for racial equity work.
- Chapel Hill staff, along with Orange County and Carrboro staff, completed the 2020-21 Government Alliance on Race and Equity (GARE) North Carolina Learning Community. GARE recommends that municipalities establish a plan for how to implement racial equity work.

Racial Equity Plan Framework

- The GARE team leadership from Orange County, Chapel Hill, Carrboro, and Hillsborough worked with committees from each jurisdiction to build content for a shared Racial Equity Plan. The goal of this effort is to create a common language and set of principles for racial equity work in Orange County. Once that is established, each municipality would create their own individual goals, objectives and action plans.
- The attached Racial Equity Plan Framework includes information about the following components:
 - Racial Equity Tool:** A draft Racial Equity Review Form is included in the attached draft. The purpose of the tool is to apply a racial equity lens to decision-making and resource allocation. Each municipality would decide how to implement the tool.
 - Community Engagement:** The framework includes high level principles by which the local governments will carry out community engagement.
 - Racial Equity Index:** Orange County is leading an effort to create a countywide racial equity index and community scorecard to track Orange County's equity metrics.
 - Organizational Capacity and Training:** The framework describes what topics to cover in

training and target training groups.

- 5. Accountability and Urgency:** The framework outlines how the Results Based Accountability principles will be used to evaluate racial equity initiatives.

Fiscal Impact/Resources: Staff will determine the anticipated resource needs when we reach the stage of developing the action plan the Town will use to implement the Countywide Framework.



Attachments:

- Draft Staff Presentation
- Draft Orange Countywide Racial Equity Plan Framework

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

PRESENTER: Rae Buckley, Director of Organizational and Strategic Initiatives
Sarah Osmer Viñas, Assistant Director of Housing and Community

RECOMMENDATION: That the Council provide feedback about the Orange Countywide Racial Equity Plan Framework.

One Orange Racial Equity Plan: *A Framework for Moving Forward*

June 16, 2021
Council Regular Meeting

DRAFT



TOWN OF
HILLSBOROUGH
NORTH CAROLINA



ORANGE COUNTY
NORTH CAROLINA

One Orange Mission Statement

One Orange is a commitment by Orange County leaders and staff to uncover and address implicit racial biases in our institutions to ensure that race can no longer be used to predict life outcomes in our community.

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Agenda

1. Racial Equity Background
2. Process of Developing the Framework
3. Overview of the Framework
4. Proposed Next Steps

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What is Racial Equity?

- “When race can no longer be used as to predict life outcomes and outcomes for all groups are improved.”
- The difference between racial equity and equality is equity is about fairness, while equality is about sameness.

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Why Race?

- Normalizing conversations about race and operationalizing strategies for advancing racial equity allows us to build systems that address income and wealth inequity and recognize bias based on gender, sexual orientation, ability, age, religion, and other protected categories.
- Allows us to develop a framework, tools and resources that apply to other areas of marginalization, recognizing that different strategies will be necessary to achieve equity in other areas.

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Why Race?

- Allows us to move past looking at just disparities to finding racialized systems that are costly, depress outcomes, and life chances for all groups.
- Systems that are failing communities of color are failing us all by depressing life chances and outcomes

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Government Alliance on Race and Equity (“GARE”)³⁵

- Support state and local jurisdiction that are advancing racial equity by addressing institutional and structural racism.
- Training staff to not only do the work but also build internal capacity to undue racism within their organization.
- Help expand and strengthen local and regional collaboration that are inclusive and focused on achieving racial equity.

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Racial Equity Action Planning Process



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Racial Equity as a Strategy for Change



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Components of the County-Wide Framework

- Racial Equity Review Tool
- Community Engagement
- Racial Equity Index
- Training
- Evaluation and Accountability

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Racial Equity Review Tool

Name of Initiative (Practice/Project/Service/Policy)	New or Existing?	Who is Conducting Review?
ORIGIN AND DESCRIPTION OF INITIATIVE <ul style="list-style-type: none"> For new initiatives – why this initiative and why now? For existing initiatives- include background information and milestone dates 		
DESIRED RESULT <ul style="list-style-type: none"> What specific results/outcomes are intended for the community or internally? 		
DEMOGRAPHICS (be as specific as possible) <ul style="list-style-type: none"> Who is this initiative focused on? (Neighborhoods, geographic areas, racial groups, income groups, employees, etc.) What data can you provide to describe your target population? What data is missing? 		
BENEFITS <ul style="list-style-type: none"> Who benefits directly and indirectly from this initiative? How? Share any relevant data (link to jurisdictional map and/or information) 		
IMPACTS <ul style="list-style-type: none"> Who is negatively impacted by this initiative? How? For new initiatives consider impacts during and after this initiative? How? What can be done to mitigate (any) negative impacts? Are there any challenges that need to be overcome? How? Share any relevant data 		

COMMUNITY ENGAGEMENT

- How have you involved community members in developing this initiative?
- Have you involved those directly impacted?
- How have you addressed the concerns raised by community members?
- Going forward, how do you plan to include voices of those most impacted / burdened?

ACCOUNTABILITY

- How will the impact of the initiative be measured?
- How will you share results with your department and leadership?
- How will you share results with community members and stakeholders?
- How will you incorporate feedback from community members and stakeholders?

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Community Engagement Principles

1. Government is committed to change toward a new power dynamic for shared decision-making working together with the community.
2. Government will listen, learn, and implement solutions from all communities, especially impacted communities of color.
3. Government will co-design desired results and engagement processes with the community.
4. Government will provide training and technical assistance for employees seeking to engage and build partnerships with the community.

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Proposed Next Steps

- Refine framework based on input from Boards
- Return in fall for Council to consider Framework approval
- Pilot the Racial Equity Review Tool
- Develop training strategy

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DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
A FRAMEWORK FOR MOVING FORWARD
JUNE 15, 2021

I. INTRODUCTION AND OVERVIEW

The Orange Countywide Racial Equity Plan: A Framework for Moving Forward is being developed with a commitment that we will uncover and address implicit biases in our institutions to ensure that race no longer can be used to predict life outcomes in our community. Between October 2020 and January 2021 elected officials of the Towns of Carrboro, Chapel Hill, Hillsborough and Orange County were provided with a Progress Report on Racial Equity and agreed to advance racial equity countywide. (See Appendix A)

This Progress Report was given to elected officials and other stakeholders on the multi-jurisdictional workgroup tasked with drafting the Orange Countywide Racial Equity Plan on April 16, 2021. The multi-jurisdictional task force has employees from the Towns of Carrboro, Chapel Hill, Hillsborough, and Orange County. Carrboro, Chapel Hill, and Orange County completed the Government Alliance on Race and Equity (GARE) North Carolina Cohort Racial Equity Capacity Building training. Hillsborough is a GARE member and may participate in the Capacity Building training later but has been through GARE's foundational training.

II. COMMITTEE REPORTS

In January 2021, the GARE Task Force established subcommittees to work on each section of the plan. The five multi-jurisdictional subcommittees are led by at least one jurisdictional member, and includes staff from each jurisdiction. The subcommittees are: Training, Racial Equity Tool Kit, Community Engagement, Racial Equity Index, and Evaluation and Accountability. The are the Subcommittee Reports:

A. Racial Equity Tool Kit (Carrboro Lead, Anita Jones-McNair)

The Racial Equity Tool Kit Subcommittee conducted preliminary research on how to design a tool that evaluates jurisdictional governance. Using a Countywide process to dismantle institutional and structural racism provides consistency, assurance, and accountability with county residents. This evaluation process can include policies, practices, services, and new initiatives that impact racial equity.

Just to recap the purpose of this tool, the Racial Equity Tool evaluates new and/or existing policies, practices and initiatives through a racial equity lens. Hopefully the evaluation results align with racial equity goals. The tool was designed to compile and examine the following information:

1. Desired Results
2. Data Collection & Analysis
3. Community Engagement/Partnership
4. Strategies
5. Implementation
6. Communication, Evaluation, and Accountability

We discovered that through discussion, research, and communication with other jurisdictions using the racial equity tool, more relevant information emerges.

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
A FRAMEWORK FOR MOVING FORWARD
JUNE 15, 2021**

Here is what we know –

- The importance of racial equity evaluation.
- The tool in its current form is difficult and time-consuming to navigate each time a jurisdiction needs to examine services through a racial equity lens, regardless of whether it is a new initiative or existing policy or practice.
- Calibrating how and when the tool/process is used can make a difference in its overall effectiveness.
- Create a fundamental process that allows us to examine services now and prepare for future needs.
- This tool is a work in progress, which includes naming the instrument.

Our goal is to redesign the instrument so that it can be flexible and meet the needs of each jurisdiction. (See Appendix B) We recommend using this tool for one year. After the duration of time, the subcommittee can reconvene to review the instrument's use and necessary updates based on real experiences.

Note that within this summary, the words “tool”, “process”, “instrument”, and “evaluation” are being used interchangeably.

B. Community Engagement (Chapel Hill Co-Leads, Rae Buckley and Sarah Vinas)

The Community Engagement Subcommittee focused on the racial equity principles for conducting community engagement as taught by GARE. The subcommittee includes communication and community engagement staff from Carrboro, Chapel Hill, Hillsborough, and Orange County. Each municipality is experimenting with engagement tactics to reach marginalized communities so the committee focused on establishing shared principles for shifting the power dynamics in government to prioritize the perspective of communities most impacted by racism. The draft principles are listed below.

1. Government is committed to change toward a new power dynamic for shared decision-making working together with the community.
2. Government will listen, learn, and implement solutions from all communities, especially impacted communities of color.
3. Government will co-design desired results and engagement processes (such as the IAP2 Spectrum of Public Participation) with the community.
4. Government will provide training and technical assistance for employees seeking to engage and build partnerships with the community.

Racial Equity Index (Orange County Lead, Nancy Coston)

The Racial Equity Index committee will develop a countywide racial equity index and community scorecard to track Orange County’s equity metrics. The first work deliverable will be developing an overview of available relevant data and organizing it into a user-friendly public-facing web page. The following action steps and timelines are anticipated:

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
A FRAMEWORK FOR MOVING FORWARD
JUNE 15, 2021**

- Identify key indicators, data sources, and platforms for the overview of Orange County demographics. This overview will include relevant data about race and disparities in critical areas such as income, education, and health. The timeline for completion of this work is June 2021.
- Develop a racial equity index depicting the correlations of key indicators to predict outcomes and impacts on racial disparity in identified critical areas such as income, education, and health. This work will probably require outside resources, and committee members will be meeting with organizations with this capacity. The committee will recommend a methodology for the index by June 2021 and anticipates completing the work by Fall 2021.

C. Training (Hillsborough Co-Leads, Haley Bizzell and Jen Della Valle)

Organizational Capacity

Organizational capacity is a key component in advancing racial equity efforts. This includes a plan to provide training to build capacity to advance and embed racial equity in countywide systems. It is important to provide adequate racial equity training to ensure that employees, elected officials, advisory boards, and community partners learn how to incorporate an equity lens in their everyday work and decision-making processes.

GARE racial equity training topics include:

- History of race
- Implicit and explicit bias
- Institutional and structural racism
- How to use and apply racial equity tools

Targeted training groups:

- Elected officials
- Management/supervisors
- Non-management
- Advisory board members
- Community/business partners
- General public

To ensure that an organization is ready to train the various groups, each organization should look at the organization's readiness to make a change. Leadership needs to be supportive of efforts and there needs to be a clear vision. An organization must also make sure it has the appropriate resources such as staff time and budget. Training can be provided as a requirement for all staff or as a voluntary opportunity.

Appendix "C" has a more detailed framework that has been developed by Town of Carrboro, Town of Chapel Hill, Town of Hillsborough, and Orange County as a set of best practice guidelines to review and consider prior to implementing racial equity training.

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D. Evaluation and Accountability (Orange County Lead, Annette Moore)

The Evaluation and Accountability Subcommittee is working on an evaluation plan based on the Results-Based Accountability principles (RBA) framework. The RBA framework provides a disciplined, data-driven decision-making process to help local governments take action to solve problems. RBA is a tool that "starts with the desired result and works backward to the means, to ensure the desired results that your plan works toward community results with stakeholder-driven implementation." Results-based accountability helps distinguish between population level (whole group), and performance measure (activity-specific) indicators that organizations use to determine whether they are having an actual impact. The RBA framework indicates the relationship over time between results, indicators, and activities. It is based on seven questions of population accountability:

1. What are the desired results?
2. What would the results look like?
3. What are the community indicators that would measure the desired results?
4. What does the data tell us?
5. Who are your partners?
6. What works to change the data trend toward racial equity?
7. What actions should you start with?

Performance Accountability for Actions: The Road to Getting to Results

In using the RBA framework, the groundwork has already been set. For each community indicator, the group has identified a set of actions. Facilitated action planning sessions help to refine the steps. Population-level indicators and results will then help to build a performance plan. Performance measures will ensure actions or activities are crafted in a way to decrease racial disparities. More details are outlined in Appendix D.

Some questions asked in this process are:

1. Who do you serve?
2. What is an action's intended impact?
3. What is the quality of the action?
4. What is the story behind the data?
5. Who are the partners with a role to play?
6. What works to have a greater impact?
7. What are the next steps?

Develop a Stewardship Plan

Some questions asked in creating a stewardship plan are:

1. Are there outcomes and actions that are receiving less attention than others?
2. Is there a need to change the plan?
3. Have plan actions been implemented or are in progress? What do the results indicate as to how to improve?

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4. Is there an explanation and/or proposal for resolving the issue if there are unmet or blocked actions?
5. Are there racially diverse staff working on the plan over the year(s)?
6. Are residents of color engaged in the implementation of the plan over the year(s)?
7. Are measures being recorded and updated as actions change, or are they completed?
8. Is the jurisdiction reporting on challenges and successes?

III. PROJECTED TIMELINE

Below is the Countywide Racial Equity Plan's timeline as well as the projected timeline the GARE Teams have agreed on to complete this project:

October 2019 – January 2021	GARE NC Cohort – Building Capacity for Racial Equity
September 2020	Progress report – proposal for Countywide Racial Equity Plan
October 2020	Carrboro and Hillsborough Town Boards and Orange County Board agree to Countywide Racial Equity Plan
January 2021	Chapel Hill Town Council receives update about Countywide Racial Equity Plan
January 2021	Multi-jurisdictional subcommittees formed
April 2021	Subcommittee progress report to elected officials compiled and shared with managers/elected officials
April 2021	Completion of first draft of report framework
April – May 2021	Community/Stakeholder Engagement Comment Period
May 2021	Initial review and comment period by elected officials
May 2021	Review and Finalize Plan by Subcommittees and Co-Leads
June 2021	Approval by elected officials of the first draft with additions, changes, or comments
June – August 2021	Review of changes and finalization of draft plan by committee
September – October 2021	Countywide public hearing
Fall 2021	Review of draft for approval by elected officials

IV. NEXT STEPS

I. Next Steps

1. Progress report submitted to managers and elected officials.
2. Preliminary engagement of some stakeholders – answering questions about the plan
3. Include responses in the background information of the racial equity action plan.
 - a. Examples of Community/Stakeholder Engagement

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- Chapel Hill-Carrboro of the NAACP members
- Northern Orange Branch of the NAACP members
- El Centro Hispano members
- Human services agency groups
- Marian Cheek Jackson Center
- Public housing residents
- Inter-Faith Council residents
- Refugee Community Partnership members
- Refugee Support Center
- Long -Term Recovery Groups/contacts
- Orange County Changemakers
- Orange County Partnership to End Homelessness
- Local Reentry Council
- Orange County Community Remembrance Coalition
- Rogers-Eubanks Neighborhood Association (RENA)
- Cedar Grove Community Center
- United Voices of Efland Cheeks
- Orange Congregations In Missions

b. Community/Stakeholder Engagement Questions

- What three results would you like to see as a result of this plan?
- What sections of this plan will help us achieve those results?
- Who should be involved in future community engagement?
- Who is negatively affected by using this framework/plan?
- What do you see as the most critical racially equitable outcomes?

Please let your GARE Team lead know any comments, questions or concerns you have about this timeline for moving forward.

V. APPENDICES

APPENDIX A. PROGRESS REPORT

Progress Report sent to Carrboro, Chapel Hill, Hillsborough and Orange County elected officials between October 2020 and January 2021. See Link to Orange County Board of County Commissioners' Meeting, October 8, 2020 [here](#).

APPENDIX

APPENDIX B. RACIAL EQUITY TOOL KIT

Racial Equity Review

This review aims to evaluate a new or existing initiative and illustrate how it aligns with the County's or

Town's racial equity goals.

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JUNE 15, 2021**

Name of Initiative (Practice/Project/Service/Policy)	New or Existing?	Who is Conducting Review?
ORIGIN AND DESCRIPTION OF INITIATIVE <ul style="list-style-type: none"> For new initiatives – why this initiative and why now? For existing initiatives- include background information and milestone dates 		
DESIRED RESULT <ul style="list-style-type: none"> What specific results/outcomes are intended for the community or internally? 		
DEMOGRAPHICS (be as specific as possible) <ul style="list-style-type: none"> Who is this initiative focused on? (Neighborhoods, geographic areas, racial groups, income groups, employees, etc.) What data can you provide to describe your target population? What data is missing? 		
BENEFITS <ul style="list-style-type: none"> Who benefits directly and indirectly from this initiative? How? Share any relevant data (link to jurisdictional map and/or information) 		
IMPACTS <ul style="list-style-type: none"> Who is negatively impacted by this initiative? How? For new initiatives consider impacts during and after this initiative? How? What can be done to mitigate (any) negative impacts? Are there any challenges that need to be overcome? How? Share any relevant data 		

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
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JUNE 15, 2021**

COMMUNITY ENGAGEMENT

- How have you involved community members in developing this initiative?
- Have you involved those directly impacted?
- How have you addressed the concerns raised by community members?
- Going forward, how do you plan to include voices of those most impacted / burdened?

ACCOUNTABILITY

- How will the impact of the initiative be measured?
- How will you share results with your department and leadership?
- How will you share results with community members and stakeholders?
- How will you incorporate feedback from community members and stakeholders?

APPENDIX**APPENDIX C. TRAINING/ORGANIZATIONAL CAPACITY FRAMEWORK**

Purpose: The training committee will develop a plan to provide training to policymakers, managers, staff, boards and commission members, community partners, and the general public to build capacity to advance racial equity and to embed racial equity into countywide systems.

1. Each organization should identify the following prior to providing racial equity training:

- a. Organization's racial equity vision – this will allow the organization to determine how the training can align with and make progress toward the overall equity vision.
- b. Purpose of the training
- c. Training goals
- d. Assessment of what has already been done, such as policy revisions and previous trainings including the content, focus, and perspectives of previous trainings.
- e. Next steps after training and who is responsible for moving those efforts forward.

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
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JUNE 15, 2021**

2. Questions to ask prior to training:

- a. What is the staff's capacity to take on this training and time commitment?
- b. Does the organizational culture support candid conversations around race and equity? See Organizational Capacity section below.
- c. Is leadership invested in transformative change?
- d. What do employees expect and/or want to get out of the training? Training can then be tailored to those interests.
- e. What are timely next steps for participants?

3. Structure of training:

Below are guidelines and/or suggestions and considerations for the structure of racial equity training.

- a. Adapt presentation style for each member group ensuring diversity of participants within each training session.
 - i. Elected officials
 - ii. Management/supervisors
 - iii. Non-management
 - iv. Advisory board members
 - v. Community/business partners
 - vi. General public
- b. Multiple training facilitators across jurisdictions & a technical support person
 - i. Have diverse facilitators to keep trainees engaged including at least one facilitator that is representative of the majority of the group regarding gender and race.
 - ii. Consider having a technical support person to help facilitate.
- c. Offer initial training to start the conversation around racial equity and provide background information.
 - i. Balance lecture with discussion, breakout sessions, and group discussions.
 - ii. GARE training should be completed consecutively.
 - iii. Training length, including the number of days and hours, will likely vary for each organization depending on the culture, goals, purpose of the training, and the number of people in attendance.
- d. Suggested preparation
 - i. Practice presenting the training beforehand.
 - ii. Review GARE's FAQs to prepare for answering staff questions.
 - iii. Share resources including training content and FAQs with facilitators across organizations.

4. Training Content:

- a. Initial background/information session on racial equity. This introductory training would be geared toward new employees or people who have not attended racial equity training. The initial training helps build a shared language and understanding of basic concepts. When presenting the training content, consider varied literacy and learning styles across participants.

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- b. On-going/follow-up training
 - i. Implicit and explicit bias
 - ii. Institutional and structural racism
 - iii. Racial equity tool – what it is and how to use it for your organization.
 - iv. Inclusive outreach and public engagement
 - v. Operationalizing and organizing racial equity
- c. After the training, ask for feedback or an evaluation to help improve future training content.

1. Organizational Capacity:

- a. Organization's culture
 - i. Is the organization ready to make changes to advance racial equity?
- b. Develop, engage and maintain a core team of employees from multiple levels of influence across departments.
- c. Time commitment
 - i. Facilitators and participants
 - ii. Initial training from GARE and learning COHORT process.
 - iii. Train the trainer approach.
 - iv. Management & supervisors time to attend trainings and complete assignments outside of training.
- d. Resources
 - i. Budget
 - ii. Community partners
 - iii. Employee commitment
 - iv. Full-time diversity, equity, and inclusion position
- e. Cross-organizational teams
 - i. Facilitation

VII. APPENDIX

APPENDIX D. EVALUATION AND ACCOUNTABILITY SUBCOMMITTEE

PURPOSE: The Evaluation and Accountability Committee will develop an Evaluation Plan based on the principles of [the Results-Based Accountability \("RBA"\) framework](#). RBA is a national model and provides a disciplined, data-driven, decision-making process to help local governments take action to solve problems. The approach delineates between community conditions/ results and performance accountability/outcomes. Our Evaluation Plan will help us apply racial equity principles embedded into the Results-Based Accountability (RBA) methodology into the Orange County Racial Equity Action Plan.

Results and Community Indicators that Create Outcomes

- 1. What needs or opportunities were identified during the research and assessment phase of this process?

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
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2. What needs to be different in our jurisdiction's culture, workforce, policies, practices, and procedures?
3. What change do we ideally want (not just for what we would settle)?
4. What does our jurisdiction define as the most important racially equitable outcomes? (Should be answered by the Community)
5. What are some known racial inequities in your jurisdiction? What does population level data reveal about root causes or factors influencing the racial inequity?
6. What are the root causes or factors creating these racial inequities?
7. How does your jurisdiction's relationship with communities of color need to change?
8. How can those most adversely affected by an issue be actively involved in solving it?
9. How will proposed outcomes address root causes of racial disparities and advance institutional and/or systemic change?
10. What government programs will this proposal impact? What are the opportunity areas? I.e. budget, health, jobs, social services, criminal justice?
11. How do you ensure your proposal is working and sustainable over time?

Creating Actions to Achieve Outcomes

1. Were actionable solutions identified during the information gathering phase of this process by communities of color?
2. Which actions were identified as priorities by the communities of color?
3. What is a specific change in policy, practice, or procedure that could help produce more equitable outcomes? Are these changes working together, in a complementary way?
4. How will an action decrease racial disparities?
5. Are there any unintended consequences? Who benefits; who will be burdened? Can they be mitigated?
6. Will the proposal impact specific geographic areas and what are the racial demographics of those areas?
7. What capacity is needed to successfully implement the action? Is it adequately funded?
8. How will an action be implemented and by whom?
9. Is the action achievable within the lifetime of the plan?
10. Is the action measurable and how will it be measured?
11. What performance level data is available for the proposal? Are there gaps in the data that need to be filled and/or tell us about the racial inequity in our community.
12. How will the racial equity plan be communicated, internally and externally? Is the communication reaching the intended audience?
13. How can the plan be systematized?

Who is Responsible or Accountable for Completion of Each Action (Stewardship Plan)

9. Ongoing coordination
 - a. What is needed?
 - b. Who is accountable?
 - c. How will they be held accountable?
 - d. Is the plan durable?

**DRAFT ORANGE COUNTY COUNTYWIDE RACIAL EQUITY PLAN
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JUNE 15, 2021**

- e. Does the plan allow for continuity and succession?

10. Ongoing, Racially Equitable and Relevant Engagement

- a. Community Engagement
- b. Stakeholder Engagement
- c. Staff Engagement
- d. Boards and Commissions
- e. Elected Officials

11. Annual Progress Reporting prior to the Budget Process

- a. Are there outcomes and actions that are receiving less attention than others?
- b. Is there a need to change the plan? (Process Improvements annually)
- c. Have plan actions been implemented or are in progress? What do the results indicate as to how to improve?
- d. If there are unmet or blocked actions, is there an explanation and/or proposal for resolving the issue?
- e. Are racially diverse staff working on the plan over the year(s)? How many?
- f. Are residents of color engaged in the implementation of the plan over the year(s)? How many?
- g. Are measures being recorded and updated as actions change or are completed?
- h. How many citizens are engaged?
- i. Each jurisdiction reports on challenges and success annually to elected officials.

4. What are the resource gaps?

5. How will we prioritize the needs?

- a. What is needed?
- b. Who is accountable?
- c. How will they be held accountable?
- d. Is the plan durable?
- e. Does the plan allow for continuity and succession?



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., File #: [21-0562], Version: 1

Meeting Date: 6/16/2021

Consider a Land Use Management Ordinance Text Amendment - Proposed Changes to Section 3.11 Regarding Blue Hill Form District Use Categories.

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. Introduction and revised recommendation
- b. Comments and questions from the Mayor and Town Council
- c. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- d. Motion to enact the ordinance to approve the changes to the Land Use Management Ordinance.

RECOMMENDATION: That the Council adopt the resolution of consistency, and enact the ordinance to approve the changes to the Land Use Management Ordinance.



CONSIDER AN APPLICATION FOR LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT: SECTION 3.11 REGARDING BLUE HILL FORM DISTRICT USE

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Becky McDonnell, Planner II

REGULAR MEETING DATE June 16, 2021	PUBLIC HEARING DATE May 26, 2021
AMENDMENT REQUEST Amend the Permitted Uses table for the Blue Hill Form District to refine the residential uses to include Short-Term Rentals, and also include the definition of Short-Term Rentals in the Use Categories definitions section. This Amendment would permit Short-Term Rentals within the Blue Hill Form District as residential uses and not to be used to fulfil a commercial component of a project.	
UPDATES SINCE THE MAY 26 PUBLIC HEARING The Ordinance has been updated for consistency with the proposed Land Use Management Text Amendment to Section 6.27 Short-Term Rentals.	
TOWN MANAGER'S RECOMMENDATION I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the proposal, and therefore should adopt the Resolution of Consistency and enact Ordinance A.	
PROCESS The item before the Council is for approval of a Land Use Management Ordinance Text Amendment. The Council must consider whether one or more of the three findings for enactment of the Land Use Management Ordinance Text Amendment applies: <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. 	OVERVIEW <ul style="list-style-type: none"> • The Blue Hill Form District was created in July 2014 and contains regulations and definitions that are distinct from the regulations and definitions in parallel sections of the Land Use Management Ordinance. • The use requirements for mixed-use buildings in Section 3.11 need further refinement to reflect a distinction of residential and commercial uses within the district. • The text amendment would update the relevant sections of the Land Use Management Ordinance to include Short-Term Rentals as a new residential use.
DECISION POINTS Tonight's proposal is to amend the Blue Hill Form District (Section 3.11) of the Land Use Management Ordinance including the following changes: <p>Permitted Uses</p> <ul style="list-style-type: none"> • Section 3.11.3.4 Permitted Use Table - update the section to include Short-Term Rental as a permitted residential use only within the Blue Hill zoning districts; • Section 3.11.3.5 Use Categories - update the section to include the definition of Short-Term Rental in the residential uses category; 	
ATTACHMENTS	<ol style="list-style-type: none"> 1. Summary of Proposed Changes 2. Draft Staff Presentation 3. Resolution A, 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)



PROPOSED CHANGES: TEXT AMENDMENTS TO THE LAND USE MANAGEMENT ORDINANCE ARTICLE 3

The following is a summary of the proposed text amendment to amend the LUMO to include changes to the Blue Hill District use categories:

1. Amend the 3.11.3.4, Permitted Use Table, to include Primary Residence Short-Term Rental and Dedicated Short-Term Rental

This amendment will modify the use table to specifically allow primary residence and dedicated STRs in the Blue Hill zoning districts.

2. Amend Section 3.11.3.5 Use Categories to include Primary Residence Short-Term Rental and Dedicated Short-Term Rental as residential uses.

This amendment will modify the use categories to allow short-term rentals, either primary residence or dedicated rentals, as a residential use within the Blue Hill District.



Land Use Management Ordinance Text Amendment Blue Hill Form District Use Categories

June 16, 2021

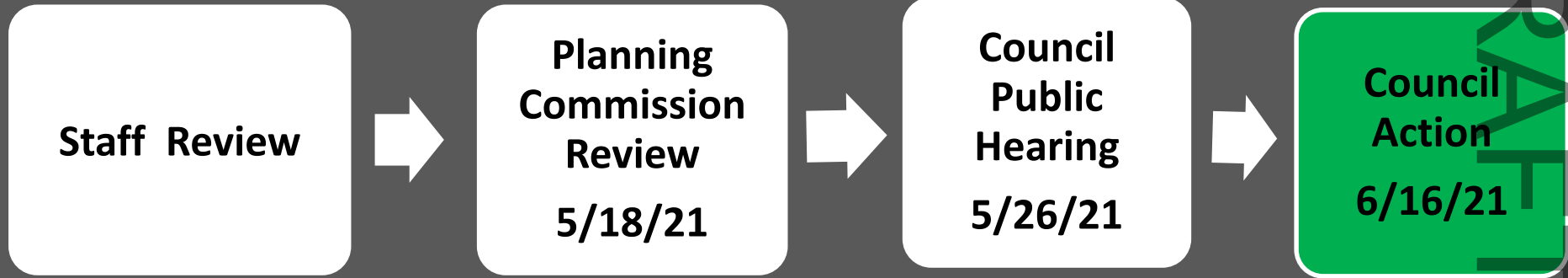
DRAFT

RECOMMENDATION

Consider adopting the Resolution of Consistency,
and enacting Ordinance A

DRAFT

Text Amendment Process



Use Categories⁶¹ Amendment

Section 3.11.3.4. Permitted Use Table

PERMITTED USES	WR-3	WR-7	WX-5	WX-7	Def./Std.
Residential Uses					
<u>Short-Term Rental, Primary Residence</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 3.11.3.5.A.5.a</u>
<u>Short- Term Rental, Dedicated</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 3.11.3.5.A.5.b</u>

Use Categories⁶² Amendment

Section 3.11.3.5. Use Categories.

A. Residential uses.

...

5. Short-Term Rental.

- a. Short-Term Rental, 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, or a lodging unit contained in a building that primarily contains dwelling units.
- b. Short-Term Rentals, 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.

Note: Upon adoption of proposed LUMOTA for Section 6.27 Short-Term Rentals, this section shall be revised to directly reference the definitions in Section 6.27.3

RECOMMENDATION

Consider adopting the Resolution of Consistency,
and enacting Ordinance A

DRAFT

**RESOLUTION A
RESOLUTION OF CONSISTENCY**

(Enacting the Land Use Management Ordinance Text Amendment proposal)

A RESOLUTION REGARDING AMENDING ARTICLE 3, SECTIONS 3.11 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE RELATED TO THE BLUE HILL FORM DISTRICT USE CATEGORIES AND CONSISTENCY WITH THE CHAPEL HILL 2020 COMPREHENSIVE PLAN (2021-06-16/R-5)

WHEREAS, the Planning Commission reviewed the text amendment to the Land Use Management Ordinance Article 3, Section 3.11 on May 18, 2021 and recommended that the Council enact the text amendment; and

WHEREAS, the Council called a Public Hearing to amend Article 3, Section 3.11 of the Land Use Management Ordinance as it relates to Blue Hill Form District use categories for the Council's May 26, 2021 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.11, related to the Blue Hill Form District, 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 Chapel Hill 2020 Comprehensive Plan:

- A range of housing options for current and future residents (Create a Place for Everyone.2)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (Nurture our Community.5)
- 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 (Develop Good Places New Spaces.5)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 Comprehensive Plan (Develop Good Places New Spaces.3)

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 16th day of June, 2021.

ORDINANCE A

(Enacting the Land Use Management Ordinance Text Amendment proposal)

AN ORDINANCE AMENDING ARTICLE 3, SECTION 3.11 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE RELATED TO THE BLUE HILL FORM DISTRICT USE CATEGORIES (2021-06-16/O-1)

WHEREAS, a form-based zoning district was adopted for Blue Hill in July 2014; and

WHEREAS, development in the Blue Hill District is subject to the regulations and definitions in Section 3.11 of the Land Use Management Ordinance, which are distinct from the regulations and definitions in parallel sections of the Land Use Management Ordinance; and

WHEREAS, the residential uses category in Section 3.11 needs further refinement to reflect a distinction of uses within the district; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.11 on May 18, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing to amend Article 3, Section 3.11 of the Land Use Management Ordinance as it relates to Blue Hill Form District use categories for the Council's May 26, 2021 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.11, related to the Blue Hill Form District, 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 Chapel Hill 2020 Comprehensive Plan:

- A range of housing options for current and future residents (Create a Place for Everyone.2)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (Nurture our Community.5)
- 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 (Develop Good Places New Spaces.5)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 Comprehensive Plan (Develop Good Places New Spaces.3)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Appendix A. Land Use Management Ordinance, Article 3, Zoning Districts, Uses, and Dimensional Standards be amended as follows:

Section 1. Section 3.11.3.4. Permitted Use Table is hereby revised to include additional rows as noted below:

3.11.3.4. Permitted Use Table

PERMITTED USES	WR-3	WR-7	WX-5	WX-7	Def./Std.
Residential Uses					
<u>"Short-Term Rental, Primary Residence"</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 3.11.3.5.A.5.a</u>
<u>Short-Term Rental, Dedicated</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 3.11.3.5.A.5.b"</u>

Section 2. Section 3.11.3.5. Use Categories is hereby revised to read as follows:

"3.11.3.5. Use Categories.

A. Residential uses.

1. Household living. Residential occupancy of a dwelling unit by a family on a monthly or longer basis in structures with self-contained dwelling units, including kitchens. The term household living includes an establishment with support and supervisory personnel that provides room and board, personal care and habitation services in a family environment for not more than six (6) residents who are handicapped, aged, disabled, or who are runaway, disturbed or emotionally deprived children and who are undergoing rehabilitation or extended care. The household living does not include a fraternity or sorority, club, rooming house, institutional group or the like. Household living includes the following:
 - a. Detached living. One (1) or two (2) dwelling units in a single principal structure.
 - b. Attached living. Three (3) or more dwelling units in a single principal structure where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.
 - c. Multifamily living. Three (3) or more dwelling units vertically and horizontally integrated.
2. Group living. Residential occupancy of a structure by a group of people that does not meet the definition of family. Tenancy is usually arranged on a monthly or longer basis. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group Living does not include a fraternity or sorority, club, rooming house, institutional group or the like.
3. Social service living. Uses not considered Household Living that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing related to social service programs.
4. Limited Use. Residential uses in the WX-5 and WX-7 subdistricts must include a non-residential use as part of the same application, in order to accomplish the Form District intent for a mixture of uses. For purposes of this section, a non-residential use includes any use listed in the Permitted Use Table (Sec. 3.11.3.4) that is not listed in the residential use category. To satisfy this requirement, the application must satisfy at least one of the criteria below. A building or site with non-residential floor area exceeding the minimum defined below may utilize the Upper Story Floor Area Bonus established in Section 3.11.2.7.T.1.a.
 - a. Mixed Use Building. Where each building contains a vertical mix of uses, a minimum of 10% of the building floor area must contain a

non-residential use. A certificate of occupancy must be issued for at least 50% of the non-residential floor area prior to issuance of a certificate of occupancy for more than 90% of the residential floor area.

- b. Mixed Use Site. A site with multiple buildings may include buildings with a single use, so long as a minimum of 15% of the total floor area for the site contains a non-residential use.

5. Short-Term Rental.

- a. **Short-term rental, 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, or a lodging unit contained in a building that primarily contains dwelling units.**
- b. **Short-term rental, 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."**

Section 3. This ordinance shall be effective upon enactment.

Section 4. Upon enactment of the townwide Short-Term Rental ordinance that defines "Short-Term Rental, Dedicated" and "Short-Term Rental, Primary Residence" in Section 6.27.3, then Section 3.11.3.5.A.5 will be revised to read as follows:

"5. Short-Term Rental. **See Section 6.27.3 Definitions.**

- a. ~~Short-Term Rental, Dedicated: the rental of all or part 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 in exchange for a fee for a period of fewer than thirty (30) consecutive days. No simultaneous rental contracts are permitted.~~
- b. ~~Short-Term Rentals, Primary Residence: the rental of all or part of a primary residence that is rented wholly or partly for a fee to one or more parties of guests in exchange for a fee for a period of for fewer than thirty (30) consecutive days. No simultaneous rental contracts are permitted when the host is not on-site."~~

This the 16th day of June, 2021.

RESOLUTION B**(Denying the Land Use Management Ordinance Text Amendment Proposal)****A RESOLUTION DENYING AMENDING THE LAND USE MANAGEMENT ORDINANCE ARTICLE 3, SECTION 3.11 RELATED TO THE BLUE HILL FORM DISTRICT USE CATEGORIES (2021-06-16/R-6)**

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.11 on May 18, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing to amend Article 3, Section 3.11 of the Land Use Management Ordinance as it relates to Blue Hill Form District use categories for the Council's May 26, 2021 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.11, related to the Blue Hill Form District, and finds that the amendment, if enacted, is unreasonable, not in the public's interest, and inconsistent with the Town's Comprehensive Plan.

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 16th day of June, 2021.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., File #: [21-0563], Version: 1

Meeting Date: 6/16/2021

Consider an Application for Conditional Zoning - Aura Development, 1000 Martin Luther King Jr. Blvd. from Residential-1 (R-1) to Office/Institutional-3 (OI-3) (Project 20-074)

See Summary Report on 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 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.

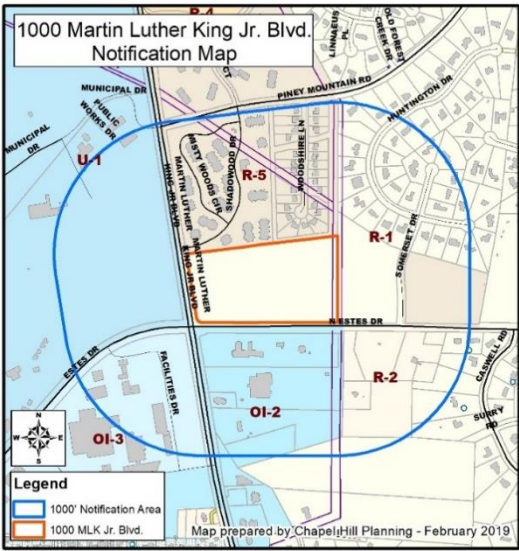
RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Revised Ordinance A.



CONSIDER AN APPLICATION FOR CONDITIONAL ZONING FOR AURA DEVELOPMENT, 1000 MARTIN LUTHER KING JR. BOULEVARD (PROJECT # 20-074)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING
Colleen Willger, Director
Judy Johnson, Assistant Director

<p>PROPERTY ADDRESS 1000 Martin Luther King Jr. Blvd.</p>	<p>MEETING DATE June 16, 2021</p>	<p>APPLICANT Sean Gleason, McAdams Co., on behalf of Trinsic Residential Group and Cant Hook Properties LLC, the owner of the property</p>
<p>UPDATES SINCE THE MAY 26, 2021 PUBLIC HEARING</p> <p>Staff has prepared responses to questions heard at the May 26, 2021 hearing. Revised Ordinance A has been revised to accommodate proposed changes. The applicant has provided additional attached to this memorandum as well.</p>		
<p>TOWN MANAGER RECOMMENDATION</p> <p>That the Council could consider adopting the Resolution of Consistency and enacting Revised Ordinance A, approving the proposal.</p>		
<p>ZONING <i>Existing:</i> Residential-1 (R-1) <i>Proposed:</i> Office/Institutional-3-Conditional Zoning District (OI-3-CZD)</p>	<p>DECISION POINTS</p> <p>The applicant requests modifications of regulations to the following categories:</p> <ul style="list-style-type: none"> • Foundation buffer standard; • Perimeter buffer standards. <p>The applicant will provide information for two affordable housing scenarios for Council's consideration. These alternative weigh the relative costs of meeting lower-income thresholds. Both scenarios would provide on-site townhouses for sale.</p>	
<p>PROCESS</p> <p>Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties.</p>		
<p>PROJECT OVERVIEW</p> <p>The application is located on a 16.2-acre lot at the northeast corner of Estes Drive and Martin Luther King Jr. Blvd. Several Concept Plans have been reviewed by the Council, most recently at the May 6, 2020 Council Meeting¹.</p> <p>The application proposes:</p> <ul style="list-style-type: none"> • Approximately 419 dwelling units: 361 apartment units and 58 for-sale townhomes. • 7,521 sq. ft. of business, convenience; 6,020 sq. ft. of restaurant; and 2,316 sq. ft. of business, office-type. <p>A Transportation Impact Analysis has been completed and identifies improvements along the frontages of both Estes Drive and Martin Luther King Jr. Blvd.</p> <p>The applicant proposes:</p> <ul style="list-style-type: none"> • a right-in/right-out entrance on Martin Luther King Jr. Blvd. • a full access driveway on Estes Drive. • a median divider along Martin Luther King Jr. Blvd. • a mid-block crosswalk on Estes Drive. • if traffic signal warrants are met, a traffic signal to be added to the Estes Drive and Somerset Drive intersection. 	<p>PROJECT LOCATION</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. Resolution A, Resolution of Consistency 4. Revised Ordinance A (Approving the Application) 5. Resolution B (Denying the Application) 	

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4432413&GUID=590B4EDC-8F0C-4EB9-9543-502B2F030A0B>

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| | <ol style="list-style-type: none">6. Advisory Boards Recommendations7. Applicant Site Plan dated June 10, 20218. Applicant's written response dated May 20, 20219. Applicant's Materials10. Traffic Impact Analysis – Executive Summary11. Town Wide Traffic Model – Estes Drive Scenario Testing Technical Memorandum12. Site Plan (4 files) |
|--|---|



ADDITIONAL INFORMATION FOR THE CONDITIONAL ZONING FOR AURA DEVELOPMENT, 1000 MARTIN LUTHER KING JR. BOULEVARD (PROJECT # 20-074)

June 16, 2021

TOWN OF CHAPEL HILL PLANNING

Colleen Willger, Director

Judy Johnson, Assistant Director

Staff has provided this summary of key considerations from the May 26, 2021 Public Hearing on the Aura Development project.

KEY CONSIDERATIONS

Traffic

In response to concerns regarding safety for pedestrians and bicycles as well as delay for vehicles exiting Somerset Drive, there is significant interest in installing a traffic signal at the intersection of Somerset Drive and Estes Drive. Estes Drive is maintained by North Carolina Department of Transportation (NCDOT). NCDOT would need to approve a proposed improvement. At this time, staff believes that a traffic signal is not warranted at Somerset Drive and Estes Drive. Staff believes that once the Town bicycle and pedestrian project on Estes Drive is complete, it maybe be possible to install a traffic signal; the Town's Estes Drive Connectivity Project will increase pedestrian and bicycle traffic as well as add traffic volumes. We have included the following condition in the Council Ordinance for Aura Development:

8. Estes Drive and Somerset Drive: Prior to issuance of a Zoning Compliance Permit, all construction details shall be reviewed and approved by the Town and NC Department of Transportation. A full traffic signal be constructed by the Town if traffic signal is warranted and approved by NCDOT. Remaining funds required for traffic signal design and construction to be provided by others. Prior to issuance of a Final Zoning Inspection, the developer shall provide the following improvements:
 - A payment-in-lieu is provided by the developer proportional to the proposed traffic generated by the development as compared with the pre-COVID-19 traffic volumes for adjusted for 2020.

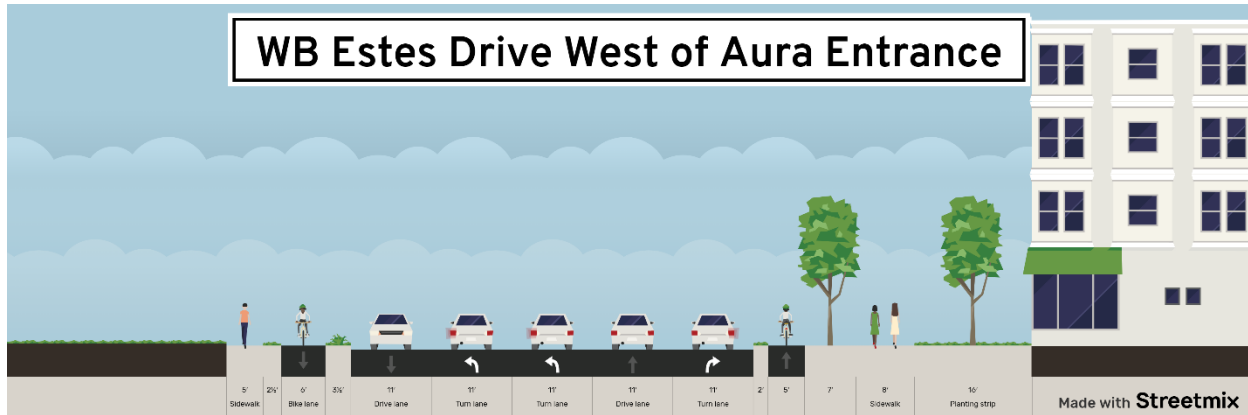
The entrance on Estes Drive would be a full access intersection (allowing both right and left turns entering and exiting the site). NCDOT would require at least one of the Aura Development access drives to be full access to provide reasonable access to the site.

Additional information regarding the proposed Martin Luther King Jr. Blvd. median will be shared prior to the Council meeting.

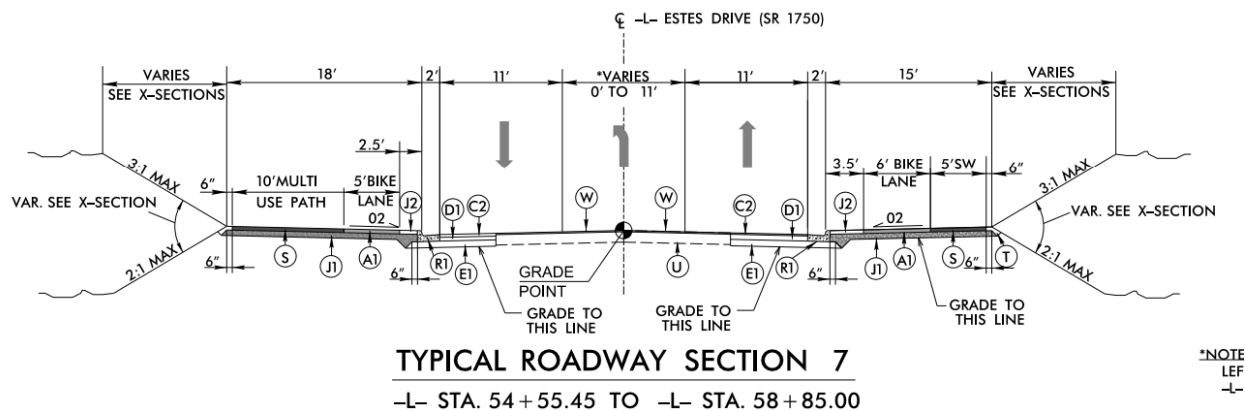
Estes Drive Cross-section

At the Public Hearing, Council members expressed interest in understanding the proposed cross-section of Estes Drive along the frontage of the Aura property.

The applicant has provided some typical cross-sections along the Aura frontage (below and attached). Town staff recommends the applicant's proposal be revised to include eight (8) foot wide sidewalks, instead of seven (7) foot wide sidewalks. The eight foot width would be consistent with Type B frontages within the Blue Hill District.



Additionally, the Estes Drive Connectivity Project, the Town's bicycle and pedestrian project, from Caswell Road to Martin Luther King Jr. Blvd is adding bicycle lanes, a sidewalk on the south side, a 10 foot wide multi-use path along the north side, and intersection improvements. The typical cross-section (looking east) is depicted below:



The Town's contract award for the Estes Drive Connectivity Project is for the entire length of the Estes Drive frontage with exception of the Aura property and the adjoining property to the east, Parcel Identifier Number 9789-45-5646 (currently owned by Whitcomb Rummel). These two property frontages (approximately 1,500 linear feet) were not included in the bid package for the Estes Drive Connectivity Project due to a variety of circumstances including trouble negotiating, timeline for development, and threat of federal funds being rescinded. Town staff made the decision to remove the Rummel and Aura development properties from the Estes Drive Connectivity Project design in order to move forward with the rest of the Town's project.

Staff has been working with NCDOT to understand the limitations for plantings within the public rights-of-way. Plantings in the NCDOT right-of-way need to conform with the *NCDOT Guide for Planting Within Highway Right of Way*² which establishes design and administrative requirements to ensure safety, maintenance responsibilities and acceptable operation and maintenance of the roadway facilities. Below is a summary of the planting requirements:

The NCDOT required horizontal setbacks from travel way for urban curb and gutter sections for speed limit 35 mph or below:

- Shrubs and small trees (4" trunk caliper or less)

² <https://connect.ncdot.gov/resources/roadside/AestheticEngineeringDocuments/PlantingGuidelines.pdf>

- Foliage line of shrub- 1 foot Back of Curb (BOC)
 - Center of Trunk- 5 feet from edge of travel way
- Large Trees (trunk caliper greater than 4")
 - Center of Trunk- 10 feet edge of travel way
- Required minimum vertical clearances, all plantings:
 - 16 feet above travel way
 - 7 feet above sidewalks
 - 2 foot -6 inches above roadway elevation along sightlines

Staff has also been providing information on adequate tree planting areas. The Town's Design Guidelines section on parking standards indicates the minimum amount of surface soil (in square feet) that a tree should be planted in is 200 sq. ft. Staff does share that this is only one standard and does not address soil volume (length, width and depth). In other words, adequate square footage does not yield the depth of amended soil that a tree should have access to not just survive but thrive. Landscape industry standards generally suggest approximately 1,000 cubic feet of soil for large trees.

Staff has suggested considering using silva cells along the Aura frontage to enhance a tree's growth, to help prevent significant future maintenance costs and perform stormwater management.

These have been incorporated into a condition in Revised Ordinance A.

De-Coupling Parking

At the Public Hearing on May 26, the developer agreed to decouple the parking rental from the apartment rentals. We have included this de-coupling as a condition in the Revised Ordinance:

- Parking Space Rental: The developer shall rent the resident parking spaces, available only to Aura residents, separately from apartment rental leases. Vehicle parking spaces shall be offered to Aura residents at an additional per month rate. Prior to a Zoning Final Inspection, a lease example shall be provided to the Town for review and approval. Nothing in this condition shall limit Aura's ability to provide the appropriate number of visitor parking spaces for the project.

Stormwater

The developer has not conducted a downstream analysis beyond the property line to assess the capacity or the stream channel capacity south of the site. The developer has agreed to conduct the analysis as part of the Final Plan Zoning Compliance Permit stage after the Conditional Zoning approval. It is at this stage when construction-ready drawings are prepared and submitted. Staff will evaluate the submission by the developer at that time. A condition requiring the analysis of the downstream culvert during zoning compliance permit application has been added to Revised Ordinance A:

- Downstream Culvert Analysis: Prior to the issuance of the Zoning Compliance Permit, the developer shall provide a downstream analysis for the Town's regulatory design storms demonstrating that the peak flows for these storms can be conveyed through the culvert.

Since the Public Hearing on May 26, Town staff has met with Amity Methodist Church to discuss the possible stormwater impacts on the church's property. As part of the Aura Development, the developer informed staff that they plan to fill in the existing culvert crossing Estes Drive discharging to the Amity Methodist Church property which would

reduce the stormwater impacts on Amity Church from this property. Additionally, staff had concerns with a second culvert near the eastern Aura property line. Staff has learned that this culvert is to be replaced with a larger culvert as part of the Estes Drive Connectivity Project. NCODT requires that culvert be sized to convey the 50-year storm event.

Affordable Housing

At the May 26 Public Hearing, the number and location of the proposed affordable housing units were discussed. The developer has agreed to provide:

- 8 affordable three-bedroom townhouse for-sale units for residents earning up to 80 percent AMI.
- 29 apartment units with 9 available to residents earning up to 80 percent AMI and 20 units for residents earning up to 65 percent AMI. The rental units will be available for a minimum of thirty (30) years. The rental units will be one and two bedroom units proportional to the market-rate units.

The Council also discussed that the affordable units should be substantially indistinguishable from the market-rate units on the exterior. Staff has heard from Community Home Trust that units with garages are preferable.

These updates have been included as conditions in the Revised Ordinance A.



TECHNICAL REPORT

UPDATES SINCE THE MAY 12 PUBLIC HEARING

At the May 12 Public Hearing, additional information was requested by the Council. Staff has provided the following information and the applicant provided a written attachment.

Revised Ordinance A

Ordinance A has been revised with these added conditions:

- Commercial Space: An increase of up to 100 percent of the permitted commercial use square footage shall be considered an administrative approval.
- Future Bike Share Station: Prior to issuance of a Zoning Compliance Permit, the plans shall indicate an area to be designated as a future bike share docking station near the Bus Rapid Transit station along Martin Luther King Jr. Blvd.
- Estes Drive Culvert: [added to condition 24] Prior to issuance of a Zoning Compliance Permit, the developer shall provide to the Town a detailed stormwater management plan ensuring that the NC Department of Transportation culvert has adequate capacity.
- Bus Rapid Transit Station: Prior to issuance of a Zoning Compliance Permit, the developer shall design and construct the BRT station with the developer contributing \$100,000 of those costs.

Stormwater Overview

Stormwater management is achieved by directing runoff into engineered stormwater control measures (SCMs) to store runoff which is released at a controlled rate into nearby waterbodies. Town regulations require 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 (2.96 in), 2-year (3.58 in), and 25-year (6.11 inches) 24-hour storm events. The intention of this regulation is to mitigate against high flow rates that can cause erosion and flooding in urban streams, damaging habitat, property, and infrastructure.

The Town also requires detention of the increased runoff volume due to development for the 2-year, 24-storm event using on-site infiltration or reuse of stormwater runoff as irrigation or graywater. The intention of this regulation is to prevent additional volume from being directed downstream. When neither infiltration or reuse are possible and/or practical, the increased volume is required to be slowly released or “drawn down” over a period of 2-5 days. The runoff is released through an orifice which control the rate. The design guidance requires projects to check larger storm events (i.e., 50-year (6.85 in) and 100-year (7.61 in)) to demonstrate runoff can bypass the engineered system and be discharged in a way to non-erosively impact the stream.

The design storms listed in the Town’s Stormwater Management ordinance are consistent with regional and industry standards. The design storm rainfall depths and intensities are based on data from NOAA Atlas 14. Stormwater design modeling assumes 100% available storage in the engineered system prior to the rainfall event. In reality, rainfall is not entirely predictable; for example, there can be large events or high intensity bursts of

rainfall in succession. The high intensity short-term bursts of rainfall occur with a higher frequency and can stress a stormwater system. The system may still be releasing runoff at the time a subsequent storm event arrives. Therefore, the assumption that there is 100% storage in the engineered storm systems may not be met resulting in overflow from smaller events.

Traditional stormwater controls rely on a single large system that results in flow released over longer duration. As an alternative, the practice of green infrastructure (i.e., permeable pavement and bioretention) can help address high intensity bursts of rainfall. Examples of green infrastructure at the Shelton Station project in Carrboro shown below. Green infrastructure (GI) capture runoff at its source and mimic natural hydrology. By dispersing small GI practices through the site, the impervious area is broken into smaller drainage basins reducing the accumulation of peak flow to one system. Green infrastructure adds redundancy, increases the available ponding, changes the timing of discharge, and attenuated peak flow. Green infrastructure also provides many ecosystem services and bolsters climate resiliency. Many sites end up utilizing a combination of traditional and GI.



Pervious pavement in the parking space



Bioretention basin

Traffic Overview

The Town's traffic consultant has provided a Technical Memorandum titled "Town-Wide Transportation Model – Estes Drive Scenario Testing" document providing information on scenario tests developed as using the Town-wide traffic model. The memorandum summarizes the scenario testing of the model for the 2024 AM and PM peak hour scenarios. The document provides additional information for the minimum and maximum queue data over five model runs for the analyzed intersections.

The table below summarizes the afternoon average maximum queue lengths at the intersection of Martin Luther King Jr. Blvd. and Estes Drive:

	2021 Base Model	2024 No-Build	2024 Build	2024 Build with Improvements
	Ave. Max Queue	Ave. Max Queue	Ave. Max Queue	Ave. Max Queue
Eastbound	650	550	575	475
Westbound	850	725	575	425
Northbound	625	675	675	625
Southbound	475	375	375	375

The technical memorandum provides details for each of the four scenarios.

At the May 12 Public Hearing, Council also requested additional information regarding improvements to Estes Drive and Somerset Drive intersection. Based on the Estes Drive

Scenario Testing Results, improvements to the Somerset Drive/Estes Drive intersection would need to be investigated regardless of whether the Aura Development is built – primarily due to lack of adequate gaps in the PM peak hour traffic stream along Estes Drive for the stop-controlled minor street approaches (and the fact that adding a fourth leg at the intersection) adds additional vehicular conflicts and further reduces side street capacity. The issue would not be caused by the Martin Luther King Jr. Blvd and Estes Drive intersection, as westbound queue issues should be able to be reduced with the committed Town project improvements.

Initial testing using the town-wide traffic model of a single lane roundabout at Somerset Drive and Estes Drive intersection shows that it likely would operate acceptably in the AM peak hour but may be near capacity in the PM peak hour, and may cause rolling queues along Estes Drive that may impair operations at nearby driveways/intersections – although not likely all the way to Martin Luther King Jr. Blvd and Estes Drive intersection. Additional study may be needed to vet the roundabout as a viable improvement option, as it does not perform quite as well in terms of Level of Service (LOS)/delay as the two-phase traffic signal. It also may need to be studied for a longer-term design year than the 2024 Scenario Test year.

At the May 12 Council meeting, additional questions were heard regarding pedestrian and bicycle safety through the corridor. Staff and NCDOT have discussed additional safety measures for the corridor and believe the Town's bicycle and pedestrian improvement project will enhance the safety through the area.

A signal at Somerset Drive and Estes Drive intersection would need more justification through a full application of the Manual on Uniform Traffic Control Devices (MUTCD) signal warrants.

KEY CONSIDERATIONS

Planning Commission: At their [May 4, 2021 meeting](#)³, the Planning Commission recommended approval with the following modifications to Revised Ordinance A:

- Allow administrative approval of up to a 100% increase in commercial square footage over what is currently proposed. Do not allow more than the standard administratively approved 10% reduction.

Staff Response: We have added the following condition to Revised Ordinance A:

Commercial Space: An increase of up to 100 percent of the permitted commercial use square footage shall be considered an administrative approval.

- Require that all affordable housing be offered at 65% AMI – provided this does not result in a reduction of the total number of affordable units currently proposed.

Applicant Response: The applicant will provide two scenarios to weigh the relative costs of meeting lower-income thresholds. Both scenarios provide on-site townhouses for sale.

- Provide open space that could be repurposed as a bike share docking station area near the BRT station in the future.

³ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4911196&GUID=3F06AF22-8245-418A-ACEF-5489C4442FD3&Options=&Search=>

Staff Response: We have added the following condition to Revised Ordinance A:

Future Bike Share Station: Prior to issuance of a Zoning Compliance Permit, the plans shall indicate an area to be designated as a future bike share docking station near the Bus Rapid Transit station along Martin Luther King Jr. Blvd.

- Provide a minimum 40 percent tree canopy and increase open space wherever possible.

Staff Response: The applicant is proposing to provide 40 percent tree canopy coverage.

- Remove any unnecessary impervious surface and use pervious pavement (or other treatments) wherever possible.

Applicant Response: The design team has looked at these and the mechanical measures proposed as part of the project design, and how they will actually perform and if they can be made more effective. As currently designed those measures fully manage the pre development vs post development runoff rate for the 1, 2- and 25-year storm, and the runoff volume for the 2-year storm, as prescribed by Town rules. After re-running the calculations, we further find that we are also managing some of the additional runoff volumes for the 50- and 100-year storm events...thus exceeding the current Town standards. We feel that the most effective way to further address the concerns we heard from the Council and downstream property owners is to add at least one of the additional above ground measures that Council suggested, and also fully manage the 50-year storm event

- Remove any unnecessary parking spaces, ideally reducing the average to 1.2 spaces per unit.

Applicant Response: We have looked again at our parking rates, and have confirmed we have an extremely low number relative to industry standards, and 20 percent less than the parking allowed by the Chapel Hill ordinance.

- The apartment units are parked at an average rate of 1.25 per unit. We expect that our residents will use the bus system for work and some other activities, but cars (and a place to store them) are still necessary for most people, for at least part of their lives.
- 100 spaces are intended for the commercial area (half general retail, half restaurants). In order for the retail to be successful, our parking consultant has determined that these are the rates needed for the immediate future. This demand likely will diminish over time, but for now, this parking is necessary.
- Almost all of the 100 spaces for the townhomes are located in personal garages, most of which are accessed from the alleys.
- About 275 of the proposed spaces are either below grade or in garages meaning they are not contributing to impervious surface.
- The "upper level" of the parking in the apartment block can be converted to other uses as demand for parking decreases.

Transportation and Connectivity Advisory Board: At the [April 5, 2021 meeting](#)⁴, the Transportation and Connectivity Advisory Board recommended denial for the following reasons:

- The development does not reflect the goals of the Central West Small Area Plan
- The development does not meet the transit priority goals of the Town due to the number of parking spaces and increase in single occupancy vehicle trips
- The project will exacerbate the existing pedestrian and bicycle safety issues due to the increase in traffic on Estes Drive and Martin Luther King Jr. Blvd., and thus is not in line with the Road to Zero pedestrian safety goals of the Town
- The traffic impact analysis and Town-wide traffic model do not reflect the current reality and lived experience of drivers on Estes Drive, nor do they take a holistic view of traffic on Estes Drive, including the future development of other surrounding parcels, The traffic model needs to be validated.
- The Estes Drive site access is a major safety hazard and should be right-in/right-out

Environmental Stewardship Advisory Board: At the [March 18, 2021 meeting](#)⁵, the Environmental Stewardship Advisory Board recommended denial due to traffic and stormwater concerns. The board offered the following conditions for the development:

- Provide Council with a detailed stormwater management plan, ensuring that the NCDOT culvert has adequate capacity

Staff Response: The applicant agrees and the following language has been added to condition 24 in the Revised Ordinance A:

Estes Drive Culvert: Prior to issuance of a Zoning Compliance Permit, the developer shall provide to the Town a detailed stormwater management plan ensuring that the NC Department of Transportation culvert has adequate capacity.

- Ensure zero stormwater runoff to neighbors on the northeastern side of the property, with some form of recourse if the standard is not met (e.g. stormwater bond)

Applicant Response: The design team has looked at these and the mechanical measures proposed as part of the project design, and how they will actually perform and if they can be made more effective. As currently designed those measures fully manage the pre development vs post development runoff rate for the 1, 2- and 25-year storm, and the runoff volume for the 2-year storm, as prescribed by Town rules. After re-running the calculations, we further find that we are also managing some of the additional runoff volumes for the 50- and 100-year storm events...thus exceeding the current Town standards. We feel that the most effective way to further address the concerns we heard from the Council and downstream property owners is to add at least one of the additional above ground measures that Council suggested, and also fully manage the 50-year storm event.

- Provide a detailed landscaping plan, ahead of the Council's review of a buffer modification, that includes number of trees, species, and location

⁴ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=853559&GUID=5EF52EAF-22C9-4597-9B60-42C6C8AC60DB&Options=&Search=>

⁵ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4853895&GUID=5286726C-CF2D-4C4E-B5EC-9A92B5F90E17&Options=&Search=>

Staff Response: The applicant will provide a detailed landscape plan for Council's review of the buffer modification.

Special Considerations:

- Model 50, 75, 100-year storm events to ensure that the on-site stormwater infrastructure can meet capacity needs
- Add solar as part of initial construction, which could help the project meet the AIA 2030 standards
- Assess environmental health outcomes, both acute and larger
- Meet the Council's energy policy regarding 20% better performance than ASHRAE 90.1
- Allow the ESAB to review the project a second time once there are more details regarding: landscaping, traffic, stormwater

Housing Advisory Board: At the [March 9, 2021 meeting](#)⁶, the Housing Advisory Board recommended approval of the project. The Housing Advisory Board continued its review of the project at their May 11, 2021 meeting and made some additional recommendations:

- That the applicant determines a path that will allow some amount of affordable homeownership opportunities on-site. As a concession, there could be a reasonable reduction in the number of total affordable housing units on-site.

Applicant Response: The applicant will provide two scenarios to weigh the relative costs of meeting lower-income thresholds. Both scenarios provide on-site townhouses for sale.

Community Design Commission: The application was discussed at the [March 23, 2021](#) and the [March 29, 2021](#)⁷ meetings. The Community Design Commission recommended approval of the project with the following conditions:

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

Staff Response: We have modified the Community Design Commission Elevation Review stipulation to include "and approve" for the multi-family buildings and the commercial buildings:

Community Design Commission Review: Except for any dwelling units constructed under the single-family/two-family building code, the Community Design Commission shall review and approve 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.

- That Council add a stipulation to Ordinance A for the CDC to review and approve the northern buffer.

Staff Response: The applicant is proposing a modified and variable width buffer along the northern property line. We have included the following condition in Revised Ordinance A:

⁶ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4815852&GUID=6E5F4CC3-5B95-4AC9-BEDC-2172C580AD87&Options=&Search=>

⁷ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4890228&GUID=69C93251-E432-4570-8FBC-E36BE7061BD0&Options=&Search=>

Modified Buffers: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall provide courtesy review comments on all modified landscape buffers.

- That the applicant revise the proposed building elevations to have a lighter feel.

Staff Response: We encourage the applicant to discuss this further with the Community Design Commission as part of the Final Plan Building Elevation review process.

UPDATES SINCE THE MAY 12 PUBLIC HEARING

At the May 12 Public Hearing, additional information was requested by the Council. Staff has provided the following information and the applicant provided a written attachment.

Revised Ordinance A

Ordinance A has been revised with these added conditions:

- Commercial Space: An increase of up to 100 percent of the permitted commercial use square footage shall be considered an administrative approval.
- Future Bike Share Station: Prior to issuance of a Zoning Compliance Permit, the plans shall indicate an area to be designated as a future bike share docking station near the Bus Rapid Transit station along Martin Luther King Jr. Blvd.
- Estes Drive Culvert: [added to condition 24] Prior to issuance of a Zoning Compliance Permit, the developer shall provide to the Town a detailed stormwater management plan ensuring that the NC Department of Transportation culvert has adequate capacity.
- Bus Rapid Transit Station: Prior to issuance of a Zoning Compliance Permit, the developer shall design and construct the BRT station with the developer contributing \$100,000 of those costs.

Stormwater Overview

Stormwater management is achieved by directing runoff into engineered stormwater control measures (SCMs) to store runoff which is released at a controlled rate into nearby waterbodies. Town regulations require 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 (2.96 in), 2-year (3.58 in), and 25-year (6.11 inches) 24-hour storm events. The intention of this regulation is to mitigate against high flow rates that can cause erosion and flooding in urban streams, damaging habitat, property, and infrastructure.

The Town also requires detention of the increased runoff volume due to development for the 2-year, 24-storm event using on-site infiltration or reuse of stormwater runoff as irrigation or graywater. The intention of this regulation is to prevent additional volume from being directed downstream. When neither infiltration or reuse are possible and/or practical, the increased volume is required to be slowly released or “drawn down” over a period of 2-5 days. The runoff is released through an orifice which control the rate. The design guidance requires projects to check larger storm events (i.e., 50-year (6.85 in) and 100-year (7.61 in)) to demonstrate runoff can bypass the engineered system and be discharged in a way to non-erosively impact the stream.

The design storms listed in the Town’s Stormwater Management ordinance are consistent with regional and industry standards. The design storm rainfall depths and intensities are based on data from NOAA Atlas 14. Stormwater design modeling assumes 100% available

storage in the engineered system prior to the rainfall event. In reality, rainfall is not entirely predictable; for example, there can be large events or high intensity bursts of rainfall in succession. The high intensity short-term bursts of rainfall occur with a higher frequency and can stress a stormwater system. The system may still be releasing runoff at the time a subsequent storm event arrives. Therefore, the assumption that there is 100% storage in the engineered storm systems may not be met resulting in overflow from smaller events.

Traditional stormwater controls rely on a single large system that results in flow released over longer duration. As an alternative, the practice of green infrastructure (i.e., permeable pavement and bioretention) can help address high intensity bursts of rainfall. Examples of green infrastructure at the Shelton Station project in Carrboro shown below. Green infrastructure (GI) capture runoff at its source and mimic natural hydrology. By dispersing small GI practices through the site, the impervious area is broken into smaller drainage basins reducing the accumulation of peak flow to one system. Green infrastructure adds redundancy, increases the available ponding, changes the timing of discharge, and attenuated peak flow. Green infrastructure also provides many ecosystem services and bolsters climate resiliency. Many sites end up utilizing a combination of traditional and GI.



Pervious pavement in the parking space



Bioretention basin

Traffic Overview

The Town's traffic consultant has provided a Technical Memorandum titled "Town-Wide Transportation Model – Estes Drive Scenario Testing" document providing information on scenario tests developed as using the Town-wide traffic model. The memorandum summarizes the scenario testing of the model for the 2024 AM and PM peak hour scenarios. The document provides additional information for the minimum and maximum queue data over five model runs for the analyzed intersections.

The table below summarizes the afternoon average maximum queue lengths at the intersection of Martin Luther King Jr. Blvd. and Estes Drive:

	2021 Base Model	2024 No-Build	2024 Build	2024 Build with Improvements
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The technical memorandum provides details for each of the four scenarios.

At the May 12 Public Hearing, Council also requested additional information regarding improvements to Estes Drive and Somerset Drive intersection. Based on the Estes Drive Scenario Testing Results, improvements to the Somerset Drive/Estes Drive intersection would need to be investigated regardless of whether the Aura Development is built – primarily due to lack of adequate gaps in the PM peak hour traffic stream along Estes Drive for the stop-controlled minor street approaches (and the fact that adding a fourth leg at the intersection) adds additional vehicular conflicts and further reduces side street capacity. The issue would not be caused by the Martin Luther King Jr. Blvd and Estes Drive intersection, as westbound queue issues should be able to be reduced with the committed Town project improvements.

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A signal at Somerset Drive and Estes Drive intersection would need more justification through a full application of the Manual on Uniform Traffic Control Devices (MUTCD) signal warrants.

The below information has not changed since the May 12, 2021 packet materials

PROJECT OVERVIEW

The application proposes applying the Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to the site to accommodate a mix of land uses including retail/office, live-work spaces, and market-rate and affordable multi-family development. The site proposal includes approximately 418 apartment units and townhomes as well as approximately 15,000 sq. ft. of retail/restaurant/office floor area. The applicant has committed to no less than 361 apartment units and 57 townhomes. Currently the site is vacant having been deforested in 2018. 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 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 which are relevant to consideration of a Zoning Atlas Amendment:

- The site consists of a 16.2-acre vacant site that was deforested in 2018.
- The site fronts on and has access to Estes Drive and Martin Luther King Jr. Blvd, both arterial streets maintained by the North Carolina Department of Transportation (NCDOT).
- The site is located along the future Bus Rapid Transit (BRT) corridor along Martin Luther King Jr. Blvd.
- Amity Methodist Church on the opposite side of Estes Drive is zoned Office/Institutional-2 (OI-2).
- Shadowood Apartments, fronting on Martin Luther King Jr. Blvd., and the Coker Woods subdivision to the north of the site, are zoned Residential-5 (R-5).
- The property to the east of the site is vacant and zoned Residential-1 (R-1).
- West of the site, on the opposite side of Martin Luther King Jr. Blvd., is the former Horace Williams Airport property owned by University of North Carolina and zoned University-1 (U-1).
- The site is relatively flat with a Resource Conservation District in the southeast corner.

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 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. A -CZ suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant proposes Office/Institutional-3-Conditional Zoning District (OI-3-CZD) for the site.

The intent of the Office/Institutional-3 (OI-3) zoning district is to "provide for major educational, research, public service, and office uses, and their necessary support functions, while minimizing conflicts with adjacent land uses."⁸ The Office/Institutional-3 (OI-3) zoning district is one of the few zones that allows intensity as envisioned with the Central West Plan and the adopted Future Land Use Map (FLUM).

The applicant has proposed modifications to permitted uses and dimensional standards for the proposed zoning districts, among other requested modifications, as summarized in the Modifications to Regulations section below.

PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 5.6.6 Schedule of Required Buffers:** The applicant is requesting proposed modifications to perimeter buffer standards as follows:

Location of Buffer	Ordinance Standard	Proposed Buffer
Northern Buffer	10' Type "B"	Varied width/modified buffer
Southern Buffer	15' Type "B"	Varied width/modified buffer
Eastern Buffer	15' Type "A"	Varied width/modified buffer

⁸ LUMO Section 3.3.5

Western Buffer	15' Type "B"	15' modified buffer
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Staff Comment: With the proposed urban form and intensity envisioned with the Central West Plan, Future Land Use Map (FLUM), and elements of the Comprehensive Plan, variable or modified buffers are appropriate for this site for development adjacent to a major transportation corridor with Bus Rapid Transit (BRT).

- 2) Section 5.9.6 Parking Landscaping Standards:** The parking landscape standards require parking facilities to be separated from the exterior wall of a structure by a landscaped buffer strip at least five (5) feet in width and landscaped in accordance with Town standards. The applicant is proposing to provide tree plantings and planters in lieu of the foundation landscape buffer strip.

Staff Comment: The parking landscaping standards are based on a suburban standard and the developer is proposing a more urban setting as appropriate for this site for development adjacent to a major transportation corridor with BRT in accordance with the Central West Plan, FLUM, and elements of the Comprehensive Plan.

Council Findings and Public Purpose: The Council has the ability to modify the regulations according to Section 4.4.5 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.

AFFORDABLE HOUSING

The applicant proposes to provide 15 percent of the apartment units as affordable. The project proposes 361 apartment units with 54 affordable rental units, at sizes proportional to the sizes of the market units. The affordable rental units would remain affordable for a period of thirty (30) years with half of the units offered at 65 percent AMI and half at 80 percent AMI. Additionally the applicant is proposing to sponsor five (5) dwelling units in the Habitat for Humanity's Weavers Grove project.

TRAFFIC EVALUATION

A Traffic Impact Study was conducted for the proposed development. Additionally, the Town has provided an initial review of the traffic impacts using the town-wide traffic model. The Traffic Impact Study analyzed the impact of the development on the nearby intersections and determined the following improvements would be necessary to mitigate the impacts:

Martin Luther King Jr. Blvd. and Estes Drive:

- Extend the storage of the existing westbound right-turn lane to at least 500 feet of full storage;
- Incorporate bicycle and pedestrian facilities along Estes Drive frontage
- Incorporate pedestrian improvements along Martin Luther King Jr. Blvd. frontage
- Incorporate transit stop and related amenities on Martin Luther King Jr. Blvd.

Martin Luther King Jr. Blvd. and Future Access Drive #1:

- Provide one ingress and one egress lane
- Restrict access to right-in/right-out only
- Construct an exclusive northbound right-turn lane on Martin Luther King Jr. Blvd. with at least 100 feet of storage

- Provide a high-visibility painted crosswalk across the driveway

Estes Drive and Future Access Drive #2:

- Provide one ingress and two egress lanes. Provide a minimum of 100 feet of storage for an exclusive southbound left-turn lane
- Construct an exclusive eastbound left-turn lane with a minimum of 100 feet of storage
- Construct an exclusive westbound right-turn lane with a minimum of 100 feet of storage
- Provide a high-visibility painted crosswalk across the driveway

Additionally, the applicant is proposing construction of a mid-block pedestrian crossing of Estes Drive. This pedestrian crossing would be similar in design to the mid-block pedestrian crossings on Martin Luther King Jr. Blvd.







Town staff, along with the Town's Traffic Consultant, hosted two community meetings on the Traffic Impact Study. Additionally, the Town recently shared results of the new Town-wide Traffic Modelling efforts. The chart below compares the two processes' projected levels of service for the afternoon peak hour:

Intersection	Town-Wide Model	Aura TIA
MLK Blvd and Estes Drive	D	D
Eastbound	D	E
Westbound	D	E
Northbound	D	D
Southbound	C	C

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)⁹, the standards of the [Land Use Management Ordinance](#)¹⁰, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)¹¹ and believes the Aura proposal for 1000 Martin Luther King Jr. Blvd. 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 type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration

- A range of housing options for current and future residents (*Goal-Create a Place for Everyone.3*)

⁹ <http://www.townofchapelhill.org/home/showdocument?id=15001>

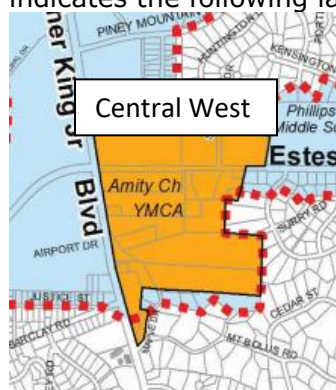
¹⁰ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

¹¹ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal-Support Community Prosperity and Engagement.1*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (*Goal-Develop Good Places, New Spaces.5*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal-Facilitate Getting Around.2*)

Land Use Plan: The Future Land Use Map adopted in December 2020 identifies this area as a multi-family development with shops and offices near the Bus Rapid Transit (BRT) within the Central West Focus Area.

Central West Small Area Plan: The focus area of the plan includes the site of the Aura development project. The total land area is approximately 85 acres in size and the plan indicates the following land uses:



Central West Land Uses	
Use	Total
Residential	620 dwelling units
Office	100,000 sq. ft.
Retail	25,000 sq. ft.
Hotel	65,000 sq. ft.
Commercial	30,000 sq. ft.
Institutional	50,000 sq. ft.

The Central West Small Area Plan projections have been assigned to different areas within the plan boundaries. The table below compares the values from the Central West Plan with the proposed Aura Development for the Aura property:

Use	Central West Proposal	Aura Proposal
Residential	175 dwelling units	419 dwelling units
Office	40,000 sq. ft.	2,316 sq. ft.
Retail	20,000 sq. ft.	7,521 sq. ft.
Hotel	65,000 sq. ft.	0
Commercial	20,000 sq. ft.	6,020 sq. ft.

Market Analysis: Market conditions have changed significantly since drafting of the Central West Small Area Plan in 2013. The Town recently contracted to conduct a [Mini Market Study of the Aura Site](https://www.townofchapelhill.org/home/showpublisheddocument?id=48404)¹². The study summarizes:

- "Ten years ago, this would have been a good but not great location for a convenience store, gas station, or drug store but the area is now saturated with them.
- The most likely tenants of traditional office space are realtors or wealth managers, who would want both good access and visibility from the street.
- Mixed-use can work on this site, particularly live/work unit and possibly a coffee shop, but any pure retail use would need to be visible from the street."

¹² <https://www.townofchapelhill.org/home/showpublisheddocument?id=48404>

The market study concluded that economically the highest and best use of the site is pure residential at the proposed density.

Mobility and Connectivity Plan¹³: The adopted mobility plan (page 79) includes a recommendation for the Timberlyne Trail, a greenway between Weaver Dairy Road and Estes Drive. A portion of the proposed greenway is adjacent to the eastern edge of the proposed development within a Duke Energy easement. The applicant has agreed to dedicate a 15-foot wide greenway easement along the northeastern property line. The remaining portion of the greenway would be constructed on the property with a crossing of the Resource Conservation District (and Jordan Buffer) and connect with Estes Drive near the proposed pedestrian crossing.

The applicant will also be providing frontage improvements along Estes Drive to match the cross-section to the east. This will include a 10-foot wide multi-use path as well as an on-street 5-foot wide bicycle lane. These have been included as conditions in Ordinance A.

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.

Staff provides below an evaluation of this application based on the three findings. Further information may be presented for the Council's consideration as part of the public hearing process. 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: The applicant's Statement of Justification states that the proposal is in accordance with the Chapel Hill 2020 Comprehensive Plan and the Central West Small Area Plan, an element of the Town's Comprehensive Plan.

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

¹³ https://townhall.townofchapelhill.org/agendas/2020/10/28/20201023_Mobility_and_Connectivity_Plan.pdf

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 in response to changing conditions along Martin Luther King Jr. Blvd. and in the jurisdiction generally.

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

Arguments in Support: The applicant's Statement of Consistency states that the proposed rezoning would contribute to the two key concepts of the Comprehensive Plan including choices and connections.

In addition, the applicant's statement notes compliance with the 13 guiding principles of the Central West Plan, an element of the Comprehensive Plan. Please refer to the applicant's Statement of Consistency in the applicant materials.

Arguments in Opposition: Members of the public have identified concerns related to traffic and stormwater impacts.

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 based on the initial review by the town-wide traffic model.



PROJECT FACT SHEET













Project Details

Site Description	
Project Name	Aura Development
Address	1000 Martin Luther King Jr. Blvd
Property Size (GLA)	705,070 sf (16.2 acres)
Existing	Vacant
Orange County Parcel Identifier Number	9789-35-9617
Existing Zoning	Residential-1 (R-1)
Proposed Zoning	Office/Institutional-3-Conditional Zoning District (OI-3-CZD)


Site Development Standards

Topic	Comment	Status
Development Intensity		
Use/Density (Sec. 3.7)	Commercial and Residential 418 Dwelling units (361 apartment units and 57 for-sale townhomes); 13,541 sq. ft business, convenience (7,521 sq. ft. of commercial and 6,020 sq. ft. of restaurant); 2,316 sq. ft. of business, office-type	✓
Dimensional Standards (Sec. 3.8)	Primary height: NA Core height: NA Setbacks: 0 ft. in Office/Institutional-3 (OI-3) zoning districts except for Transitional Control Intensity standards – setbacks shall be equal to adjacent residential zoned property	✓
Floor area (Sec. 3.8)	Maximum: 399,069 sq. ft. Affordable Floor Area Bonus: 54 units X 4,400 = 237,600 sq. ft. Maximum Floor Area with Bonus: 636,670 sq. ft. Proposed: 560,803 sq. ft.	✓
Landscape		
Buffer – North (Sec. 5.6.6)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> Variable width/modified buffer	M
Buffer – East (Sec. 5.6.6)	<i>Required:</i> 15' Type "A" <i>Proposed:</i> Variable width/modified buffer	M
Buffer – South (Sec. 5.6.6)	<i>Required:</i> 15' Type "B" <i>Proposed:</i> Variable width/modified buffer	M
Buffer - West (Sec. 5.6.6)	<i>Required:</i> 15' Type "B" <i>Proposed:</i> 15' modified buffer	M
Tree Canopy (Sec. 5.7)	<i>Required:</i> 40% <i>Proposed:</i> 40%	✓
Landscape Standards	Application must comply – requested modification to regulations for foundation plantings	M

(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> 11,228 sq. ft.	
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% (7,841 sq. ft.) <i>Proposed:</i> less than 25% of slopes exceeding 25%	
Stormwater Management (Sec. 5.4)	Meet or exceed LUMO 5.4 standards	
Land Disturbance	653,400 sq. ft. (15 acres)	
Impervious Surface	<i>Maximum:</i> 493,535 sq. ft. (11.33 acres) – 70% of land area <i>Proposed:</i> 466,092 sq. ft. (10.7 acres) – 66.1% of land area	
Solid Waste & Recycling	Private refuse service proposed	
Jordan Riparian Buffer (Sec. 5.18)	11,228 sq. ft.	
Access & Circulation		
Road Improvements (Sec. 5.8)	Improvements to be completed in accordance with TIA findings, including: Martin Luther King Jr. Blvd and Estes Drive intersection <ul style="list-style-type: none"> Extend WB right-turn lane to at least 500' of full storage with taper Martin Luther King Jr. Blvd and Future Driveway #1 <ul style="list-style-type: none"> One ingress and one egress lane Restrict access to right-in/right-out only High visibility crosswalk across driveway Median on Martin Luther King Jr. Blvd. Estes Drive and Future Driveway #2 <ul style="list-style-type: none"> One ingress and two egress lanes; minimum of 100' storage for exclusive SB left turn Exclusive EB left-turn lane with a minimum of 100' of full storage with taper Exclusive WB right-turn lane with a minimum of 100' of full storage with taper High visibility crosswalk across driveway 	
Vehicular Access (Sec. 5.8)	Two points of access – one full access from Estes Drive and right-in/right-out from Martin Luther King Jr. Blvd.	
Bicycle Improvements (Sec. 5.8)	Bicycle improvements along Estes Drive frontage including 12' multi-use path; Construction of greenway traversing along eastern property line to connect with Estes Drive at the Site Access Drive	
Pedestrian Improvements (Sec. 5.8)	Pedestrian improvements along Estes Drive frontage including 12' multi-use path; Crosswalk on Estes Drive	
Traffic Impact Analysis (Sec. 5.9)	TIA completed	

Vehicular Parking (Sec. 5.9)	<i>Required:</i> NA in OI-3 district <i>Proposed:</i> 650 vehicle parking spaces	
Transit (Sec. 5.8)	Incorporate bus stop and related amenities	
Bicycle Parking (Sec. 5.9)	<i>Required:</i> 119 spaces <i>Proposed:</i> 120 spaces Commercial – 24 spaces (20% long term) Residential – 95 spaces (90% long term)	
Electric Vehicle Parking	<i>Proposed:</i> minimum of 20 spaces	
Parking Lot Standards (Sec. 5.9)	Built to Town Standards	
Technical		
Fire	Built to Town Standards	
Site Improvements	418 Dwelling units; 7,521 sq. ft. of commercial use; 6,020 sq. ft. of restaurant use; 2,316 sq. ft. of office use	
Schools Adequate Public Facilities (Sec. 5.16)	Application must comply	
Inclusionary Zoning Ordinance (Sec. 3.10)	<i>Required:</i> 15% (54 units) <i>Proposed:</i> 47 affordable rental units and sponsorship of five (5) Habitat for Humanity Weavers Grove homes	
Recreation Area (Sec. 5.5)	<i>Required:</i> 10,576 sq. ft. <i>Proposed:</i> 40,000 sq. ft.	
Lighting Plan (Sec. 5.11)	Built to Town Standards; Maximum of 0.3 footcandles at property line	
Homeowners Association (Sec. 4.6)	Yes	

Project Summary Legend

Symbol	Meaning
	Meets Requirements
M	Seeking Modification
FP	Required at Final Plan
NA	Not Applicable

RESOLUTION A
(Resolution of Consistency)

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 1000 MARTIN LUTHER KING JR. BLVD. TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-06-16/R-7)

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Coulter Jewell Thames on Trinsic Residential Group, agent for Cant Hook Properties LLC, the owner of the property located at 1000 Martin Luther King Jr. Blvd., for which this application is made, to amend the Zoning Atlas to rezone property described in the accompanying rezoning application for the Aura Development project at 1000 Martin Luther King Jr. Blvd. from Residential-1 (R-1) and to Office/Institutional-3-Conditional Zoning District (OI-3-CZD); and

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

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

- A range of housing options for current and future residents (*Goal-Create a Place for Everyone.3*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal-Support Community Prosperity and Engagement.1*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (*Goal-Develop Good Places, New Spaces.5*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal-Facilitate Getting Around.2*)

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

This the 16th day of June, 2021.

REVISED ORDINANCE A

(Rezoning from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD))

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1000 MARTIN LUTHER KING JR. BLVD. TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (2021-06-16/O-2)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Coulter Jewell Thames, PA, on behalf of Trinsic Residential Group and Cant Hook Properties LLC, the owner of the property, located at 1000 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Number 9789-35-9617, for which this application is made and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A range of housing options for current and future residents (*Goal-Create a Place for Everyone.3*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal-Support Community Prosperity and Engagement.1*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (*Goal-Develop Good Places, New Spaces.5*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal-Facilitate Getting Around.2*)

WHEREAS, the application, if rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) according to the rezoning plan dated September 24, 2020, and last revised November 12, 2020, December 18, 2020, and January 29, 2021, would address the impacts reasonably expected to be generated by the development or use of the site and the conditions listed below:

- 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 the adjoining uses
- 4) Mitigate impacts on surrounding properties and the Town as a whole
- 5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- 6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

MODIFICATIONS TO REGULATIONS

WHEREAS, the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

- 1. Section 5.6.6 Required Buffers:** Modify the buffer standards to allow the modified or varied width buffers.

Location of Buffer	Proposed Buffer
Northern Buffer	Varied width/modified buffer
Southern Buffer	Varied width/modified buffer
Eastern Buffer	Varied width/modified buffer
Western Buffer	15' modified buffer

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the urban form and intensity envisioned with the Central West Plan, Future Land Use Map (FLUM), and elements of the Comprehensive Plan, variable width and modified buffers are appropriate for this site for development adjacent to a major transportation corridor with Bus Rapid Transit (BRT).

- 2. Section 5.9.6 Parking Landscaping Standards:** The parking landscape standards require a foundation buffer strip to separate the building from parking facilities. In lieu of the five (5) foot landscape strip, street trees and planters, as shown on the site plan, shall be provided.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the standards are based on a suburban standard and the developer is proposing a more urban setting as appropriate for this site for development adjacent to a major transportation corridor with BRT in accordance with the Central West Plan, FLUM, and elements of the Comprehensive Plan.

CONDITIONAL USES

BE IT ORDAINED by the Council of the Town of Chapel Hill that it finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Office/Institutional-3-Conditional Zoning District (OI-3-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 Number (PIN) 9789-35-9617, described below, shall be rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD):

Legal Description – Zone Office/Institutional-3-Conditional Zoning District (OI-3-CZD):

BEGINNING at the southeast corner of that 16.49 acre tract shown as Misty Woods at Plat Book 40, Page 49, Orange County Registry, running thence with the southern boundary of said tract South 83 deg. 16 min. 17" West 657.35 feet to a stake in the eastern boundary of the right-of-way of Airport Road, running thence with the eastern boundary of said right-of-way South 9 deg. 11 min. 56" East 40.46 feet to a stake, running thence with the eastern boundary of said right-of-way South 9 deg. 9 min. 47" East 415.92 feet to a point, running thence South 53 deg. 19 min. 02" East 112.71 feet to a point in the northern boundary of the right-of-way of Estes Drive, running thence with the northern boundary of said right-of-way North 89 deg. 41 min. 59" East 905.63 feet to a point, running thence with the northern boundary of said right-of-way North 89 deg. 51 min. 15" East 67.67 feet to a stake in the center line of a 68 foot wide Duke Power Company easement, running thence with the center line of said easement North 00 deg. 44 min. 18" East 648.07 feet to

a stake, running thence South 83 deg. 16 min. 17" West 495.33 feet to the point and place of beginning; and being a total of 14.71 acres including to the midpoint of the adjoining Estes Drive and Martin Luther King Jr. Blvd. rights-of-ways.

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 June 16, 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 property owner of the property provides written consent to the approval. Written consent must be provided within 10 days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Land Use: Residential, Office, Commercial	
Permitted Uses	419 dwelling units; 7,521 sq. ft. of commercial use; 6,020 sq. ft. of restaurant use; 2,316 sq. ft. of office use
Gross Land Area	705,070 sq. ft.
Floor Area	399,069 sq. ft.
Floor Area Bonus for Affordable Housing	237,600 sq. ft.
Maximum Total Floor Area (Floor Area + Floor Area Bonus)	<i>Permitted:</i> 636,670 sq. ft. <i>Requested:</i> 560,803 sq. ft.
Maximum Dwelling Units	419
Minimum Affordable for sale Dwelling Units	8
Minimum Affordable Rental Dwelling Units	29 units with 9 at 80% AMI and 20 at 65% AMI
Maximum Commercial Floor Area	15,857 sq. ft.
Total Impervious Surface	466,092 sq. ft.
Proposed Parking Spaces	650 parking space (no requirement in OI-3)
Maximum Parking Spaces	650 parking spaces
Electric Vehicle Parking Spaces	20 spaces minimum
Proposed Bicycle Parking Spaces	120 parking spaces
Tree Canopy Coverage	40%
Resource Conservation District Land Disturbance	7,350 sq ft
Jordan Buffer Land Disturbance	7,350 sq ft
Recreation Area Proposed	10,576 sq ft

Affordable Housing

4. 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 and the Town Manager (or designee). The Affordable Housing Plan will contain the following information:

General information about the nature and scope of the covered development, including:

- a. Eight (8) affordable for sale dwelling units for households earning 80 percent of AMI
- b. 29 apartment units with nine (9) available to residents earning up to 80 percent AMI and 20 units for residents earning up to 65 percent AMI. The rental units will be one and two bedroom units proportional to the market-rate units.
- c. 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 rental pricing for each Affordable Dwelling Unit. The rental pricing of each unit shall be based on 65 percent and 80 percent of AMI.
 - v. Documentation and plans regarding the exterior appearance, materials and finishes of the development for each of the Affordable Dwelling Units.
 - vi. The rental affordability term shall be at least thirty (30) years for issuance of a Certificate of Occupancy.
- d. Half of the affordable rental dwelling units by shall be completed prior to Zoning Final Inspection of half of the market rate dwelling units. The remaining affordable rental dwelling units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate dwelling units. Half of the affordable for-sale dwelling units by shall be completed prior to Zoning Final Inspection of half of the market rate dwelling units. The remaining affordable for-sale dwelling units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate dwelling units.
- e. The affordable dwelling units shall be substantially indistinguishable from the market-rate units on the exterior.
- 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.

Miscellaneous

5. Estes Drive at the site entrance: Prior to issuance of a Zoning Compliance Permit, all construction details shall be reviewed and approved by the Town and NC Department of Transportation. Prior to issuance of a Final Zoning Inspection, the developer shall construct the following improvements:
- One ingress and two egress lanes; minimum of 100 foot storage for exclusive southbound left turn
 - Exclusive eastbound left-turn lane with a minimum of 100 foot of full storage with taper
 - Exclusive westbound right-turn lane with a minimum of 100 foot of full storage with taper
 - High visibility crosswalk across driveway and across Estes Drive
 - Install Rectangular Rapid Flashing Beacon on Estes Drive and on site entrance approaches (for both sidewalks) in accordance with Town and NC Department of Transportation standards

- Install green paint bicycle lane markings on Estes Drive in both bicycle lanes in accordance with Town and NC Department of Transportation standards
6. Estes Drive and Martin Luther King Jr. Blvd.: Prior to issuance of a Zoning Compliance Permit, construction details shall be reviewed and approved by the Town and NC Department of Transportation. Prior to issuance of a Final Zoning Inspection, the developer shall construct the following improvements:
 - Extend westbound right-turn lane queue length at least 500 foot of full storage with taper
 - Extend westbound left-turn lane queue length on Estes Drive
 - Provide payment-in-lieu of \$5,000 for revising signal timing
 - Improve/install street lighting in accordance with NC Department of Transportation (NCDOT) standards
 7. Martin Luther King Jr. Blvd and Future Driveway #1: Prior to issuance of a Zoning Compliance Permit, construction details shall be reviewed and approved by the Town and NC Department of Transportation. Prior to issuance of a Final Zoning Inspection, the developer shall construct the following improvements:
 - One ingress and one egress lane
 - Restrict access to right-in/right-out only
 - Median on Martin Luther King Jr. Blvd.
 8. Estes Drive and Somerset Drive: Prior to issuance of a Zoning Compliance Permit, all construction details shall be reviewed and approved by the Town and NC Department of Transportation. A full traffic signal be constructed by the Town if traffic signal is warranted and approved by NCDOT. Remaining funds required for traffic signal design and construction to be provided by others. Prior to issuance of a Final Zoning Inspection, the developer shall construct the following improvements:
 - A payment-in-lieu is provided by the developer proportional to the proposed traffic generated by the development as compared with the pre-COVID-19 traffic volumes adjusted for 2020.
 9. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan (TMP).
 10. Future Bike Share Station: Prior to issuance of a Zoning Compliance Permit, the plans shall indicate an area to be designated as a future bike share docking station near the Bus Rapid Transit station along Martin Luther King Jr. Blvd.
 11. Street Lighting: Prior to issuance of a Zoning Compliance Permit, street lighting shall be designed subject to review and approval by the Town and NCDOT. The lighting shall be installed along the frontage of the development on Estes Drive and Martin Luther King Jr. Blvd. prior to Final Zoning Inspection.
 12. NCDOT Approvals: Prior to performing work in the NCDOT rights-of way, the developer will need to obtain the following:
 - Approved NCDOT Driveway permit for proposed accesses;
 - Approved NCDOT 3-Party Encroachment Agreement for any proposed/stipulated sidewalk/multi-use path, landscaping and appurtenances to be constructed by the Developer;
 - Approved NCDOT 3-Party Encroachment Agreement for proposed water and sewer construction.

13. Adjacent Property Stub-Out: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing a cross access easement for a street stub-out to the adjacent parcel identified as PIN 9789-45-5646.
14. Estes Drive Pedestrian Crossing: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing construction of a mid-block crossing on Estes Drive. The site plan sheet shall include a mid-block crosswalk with refuge islands and rectangular rapid flashing beacon (RRFB). Final design and construction details must be approved by the Town Manager.
15. Electric Vehicle Charging Stations: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing installation of a minimum of 20 electric vehicular charging station spaces. The development site shall provide at least 20% all of total vehicular parking spaces to serve as electric vehicle ready, which includes installing dedicated electrical circuits and underground conduits.
16. Bus Rapid Transit Station: Prior to issuance of a Zoning Compliance Permit, the developer shall prepare design plans for the BRT station to be reviewed and approved by the Town Manager. Prior to Zoning Final Inspection, the developer shall provide \$100,000 payment-in-lieu for the bus rapid transit station.
17. Estes Drive Bicycle-Pedestrian Improvements: Prior to issuance of a Zoning Compliance Permit, the developer shall continue to coordinate with Town staff and design consultant on the construction management plan and traffic management plan for Aura Development in relation to those of the Estes Drive Connectivity Project to avoid conflict and maximize efficiency. The developer shall continue to coordinate and communicate with Town staff and design consultant to show accurate alignments, dimensions, and design details for multi-use path, bicycle lane, and roadway along Estes Drive on the site plan sheets. This coordination includes matching all NCDOT specifications for the bicycle and pedestrian improvements and widening the four westbound lanes on Estes Drive from ten (10) feet to eleven (11) feet. Final design and construction must be approved by the Town Manager and NCDOT.
18. Estes Drive Bicycle and Pedestrian Improvements: Prior to issuance of a Zoning Compliance Permit, the Estes Drive frontage cross-section design shall be reviewed and approved by the Town Manager. The developer should provide:
 - 2 foot planting strip between curb and bicycle lane
 - 5 foot bicycle lane
 - 6 foot planting strip with landscaping;
 - 8 foot sidewalk

Prior to issuance of a Zoning Compliance Permit, the developer will work with Town staff on bicycle and pedestrian flow at and approaching the corner plaza to ensure safe and accessible movements for all users. Measures shall include varying paving materials, tactile warning surfaces, pavement markings, and signage as appropriate.

19. Parking Space Rental: The developer shall rent the resident parking spaces, available only to Aura residents, separately from apartment rental leases. Vehicle parking spaces shall be offered to Aura residents at an additional per month rate. Prior to a Zoning Final Inspection, a lease example shall be provided to the Town for review and approval. Nothing in this condition shall limit Aura's ability to provide appropriate number of visitor parking spaces for the project.

20. Greenway: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans for review and approval by the Town Manager showing the greenway perpendicularly crossing the Resource Conservation District and Jordan Buffer and connecting to the south at the Access Drive on Estes Drive. The shown greenway easement will continue to the northeast of the property. Prior to a Zoning Final Inspection, the greenway will be constructed in the southern portion of the site and the entire greenway and easement dedicated with a public access easement.
21. Commercial Space: An increase of up to 100 percent of the permitted commercial use square footage shall be considered an administrative approval.
22. OWASA: Design must meet all requirements of OWASA Standards and Specifications (unless modified by OWASA) including easement widths.
23. Resource Conservation District: Prior to issuance of a Zoning Compliance Permit, any land disturbance within the Resource Conservation District, including staging, will require an additional submittal to be reviewed and approved by the Town Manager.
24. Jordan Buffer: Prior to issuance of a Zoning Compliance Permit, any land disturbance within the Jordan Buffer, including staging, will require an additional submittal to be reviewed and approved by the Town Manager.
25. Estes Drive Culvert: Prior to beginning any land disturbing activities on the property, the developer shall ensure that the culvert underneath Estes Drive at the southeast corner of this site is free of debris. Prior to issuance of a Zoning Compliance Permit, the developer shall provide to the Town a detailed stormwater management plan ensuring that the NC Department of Transportation culvert has adequate capacity.
26. Recreation Area: A minimum of 10,576 sq. ft. of recreation area shall be provided on-site. In lieu of providing or dedicating the required recreation area, the developer may make a payment to the Town whereby the Town may acquire or develop recreation land to serve the development.
27. Community Design Commission Review: Except for any dwelling units constructed under the single-family/two-family building code, the Community Design Commission shall review and approve 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.
28. Downstream Culvert Analysis: Prior to the issuance of the Zoning Compliance Permit, the developer shall provide a downstream analysis for the Town's regulatory design storms demonstrating that the peak flows for these storms can be conveyed through the culvert.
29. Stormwater Improvements: The developer shall incorporate green technologies including pervious surfaces and rain gardens to improve the stormwater qualities. A minimum of 3,600 sq. ft. of pervious pavement and 2,200 sq. ft. of rain gardens will be constructed on-site. Plans and calculations shall be reviewed and approved prior to issuance of a Zoning Compliance Permit and the features shall be installed prior to Zoning Final Inspection.

30. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a 10 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 10 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 OF CHAPEL HILL – CONDITIONAL ZONING STANDARD CONDITIONS

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

31. 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

32. 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]
33. 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]
34. 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]
35. 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]
36. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT).
37. 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.

38. 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 Control Devices (MUTCD). Pavement markings shall be installed if they previously existed on the roadways. [Town of Chapel Hill Design Manual]
39. 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]
40. 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]
41. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.
42. 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]
43. 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]
44. 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

45. 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]
46. 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]
47. 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]

48. 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]
49. 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]
50. 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]
51. 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.
52. 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).
53. 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]
54. Community Design Commission/Historic District 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

55. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]

56. 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 4.4]
57. 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]
58. 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]
59. 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]
60. 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]
61. 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]
62. 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]
63. 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]
64. 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]

65. 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 final plat recordation. 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 with size at least 12 inches 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 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 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.

66. Sediment: Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance. [Town Code 5-98]
67. 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]
68. 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]

69. 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]
70. 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]
71. 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]
72. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Energy Management Plan (EMP) for Town approval in substantial compliance with developer's plan submitted to Town Council as part of the Conditional Zoning Permit

Recreation

73. 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.
74. 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

75. 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]
76. 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]

77. 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]
78. 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]
79. 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

80. 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.
81. 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.
82. Dedication and Maintenance of Common Area to Homeowners' Association: The developer shall 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. 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.
83. 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

84. 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]

85. 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]
86. 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]
87. 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.
88. 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]
89. 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.
90. 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]
91. 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]

92. 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.
93. 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]
94. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
95. 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]
96. 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]
97. 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]
98. 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]
99. 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]
100. 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]
101. 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.
102. 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.

103. 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]
104. 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.
105. 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]
106. 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]
107. 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

108. 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]
109. 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]

110. 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

111. 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.
112. 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.

Miscellaneous

113. 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]
114. 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]
115. 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]

116. 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]
117. 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]
118. 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]
119. 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.
120. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
121. 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.
122. 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]
123. 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.
124. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
125. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

126. 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 ORDAINED that the Council hereby approves the application for a Conditional Zoning for Aura Development at 1000 Martin Luther King Jr. Blvd.

This the 16th day of June 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 1000 MARTIN LUTHER KING JR BLVD TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (2021-06-16/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, submitted by Coulter Jewell Thames, PA, on behalf of Trinsic Residential Group and Cant Hook Properties LLC, the owner of the property located at 1000 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Number 9789-35-9617, for which this application is made and finds that, if rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) according to the rezoning plan dated September 24, 2020, and last revised November 12, 2020, December 18, 2020, and January 29, 2021, with the conditions proposed 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 1000 Martin Luther King Jr. Blvd to Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

This the 16th day of June, 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 CONDITIONAL ZONING APPLICATION: AURA DEVELOPMENT

May 4, 2020

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Melissa McCullough moved and John Rees seconded a motion to recommend that the Council approve the Resolution of Consistency.

Vote: 9 – 0

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

Nays:

Recommendation: **Approval** ☐ **Approval with Conditions** ☒ **Denial** ☐

Motion: John Rees moved and Elizabeth Losos seconded a motion to recommend that the Council approve Ordinance A with the following conditions:

1. Allow administrative approval of up to a 100% increase in commercial square footage over what is currently proposed.
 - Do not allow more than the standard administratively approved 10% reduction.
2. Require that all affordable housing be offered at 65% AMI – provided this does not result in a reduction of the total number of affordable units currently proposed.
3. Provide open space that could be repurposed as a bike share docking station area near the BRT station in the future.
4. Provide a minimum 40 percent tree canopy and increase open space wherever possible.
5. Remove any unnecessary impervious surface and use pervious pavement (or other treatments) wherever possible.
6. Remove any unnecessary parking spaces, ideally reducing the average to 1.2 spaces per unit.

Vote: 8-1

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Buffie Webber, Stephen Whitlow

Nays: Neal Bench

Prepared by: Michael Everhart, Chair
Judy Johnson, Planning

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 1000 Martin Luther King Jr. Blvd. (AURA)

March 29, 2021

Recommendation: **Approval** ☐ **Approval with Conditions** ☒ **Denial** ☐

Motion: Ted Hoskins moved and John Weis seconded a motion to recommend approval of Ordinance A for the project, with the following conditions:

1. That Council add 'and approve' to the standard stipulations regarding review of building elevations and site lighting plans.
2. That Council add a stipulation to Ordinance A for the CDC to review and approve the northern buffer.
3. That the applicant revise the proposed building elevations to have a lighter feel.

Vote: 3-2

Yeas: Ted Hoskins
Megan Patnaik
John Weis

Nays: Christine Berndt
Susan Lyons

Recusal Note: **The CDC recused** Susana Dancy from participating in this recommendation due to her consulting role for the project developer.

Prepared by: Adam Nicholson, Senior Planner

HOUSING ADVISORY BOARD
May 11, 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
AURA DEVELOPMENT APPLICATION
1000 MARTIN LUTHER KING JR BOULEVARD

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: A motion was made by Dustin Mills seconded by Mary Jean Seyda, that the 1000 Martin Luther King Blvd Development (Aura) Application be recommended for approval by the Town Council with the condition that the applicant will determine a path that will allow some amount of affordable homeownership opportunities on site. As a concession there could be a reasonable reduction in the number of total affordable housing units on site.

Vote: 5-1

Ayes: Sue Hunter (Chair), Dustin Mills (Vice-Chair), Dawna Jones,
 Laura Cowen, Mary Jean Seyda

Nays: Mark Shelburne

Prepared by: Sue Hunter, Housing Advisory Board Chair
 Emily Holt, Staff

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
AURA DEVELOPMENT APPLICATION
1000 MARTIN LUTHER KING JR BOULEVARD

Recommendation: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: A motion was made by Dustin Mills seconded by Mark Shelburne, that the 1000 Martin Luther King Blvd Development (Aura) 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

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 1000 MLK JR BVLD AND 850 ESTES DR

March 18, 2021

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

Motion: Bruce Sinclair moved and Lucy Vanderkamp seconded a motion to recommend that the Council approve the conditional zoning for a mixed used development containing office, retail, multi-family residential and amenity spaces called “Aura”, located at 1000 MLK Jr Blvd and 850 Estes Dr., with the following conditions and special considerations.

Vote: 6-4

Aye: Chair Maripat Metcalf, Vice-Chair Adrienne Tucker,
 Thomas Henkel, Marirosa Molina, Bruce Sinclair, and Lucy
 Vanderkamp

Nay: Grace Elliott, Julie Gras-Najjar, Julie McClintock, and Noel Myers

Reasons Cited for Voting Against:

- Grace Elliott: concerns about traffic and lacking certainty that conditions will be met
- Julie Gras-Najjar: concerns about a lack of pertinent information
- Julie McClintock: concerns about reviewing a project ahead of understanding traffic impacts in the context of the new Town-wide traffic mode
- Noel Myers: concerns about traffic, stormwater, and lack of pertinent information

Conditions:

- Provide Council with a detailed stormwater management plan, ensuring that the NCDOT culvert has adequate capacity
- Ensure zero stormwater runoff to neighbors on the northeastern side of the property, with some form of recourse if the standard is not met (e.g. stormwater bond)

- Provide a detailed landscaping plan, ahead of the Council's review of a buffer modification, that includes number of trees, species, and location

Special Considerations:

- Model 50, 75, 100-year storm events to ensure that the on-site stormwater infrastructure can meet capacity needs
- Add solar as part of initial construction, which could help the project meet the AIA 2030 standards
- Assess environmental health outcomes, both acute and larger
- Meet the Council's energy policy regarding 20% better performance than ASHRAE 90.1
- Allow the ESAB to review the project a second time once there are more details regarding: landscaping, traffic, stormwater

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

Aura
(Project #20-074)
April 5, 2021

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

Motion: Rudy Juliano moved, and Brian Hageman seconded, to recommend denial of the conditional zoning application. The Board wanted to include the following reasons for denial:

- The development does not reflect the goals of the Central West Small Area Plan
- The development does not meet the transit priority goals of the Town due to the number of parking spaces and the increase in single occupancy vehicle trips
- The project will exacerbate existing pedestrian and bicycle safety issues due to the increase in traffic on Estes Drive and Martin Luther King Jr. Blvd., and thus is not in line with the Road to Zero pedestrian safety goals of the Town.
- The traffic impact analysis and the Townwide traffic model do not reflect the current reality and lived experience of drivers on Estes Drive, nor do they take a holistic view of traffic on Estes Drive, including the future development of other surrounding parcels. The traffic model needs to be validated.
- The Estes Drive site access is a major safety hazard and should be right-in-right-out.

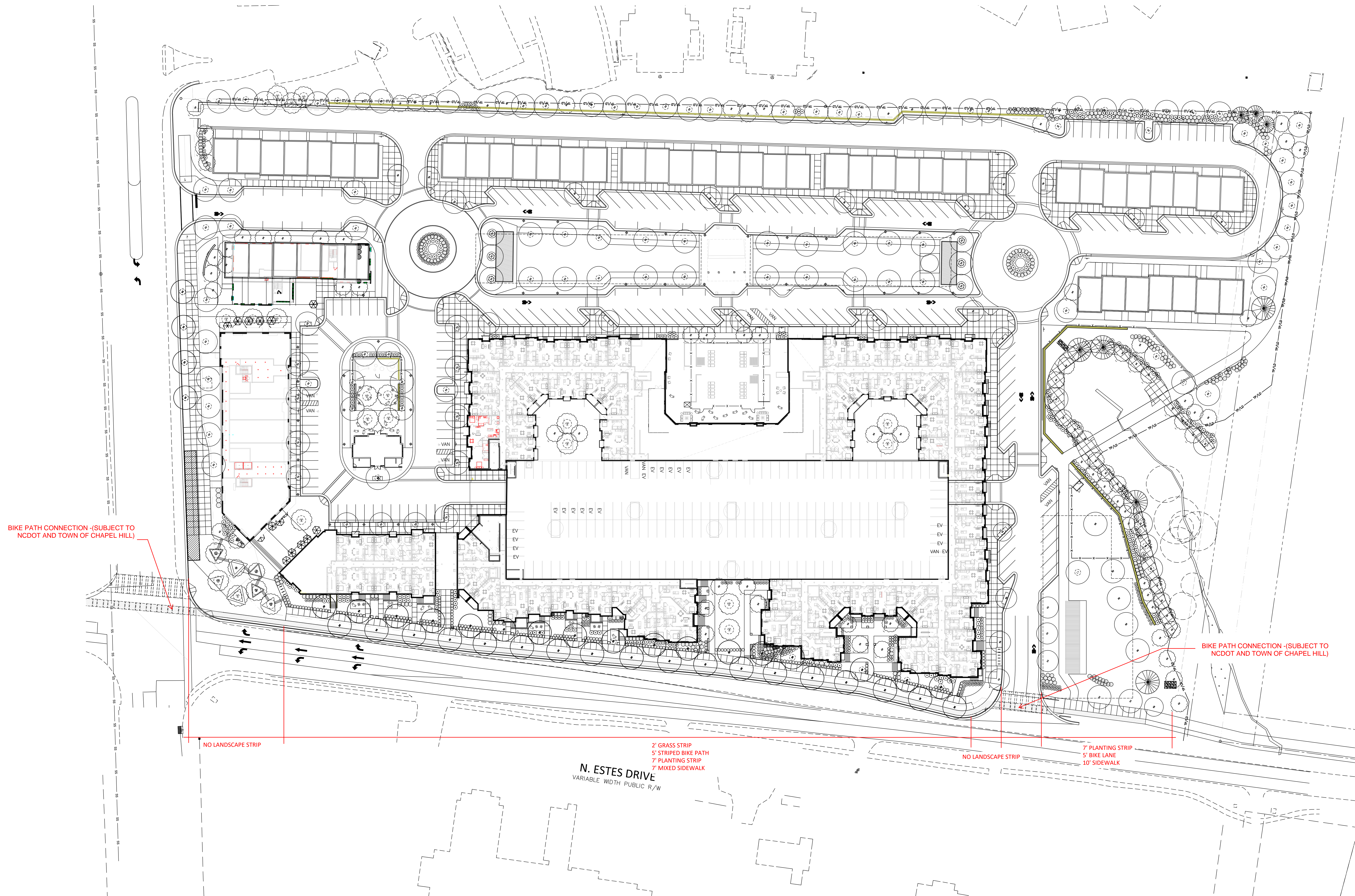
Vote: 5-0

Ayes: Susanne Kjemtrup-Lovelace, Rudy Juliano, Brian Hageman, Denise Matthews, Katie Huge

Nays:

Prepared by:

Susanne Kjemtrup-Lovelace, Vice-Chair, Transportation and Connectivity Advisory Board
 Bergen Watterson, Transportation Planning Manager



Council Question: During the last hearing for this, a request was made regarding whether the applicant could provide a sheet comparison of what the ways in which this project is varied from Town standards. The applicant indicated this would be done. Will the applicant provide this information prior to Wednesday night?

Applicant Response: Please see excel workbook provided.

Council Question: We have heard from some of our affordable housing providers that finding market housing for folks at the 80 percent of AMI level isn't a problem, but that finding housing for folks making less than 65 percent of AMI is. Would the applicant be willing to provide units at the 65 percent level rather than the 80 percent level proposed?

Applicant Response: We would be willing to include additional language to the affordable housing stipulation that said that we would provide either 15% of all residential units at 80% of AMI or 10% of all residential units at 65% of AMI.

Council Question: As the applicant presentation included in our packet is from the May 5th meeting, can we get a description of the changes/modifications made to the plan, if any, since that meeting?

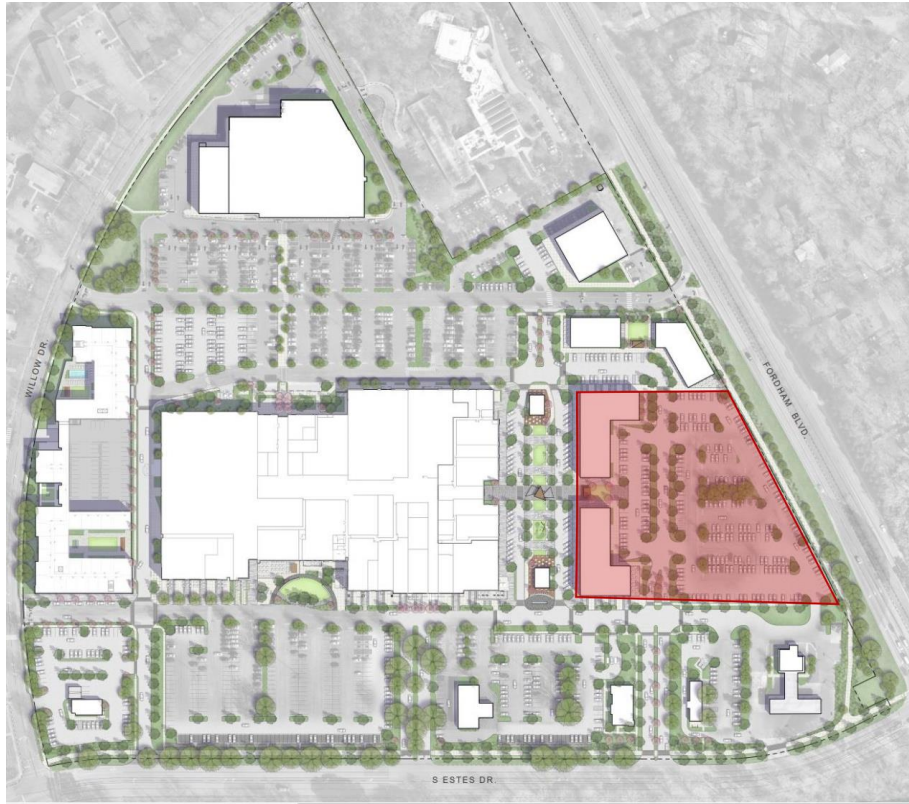
Applicant Response: The proposed changes/modifications include:

- We will agree to remove request for gateway sign on Fordham Blvd.
- We will agree to provide option of 15% affordable housing at 80% of AMI or 10% at 65% of AMI.
- We will agree to a "lockout period" on the multifamily conversion rights, to where a building permit could not be obtained for any multifamily units using conversions rights until at least 7/1/24. Based on a typical two-year construction period, that would mean there would not be any more than 300 units delivered until at least the second half of 2026 if conversion rights were utilized.
- We have included in our Council presentation on 5/19/21 a new dedicated space proposed for the farmer's market.
- We will agree to extend the Fordham Blvd multi-use path beyond our property north connecting to Willow Dr. pending any approvals required by NCDOT, Binkley Baptist and any other third parties. We think this will be a key connection that will promote alternate modes of transportation not only for Binkley Baptist but for the greater Chapel Hill community.
- We will agree to utilize solar energy for the common areas of the proposed multifamily building on Pod A in addition to our other measures proposed towards creating a more sustainable environment.

These are in addition to the items below that were previously agreed to during the May 5th Council meeting:

- Add rain gardens to increase stormwater drainage area by min. 30,000 SF over existing conditions
- Agree to dedicate 20% of incubator retail for minority owned businesses
- Removal of "optional" from green space in cross-section of the Internal Main Street and add a minimum width for the green space of 50'
- Require threshold that would need to be met to trigger availability of multifamily conversion rights, where the property would need to contain at least 375,000 SF of commercial (office & retail) space and if conversion rights are utilized, they'll need to include vertically integrated mixed-use with ground floor commercial space.

- To promote the site containing more commercial space, adjust conversion rights for multifamily from 1 unit per 1,000 SF to 1 unit per 800 SF of unused commercial, resulting in an opportunity for additional commercial space (up to additional 40,000 SF). This would be subject to the existing TIA and not exceeding those traffic volumes.
- We've agreed to require a minimum of 2-story buildings within the ~4.5 acre subdistrict within Pod C (highlighted in red below) after hearing feedback about the desire for that to be a true mixed-use environment.



UNIVERSITY PLACE

DESIGN STANDARDS

November 13, 2020



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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...)

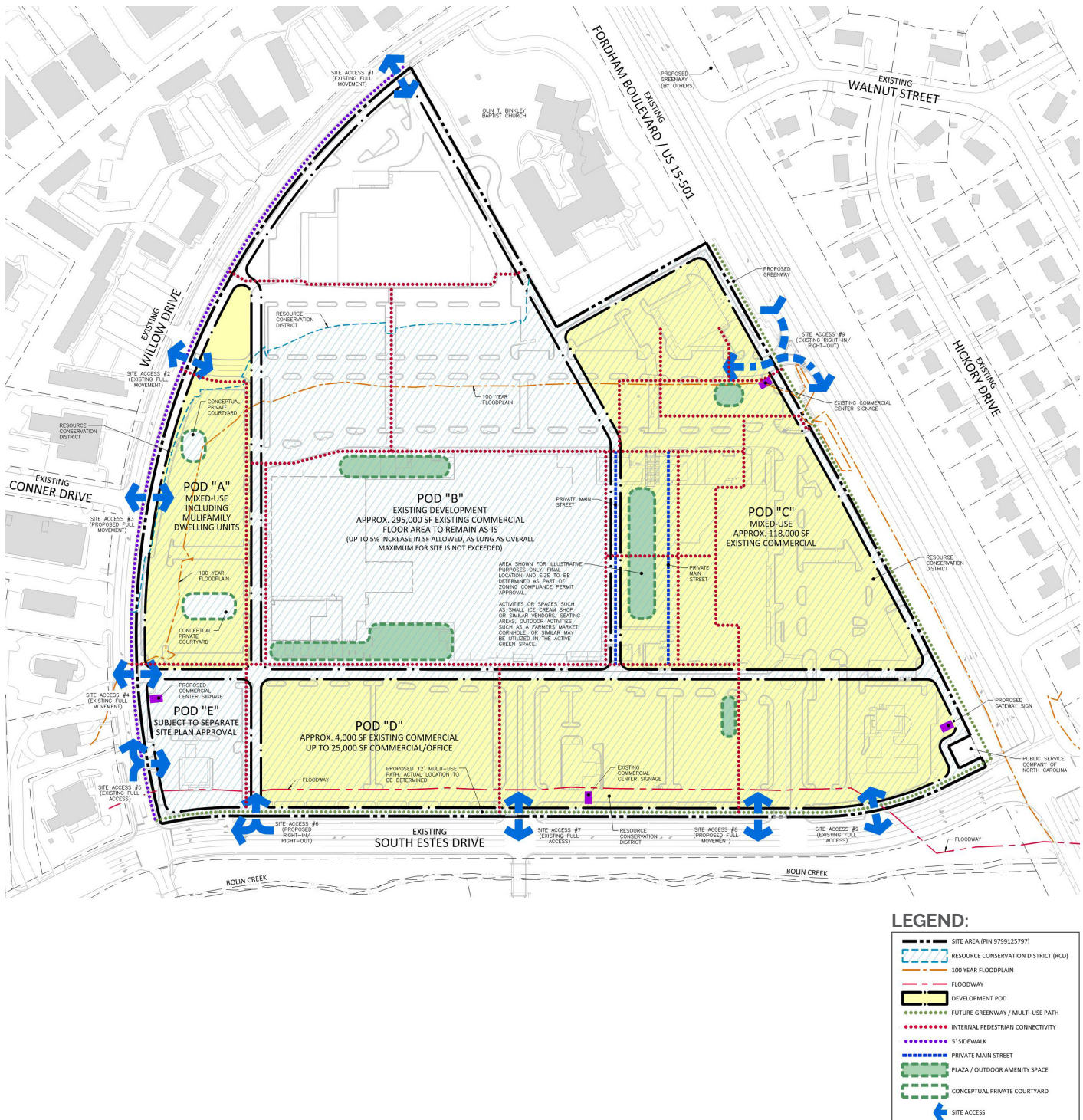
- 42. **Primary entrance:** An entrance providing both ingress and egress, operable to residents at all times or to customers during normal business hours that is required along each side of the building facing a public streetscape or any other non-vehicular, publicly accessible area.
- 43. **Proportions:** 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*

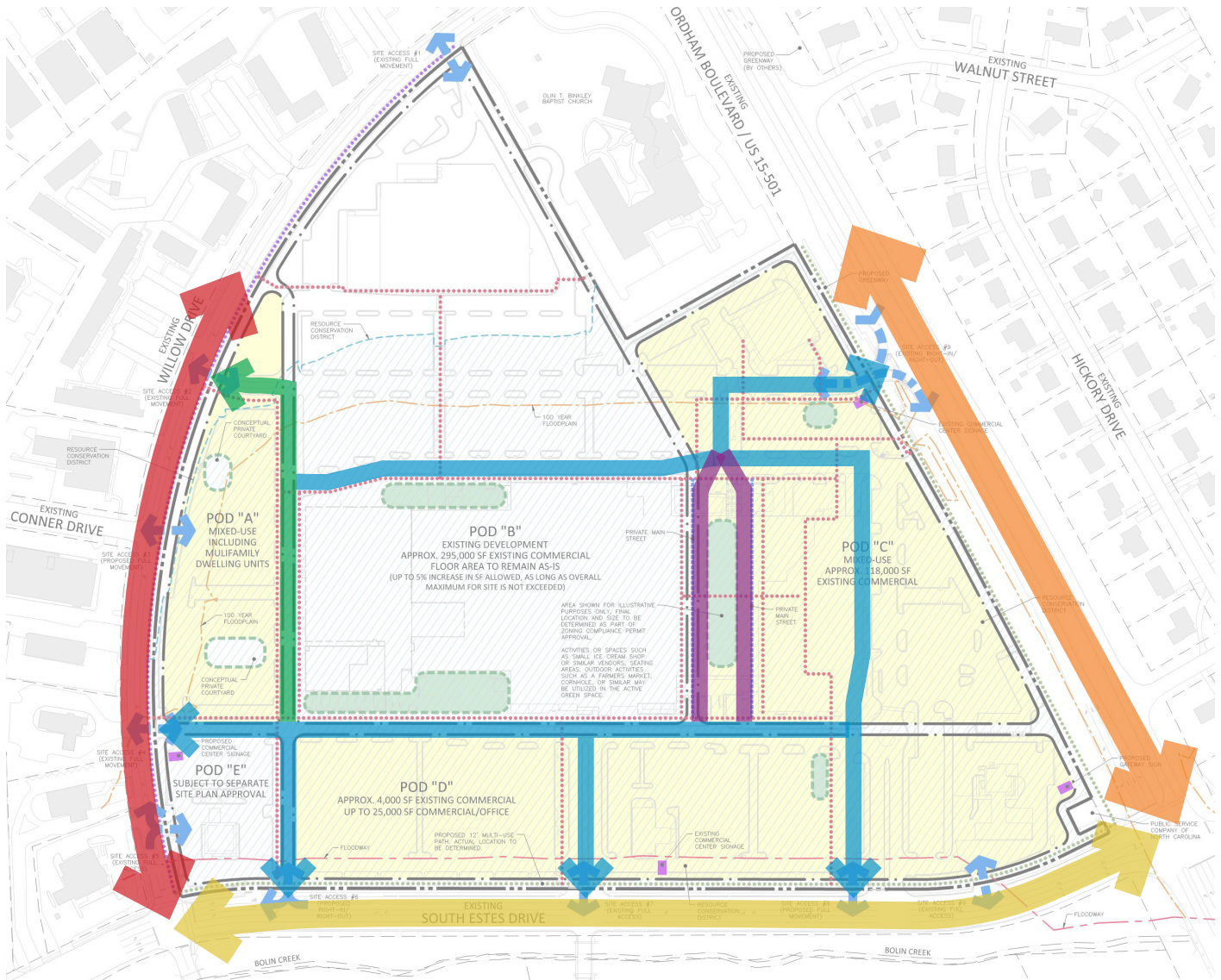
*If unrestricted, market rate units in a building are constructed at sized below those stated above, the minimum floor area for affordable units may be reduced to the size of such comparable unrestricted units in the building.
 - e. The owner may seek alternatives to on-site development of affordable 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

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

DESIGN CRITERIA

STREET FRONTAGES

1. WILLOW DRIVE

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.

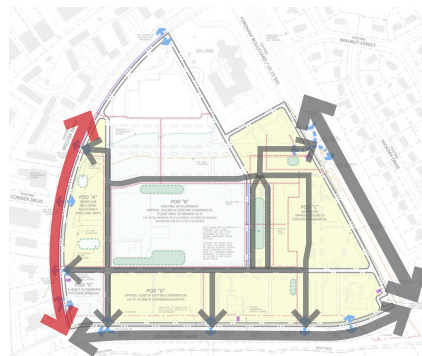
PARKING

No new parking shall be permitted between new buildings and the Willow Drive frontage.

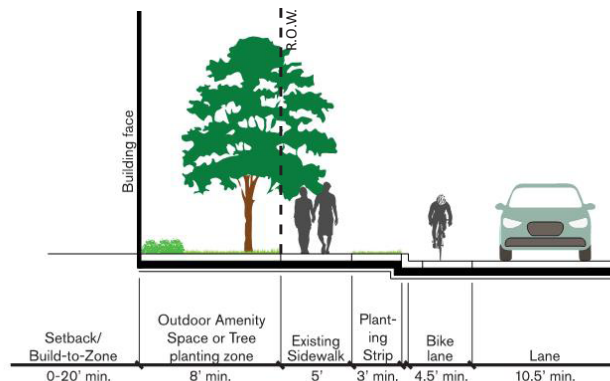
STREETSCAPE

- 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'

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

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)

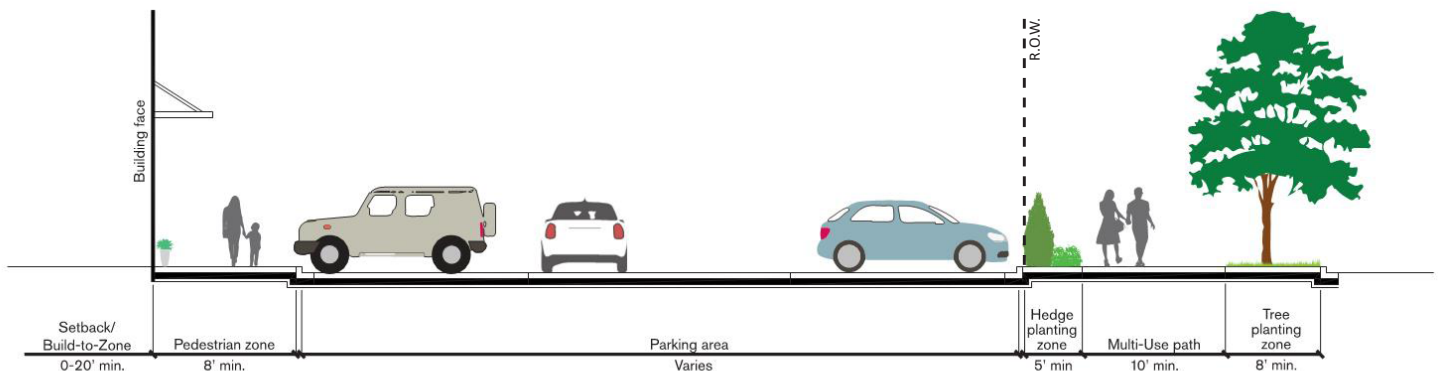
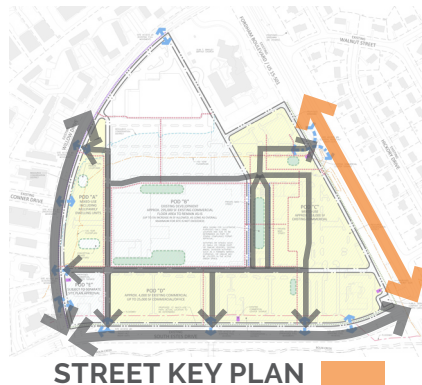
PARKING AREA

- 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.



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.

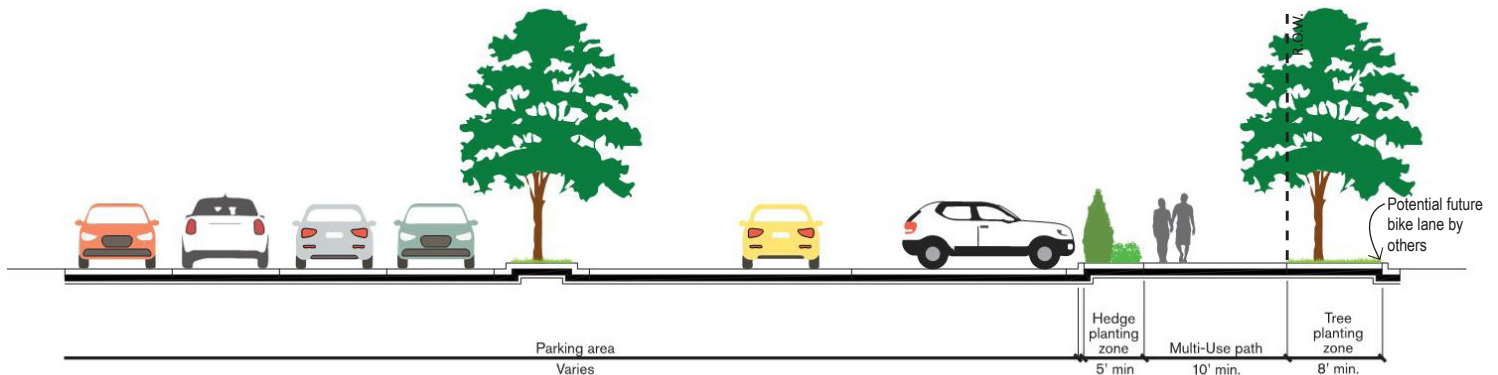
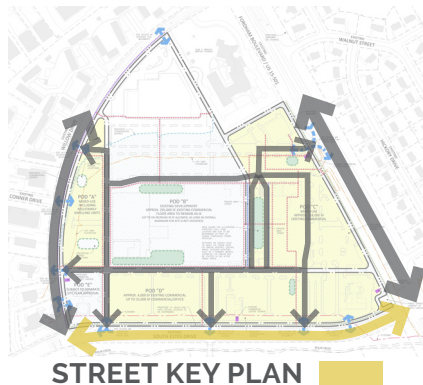
PARKING

- 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.**

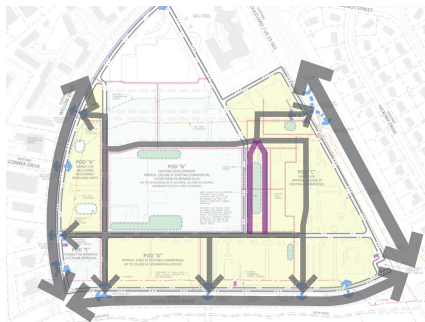
BUILDING LOCATIONS

- 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.

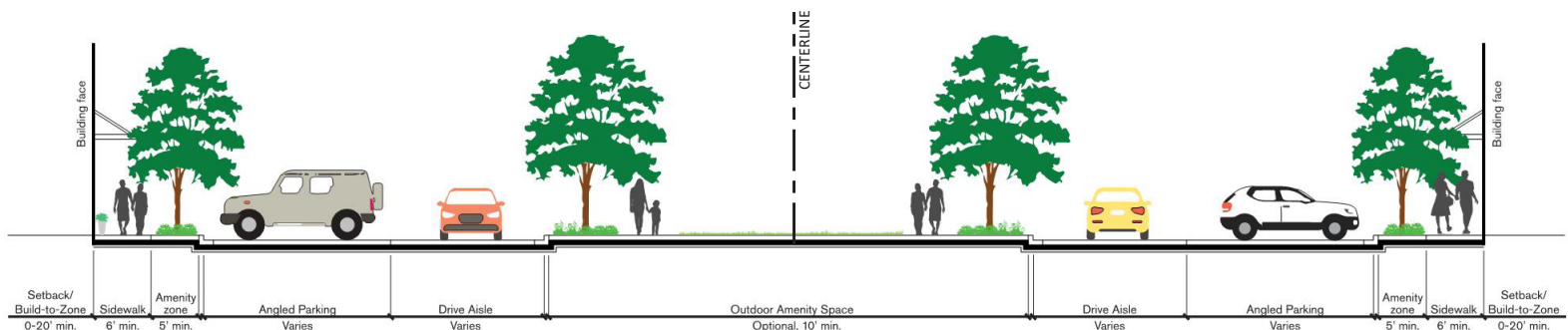


STREET KEY PLAN

STREETSCAPE

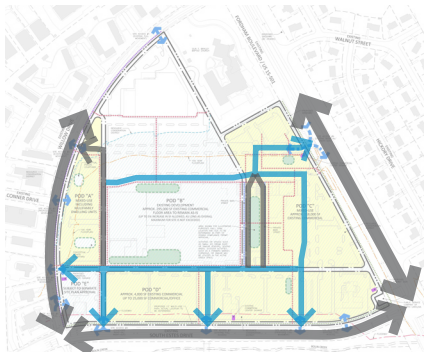
- Sidewalk (min): 6'
- Amenity Zone (min): 5'
 - Includes but not limited to: tree planting zone, light poles, bollards, tree grates, benches, planters, street furnishings, and hardscape areas/ extended sidewalk.
- Tree Spacing (on center, avg): 40'
 - A tree shall be provided at least every 40' measured 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**

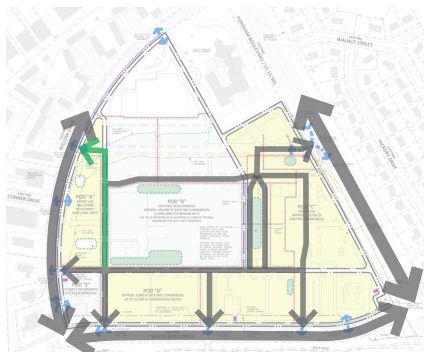
5. INTERNAL TYPICAL DRIVEWAY



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

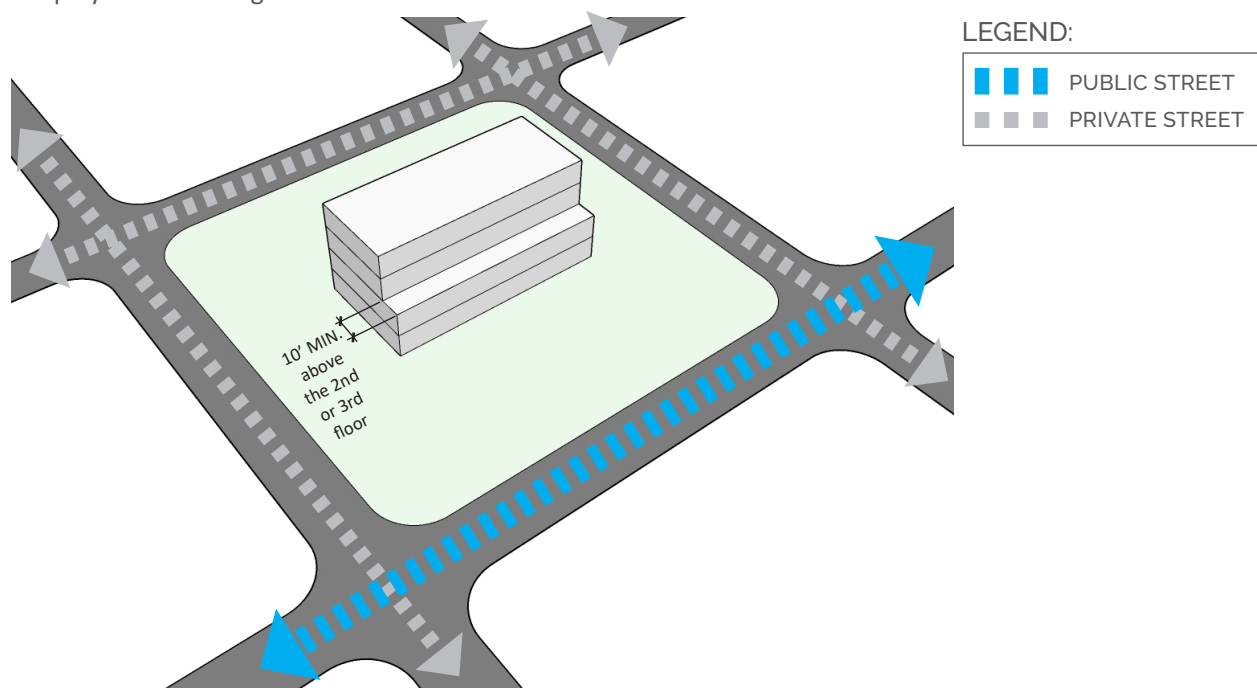
Building height shall be measured from the average grade at the foundation to the highest portion of the structure. Building height requirements are broken down into primary and secondary. Primary height shall be the maximum height allowed for any structure located at the minimum setback required for 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

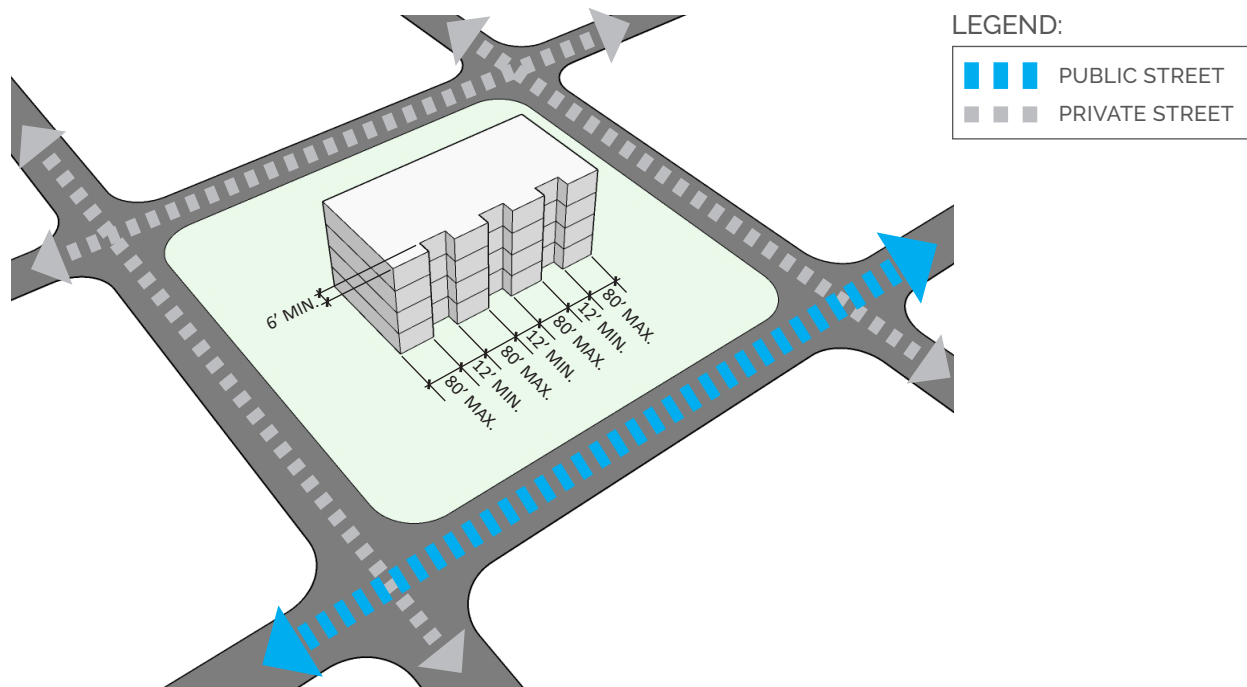
MASS (CONTINUED...)

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.

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

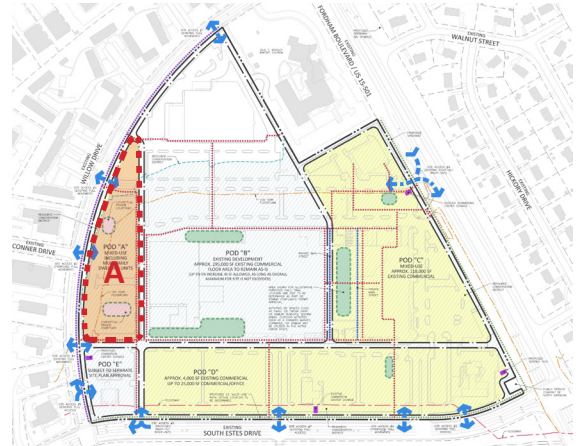
NOTES

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

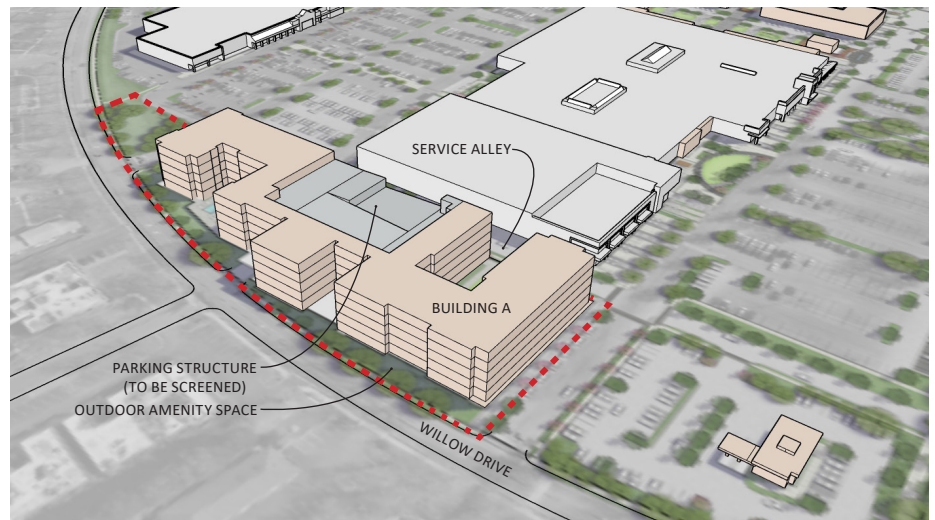
Pod A converts an existing surface parking area into a more dense, multi-use part of the site. A new parking structure is proposed with a residential wrap screen. Given the significant grade change along Willow Drive and the interior street being a service alley for trash and deliveries, no building 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*

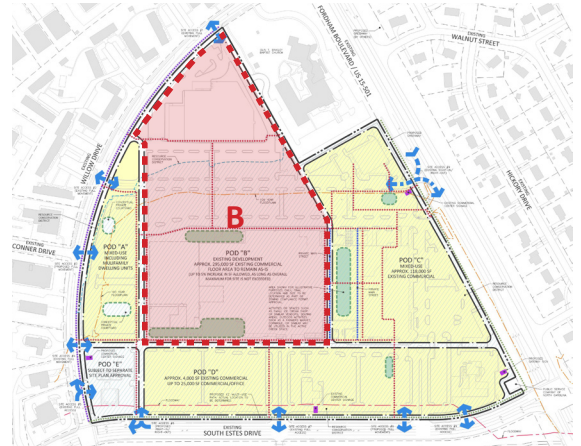
*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

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.

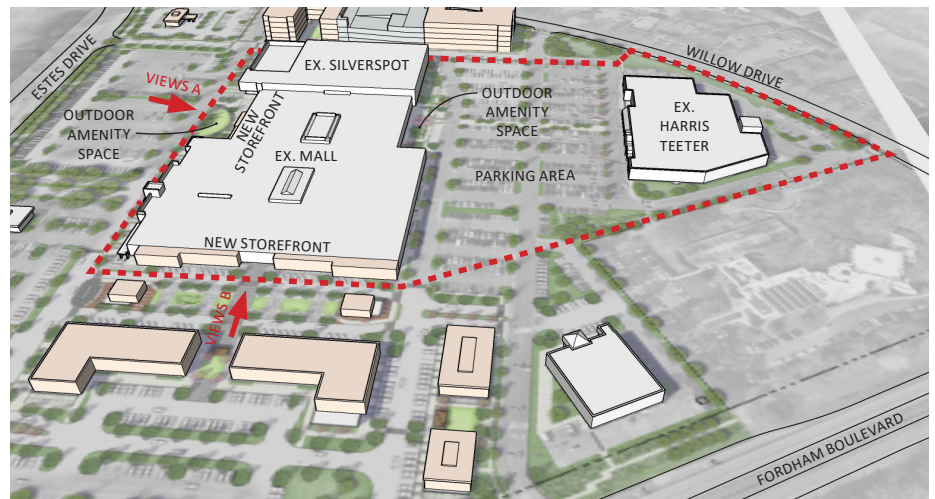


KEY MAP

DEVELOPMENT EXAMPLE

- $\pm 295,000$ SF Existing Commercial to Remain
- New Storefronts along portions of existing mall (see views below)
- Outdoor Amenity Space

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CONCEPT MASSING*



CONCEPT STOREFRONT VIEWS A



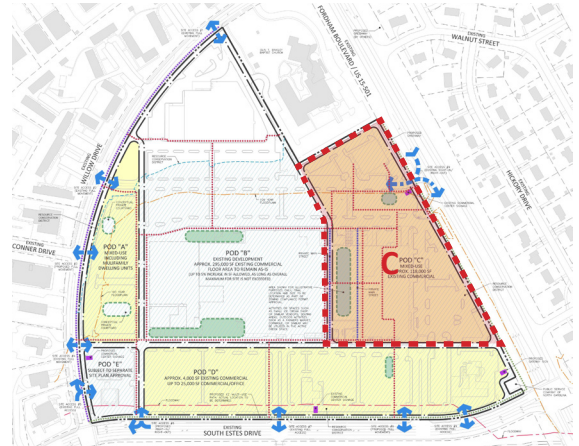
CONCEPT STOREFRONT VIEWS B

DEVELOPMENT OPTIONS

PODS

POD C

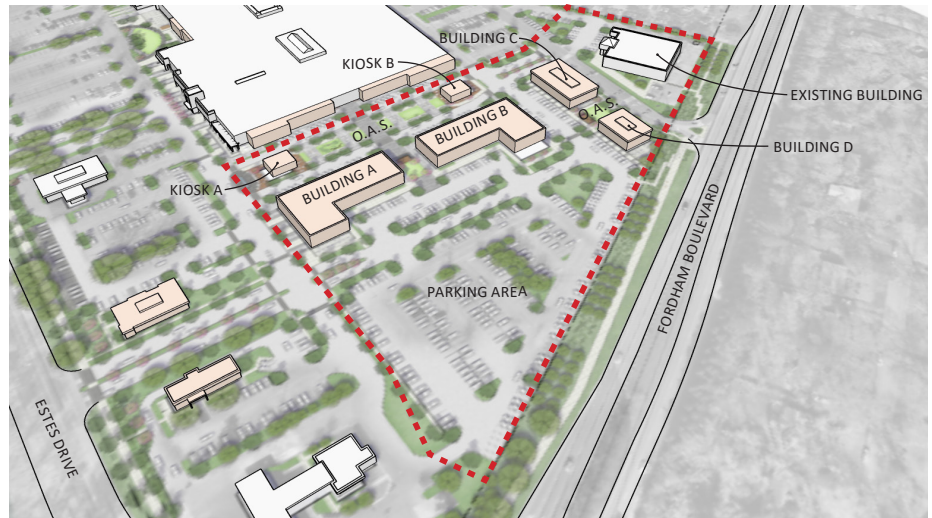
Pod C will be focused around a central park or green space that will be pedestrian focused and include programmed space for the farmers market and other recurring events. The central park area will be flanked by urban 'main streets' with a consistent streetscape experience that is designed to promote 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 $\pm 105,000$ SF of Existing Mall
- Existing Building: $\pm 11,200$ SF Commercial
- Building A: $\pm 13,500$ SF Commercial
- Building B: $\pm 13,500$ SF Commercial
- Building C: $\pm 6,000$ SF Commercial
- Building D: $\pm 3,300$ SF Commercial
- Kiosk A: $\pm 1,200$ SF Commercial
- Kiosk B: $\pm 1,200$ SF Commercial
- Outdoor Amenity Space (O.A.S.)



CONCEPT MASSING*

DEVELOPMENT EXAMPLE 2

- Demolition of $\pm 105,000$ SF of Existing Mall
- Existing Building: $\pm 11,200$ SF Commercial
- Building A: $\pm 13,500$ SF Commercial
- Building B: $\pm 13,500$ SF Commercial
- Building C: $\pm 6,000$ SF Commercial
- Building D: $\pm 3,300$ SF Commercial
- Building E: $\pm 45,000$ SF Office
- Building F: ± 125 room Hotel
- Kiosk A: $\pm 1,200$ SF Commercial
- Kiosk B: $\pm 1,200$ SF Commercial
- Outdoor Amenity Space (O.A.S.)



CONCEPT MASSING*

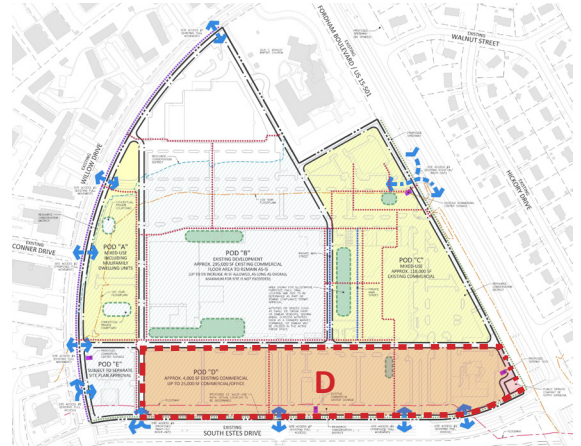
*These concept massing views are conceptual in nature and are provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

DEVELOPMENT OPTIONS

PODS

POD D

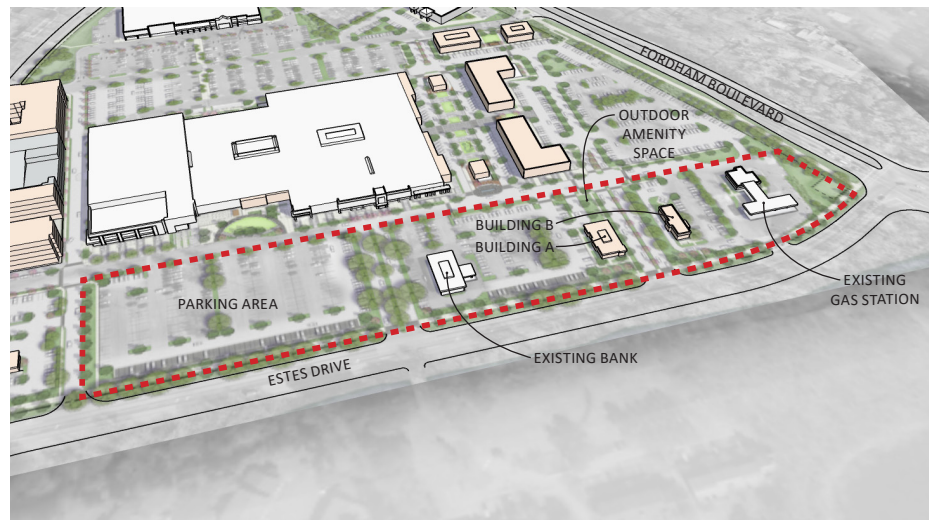
Pod D includes existing parking areas and buildings to remain, amongst 2 proposed commercial buildings lining a relocated driveway. Note that this pod faces limitations to major design changes because of sensitivity to being in a floodplain. The proposed development should assist with flooding concerns because it overall reduces the amount of impervious area on site.



KEY MAP

DEVELOPMENT EXAMPLE

- Existing Gas Station: ±2,000 SF
- Existing Bank: ±2,400 SF
- Building A: ±3,500 SF Bank Commercial
- Building B: ±2,800 SF Commercial
- Outdoor Amenity Space



CONCEPT MASSING*

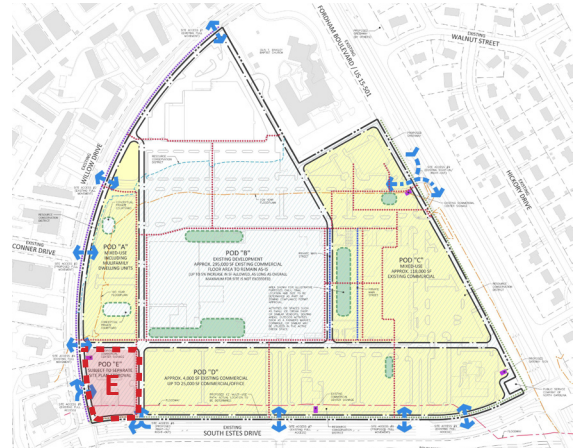
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DEVELOPMENT OPTIONS

PODS

POD E

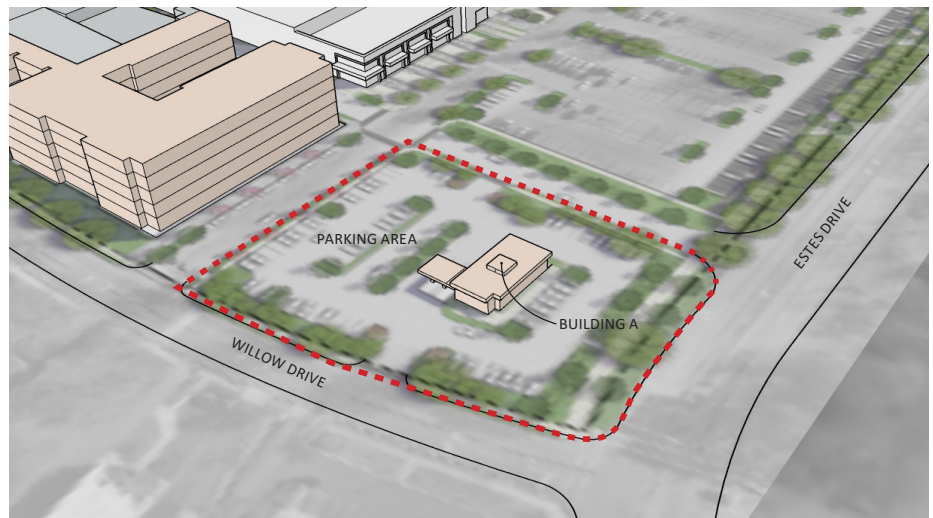
In Pod E, the Zoning Compliance Permit (ZCP) is under review for minor modifications to the existing SUP. The bank use is to remain and only parking modifications and potential driveway relocation are to occur in Pod E.



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: Pod A**Design Discussion: 5/14/21** *(with planning staff and development team)*

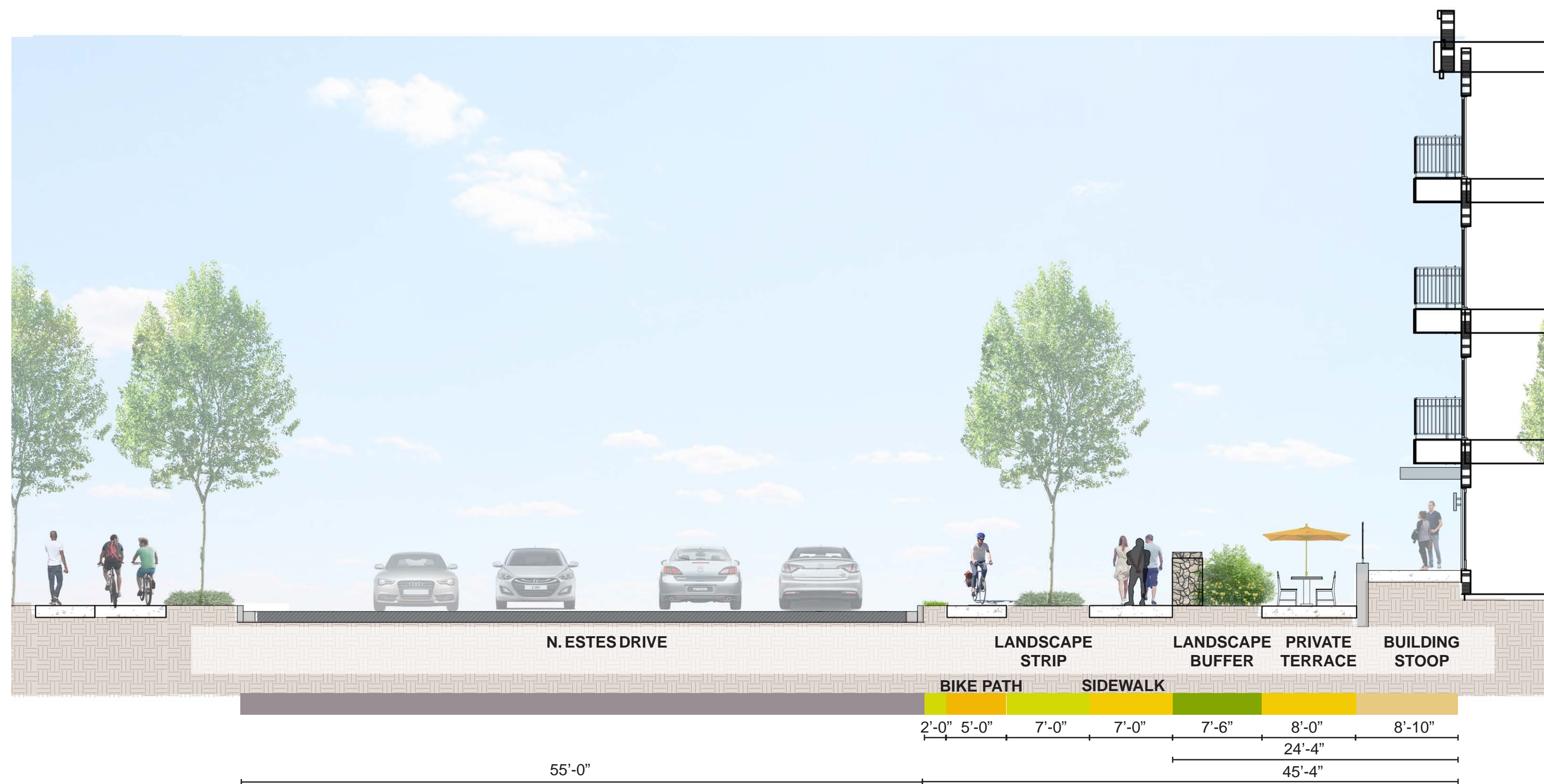
Submitted by Brian Peterson, AIA, Urban Designer, Town of Chapel Hill

Site Plan

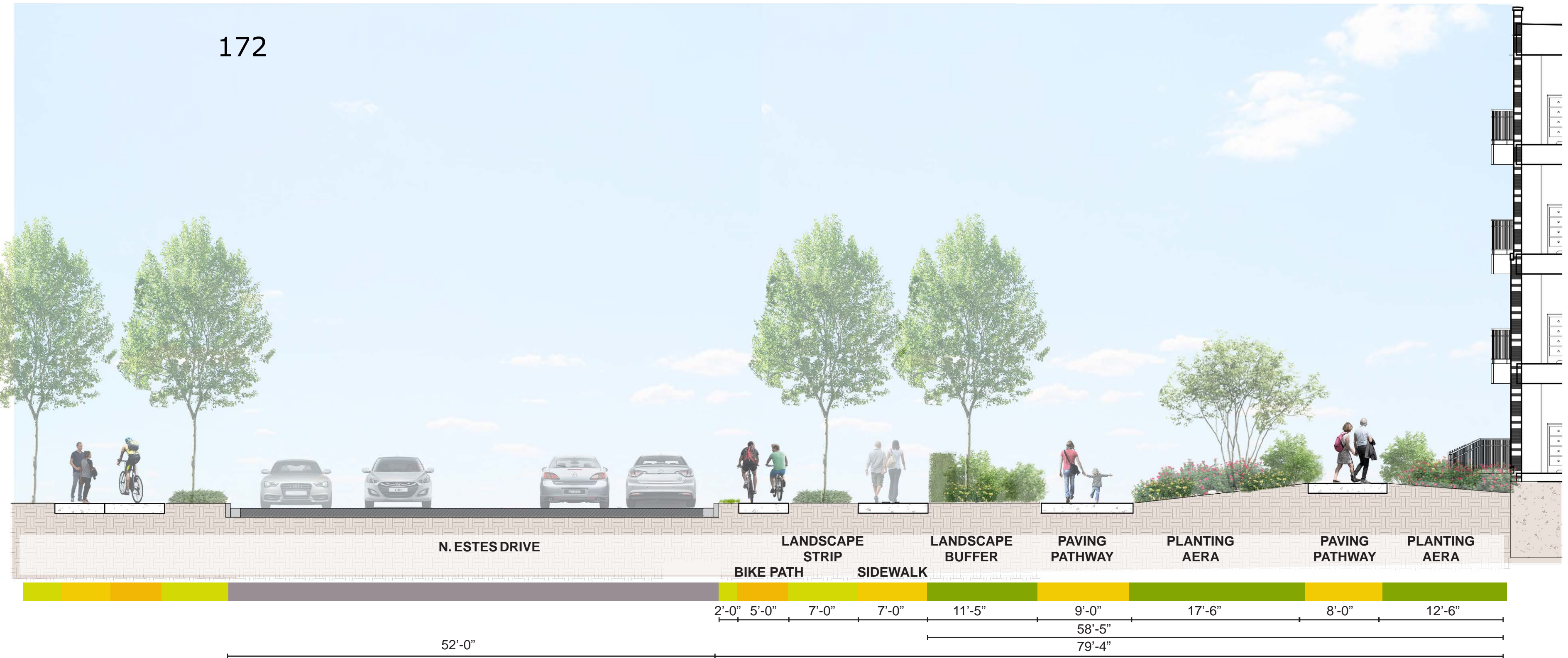
1. All frontages along the SW, NW & NE sides of the building should be designed to be attractive, interesting and comfortable places for pedestrians. This can be accomplished by providing retail space (or residential amenity space that presents an active use character to the sidewalk), landscape features, or architectural features that create pedestrian scale along the frontages.
2. The “service drive” between the new building and the existing mall is not seen as a primary pedestrian route. Even so, it was suggested that the design team consider simple ways to enliven the blank wall of the movie theater, such as painting murals, or providing ad space such as movie posters.
3. It was pointed out by the design team that there is retail space provided at the NE corner of the building, facing the existing mall and parking area. This is important in continuing the pedestrian character by wrapping it around the corner to then tie in with the sidewalks and entrances on the back side of the mall.
4. A market hall/shelter structure has been added along the SW façade. This helps establish a focal point for activity at an important entrance point to the redeveloping mall property. Other major entrance points to the mall should include some kind of gateway feature as well, to help interface the redeveloped mall with the surrounding community.

Architecture/Massing

5. The height of the building would likely fit in as other buildings of similar height are constructed over time along the other side of Willow Drive, if those properties were redeveloped in a like manner.
6. Agreed that a “pass through” type corridor from Willow to the back of the building, along the parking structure would not provide benefit in this situation. The building is designed as a “perimeter block” when the emphasis is creating a pedestrian realm on the outer edges of the building.
7. The jogs, insets, and courtyards along the building perimeter along Willow are vital in providing scale and breaking up the mass of the building. Suggested flipping the U-shaped building at the SW corner which currently has the courtyard facing the mall, so that the courtyard faces Willow. This would break up the massing along Willow even more.
8. Along the Willow façade, the jogging of mass creates many corner conditions. Suggested exploiting the corners as small tower-like elements or vertical bays. The repetition of vertical elements could help animate the façade as one passes along on Willow.



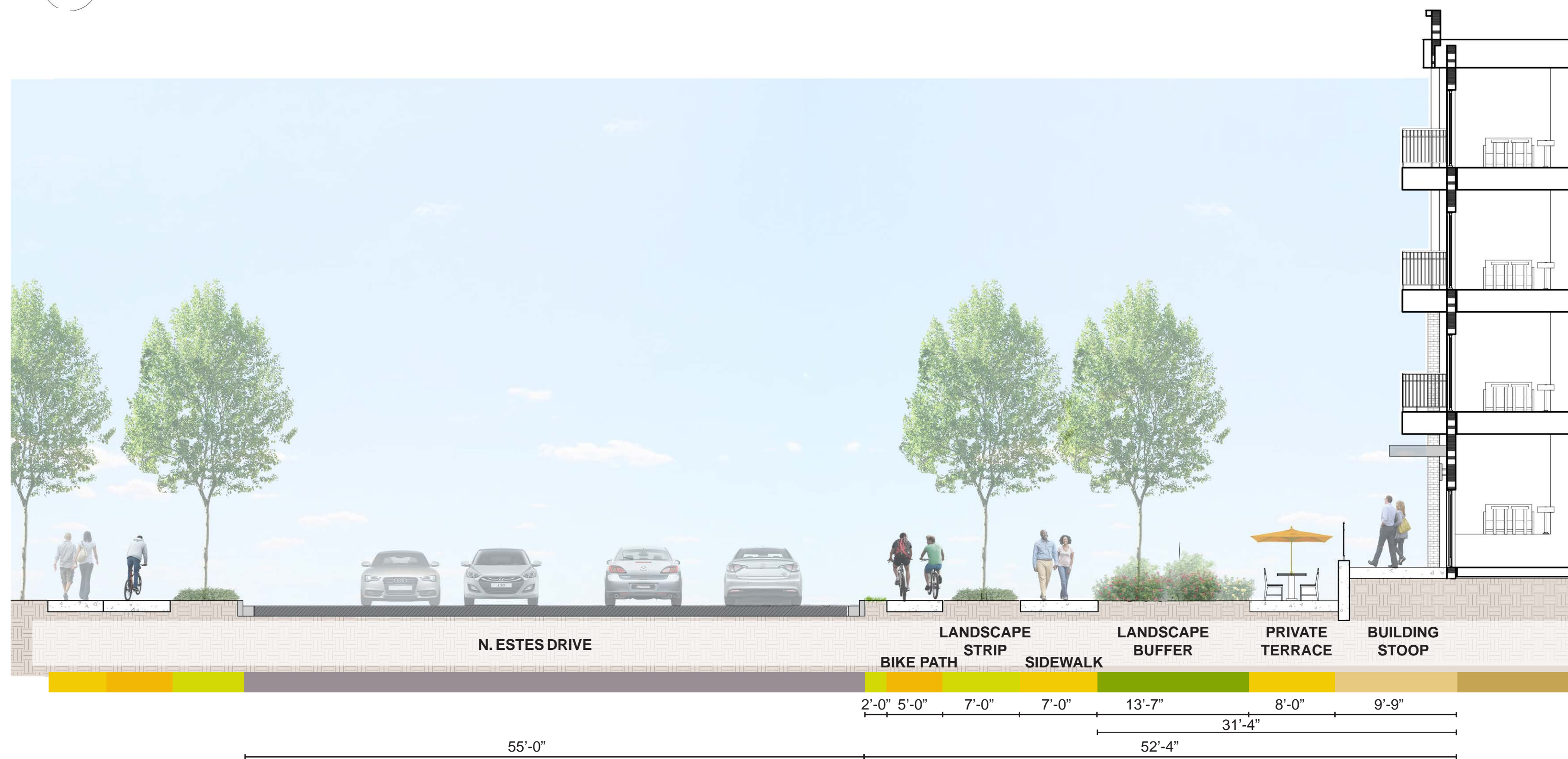
1 SECTION E
1/8" = 1'-0"



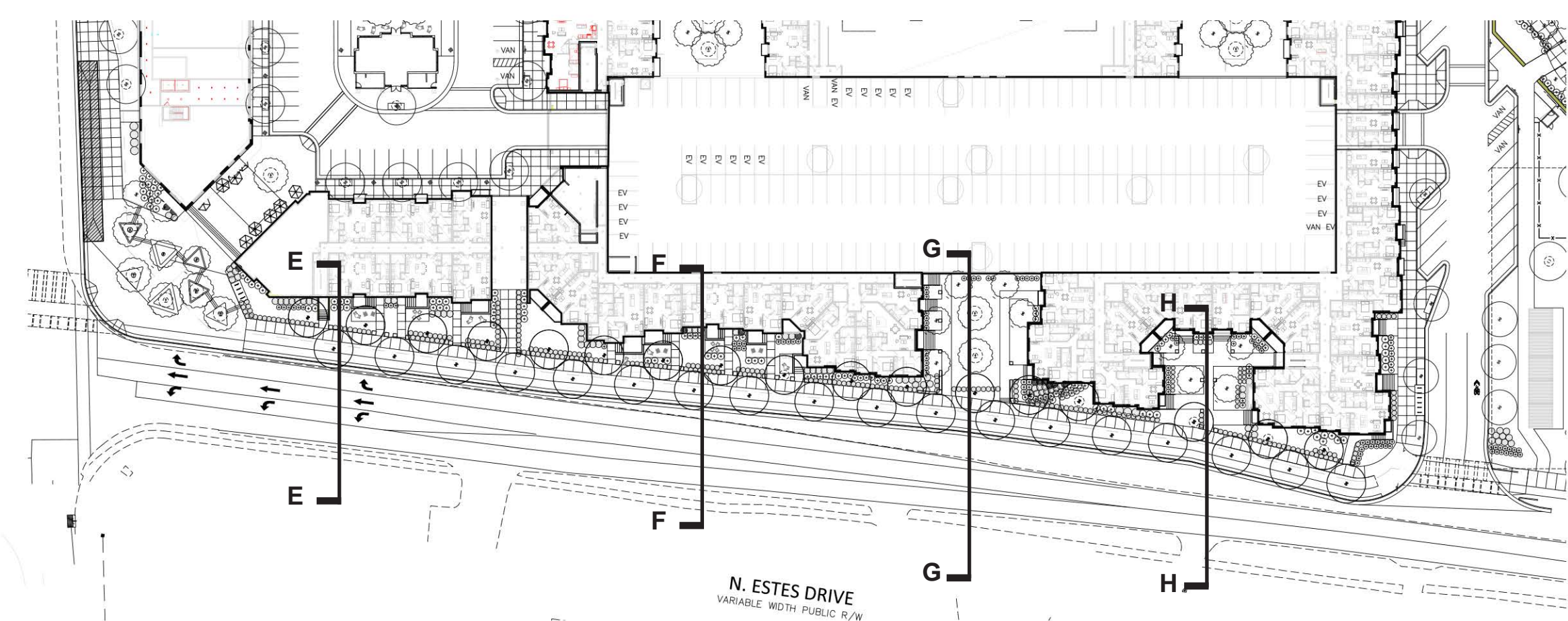
4 SECTION H
1/8" = 1'-0"



2 SECTION G
1/8" = 1'-0"



3 SECTION F
1/8" = 1'-0"



5 SITE KEY PLAN
1" = 80'-0"



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OWNER:



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215 Schilling Circle,
Suite 201, Hunt Valley,
MD 21031

VP Engineering, Inc.
2815 Coliseum Center
Drive, Charlotte, NC
28217

McAdams
2905 Meridian Parkway,
Durham, NC 27713

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AURA
CHAPEL HILL

REV.	DATE	DESCRIPTION
DESIGN	DESIGN	
DELIVERABLE:	DEVELOPMENT	
ISSUE DATE:	03/29/2021	
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DRAWN BY: Author		
CHECKED BY: Checker		
PROJECT NUMBER: TRG20000		

SHEET TITLE:

SHEET NUMBER:

L3

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)



CJT_{pa}

111 WEST MAIN STREET
DURHAM, NORTH CAROLINA 27701
919-682-0368 F 919-688-5646

Planning for the Future

May 20, 2021

Judy Johnson
Town of Chapel Hill Planning & Sustainability
405 Martin Luther King Jr Blvd.
Chapel Hill, NC 27514

RE: Project Aura Chapel Hill – Estes at MLK
Conditional Zoning – Response to Council and Public Comments and Questions

Dear Judy,

The Aura Chapel Hill project was presented to Council at the virtual Public Hearing on May 12th. 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 continues the Public Hearing at their May 26th 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 26th or prior.

Are there additional measures that we can take to manage stormwater beyond the current Town design requirements? These might include more on-site storage/filtration, reducing impervious surface, use of pervious pavers, and/or directing runoff to naturalized areas

The design team has looked at these and the mechanical measures proposed as part of the project design, and how they will actually perform and if they can be made more effective. As currently designed those measures fully manage the pre development vs post development runoff rate for the 1, 2- and 25-year storm, and the runoff volume for the 2-year storm, as prescribed by Town rules. After re-running the calculations, we further find that we are also managing some of the additional runoff volumes for the 50- and 100-year storm events...thus exceeding the current Town standards. We feel that the most effective way to further address the concerns we heard from the Council and downstream property owners is to add at least one of the additional above ground measures that Council suggested, and also fully manage the 50-year storm event

Can parking be reduced?

We have looked again at our parking rates, and have confirmed we have an extremely low number relative to industry standards, and 20 percent less than the parking allowed by the Chapel Hill ordinance.

- The apartment units are parked at an average rate of 1.25 per unit. We expect that our residents will use the bus system for work and some other activities, but cars (and a place to store them) are still necessary for most people, for at least part of their lives.
- 100 spaces are intended for the commercial area (half general retail, half restaurants). In order for the retail to be successful, our parking consultant has determined that these are the rates needed for the immediate future. This demand likely will diminish over time, but for now, this parking is necessary.
- Almost all of the 100 spaces for the townhomes are located in personal garages, most of which are accessed from the alleys.
- About 275 of the proposed spaces are either below grade or in garages meaning they are not contributing to impervious surface.
- The “upper level” of the parking in the apartment block can be converted to other uses as demand for parking decreases.

The Building seems very close to Estes, and are the trails/sidewalks/landscape verge drawn accurately?

The multi-use facilities along Estes are drawn per the dimensions provided by the Town.... those being a 5' landscape strip between the curb and sidewalk, a 5' sidewalk, and a 6' bike path. The distance from the buildings to the edge of the bike paths varies considerably because the building is not parallel to the street, but at the narrowest there are a few corners 12' from the edge of the sidewalk, with other areas 30' or more away from the sidewalk. We feel that all of these dimensions are in keeping with both turn of the century Traditional Neighborhood Design (TND) patterns, and current TND design principles. Estes Drive has a very suburban development pattern. The transition across the Aura frontage from the “Woodlands” to the east and the residential and commercial buildings at the center and west creates a transition to the less suburban feel envisioned in the Central West Plan. Exhibits illustrating this will be provided prior to the Council Meeting

Can more/all of the affordable units be offered at a 65% or Lower AMI rental rate? Can you accept Housing Vouchers? Can the 5 Affordable Townhomes be located on-site rather than off-site?

The applicant will provide two scenarios to weigh the relative costs of meeting lower-income thresholds. Both scenarios provide on-site townhouses for sale.

Will we allow a vehicular connection across the Rummel property to Somerset?

The developer believes that cut-through traffic from Somerset through Aura is bad for pedestrians and users of the public spaces in Aura. However, an easement to the east property line will be provided to the town so that the town can provide that connection at a future date, should the town decide that the public interest is served with this connection.

Can we set aside some area for current/future bike share parking, particularly near the BRT Station?

Yes.

Can the Council approve a higher amount of Commercial Floor Area in the event that future market demand would support it? Will the Applicant commit to making some of the residential space “convertible” to commercial in the future?

The applicant embraces the idea of having the ability to do additional commercial in the future. We will commit to making a portion of the residential square footage convertible.

Can we set designate some parking/drop off zones for ride share, Smart Cars?

Yes.

Can we commit to making some of the larger roof areas solar ready?

Yes. HVAC units are being grouped on the roof in a manner to maximize the opportunity for solar panels.

The conduits necessary to facilitate wiring and space in the electrical rooms for inverters and transfer switches will be provided.

Please clarify your commitment to constructing the BRT Station?

Conversations are ongoing with CH Transit folks to design a BRT station that is in a style and feel that is in character with the proposed development. This would be an important component of Placemaking for a Transit Oriented Development. It is our proposal that we design and construct the BRT station with the Developer contributing \$100,000 of those costs

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,
CJTpa

A handwritten signature in blue ink, appearing to read "Daniel A. Jewell", with a long horizontal line extending to the right.

Daniel A. Jewell, RLA, ASLA
President

Cc: Ryan Stewart
Sean Gleason
Susana Dancy
Chris Bauer

CONDITIONAL ZONING APPLICATION



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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): 9789359617

Date: September 18, 2020

Section A: Project Information

Project Name: Aura

Property Address: 1000 MLK Jr Blvd and 850 N Estes Dr Zip Code: 27514

Use Groups (A, B, and/or C): A, B, and C Existing Zoning District: R-1

Project Description: Mixed use development containing office, retail, multi-family residential, and amenity spaces.

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

Applicant Information (to whom correspondence will be mailed):

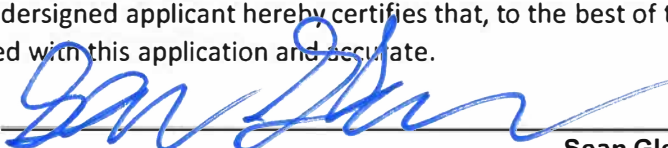
Name: McAdams - Sean Gleason

Address: 2500 Meridian Parkway

City: Durham State: NC Zip Code: 27713

Phone: 919-361-5000 Email: gleason@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:  Date: 9/23/2020

Sean Gleason

Owner/Contract Purchaser Information:

☐ Owner☒ Contract Purchaser

Name: Trinsic Residential Group - Ryan Stewart

Address: 110 Corcoran St, 5th Floor

City: Durham State: NC Zip Code: 27701

Phone: 919-884-7395 Email: rstewart@trinsicres.com

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

Signature:  Date: 9/23/2020

Ryan Stewart

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

CONDITIONAL ZONING APPLICATION



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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): _____ Date: _____

Section A: Project Information

Project Name: _____
Property Address: _____ Zip Code: _____
Use Groups (A, B, and/or C): _____ Existing Zoning District: _____
Project Description: _____

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

Applicant Information (to whom correspondence will be mailed):

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
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: _____ Date: _____

Owner/Contract Purchaser Information:

☐ Owner

☐ Contract Purchaser

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
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: Stephen B Butler Date: 4/5/2021

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=	640,973	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=	64,097.3	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=	705,070.3	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)	653,400
Area of Land Disturbance within RCD	1200
Area of Land Disturbance within Jordan Buffer	1200

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	1306.8	1306.8	466,092	466,092
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	0	0	66.1%	66.1%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	n/a	n/a	n/a	n/a



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	0	0	54	54
Number of Floors	0	0	4	4
Recreational Space	0	0	61,062 sf	61,062 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	0	544,946	544,946
Total Square Footage of All Units	0	0	454,285	454,285
Total Square Footage of Affordable Units	0	0	TBD	TBD
Total Residential Density	0	0	28.47 du/ac	28.47 du/ac
Number of Dwelling Units	0	0	419	419
Number of Affordable Dwelling Units	0	0	54	54
Number of Single Bedroom Units	0	0	227	227
Number of Two Bedroom Units	0	0	133	133
Number of Three Bedroom Units	0	0	70	15
Townhomes			44	44

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	0	7,521			
Restaurant	0	6,020	# of Seats	0	TBD
Government	0	0			
Institutional	0	0			
Medical	0	0			
Office	0	2,316			
Hotel	0	0	# of Rooms	0	0
Industrial	0	0			
Place of Worship	0	0	# of Seats	0	0
Other	0				

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	0	n/a	0
	Interior (neighboring property lines)	0	n/a	0
	Solar (northern property line)	0	n/a	0
Height (maximum)	Primary	None	n/a	60
	Secondary	None	n/a	60
Streets	Frontages	15'	~1500' total	~1500'
	Widths	15'	~500'	~500'

**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
Martin Luther King Jr Blvd	100'	90'	5	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
N Estes Dr	Varies	Varies 30-65'	2	<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
N Estes Dr	6	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	n/a	n/a	634
Handicap Spaces	n/a	n/a	16
Total Spaces	n/a	n/a	650
Loading Spaces	n/a	n/a	0
Bicycle Spaces	n/a	n/a	119
Surface Type	Asphalt/Concrete		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	10	Varies	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
South	15	15	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East	15	Varies	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
West	15	15	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section I: Land Use Intensity

Existing Zoning District: R-1

Proposed Zoning Change (if any): OI-3

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
Required: OI-3	.566	.015			0.70	399,069.79	10,576.05
PROPOSED FAR Bonus	.893 (with FAR affordable housing bonus)				0.661	Allowed:629,619 Proposed:470,142	61,062
	See FAR calculations on the following page						
TOTAL							
RCD Streamside	.001	0.01					
RCD Managed	n/a	0.019					
RCD Upland	n/a						

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

FAR Calculations

Floor Area Bonus: *LUMO Section 3.10.2*: 3,400 square feet per affordable dwelling unit if building has no interior common elements; or **4,400 square feet per affordable dwelling unit for buildings with interior common elements**, with the exception of R-SS-C and MU-V zoning districts.

- 54 affordable dwelling units
- GLA = 705,070.3
- Allowable FAR *without* floor area bonus = 0.556
- Allowable Floor Area *without* floor area bonus = $0.556 \times 705,070.3 = 392,019.09$ sf
- Floor area bonus = 54 aff. du \times 4,400 sf = 237,600 sf
- Allowable floor area *with* floor area bonus = $392,019.09 + 237,600 = 629,619$ sf
- Allowable FAR *with* floor area bonus = $629,619 \text{ sf} / 705,070.3 = 0.893$
- Proposed total floor area: 470,142 sf



**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.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	86,025.00
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)		
X	Description of Public Art Proposal , if applicable		
X	Statement of Justification		
n/a	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)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	164.00
X	Written Narrative describing the proposal , including proposed land uses and proposed conditions		
X	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
X	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



**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)



AURA CHAPEL HILL @ 1000 Martin Luther King Jr. Blvd.

Conditional Zoning Plan (CZP) Submittal

Chapel Hill, NC

09.24.2020

1. Written Narrative
2. Statement of Justification
3. Statement of Consistency with Comprehensive Plan
4. Response to Town Council and Design Commission Concept Plan Comments

1. Written Narrative

Introduction

This is a request for Conditional Rezoning of the Aura Chapel Hill Mixed-Use proposal on 14.7 acres located at 1000 Martin Luther King Jr. Blvd. to Office/Institutional-3-Conditional Zoning (OI-3-CZ). The application is submitted in conjunction with a request for a change to the Zoning Amendment effective date for removal of the Airport Hazard Overlay Districts.

The proposed mixed-use development is located at the northeast corner of Martin Luther King Jr. Blvd. at Estes Drive. The development proposes a mix of land uses: Retail/office, live-work space, and market-rate and affordable multi-family development.

The new development embraces the adopted vision of the Town's Central West Small Area Plan which calls for "residential, commercial, retail, and/or institutional" at this important corner of Martin Luther King Jr. Blvd. at Estes Drive. As anticipated, transit-friendly development is to welcome Bus Rapid Transit (BRT) at Martin Luther King Jr. Blvd. Community gathering spaces, plazas and courtyards will be a key component of the new development as well as easily accessible bicycle and pedestrian amenities to connect the new community.

We have worked closely with the Town's Urban Designer to ensure that the new development-proposes to invigorate the intersection with new uses, architecturally appropriate buildings (scale, character, articulation, etc.), and a



future BRT Station. The proposed BRT Station will be integral to the site design, engaging with community gathering spaces as well as innovative landscape that is part of an urban forestry program.

Statement & Vision:

The new development will be a vibrant transit-oriented, mixed-use development, comprised of brownstones, flats and select live-work units in addition to a complimentary mix of neighborhood commercial structures (restaurants, service retail, and small office). The commercial uses are intended to serve both new and nearby residents and are oriented to shared plazas and gathering areas with connectivity to surrounding neighborhoods. An affordable housing component is integral to the development. The development will NOT be a “monolithic box” such as recent “wrap” and “podium” developments in Chapel Hill.

Aura Chapel Hill buildings have thoughtful contextual architecture, respecting the historic qualities of design in the Town and on the UNC Campus. The site design is organized to include properly scaled “outdoor rooms” and shared gathering areas including an outdoor plaza, courtyards, and a stage/performance area. Work with the Town’s Urban Designer enhanced the quality of the design of the project. Aura Chapel Hill has a carefully considered parking plan which includes 180 parking underground (subterranean) spaces which allows a plan that maximizes open space (parks, woodlands, etc.) and minimizes “fields” of parking, screens a high percentage of spaces from public view and additionally maximizes on-street parking.

In addition to the parks and woodlands areas comprising more than 3 acres, the development proposes +/- 360 apartment dwelling units and 55 for-sale townhomes and live-works, plus approximately 15k SF of non-residential uses (comprised of retail/office and live-work units along Martin Luther King Jr. Blvd., and approximately 18,000 sq.ft of resident community amenity space interior to the development. The proposal conforms to the vision and scale offered with the guidelines for this quadrant of Central West. We feel this is a validation of the hard work done by the Central West Steering Committee.

Location, General Site Layout and Building Orientation

The 14.7 acre site is located on the east side of Martin Luther King Jr. Blvd. at the Estes Drive intersection. The future Carolina North campus associated with UNC-Chapel Hill is to be located on the west side of Martin Luther King Jr. Blvd. at the



site of the former Horace Williams Airport. As a reminder, the UNC Carolina North campus is approved for research and educational uses with various supportive functions, as well as housing for students and faculty.

Shadowoods Apartments is contiguous with the property to the north and fronts Martin Luther King Jr. Blvd. To the east of Shadowoods Apartments, and at the northeast corner of this property, is the Coker Woods single-family cluster neighborhood. The Coker Woods development is buffered from the property with a 30 ft. wide, commonly-owned wooded open space at its perimeter.

Mr. Whit Rummel owns the undeveloped 7.5 acres adjoining to the east, across a Duke power line easement. Amity Methodist Church is located to the south across Estes Drive, along with the Estes Drive frontage of the Chapel Hill-Carrboro YMCA.

The primary east west connection at Aura will be a large (almost an acre) green park with a stage and performance area located between North Park Drive and South Park Drive, a paired one-way central loop. This central green space has been designed for programable space including concerts, markets, and other dining/special events. Brownstones (townhomes) will line the northern edge of the development. Courtyards and a plaza area are proposed closer to the BRT Station and associated retail and live/work units and large woodlands with trail network is proposed in the southeastern portion of the site. Flats (rental apartments) with additional courtyard areas will line the remainder of the Estes Drive frontage.

Site Access and Circulation

The development proposes the creation of a mixed-use community that will both connect to and integrate with the existing fabric of the area. The community will also function as a bridge between the high frequency BRT corridor and neighboring properties. A general grid pattern of development is proposed, reflecting recommendations of the Central West Small Area Plan.

The development frontage at Martin Luther King Jr. Blvd. is proposed to be a compelling-street edge along the high frequency transit corridor. The development plan reflects the latest from the consultant working on the transit corridor design that locates a BRT Station along the property frontage. Vehicular access from Martin Luther King Jr. Blvd. is proposed as an inviting new tree-lined entry drive. The single point of vehicular access on Martin Luther King Jr. Blvd. is to be a right-in and right-out access. A single point of vehicular access is



proposed on Estes Drive as well and will be a full movement intersection. Pedestrian and bicycle amenities are prevalent. Bike lanes, sidewalk connections, and a new multi-use trail on the tree-lined Estes Drive are proposed for easy pedestrian/cyclist movement within and around the site. It is anticipated that pedestrian/bike connections will be made to both adjoining neighboring properties (Shadowood and Whit Rummel's tract).

Natural Features, Environment and Landscaping

Topographically, the property slopes gently to the south and southeast from the northwest corner at Martin Luther King Jr. Blvd. As such, the site is able to accommodate this requested grid layout. The upper segment of a drainage area is located in the southeastern corner of the property. This area is generally dry except for rain event. Stormwater flows, for the most part, to the southeastern corner of the property. The project will comply with all stormwater and sedimentation/erosion control requirements utilizing a variety of protection measures authorized by the Town, including underground storm detention facilities.

Project Goals and Objectives

The goals and objectives of this development proposal are in positive alignment with the goals and objectives of the Town's adopted Central West Small Area Plan.

2. STATEMENT OF JUSTIFICATION OF REZONING

Final action by the Town Council on a Conditional Zoning application is to 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.

As provided with the application materials and associated plans, compliance with each of the findings has been demonstrated. The proposed development is as anticipated with the Central West Small Area Plan, an element of the Town's Comprehensive Plan. The thoughtful planning which resulted in the Central West Small Area Plan, provides assurance that the proposal is compatibility with the surrounding land uses and see to it that the development compliments the natural systems and respects the environmental constraints. It was the Small Area Planning process that highlighted the appropriateness of this corner for this development given the work to bring BRT improvements to the Martin Luther King Jr. Blvd. corridor. Appropriate infrastructure improvements are provided to limit impacts on the surrounding properties and the Town as a whole. In accordance with the Small Area Plan, compatibility with the surrounding neighborhoods and the larger Town is ensured.

3. STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN

Chapel Hill's 2020 Comprehensive Plan (CH2020)

The Aura Chapel Hill Mixed-Use submittal is proposed in accordance with the CH2020 Comprehensive Plan and the Central West Small Area Plan, an element of the Town's Comprehensive Plan. This statement of compliance is provided with regard to general concepts in CH2020 as well as the guiding principles of the Central West Small Area Plan.

Two key concepts within CH2020 Comprehensive Plan are Community Choices and Community Connections defined in the plan as:

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.

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.

Aura Chapel Hill Mixed-Use Compliance:

The Aura Chapel Hill Mixed-Use submittal will contribute to choices regarding where to live, work, and play in Chapel Hill. These choices will be achieved by offering new office and retail space as well as a variety of housing options all in close proximity to downtown, schools, and University services and amenities. This will provide additional choices about where to live and work as well as where to shop and meet general daily needs.

The development will provide important connections for those who live and work in the new community, and the Town, in the form of physical connections. These physical connections include pedestrian and bicycle amenities and easy access to the high frequency Bus Rapid Transit (BRT) corridor on Martin Luther King Jr. Blvd. Opportunities for social connections will be provided with expanded housing choices, new outdoor amenities and gathering spaces, small scale retail and work places, and a variety of commercial and employment opportunities.

Chapel Hill's Central West Guiding Principles

Thirteen principles were developed by the community to help guide future development in the Central West Area. These principles were adopted by the Town Council in 2013 as an element of the Town's Comprehensive Plan. The Aura Chapel Hill Mixed-Use Concept Plan submittal demonstrates compliance with each of these principles:



- Principle 1: Create a Strong Sense of Place
- Principle 2: Ensure Community Compatibility
- Principle 3: Create Social Connections
- Principle 4: Improve Physical Connections
- Principle 5: Minimize Vehicular Traffic Impacts
- Principle 6: Enhance the Pedestrian/Bicycle Experience
- Principle 7: Improve the Transit System
- Principle 8: Encourage a Diverse Mix of Uses
- Principle 9: A Diverse Population
- Principle 10: Respect Existing Neighborhoods
- Principle 11: Employ Environmentally Sound Practices
- Principle 12: Feature, Repair, and Enhance Natural Resources
- Principle 13: Consider Economic Impacts in Development Decisions

Aura Chapel Hill Mixed-Use Compliance:

The Aura Chapel Hill Mixed-Use development will be a vibrant addition to the area and will provide a strong sense of place within both the Central West area and the Town. This gateway development, at a major intersection, positively contributes to the fabric of the Central West area and the Town.

With the careful placement of buildings, streets, sidewalks, parking and green space, a new sense of place will be established at this corner. Community gathering spaces and innovative landscape reinforce connection to the BRT corridor. New tree-lined drives will provide connections as envisioned in the Town's Small Area Plan for vehicles as well as ease of movement for pedestrians and bicyclists. The residential flats and associated courtyards provide pedestrian scaled frontage along Estes Drive.

The Central West Plan promotes mixed-use at this location and encourages density and intensity of use that will further support the Town's robust transit system. The Aura Chapel Hill Mixed-Use development will offer an improved physical connection to this major north-south transit corridor. A variety of



vehicular, pedestrian and bicycle pathways provide connectivity within the development and to the perimeter community fabric.

The proposed development provides compatible transition between the surrounding residential and institutional uses and the high frequency transit corridor of Martin Luther King Jr. Blvd.

Both physical and social connections are promoted with the new development. Opportunities for social interaction are provided with diverse housing options, outdoor amenities/ courtyards and gathering areas/green spaces. A variety of live-work space and co-working space contribute to opportunities for entrepreneurial development within the community. Affordable and workforce housing is proposed as a component of the development.

Vehicular, bicycle, and pedestrian connectivity is provided as envisioned with the Central West Plan. Vehicular access provided from Martin Luther King Jr. Blvd. and Estes Drive contributes to the establishment of a street “grid.” These primary access points will accommodate motorized and non-motorized vehicles as well as pedestrians through the site with street trees and amenities. Sidewalks, informal trails, and a new Estes Drive multiuse trail will be a welcoming component of the new development, as will an east-west “Park Drive” connection internal to the property.

Traffic impacts on the surrounding areas will be mitigated because of the link to the north-south BRT corridor. The transit-oriented nature of the design coupled with ease of access to high frequency public transportation will help reduce traffic impacts. The internal capture associated with a mixed-use development will further help to reduce vehicular traffic impacts. This overall transportation approach promotes better air quality and sustainability as well as energy conservation. Vehicular parking can be minimized with this holistic approach, and bicycle parking maximized.

The proposal works with the natural environment and the topography of the site and the stormwater management will be located in a naturally occurring lower portion of the site as anticipated with the Small Area Plan.

Stormwater run-off from the development will be managed on-site with storm water retention and water quality treatment to be sized to meet the Town’s requirements. All non-subterranean storm water elements will become positive visual features. The proposed stormwater facilities constitute Best Management Practices to ensure that stormwater runoff does not negatively impact neighboring properties.



This new development will contribute to the strength and the economic prosperity of the Central West area and the larger community. The Town's tax base will be enhanced with sustainable land uses and intensities.

4. RESPONSE TO TOWN COUNCIL AND DESIGN COMMISSION CONCEPT PLAN COMMENTS FROM MAY 6, 2020

Town Council Comments from May 6, 2020 Review of Concept Plan:

1. Confirmed commitment to meeting tree canopy coverage requirements
2. Confirmed location of east-west greenway to be centrally located
3. Confirmed live-work units will have flexible space on the ground level with garage and living space above
Applicant Response: live-work locations were moved to be adjacent to retail to create more synergies with village green. As such, these units do not have garages but will have direct access to the retail parking.
4. Question regarding Airport Hazard zone
Applicant Response: The Airport Hazard Zone has been repealed given notice by UNC to Town stating all aircraft activity has ceased and the airport has closed (per Town Attorney). Applicant has FAA approval to proceed with construction up to 150'.
5. Question regarding student housing concerns
Applicant Response: The Aura development is not proposed as a student housing development. TRG is not a student housing developer and has never built a student housing project across our entire national platform. The unit mix is not designed for students and very few 3 bedrooms are included (the original plan had no 3 bedroom units; these were only included after the Concept Plan based on comments from Town Council and CDC).
6. Consider lengthening the BRT stop
Applicant Response: The BRT stop is being designed with Town, their engineers, consultants and TRG's design team.
7. Confirmed potential connection to Shadowood Apt.
8. **Applicant Response:** The submittal provides opportunity for pedestrian/bike connection to Shadowood Apartments. TRG wants to promote adjacent residents to walk/bike to the retail and amenities.
9. Applicant to look into more parking underground and reduce parking to the 575-600 range



- Applicant Response:** The development includes approx. 577 surface and below-grade parking (excludes private garages with townhomes). Of the 577 spaces, 183 spaces are in the subterranean (underground) garage.
10. Confirmed that smaller community businesses, entrepreneurs and retail is proposed due to access restrictions.
 11. Confirmed TIA will be prepared with a formal Conditional Zoning application and TIA is to consider alternative to a roundabout
 12. Confirmed that street parking would be contained within the new community, not on surrounding streets.
 13. Confirmed pedestrian/bike path connection to the Rummel property
 14. Confirmed that smaller buildings allow for more outdoor space such as plazas and courtyards when asked about a larger building with a rooftop amenity
 15. Concern about traffic congestion
Applicant Response: Please refer to the TIA.
 16. Suggestion that the AMI for affordable housing could be lower, extended to at least 30 years, and perhaps integrated into the ownership option
Applicant Response: Please refer to the Affordable Housing Plan.
 17. Some Council Members thought that buildings should be taller along Martin Luther King Jr. Blvd.
Applicant Response: The plan was changed from 1-story buildings at MLK/Estes to 4-story with retail on the lowest level and three levels of residential above.
 18. Concern that a roundabout may not be approved by NCDOT
Applicant Response: Based on feedback from the Town and DOT, the roundabout idea has been tabled and the access point will be an unsignalized full movement intersection accompanied by off-site and on-site improvements per final recommendations of the TIA.
 19. Encouraged a human-scale, less car-oriented development
Applicant Response: We share this objective and the updated plan emphasizes this outcome.
 20. Suggestion to buffer the community gathering space from the noise of traffic on Martin Luther King Jr. Blvd.
Applicant Response: We share this interest and will balance it with the objective to provide an open and welcoming environment.
 21. Encouraged an east-west grid system in the long-term development of the Town



- Applicant Response:** The Aura plan embraces the east-west grid encouraged with the Central West Small Area Plan.
22. Suggestion for a north-south Timberlyne Trail to be a part of plans for the area
- Applicant Response:** The Aura plan provides opportunity for north-south connectivity along Martin Luther King Jr. Blvd., centrally located within the development, and in the eastern portion of the development.
23. Central West Plan calls for the corner to be a destination for the surrounding area and an asset for town
- Applicant Response:** The plan is designed to provide a gathering place and neighborhood convenience retail environment, balancing the demand in the immediate area. The amount of retail/mixed-use is right-sized for this particular property and will appropriately be able to serve the residents of the project and surrounding communities.
24. Consider larger apartments that would allow more families or add more townhouses
- Applicant Response:** The Aura plan proposes a mix of residential units ranging from rental product from 1 bedroom to 3 bedroom and for sale products of 3 bedrooms +. The Aura plan now has larger units, including 3 bedroom rental units per the request of the Town Council and CDC.
25. Pleased with applicant's responsiveness and much better design
26. Proximity to schools, the BRT, and the greenway could reduce the need for parking spaces in the future
- Applicant Response:** The Aura development provides a balance that allows residents a parking space to store their vehicle while using the transit system and pedestrian amenities daily.
27. Suggestion that a partnership with Shadowood to the north might help reduce traffic concerns
28. **Applicant Response:** The submittal does not preclude this as an option in the future.

Resident Comments from May 6, 2020 Town Council Review of Concept Plan:

1. Concern about overall scale and size of plan, the egress/entrance plan, and the traffic on Estes Drive
- Applicant Response:** We are pleased to be using the guidance provided in the Central West Small Area Plan.
2. Request for a streetscape view for Estes Drive



3. ***Applicant Response:*** We intend to provide a streetscape view in our presentation materials.
4. Concern regarding location of refuse collection
Applicant Response: We are coordinating with the Town's Public Works Department to ensure accessibility for recycling and refuse collection. The Aura plan now has internal trash rooms not open dumpsters.
5. Concern that Concept Plan buffer plans seem vague
Applicant Response: Detailed landscape buffer plans are customarily provided with the final plan submittal.
6. Concern proposed concept might lead to total fewer trips but more concentrated. Request to evaluate density based on projected traffic from the TIA
Applicant Response: Please refer to the TIA.
7. Concern that Concept Plan commercial space was greater than Central West Plan and that this proposal included a lot of the residential development anticipated with the plan
Applicant Response: See prior responses regarding "right-sized" commercial space serving the residents of the community.
8. Concern about not knowing if Estes Drive could be widened
Applicant Response: Please refer to the TIA and related plans. Widening and associated improvements are to be provided at the Estes Drive property frontage.
9. Concern regarding compatibility with recent community surveys about the Town's traffic flow problems
Applicant Response: Please refer to the TIA.
10. Concern little retail shown on Concept Plan
Applicant Response: See prior response above.
11. Concern not enough affordable housing
Applicant Response: The proposal is guided by the Town Council's policy encouraging 15% affordable housing with rezoning applications.
12. Concerns about traffic congestion
Applicant Response: Please refer to the TIA.
13. Concern that a TIA had not been done for a conceptual plan
Applicant Response: Please refer to the TIA which has been provided with this formal application.
14. Concern about proximity to schools and potential risk to children



- Applicant Response:*** We consider the location of public schools within walking distance of the development to be a positive amenity with the addition of sidewalks planned for Estes Drive to reduce risk to students.
15. Concern that plans may not meet the density recommendations of the Small Area Plan
- Applicant Response:*** We propose development within the guidance of the Central West Small Area Plan. Please refer to application materials.
16. Concern that physical constraints of property might be insurmountable
- Applicant Response:*** We are able to work with the property constraints to provide a desirable development proposal that achieves the objectives of the community's planning process.
17. Recommendation that a TIA be conducted
- Applicant Response:*** Please refer to the TIA.
18. Questions about pedestrian access to Coker Woods
- Applicant Response:*** If appropriate, we welcome connectivity to surround developments. We defer to Coker Woods and the Town's guidance.
19. A representative from the YMCA confirmed that the proposed driveway location on Estes Drive aligned with the YMCA's future secondary drive and was consistent with the YMCA's master plan and would improve access to its facility.

Responses to Design Commission comments from the February 25, 2020 meeting:

Design Commission Consensus from Design Commission Minutes

1. Agreed on the need for a significant landscape buffer between the development and the Coker Hills and Shadowood communities
Applicant Response: Please refer to the proposed plans and associated northern landscape buffer.
2. Echoed the concerns of the citizens that spoke regarding traffic impacts at an already congested intersection
Applicant Response: Please refer to the TIA.
3. Worried about the lack of significant retail space and the viability of the retail proposal
Applicant Response: The amount of retail proposed is related to the limited access to the site.
4. Concerned about the table-top parking decks abutting housing units, specifically as they related to buildings 8 and 9 and how the building



elevations would work in this location. Look at putting parking underground.

Applicant Response: Please refer to the plans submitted with this formal application regarding changes to the site layout.

5. Supportive of the proposed pedestrian connections to the neighboring properties

Applicant Response: We welcome connectivity to surround developments, and are actively seeking such connections.

6. Where building sides face the street, need to see how those sides look from the street. Consider turning building 3 to face the road

Applicant Response: Please refer to the plans submitted with this application. Views from the street are anticipated to be provided as part of future presentations.

7. Concern over the number of units compared to the previous plan and the scale of the project.

Applicant Response: Please refer to the latest plans submitted.

Individual Design Commission Comments

1. Desire to see the setback of buildings along MLK match those of Shadowood

Applicant Response: Please refer to the site plan accompanying this application. An appropriate transition to the buildings at Shadowood is provided with brownstones, as you extend north on Martin Luther King Jr. Blvd. from the intersection.

2. Would like to see a reconfiguration of the community green along MLK to better relate to the BRT stop, MLK and the proposed retail. Town common may not have enough space or things around it

Applicant Response: Please refer to the accompanying site plan regarding the adjustments provided to the community green space following work with Brian Peterson, the Town's Urban Designer.

3. Supportive of the proposed building heights and in the variation of heights to create a distinct community

4. The plans architecture needs to address the significance of the corner of the site, this is one of the most prominent corners in town. The small area plan recommends an anchor building to create a focal point

Applicant Response: Please refer to the accompanying plans regarding the adjustments provided to the prominent corner following work with Brian Peterson, the Town's Urban Designer.



5. Architecture should relate to the community and be inviting. It should also use cutting edge architecture and green building practices. High quality architecture for this site is a must

Applicant Response: We understand the significance of the architecture at this prominent corner and are working closely with the Town's Urban Designer.

6. Replacement of the tree canopy is imperative

Applicant Response: We have committed to meeting the Town's tree canopy coverage requirements.

7. Support was mentioned for upholding the 3yr moratorium on development.

Applicant Response: The site was timbered per State timbering requirements and Chapel Hill permits, with work completed by Owner (not TRG) in June 2018.

8. Stormwater runoff problem is a concern

Applicant Response: The Town imposes rigorous stormwater regulations and we have committed to meeting those requirements.

9. Look at providing housing for households w/ less than 80% of area median income

Applicant Response: Please refer to our Affordable Housing Plan.

Resident Comments at Design Commission meeting

1. Scale of development is too big

Applicant Response: We have worked closely with guidance from Chapel Hill's Urban Designer on the proposal. Please see updated plan, specifically, the reduced scale of buildings on the north east by Coker Woods.

2. Neighborhood meeting not well advertised

Applicant Response: Subsequent meeting notices will be provided by the Town.

3. Martin Luther King/Estes intersection is overcapacity for traffic

Applicant Response: Please refer to the TIA.

4. Project roundabout is consistent w/ the Small Area Plan

Applicant Response: We understand the Town and DOT prefer a full movement stop intersection versus a roundabout, in addition to the off-site and on-site improvements recommended by the TIA.

5. Traffic impact on schools on Estes Dr. is a concern and emergency services

Applicant Response: Please refer to the TIA.



6. The number of parking spaces is unrealistic

Applicant Response: The development plan and associated parking is supported by TRG based on its experience and parking consultant guidance.

7. Retail proposed is good

8. Concern about height of buildings and width of tabletop parking

Applicant Response: We have worked closely with the Town's Urban Designer on the revised plans.

9. Stormwater is an issue, especially since the land was cleared

Applicant Response: The Town imposes rigorous stormwater regulations and we have committed to meeting those requirements.

10. Concern about impact of pedestrian connections on the wooded Coker Hills easement

Applicant Response: We welcome connectivity to surround developments and defer to the residents of Coker Woods and the Town.



Affordable Housing Proposal – CZP Application Submittal

September 24th, 2020 {Revised January 14, 2021}

As contracted purchaser and applicant, Trinsic Residential Group (“TRG”) is proposing the following affordable housing plan options for Aura Chapel Hill (the “Project”), located at the NEC of Estes Drive & MLK Blvd.

Background

TRG and its consultants have met with community members, town officials and local affordable housing developers to develop an affordable housing plan that attempts to align with the Town of Chapel Hill’s vision. Additionally, TRG has reviewed the Housing Advisory Board’s published “recommendations” dated June 2019. The following Affordable Housing proposal incorporates our best efforts to incorporate as many as those recommendations as possible when balanced with the economic realities and physical constraints of the Project.

Proposal Terms

Rental Housing Affordable Dwelling Units:

Once the Project is complete, TRG shall provide as part of the Project, affordable rental housing dwelling units (the “RHADU”) in an amount equal to fifteen percent (15.0%) of the total of the market-rate apartments (flats) constructed in the Project, minus seven (7) units (refer to “FSADU” section below for adjustment rationale).

Therefore, the Project will include 321 market-rate units and 40 RHADU’s, a mix of one-bedroom, two-bedroom and three-bedroom apartment units, in the same proportion as the project’s rental unit mix identified in the CZP application and related submittals.

The RHADU’s shall remain affordable apartment units pursuant to this plan for a period of thirty (30) years from the date of the initial certificate of occupancy (C.O.) in the Project and comprise half the units at 65% AMI and the other half at 80% AMI, such AMI calculated using the Raleigh, NC MSA limits as determined by HUD. The RHADU’s shall be built concurrently with the market-rate units and shall be floating (not-fixed location) and indistinguishable from the market-rate units (in terms exterior materials, location within the rental community and access to apartment amenities). Beginning January 1st the first full year after the year the last C.O. is issued for the apartment community, the owner of record of the apartment community shall provide an annual certificate of compliance to the Town of Chapel Hill Planning Department.

For Sale Affordable Dwelling Units:

In addition to RHADU’s, TRG shall provide fourteen (14) for sale affordable dwelling units (“FSADU”), working with a local for sale affordable housing developer with experience in the Orange County affordable housing market. The FSADU’s shall be in a stand-alone three-story conditioned-corridor building. Given there will be forty-four (44) market-rate for sale townhomes, only seven (7) RHADU’s are required, however, Applicant is providing fourteen (14) FSADU’s in response to the Town’s desire to have more for-sale affordable units



available and has therefore reduced the RHADU's by seven (7). The overall total number of affordable units (for sale + rental) still satisfies the 15% standard.

The FSADU's shall comprise half of the units at 65% AMI and the other half at 80% AMI, such AMI calculated using the Raleigh, NC MSA limits as determined by HUD. Upon TRG's selection of the for sale affordable housing developer, TRG will update the Town of Chapel Hill Planning Department, including further details of the FSADU proposal.

December 22, 2020

Judy Johnson and Michael Sudol
Town of Chapel Hill Planning Department

Re: **Aura Modifications to Regulations**

Due to site constraints and peculiarities of 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 necessary to allow for a cohesive and balanced mixed-use development design.

LANDSCAPE FOUNDATION BUFFER MODIFICATION

The Land use Management Ordinance Article 5.9.6 sets forth foundation buffer requirements for the Aura development. Please see the Site Plan for specifics of the requested modification to foundation buffer requirements.

The landscape requirements in the ordinance typically are used in a suburban setting to screen parking fields from view. The applicant is proposing alternate landscaping such as street trees and planters to reflect the urban condition.

BUFFER MODIFICATION

The Land use Management Ordinance Article 5.6.6 sets forth the following required perimeter buffers for the development of Aura:

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
Northern Buffer	10' Type B
Southern Buffer	15' Type B
Eastern Buffer	15' Type A
Western Buffer	15' Type B

As part of the approval of the requested conditional zoning permit, Aura is requesting the following modifications to the required perimeter buffers. Please see site plan associated with the CZP for the specific modifications.

LOCATION OF REQUIRED BUFFER	PROPOSED BUFFER
Northern Buffer	Varied width/modified buffer
Southern Buffer	15' modified buffer
Eastern Buffer	Varied width/modified buffer
Western Buffer	15' modified buffer

Please refer to Site Plan for buffer details.

With the desired urban form and density on this parcel, modified buffers will contribute to the urban streetscape. An abundance of recreational space in the form of green space, plaza, and natural areas contribute to the resident and visitor experience internal to the property in place of increased buffer widths and types on the property perimeter. Modified buffers meet the intent of the ordinance and are shown in detail on the Site Plan.

LANDSCAPED FOUNDATION BUFFER MODIFICATION

The Land use Management Ordinance Article 5.9.6 sets forth foundation buffer requirements for the Aura development. Please see the Site Plan for specifics of the requested modification to foundation buffer requirements.

The landscape requirements in the ordinance typically are used in a suburban setting to screen parking fields from view. The applicant is proposing alternate landscaping such as street trees and planters to reflect the urban condition.

Sincerely,

MCADAMS



Jessie Hardesty
Planner, Planning + Design



Energy Management Plan – CZP Application Submittal

September 24th, 2020

As contracted purchaser and applicant, Trinsic Residential Group (“TRG” or “Applicant”) is proposing the following energy management plan for the apartment rental community at Aura Chapel Hill (the “Project”), located at the NEC of Estes Drive & MLK Blvd.

Background

TRG and its consultants have developed a preliminary energy management plan that attempts to align with the Town of Chapel Hill’s vision. The following preliminary Energy Management Plan incorporates our best efforts to incorporate as many as the Council recommendations as possible into the apartment rental community when balanced with the economic realities and physical constraints of the Project.

Apartment Rental Building Energy Management Plan:

Prior to issuance of any and all Zoning Compliance Permits within the Project that include apartment rental buildings, the Applicant shall provide an Energy Management Plan (EMP) for Town approval. The plan shall incorporate the goal of achieving a “more energy efficient” feature to outperform the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) energy efficiency standard in place at the time of the Conditional Zoning Permit application submittal. The plan shall also consider the following elements: a) utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power, b) purchase of carbon offset credits and green power production through coordination with the NC GreenPower program, and c) provide for the goal of more efficiency relative to ASHRAE (see above) that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project. The buildings comprising the apartment rental community will use commercially reasonable efforts to meet a nationally recognized “green” certification (examples include, but are not limited to: LEED, NAHB, Green Globes, etc.).



Art Plan – CZP Application Submittal

September 24th, 2020

As contracted purchaser and applicant, Trinsic Residential Group (“TRG” or “Applicant”) is proposing the following art plan for the apartment rental community at Aura Chapel Hill (the “Project”), located at the NEC of Estes Drive & MLK Blvd.

Background

TRG has engaged a renowned national art consultant that specializes in art planning, artist selection, programming, and construction/installation and of public art for public spaces. TRG is budgeting \$200,000 for such purposes. TRG will update the Town of Chapel Hill and all appropriate boards, commissions, staff as deemed appropriate as we progress through the process. TRG views the art plan as a collaborative process with the community, town, consultant and applicant.

TRG/Applicant Consultant Experience *(select capstone projects)*

City of Council Bluffs, Iowa – Mid-America Center

MAC is a 110-acre Entertainment District, Mixed-Use area, and is home to Council Bluffs' Arena and Convention Center, the Horseshoe Casino, a Bass Pro Shop, hotels, restaurants, and additional retail outlets. This development is also the second prioritized public art location within the city's PAMP. Partnering with HOK and their Master Planning effort for the area, CONSULTANT recommended public art sites and appropriate scale and budget for each site. Through this process, the team identified five public art sites, and with CONSULTANT managing the acquisition, the team commissioned four internationally renowned artists (William King, Jonathan Borofsky, Jun Kaneko, and Albert Paley) to create works of art. CONSULTANT managed the art acquisition, which included the selection process, contract negotiations, project administration, studio visits, coordination of delivery issues, on-site presence during the installation, and completion of the acceptance procedures for the client.

Block Real Estate Services, Inc. – CityPlace

CityPlace is a 90-acre, \$500,000,000 Mixed- Use project we have been working on for several years. To date, we have placed four major works in the project. Currently, we are researching additional pieces for several other Block projects in the 2020/2021 timeline.

The huge Mixed-Use project is in Overland Park, Kansas, which lies in the south-central region of the Kansas City metropolitan area. It will highlight four office buildings totaling 600,250 square



feet. It will house approximately 1,400 multi-family units, along with 140 senior living units, and 39,000 square feet of retail space.

City of Council Bluffs, Iowa – Public Art Master Plan

CONSULTANT spearheaded the PAMP planning process by assembling local civic leaders (Stakeholder Committee) and integrating Council Bluffs' unique cultural, historical, and geographic characteristics into a philosophical and procedural guideline to assemble a public art collection. This endeavor has achieved national recognition.

Implementation of this project is similar to the proposed scope of Trinsic's pending effort. We assisted the Iowa West Foundation and the city with crafting a vision statement, identifying and prioritizing locations for public art, proposing the appropriate scale and context for the sites, budget suggestions for the sites and by recommending an art selection process for the Public Art Selection Committee.

The plan prepared by CONSULTANT provided a flexible guide for commissioning professional artists to create site-specific works of art, which were contextual and complemented existing architecture and spaces. Public Art & Practice was then retained to administer the implementation of the Plan, to create unique opportunities and to fashion memorable spaces. The Public Art Master Plan's first ten sites have been installed with others still on the drawing board.

City of Council Bluffs, Iowa – Bayliss Park

Located in the heart of Council Bluffs, Iowa, Bayliss Park was transformed from its 1800s original concept to a dynamic space for the community to meet. Bayliss Park was the city's PAMP's first priority and CONSULTANT worked with a local landscape architect firm, RDG, to recommend an appropriate scale, materials, and budget to transform the area into an exciting park.

CONSULTANT then assisted the Artist Selection Panel in locating and selecting an artist and oversaw the contract through installation.

Internationally recognized artist, Brower Hatcher of Mid-Ocean Studio, designed the park's new features, which included the center element for the fountain entitled, Wellspring, as well as its performance pavilion, Oculus, which is an interactive children's water feature, and seating throughout Bayliss Park.

The team's goal for a year-round work of art was met by Wellspring's illumination at night with LED lights that can remain on in cold weather, and during summer months, its huge geysers shoot



water over the framework. Along with the fountain, Oculus provides entertainment opportunities for the community, such as large swing band concerts, and local ballet and theatre performances.

First National Bank of Omaha

Portions of two city blocks of the Bank's downtown campus were returned to green space, a unique sculpture park was created, and a wonderful gateway into the Central Business District was given to the City of Omaha by First National. As the Bank's art consultant and project manager, our firm assisted in assembling a team of design professionals, coordinated the master planning process (the sites are now entitled, Pioneer Courage and Spirit of Nebraska's Wilderness), and continued to manage and oversee the implementation of the Master Plan for over 11 years.

Being the first professional team retained for the project, we assisted in the selection of the Landscape Architect, Master Planning efforts, administered the artist selection process and the administration and implementation of their plan. We were involved with the budget discussions, contract negotiations, securing insurance policies, visiting artists' studios and foundries (quarterly), documenting project progress, reviewing invoices, installation oversight, securing waiver of liens, and other necessary tasks. The master-planned, five-block gateway into downtown Omaha has over 120 bronze works of art installed.

Kent Ullberg, Blair Buswell, Ed Fraughton, Jim Reeves, and Bruce Lauritzen received the National Sculpture Society's most prestigious award – the Henry Hering Medal – for the collaboration on a sculpture project between an artist, a landscape architect/architect, and an owner.

This project's scale, quality, uniqueness, team composition, and collaborative nature attracted interest for a TV documentary by Kansas City's Backroads Production and its Emmy- Nominated Principals, John Altman, and Leon Ault. The documentary was released in the fall of 2010.



**AURA CHAPEL HILL
DEVELOPMENT**
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

December 2020



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Executive Summary

Trinsic Residential Group plans to develop a parcel of land in the northeast corner of Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) in Chapel Hill, NC (Figure ES-1). The proposed development will consist of 58 townhomes, 361 mid-rise apartments, a 3,032-square foot small office building, and 8,564 square feet of retail space. The development is expected to be fully constructed and occupied by the end of 2023.

Project Background

Based on the conceptual site plan (Figure ES-2), access to the development is proposed via two (2) vehicular access points. The following are the proposed access points:

- › Future Access #1: right-in/right-out only access on Martin Luther King Jr. Boulevard (NC 86), approximately 450-feet north of Estes Drive (SR 1750).
- › Future Access #2: full movement access on Estes Drive (SR 1750), approximately 900-feet east of Martin Luther King Jr. Boulevard (NC 86).

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:

- › Martin Luther King Jr. Boulevard (NC 86) at Airport Drive (unsignalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Estes Drive (SR 1750/SR 1780) (signalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Piney Mountain Road/Municipal Drive (signalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Homestead Road (SR 1777) (signalized)
- › Estes Drive (SR 1750) at Somerset Drive (unsignalized)
- › Estes Drive (SR 1750) at Caswell Road (signalized)
- › Franklin Street (SR 1010) at Estes Drive (SR 1750) (signalized)

- › Martin Luther King Jr. Boulevard (NC 86) at Future Access #1 (future unsignalized)
- › Estes Drive (SR 1750) at Future Access #2 (future unsignalized)

The Town of Chapel Hill requires that future year analysis of the traffic conditions be conducted for the projected build year plus one (+1). Therefore, the analysis was performed under the following four (4) scenarios:

- › Existing (2020) Conditions
- › No-Build (2024) Conditions
- › Build (2024) Conditions
- › Build (2024) Conditions – With Improvements

The Existing (2020) scenario includes AM, Noon, and PM peak hour analysis based on turning movement count data collected in January 2020. The No-Build (2024) scenario includes existing traffic with an annual growth rate of one-half percent (0.5%) applied to the study area roadways between the base year (2020) and build year (2024). The No-Build (2024) scenario also includes background site trips generated by other proposed developments within the study area. The Build (2024) scenario includes the calculated No-Build (2024) volumes with the addition of site trips generated by the full build-out of the proposed development. The Build (2024) with Improvements scenario includes future conditions with any recommended improvements in place.

Intersection analyses were conducted using *Synchro/SimTraffic Version 10*. The overall level of service (LOS) and delay for each intersection and the approach LOS and delay are shown in the Summary LOS table on page vii.

Existing (2020) Conditions

Existing analyses were conducted based on current roadway geometrics and intersection turning movement counts. The existing traffic volume was obtained from turning movement counts collected in January 2020.

Study Area

The site is located in the northeast corner of the Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) intersection in Chapel Hill, North Carolina. The site has two proposed access points, one along Martin Luther King Jr. Boulevard (NC 86) and one along Estes Drive (SR 1750). Martin Luther King Jr. Boulevard (NC 86) is a north-south principal arterial and Estes Drive (SR 1750) is an east-west minor arterial.

Currently, there are no bicycle lanes present along both Estes Drive (SR 1750) and Martin Luther King Jr. Boulevard (NC 86). A narrow, paved path is located on the south side of Estes Drive (SR 1750), east of Martin Luther King Jr. Boulevard (NC 86). Sidewalks are present on the east side of Martin Luther King Jr. Boulevard (NC 86), adjacent to the study area. Six (6) bus stops are present within the study area and provide access to the site.

Crash Analysis

Five-year crash data (February 1, 2015 – January 31, 2020) was obtained from the North Carolina Department of Transportation (NCDOT) Traffic Engineering Accident Analysis System (TEAAS) along Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) adjacent to the site.

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page vii, all signalized intersections, except for one, operate at an overall acceptable LOS (i.e., LOS D or better) during all peak hours. The intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) operates at LOS E during the PM peak hour. Additionally, all stop-controlled approaches currently operate acceptably during both peak hours.

No-Build (2024) Conditions

Background Growth

A future growth rate of a half percent (0.5%) was derived from average daily traffic counts collected by the NCDOT. This annual growth rate is consistent with recent traffic impact studies near the around the area, and it was applied to the existing traffic volumes on all the roadways to account for growth between the base year (2020) and the build year (2024). Three (3) background developments were identified within the project study area: 1200 MLK Redevelopment, Retirement Residence at Somerset Drive, and the University Place Redevelopment. The site trips that are projected to be generated by these developments were accounted for in the No-Build (2024) analysis.

One (1) background roadway improvement project was identified within the study area. The Estes Drive Connectivity Project plans to construct intersection and bicycle/pedestrian improvements along Estes Drive (SR 1750) between Martin Luther King Jr. Boulevard (NC 86) and Caswell Road. The committed background improvements from this project were included in the No-Build (2024) analysis.

Level of Service Summary

As reported in the Summary LOS table on page viii, the signalized intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) is expected to continue to operate at LOS E during the PM peak hour. All other signalized intersections are expected to operate acceptably, with slight decreases in delay observed at the intersection of Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) due to the background roadway improvements. All stop-controlled approaches within the study area will maintain acceptable operations.

Trip Generation and Assignment

Trip generation was 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*. The proposed development is to consist of approximately 58 townhomes, 361 mid-rise apartments, a 3,032-square foot small office building, and 8,564 square feet of retail space; ITE LUC 220 (Multifamily Housing (Low-Rise)), LUC 221 (Multifamily Housing (Mid-Rise)), LUC 712 (Small Office Building), and LUC 820 (General Retail) were used based on NCDOT guidance.

A transit reduction was taken for the proposed trip generation to account for the current transit service to the area. The new Bus Rapid Transit system is proposed along Martin Luther King Jr. Boulevard (NC 86), but construction will not begin until 2024; therefore, no additional transit reductions were applied to the generated trips. The external site trips were reduced by 10% to account for the trips that will utilize the existing transit service stops near the development. This reduction also accounts for non-motorized travel, such as bicycle and pedestrian trips to and from the site. A sidewalk currently runs along the east side of Martin Luther King Jr. Boulevard (NC 86), and the Estes Drive Connectivity Project will improve bicycle and pedestrian facilities along Estes Drive (SR 1750). Table ES-1 shows the final external non-pass-by and pass-by site trips generated by the new development.

Table ES-1 Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			Noon Peak Hour ⁵			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Total Site Trips ²												
220	Multifamily Housing (Low-Rise)	58 du	398	6	22	28	15	17	32	23	13	36
221	Multifamily Housing (Mid-Rise)	361 du	1,966	31	89	120	62	74	136	93	59	152
712	Small Office Building	3,032 sf	49	6	4	10	6	5	11	5	6	11
820	General Retail	8,564 sf	1,130	51	31	82	47	38	85	42	46	88
Development Total			3,543	94	146	240	130	134	264	163	124	287
Trip Reduction Due to Internal Capture ³												
220	Multifamily Housing (Low-Rise)	58 du	23	0	0	0	1	1	2	2	1	3
221	Multifamily Housing (Mid-Rise)	361 du	111	1	1	2	5	3	8	9	5	14
712	Small Office Building	3,032 sf	12	0	1	1	2	1	3	3	1	4
820	General Retail	8,564 sf	120	2	1	3	3	6	9	4	11	15
Development Total			265	3	3	6	11	11	22	18	18	36
Total External Site Trips without Transit Reduction												
220	Multifamily Housing (Low-Rise)	58 du	375	6	22	28	14	16	30	21	12	33
221	Multifamily Housing (Mid-Rise)	361 du	1,855	30	88	118	57	71	128	84	54	138
712	Small Office Building	3,032 sf	37	6	3	9	4	4	8	2	5	7
820	General Retail	8,564 sf	1,010	49	30	79	44	32	76	38	35	73
Development Total			3,277	91	143	234	119	123	242	145	106	251
Total External Site Trips with 10% Transit Reduction												
220	Multifamily Housing (Low-Rise)	58 du	338	5	20	25	13	14	27	19	11	30
221	Multifamily Housing (Mid-Rise)	361 du	1,670	27	79	106	51	64	115	76	49	125
712	Small Office Building	3,032 sf	33	5	3	8	4	4	8	2	5	7
820	General Retail	8,564 sf	909	44	27	71	40	29	69	34	32	66
Development Total			2,950	81	129	210	108	111	219	131	97	228
Total External Pass-by Site Trips ⁴												
220	Multifamily Housing (Low-Rise)	58 du		0	0	0	0	0	0	0	0	0
221	Multifamily Housing (Mid-Rise)	361 du		0	0	0	0	0	0	0	0	0
712	Small Office Building	3,032 sf		0	0	0	0	0	0	0	0	0
820	General Retail	8,564 sf		0	0	0	0	0	0	11	11	22
Development Total				0	0	0	0	0	0	11	11	22
Total External Non-Pass-by Site Trips												
220	Multifamily Housing (Low-Rise)	58 du		5	20	25	13	14	27	19	11	30
221	Multifamily Housing (Mid-Rise)	361 du		27	79	106	51	64	115	76	49	125
712	Small Office Building	3,032 sf		5	3	8	4	4	8	2	5	7
820	General Retail	8,564 sf		44	27	71	40	29	69	23	21	44
Development Total				81	129	210	108	111	219	120	86	206

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 (1,000 ft maximum between uses).
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.
5. Noon peak hour trips assumed to be an average of the AM and PM peak hour trips.

As a result, the proposed development is projected to generate 2,950 daily weekday site trips, with 210 trips (81 entering, 129 exiting) occurring in the AM peak hour, 219 trips (108 entering, 111 exiting) occurring in the Noon peak hour, and 228 trips (131 entering, 97 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

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

As shown on the Summary LOS table on page vii, the signalized intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) is expected to continue to operate at LOS E during the PM peak hour. All other signalized intersections are expected to operate acceptably. Stop-controlled southbound Future Access #2 will operate at LOS F during the AM and PM peak hours and LOS E during the Noon peak hour. All other stop-controlled approaches will operate acceptably.

Roadway Improvement Recommendations

The proposed development is expected to impact operations at multiple study intersections under Build (2024) conditions. To improve operations at these locations, the following offsite improvements should be considered and were analyzed within the Build (2024) with Improvements scenario. The proposed intersection configurations are shown in Figure ES-3.

Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) (signalized)

The existing signalized intersection is projected to operate at LOS D during the AM and PM peak hours under Build (2024) conditions. For this development, the following improvements are recommended:

- › Extend the storage of the existing westbound right-turn lane to at least 500 feet of full storage with appropriate taper.
- › Incorporate bicycle and pedestrian facility accommodations along the site's Estes Drive (SR 1750) frontage.
- › Incorporate pedestrian facility improvements along the site's Martin Luther King Jr. Boulevard (NC 86) frontage and incorporate a bus stop and related amenities for transit riders.

Franklin Street (SR 1010) and Estes Drive (SR 1750) (signalized)

The existing signalized intersection is projected to operate at LOS E during the PM peak hour under Build (2024) conditions. To improve overall operations at the intersection, and help mitigate the site's impacts, the following roadway improvement is recommended with this development:

- › Construct an exclusive southbound right-turn lane with a minimum of 350 feet of storage with appropriate taper.

In addition to offsite improvements, the following driveway configurations should be considered.

Martin Luther King Jr. Boulevard (NC 86) at Future Access #1

The stop-controlled driveway is projected to operate at LOS B during the AM and Noon peak hours and LOS C during the PM peak hour under Build (2024) conditions. The following driveway configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway. Restrict access along the driveway to right-in/right-out only.
- › Construct an exclusive northbound right-turn lane along Martin Luther King Jr. Boulevard (NC 86) with at least 100 feet of full storage and appropriate taper.
- › Provide a high-visibility painted crosswalk across the driveway.

Estes Drive (SR 1750) at Future Access #2

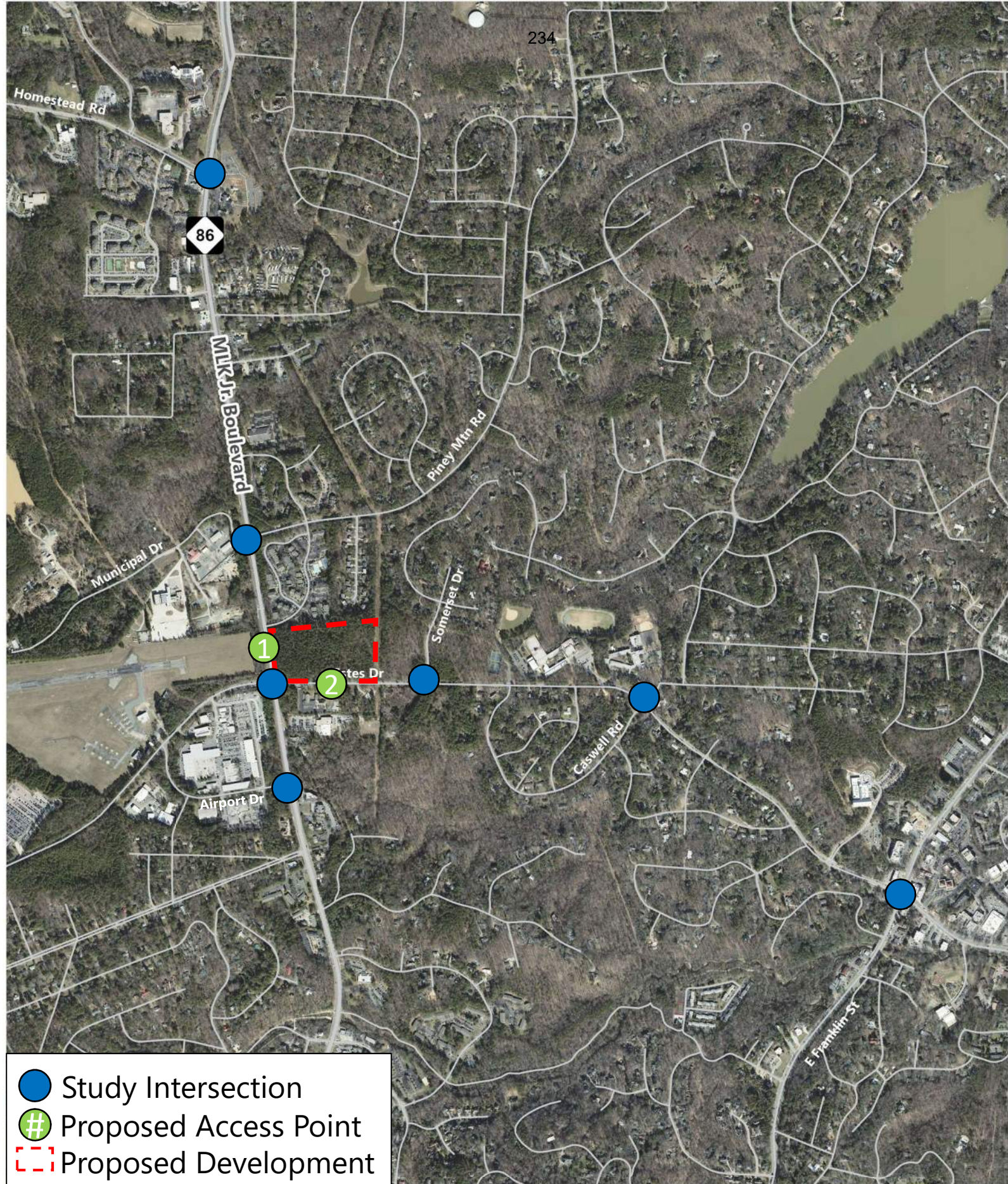
The stop-controlled driveway is projected to operate at LOS F during the AM and PM peak hours under Build (2024) conditions. The projected site generated trips are not expected to meet signal warrants after the buildout of the development, and signalization would not be recommended given the proximity of the existing traffic signal at Martin Luther King Jr. Boulevard (NC 86). The crash history along Estes Drive (SR 1750) does not show a pattern of a high rate of frontal impact crashes within the vicinity of the proposed driveway; therefore, there are no concerns with providing a full movement driveway along Estes Drive (SR 1750). The following lane configurations are recommended with the driveway for Future Access #2:

- › Provide one ingress lane and two egress lanes at the full movement driveway. Provide a minimum of 100 feet of storage for an exclusive southbound left-turn lane along the driveway.
- › Construct an exclusive eastbound left-turn lane with a minimum of 100 feet of full storage with appropriate taper.
- › Construct an exclusive right-turn lane along westbound Estes Drive (SR 1750) with a minimum of 100 feet of full storage and appropriate taper.
- › Provide a high-visibility painted crosswalk across the driveway.

Table ES-2 Summary Level of Service Table

Intersection and Approach	Traffic Control	Existing (2020)			No-Build (2024)			Build (2024)			Build (2024) with Improvements		
		AM	Noon	PM	AM	Noon	PM	AM	Noon	PM	AM	Noon	PM
Martin Luther King Jr. Boulevard (NC 86) and Airport Road	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		C-18.0	B-12.8	C-16.4	C-18.9	B-13.3	C-17.6	C-19.2	B-13.4	C-17.8	C-19.2	B-13.4	C-17.8
Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750/SR 1780)	Signalized	D (38.4)	C (32.6)	D (54.2)	D (35.4)	C (30.1)	D (48.8)	D (36.2)	C (31.8)	D (52.3)	D (36.2)	C (31.7)	D (52.3)
Eastbound		E-56.6	D-53.2	E-63.4	E-57.8	D-43.8	E-64.3	E-58.4	D-44.1	E-66.5	E-58.4	D-44.1	E-66.5
Westbound		D-37.0	D-43.5	F-82.3	D-47.3	D-48.7	E-68.3	D-48.8	D-48.5	E-69.9	D-48.8	D-48.5	E-69.9
Northbound		D-42.4	C-25.1	D-52.5	C-31.1	C-22.8	D-48.4	C-33.4	C-24.9	D-50.3	C-33.4	C-24.7	D-50.3
Southbound		C-29.5	C-21.1	C-28.1	C-23.6	B-16.8	C-25.6	C-23.5	C-20.1	C-33.5	C-23.5	B-20.0	C-33.5
Martin Luther King Jr. Boulevard (NC 86) and Piney Mountain Road/Municipal Drive	Signalized	A (8.4)	A (5.4)	B (10.3)	A (8.6)	A (5.1)	B (10.6)	A (8.6)	A (5.1)	B (10.8)	A (8.6)	A (5.1)	B (10.8)
Eastbound		E-61.0	E-59.4	E-71.8	E-61.0	E-59.4	E-72.0	E-61.0	E-59.4	E-72.0	E-61.0	E-59.4	E-72.0
Westbound		E-65.3	E-57.6	E-70.9	E-65.5	E-57.7	E-71.3	E-65.4	E-58.0	E-71.3	E-65.4	E-58.0	E-71.3
Northbound		A-3.9	A-2.5	A-4.2	A-4.6	A-2.2	A-5.2	A-4.3	A-2.4	A-5.5	A-4.3	A-2.4	A-5.5
Southbound		A-3.0	A-1.3	A-8.9	A-3.0	A-1.5	A-8.3	A-3.3	A-1.2	A-8.6	A-3.3	A-1.2	A-8.6
Martin Luther King Jr. Boulevard (NC 86) and Homestead Road (SR 1777)/Church Driveway	Signalized	C (22.6)	C (21.3)	C (20.2)	C (23.2)	C (21.1)	C (20.6)	C (23.2)	C (21.8)	C (20.7)	C (23.2)	C (21.8)	C (20.7)
Eastbound		D-53.1	D-46.3	D-54.8	D-53.1	D-46.5	D-54.7	D-53.1	D-46.6	D-54.6	D-53.1	D-46.6	D-54.6
Westbound		D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6
Northbound		B-10.4	B-18.4	B-12.8	B-11.0	B-18.0	B-13.3	B-10.9	B-19.6	B-13.3	B-10.9	B-19.6	B-13.3
Southbound		B-19.9	B-12.6	B-18.6	C-21.0	B-13.0	B-19.3	C-21.4	B-13.3	B-19.6	C-21.4	B-13.3	B-19.6
Estes Drive and Somerset Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Southbound		C-18.2	C-15.4	D-25.8	C-19.7	C-16.9	D-32.2	C-21.1	C-18.2	E-36.1	C-21.1	C-18.2	E-36.1
Estes Drive and Casewill Drive	Signalized	B (13.9)	A (9.7)	B (18.6)	B (14.3)	A (9.8)	B (19.6)	B (14.7)	A (9.9)	C (21.1)	B (14.7)	A (9.9)	C (21.1)
Eastbound		A-6.7	A-3.3	A-6.6	A-7.1	A-3.6	A-7.3	A-7.8	A-3.8	A-8.0	A-7.8	A-3.8	A-8.0
Westbound		B-12.9	A-8.4	B-19.7	B-13.7	A-8.8	C-21.7	B-14.3	A-9.3	C-24.6	B-14.3	A-9.3	C-24.6
Northbound		C-34.5	D-37.0	C-34.2	C-34.3	D-36.9	C-34.8	C-34.4	D-37.3	C-35.0	C-34.4	D-37.3	C-35.0
Southbound		D-48.8	D-46.4	D-54.0	D-48.9	D-46.6	E-56.8	D-48.9	D-46.7	E-57.3	D-48.9	D-46.7	E-57.3
Franklin Street (SR 1010) and Estes Drive (SR 1750)	Signalized	D (48.5)	D (47.9)	E (58.0)	D (49.8)	D (49.1)	E (64.0)	D (52.9)	D (50.2)	E (69.3)	D (43.1)	D (46.4)	E (59.6)
Eastbound		E-66.0	E-55.9	E-67.0	E-66.1	D-54.6	E-69.2	E-70.1	D-53.4	E-72.7	D-47.8	D-53.4	E-70.0
Westbound		D-49.5	D-49.6	E-62.5	D-47.1	D-47.7	E-68.6	D-42.0	D-46.9	F-81.7	D-45.7	D-46.9	E-66.0
Northbound		D-37.3	D-44.2	D-54.2	D-39.2	D-48.0	E-63.0	D-42.7	D-51.1	E-61.8	D-46.1	D-51.1	E-68.4
Southbound		D-39.7	D-43.5	D-52.7	D-43.0	D-46.7	E-58.2	D-48.4	D-49.7	E-65.1	D-36.1	D-36.4	D-40.0
Martin Luther King Jr. Boulevard (NC 86) and Future Access #1	Unsignalized	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Westbound		---	---	---	---	---	---	B-13.3	B-12.5	C-23.2	B-13.2	B-12.4	C-22.8
Estes Drive (SR 1750) and Future Access #2	Unsignalized	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Southbound		---	---	---	---	---	---	F-60.5	E-36.0	F-166.5	E-45.6	D-29.4	F-97.3

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay.



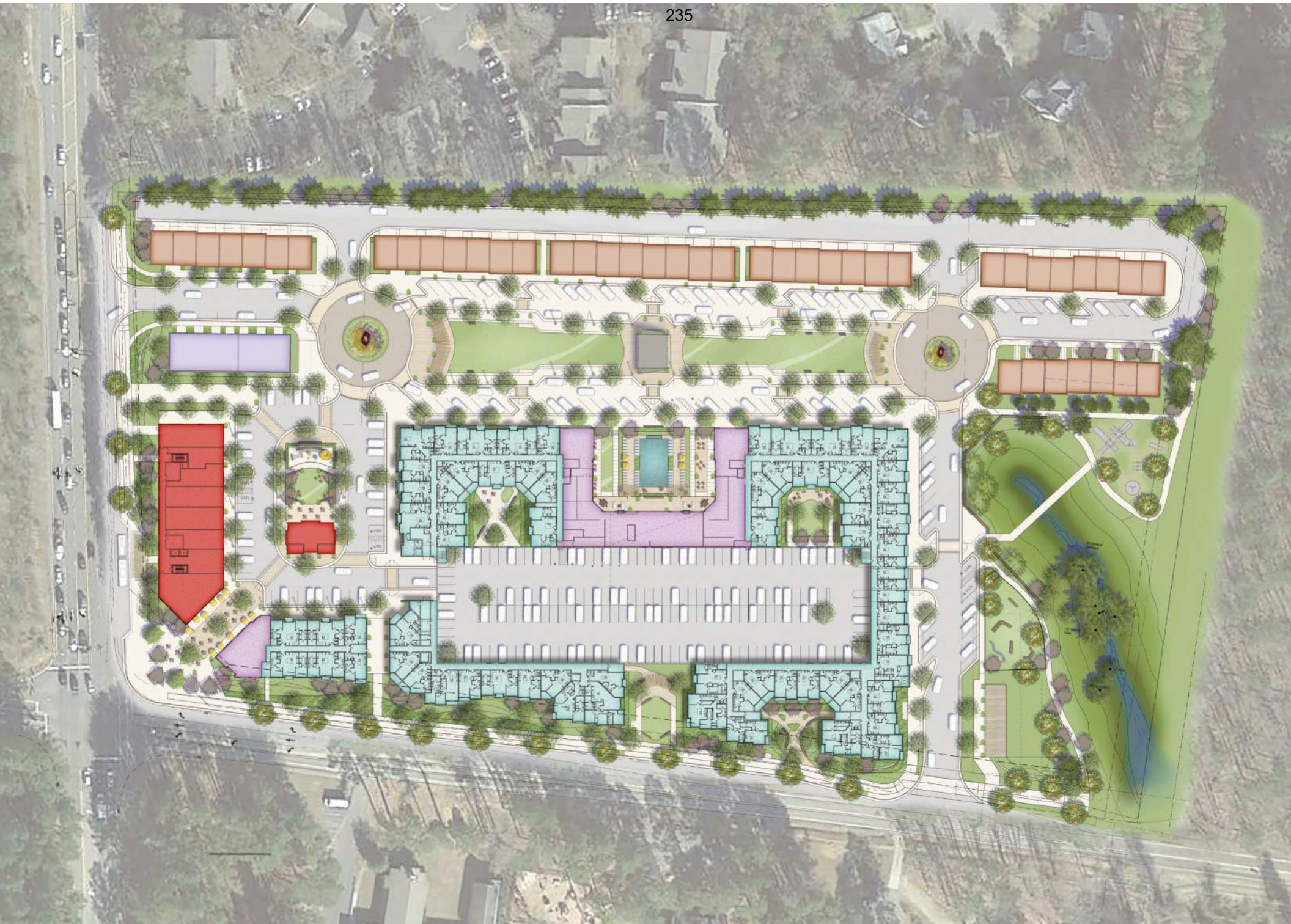
- Study Intersection
- # Proposed Access Point
- ▭ Proposed Development



Project Area | MLK Boulevard TIA

Figure ES-1
Vicinity Map





LEGEND	
	Existing Roadway
	Future Roadway
	Existing Stop Controlled Approach
	Proposed Stop Controlled Approach
	Existing Signalized Intersection
	Proposed Roundabout Approach
	Existing Lane Geometric
	Background Lane Geometric Improvement
	Proposed Lane Geometric

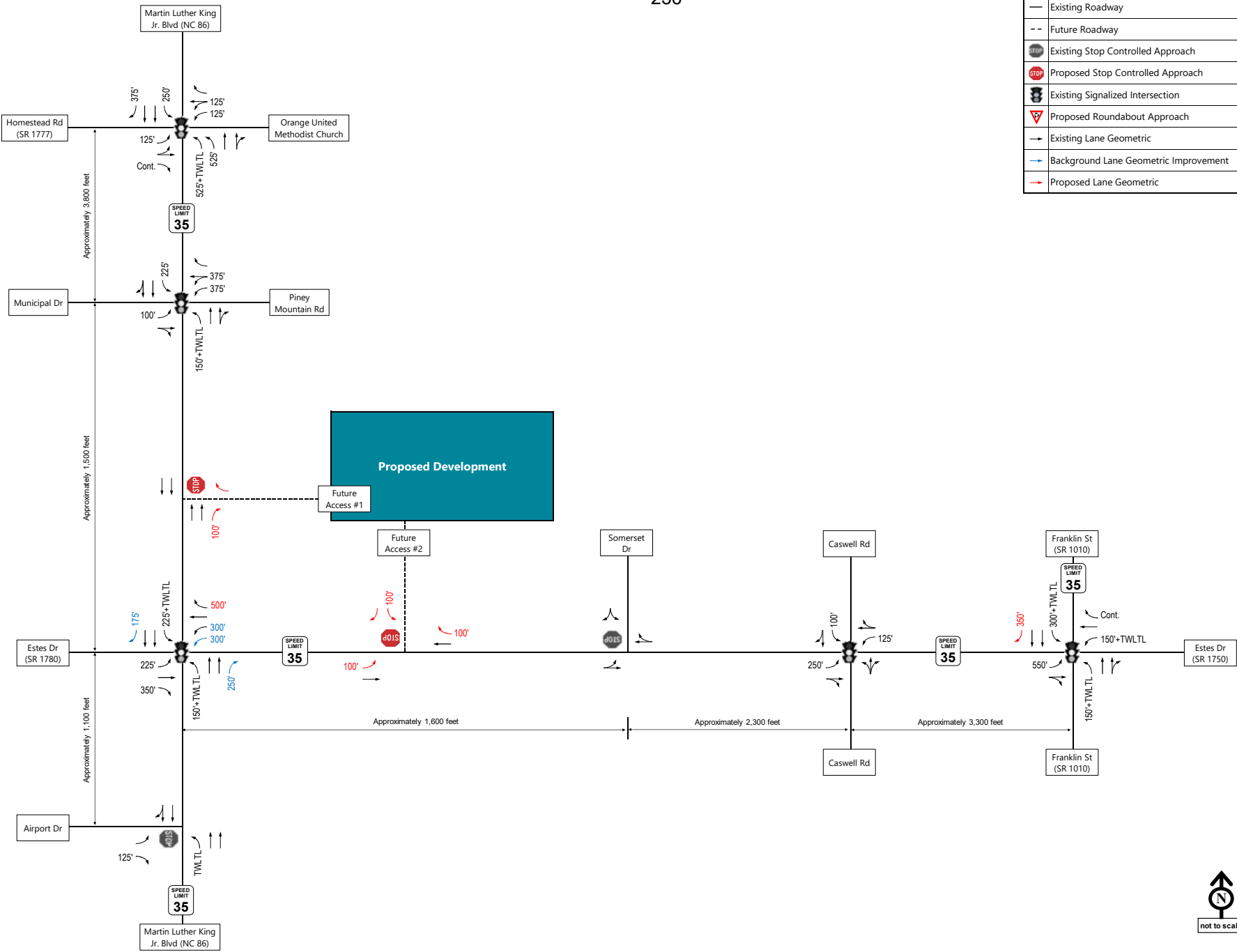


Figure ES-3
Build (2024) with Improvements Lane Geometrics and Traffic Control

Aura Chapel Hill Development
Chapel Hill, NC

**AURA CHAPEL HILL
DEVELOPMENT**
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

December 2020



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December 2020



Executive Summary

Trinsic Residential Group plans to develop a parcel of land in the northeast corner of Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) in Chapel Hill, NC (Figure ES-1). The proposed development will consist of 58 townhomes, 361 mid-rise apartments, a 3,032-square foot small office building, and 8,564 square feet of retail space. The development is expected to be fully constructed and occupied by the end of 2023.

Project Background

Based on the conceptual site plan (Figure ES-2), access to the development is proposed via two (2) vehicular access points. The following are the proposed access points:

- › Future Access #1: right-in/right-out only access on Martin Luther King Jr. Boulevard (NC 86), approximately 450-feet north of Estes Drive (SR 1750).
- › Future Access #2: full movement access on Estes Drive (SR 1750), approximately 900-feet east of Martin Luther King Jr. Boulevard (NC 86).

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:

- › Martin Luther King Jr. Boulevard (NC 86) at Airport Drive (unsignalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Estes Drive (SR 1750/SR 1780) (signalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Piney Mountain Road/Municipal Drive (signalized)
- › Martin Luther King Jr. Boulevard (NC 86) at Homestead Road (SR 1777) (signalized)
- › Estes Drive (SR 1750) at Somerset Drive (unsignalized)
- › Estes Drive (SR 1750) at Caswell Road (signalized)
- › Franklin Street (SR 1010) at Estes Drive (SR 1750) (signalized)

- › Martin Luther King Jr. Boulevard (NC 86) at Future Access #1 (future unsignalized)
- › Estes Drive (SR 1750) at Future Access #2 (future unsignalized)

The Town of Chapel Hill requires that future year analysis of the traffic conditions be conducted for the projected build year plus one (+1). Therefore, the analysis was performed under the following four (4) scenarios:

- › Existing (2020) Conditions
- › No-Build (2024) Conditions
- › Build (2024) Conditions
- › Build (2024) Conditions – With Improvements

The Existing (2020) scenario includes AM, Noon, and PM peak hour analysis based on turning movement count data collected in January 2020. The No-Build (2024) scenario includes existing traffic with an annual growth rate of one-half percent (0.5%) applied to the study area roadways between the base year (2020) and build year (2024). The No-Build (2024) scenario also includes background site trips generated by other proposed developments within the study area. The Build (2024) scenario includes the calculated No-Build (2024) volumes with the addition of site trips generated by the full build-out of the proposed development. The Build (2024) with Improvements scenario includes future conditions with any recommended improvements in place.

Intersection analyses were conducted using *Synchro/SimTraffic Version 10*. The overall level of service (LOS) and delay for each intersection and the approach LOS and delay are shown in the Summary LOS table on page vii.

Existing (2020) Conditions

Existing analyses were conducted based on current roadway geometrics and intersection turning movement counts. The existing traffic volume was obtained from turning movement counts collected in January 2020.

Study Area

The site is located in the northeast corner of the Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) intersection in Chapel Hill, North Carolina. The site has two proposed access points, one along Martin Luther King Jr. Boulevard (NC 86) and one along Estes Drive (SR 1750). Martin Luther King Jr. Boulevard (NC 86) is a north-south principal arterial and Estes Drive (SR 1750) is an east-west minor arterial.

Currently, there are no bicycle lanes present along both Estes Drive (SR 1750) and Martin Luther King Jr. Boulevard (NC 86). A narrow, paved path is located on the south side of Estes Drive (SR 1750), east of Martin Luther King Jr. Boulevard (NC 86). Sidewalks are present on the east side of Martin Luther King Jr. Boulevard (NC 86), adjacent to the study area. Six (6) bus stops are present within the study area and provide access to the site.

Crash Analysis

Five-year crash data (February 1, 2015 – January 31, 2020) was obtained from the North Carolina Department of Transportation (NCDOT) Traffic Engineering Accident Analysis System (TEAAS) along Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) adjacent to the site.

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page vii, all signalized intersections, except for one, operate at an overall acceptable LOS (i.e., LOS D or better) during all peak hours. The intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) operates at LOS E during the PM peak hour. Additionally, all stop-controlled approaches currently operate acceptably during both peak hours.

No-Build (2024) Conditions

Background Growth

A future growth rate of a half percent (0.5%) was derived from average daily traffic counts collected by the NCDOT. This annual growth rate is consistent with recent traffic impact studies near the around the area, and it was applied to the existing traffic volumes on all the roadways to account for growth between the base year (2020) and the build year (2024). Three (3) background developments were identified within the project study area: 1200 MLK Redevelopment, Retirement Residence at Somerset Drive, and the University Place Redevelopment. The site trips that are projected to be generated by these developments were accounted for in the No-Build (2024) analysis.

One (1) background roadway improvement project was identified within the study area. The Estes Drive Connectivity Project plans to construct intersection and bicycle/pedestrian improvements along Estes Drive (SR 1750) between Martin Luther King Jr. Boulevard (NC 86) and Caswell Road. The committed background improvements from this project were included in the No-Build (2024) analysis.

Level of Service Summary

As reported in the Summary LOS table on page viii, the signalized intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) is expected to continue to operate at LOS E during the PM peak hour. All other signalized intersections are expected to operate acceptably, with slight decreases in delay observed at the intersection of Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) due to the background roadway improvements. All stop-controlled approaches within the study area will maintain acceptable operations.

Trip Generation and Assignment

Trip generation was 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*. The proposed development is to consist of approximately 58 townhomes, 361 mid-rise apartments, a 3,032-square foot small office building, and 8,564 square feet of retail space; ITE LUC 220 (Multifamily Housing (Low-Rise)), LUC 221 (Multifamily Housing (Mid-Rise)), LUC 712 (Small Office Building), and LUC 820 (General Retail) were used based on NCDOT guidance.

A transit reduction was taken for the proposed trip generation to account for the current transit service to the area. The new Bus Rapid Transit system is proposed along Martin Luther King Jr. Boulevard (NC 86), but construction will not begin until 2024; therefore, no additional transit reductions were applied to the generated trips. The external site trips were reduced by 10% to account for the trips that will utilize the existing transit service stops near the development. This reduction also accounts for non-motorized travel, such as bicycle and pedestrian trips to and from the site. A sidewalk currently runs along the east side of Martin Luther King Jr. Boulevard (NC 86), and the Estes Drive Connectivity Project will improve bicycle and pedestrian facilities along Estes Drive (SR 1750). Table ES-1 shows the final external non-pass-by and pass-by site trips generated by the new development.

Table ES-1 Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			Noon Peak Hour ⁵			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Total Site Trips ²												
220	Multifamily Housing (Low-Rise)	58 du	398	6	22	28	15	17	32	23	13	36
221	Multifamily Housing (Mid-Rise)	361 du	1,966	31	89	120	62	74	136	93	59	152
712	Small Office Building	3,032 sf	49	6	4	10	6	5	11	5	6	11
820	General Retail	8,564 sf	1,130	51	31	82	47	38	85	42	46	88
Development Total			3,543	94	146	240	130	134	264	163	124	287
Trip Reduction Due to Internal Capture ³												
220	Multifamily Housing (Low-Rise)	58 du	23	0	0	0	1	1	2	2	1	3
221	Multifamily Housing (Mid-Rise)	361 du	111	1	1	2	5	3	8	9	5	14
712	Small Office Building	3,032 sf	12	0	1	1	2	1	3	3	1	4
820	General Retail	8,564 sf	120	2	1	3	3	6	9	4	11	15
Development Total			265	3	3	6	11	11	22	18	18	36
Total External Site Trips without Transit Reduction												
220	Multifamily Housing (Low-Rise)	58 du	375	6	22	28	14	16	30	21	12	33
221	Multifamily Housing (Mid-Rise)	361 du	1,855	30	88	118	57	71	128	84	54	138
712	Small Office Building	3,032 sf	37	6	3	9	4	4	8	2	5	7
820	General Retail	8,564 sf	1,010	49	30	79	44	32	76	38	35	73
Development Total			3,277	91	143	234	119	123	242	145	106	251
Total External Site Trips with 10% Transit Reduction												
220	Multifamily Housing (Low-Rise)	58 du	338	5	20	25	13	14	27	19	11	30
221	Multifamily Housing (Mid-Rise)	361 du	1,670	27	79	106	51	64	115	76	49	125
712	Small Office Building	3,032 sf	33	5	3	8	4	4	8	2	5	7
820	General Retail	8,564 sf	909	44	27	71	40	29	69	34	32	66
Development Total			2,950	81	129	210	108	111	219	131	97	228
Total External Pass-by Site Trips ⁴												
220	Multifamily Housing (Low-Rise)	58 du		0	0	0	0	0	0	0	0	0
221	Multifamily Housing (Mid-Rise)	361 du		0	0	0	0	0	0	0	0	0
712	Small Office Building	3,032 sf		0	0	0	0	0	0	0	0	0
820	General Retail	8,564 sf		0	0	0	0	0	0	11	11	22
Development Total				0	0	0	0	0	0	11	11	22
Total External Non-Pass-by Site Trips												
220	Multifamily Housing (Low-Rise)	58 du		5	20	25	13	14	27	19	11	30
221	Multifamily Housing (Mid-Rise)	361 du		27	79	106	51	64	115	76	49	125
712	Small Office Building	3,032 sf		5	3	8	4	4	8	2	5	7
820	General Retail	8,564 sf		44	27	71	40	29	69	23	21	44
Development Total				81	129	210	108	111	219	120	86	206

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 (1,000 ft maximum between uses).
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.
5. Noon peak hour trips assumed to be an average of the AM and PM peak hour trips.

As a result, the proposed development is projected to generate 2,950 daily weekday site trips, with 210 trips (81 entering, 129 exiting) occurring in the AM peak hour, 219 trips (108 entering, 111 exiting) occurring in the Noon peak hour, and 228 trips (131 entering, 97 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

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

As shown on the Summary LOS table on page vii, the signalized intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) is expected to continue to operate at LOS E during the PM peak hour. All other signalized intersections are expected to operate acceptably. Stop-controlled southbound Future Access #2 will operate at LOS F during the AM and PM peak hours and LOS E during the Noon peak hour. All other stop-controlled approaches will operate acceptably.

Roadway Improvement Recommendations

The proposed development is expected to impact operations at multiple study intersections under Build (2024) conditions. To improve operations at these locations, the following offsite improvements should be considered and were analyzed within the Build (2024) with Improvements scenario. The proposed intersection configurations are shown in Figure ES-3.

Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750) (signalized)

The existing signalized intersection is projected to operate at LOS D during the AM and PM peak hours under Build (2024) conditions. For this development, the following improvements are recommended:

- › Extend the storage of the existing westbound right-turn lane to at least 500 feet of full storage with appropriate taper.
- › Incorporate bicycle and pedestrian facility accommodations along the site's Estes Drive (SR 1750) frontage.
- › Incorporate pedestrian facility improvements along the site's Martin Luther King Jr. Boulevard (NC 86) frontage and incorporate a bus stop and related amenities for transit riders.

Franklin Street (SR 1010) and Estes Drive (SR 1750) (signalized)

The existing signalized intersection is projected to operate at LOS E during the PM peak hour under Build (2024) conditions. To improve overall operations at the intersection, and help mitigate the site's impacts, the following roadway improvement is recommended with this development:

- › Construct an exclusive southbound right-turn lane with a minimum of 350 feet of storage with appropriate taper.

In addition to offsite improvements, the following driveway configurations should be considered.

Martin Luther King Jr. Boulevard (NC 86) at Future Access #1

The stop-controlled driveway is projected to operate at LOS B during the AM and Noon peak hours and LOS C during the PM peak hour under Build (2024) conditions. The following driveway configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway. Restrict access along the driveway to right-in/right-out only.
- › Construct an exclusive northbound right-turn lane along Martin Luther King Jr. Boulevard (NC 86) with at least 100 feet of full storage and appropriate taper.
- › Provide a high-visibility painted crosswalk across the driveway.

Estes Drive (SR 1750) at Future Access #2

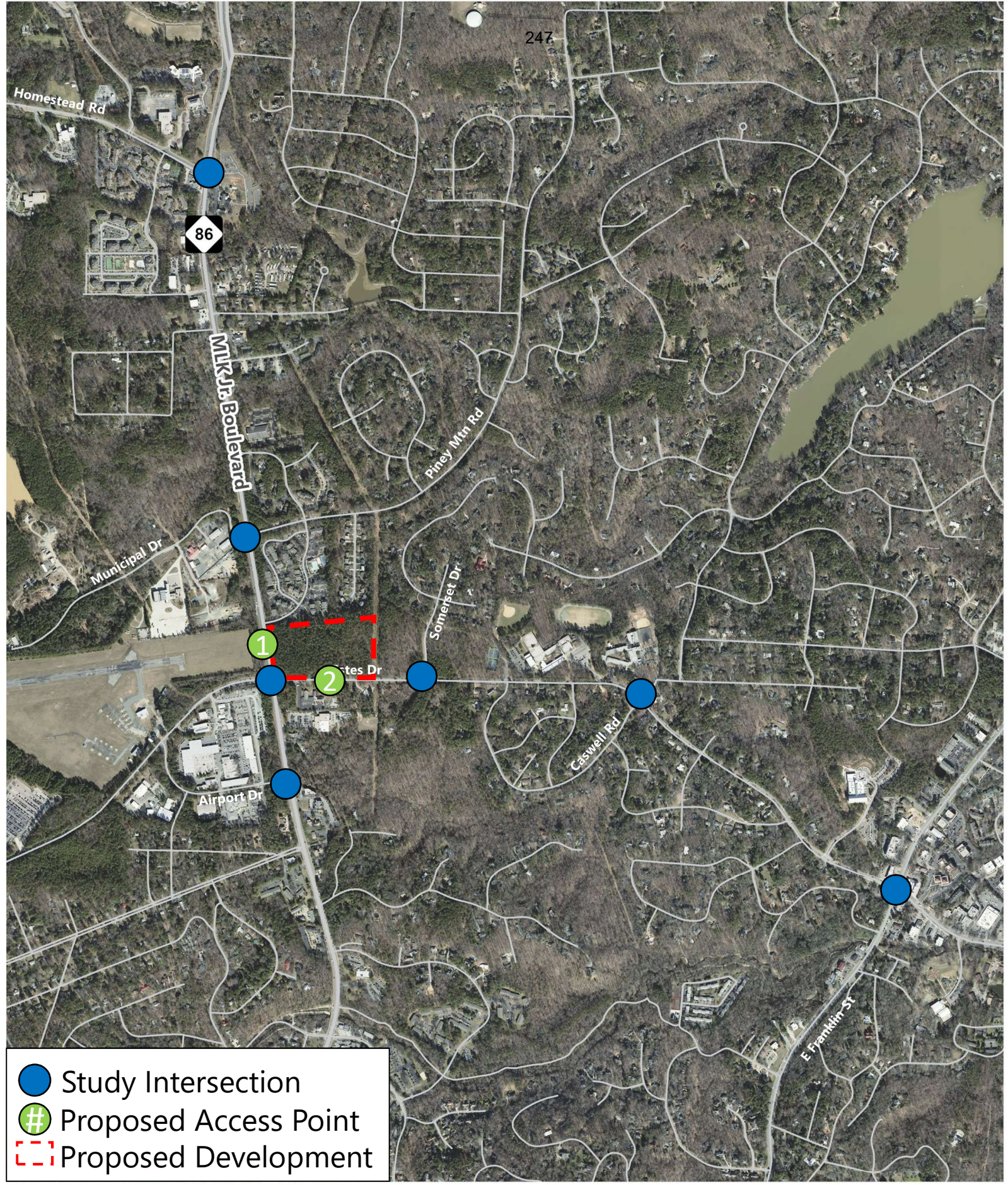
The stop-controlled driveway is projected to operate at LOS F during the AM and PM peak hours under Build (2024) conditions. The projected site generated trips are not expected to meet signal warrants after the buildout of the development, and signalization would not be recommended given the proximity of the existing traffic signal at Martin Luther King Jr. Boulevard (NC 86). The crash history along Estes Drive (SR 1750) does not show a pattern of a high rate of frontal impact crashes within the vicinity of the proposed driveway; therefore, there are no concerns with providing a full movement driveway along Estes Drive (SR 1750). The following lane configurations are recommended with the driveway for Future Access #2:

- › Provide one ingress lane and two egress lanes at the full movement driveway. Provide a minimum of 100 feet of storage for an exclusive southbound left-turn lane along the driveway.
- › Construct an exclusive eastbound left-turn lane with a minimum of 100 feet of full storage with appropriate taper.
- › Construct an exclusive right-turn lane along westbound Estes Drive (SR 1750) with a minimum of 100 feet of full storage and appropriate taper.
- › Provide a high-visibility painted crosswalk across the driveway.

Table ES-2 Summary Level of Service Table

Intersection and Approach	Traffic Control	Existing (2020)			No-Build (2024)			Build (2024)			Build (2024) with Improvements		
		AM	Noon	PM	AM	Noon	PM	AM	Noon	PM	AM	Noon	PM
Martin Luther King Jr. Boulevard (NC 86) and Airport Road	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		C-18.0	B-12.8	C-16.4	C-18.9	B-13.3	C-17.6	C-19.2	B-13.4	C-17.8	C-19.2	B-13.4	C-17.8
Martin Luther King Jr. Boulevard (NC 86) and Estes Drive (SR 1750/SR 1780)	Signalized	D (38.4)	C (32.6)	D (54.2)	D (35.4)	C (30.1)	D (48.8)	D (36.2)	C (31.8)	D (52.3)	D (36.2)	C (31.7)	D (52.3)
Eastbound		E-56.6	D-53.2	E-63.4	E-57.8	D-43.8	E-64.3	E-58.4	D-44.1	E-66.5	E-58.4	D-44.1	E-66.5
Westbound		D-37.0	D-43.5	F-82.3	D-47.3	D-48.7	E-68.3	D-48.8	D-48.5	E-69.9	D-48.8	D-48.5	E-69.9
Northbound		D-42.4	C-25.1	D-52.5	C-31.1	C-22.8	D-48.4	C-33.4	C-24.9	D-50.3	C-33.4	C-24.7	D-50.3
Southbound		C-29.5	C-21.1	C-28.1	C-23.6	B-16.8	C-25.6	C-23.5	C-20.1	C-33.5	C-23.5	B-20.0	C-33.5
Martin Luther King Jr. Boulevard (NC 86) and Piney Mountain Road/Municipal Drive	Signalized	A (8.4)	A (5.4)	B (10.3)	A (8.6)	A (5.1)	B (10.6)	A (8.6)	A (5.1)	B (10.8)	A (8.6)	A (5.1)	B (10.8)
Eastbound		E-61.0	E-59.4	E-71.8	E-61.0	E-59.4	E-72.0	E-61.0	E-59.4	E-72.0	E-61.0	E-59.4	E-72.0
Westbound		E-65.3	E-57.6	E-70.9	E-65.5	E-57.7	E-71.3	E-65.4	E-58.0	E-71.3	E-65.4	E-58.0	E-71.3
Northbound		A-3.9	A-2.5	A-4.2	A-4.6	A-2.2	A-5.2	A-4.3	A-2.4	A-5.5	A-4.3	A-2.4	A-5.5
Southbound		A-3.0	A-1.3	A-8.9	A-3.0	A-1.5	A-8.3	A-3.3	A-1.2	A-8.6	A-3.3	A-1.2	A-8.6
Martin Luther King Jr. Boulevard (NC 86) and Homestead Road (SR 1777)/Church Driveway	Signalized	C (22.6)	C (21.3)	C (20.2)	C (23.2)	C (21.1)	C (20.6)	C (23.2)	C (21.8)	C (20.7)	C (23.2)	C (21.8)	C (20.7)
Eastbound		D-53.1	D-46.3	D-54.8	D-53.1	D-46.5	D-54.7	D-53.1	D-46.6	D-54.6	D-53.1	D-46.6	D-54.6
Westbound		D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6	D-51.3	D-45.5	E-58.6
Northbound		B-10.4	B-18.4	B-12.8	B-11.0	B-18.0	B-13.3	B-10.9	B-19.6	B-13.3	B-10.9	B-19.6	B-13.3
Southbound		B-19.9	B-12.6	B-18.6	C-21.0	B-13.0	B-19.3	C-21.4	B-13.3	B-19.6	C-21.4	B-13.3	B-19.6
Estes Drive and Somerset Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Southbound		C-18.2	C-15.4	D-25.8	C-19.7	C-16.9	D-32.2	C-21.1	C-18.2	E-36.1	C-21.1	C-18.2	E-36.1
Estes Drive and Casewell Drive	Signalized	B (13.9)	A (9.7)	B (18.6)	B (14.3)	A (9.8)	B (19.6)	B (14.7)	A (9.9)	C (21.1)	B (14.7)	A (9.9)	C (21.1)
Eastbound		A-6.7	A-3.3	A-6.6	A-7.1	A-3.6	A-7.3	A-7.8	A-3.8	A-8.0	A-7.8	A-3.8	A-8.0
Westbound		B-12.9	A-8.4	B-19.7	B-13.7	A-8.8	C-21.7	B-14.3	A-9.3	C-24.6	B-14.3	A-9.3	C-24.6
Northbound		C-34.5	D-37.0	C-34.2	C-34.3	D-36.9	C-34.8	C-34.4	D-37.3	C-35.0	C-34.4	D-37.3	C-35.0
Southbound		D-48.8	D-46.4	D-54.0	D-48.9	D-46.6	E-56.8	D-48.9	D-46.7	E-57.3	D-48.9	D-46.7	E-57.3
Franklin Street (SR 1010) and Estes Drive (SR 1750)	Signalized	D (48.5)	D (47.9)	E (58.0)	D (49.8)	D (49.1)	E (64.0)	D (52.9)	D (50.2)	E (69.3)	D (43.1)	D (46.4)	E (59.6)
Eastbound		E-66.0	E-55.9	E-67.0	E-66.1	D-54.6	E-69.2	E-70.1	D-53.4	E-72.7	D-47.8	D-53.4	E-70.0
Westbound		D-49.5	D-49.6	E-62.5	D-47.1	D-47.7	E-68.6	D-42.0	D-46.9	F-81.7	D-45.7	D-46.9	E-66.0
Northbound		D-37.3	D-44.2	D-54.2	D-39.2	D-48.0	E-63.0	D-42.7	D-51.1	E-61.8	D-46.1	D-51.1	E-68.4
Southbound		D-39.7	D-43.5	D-52.7	D-43.0	D-46.7	E-58.2	D-48.4	D-49.7	E-65.1	D-36.1	D-36.4	D-40.0
Martin Luther King Jr. Boulevard (NC 86) and Future Access #1	Unsignalized	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Westbound		---	---	---	---	---	---	B-13.3	B-12.5	C-23.2	B-13.2	B-12.4	C-22.8
Estes Drive (SR 1750) and Future Access #2	Unsignalized	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Southbound		---	---	---	---	---	---	F-60.5	E-36.0	F-166.5	E-45.6	D-29.4	F-97.3

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay.



Project Area

MLK Boulevard TIA

Figure ES-1
Vicinity Map



LEGEND	
	Existing Roadway
	Future Roadway
	Existing Stop Controlled Approach
	Proposed Stop Controlled Approach
	Existing Signalized Intersection
	Proposed Roundabout Approach
	Existing Lane Geometric
	Background Lane Geometric Improvement
	Proposed Lane Geometric

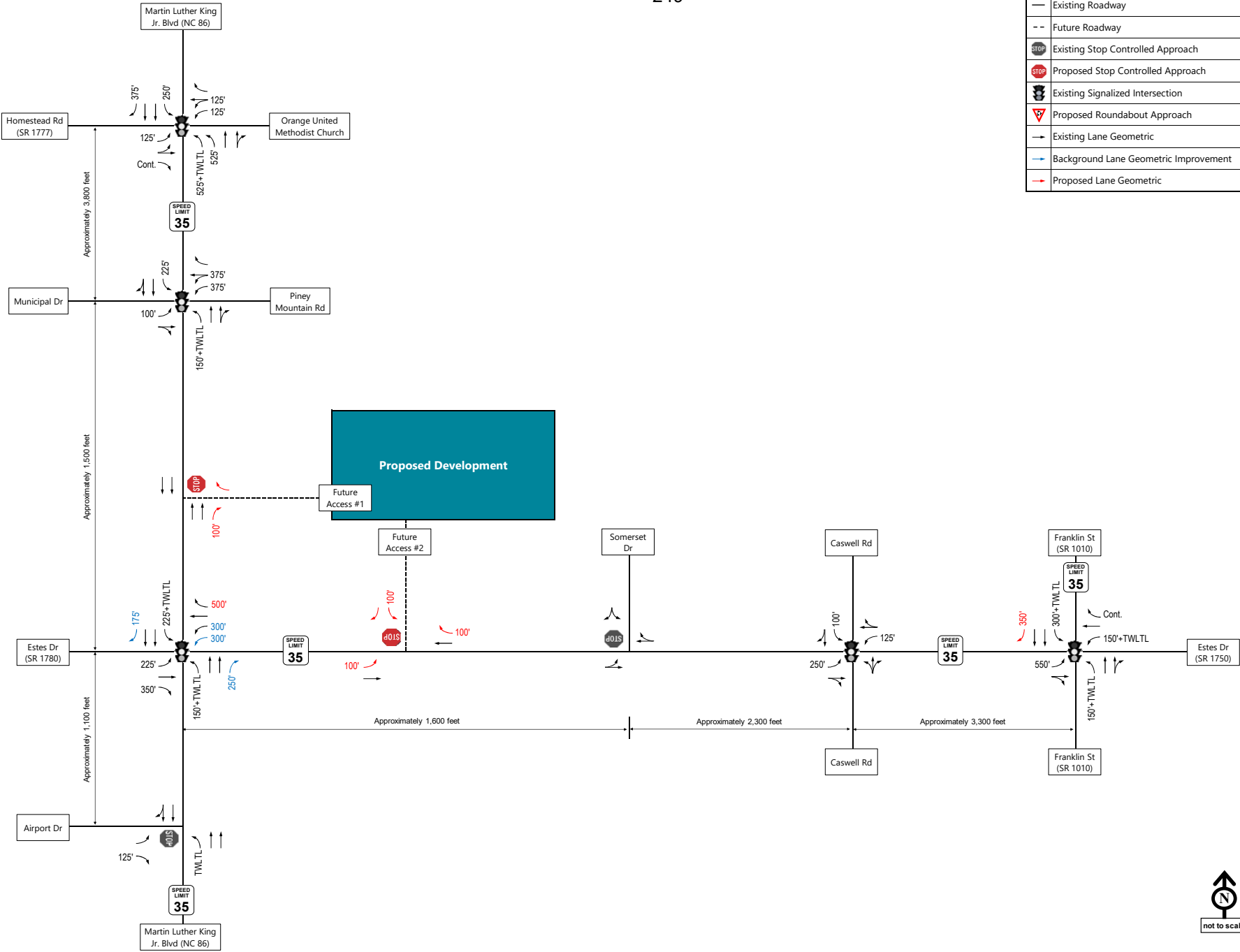


Figure ES-3
Build (2024) with Improvements Lane Geometrics and Traffic Control

Aura Chapel Hill Development
Chapel Hill, NC

**TECHNICAL
MEMORANDUM - DRAFT****To**

Kumar Neppalli
Traffic Engineering Manager
Town of Chapel Hill

From

Craig Scheffler, P.E., PTOE
HNTB North Carolina, P.C.

Cc

HNTB Project File: 75645

Subject

Town of Chapel Hill Town-Wide
Transportation Model – Estes Drive
Scenario Testing

Date

05/10/21

HNTB North Carolina, PC (HNTB), under contract with the Town of Chapel Hill, has developed a Town-wide Transportation Model using the Caliper Corporation TransModeler software tool. This document is intended to provide information on scenario tests developed using the Town-wide Model that focus on the Estes Drive area and proposed Aura Development.

Introduction

In the development review process for the proposed Aura Development, located in the northeast quadrant of NC 86 (Martin Luther King, Jr. Blvd) and Estes Drive, the Chapel Hill Town Council directed Town staff to provide additional future scenario testing using the Town-wide Transportation Model to include a broader range of background potential future developments. Town staff coordinated with HNTB to develop a list of potential developments to be added to the Town-wide Model for a test of operational performance in the 2024 analysis year previously assumed for the Aura Development Transportation Impact Analysis.

Scenario Testing Methodology and Assumptions

The 2021 Base Year Town-wide model was used for the scenario testing exercise with currently (as of May 2021) coded attributes (roadway geometrics, traffic control and Base Year signal timings) to create 2024 AM and PM peak hour scenarios, with the following changes:

- Committed and/or recommended roadway and signal timing improvements applied to the Estes Drive intersections with NC 86 (Martin Luther King, Jr. Blvd) and E. Franklin Street.
- Proposed or assumed Access Laneage and Traffic Control for Background Developments in the Estes Drive/NC 86 (Martin Luther King, Jr. Blvd) vicinity.
- Utilization of the TransModeler TIA Toolbox feature to input all known and projected land uses and their intensities (as provided in previous TIA reports or information from Town) to generate AM and PM peak hour trips from each background development. Trips were distributed and assigned, using TIA Toolbox/TransModeler methodologies, and based on existing peak hour traffic patterns and O-D matrix.

Each scenario model was run for the typical weekday AM and PM peak hours, with 15 minute model seeding periods, and an assumed equal distribution of traffic flow over the peak hour. All other assumptions regarding vehicle characteristics and driver behaviors coded into the 2021 Base Year model were left unchanged. Model Measures-of-Effectiveness (MOE) results were extracted for intersection performance for the following intersections along Estes Drive:

- NC 86 (Martin Luther King, Jr. Blvd) and Estes Drive
- Somerset Drive and Estes Drive
- E. Franklin Street and Estes Drive
- Future potential local roadway connections and Estes Drive/NC 86 in the Central West Planning Area
- Future planned Aura Development driveways and Estes Drive/NC 86

The MOE results contain vehicular delay, Level-of-Service (LOS) and queue length information, including averages and maximum/ minimum data extracted from randomized number seed stochastic variation results from five model runs for each scenario. Scenario tests of a potential traffic signal and roundabout were also completed at the current Estes Drive and Somerset Drive intersection (future potential four-legged intersection). The following scenarios were tested for AM and PM peak hour conditions:

- 2021 Base Year
- 2024 Without Aura (Includes all other background developments and committed transportation network improvements)
- 2024 With Aura
- 2024 With Aura (Includes all recommended improvements from Aura TIA)

Future potential background development information was compiled from previous TIA studies and/or information from Town of Chapel Hill staff for the Central West planning area. Trip generation information for each development or redevelopment parcel was added to all 2024 scenarios and is shown in **Table 1**. The Town-wide model TIA Toolbox methodology was used to generate trips for each development and trips were distributed through the entire Town-wide model based on Base Year model trip matrix methodologies. It was conservatively assumed that all potential developments would be fully built-out and operational for the 2024 analysis year.

Table 1. 2024 Scenario Test Background Development Information

Background Developments List for 2024 Aura/Estes Drive Scenario Testing										
ID	Development Name	Area	Land Use	ITE LUC Density Change	AM Peak Trips			PM Peak Trips		
					IN	OUT	TOTAL	IN	OUT	TOTAL
1	Fordham Apartments	Blue Hill	Multi-Family Residential	273 Units - 50 Hotel units	11	89	100	85	40	125
2	Hillstone	Blue Hill	Multi-Family Residential	220 Units	29	115	144	112	60	172
3	Quality Inn	Blue Hill	Multi-Family Residential	236 Units + 125 Hotel Units	55	110	165	89	56	145
4	Park at Chapel Hill	Blue Hill	Multi-Family Residential	+500 Net Units	49	197	246	94	44	138
5	University Place - Phase 1	Mall Area	Commercial	Mixed Uses	367	291	658	704	632	1,336
6	Town Municipal Services Campus	NC 86	Institutional - Office	48k Office + 24k Police Station Net	126	16	142	38	150	188
7	E. Rosemary Parking Deck & Office	Downtown	Public Parking/General Office	Net Parking Incr + 200K Office	327	40	367	82	305	387
8	W. Rosemary St Hotel	Downtown	Hotel	125 Unit Hotel - 90 Existing Parking	17	26	43	36	19	55
9	Union Chapel Hill Apartments	Downtown	Multi-Family Residential	350 Condos - 111 Apartments	24	97	121	148	80	228
A	Aura	Central West	Mixed-Use	Mixed Uses	81	129	210	120	86	206
B	Rummel Property	Central West	Multi-Family Residential	175 units	14	42	57	45	66	111
C	Azalea	Central West	Senior Assisted Living	100 Units	18	9	27	23	28	51
D	Amity UMC	Central West	Institutional - Church	N/A	0	0	0	0	0	0
E		Central West	Multi-Family Residential	36 units	4	9	13	9	14	23
F	YMCA Expansion	Central West	Recreational	30K SF	35	18	53	46	52	98
G	Saw Mill	Central West	Multi-Family Residential	112 units	10	27	37	30	42	72
H	Richardson Property	Central West	Multi-Family Residential	117 units	10	29	39	31	45	76
I	Office Park	Central West	General Office	N/A	0	0	0	0	0	0
J	Peace Property	Central West	Multi-Family Residential	65 units	5	16	22	17	25	42
					1,182	1,260	2,443	1,708	1,745	3,453
	-2024 Build Scenario Only									

Model Results and Comment

Town-wide model results were collected for the intersections along Estes Drive as described above. Model results for intersection delay (overall average and average by approach), the corresponding equivalent Level-of-Service (LOS) and Maximum queue recorded for the adjacent roadway links were extracted at the completion of each AM and PM peak hour scenario model run batch. Additional information for the maximum and minimum delay and maximum queue data over the five model runs were requested and included in tabular data. **Table 2** shows the 2021 Base Model results. The intersection of E. Franklin Street and Estes Drive is at/over capacity (LOS E) in the current PM Peak hour. Estes Drive at NC 86 experiences some excessive queuing that spills back beyond existing left and right-turning bays in both peak hours.

Table 2. 2021 Base Model Scenario Traffic Operations Results

2021 Base Model		AM Peak Hour						
Intersection and Approach	Traffic Control	LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	47.3	52.1	43.4			
Eastbound		E	76.3	92.1	56.7	900	1075	650
Westbound		D	46.8	50.9	42.2	350	375	275
Northbound		C	33.5	36.3	30.9	400	525	350
Southbound		C	34.6	38.1	33.0	450	600	400
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Southbound		A	5.4	7.9	2.5	25	25	25
Estes Drive and E. Franklin Street	Signal	C	28.7	29.8	26.7			
Eastbound		C	33.5	35.9	28.6	425	500	350
Westbound		C	33.0	34.7	29.9	225	250	150
Northbound		C	24.0	26.1	20.7	200	225	125
Southbound		C	25.3	27.5	22.3	375	425	300

2021 Base Model		PM Peak Hour						
Intersection and Approach	Traffic Control	LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	E	58.5	62.6	56.0			
Eastbound		E	70.1	83.6	63.3	650	725	450
Westbound		E	63.0	78.1	50.8	850	1500	375
Northbound		E	59.6	61.8	55.9	625	675	550
Southbound		D	45.6	48.9	42.7	475	600	450
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Southbound		C	16.0	20.6	12.5	125	100	150
Estes Drive and E. Franklin Street	Signal	D	47.9	50.5	46.1			
Eastbound		E	58.0	68.1	51.7	625	700	500
Westbound		D	54.8	56.4	51.0	525	550	450
Northbound		D	41.8	42.5	40.5	475	500	425
Southbound		D	43.2	47.0	38.7	500	550	475

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

RED – Overall Intersection (Signalized) or Critical Movement (Unsignalized) Exceeds Town Operational Performance LOS Threshold

The 2024 No-Build scenario model operational results are shown in Table 3. With the addition of the substantial number of background potential developments, increases in vehicular delay and degradation of LOS occurs at several study area intersections. Improvements to the NC 86 intersection with Estes Drive mitigate operational issues at this location. A new local roadway connecting to Somerset Drive at Estes

Drive, along with increased traffic volumes by 2024 at this location cause operational problems in the AM and PM peak hours.

Table 3. 2024 No-Build Aura Scenario - Traffic Operations Results

2024 No-Build Model		AM Peak Hour						
Intersection and Approach	Traffic Control	LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	40.9	41.5	36.5			
Eastbound		E	76.3	79.7	53.3	1000	1100	700
Westbound		D	37.3	41.8	36.3	225	250	150
Northbound		C	30.4	31.4	25.5	300	375	250
Southbound		C	38.2	41.1	33.7	375	700	325
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Northbound		C	18.2	19.4	15.6	50	50	25
Southbound		C	21.4	23.1	16.4	50	50	25
Estes Drive and E. Franklin Street	Signal	D	43.4	43.6	41.8			
Eastbound		D	50.5	58.0	45.0	650	700	550
Westbound		E	56.4	64.3	48.2	450	500	300
Northbound		C	31.2	33.3	29.4	225	250	200
Southbound		D	36.4	38.9	32.6	525	575	425
NC 86 (MLK Blvd) and Local Road Connection (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	5.6	6.0	4.7	50	75	25

2024 No-Build Model		PM Peak Hour						
Intersection and Approach	Traffic Control	LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	E	55.1	64.1	49.2			
Eastbound		D	54.3	63.2	50.1	550	675	325
Westbound		D	43.0	50.2	38.1	725	800	475
Northbound		E	65.7	79.2	57.5	675	700	650
Southbound		D	53.8	68.6	46.6	375	400	325
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Northbound		F	122.8	130.9	42.1	275	325	100
Southbound		F	155.7	166.4	70.3	250	275	225
Estes Drive and E. Franklin Street	Signal	F	119.3	138.4	98.4			
Eastbound		F	91.4	118.1	77.6	750	1000	625
Westbound		F	160.6	172.2	92.7	1275	1500	875
Northbound		F	166.8	305.5	89.8	1600	2600	950
Southbound		E	69.5	67.7	57.5	700	875	575
NC 86 (MLK Blvd) and Local Road Connection (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		C	18.0	30.1	8.6	50	100	25

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

RED – Overall Intersection (Signalized) or Critical Movement (Unsignalized) Exceeds Town Operational Performance LOS Threshold

GREEN – New or Improved Intersection Approaches from Previous Scenario

The 2024 Build Scenario results are shown in **Table 4**. The Build Scenario includes the construction of the Aura Development with two proposed single lane driveways and no other improvements beyond what is reflected in the 2024 No-Build Scenario. In general, operations results show overall marginal increases in delay and queuing compared to the 2024 No-Build Scenario. The Aura Driveway connection with Estes Drive has a maximum (worst-case) model run delay exceeding the LOS E threshold for unsignalized intersections.

Table 4. 2024 Build Aura Scenario - Traffic Operations Results

2024 Build-Aura Model	Traffic Control	AM Peak Hour						
Intersection and Approach		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	39.5	40.5	35.0			
Eastbound		E	67.8	79.4	51.7	850	1000	650
Westbound		D	39.1	41.8	37.1	250	325	200
Northbound		C	30.3	32.3	28.5	325	400	275
Southbound		C	29.0	30.3	25.9	375	850	250
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Northbound		B	13.6	22.6	7.6	50	75	25
Southbound		B	14.9	21.9	10.0	100	100	50
Estes Drive and E. Franklin Street	Signal	D	43.4	43.6	41.8			
Eastbound		D	51.6	59.3	42.0	675	1400	575
Westbound		E	56.8	62.5	52.2	450	500	375
Northbound		C	31.7	36.8	29.2	225	275	175
Southbound		D	35.4	39.3	32.2	525	600	400
MLK Blvd and Future Aura Access #1	Two-Way Stop	-	-	-	-	-	-	-
<i>Westbound</i>		A	6.1	6.5	5.2	25	25	25
Estes Dr and Future Aura Access #2	Two-Way Stop	-	-	-	-	-	-	-
<i>Southbound</i>		C	15.3	18.8	13.0	50	100	25
NC 86 (MLK Blvd) and Local Rd Access (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	6.8	10.8	4.3	25	25	25

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

BLUE – Proposed Aura Intersections/Approaches

Table 4 (Continued). 2024 Build Aura Scenario - Traffic Operations Results

2024 Build-Aura Model	Traffic Control	PM Peak Hour						
Intersection and Approach		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	51.6	53.1	49.9			
Eastbound		E	57.1	63.0	49.5	575	650	425
Westbound		D	44.0	50.2	38.5	575	875	350
Northbound		E	59.8	62.7	57.9	675	700	625
Southbound		D	45.8	48.4	42.7	375	475	350
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Northbound		F	76.4	113.7	46.6	200	275	125
Southbound		F	103.0	141.1	74.1	250	350	200
Estes Drive and E. Franklin Street	Signal	F	123.8	134.1	96.5			
Eastbound		F	88.0	93.5	78.7	775	1300	650
Westbound		F	146.5	168.6	115.0	1275	1450	1150
Northbound		F	193.8	227.5	133.4	1950	2400	1150
Southbound		E	72.1	78.0	63.7	850	875	750
MLK Blvd and Future Aura Access #1	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	5.4	6.4	4.2	25	25	25
Estes Dr and Future Aura Access #2	Two-Way Stop	-	-	-	-	-	-	-
Southbound		E	42.9	77.4	26.0	100	125	75
NC 86 (MLK Blvd) and Local Rd Access (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		C	21.3	30.1	14.5	50	100	25

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

RED – Overall Intersection (Signalized) or Critical Movement (Unsignalized) Exceeds Town Operational Performance LOS Threshold

BLUE – Proposed Aura Intersections/Approaches

The 2024 Build Scenario with Improvements model operational results are shown in **Table 5**. This includes all recommended improvements identified in the Aura TIA. These improvements include additional capacity and queue storage benefits for westbound Estes Drive at the NC 86 intersection, better performance for the proposed Aura Driveway along Estes Drive, and potentially some benefit for operations at the Estes Drive intersection with Somerset Drive and its potential fourth leg local access roadway connection – though additional mitigation would be needed to improve conditions in the 2024 PM peak hour at this location. Recommended improvements to the E. Franklin Street/Estes Drive intersection (a southbound right-turn lane on E. Franklin Street) do improve intersection capacity and reduce queue lengths, but do not completely mitigate anticipated PM peak hour congestion at this location.

Table 5. 2024 Build Aura Scenario – With Recommended Improvements – Traffic Operations Results

2024 Build-Aura Model - With Improvements	Traffic Control	AM Peak Hour						
		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	37.5	40.1	35.8			
Eastbound		E	59.2	66.5	52.2	650	825	625
Westbound		C	38.7	41.9	36.8	250	300	200
Northbound		C	30.2	32.9	29.4	375	425	250
Southbound		C	28.8	30.2	27.9	375	500	300
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Eastbound		-	-	-	-	-	-	-
Westbound		-	-	-	-	-	-	-
Northbound		B	13.2	15.7	11.1	50	50	25
Southbound		C	17.8	24.0	12.6	200	250	150
Estes Drive and E. Franklin Street	Signal	D	42.7	46.3	36.5			
Eastbound		D	54.9	66.5	38.2	650	725	400
Westbound		E	57.9	64.3	52.3	425	475	350
Northbound		C	31.0	33.2	27.8	225	275	150
Southbound		C	30.2	32.5	28.8	375	450	350
MLK Blvd and Future Aura Access #1	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	5.1	5.8	4.2	25	25	25
Estes Dr and Future Aura Access #2	Two-Way Stop	-	-	-	-	-	-	-
Southbound		B	14.1	17.7	11.2	50	75	25
NC 86 (MLK Blvd) and Local Rd Access (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	5.3	8.1	2.8	50	75	25

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

RED – Overall Intersection (Signalized) or Critical Movement (Unsignalized) Exceeds Town Operational Performance LOS Threshold**GREEN** – New or Improved Intersection Approaches from Previous Scenario

Table 5 (Continued). 2024 Build Aura Scenario – With Recommended Improvements
Traffic Operations Results

2024 Build-Aura Model - With Improvements	Traffic Control	PM Peak Hour						
		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
NC 86 (MLK Blvd) and Estes Drive	Signal	D	47.4	51.2	45.6			
Eastbound		E	55.1	58.5	51.5	475	600	300
Westbound		D	38.1	40.6	36.5	425	500	325
Northbound		D	53.1	59.8	50.0	625	900	550
Southbound		D	45.1	49.8	41.8	375	525	325
Estes Drive and Somerset Drive	Two-Way Stop	-	-	-	-	-	-	-
Eastbound		-	-	-	-	-	-	-
Westbound		-	-	-	-	-	-	-
Northbound		F	56.9	74.6	45.6	150	250	100
Southbound		F	87.2	128.2	62.9	250	300	200
Estes Drive and E. Franklin Street	Signal	F	102.3	113.2	92.6			
Eastbound		F	88.8	95.6	83.4	750	1250	600
Westbound		F	144.2	191.1	113.3	1275	1325	1150
Northbound		F	135.7	189.6	86.3	1100	1525	700
Southbound		D	53.9	60.3	49.5	675	725	500
MLK Blvd and Future Aura Access #1	Two-Way Stop	-	-	-	-	-	-	-
Westbound		A	6.2	7.1	3.4	25	25	25
Estes Dr and Future Aura Access #2	Two-Way Stop	-	-	-	-	-	-	-
Southbound		D	31.1	41.3	25.6	75	100	50
NC 86 (MLK Blvd) and Local Rd Access (RIRO)	Two-Way Stop	-	-	-	-	-	-	-
Westbound		B	12.2	14.6	8.9	50	100	25

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

RED – Overall Intersection (Signalized) or Critical Movement (Unsignalized) Exceeds Town Operational Performance LOS Threshold

GREEN – New or Improved Intersection Approaches from Previous Scenario

Per Town staff direction, two additional scenarios related to traffic control alternatives at the Estes Drive intersection with Somerset Drive were developed and model run results are shown in **Table 6**. The addition of a two-phase traffic circle, coordinated with the existing signals along Estes Drive, performs acceptably in both peak hours. The implementation of a single lane roundabout at this location performs well in the AM peak hour but may operate near capacity in the PM peak hour. Both alternatives improve the ability for minor street traffic from Somerset Drive and the potential future local roadway connection to the south to gain access to Estes Drive compared to the existing two-way stop control scenario. Management of queues along the high volume Estes Drive corridor caused by either the roundabout or traffic signal is an important consideration.

Table 6. 2024 Build With Improvements Scenario – Somerset Drive Traffic Control Alternatives

2024 Build-Aura Model - With Improvements	Traffic Control	AM Peak Hour						
Intersection and Approach		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
Estes Drive and Somerset Drive	Signal	A	4.1	5.1	3.4			
Eastbound		A	2.9	3.3	2.4	75	100	50
Westbound		A	1.8	3.5	1.0	175	250	150
Northbound		F	75.8	92.3	63.3	75	100	50
Southbound		F	73.2	88.5	52.1	50	75	25
Estes Drive and Somerset Drive	Round about	C	22.3	23.4	21.2			
Eastbound		D	26.4	28.7	25.0	375	450	275
Westbound		C	16.4	17.2	15.5	275	300	225
Northbound		B	12.6	14.4	10.7	200	250	175
Southbound		B	10.1	11.9	8.6	150	175	125
2024 Build-Aura Model - With Improvements	Traffic Control	PM Peak Hour						
Intersection and Approach		LOS	Average Delay (Sec/Veh)	Maximum Delay (Sec/Veh)	Minimum Delay (Sec/Veh)	Average Max Queue (ft)	Maximum Queue (ft)	Minimum Queue (ft)
Estes Drive and Somerset Drive	Signal	B	19.7	21.5	16.8			
Eastbound		A	9.6	10.6	8.8	425	525	350
Westbound		B	17.4	21.8	12.0	175	250	150
Northbound		F	61.7	65.2	56.0	250	200	250
Southbound		E	56.2	58.5	54.6	675	1000	600
Estes Drive and Somerset Drive	Round about	E	35.5	38.4	31.7			
Eastbound		C	23.4	24.9	21.0	300	400	250
Westbound		E	47.2	54.3	40.6	425	600	375
Northbound		B	11.4	15.8	6.5	200	225	150
Southbound		D	27.4	35.5	21.6	150	175	125

Max Queue Lengths Calculated to Nearest Upstream Intersection/Node in Model – Queue May Exceed Distance Reported

GREEN – New or Improved Intersection Approaches from Previous Scenario

AURA

850 N ESTES DRIVE & 1000 MARTIN LUTHER KING JR BLVD
CHAPEL HILL, NORTH CAROLINA, 27514

CONDITIONAL ZONING PERMIT

PROJECT NUMBER: TRG-20000

DATE: SEPTEMBER 24, 2020

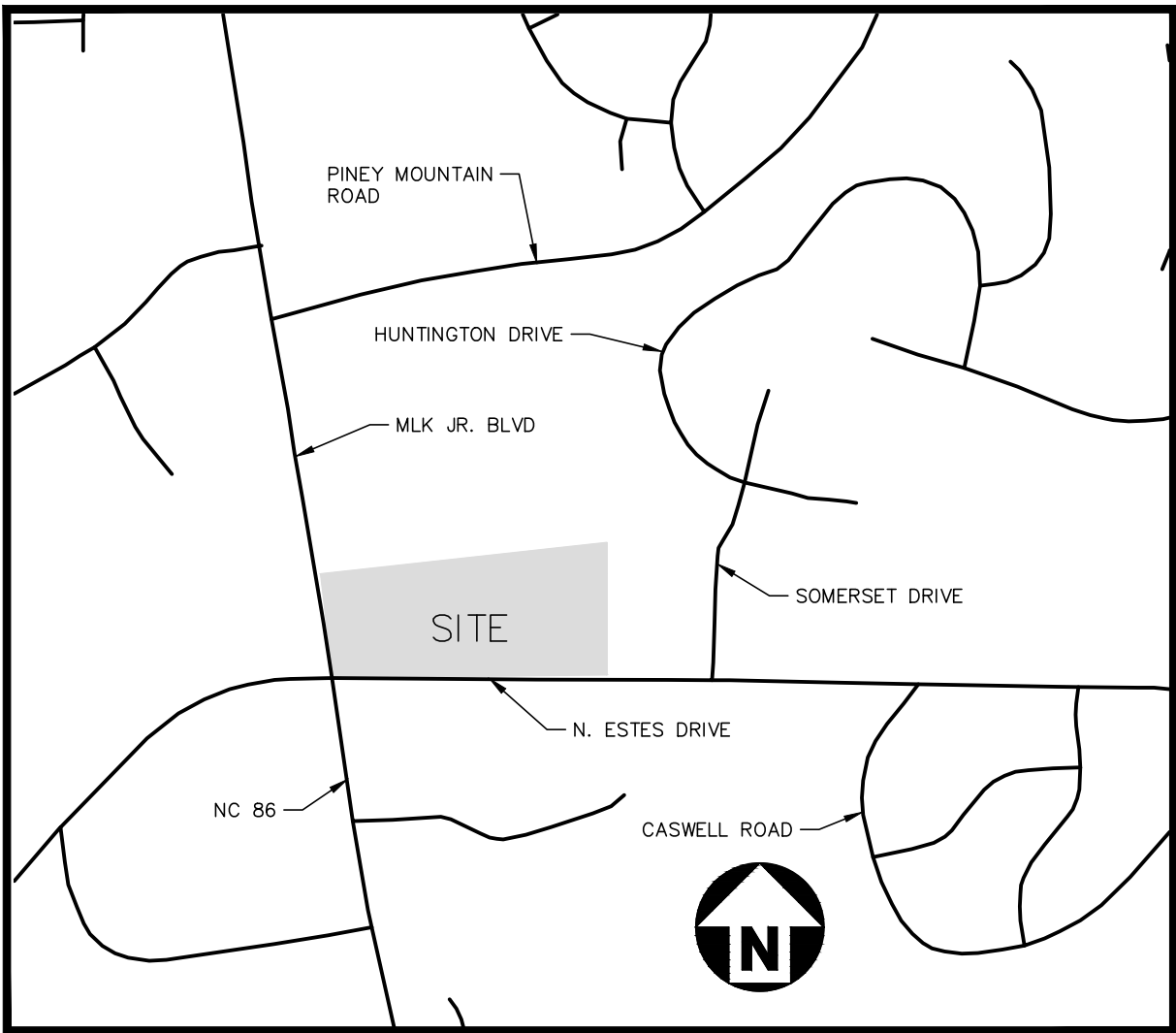
REVISED: NOVEMBER 12, 2020

REVISED: DECEMBER 18, 2020

REVISED: JANUARY 29, 2021

SITE DATA

PIN	9789359617	
SITE AREA	640,973 SF / 14.71 AC	
GROSS LAND AREA	640,973 SF + 10%(640,973SF) = 705,070.3 SF / 16.19 AC	
ZONING	EXISTING	R-1
	PROPOSED	OH-3
RIVER BASIN	CAPE FEAR	
WATERSHED	JORDAN LAKE	
WATERSHED PROTECTION	UNPROTECTED	
EXISTING USE	N/A	
PROPOSED USE	MIXED USE - COMMERCIAL, RESIDENTIAL	
IMPERVIOUS	EXISTING	0.03 AC (0.2%)
	MAX ALLOWED	11.33 AC (70.0%)
	PROPOSED	10.70 AC (66.1%)
UNITS	SINGLE FAMILY	44 UNITS
	MULTIFAMILY	1BR: 221 UNITS
		2BR: 125 UNITS
		3BR: 15 UNITS
	AFFORDABLE CONDOS	1BR: 6 UNITS
VEHICULAR PARKING	REQUIRED	PER SECTION 5.9.7 OF THE UDO, OH-3 HAS NO MIN OR MAX PARKING REQUIREMENTS
	PROPOSED	356 DECK SPACES 190 ON-SITE SPACES 88 TOWNHOUSE SPACES TOTAL: 634 SPACES
ELECTRIC VEHICLE PARKING	PROPOSED	20 SPACES
ACCESSIBLE PARKING	REQUIRED	12 SPACES (2 VAN)
	PROPOSED	16 SPACES (9 VAN)
BIKE PARKING	REQUIRED	RETAIL: 7,521SF = 4 SPACES (MIN BY CODE) OFFICE: 2,316 SF = 4 SPACES (MIN BY CODE) CONV. REST.: 6,020SF = 16 SPACES (20% LONG TERM, 80% SHORT TERM)
		379 UNITS = 95 SPACES (90% LONG TERM, 10% SHORT TERM)
		TOTAL = 24 SPACES (5 LONG, 20 SHORT) 95 SPACES (86 LONG, 10 SHORT)
	PROPOSED	119 SPACES (91 LONG, 30 SHORT)
MAXIMUM BUILDING HEIGHT	REQUIRED	60'
	PROPOSED	N/A
RECREATION SPACE	REQUIRED	0.15*705,070.3 SF/2 = 10,576 SF
	PROPOSED	61,062 SF
SETBACKS	REQUIRED	STREET = 0 FT MIN = N/A MAX INTERIOR = 0 FT SOLAR = 0 FT
		STREET = 0 FT MIN = N/A MAX INTERIOR = 0 FT SOLAR = 0 FT
DISTURBED AREA	15.00 AC	



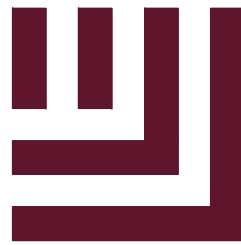
VICINITY MAP
N.T.S.

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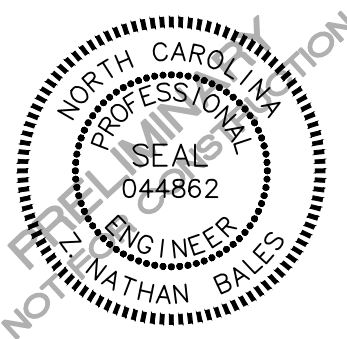
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REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11. 13. 2020	REVISED PER 1ST ZCP COMMENTS
2	12. 18. 2020	REVISED PER 2ND ZCP COMMENTS
3	01. 29. 2021	REVISED PER 3RD ZCP COMMENTS

CONDITIONAL ZONING PERMIT PLANS FOR:

AURA
CHAPEL HILL, NORTH CAROLINA, 27514
PROJECT NUMBER: TRG-20000

ORANGE COUNTY SOLID WASTE STANDARD PLAN NOTES (CONSTRUCTION WASTE):

- 1. ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER SHALL BE ASSESSED PRIOR TO THE ISSUANCE OF A DEMOLITION PERMIT TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DECONSTRUCTION AND/OR THE REUSE OF SALVAGEABLE MATERIALS. CONTACT THE ORANGE COUNTY SW ENFORCEMENT OFFICER AT 919-968-2788 TO ARRANGE FOR THE ASSESSMENT.
- 2. PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
- 3. PURSUANT TO THE COUNTY'S RRMO, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE WHICH INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
- 4. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
- 5. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS ('ACM') AND/OR OTHER HAZARDOUS MATERIALS SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

LANDSCAPE PROTECTION NOTES:

- 1. PLAN SHOWS RARE AND SPECIMEN TREES IN ACCORDANCE WITH THE ORDINANCE THAT WAS IN EFFECT AT THE TIME OF APPROVAL.
- 2. LANDSCAPING ON EAST SIDE OF SITE ALONG THE ALTERNATIVE BUFFER SHALL BE COORDINATED TO PRESERVE EXISTING TREES AS MUCH AS POSSIBLE. PROPOSED PLANTINGS IN BUFFER MAY ENCRoACH BEYOND 'TREE PROTECTION' FENCE. CONFLICTS BETWEEN PROPOSED PLANTINGS AND EXISTING TREES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR REMEDIATION.
- 3. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH AUTOMATIC CONTROLLERS THAT ACTIVATE THE SYSTEM ACCORDING TO A DESIRED FREQUENCY AND DURATION, AND SHALL ALSO BE EQUIPPED WITH RAIN OR SOIL MOISTURE SENSORS THAT WILL PREVENT IRRIGATION DURING PERIODS OF RAINFALL OR WHEN THERE IS SUFFICIENT MOISTURE IN THE GROUND FOR PLANT HEALTH AND SURVIVAL IN ACCORDANCE WITH THE LOCAL GOVERNMENT WATER CONSERVATION ORDINANCES.

PAVEMENT MARKING/SIGNAGE NOTES:

- 1. ALL SIGNAGE SHALL BE COORDINATED WITH THE TOWN OF CHAPEL HILL.
- 2. ALL SIGNAGE SHALL MEET MUTCD STANDARDS AND SPECIFICATIONS.
- 3. ALL SIGNAGE SHALL MEET NCDOT PEDESTRIAN SAFETY SPECIFICATIONS.
- 4. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND/OR TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
- 5. ALL SIGNS SHALL BE PRISMATIC AND ADHERE TO THE MINIMAL RETROREFLECTIVITY STANDARDS FOUND IN THE LATEST VERSION OF THE MUTCD.
- 6. ALL PAVEMENT MARKINGS ON PUBLIC STREETS SHALL BE THERMOPLASTIC AND ARE TO BE PLACED PER NCDOT STANDARDS (REFERENCE 2012 NCDOT DETAILS (1205.01-1205.12)
- 7. SIGN DESIGNS FOR STREET NAME SIGNS SHALL BE APPROVED BY TRANSPORTATION/ENGINEERING DEPARTMENT STAFF TO ENSURE COMPLIANCE WITH MUTCD SPECIFICATIONS. DESIGNS MUST BE APPROVED BY TOWN STAFF PRIOR TO ACCEPTANCE OF STREETS OR ISSUANCE OF 1ST CO.
- 8. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPOPER LETTER HEIGHTS, AND RETROREFLECTIVITY.

GENERAL NOTES:

- 1. CONTRACTOR TO NOTIFY SURROUNDING PROPERTIES 7 DAYS PRIOR TO STARTING CONSTRUCTION.
- 2. CONTRACTOR TO PROVIDE NOTICE TO THE TOWN OF CHAPEL HILL REGARDING SPECIFIC DATES FOR ANY NECESSARY ROAD CLOSURES AND LANE REDUCTIONS.
- 3. GENERAL CONTRACTOR TO COORDINATE WITH SPECIFIC PROPERTIES AFFECTED BY THE PROPOSED ROAD CLOSURES IF REQUIRED TO ENSURE CONTINUOUS ACCESS TO THE AFFECTED PROPERTIES.
- 4. SETBACKS ARE PROPOSED UNDER THE PLANNED DEVELOPMENT HOUSING PROVISION OF THE LUMO AND ARE NOTED ON THIS SHEET.
- 5. ALL PARKING SHOWN SPACE MARKINGS SHALL BE PER THE TOWN OF CHAPEL HILL CODE FOR PARKING LOTS.
- 6. MINIMUM CORNER CLEARANCES FROM THE CURBLINE OF INTERSECTING STREETS SHALL BE AT LEAST 20' FROM THE POINT OF TANGENCY. NO DRIVEWAYS OR PARKING SPACES SHALL ENCRoACH ON THIS MINIMUM CORNER CLEARANCE.
- 7. WITHIN THE SIGHT DISTANCE TRIANGLES SHOWN, NO OBSTRUCTION BETWEEN 2' AND 8' IN HEIGHT ABOVE THE CURB LINE ELEVATION SHALL BE LOCATED IN WHOLE OR IN PART. OBSTRUCTIONS INCLUDE BUT ARE NOT LIMITED TO ANY BERM, FOLIAGE, FENCE, WALL, SIGN, OR PARKED VEHICLE.
- 8. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST TOWN OF CHAPEL HILL, NCDOT AND OWASA STANDARDS AND SPECIFICATIONS.
- 9. ALL DIMENSIONS SHOWN ON SITE PLAN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- 10. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS; FINAL RULE 29CFR PART 1926, SUBPART 1" APPLIES TO EXCAVATIONS EXCEEDING FIVE (5) FEET IN DEPTH. EXCAVATION EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRES THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER, PROVIDED BY CONTRACTOR RESPONSIBLE FOR EXCAVATION.
- 11. EQUIPMENT AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED PROVIDED APPROVAL HAS BEEN OBTAINED FROM THE OWNER IN WRITING PRIOR TO ORDERING OR INSTALLATION. THE CONTRACTOR SHALL WAIVE ANY CLAIM FOR ADDITIONAL COST RELATED TO THE SUBSTITUTION OF ALTERNATE EQUIPMENT.
- 12. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
- 13. CONTRACTOR IS RESPONSIBLE FOR COORDINATING CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE UTILITY COMPANIES FOR ANY REQUIRED RELOCATION (I.E. POWER POLES, TELEPHONE PEDESTALS, WATER METERS, ETC.).
- 14. PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE TOWN OF CHAPEL HILL ENGINEERING DEPARTMENT, ORANGE COUNTY SOIL AND EROSION DEPARTMENT, ENGINEER, AND OWNER/REPRESENTATIVE.
- 15. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- 16. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPER LETTER HEIGHTS, AND RETROREFLECTIVITY.
- 17. ALL ASPHALT EDGES SHALL BE SAW CUT TO PROVIDE A GOOD LONGITUDINAL JOINT. MILL 1.5 FEET AT 1.5 INCHES DEEP MINIMUM TO PROVIDE A LONGITUDINAL LAP JOINT FOR FINAL SURFACE LAYER. NO MILLING SHALL BE LEFT FOR A PERIOD OF TIME GREATER THAN 48 HOURS BEFORE A STREET IS TO BE REPAVED/RESURFACED.
- 18. SEPARATE BUILDING PERMITS ARE REQUIRED FOR RETAINING WALLS, DUMPTER ENCLOSURES, MONUMENTS, SIGNS, OR OTHER ACCESSORY STRUCTURES OR ELEMENTS.
- 19. 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.
- 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND/OR RELOCATION OF ALL EXISTING UTILITIES IN COORDINATION WITH THE APPROPRIATE UTILITY, AGENCY, OR COMPANY.
- 21. EXISTING CONTOURS ARE BASED ON SURVEY COMPLETED BY TIMMONS. EXISTING UTILITIES SHOWN ARE BASED ON SURVEY AND THE BEST AVAILABLE RECORDS. THE CONTRACTOR, HOWEVER, SHALL VERIFY CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THE PLANS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. FOR NECESSARY PLAN OR GRADE CHANGES, NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- 22. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THEIR ORIGINAL CONDITION OR TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
- 23. A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE EACH STRUCTURE WITH THE EXCEPTION OF THE FIRE PUMP.
- 24. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION PLUS 2 FEET.
- 25. A ZONE FOR FIRE DEPARTMENT LADDERS AND FIREFIGHTING OPERATIONS MUST BE PROVIDED, REQUIRING ALL LINES TO BE BURIED SURROUNDING STRUCTURES.
- 26. BACK WASH WATER FROM THE POOL SHALL DISCHARGE INTO THE SANITARY SEWER SYSTEM, NOT STORM SEWER, AND SHALL NOT EXCEED 50 GALLONS PER MINUTE.
- 27. CONTRACTOR TO CONTACT THE CHAPEL HILL STORMWATER MANAGEMENT DIVISION AT 919-969-7246 TO SCHEDULE SITE INSPECTION AT LEAST TEN (10) DAYS IN ADVANCE OF REQUESTING THE CERTIFICATE OF OCCUPANCY.
- 28. IMPROVEMENTS, STRUCTURES, FIXTURES, SIGNS, TABLES, CHAIRS, PLANTERS, OR ANY OTHER OBJECT SHALL NOT BE PLACED IN SIDEWALK AREAS FOR ANY PERIOD OF TIME.
- 29. FLOOR DRAINS FROM THE ROOFED PARKING AREA AND HVAC CONDENSATE SHALL NOT BE CONNECTED TO THE STORM SEWER SYSTEM.
- 30. ANY ROOF DRAINS OR OTHER PLUMBING INTENDED TO DISCHARGE TO THE STORM SEWER SYSTEM NOT SHOWN ON THE APPROVED PLANS ARE NOT APPROVED. ANY DISCHARGE DIRECTED TO THE STORM SEWER SYSTEM THAT IS NOT APPROVED WILL NEED TO APPROVAL FROM THE TOWN OF CHAPEL HILL STORMWATER MANAGEMENT DIVISION.
- 31. THE NORTH CAROLINA DEPARTMENT OF INSURANCE SHALL REVIEW AND APPROVE ANY PROJECTS LISTED IN TABLE 104.1 OF THE NORTH CAROLINA ADMINISTRATION AND POLICIES CODE BEFORE THE TOWN OF CHAPEL HILL WILL BEGIN ITS BUILDING PERMIT REVIEW.
- 32. A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE THE STRUCTURE WITH THE EXCEPTION OF THE FIRE PUMP, IN ACCORDANCE WITH ARTICLE 230.2(A) OF THE 2017 NORTH CAROLINA ELECTRICAL CODE.
- 33. CURB AND GUTTER AND ATLEAST THE FIRST LIFT OF ASPHALT FOR THE ROADS MUST BE PLACED PRIOR TO THE START OF CONSTRUCTION.
- 34. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE THE MINIMUM REQUIRED HANDICAPPED PARKING SPACES AND DESIGN ALL HANDICAPPED PARKING SPACES, RAMPS, CROSSWALKS, AND ASSOCIATED INFRASTRUCTURE ARCHITECT, ACCORDING TO THE AMERICANS WITH DISABILITIES ACT STANDARDS, NORTH CAROLINA BUILDING CODE, AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) CODE, AND TOWN STANDARD.
- A. THE NUMBER OF PARKING SPACES SHALL COMPLY WITH NCBC 2018 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE. NO SLOPE SHALL EXCEED 2% IN ANY DIRECTION. SIGNAGE SHALL BE PLACED IN ACCORDANCE WITH NCBC 2018 REQUIREMENTS, MUTCD AND ACC A 117.1.
- B. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 EDITION, CROSS SLOPE LIMITED TO 2%. CALL TOWN OF CHAPEL HILL BUILDING INSPECTIONS OFFICE FOR INSPECTION PRIOR TO PLACEMENT OF CONCRETE.
- C. SLOPES GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.
- 35. FINAL LOCATION OF GAS LINE INSTALLED BY DOMINION ENERGY TO BE VERIFIED IN FIELD PRIOR TO THE INSTALLATION OF ANY FURNISHINGS REQUIRING GAS CONNECTIONS, INCLUDING BUT NOT LIMITED TO FIRE PITS, FIRE TABLES AND OUTDOOR GRILLING STATIONS. CONTRACTOR SHALL COORDINATE WITH DOMINION ENERGY, LANDSCAPE ARCHITECT, ARCHITECT AND OWNER FOR CONNECTIONS TO GAS LINE. CONNECTIONS TO BE PROVIDED BY A LICENSED GAS FITTER/TECHNICIAN AND SHALL CONFIRM TO ALL LOCAL AND STATE REGULATIONS.

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GRADING & STORM DRAINAGE NOTES:

- 1. CONTRACTOR SHALL NOTIFY NC 811 (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS 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 NC 811. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
- 2. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE ORANGE COUNTY SOIL AND EROSION CONTROL OFFICER, TOWN OF CHAPEL HILL STORM WATER MANAGEMENT DIVISION, AND OWNER'S REP/ENGINEER.
- 3. CONTRACTOR TO CONTACT MICHAEL WRIGHT WITH THE TOWN OF CHAPEL HILL AT 919-969-5084 TO POST EROSION CONTROL BOND PRIOR TO ANY LAND DISTURBANCE.
- 4. GRADING AND CONTOURS ARE BASED ON NORTH AMERICAN VERTICAL DATUM 88 (NAVDD88).
- 5. SOIL UNDER BUILDINGS AND PAVED AREAS SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER AND SHOULD MEET OR EXCEED TOWN OF CHAPEL HILL STANDARDS.
- 6. GRADING IN AREAS DESIGNATED AS "ACCESSIBLE" SHALL COMPLY WITH ALL FEDERAL AND LOCAL ACCESSIBILITY RULES AND GUIDELINES. EVEN THOUGH PLANS MAY NOT SHOW ALL SPOT ELEVATIONS IN THESE REGIONS, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE AREAS ARE GRADED TO AMERICAN DISABILITY ACT (ADA) COMPLIANT SPECIFICATIONS.
- 7. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY AREAS WHERE SPILL CURB IS NECESSARY TO CONVEY RUNOFF TO THE NEAREST CATCH BASIN OR DRAIN INLET. THE OWNER AND/OR ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR CURBING INSTALLED PRIOR TO PAVING THAT DOES NOT DRAIN PROPERLY.
- 8. ALL PROPOSED INLETS, CATCH BASINS, AND DROP INLETS SHALL BE PROTECTED BY EROSION CONTROL MEASURES AS SHOWN AND SPECIFIED ON THE EROSION CONTROL PLAN
- 9. THE CURB INLETS AND YARD INLETS SHALL BE CONSTRUCTED IN THE LOCATIONS SHOWN UNLESS OTHERWISE DIRECTED BY THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR REPORTING ANY DISCREPANCIES IN THE CATCH BASIN ELEVATIONS OR THE PROPOSED PIPE SLOPES TO THE ENGINEER. THE CONTRACTOR IS ALSO RESPONSIBLE TO REPORT ANY CONFLICTS BETWEEN ANY UTILITY, STORM DRAIN LINE, WATER LINE, SEWER LINE OR ANY OTHER PROPOSED OR EXISTING STRUCTURE TO THE ENGINEER.
- 10. THE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS. THE CONTRACTOR SHALL FIELD VERIFY GRADES SURROUNDING ALL BUILDINGS PRIOR TO GRADING ACTIVITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
- 11. PIPE SPECIFIED AS RCP MAY BE SUBSTITUTED IF APPROVED BY THE TOWN OF CHAPEL HILL WITH APPROVED MATERIALS PER THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS OUTSIDE OF PUBLIC RIGHT-OF-WAY AND EASEMENTS. ALL BEDDING FOR ALTERNATE MATERIALS SHALL CONFORM TO NCDOT, AASHTO AND ASTM SPECIFICATIONS.
- 12. THE MINIMUM PIPE SIZE WITHIN A PUBLIC RIGHT-OF-WAY IS 15".
- 13. FOR ALL PIPE OUTLETS 60" AND GREATER (SINGLE) AND 36" (MULTI COATED) HEADWALLS/ENDWALLS SHALL BE USED AND A 4' HIGH BLACK POLY COATED CHAIN LINK FENCE PLACED OVER THE WALL.
- 14. FOR NPDES PERMIT COMPLIANCE, ALL SLOPES 3:1 AND STEEPER MUST BE STABILIZED WITHIN 7 DAYS, ALL OTHER AREAS MUST BE STABILIZED WITHIN 14 DAYS.
- 15. ALL STORM PIPE SPECIFIED AS REINFORCED CONCRETE (RCP) SHALL BE MINIMUM CLASS III PIPE.
- 16. ALL STORM PIPE SHALL BE LAID AT LEAST 18" HORIZONTALLY OR 18" VERTICALLY FROM ANY WATER MAIN AND 24" VERTICALLY FROM ANY SEWER MAIN. REFER TO NCAC 02T RULES FOR EXEMPTIONS.
- 17. GEOTEXTILE FABRIC OR APPROVED EQUIVALENT ARE REQUIRED AT ALL DISSIPATOR PADS.

FIRE DEPARTMENT NOTES:

- 1. SITE SHALL COMPLY WITH THE LATEST NATIONAL BUILDING AND FIRE CODES.
- 2. FUNCTIONAL FIRE PROTECTION SHALL BE PROVIDED PRIOR TO THE ARRIVAL OF COMBUSTIBLE MATERIALS ON THE SITE.
- 3. FIRE ACCESS ROUTE SHALL HAVE A MINIMUM RADIUS OF 28' (FACE OF CURB) TO ALLOW FIRE APPARATUS ACCESS THROUGH SITE (IFC 503.2.4).
- 4. ANY GATES ACROSS FIRE APPARATUS ACCESS ROADS SHALL BE A MINIMUM WIDTH OF 20', BE OF SWINGING OR SLIDING TYPE AND HAVE AN EMERGENCY MEANS OF OPERATION. ALL GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE OPERABLE BY EITHER FORCIBLE ENTRY OR KEVED AND MUST BE CAPABLE OF BEING OPERATED MY ONE PERSON. ALL GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE INSTALLED AND MAINTAINED ACCORDING TO UL175 AND ASTM F2200.
- 5. ALL PORTIONS OF THE FIRST FLOOR OF THE BUILDING MUST BE WITHIN 150' OF THE FIRE ACCESS ROUTE (IFC 503.1.1)
- 6. BUILDING ADDRESSES SHALL BE PLACED ON BOTH SIDES OF THE BUILDING ON A CLEARLY VISIBLE PLACARD FOR LOCATION PURPOSES.
- 7. ALL FIRE TRUCK ACCESSIBLE ROUTES SHALL BE RATED FOR 80,000 LB AND HAVE A MINIMUM CLEAR WIDTH OF 26' (IFC 503.2.1).
- 8. FIRE RISER ROOM SHALL BE EQUIPPED WITH AN EXTERNAL LOCK BOX.
- 9. RISER ROOM SHALL HAVE ADEQUATE DRAINAGE FOR EMERGENCY RPD DISCHARGE.
- 10. PRIVATE FIRE SERVICE MAINS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 24, NC FPC 507.2.1.
- 11. ALL CONSTRUCTION AND DEMOLITION CONDUCTED SHALL BE IN COMPLIANCE WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC.
- 12. OPEN BURNING OF TREES, LIMBS, STUMPS, AND CONSTRUCTION DEBRIS ASSOCIATED WITH THIS DEVELOPMENT IS PROHIBITED.
- 13. DURING CONSTRUCTION, VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION ALLOWS PASSAGE OF VEHICLES. SIGNS SHALL BE OF AN APPROVED SIZE, WEATHER RESISTANCE AND MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
- 14. THE OWNER/DEVELOPER SHALL DESIGNATE ONE PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR ENFORCING CHAPTER 14 OF THE NCFCP AND THE ON-SITE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT.

RETAINING WALL NOTES

- 1. THE RETAINING WALL ALIGNMENT SHOWN ON THESE PLANS DEPICTS THE LOCATION OF THE FRONT FACE OF THE RETAINING WALL AT THE TOP OF THE WALL. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING RETAINING WALLS ARE NOT LOCATED IN ANY STREAM BUFFERS, AND THEIR CONSTRUCTION DOES NOT ENCRoACH INTO ANY ADJACENT PROPERTIES DUE TO ANY BATTER INCORPORATED IN THE DESIGN OF THE WALLS.
- 2. RETAINING WALLS ARE TO BE DESIGN-BUILD PROJECTS BY THE CONTRACTOR. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN FINAL CONSTRUCTION DRAWINGS FROM A REGISTERED ENGINEER AND GAIN ALL REQUIRED PERMITS NECESSARY FOR THE CONSTRUCTION OF THE RETAINING WALLS.
- 3. RETAINING WALLS SHALL BE ASSUMED TO BE BACKFILLED WITH OFF-SITE BORROW MATERIAL OR PROCESSED FILL, UNLESS THE CONTRACTOR CAN PROVIDE TO THE OWNER WITH CONFIRMATION FROM THE GEOTECHNICAL ENGINEER AND THE RETAINING WALL DESIGNER, THAT READILY AVAILABLE ON-SITE SOILS CAN BE USED.
- 4. THE TOP AND BOTTOM OF WALL ELEVATIONS SHOWN ON THESE PLANS IDENTIFY FINISHED GRADE ELEVATIONS ONLY. THE EXTENT THAT THE RETAINING WALL WILL BE EXTENDED BELOW GRADE TO THE FOOTING OR ABOVE GRADE TO THE TOP OF THE CAP BLOCK COURSE SHALL BE IDENTIFIED ON THE RETAINING WALL CONSTRUCTION DRAWINGS.
- 5. ALL RETAINING WALLS OVER 30" HIGH SHALL HAVE A SAFETY FENCE (DESIGN BY OTHERS).
- 6. ANY PART OF ANY RETAINING WALL THAT EXTENDS INTO THE RIGHT-OF-WAY WILL REQUIRE AN ENCROACHMENT AGREEMENT. ENCROACHMENT AGREEMENTS FOR RETAINING WALLS SHALL BE APPROVED PRIOR TO CONSTRUCTION DRAWING APPROVAL.
- 7. ANY TIEBACK SYSTEMS FOR THE RETAINING WALLS SHALL NOT BE ALLOWED WITHIN PUBLIC RIGHT-OF-WAY.
- 8. STORMWATER RUN-OFF SHALL BE DIRECTED AWAY FROM RETAINING WALLS. ANY RUN-OFF FLOWING TO AND OVER A RETAINING WALL SHALL BE KEPT TO AN ABSOLUTE MINIMUM AND BROUGHT TO THE ATTENTION OF THE WALL DESIGNER PRIOR TO THEIR DESIGN.

ORANGE WATER AND SEWER AUTHORITY UTILITY NOTES:

- 1. STANDARDS AND SPECIFICATIONS - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH OWASA STANDARDS AND SPECIFICATIONS LATEST REVISED EDITION.
- 2. PRECONSTRUCTION CONFERENCE - A PRECONSTRUCTION CONFERENCE WITH THE OWASA CONSTRUCTION INSPECTOR IS REQUIRED BEFORE BEGINNING ANY UTILITY CONSTRUCTION.
- 3. PROJECT ACCEPTANCE - IN ADDITION TO A FINAL INSPECTION APPROVED BY THE OWASA CONSTRUCTION INSPECTOR, THE FOLLOWING DOCUMENTS MUST BE RECEIVED AND APPROVED BY OWASA BEFORE ACCEPTANCE OF THE PROJECT AND THE SETTING OF METERS:
 - ENGINEER'S CERTIFICATION OF PUBLIC SEWER - ORIGINAL CALCULATIONS
 - ENGINEER'S CERTIFICATION OF PUBLIC WATER - ORIGINAL DOCUMENT
 - ASSET LETTER - ORIGINAL DOCUMENT
 - LETTER OF DEDICATION - ORIGINAL DOCUMENT
 - AS BUILT DRAWINGS (INCLUDING 1"=100' SCALE SITE PLAN) AS BUILTS OF SEWER CONSTRUCTION SUBJECT TO REVIEW AND APPROVAL BY NCDENR DIVISION OF WATER QUALITY.
 - MANHOLE DATA SHEETS
 - RECORDED PLAT
 - ORIGINAL RECORDED WATER AND SEWER DEEDS OF EASEMENT - PREPARED USING OWASA'S STANDARD FORM.
- 4. SEWER STATEMENT - SEWER LINES UNDER CONSTRUCTION SHALL BE PLUGGED WITH A MECHANICAL PLUG AT THE FIRST MANHOLE UPSTREAM FROM THE POINT OF CONNECTION. PLUG SHALL BE PLACED IN THE OUTLET CONNECTION AND SECURED WITH STEEL CABLE. PLUG SHALL REMAIN IN PLACE UNTIL ACCEPTANCE OF LINES BY OWASA. WATER, STONE, DIRT, OR ANY OTHER DEBRIS SHALL NOT BE ALLOWED TO ENTER THE OWASA SANITARY SEWER SYSTEM DURING FLUSHING OPERATIONS OR AT ANY OTHER TIME. CONSTRUCTION TAKING PLACE IN THE VICINITY OF ANY EXISTING OWASA SEWER LINES OR MANHOLES SHALL NOT CAUSE ANY INFLOW OF SURFACE WATER OR DEBRIS TO ENTER THE REMAIN ACCESSIBLE AT ALL TIMES. THE OWNER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES INCURRED TO THE OWASA SANITARY SEWER SYSTEM AND FINES IMPOSED BY THE STATE OF NORTH CAROLINA DIVISION OF WATER QUALITY DUE TO SEWER SPILLS OR OVERFLOWS.
- 5. SEWER SERVICES - SEWER SERVICES LOCATED WITHIN PUBLIC RIGHT-OF-WAY OR OWASA SEWER EASEMENTS MUST BE CONSTRUCTED OF DUCTILE IRON PIPE FROM THE TAP UP TO AND INCLUDING THE FIRST CLEAN-OUT. EXCEPT FOR DEAD END MANHOLES, ALL 4" INCH SEWER SERVICES MUST BE TAPPED INTO THE SEWER MAIN. ALL 6" SERVICES MUST BE CONNECTED TO A MANHOLE. CLEANOUTS SHALL BE SPACED NO MORE THAN 75 FEET APART. CLEANOUTS LOCATED IN PAVEMENT AREAS SHALL BE HEAVY DUTY TRAFFIC RATED CONSTRUCTION.
- 6. BLOCKING AND RODDING - RETAINER GLANDS TO BE USED ON ALL MECHANICAL JOINTS IN ADDITION TO RODDING AND BLOCKING.
- 7. EXISTING VALVES - CONTRACTOR RESPONSIBLE FOR VERIFYING THAT EXISTING VALVE AT THE POINT OF CONNECTION TO THE OWASA SYSTEM IS ADEQUATE FOR PERFORMING AND PASSING HYDROSTATIC PRESSURE AND LEAKAGE TEST. CONTRACTOR, AT HIS EXPENSE, MAY OPTIONALLY REPLACE VALVE OR INSTALL A NEW VALVE FOR THE PURPOSE OF PERFORMING A PRESSURE TEST FOR NEW MAIN INSTALLATION. IF CONTRACTOR ELECTIONS TO PRESSURE TEST AGAINST EXISTING VALVE, CONTRACTOR ACCEPTS RESPONSIBILITY FOR ENSURING PASSING PRESSURE TEST IN ACCORDANCE WITH OWASA REQUIREMENTS. IN ANY CASE, NO CLAIM WHATSOEVER SHALL BE MADE AGAINST OWASA FOR FAILURE OF PRESSURE TEST. EXISTING WATER VALVES SHALL BE OPERATED BY OWASA PERSONNEL ONLY. VALVES THAT SEPARATE PURITY APPROVED WATER AND UNAPPROVED WATER ARE TO REMAIN CLOSED AT ALL TIMES. VALVES MAY BE TEMPORARILY OPENED FOR LOADING AND FLUSHING BY THE OWASA INSPECTOR ONLY.
- 8. DECHLORINATION REQUIREMENTS - THE CONTRACTOR SHALL BE RESPONSIBLE FOR NEUTRALIZATION OF CHLORINATED WATER AT THE POINT OF DISCHARGE FROM THE MAIN BEING TESTED. THIS SHALL OCCUR FOLLOWING CHLORINATED TO DISINFECT A MAIN OR ANY OTHER TIME WHEN ELEVATED LEVELS OF CHLORINE COULD POTENTIALLY BE DISCHARGED INTO THE ENVIRONMENT BY THE CONTRACTOR. AT THE TIME THE DISINFECTION AND PURITY TESTING PROCEDURES ARE DISCUSSED WITH THE OWASA CONSTRUCTION INSPECTOR, THE PROCEDURE FOR DECHLORINATION WILL BE COVERED. ABSOLUTELY NO FLUSHING, DISINFECTION, OR PURITY SAMPLING IS TO TAKE PLACE WITHOUT PRIOR APPROVAL OF A SAMPLING PLAN BY THE OWASA INSPECTOR.
- 9. DEWATERING OF THE POOL SHALL NOT DISCHARGE INTO STORM SYSTEM UNLESS DE-CHLORINATED PRIOR TO DEWATERING.
- 10. PLEASE BE ADVISED THAT OWASA APPROVAL OF THIS PROJECT IS FOR COMPLIANCE WITH OWASA POLICIES, STANDARDS, AND SPECIFICATIONS ONLY. ALL OTHER MATTERS PERTAINING TO THIS PROJECT ARE THE RESPONSIBILITY OF THE DESIGN ENGINEER. OWASA APPROVAL DOES NOT PRECLUDE THE DEVELOPER, PROJECT ENGINEER, CONTRACTOR, OR OTHER AGENTS OR PARTIES ACTING ON THEIR BEHALF FROM FULL COMPLIANCE WITH OWASA CURRENT STANDARDS, SPECIFICATIONS, AND PROCEDURES OR FROM COMPLYING WITH ANY AND ALL STATUTES, RULES, REGULATIONS, AND ORDINANCES WHICH MAY BE IMPOSED BY OTHER GOVERNMENT AGENCIES (LOCAL, STATE, AND FEDERAL) WHICH MAY HAVE JURISDICTION. VIOLATIONS WILL RESULT IN THE OWASA PROJECT APPROVAL BEING RESCINDED.
- 11. CONTACT NC 811 (811 OR 1-800-632-4949) AND OWASA (919-968-4421) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO ANY EXCAVATION OR CONSTRUCTION TO HAVE EXISTING UTILITIES LOCATED.
- 12. DISCHARGE FROM THIS PROJECT MUST BE IN COMPLIANCE WITH THE OWASA SEWER USE ORDINANCE. A GREASE INTERCEPTOR SHALL BE PROVIDED WHEN IN THE OPINION OF OWASA IT IS NECESSARY FOR THE PROPER HANDLING OF WASTEWATER CONTAINING EXCESSIVE AMOUNTS OF GREASE. ALL INTERCEPTION UNITS MUST BE OF THE TYPE AND CAPACITY WHICH IS CERTIFIED BY THE PROJECT ENGINEER AS MEETING THE REQUIREMENTS OF OWASA.
- 13. BACKFLOW PREVENTION WILL BE REQUIRED IN ACCORDANCE WITH OWASA CROSS-CONNECTION CONTROL ORDINANCE AND MANUAL.
- 14. DOMESTIC SERVICE TO INCLUDE REDUCED PRESSURE BACKFLOW PREVENTION ASSEMBLY.
- 15. FIRE SERVICE TO INCLUDE RPDA BACKFLOW DEVICE.
- 16. FIRE PROTECTION SYSTEMS - PRESSURE TESTING, CHLORINATION, AND PURITY TESTING SHALL BE COMPLETED BEFORE THE INSTALLATION OF THE RPDA UNIT.
- 17. REMOTE READ-OUT DEVICES - RPDA AND RPZ DEVICES LOCATED INSIDE BUILDINGS MUST BE EQUIPPED WITH AN AMR METER TO BE PURCHASED FROM OWASA AND INSTALLED BY THE CONTRACTOR. CONTACT THE OWASA CONSTRUCTION INSPECTOR FOR DETAILS OF THIS INSTALLATION.
- 18. FOR FIRE SERVICE BACKFLOW DEVICES, USE A DOUBLE CHECK DETECTOR, REDUCED PRESSURE ZONE ASSEMBLY MEETING THE STANDARDS OF THE OWASA CROSS CONNECTION CONTROL ORDINANCE AND MANUAL. INSTALL THE DEVICE IN AN INTERNAL RISER ROOM WITH EXTERNAL ACCESS. CLEARANCES SHALL COMPLY WITH THE OWASA CROSS CONNECTION CONTROL ORDINANCES AND MANUAL. ACCESS TO RISER ROOM FROM OUTSIDE SHALL INCLUDE PROVISIONS FOR THE FIRE DEPARTMENT SUCH AS A KNOX BOX.
- 19. ALL BUILDINGS WITH FIRE SUPPRESSION LINES MUST HAVE BACKFLOW DEVICES LOCATED INSIDE THE BUILDING IN AN ABOVE GROUND LOCATION ADJACENT TO THE OUTSIDE WALL WHERE THE WATERLINE ENTERS THE BUILDING.
- 20. FOR IRRIGATION SERVICE BACKFLOW DEVICE, USE A REDUCED PRESSURE ZONE ASSEMBLY MEETING THE STANDARDS OF THE OWASA CROSS CONNECTION CONTROL ORDINANCE AND MANUAL. INSTALL THE IRRIGATION DEVICE INSIDE AN ABOVE GROUND HOT BOX.
- 21. UNDERGROUND VAULTS FOR METERS SHALL BE DRAINED BY PVC SCHEDULE 40 DRAINS TO DAYLIGHT INTO SLOPES. CONNECTION TO STORM STRUCTURES IS ONLY ALLOWED WITH THE CONSENT OF OWASA. DRAIN SIZES SHALL BE 2" DIAMETER FOR METERS OR DEVICES LESS THAN 2" AND SHALL BE 4" DIAMETER FOR DEVICES OVER 2".
- 22. CONNECTION OF SANITARY SEWER SERVICE TO AN EXISTING MANHOLE SHALL COMPLY WITH OWASA STANDARDS, INCLUDING: CORE DRILL FOR OPENING INTO MANHOLE AND INSTALL WITH FLEXIBLE BOOT. IF PAVEMENT CUT IS REQUIRED, CONTRACTOR SHALL PATCH PAVEMENT IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND PROPER GEOTECHNICAL INFORMATION FOR SOIL LOADING.
- 23. IF HYDRAULIC ELEVATORS ARE USED THE SUMP MUST BE PLUMBED TO SANITARY SEWER LINES.
- 24. FIRE HYDRANTS MUST BE FULLY FUNCTIONAL AND PHYSICALLY APPROVED BY OWASA BEFORE COMBUSTIBLE MATERIALS CAN BE BROUGHT ON TO THE SITE.

REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11. 13. 2020	REVISED PER 1ST CZP COMMENTS
2	12. 18. 2020	REVISED PER 2ND CZP COMMENTS
3	01. 29. 2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-N1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	N/A
DATE	09. 24. 2020

SHEET

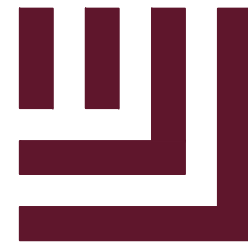
PROJECT NOTES

C0.00



Know what's below.
Call before you dig.

CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.



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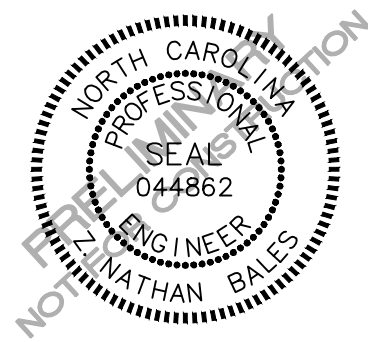
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www.mcadamsco.com

CLIENT

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PHONE: 919. 884. 7395

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01. 29. 2021	REVISED PER 3RD CZP COMMENTS

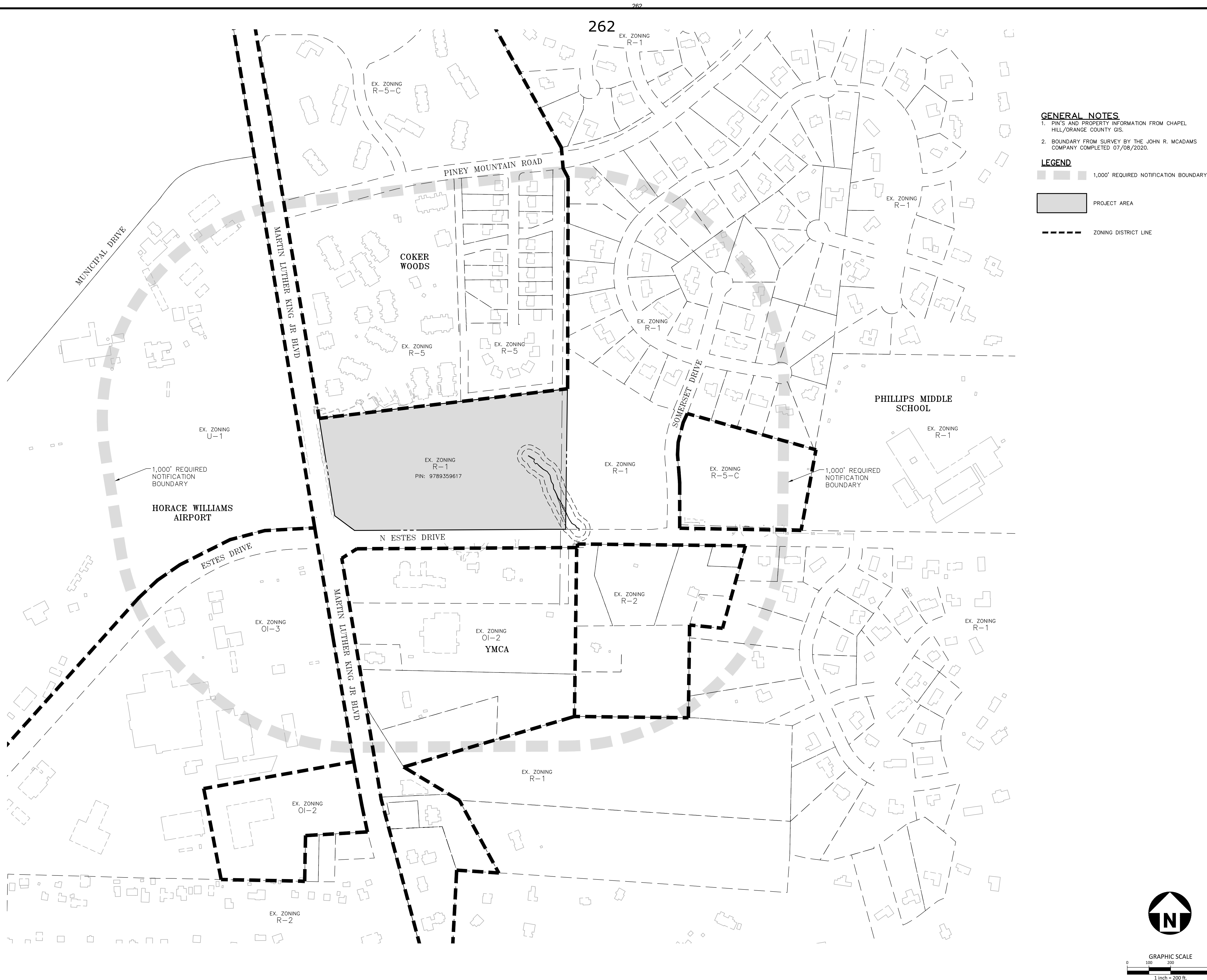
LAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-AM1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=200'
DATE	09. 24. 2020

SHEET

AREA MAP

C0.01





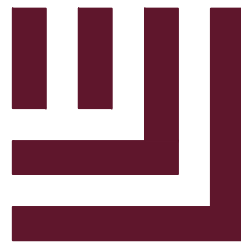
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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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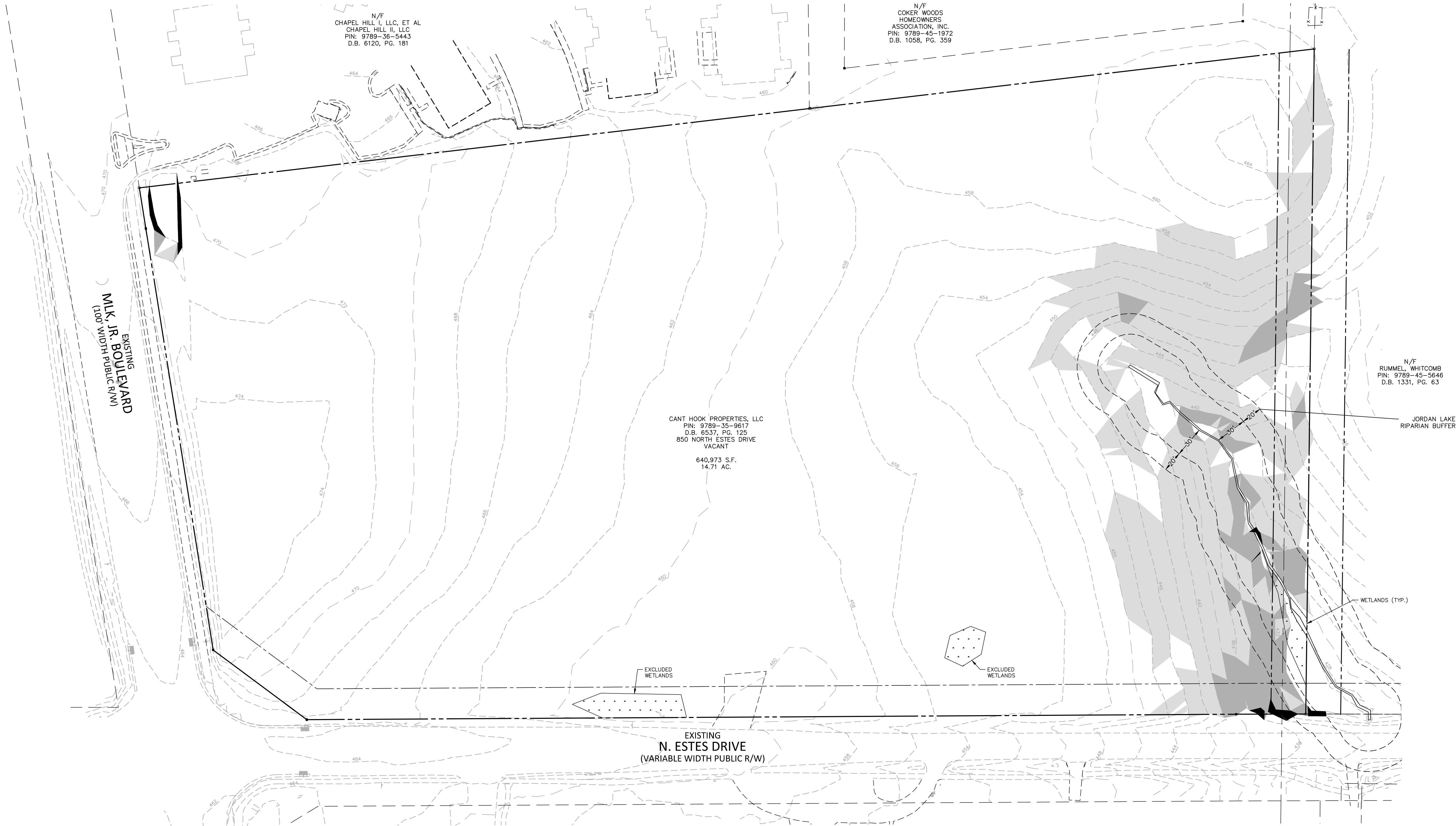
PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-SS1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=50'
DATE 09. 24. 2020

SHEET

STEEP SLOPES PLAN

C1.01

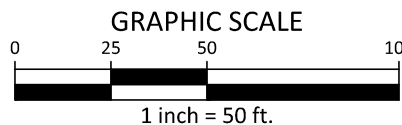
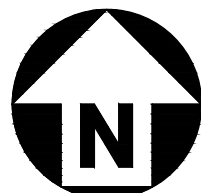


STEEP SLOPE LEGEND













- SLOPES 0% - 10% (12.37AC)
- SLOPES 10% - 15% (1.74AC)
- SLOPES 15% - 25% (0.42AC)
- SLOPES >25% (0.18AC)

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS



SITE LEGEND

- 

SIGNAGE

YARD LIGHTS

LIGHT POLE

POWER POLE

TRAFFIC DIRECTIONAL ARROW

ACCESSIBLE PARKING STALL




VAN ACCESSIBLE PARKING STALL

PARKING SPACE COUNT

ACCESSIBLE RAMPS

PROPERTY LINE

RIGHT-OF-WAY LINE

EASEMENT LINE
- 

TYPE A TYPE B TYPE C



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PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-OAS1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=50'
DATE	09.24.2020

SHEET

OVERALL SITE PLAN

C2.00

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

No.	Minor Street Name	Major Street Name	Design Speed of Major Street (mph)	Approach grade of minor street (%)	Number of Lanes to Cross (Left Turn)	Left Turn		Right Turn	
						Turn Time Gap (sec.)	Intersection Sight Distance (ft.) ¹	Turn Time Gap (sec.)	Intersection Sight Distance (ft.) ²
1	Stewart Blvd	North Estes Drive	40	-3.00	1	7.5	445	6.5	385
2	Aura Park Drive	MLK Jr Blvd	40	-1.50	N/A	-	-	6.5	385

- 1) Signalized Intersections do not require left turn sight distance.
2) Right-in / Right-out intersections do not require left turn sight distance.

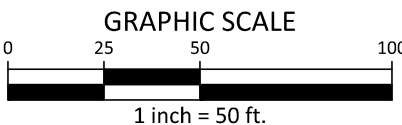
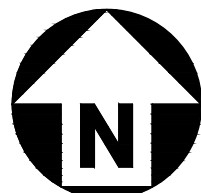
* Intersection Sight Distance from Formula 9-1 from AASHTO Geometric Design of Highways and Streets, 2004



AASHTO INTERSECTION SIGHT DISTANCE SUMMARY
STOP SIGN CONTROL - LEFT & RIGHT TURNS FROM MINOR STREET (PASSENGER CAR)
Project Name: Aura
Project Number: TRG-20000
Date: 9/24/2020
Calculated By: MRO

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

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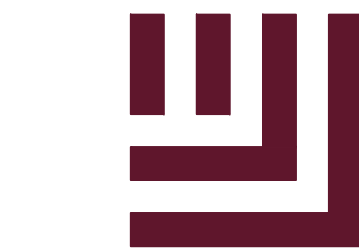


N/F
CHAPEL HILL II, LLC, ET AL
CHAPEL HILL II, LLC
PIN: 9789-36-5443
D.B. 6120, PG. 181

266

SITE LEGEND

- | | |
|--|------------------------------|
| | SIGNAGE |
| | YARD LIGHTS |
| | LIGHT POLE |
| | POWER POLE |
| | TRAFFIC DIRECTIONAL ARROW |
| | ACCESSIBLE PARKING STALL |
| | VAN ACCESSIBLE PARKING STALL |
| | PARKING SPACE COUNT |
| | ACCESSIBLE RAMPS |
| | ACCESSIBLE ROUTE |
| | PHASE LINE |
| | PROPERTY LINE |
| | RIGHT-OF-WAY LINE |
| | LOT LINE |
| | EASEMENT LINE |
| | CENTERLINE |
| | HEAVY DUTY ASPHALT PAVEMENT |
| | HEAVY DUTY CONCRETE PAVEMENT |



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PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-S1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=30'
DATE 09.24.2020

SHEET

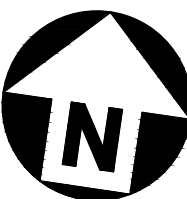
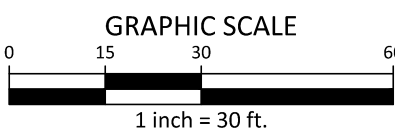
SITE PLAN - AREA A

C2.01

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

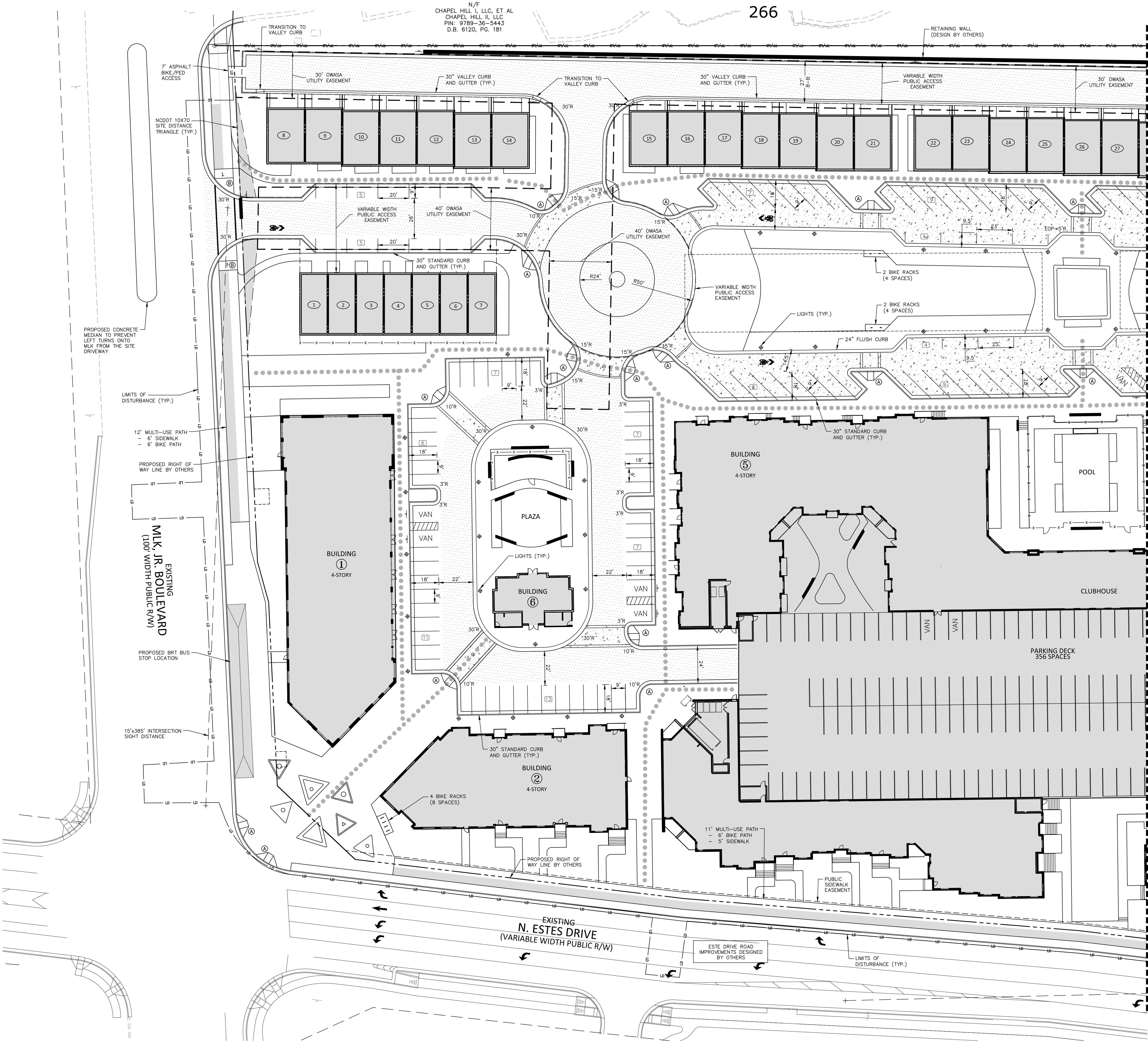
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

ALL STRIPING AND SYMBOLS TO BE PER MUTCD STANDARDS AND SPECIFICATIONS



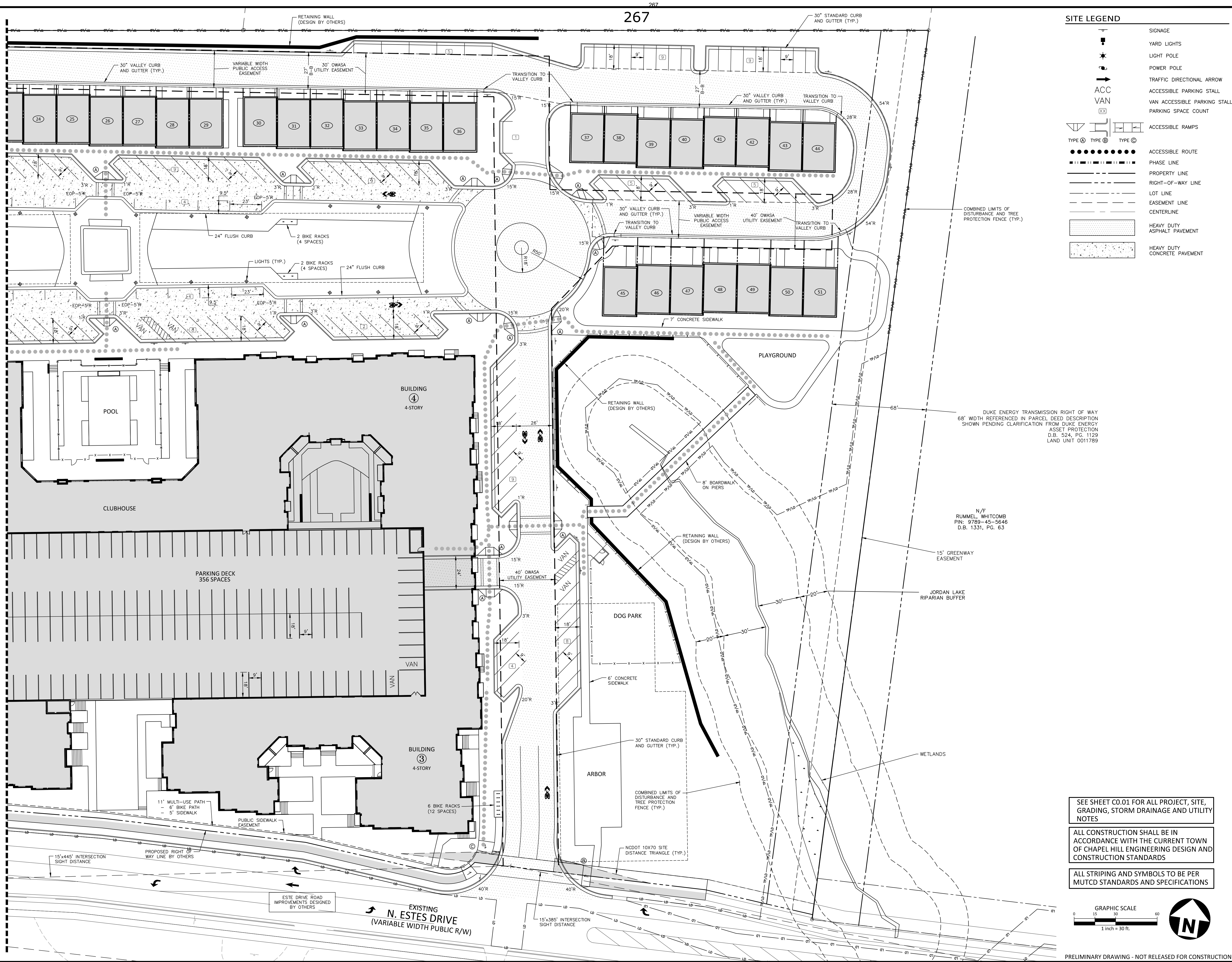
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

SEE SHEET C2.02

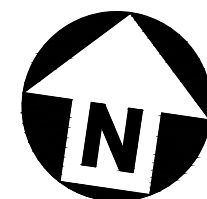
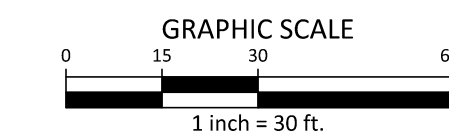


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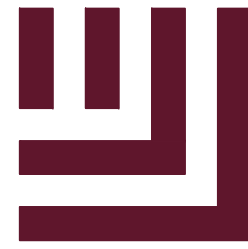
SEE SHEET C2.01



SITE LEGEND	
	SIGNAGE
	YARD LIGHTS
	LIGHT POLE
	POWER POLE
	TRAFFIC DIRECTIONAL ARROW
	ACCESSIBLE PARKING STALL
	VAN ACCESSIBLE PARKING STALL
	PARKING SPACE COUNT
	ACCESSIBLE RAMPS
	ACCESSIBLE ROUTE
	PHASE LINE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	HEAVY DUTY ASPHALT PAVEMENT
	HEAVY DUTY CONCRETE PAVEMENT



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-S1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=30'
DATE 09.24.2020

SHEET

SITE PLAN - AREA B

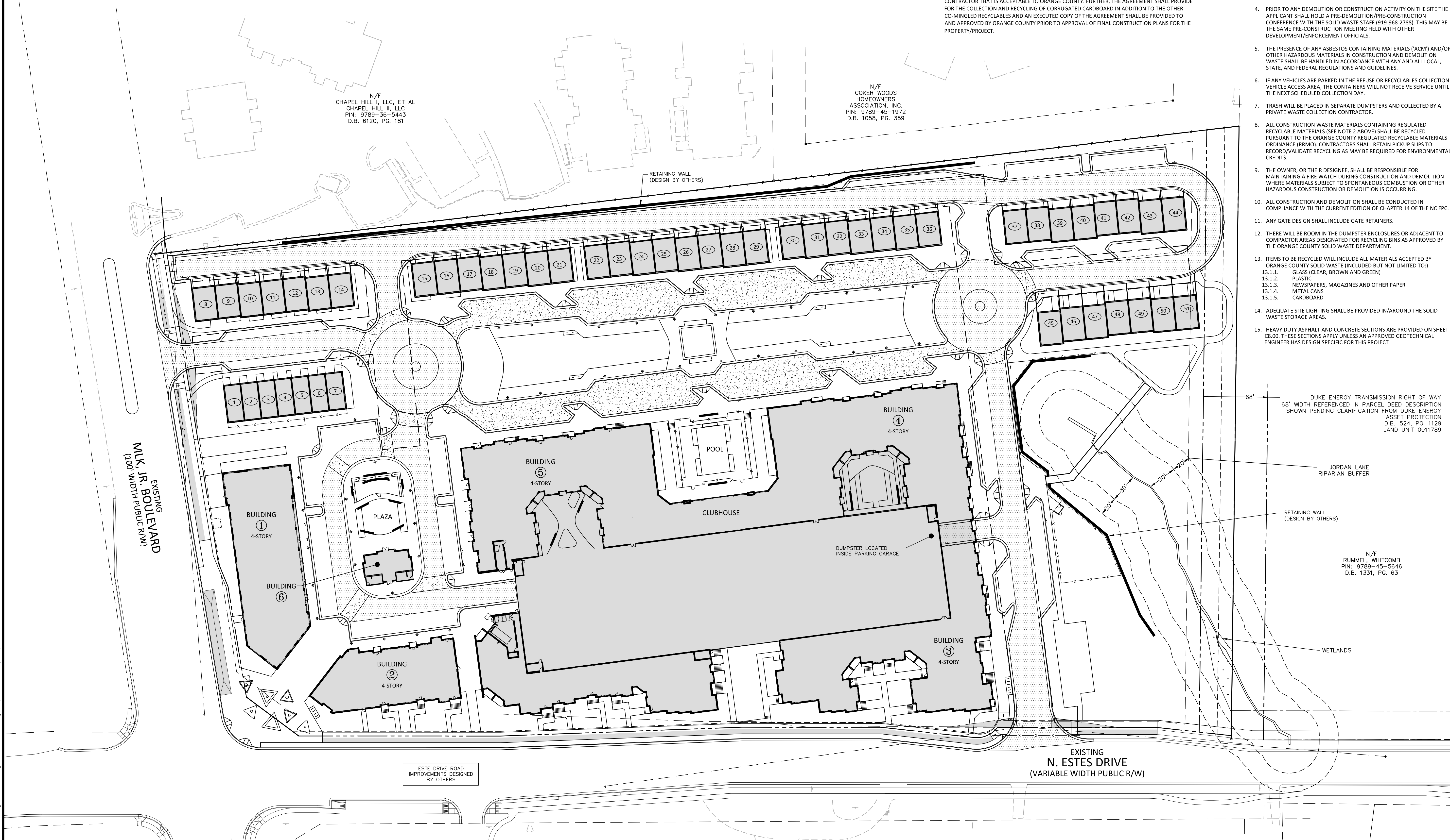
C2.02

RECYCLING NOTES

1. APPLICANT ELECTS TO HAVE PUBLIC RECYCLING FOR TOWNHOMES AND PRIVATE RECYCLING FOR THE REMAINDER OF THE SITE. THIS IS SUBJECT TO CHANGE IF THE APPLICANT DEEMS IT NECESSARY. THE DETAILS OF THESE PLANS WILL BE FURTHER ELABORATED IN THE ZCP STAGE AND WORKED THROUGH WITH ORANGE COUNTY OFFICIALS
2. APPLICANT MUST REQUIRE AT THE LEAST THE SAME LEVEL OF SERVICE (CURRENT OR FUTURE) TO ITS RESIDENTS AS THAT PROVIDED BY ORANGE COUNTY.
3. COUNTY FEES FOR RECYCLING AND WASTE MANAGEMENT ASSOCIATED WITH THIS PROJECT/PROPERTY WILL NOT BE WAIVED.
4. APPLICANT AGREES TO ENTER INTO A SERVICE AGREEMENT WITH A PRIVATE RECYCLING COLLECTION CONTRACTOR THAT IS ACCEPTABLE TO ORANGE COUNTY. FURTHER, THE AGREEMENT SHALL PROVIDE FOR THE COLLECTION AND RECYCLING OF CORRUGATED CARDBOARD IN ADDITION TO THE OTHER CO-MINGLED RECYCLABLES AND AN EXECUTED COPY OF THE AGREEMENT SHALL BE PROVIDED TO AND APPROVED BY ORANGE COUNTY PRIOR TO APPROVAL OF FINAL CONSTRUCTION PLANS FOR THE PROPERTY/PROJECT.

SOLID WASTE AND RECYCLING NOTES:

1. ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER IN SIZE SHALL BE ASSESSED PRIOR TO DEMOLITION TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DE-CONSTRUCTION AND/OR THE RE-USE OF SALVAGEABLE MATERIALS.
2. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
3. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE THAT INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
4. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE SOLID WASTE STAFF (919-968-2788). THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
5. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS (ACM) AND/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.
6. IF ANY VEHICLES ARE PARKED IN THE REFUSE OR RECYCLABLES COLLECTION VEHICLE ACCESS AREA, THE CONTAINERS WILL NOT RECEIVE SERVICE UNTIL THE NEXT SCHEDULED COLLECTION DAY.
7. TRASH WILL BE PLACED IN SEPARATE DUMPSTERS AND COLLECTED BY A PRIVATE WASTE COLLECTION CONTRACTOR.
8. ALL CONSTRUCTION WASTE MATERIALS CONTAINING REGULATED RECYCLABLE MATERIALS (SEE NOTE 2 ABOVE) SHALL BE RECYCLED PURSUANT TO THE ORANGE COUNTY REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO). CONTRACTORS SHALL RETAIN PICKUP SLIPS TO RECORD/VALIDATE RECYCLING AS MAY BE REQUIRED FOR ENVIRONMENTAL CREDITS.
9. THE OWNER, OR THEIR DESIGNEE, SHALL BE RESPONSIBLE FOR MAINTAINING A FIRE WATCH DURING CONSTRUCTION AND DEMOLITION WHERE MATERIALS SUBJECT TO SPONTANEOUS COMBUSTION OR OTHER HAZARDOUS CONSTRUCTION OR DEMOLITION IS OCCURRING.
10. ALL CONSTRUCTION AND DEMOLITION SHALL BE CONDUCTED IN COMPLIANCE WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC PFC.
11. ANY GATE DESIGN SHALL INCLUDE GATE RETAINERS.
12. THERE WILL BE ROOM IN THE DUMPSTER ENCLOSURES OR ADJACENT TO COMPACTOR AREAS DESIGNATED FOR RECYCLING BINS AS APPROVED BY THE ORANGE COUNTY SOLID WASTE DEPARTMENT.
13. ITEMS TO BE RECYCLED WILL INCLUDE ALL MATERIALS ACCEPTED BY ORANGE COUNTY SOLID WASTE (INCLUDED BUT NOT LIMITED TO:)
 - 13.1.1. GLASS (CLEAR, BROWN AND GREEN)
 - 13.1.2. PLASTIC
 - 13.1.3. NEWSPAPERS, MAGAZINES AND OTHER PAPER
 - 13.1.4. METAL CANS
 - 13.1.5. CARDBOARD
14. ADEQUATE SITE LIGHTING SHALL BE PROVIDED IN/AROUND THE SOLID WASTE STORAGE AREAS.
15. HEAVY DUTY ASPHALT AND CONCRETE SECTIONS ARE PROVIDED ON SHEET C8.00. THESE SECTIONS APPLY UNLESS AN APPROVED GEOTECHNICAL ENGINEER HAS DESIGN SPECIFIC FOR THIS PROJECT

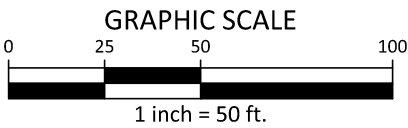
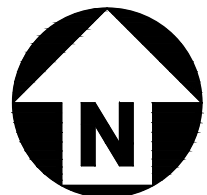


PAVEMENT LEGEND

- HEAVY DUTY ASPHALT PAVEMENT
 - HEAVY DUTY CONCRETE PAVEMENT
- NOTE: SEE SECTIONS ON DETAIL SHEET

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



McADAMS

The John R. McAdams Company, Inc.
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Durham, NC 27713

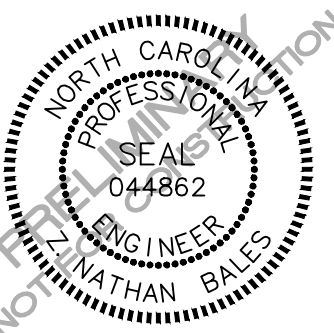
phone 919. 361. 5000
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TRINISC RESIDENTIAL GROUP
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DURHAM, NORTH CAROLINA, 27701
PHONE: 919. 884. 7395

AURA
CONDITIONAL ZONING PERMIT
NORTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

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2	12. 18. 2020	REVISED PER 2ND CZP COMMENTS
3	01. 29. 2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

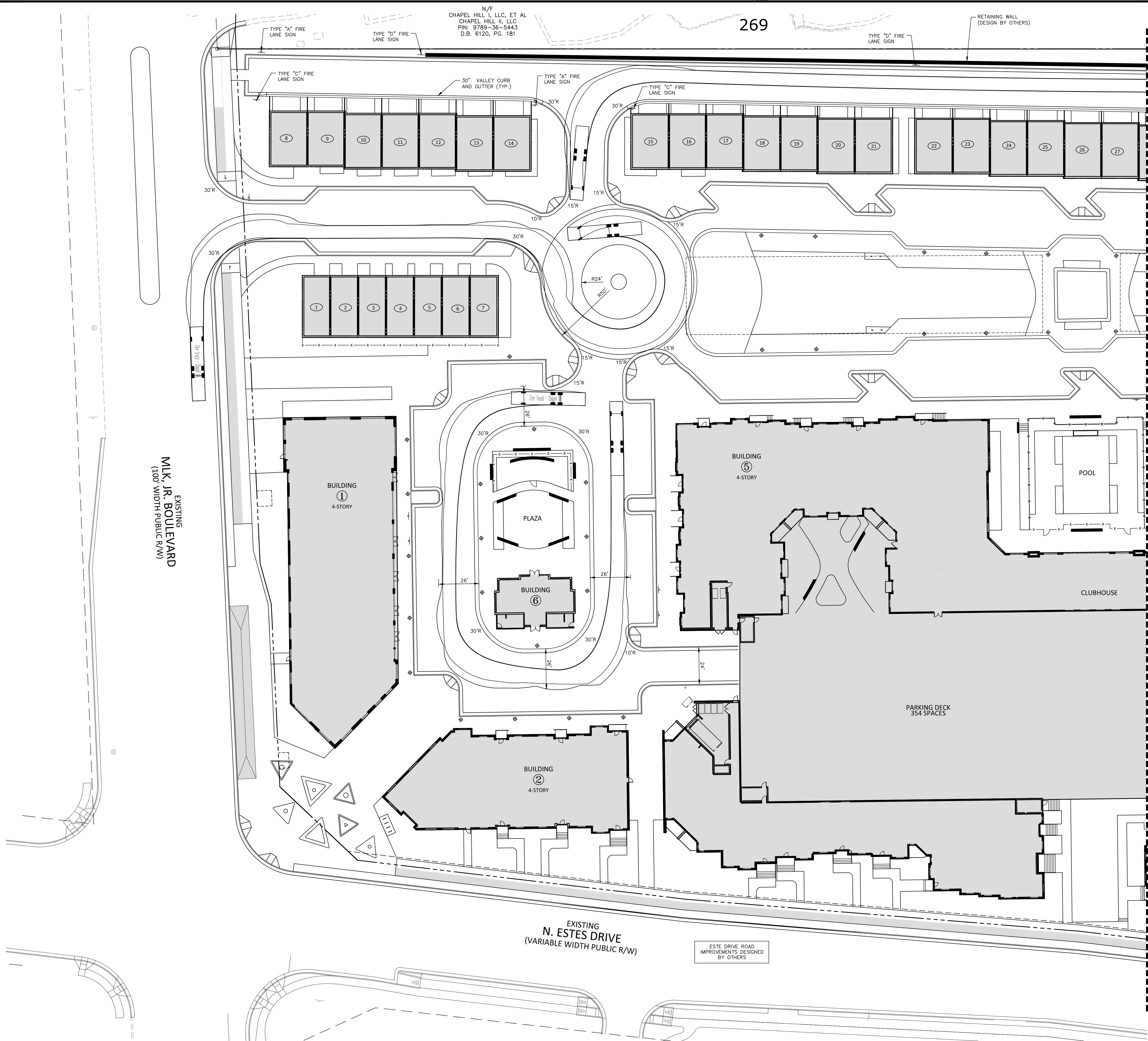
PROJECT NO. TRG-20000
FILENAME TRG20000-SWST1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=50'
DATE 09. 24. 2020

SHEET

SOLID WASTE PLAN

C2.10

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SITE LEGEND	
	SIGNAGE
	YARD LIGHTS
	LIGHT POLE
	POWER POLE
	TRAFFIC DIRECTIONAL ARROW
	ACCESSIBLE PARKING STALL
	VAN ACCESSIBLE PARKING STALL
	PARKING SPACE COUNT
	ACCESSIBLE RAMPS
	ACCESSIBLE ROUTE
	PHASE LINE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE

GENERAL NOTES:

- OUTER PATH IS TRUCK OVERHANG, INNER PATH IS TIRE TRACKING

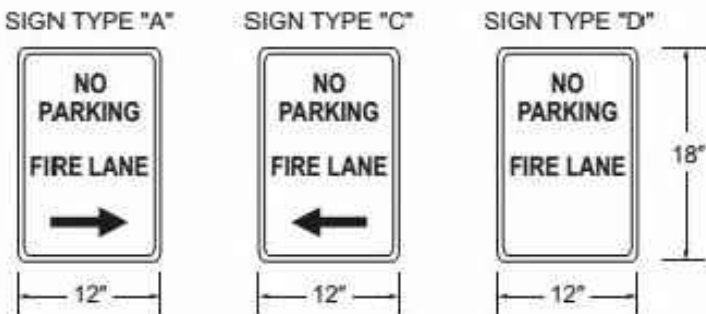
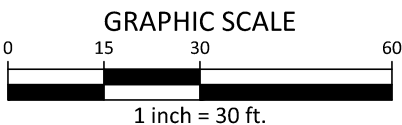
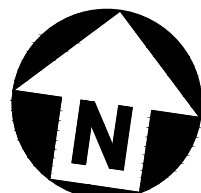


FIGURE D103.6
FIRE LANE SIGNS

SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

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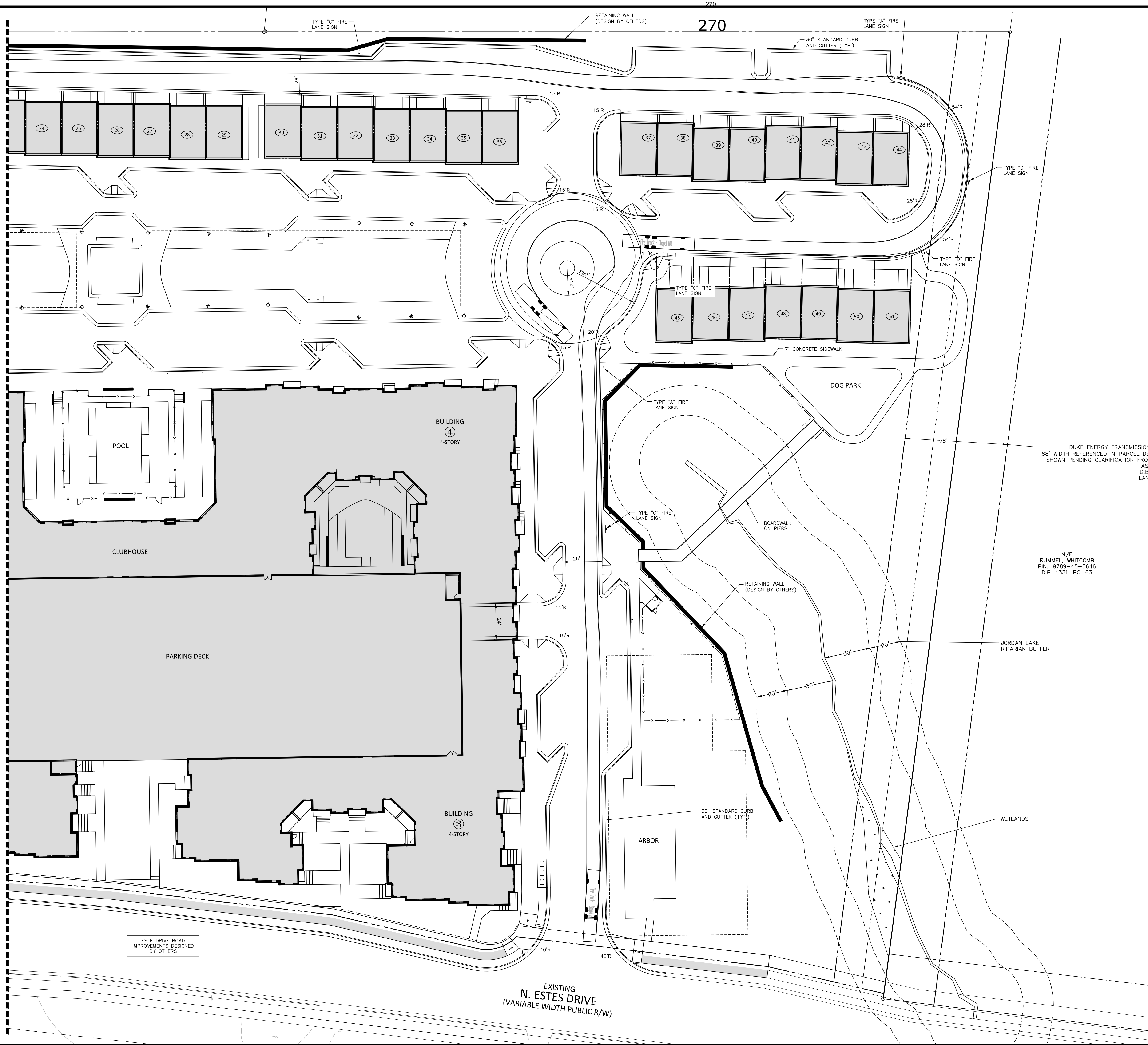
PROJECT NO.	TRG-20000
FILENAME	TRG20000-AT1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=30'
DATE	09. 24. 2020

SHEET

FIRE/WASTE VEHICLE
TRACKING - AREA A
C2.11

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SEE SHEET C2.01



SITE LEGEND	
	SIGNAGE
	YARD LIGHTS
	LIGHT POLE
	POWER POLE
	TRAFFIC DIRECTIONAL ARROW
	ACCESSIBLE PARKING STALL
	VAN ACCESSIBLE PARKING STALL
	PARKING SPACE COUNT
	ACCESSIBLE RAMPS
	ACCESSIBLE ROUTE
	PHASE LINE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE

GENERAL NOTES:

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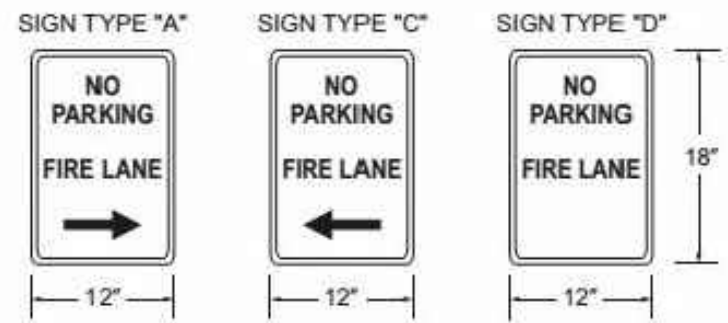


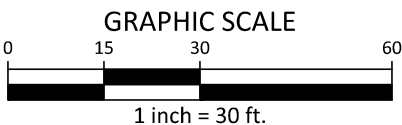
FIGURE D103.6
FIRE LANE SIGNS

DUKE ENERGY TRANSMISSION RIGHT OF WAY
68' WIDTH REFERENCED IN PARCEL DEED DESCRIPTION
SHOWN PENDING CLARIFICATION FROM DUKE ENERGY
ASSET PROTECTION
D.B. 524, PG. 1129
LAND UNIT 0011789

N/F
RUMMEL, WHITCOMB
PIN: 9789-45-5646
D.B. 1331, PG. 63

SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

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PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-AT1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=30'
DATE	09.24.2020

SHEET

FIRE/WASTE VEHICLE
TRACKING - AREA B
C2.12

GRADING LEGEND

	FLARED END SECTION
	ENDWALL SECTION
	CATCH BASIN
	DROP INLET
	STORM SERVICE INLET
	STORM SERVICE ROOF-RAIN
	JUNCTION BOX
	DRAINAGE FLOW ARROW
	LINE BREAK SYMBOL
	TOP & BOTTOM CURB ELEVATIONS
	SPOT ELEVATION
	STORM DRAINAGE
	STORM SERVICE LINE
	ROOF DRAIN, 8" ADS NON-PERFORATED TUBING OR EQUAL 1.0% MIN. SLOPE 3" MIN. COVER PVC SCHEDULE 40 IN TRAFFIC AREAS
	TREE PROTECTION FENCE
	LIMITS OF DISTURBANCE
	WOODED AREA
	MAJOR CONTOUR
	MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EASEMENT LINE
	ACCESSIBLE PARKING AREA (2% MAX. SLOPE IN ALL DIRECTIONS)

DUKE ENERGY TRANSMISSION RIGHT OF WAY -
68' WIDTH REFERENCED IN PARCEL DEED DESCRIPTION
SHOWN PENDING CLARIFICATION FROM DUKE ENERGY
ASSET PROTECTION
D.B. 524, PG. 1129
LAND UNIT 0011789

N/F
RUMMEL, WHITCOMB
PIN: 9789-45-5646
D.B. 1331, PG. 63

JORDAN LAKE
RIPARIAN BUFFER

15' GREENWAY
EASEMENT

RETAINING WALL
(DESIGN BY OTHERS)

STORMWATER CONTROL
MEASURE "A"
(SEE "C" SHEETS)

WETLANDS

ESTE DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

ESTE DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

ESTE DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

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BY OTHERS

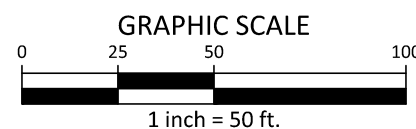
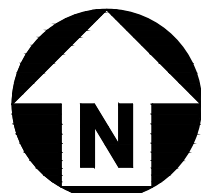
ESTE DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

GENERAL NOTES:

- THE LANDSCAPE AREAS FRONTING ESTES ROAD AND MLK BLVD WILL BE GRADED TOWARDS THE SITE TO CAPTURE STORMWATER RUNOFF WHERE POSSIBLE AND AS NECESSARY TO MEET STORMWATER TREATMENT REQUIREMENTS.

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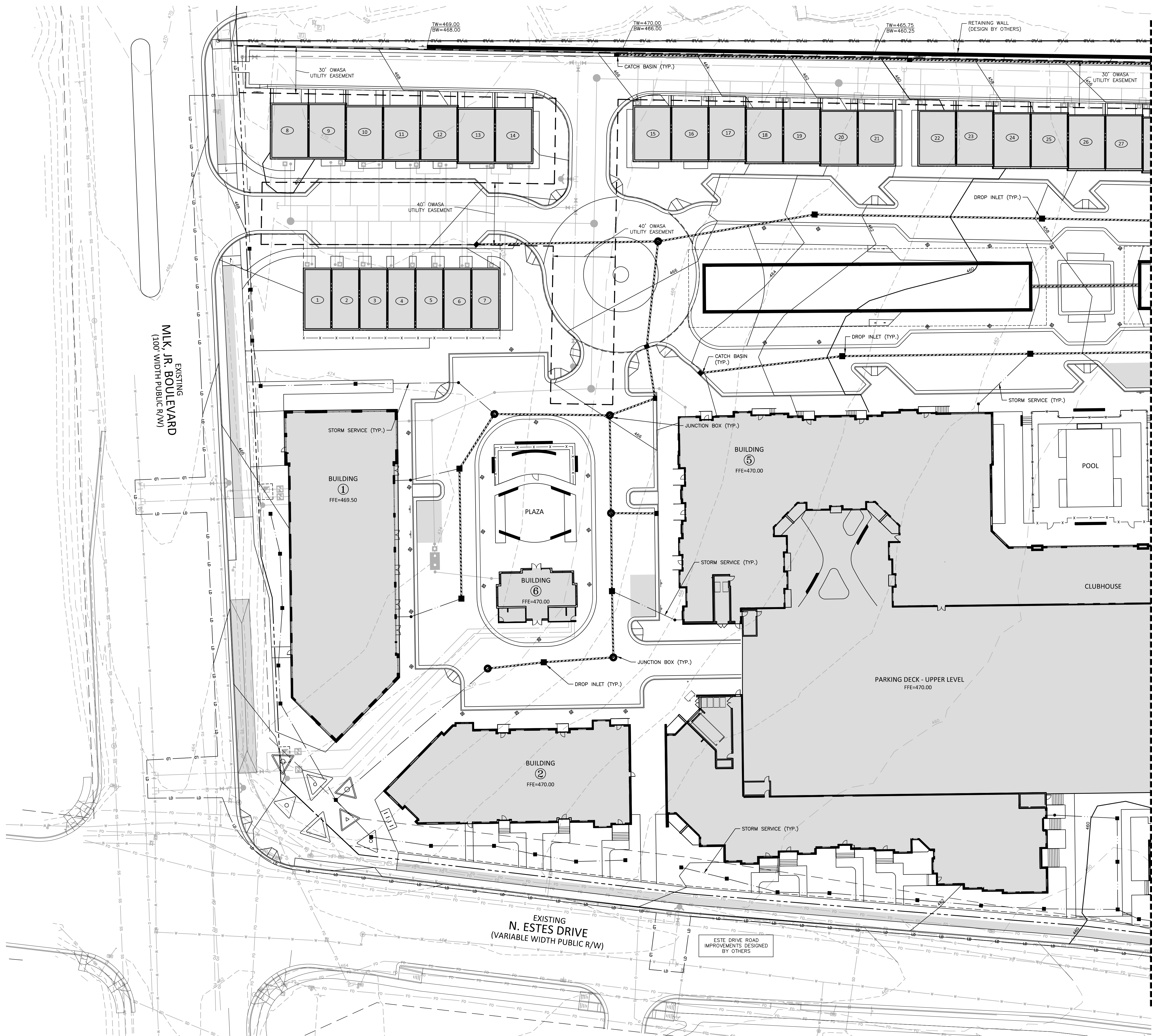
PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-OAG1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=50'
DATE	09.24.2020

SHEET

OVERALL GRADING PLAN

C3.00



GRADING LEGEND

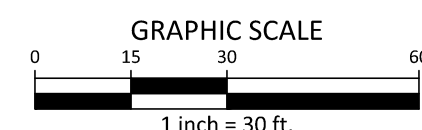
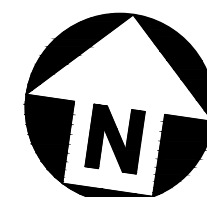
	FLARED END SECTION
	ENDWALL SECTION
	CATCH BASIN
	DROP INLET
	STORM SERVICE INLET
	STORM SERVICE ROOF-RAIN
	JUNCTION BOX
	DRAINAGE FLOW ARROW
	LINE BREAK SYMBOL
	TOP & BOTTOM CURB ELEVATIONS
	TOP OF WALL ELEVATION
	BOTTOM OF WALL ELEVATION (NOTE: BOTTOM OF WALL IS GROUND ELEVATION NOT WALL FOUNDATION)
	SPOT ELEVATION
	STORM DRAINAGE
	STORM SERVICE LINE
	ROOF DRAIN, 8" ADS NON-PERFORATED TUBING OR EQUAL 1.0% MIN. SLOPE 3' MIN. COVER PVC SCHEDULE 40 IN TRAFFIC AREAS
	TREE PROTECTION FENCE
	LIMITS OF DISTURBANCE
	WOODED AREA
	MAJOR CONTOUR
	MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EASEMENT LINE
	ACCESSIBLE PARKING AREA (2% MAX. SLOPE IN ALL DIRECTIONS)

GENERAL NOTES:

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PROJECT NO.	TRG-20000
FILENAME	TRG20000-G1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=30'
DATE	09. 24. 2020

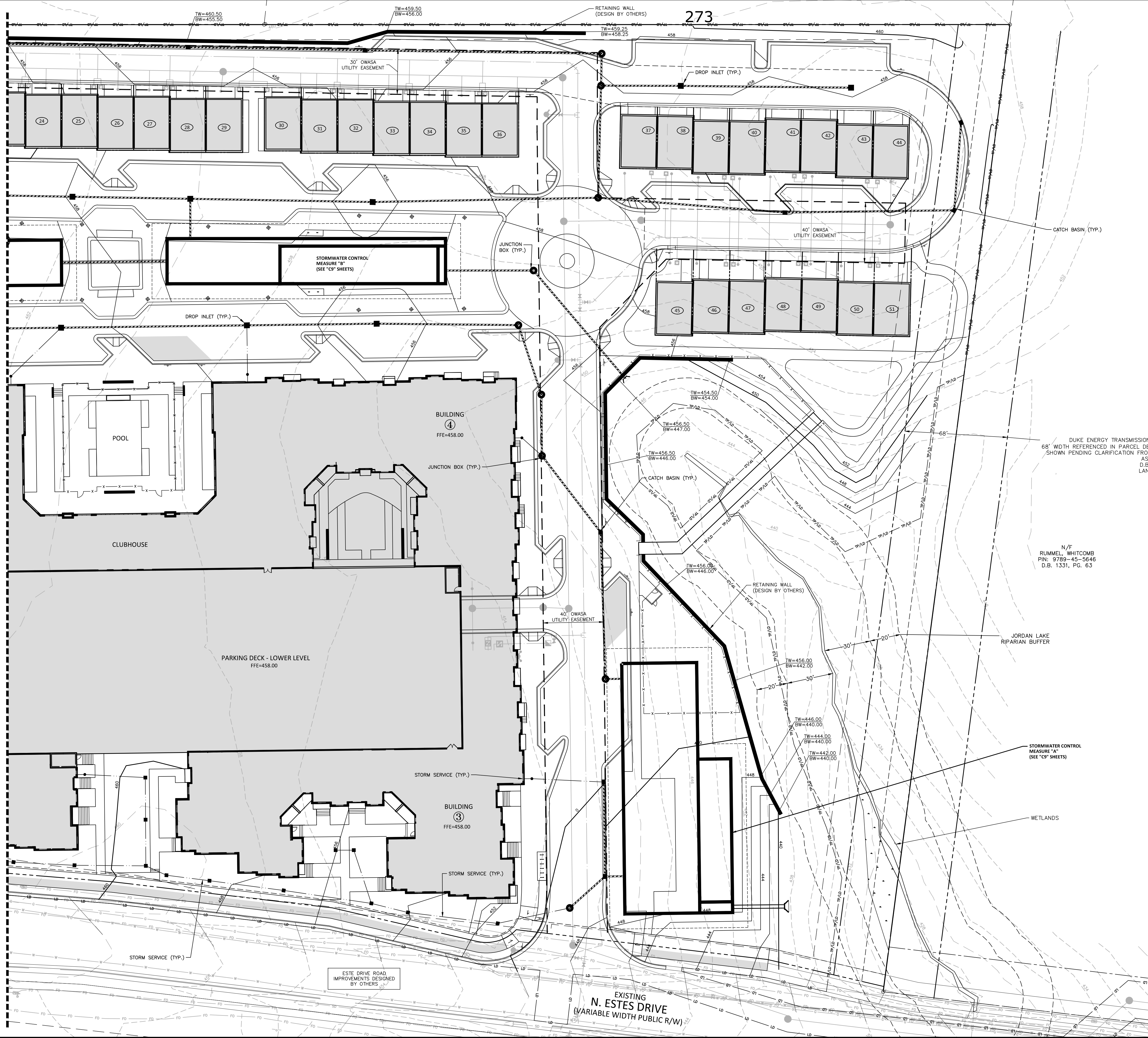
SHEET

GRADING PLAN - AREA A

C3.01

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SEE SHEET C3.01



GRADING LEGEND

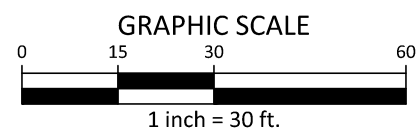
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- ENDWALL SECTION
- CATCH BASIN
- DROP INLET
- STORM SERVICE INLET
- STORM SERVICE ROOF-DRAIN
- JUNCTION BOX
- DRAINAGE FLOW ARROW
- LINE BREAK SYMBOL
- TOP & BOTTOM CURB ELEVATIONS
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- WOODED AREA
- MAJOR CONTOUR
- MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EASEMENT LINE
- ACCESSIBLE PARKING AREA (2% MAX. SLOPE IN ALL DIRECTIONS)

GENERAL NOTES:

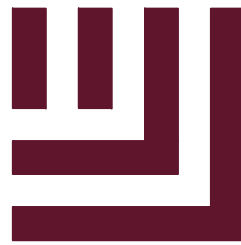
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SCALE 1"=30'
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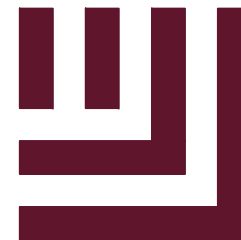
SHEET

GRADING PLAN - AREA B

C3.02

UTILITY LEGEND

- FIRE HYDRANT ASSEMBLY
- FIRE DEPARTMENT CONNECTION (FDC)
- WATER METER
- WATER VALVE
- POST INDICATOR VALVE
- VALVE IN MANHOLE
- METER & VAULT
- BACKFLOW PREVENTER
- REDUCER
- PLUG
- BLOW-OFF ASSEMBLY
- SANITARY SEWER MANHOLE
- SEWER CLEAN-OUT
- GREASE TRAP
- SEWER FLOW DIRECTION ARROW
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- LINE BREAK SYMBOL
- WATERLINE
- WATER SERVICE LINE
- UTILITY SLEEVE
- SANITARY SEWER
- SEWER SERVICE LINE
- SEWER FORCE MAIN
- GAS LINE
- OVERHEAD UTILITY
- UNDERGROUND ELECTRIC
- TELEPHONE
- EASEMENT LINE



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fax 919. 361. 2269
license number: C-0293, C-187

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TRINISC RESIDENTIAL GROUP
110 CORCORAN STREET, 5TH FLOOR
DURHAM, NORTH CAROLINA, 27701
PHONE: 919. 884. 7395

AURA
CONDITIONAL ZONING PERMIT
NORTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11.13.2020	REVISED PER 1ST CZP COMMENTS
2	12.18.2020	REVISED PER 2ND CZP COMMENTS
3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-OAU1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=50'
DATE 09.24.2020

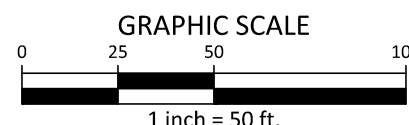
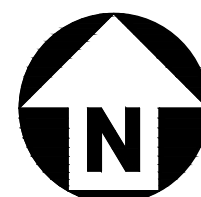
SHEET

OVERALL UTILITY PLAN

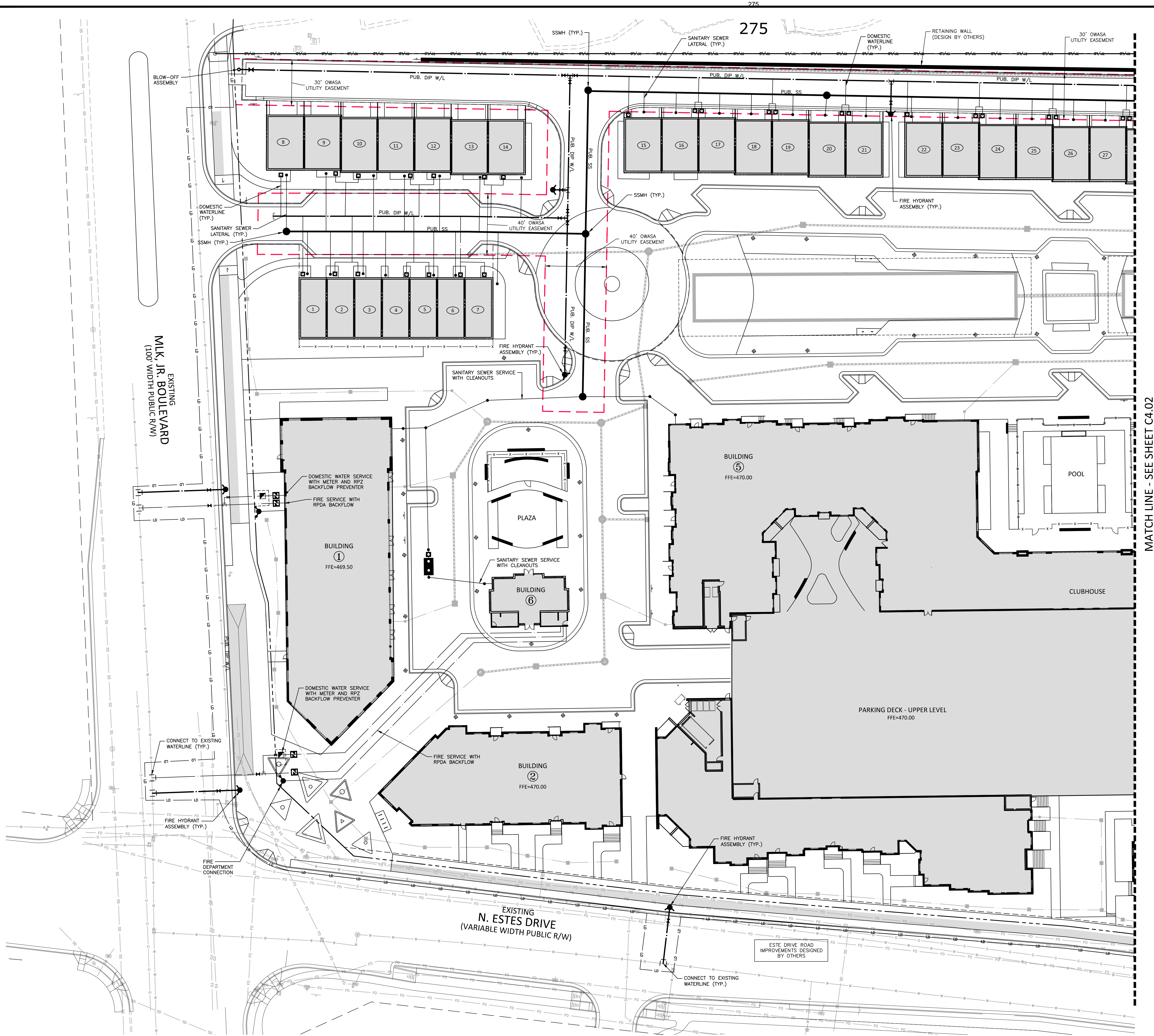
C4.00

SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

ALL CONSTRUCTION SHALL BE IN
ACCORDANCE WITH THE CURRENT TOWN
OF CHAPEL HILL ENGINEERING DESIGN AND
CONSTRUCTION STANDARDS



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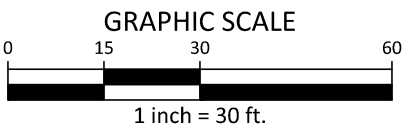
UTILITY LEGEND

- FIRE HYDRANT ASSEMBLY
- FIRE DEPARTMENT CONNECTION (FDC)
- WATER METER
- WATER VALVE
- POST INDICATOR VALVE
- VALVE IN MANHOLE
- METER & VAULT
- BACKFLOW PREVENTER
- REDUCER
- PLUG
- BLOW-OFF ASSEMBLY
- SANITARY SEWER MANHOLE
- SEWER CLEAN-OUT
- GREASE TRAP
- SEWER FLOW DIRECTION
- ARROW
- YARD LIGHTS
- LIGHT POLE
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- WATERLINE
- WATER SERVICE LINE
- UTILITY SLEEVE
- SANITARY SEWER
- SEWER SERVICE LINE
- SEWER FORCE MAIN
- GAS LINE
- OVERHEAD UTILITY
- UNDERGROUND ELECTRIC
- TELEPHONE
- EASEMENT LINE

MATCH LINE - SEE SHEET C4.02

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

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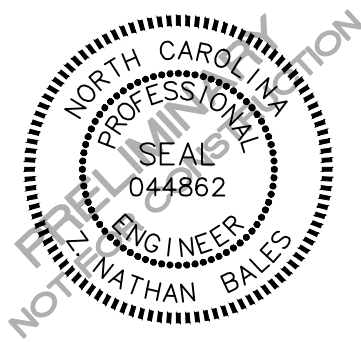
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

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3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

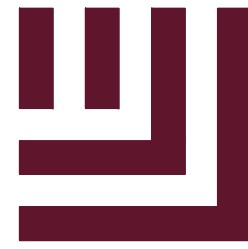
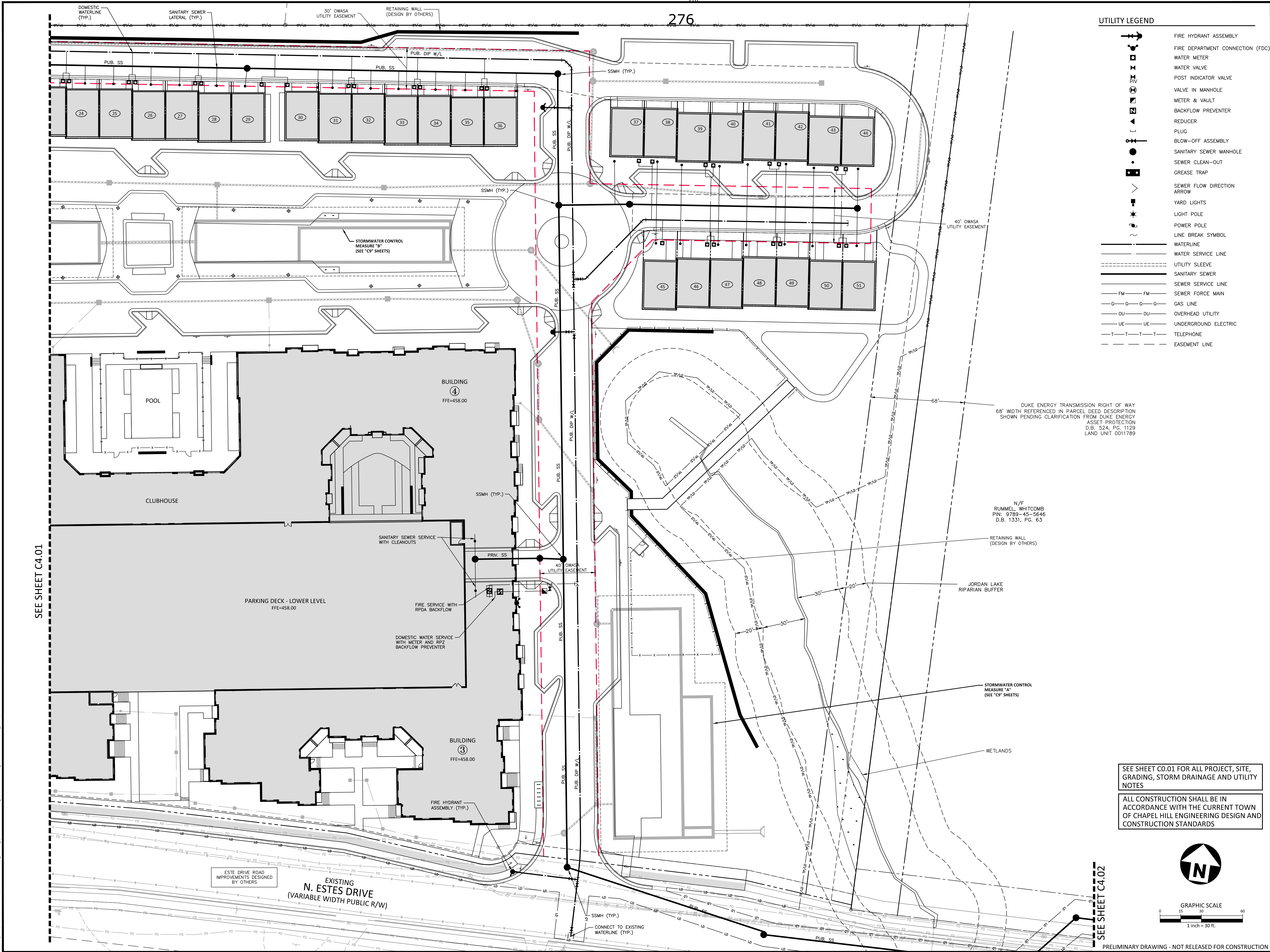
PROJECT NO. TRG-20000
FILENAME TRG20000-U1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=30'
DATE 09.24.2020

SHEET

UTILITY PLAN - AREA A

C4.01

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CHAPEL HILL, NORTH CAROLINA, 27516



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3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-U1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	1"=30'
DATE	09.24.2020

SHEET

UTILITY PLAN - AREA B

C4.02

N/F
RUMMEL, WHITCOMB
PIN: 9789-45-5646
D.B. 1331, PG. 63

JORDAN LAKE
RIPARIAN BUFFER

EXISTING
N. ESTES DRIVE
(VARIABLE WIDTH PUBLIC R/W)

CONTRACTOR TO REMOVE AND REPLACE
ROADWAY AS NECESSARY FOR PIPE
INSTALLATION - IT IS ADVISED TO
INSTALL PIPE DURING ESTES ROAD
IMPROVEMENTS IF POSSIBLE

ESTES DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

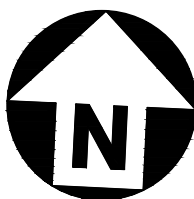
CONTRACTOR TO REMOVE AND
REPLACE DRIVEWAY AS NECESSARY
FOR PIPE INSTALLATION

UTILITY LEGEND

	FIRE HYDRANT ASSEMBLY
	FIRE DEPARTMENT CONNECTION (FDC)
	WATER METER
	WATER VALVE
	POST INDICATOR VALVE
	VALVE IN MANHOLE
	METER & VAULT
	BACKFLOW PREVENTER
	REDUCER
	PLUG
	BLOW-OFF ASSEMBLY
	SANITARY SEWER MANHOLE
	SEWER CLEAN-OUT
	GREASE TRAP
	SEWER FLOW DIRECTION ARROW
	YARD LIGHTS
	LIGHT POLE
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	LINE BREAK SYMBOL
	WATERLINE
	WATER SERVICE LINE
	UTILITY SLEEVE
	SANITARY SEWER
	SEWER SERVICE LINE
	SEWER FORCE MAIN
	GAS LINE
	OVERHEAD UTILITY
	UNDERGROUND ELECTRIC
	TELEPHONE
	EASEMENT LINE

SEE THIS SHEET

SEE SHEET C4.02



N/F
RUMMEL, WHITCOMB
PIN: 9789-45-5646
D.B. 1331, PG. 63

EXISTING
N. ESTES DRIVE
(VARIABLE WIDTH PUBLIC R/W)

ESTES DRIVE ROAD
IMPROVEMENTS DESIGNED
BY OTHERS

CONTRACTOR TO ATTEMPT TO
NOT DISTURB EXISTING STORM
DRAINAGE, IF NECESSARY
REMOVE AND REPLACE

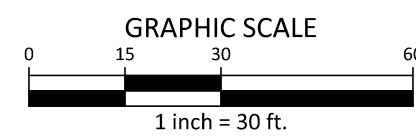
ESTES DRIVE PED DESIGN
BY OTHERS

CONTRACTOR TO REMOVE AND
REPLACE DRIVEWAY AS NECESSARY
FOR PIPE INSTALLATION

SSMH RIM=438.74
INV.IN 8"DIP(N)=425.91
INV.IN 8"DIP(W)=425.89
INV.OUT 8"DIP(E)=425.87

SSMH RIM=434.62
INV.IN 8"DIP(N)=427.53
INV.OUT 8"DIP(E)=427.06

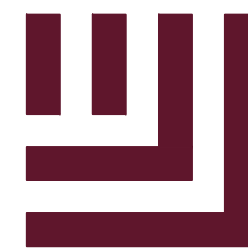
CONNECT TO
EXISTING
SANITARY
SEWER (TYP.)



SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

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CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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REVISIONS

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1	11. 13. 2020	REVISED PER 1ST CZP COMMENTS
2	12. 18. 2020	REVISED PER 2ND CZP COMMENTS
3	01. 29. 2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-U1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=30'
DATE 09. 24. 2020

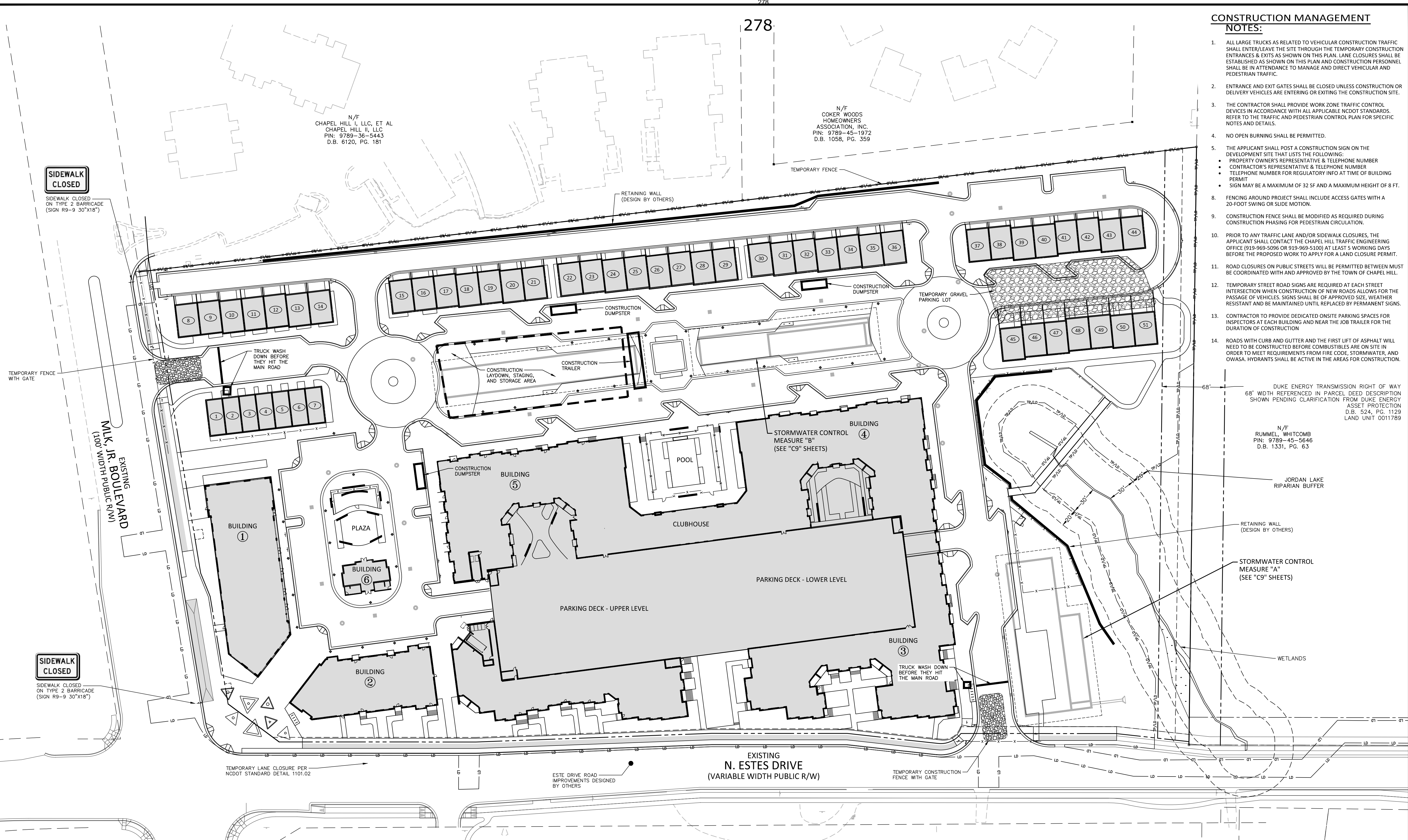
SHEET

UTILITY PLAN - AREA C

C4.03

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278



CONSTRUCTION MANAGEMENT NOTES:

- ALL LARGE TRUCKS AS RELATED TO VEHICULAR CONSTRUCTION TRAFFIC SHALL ENTER/LEAVE THE SITE THROUGH THE TEMPORARY CONSTRUCTION ENTRANCES & EXITS AS SHOWN ON THIS PLAN. LANE CLOSURES SHALL BE ESTABLISHED AS SHOWN ON THIS PLAN AND CONSTRUCTION PERSONNEL SHALL BE IN ATTENDANCE TO MANAGE AND DIRECT VEHICULAR AND PEDESTRIAN TRAFFIC.
- ENTRANCE AND EXIT GATES SHALL BE CLOSED UNLESS CONSTRUCTION OR DELIVERY VEHICLES ARE ENTERING OR EXITING THE CONSTRUCTION SITE.
- THE CONTRACTOR SHALL PROVIDE WORK ZONE TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH ALL APPLICABLE NCDOT STANDARDS. REFER TO THE TRAFFIC AND PEDESTRIAN CONTROL PLAN FOR SPECIFIC NOTES AND DETAILS.
- NO OPEN BURNING SHALL BE PERMITTED.
- THE APPLICANT SHALL POST A CONSTRUCTION SIGN ON THE DEVELOPMENT SITE THAT LISTS THE FOLLOWING:
 - PROPERTY OWNER'S REPRESENTATIVE & TELEPHONE NUMBER
 - CONTRACTOR'S REPRESENTATIVE & TELEPHONE NUMBER
 - TELEPHONE NUMBER FOR REGULATORY INFO AT TIME OF BUILDING PERMIT
 - SIGN MAY BE A MAXIMUM OF 32 SF AND A MAXIMUM HEIGHT OF 8 FT.
- FENCING AROUND PROJECT SHALL INCLUDE ACCESS GATES WITH A 20-FOOT SWING OR SLIDE MOTION.
- CONSTRUCTION FENCE SHALL BE MODIFIED AS REQUIRED DURING CONSTRUCTION PHASING FOR PEDESTRIAN CIRCULATION.
- PRIOR TO ANY TRAFFIC LANE AND/OR SIDEWALK CLOSURES, THE APPLICANT SHALL CONTACT THE CHAPEL HILL TRAFFIC ENGINEERING OFFICE (919-969-5096 OR 919-969-5100) AT LEAST 5 WORKING DAYS BEFORE THE PROPOSED WORK TO APPLY FOR A LAND CLOSURE PERMIT.
- ROAD CLOSURES ON PUBLIC STREETS WILL BE PERMITTED BETWEEN MUST BE COORDINATED WITH AND APPROVED BY THE TOWN OF CHAPEL HILL.
- TEMPORARY STREET ROAD SIGNS ARE REQUIRED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADS ALLOWS FOR THE PASSAGE OF VEHICLES. SIGNS SHALL BE OF APPROVED SIZE, WEATHER RESISTANT AND BE MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
- CONTRACTOR TO PROVIDE DEDICATED ONSITE PARKING SPACES FOR INSPECTORS AT EACH BUILDING AND NEAR THE JOB TRAILER FOR THE DURATION OF CONSTRUCTION
- ROADS WITH CURB AND GUTTER AND THE FIRST LIFT OF ASPHALT WILL NEED TO BE CONSTRUCTED BEFORE COMBUSTIBLES ARE ON SITE IN ORDER TO MEET REQUIREMENTS FROM FIRE CODE, STORMWATER, AND OWASA. HYDRANTS SHALL BE ACTIVE IN THE AREAS FOR CONSTRUCTION.

DUKE ENERGY TRANSMISSION RIGHT OF WAY
68' WIDTH REFERENCED IN PARCEL DEED DESCRIPTION
SHOWN PENDING CLARIFICATION FROM DUKE ENERGY
ASSET PROTECTION
D.B. 524, PG. 1129
LAND UNIT 0011789

N/F
RUMMEL, WHITCOMB
PIN: 9789-45-5646
D.B. 1331, PG. 63

JORDAN LAKE
RIPARIAN BUFFER

RETAINING WALL
(DESIGN BY OTHERS)

STORMWATER CONTROL
MEASURE "A"
(SEE "C9" SHEETS)

WETLANDS



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110 CORCORAN STREET, 5TH FLOOR
DURHAM, NORTH CAROLINA, 27701
PHONE: 919. 884. 7395

AURA CONDITIONAL ZONING PERMIT NORTH ESTES DRIVE CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11.13.2020	REVISED PER 1ST CZP COMMENTS
2	12.18.2020	REVISED PER 2ND CZP COMMENTS
3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-CM1
CHECKED BY ZNB
DRAWN BY CJJ
SCALE 1"=50'
DATE 09.24.2020

CONSTRUCTION AND TRANSPORTATION MANAGEMENT PLAN

C7.00

SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

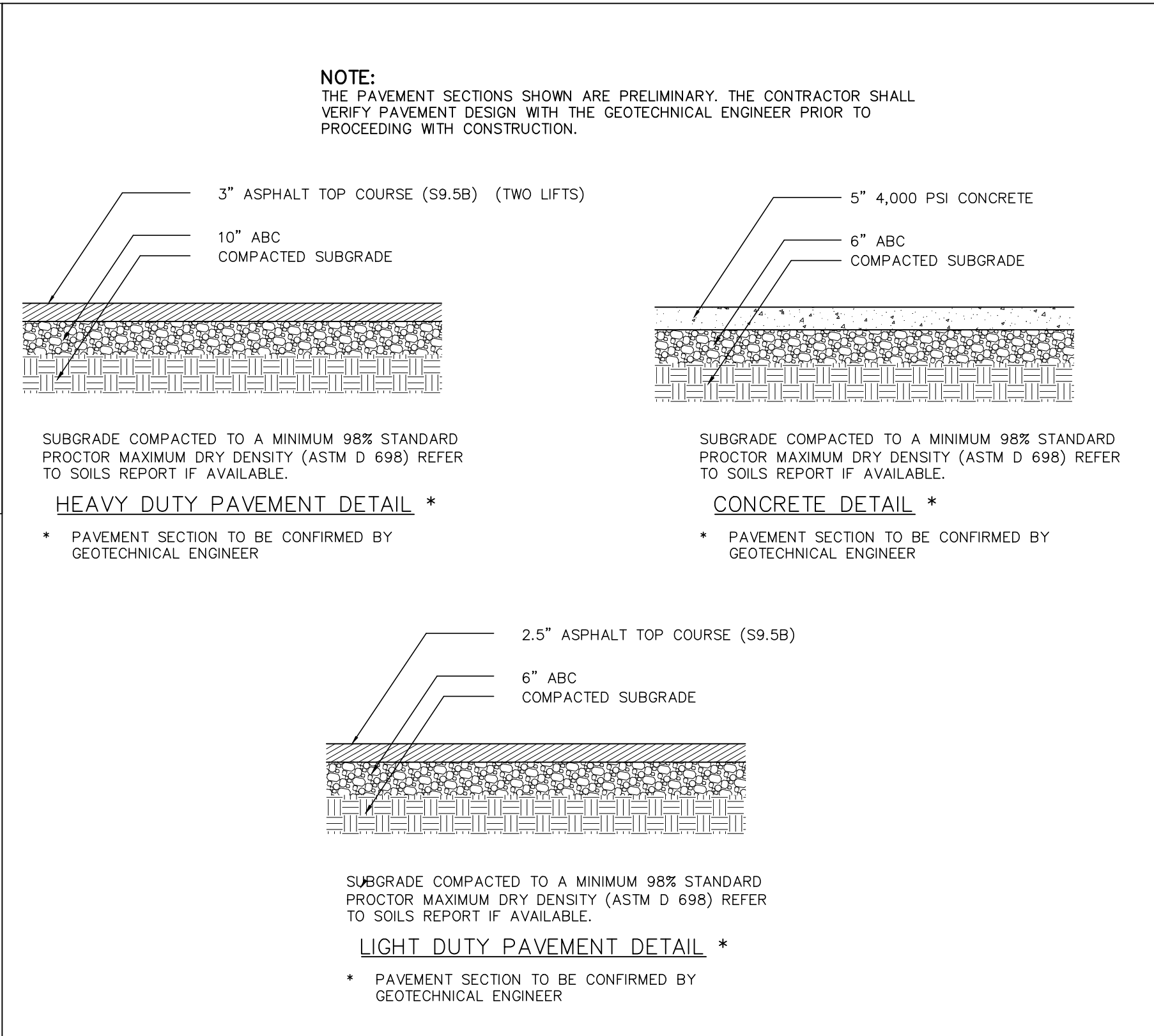
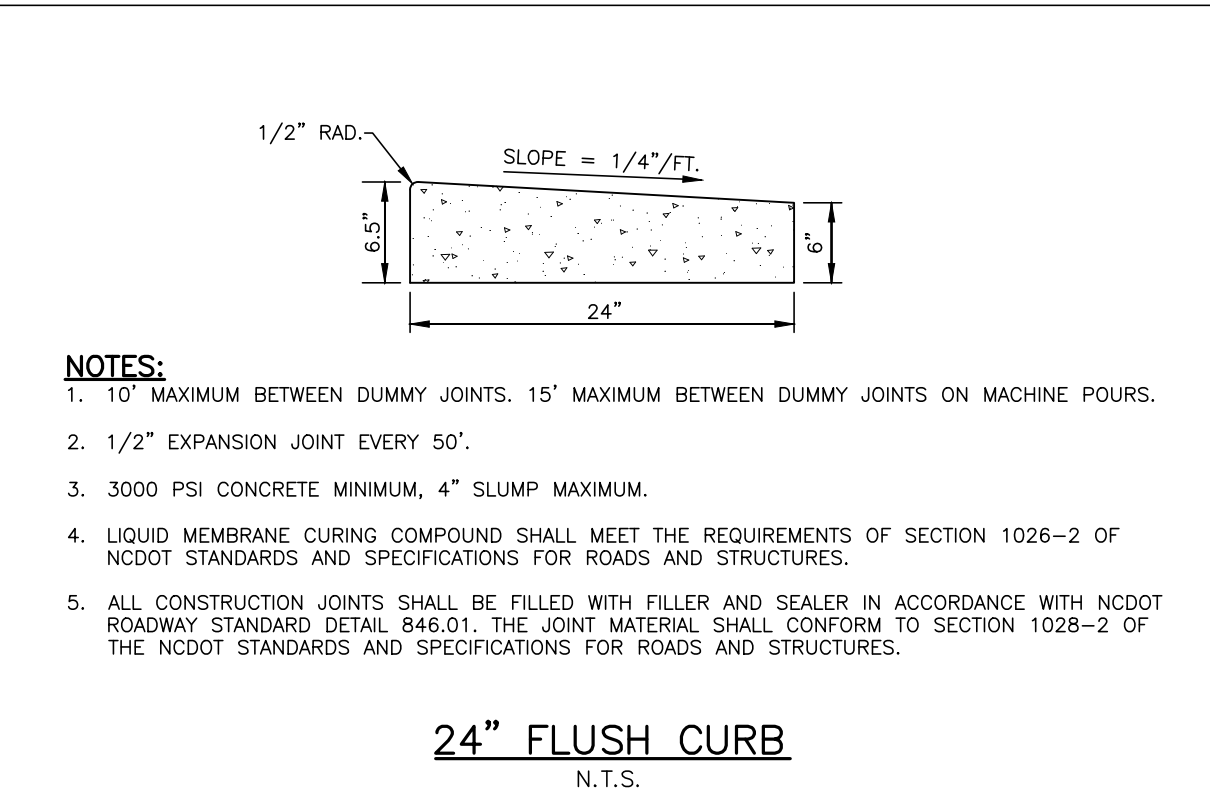
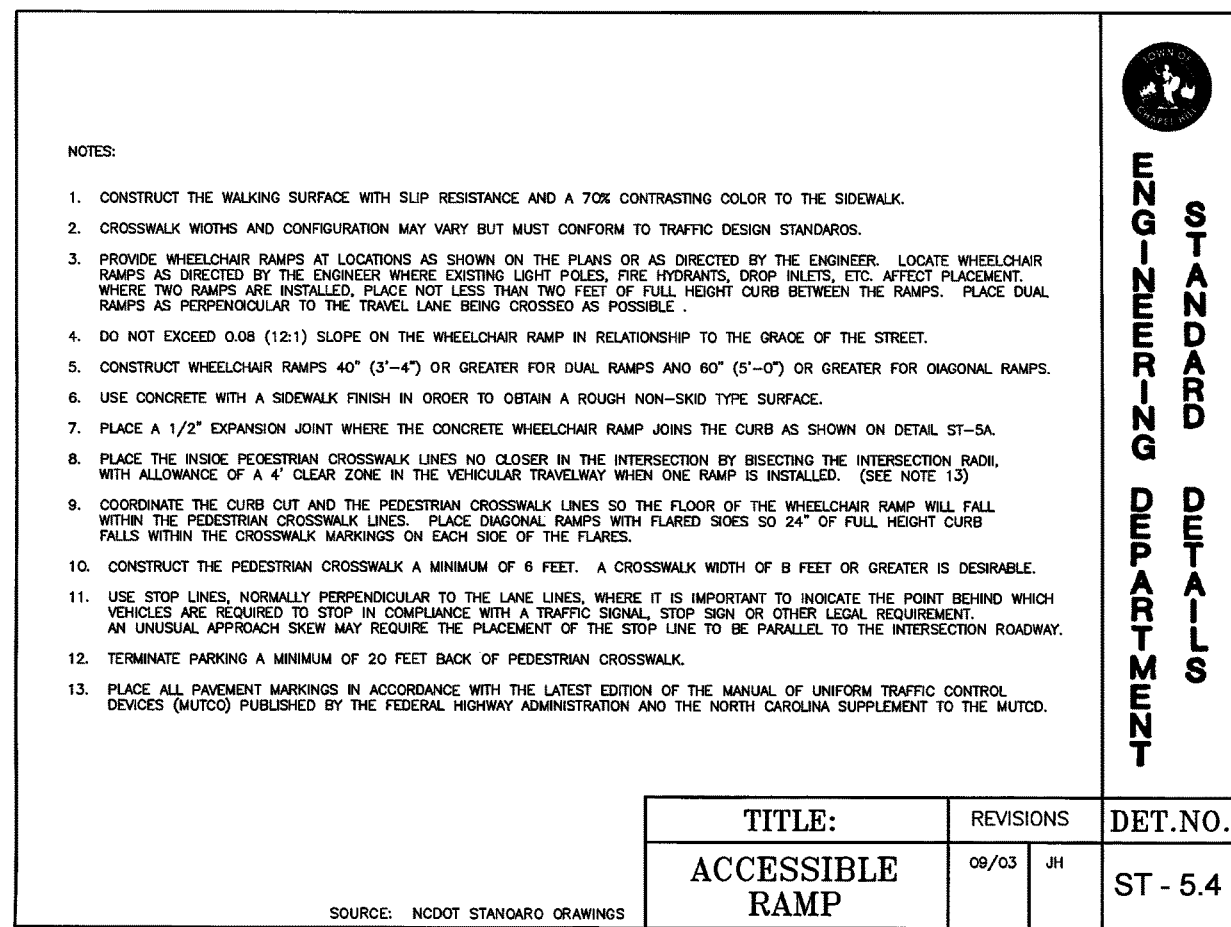
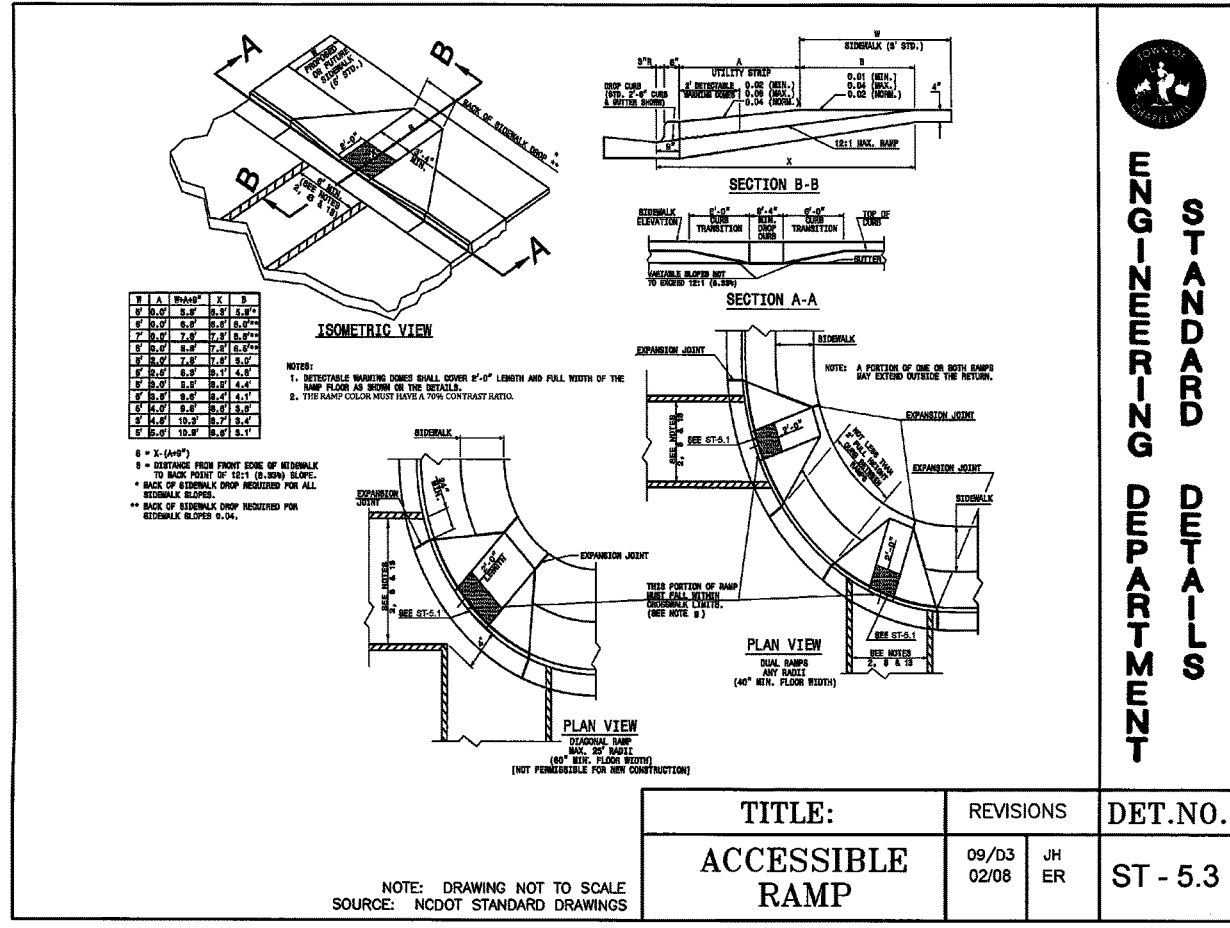
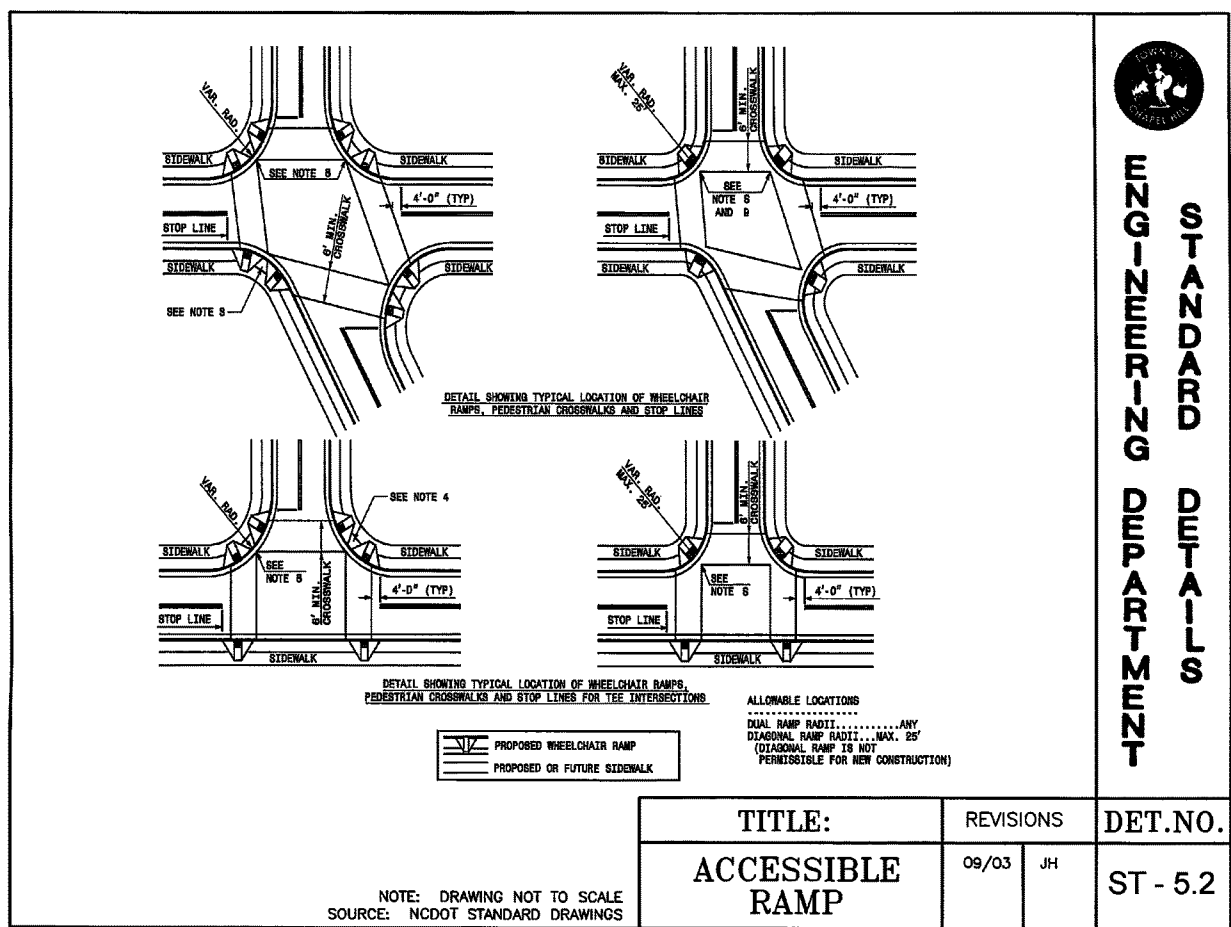
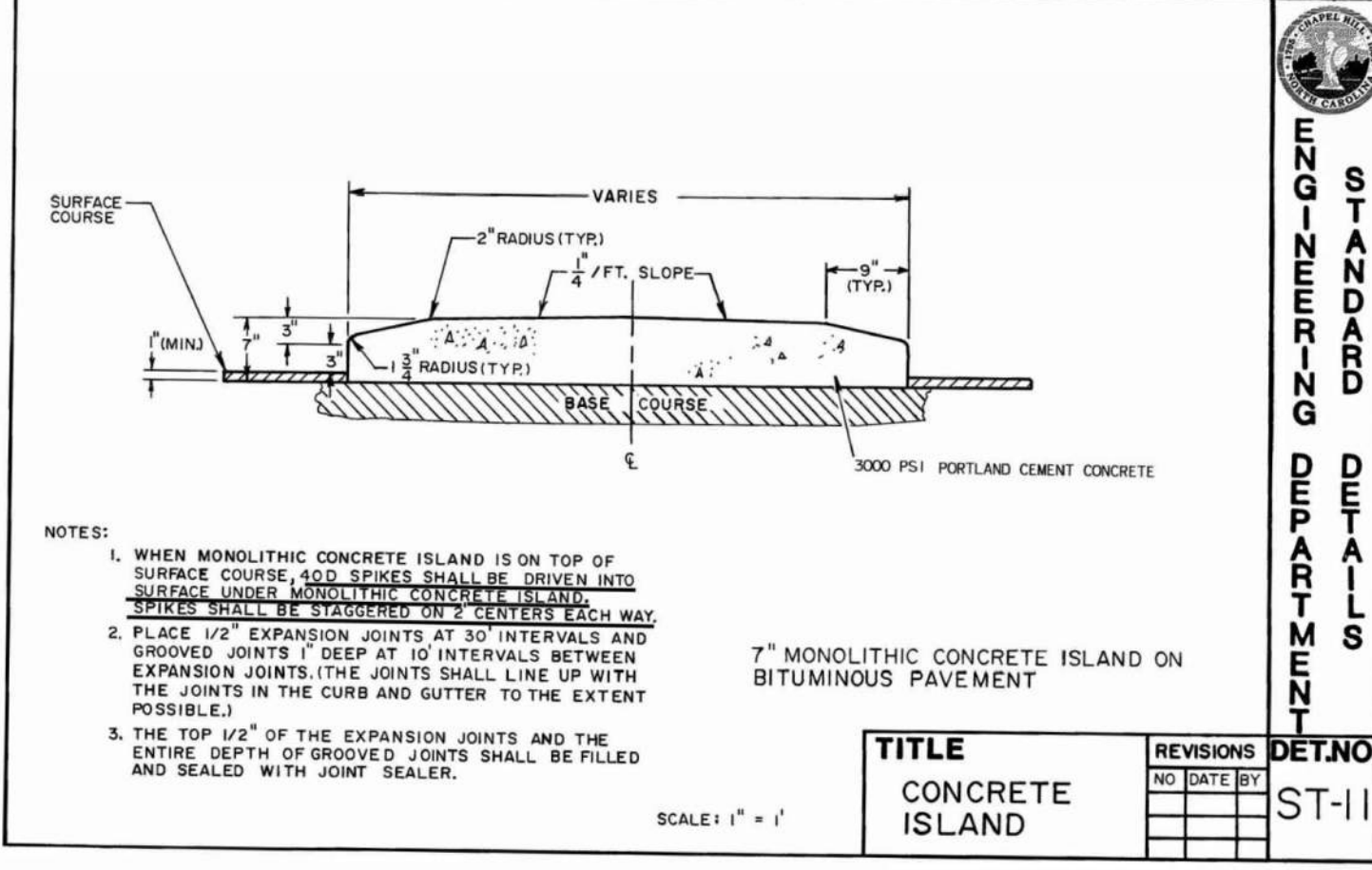
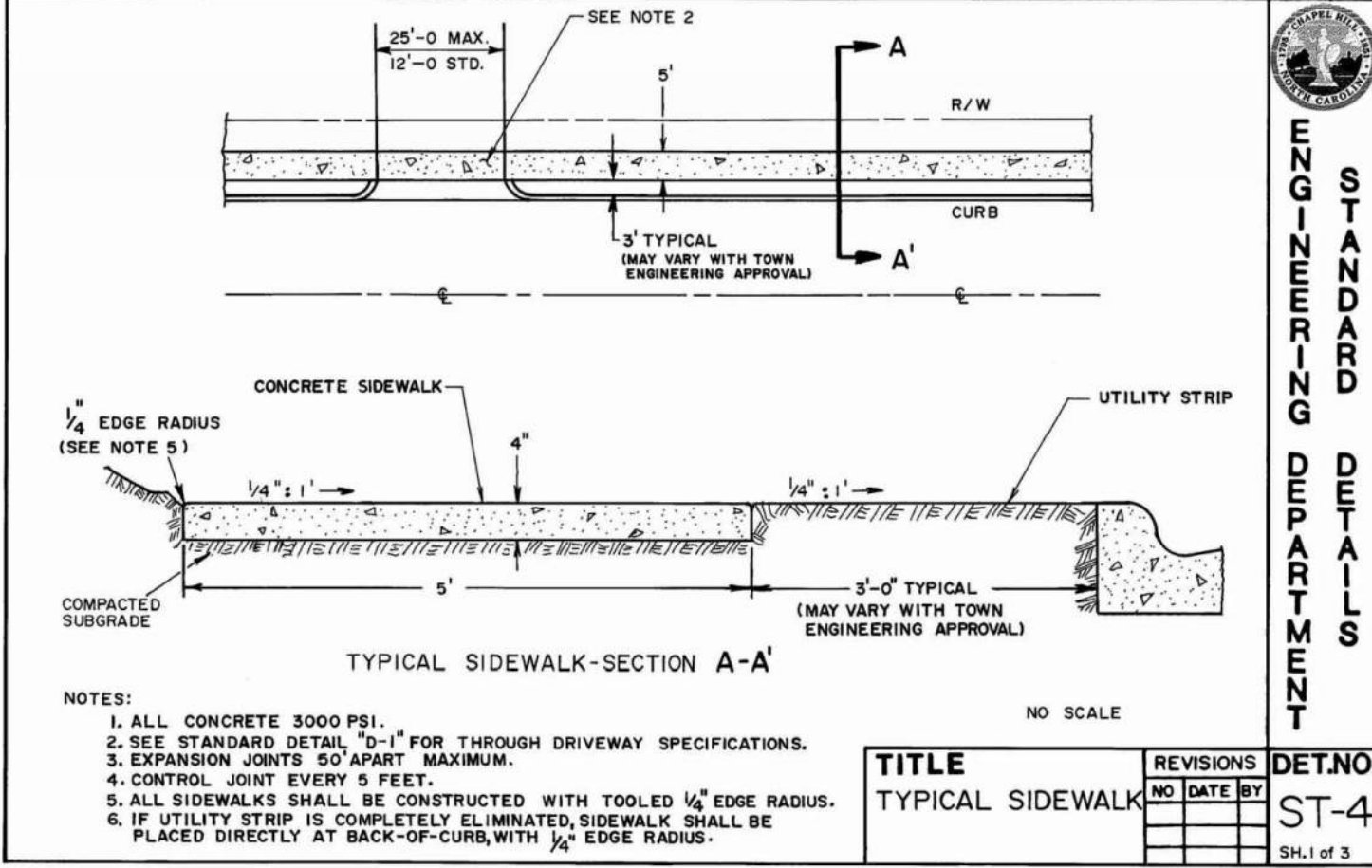
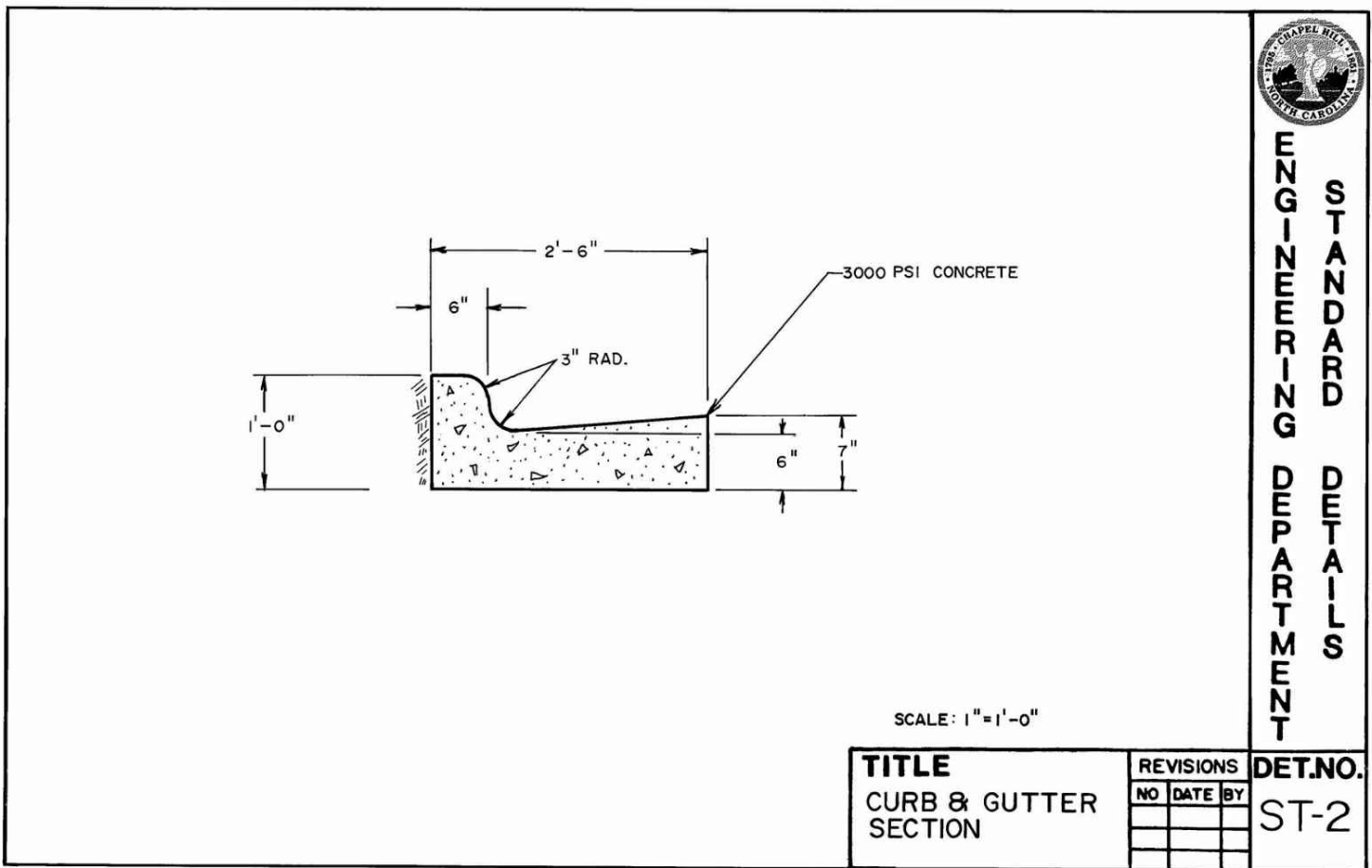
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GRAPHIC SCALE
0 25 50
1 inch = 50 ft.

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

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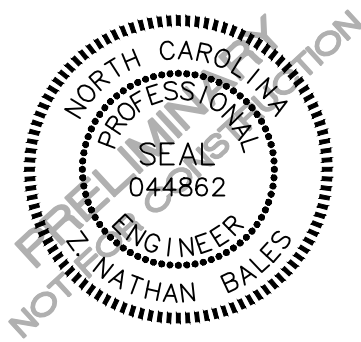
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PLAN INFORMATION	
PROJECT NO.	TRG-20000
FILENAME	TRG20000-D1
CHECKED BY	ZNB
DRAWN BY	CJJ
SCALE	N/A
DATE	09.24.2020

SHEET

SITE DETAILS

C8.00



NOTE:
SEE STORMWATER IMPACT ANALYSIS (SIA)
FOR MORE INFORMATION REGARDING
VAULT DESIGN.

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DURHAM, NORTH CAROLINA, 27701
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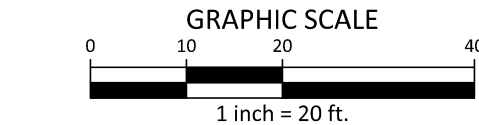
AURA
CONDITIONAL ZONING PERMIT
NORTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA, 27516

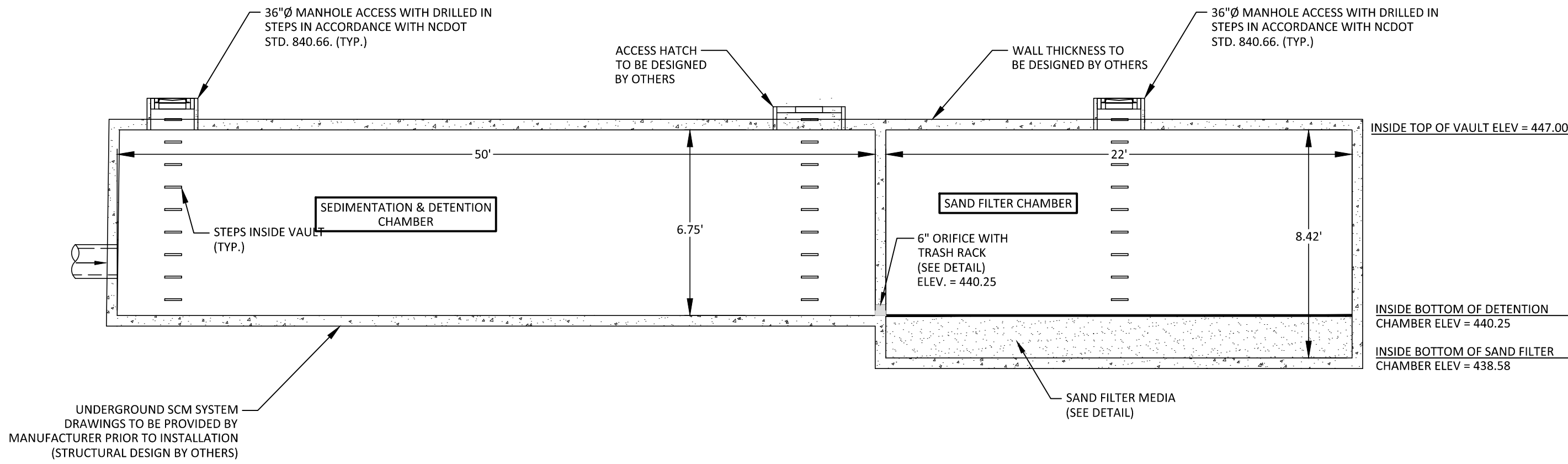
REVISIONS		
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3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION	
PROJECT NO.	TRG-20000
FILENAME	TRG20000-SWA
CHECKED BY	DCW
DRAWN BY	LK
SCALE	1"=20'
DATE	01.29.2021

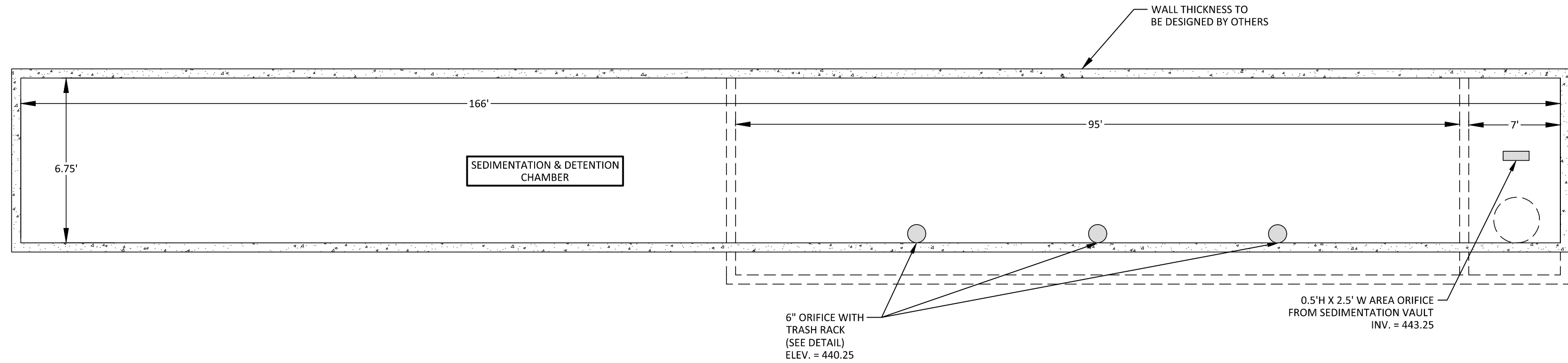
SHEET
STORMWATER CONTROL
MEASURE 'A' PLAN VIEW
C9.00A

UNDERGROUND SAND FILTER & DETENTION SYSTEM 'A' PLAN VIEW
1" = 20'

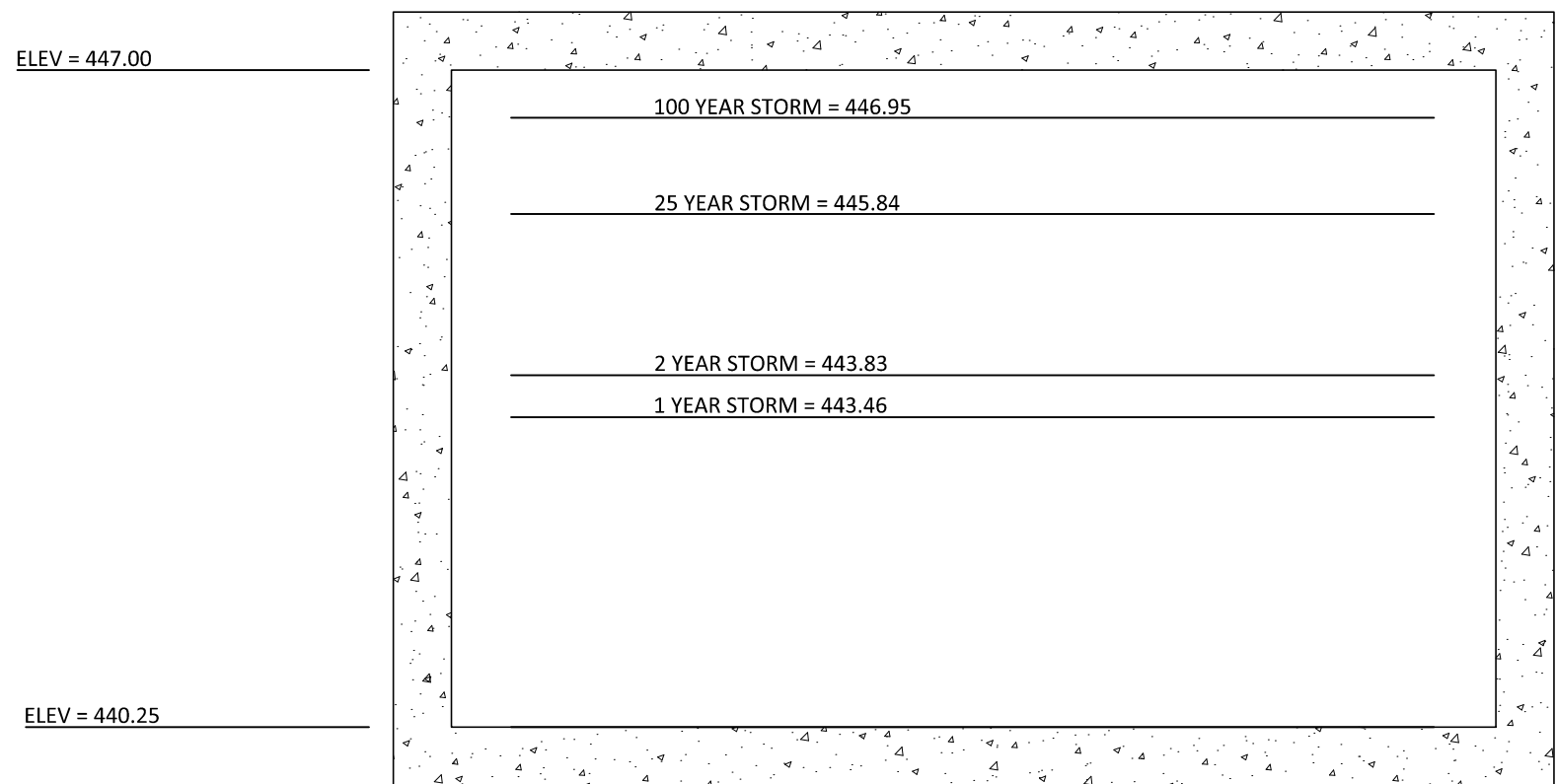




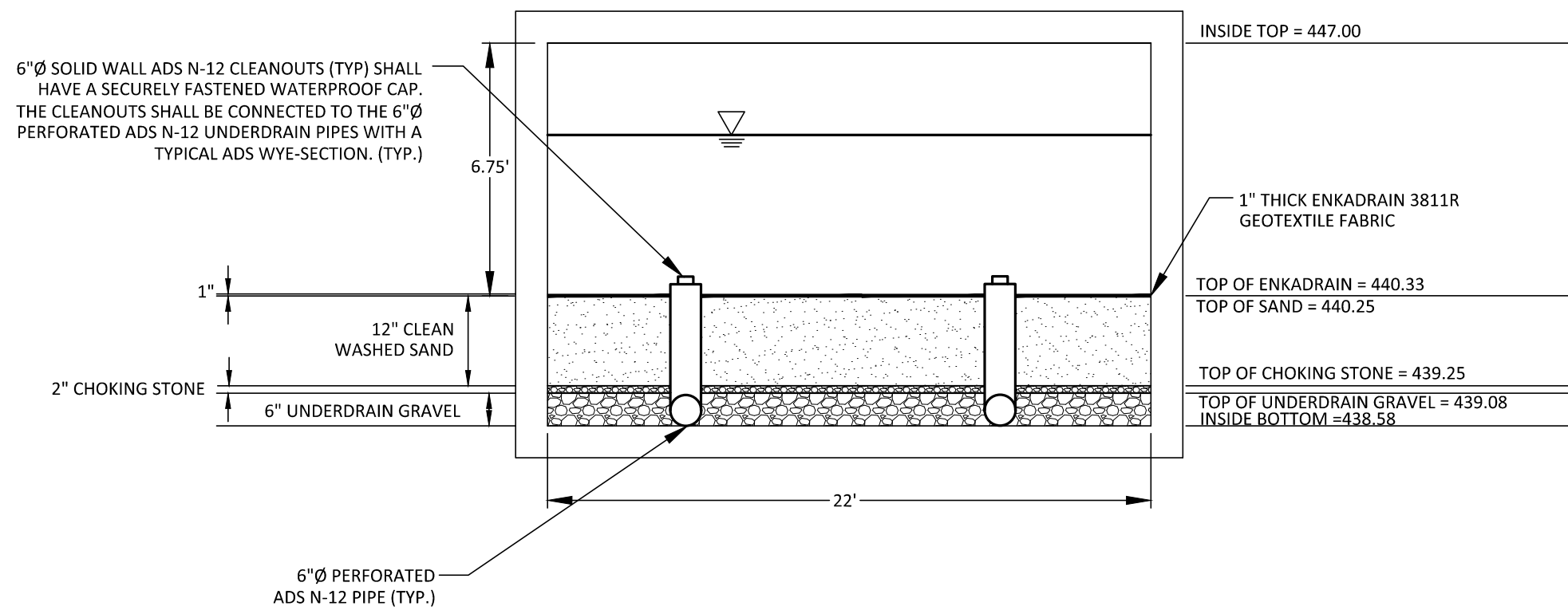
SAND FILTER AND DETENTION VAULT A' - A' PROFILE VIEW
N.T.S.



DETENTION VAULT B' - B' PROFILE VIEW
N.T.S.



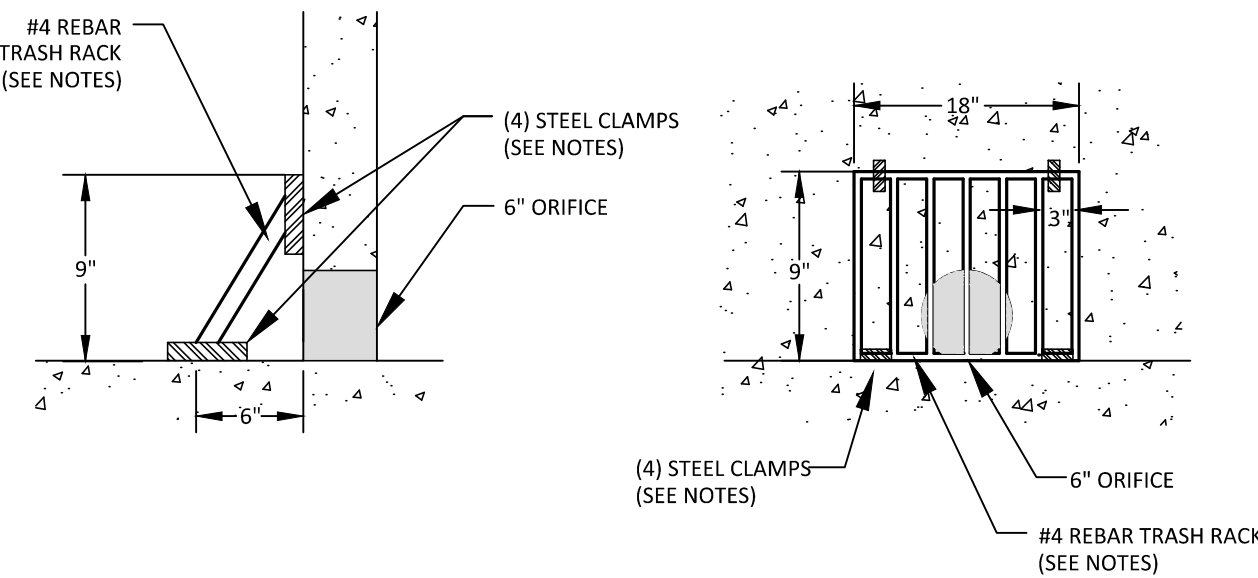
DETENTION VAULT CROSS SECTION
N.T.S.



SAND CHAMBER FILTER MEDIA DETAIL
N.T.S.

NOTES:

1. ATTACH TRASH RACK WITH (4) HOT DIPPED GALVANIZED STEEL CLAMPS. EACH CLAMP ATTACHED TO WEIR BOX BY (2) 4"x1/4" CONCRETE ANCHOR BOLTS. EACH CLAMP SHALL BE COATED WITH AN EPOXY COATING.
2. ALL REBAR TO BE GALVANIZED #4 REBAR WITH AN EPOXY COATING.
3. BAR SPACING TO BE ON-CENTER MEASUREMENT.



6" ORIFICE TRASH RACK DETAIL
N.T.S.

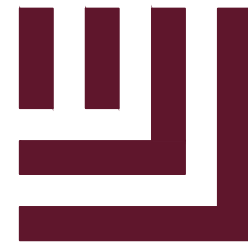
NOTE: THE ONSITE GEOTECHNICAL ENGINEER SHALL CERTIFY ALL COMPONENTS OF THE SAND FILTER.

MATERIAL	SPECIFICATIONS / TEST METHOD	SIZE	NOTES
SAND	CLEAN ASBESTOS M-6 OR ASTM C-33 MEDIUM AGGREGATE SAND	0.02" TO 0.04"	SAND SUBSTITUTIONS SUCH AS DIABASE AND GRAYSTONE #30 ARE NOT ACCEPTABLE. NO CALCIUM CARBONATE OR OILY/CLAY SAND SUBSTITUTIONS ARE ACCEPTABLE. NO "ROCK DUST" CAN BE USED FOR SAND.
UNDERDRAIN GRAVEL (6" LAYER UNDER CHOKING STONE)	ASTM C-33	#57 STONE	
CHOKING STONE (2" LAYER BETWEEN SAND AND GRAVEL)	ASTM C-33	#8 STONE	
GEOTEXTILE FABRIC ABOVE SAND LAYER	ENKADRAIN 3811R		ENKADRAIN 3811R OR ENGINEER APPROVED EQUIVALENT TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS
UNDERDRAIN PIPING	AASHTO M-252	6" ADS N-12 (DOUBLE WALL HDPE PIPE)	3/8" PERFORATIONS @ 6" ON CENTER, 4 HOLES PER ROW, MINIMUM OF 4" OF GRAVEL OVER PIPES, 1" TOTAL LAYER OF GRAVEL

SAND FILTER MATERIAL SPECIFICATIONS
N.T.S.

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PHONE: 919. 884. 7395

AURA
CONDITIONAL ZONING PERMIT
NORTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA, 27516

REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11. 13. 2020	REVISED PER 1ST CZP COMMENTS
2	12. 18. 2020	REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION

PROJECT NO.	TRG-20000
FILENAME	TRG20000-SWA
CHECKED BY	DCW
DRAWN BY	LK
SCALE	N.T.S.
DATE	12.21.2020

SHEET

STORMWATER CONTROL
MEASURE 'A' DETAILS

C9.01A

NOTE:
SEE STORMWATER IMPACT ANALYSIS (SIA)
FOR MORE INFORMATION REGARDING
VAULT DESIGN.

282

LIMITS OF
DISTURBANCE
(TYP.)

DROP INLET (TYP.)

STORM DRAINAGE
MAINTENANCE
AND ACCESS
EASEMENT

ORIFICES TO EXCHANGE
FLOW BETWEEN SAND
FILTER AND SEDIMENTATION
& DETENTION CHAMBER
ELEV. = 449.00

0.7' H x 2.5' W AREA ORIFICE
ELEV. = 452.00

INV. OUT = 447.50

30' W x 185' L (OVERALL DIMENSION)
SEDIMENTATION & DETENTION
CHAMBER
FLOOR ELEV. = 449.00
CEILING ELEVATION = 456.00

STORMWATER CONTROL
MEASURE B - EAST
UNDERGROUND VAULT

ACCESS HATCH (TYP.)

25' W x 105' L SAND FILTER CHAMBER
FLOOR ELEVATION = 447.33
TOP OF SAND ELEVATION = 448.00
CEILING ELEVATION = 456.00

JUNCTION BOX (TYP.)

INV. OUT = 446.50

VELOCITY DISSIPATOR
NCDOT GLASS & RIPRAP
12' L x 6' W x 22" THICK
D50 = 6"

RETAINING WALL
(DESIGN BY OTHERS)

40' OWASA
UTILITY EASEMENT

STORM SERVICE (TYP.)

POOL

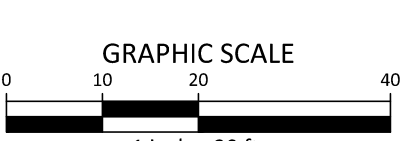
CLUBHOUSE

BUILDING
④

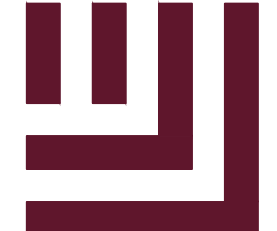
BUILDING
⑤

SEE SHEET C0.01 FOR ALL PROJECT, SITE,
GRADING, STORM DRAINAGE AND UTILITY
NOTES

ALL CONSTRUCTION SHALL BE IN
ACCORDANCE WITH THE CURRENT TOWN
OF CHAPEL HILL ENGINEERING DESIGN AND
CONSTRUCTION STANDARDS



UNDERGROUND SAND FILTER & DETENTION SYSTEM 'B' PLAN VIEW
1" = 20'



McADAMS

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DURHAM, NORTH CAROLINA, 27701
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NORTH ESTES DRIVE
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REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11.13.2020	REVISED PER 1ST CZP COMMENTS
2	12.18.2020	REVISED PER 2ND CZP COMMENTS
3	01.29.2021	REVISED PER 3RD CZP COMMENTS

PLAN INFORMATION

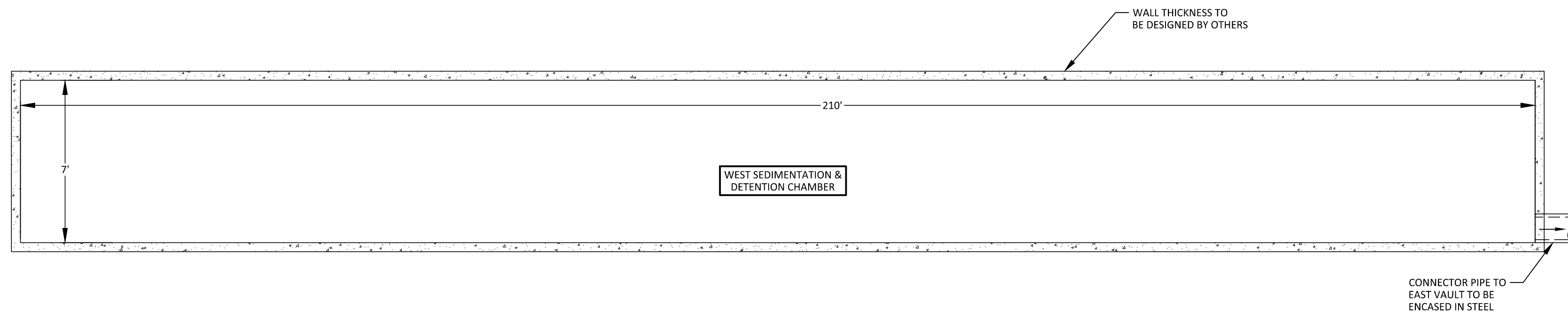
PROJECT NO.	TRG-20000
FILENAME	TRG20000-SWB
CHECKED BY	DCW
DRAWN BY	LK
SCALE	1"=20'
DATE	01.29.2021

SHEET

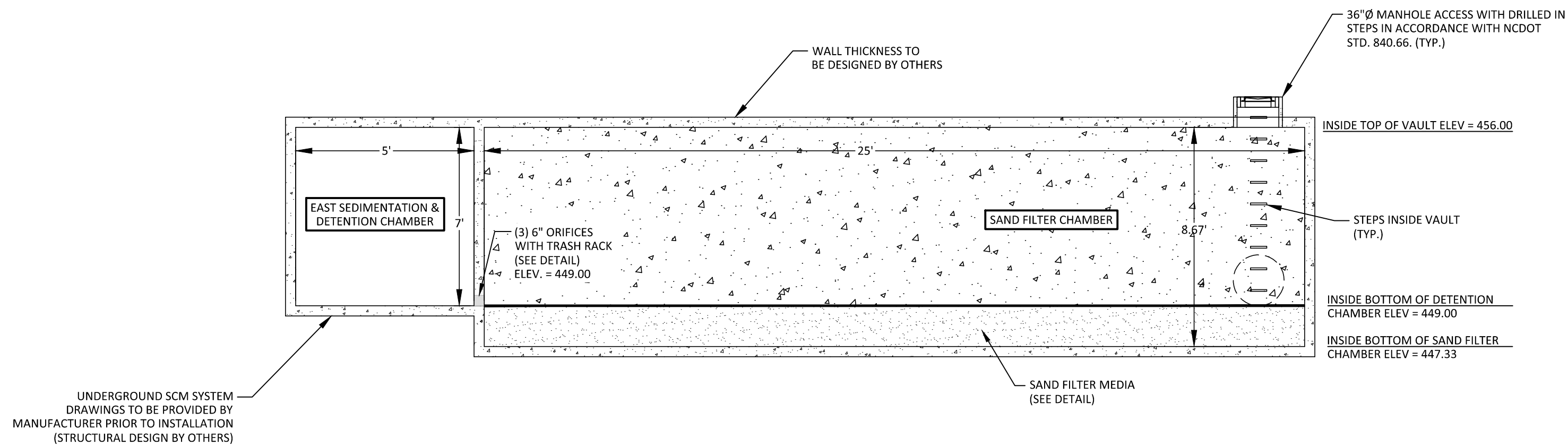
STORMWATER CONTROL
MEASURE 'B' PLAN VIEW

C9.00B

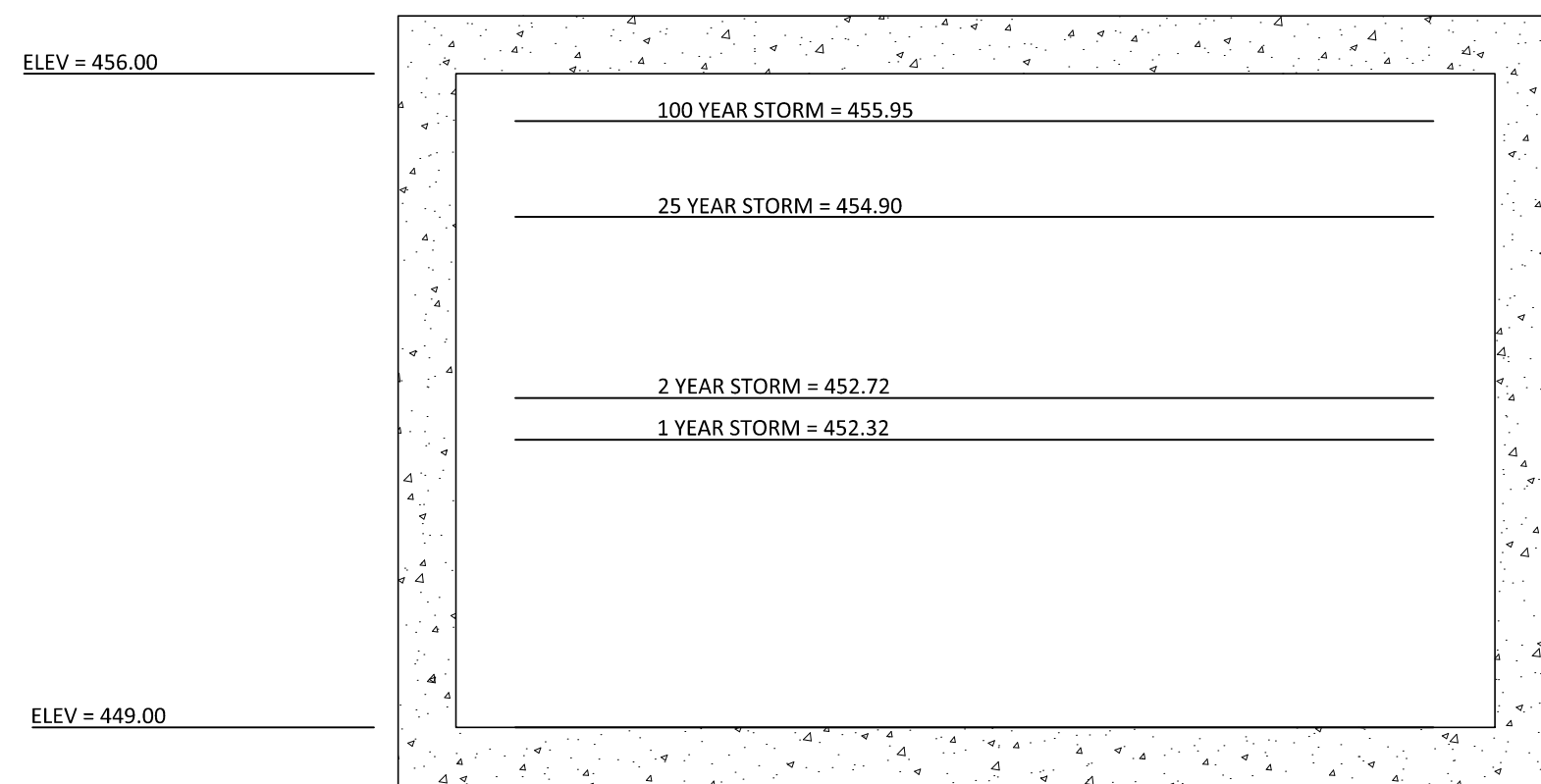
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



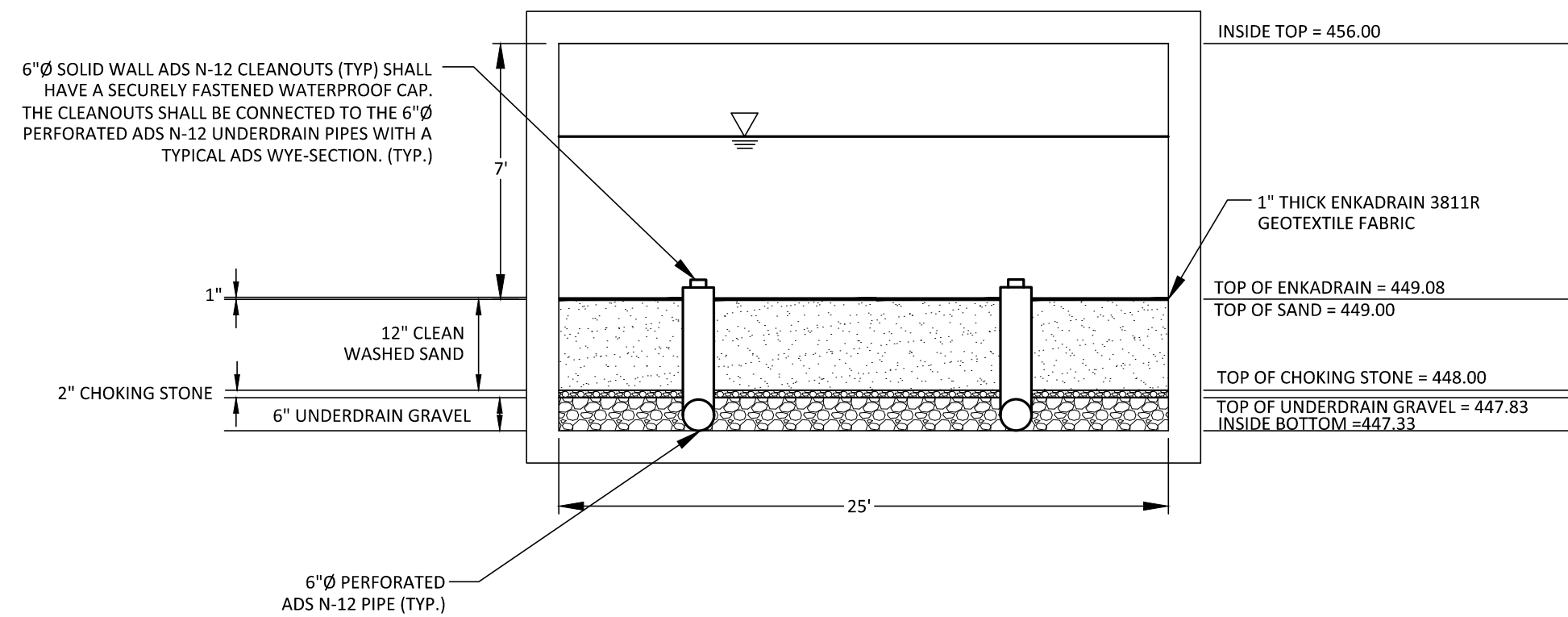
DETENTION VAULT A' - A' PROFILE VIEW
N.T.S.



SAND FILTER AND DETENTION VAULT B' - B' CROSS SECTION VIEW
N.T.S.



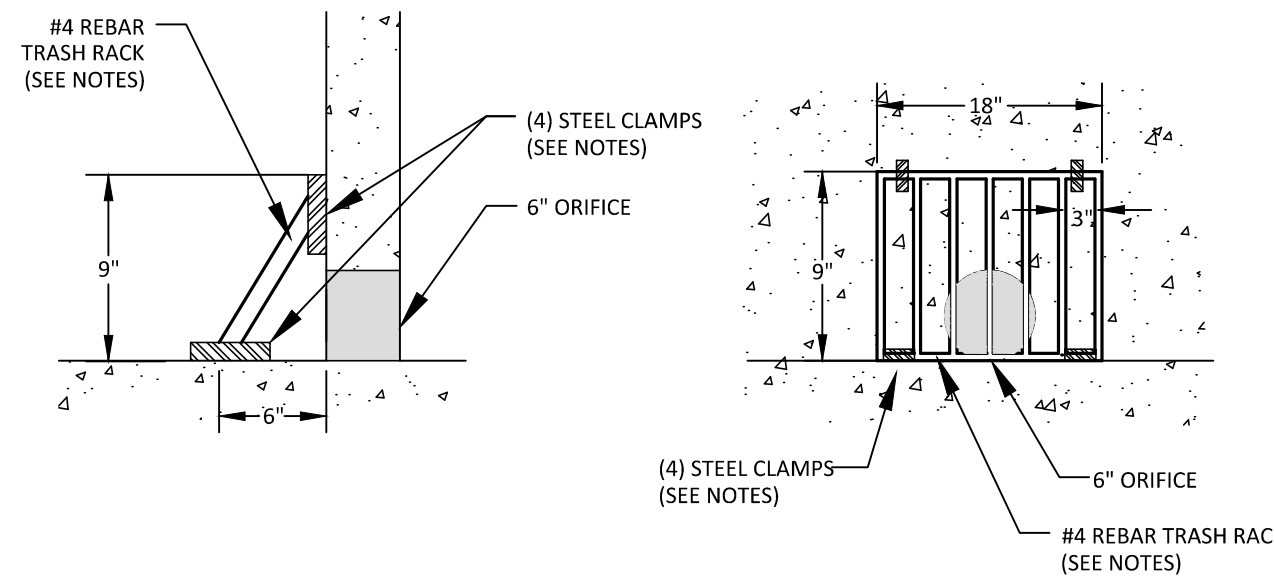
DETENTION VAULT CROSS SECTION
N.T.S.



SAND CHAMBER FILTER MEDIA DETAIL
N.T.S.

NOTES:

1. ATTACH TRASH RACK WITH (4) HOT DIPPED GALVANIZED STEEL CLAMPS. EACH CLAMP ATTACHED TO WEIR BOX BY (2) 4"x1/4" CONCRETE ANCHOR BOLTS. EACH CLAMP SHALL BE COATED WITH AN EPOXY COATING.
2. ALL REBAR TO BE GALVANIZED #4 REBAR WITH AN EPOXY COATING.
3. BAR SPACING TO BE ON-CENTER MEASUREMENT.



6" ORIFICE TRASH RACK DETAIL
N.T.S.

NOTE: THE ONSITE GEOTECHNICAL ENGINEER SHALL CERTIFY ALL COMPONENTS OF THE SAND FILTER.

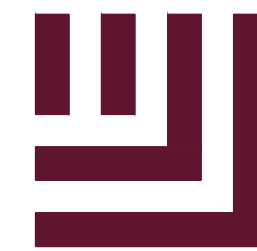
MATERIAL	SPECIFICATIONS / TEST METHOD	SIZE	NOTES
SAND	CLEAN ASHTO M-6 OR ASTM C-33 MEDIUM AGGREGATE SAND	0.02" TO 0.04"	SAND SUBSTITUTIONS SUCH AS DIABASE AND GRAYSTONE #30 ARE NOT ACCEPTABLE. NO CALCIUM CARBONATE OR OILUMTIC SAND SUBSTITUTIONS ARE ACCEPTABLE. NO "ROCK DUST" CAN BE USED FOR SAND.
UNDERDRAIN GRAVEL (6" LAYER UNDER CHOKING STONE)	ASTM C-33	#57 STONE	
CHOKING STONE (2" LAYER BETWEEN SAND AND GRAVEL)	ASTM C-33	#8 STONE	
GEOTEXTILE FABRIC ABOVE SAND LAYER	ENKADRAIN 3811R		ENKADRAIN 3811R OR ENGINEER APPROVED EQUIVALENT TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS
UNDERDRAIN PIPING	AASHTO M-252	6" ADS N-12 (DOUBLE WALL HDPE PIPE)	3/8" PERFORATIONS @ 6" ON CENTER, 4 HOLES PER ROW. MINIMUM OF 4" OF GRAVEL OVER PIPES, 1" TOTAL LAYER OF GRAVEL

SAND FILTER MATERIAL SPECIFICATIONS
N.T.S.

SEE SHEET C0.01 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11. 13. 2020	REVISED PER 1ST CZP COMMENTS
2	12. 18. 2020	REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION

PROJECT NO. TRG-20000
FILENAME TRG20000-SWB
CHECKED BY DCW
DRAWN BY LK
SCALE N.T.S.
DATE 12.21.2020

SHEET

STORMWATER CONTROL
MEASURE 'B' DETAILS

C9.01B

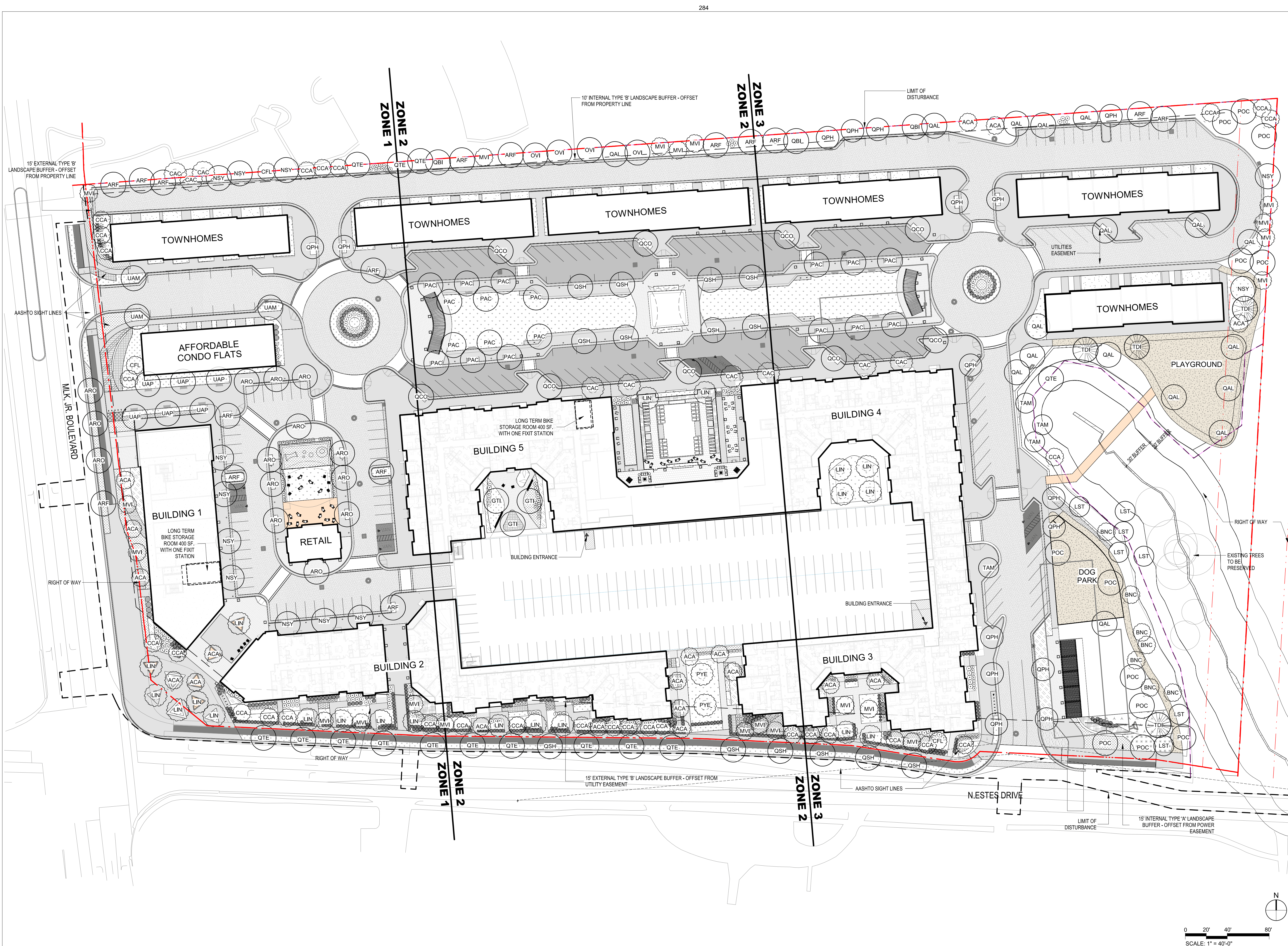
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† 1 919.589.1820

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NORTH ESTES DRIVE
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1. 11.13.2020 REVISED PER 1ST CZP COMMENTS
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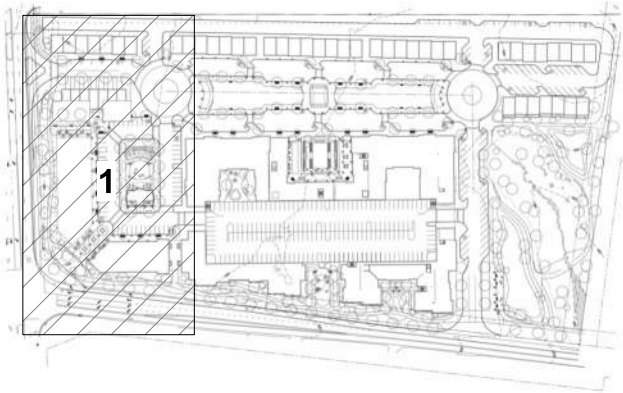
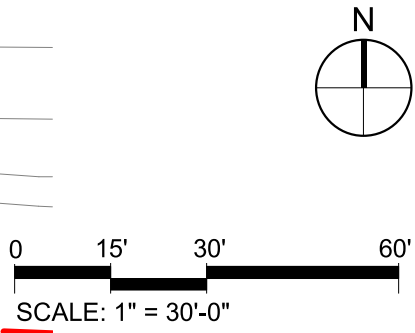
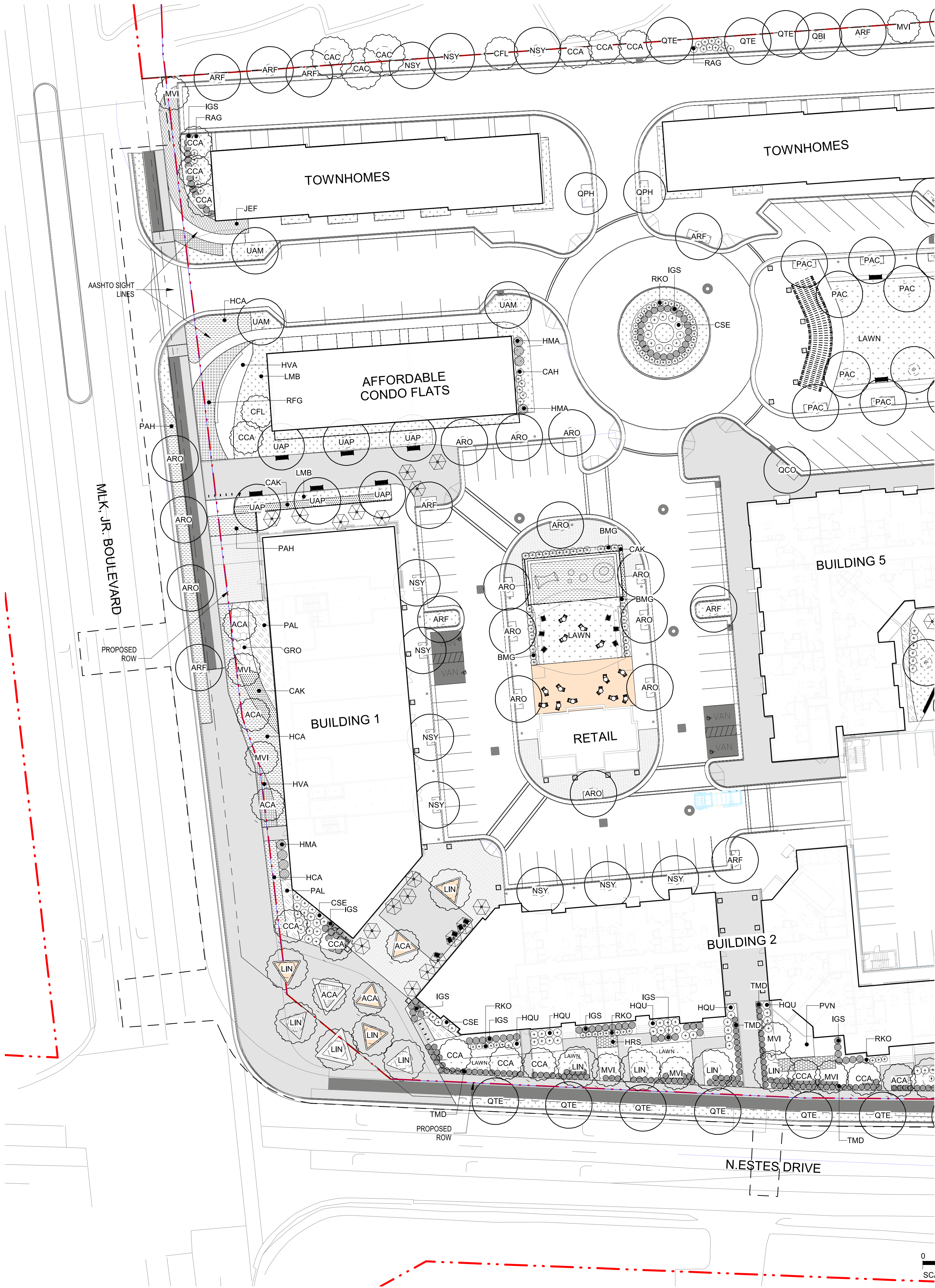
L1.00



TREE SCHEDULE						
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	COMMENTS	COUNT
TREE						
EVERGREEN TREES						
TDI	Taxodium distichum var. distichum	Bald Cypress	2.5" Cal	B&B		5
ORNAMENTAL TREES						
ACA	Amelanchier canadensis	Serviceberry	2.5" Cal	B&B		19
BNC	Betula nigra 'Cully's Improved'	River Birch	2.5" Cal	B&B		7
CCA	Cercis canadensis	Eastern Redbud	2.5" Cal	B&B		30
CFL	Cornus florida	Flowering Dogwood	2.5" Cal	B&B		3
MVI	Magnolia virginiana	Southern Magnolia	2.5" Cal	B&B		21
LIN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle	3" Cal	B&B		21
ABU	Acer buergerianum	Trident Maple	2.5" Cal	B&B		8
PYE	Prunus x yedoensis	Yoshino Cherry	3" Cal	B&B		3
SHADE TREES						
ARF	Acer rubrum 'Franksred'	Red Sunset Maple	3" Cal	B&B		16
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3" Cal	B&B		14
CAC	Carpinus carolinana	American Hornbeam	3" Cal	B&B		9
GTI	Gleditsia triacanthos var. inermis 'Shademaster'	Thornless Honeylocust	2.5" Cal	B&B		4
LST	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	12'-14'	B&B		9
NSY	Nyssa sylvatica 'David Odom'	Columnar Blackgum	3" Cal	B&B		12
OVI	Ostrya virginiana	American Hop Hornbeam	3" Cal	B&B		4
POC	Platanus occidentalis	American sycamore	12'-14'	B&B		12
PAC	Platanus x acerifolia 'Exclamation'	London Planetree	3" Cal	B&B		19
QAL	Quercus alba	White Oak	3" Cal	B&B		17
QBI	Quercus bicolor	Swamp White Oak	3" Cal	B&B		4
QCO	Quercus coccinea	Scarlet Oak	12'-14'	B&B		9
QPH	Quercus phellos 'Hightower'	'Hightower' Willow Oak	12'-14'	B&B		17
QSH	Quercus shumardii	Shumard Oak	3" Cal	B&B		14
QTE	Quercus texana	Nuttall's oak	12'-14'	B&B		14
TAM	Tilia americana	American Linden	2.5" Cal	B&B		4
UAM	Ulmus americana 'Jefferson'	Jefferson American Elm	3" Cal	B&B		3
UAP	Ulmus americana 'Princeton'	Princeton American Elm	3" Cal	B&B		6
Grand total						304
						304

SHRUB SCHEDULE						
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	COUNT	COMMENT S
BMG	Buxus microphylla 'Green Velvet'	Boxwood 'Green Velvet'	#3	Container	48	36" o.c.
CAH	Clethra alnifolia 'Hummingbird'	Sweet Pepperbush	#3	Container	10	36" o.c.
CSE	Cornus sericea	Red Twig Dogwood	#3	Container	68	60" o.c.
HMA	Hydrangea macrophylla	Bigleaf Hydrangea	#3	Container	9	30" - 36" Ht.
HPL	Hydrangea paniculata 'Limelight'	Limelight Hydrangea	#3	Container	11	
HQD	Hydrangea quercifolia 'Sike's Dwarf'	Dwarf Oakleaf Hydrangea	#5	Container	19	30" o.c.
HQU	Hydrangea quercifolia	Oakleaf Hydrangea	#3	Container	65	48" o.c.
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3	Container	173	18" - 24" Ht
IVE	Ilex verticillata	Winterberry Holly	#3	Container	33	48" o.c.
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3	Container	16	18" - 24" Ht
MPE	Myrica Pensylvanica	Northern Bayberry	#3	Container	4	48"-54" Ht.
PLO	Prunus laurocerasus 'Otto Luyken'	Cherry laurel	#3	Container	6	
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3	Container	37	
RKO	Rosa 'Knockout'	Knockout Rose	#3	Container	103	36" o.c.
RNO	Rosa x Noisemell	'Capelet Rose' Appleblossom'	#3	Container	5	24"-30" spd.
TMD	Taxus x media 'Densiformis'	Dense 'Yew'	#3	Container	316	24" - 30" Ht.
VBC	Viburnum x burkwoodi 'Conoy'	Conoy Viburnum	#3	Container	1	36"-42" Ht.
VCA	Viburnum carlesii	koreanspice Viburnum	#3	Container	1	36"-42" Ht.
VDB	Viburnum dentatum 'Blue muffin'	Arrowwood Viburnum	#3	Container	1	36"-42" Ht.
VDC	Viburnum dentatum 'Christom' Blue Muffin	Blue Muffin Arrowwood Viburnum	#5	Container	19	36" o.c.

PERENNIAL AND ORNAMENTAL GRASS SCHEDULE				
PLANT ID	Common Name	Botanical Name	SPACING (IN.)	COMMENTS
CAK	Feather Reed Grass	Calamagrostis acutiflora 'Karl Foerster'	24"	#1
CMI	Variegated Japanese Sedge	Carex morrowii 'Ice Dance'	18"	#1
CPA	Sweet Autumn Clematis	Clematis paniculata	36"	#1
CPE	Sedge	Carex pensylvanica	12"	#1
EEW	Wind Dancer Lovegrass	Eragrostis ellipti 'Wind Dancer'	24"	#1
GRO	'Rozanne' Crane's Bill	Geranium 'Rozanne'	18"	#1
HCA	Creeping St. John's Wort	Hypericum calycinum	18"	#1
HRS	Fragrant Hosta	Hosta 'Royal Standard'	30"	#1
HVA	Autumn Bride' Coral Bells	Heuchera villosa 'Autumn Bride'	18"	#1
JEF	Soft Rush	Juncus effusus	24"	#1
LES	Dwarf Shasta Daisy	Leucanthemum x 'Snow Lady'	18"	#1
LMB	Big Blue Lilyturf	Liriope muscari 'Big Blue'	12"	#1
LMV	Variegated Lilyturf	Liriope muscari 'Variegata'	12"	#1
MCA	Muhly Grass	Muhlenbergia capillaris	24"	#1
NFW	Catmint	Nepata x faassenii 'Walker's Low'	18"	#1
PAH	Dwarf Fountain Grass	Pennisetum alopecuroides 'Hameln'	24"	#1
PAL	Fountain Grass	Pennisetum alopecuroides	30"	#1
PAT	Russian Sage	Perovskia atriplicifolia	24"	#1
PVN	'North Wind' Switchgrass	Panicum virgatum 'Northwind'	36"	#1
PVS	'Shenandoah' Switchgrass	Panicum virgatum 'Shenandoah'	36"	#1
RFG	Black-Eyed Susan	Rudbeckia fulgida 'Goldsturm'	18"	#1
SNA	New England Aster	Symphotrichum novae-angliae	18"	#1
SSM	May Night Sage	Salvia x sylvestris 'May Night'	18"	#1
SSS	Little Bluestem	Schizachyrium scoparium 'Standing Ovation'	18"	#1
TCO	Foam Flower	Tiarella cordifolia	18"	#1



KEY PLAN



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† 1 617.848.9511

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REVISIONS

1. 11.13.2020 REVISED PER 1ST CZP COMMENTS
2. 12.17.2020 REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION

PROJECT NO.: Author

SCALE: As indicated
DATE: 09/24/2020

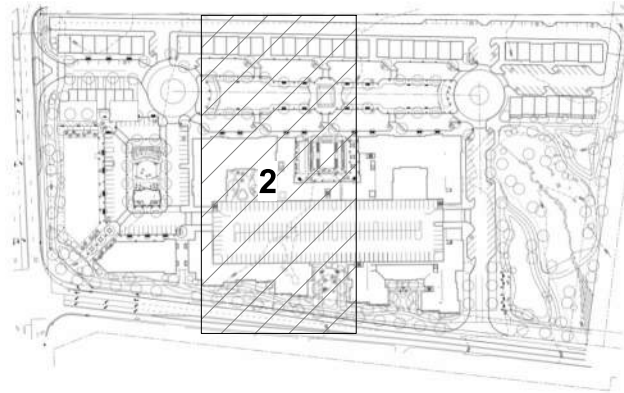
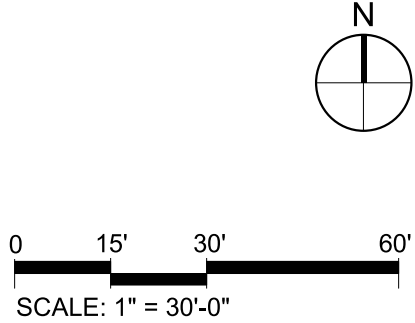
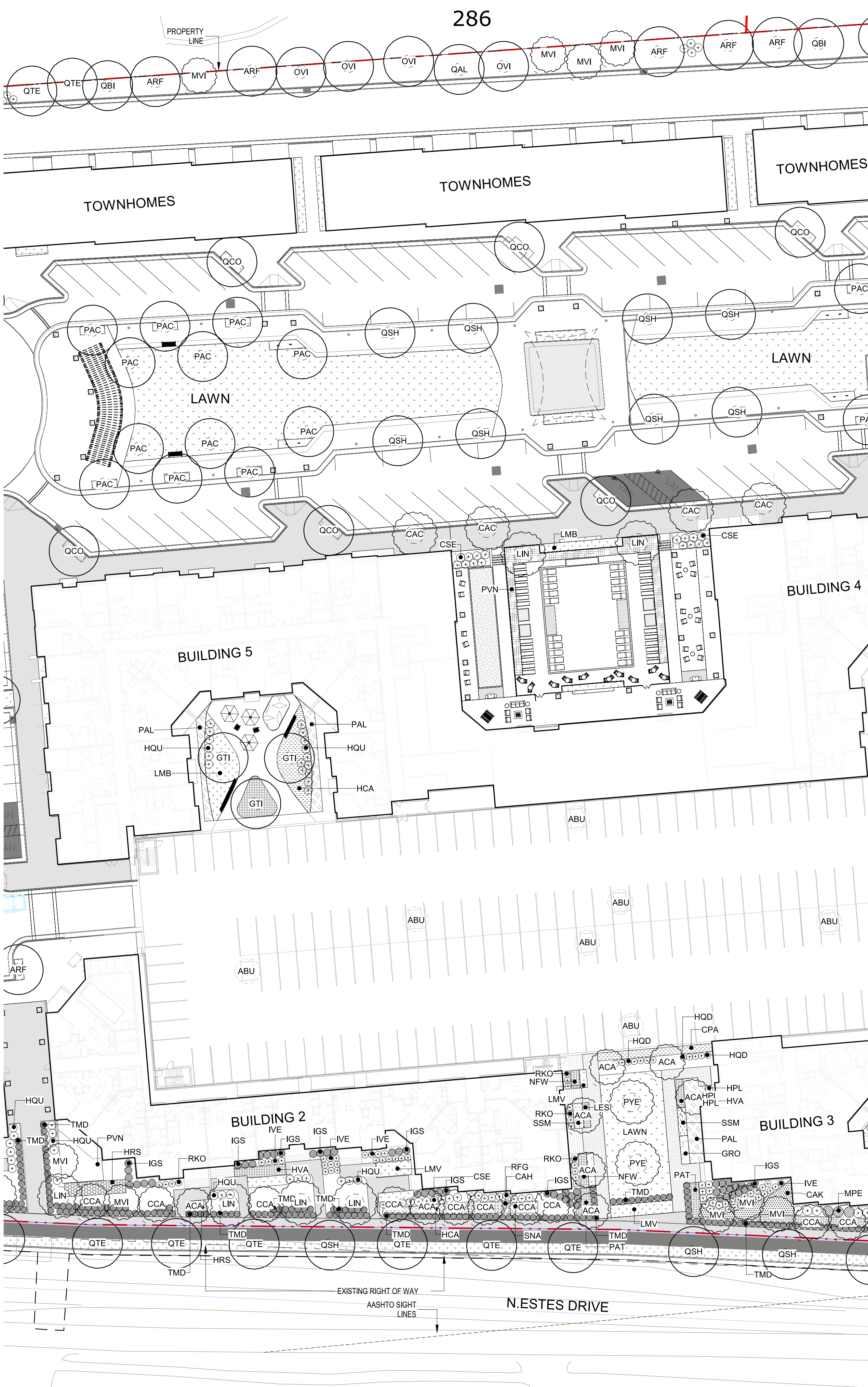
PLANTING PLAN ZONE 1

L1.01

TREE SCHEDULE						
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	COMMENTS	COUNT
TREE						
EVERGREEN TREES						
TDI	Taxodium distichum var. distichum	Bald Cypress	2.5' Cal	B&B		5
ORNAMENTAL TREES						
ACA	Amelanchier canadensis	Serviceberry	2.5' Cal	B&B		19
BNC	Betula nigra 'Cully's Improved'	River Birch	2.5' Cal	B&B		7
CCA	Cercis canadensis	Eastern Redbud	2.5' Cal	B&B		30
CFL	Cornus florida	Flowering Dogwood	2.5' Cal	B&B		3
MVI	Magnolia virginiana	Southern Magnolia	2.5' Cal	B&B		21
LIN	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle	3' Cal	B&B		21
ABU	Acer buergerianum	Trident Maple	2.5' Cal	B&B		8
PYE	Prunus x yedoensis	Yoshino Cherry	3' Cal	B&B		3
SHADE TREES						
ARF	Acer rubrum 'Franksred'	Red Sunset Maple	3' Cal	B&B		16
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3' Cal	B&B		14
CAC	Carpinus caroliniana	American Hornbeam	3' Cal	B&B		9
GTI	Gleditsia triacanthos var. inermis 'Shademaster'	Thornless Honeylocust	2.5' Cal	B&B		4
LST	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	12'-14'	B&B		9
NSY	Nyssa sylvatica 'David Odom'	Columnar Blackgum	3' Cal	B&B		12
OVI	Ostrya virginiana	American Hop Hornbeam	3' Cal	B&B		4
POC	Platanus occidentalis	American sycamore	12'-14'	B&B		12
PAC	Platanus x acerifolia 'Exclamation'	London Planetree	3' Cal	B&B		19
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QBI	Quercus bicolor	Swamp White Oak	3' Cal	B&B		4
QCO	Quercus coccinea	Scarlet Oak	12'-14'	B&B		9
QPH	Quercus phellos 'Hightower'	'Hightower' Willow Oak	12'-14'	B&B		17
QSH	Quercus shumardii	Shumard Oak	3' Cal	B&B		14
QTE	Quercus texana	Nuttall's oak	12'-14'	B&B		14
TAM	Tilia americana	American Linden	2.5' Cal	B&B		4
UAM	Ulmus americana 'Jefferson'	Jefferson American Elm	3' Cal	B&B		3
UAP	Ulmus americana 'Princeton'	Princeton American Elm	3' Cal	B&B		6
Grand total						304

SHRUB SCHEDULE						
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	COUNT	COMMENT S
BMG	Buxus microphylla 'Green Velvet'	Boxwood 'Green Velvet'	#3	Container	48	36" o.c.
CAH	Clethra alnifolia 'Hummingbird'	Sweet Pepperbush	#3	Container	10	36" o.c.
CSE	Cornus sericea	Red Twig Dogwood	#3	Container	68	60" o.c.
HMA	Hydrangea macrophylla	Bigleaf Hydrangea	#3	Container	9	30" - 36" Ht.
HPL	Hydrangea paniculata 'Limelight'	Limelight Hydrangea	#3	Container	11	
HQD	Hydrangea quercifolia 'Sike's Dwarf'	Dwarf Oakleaf Hydrangea	#5	Container	19	30" o.c.
HQU	Hydrangea quercifolia	Oakleaf Hydrangea	#3	Container	65	48" o.c.
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3	Container	173	18" - 24" Ht
IVE	Ilex verticillata	Winterberry Holly	#3	Container	33	48" o.c.
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3	Container	16	18" - 24" Ht
MPE	Myrica Pensylvanica	Northern Bayberry	#3	Container	4	48"-54" Ht.
PLO	Prunus laurocerasus 'Otto Luyken'	Cherry laurel	#3	Container	6	
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3	Container	37	
RKO	Rosa 'Knockout'	Knockout Rose	#3	Container	103	36" o.c.
RNO	Rosa x Noamel	Carpet Rose 'Appleblossom'	#3	Container	5	24"-30" spd.
TMD	Taxus x media 'Densiformis'	Dense Yew	#3	Container	316	24" - 30" Ht.
VBC	Viburnum x burkwoodi 'Conoy'	Conoy Viburnum	#3	Container	1	36"-42" Ht.
VCA	Viburnum carlesii	koreanspice Viburnum	#3	Container	1	36"-42" Ht.
VDB	Viburnum dentatum 'Blue muffin'	Arrowwood Viburnum	#3	Container	1	36"-42" Ht.
VDC	Viburnum dentatum 'Christom' Blue Muffin	Blue Muffin Arrowwood Viburnum	#5	Container	19	36" o.c.

PERENNIAL AND ORNAMENTAL GRASS SCHEDULE				
PLANT ID	Common Name	Botanical Name	SPACING (IN.)	COMMENTS
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CMI	Variegated Japanese Sedge	Carex morrowii 'Ice Dance'	18"	#1
CPA	Sweet Autumn Clematis	Clematis paniculata	36"	#1
CPE	Sedge	Carex pensylvanica	12"	#1
EEW	Wind Dancer Lovegrass	Eragrostis eliottii 'Wind Dancer'	24"	#1
GRO	'Rozanne' Crane's Bill	Geranium 'Rozanne'	18"	#1
HCA	Creeping St. John's Wort	Hypericum calycinum	18"	#1
HRS	Fragrant Hosta	Hosta 'Royal Standard'	30"	#1
HVA	Autumn Brides' Coral Bells	Heuchera villosa 'Autumn Bride'	18"	#1
JEF	Soft Rush	Juncus effusus	24"	#1
LES	Dwarf Shasta Daisy	Leucanthemum x 'Snow Lady'	18"	#1
LMB	Big Blue Lilyturf	Liriope muscari 'Big Blue'	12"	#1
LMV	Variegated Lilyturf	Liriope muscari 'Variegata'	12"	#1
MCA	Muhly Grass	Muhlenbergia capillaris	24"	#1
NFW	Catmint	Nepata x faassenii 'Walker's Low'	18"	#1
PAH	Dwarf Fountain Grass	Pennisetum alopecuroides 'Hameln'	24"	#1
PAL	Fountain Grass	Pennisetum alopecuroides	30"	#1
PAT	Russian Sage	Perovskia atriplicifolia	24"	#1
PVN	'North Wind' Switchgrass	Panicum virgatum 'Northwind'	36"	#1
PVS	'Shenandoah' Switchgrass	Panicum virgatum 'Shenandoah'	36"	#1
RFG	Black-Eyed Susan	Rudbeckia fulgida 'Goldsturm'	18"	#1
SNA	New England Aster	Symphotrichum novae-angliae	18"	#1
SSM	May Night Sage	Salvia x sylvestris 'May Night'	18"	#1
SSS	Little Bluestem	Schizachyrium scoparium 'Standing Ovation'	18"	#1
TCO	Foam Flower	Tiarella cordifolia	18"	#1



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AURA
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CHAPEL HILL, NORTH CAROLINA, 27516

REVISIONS

- 1. 11.13.2020 REVISED PER 1ST CZP COMMENTS
- 2. 12.17.2020 REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION


PROJECT NO.: Author

SCALE: As indicated
DATE: 09/24/2020

PLANTING PLAN ZONE 2

L1.02

FIXIT
Submittal Sheet



CAPACITY

1 Bike

MATERIALS

Main body: 6"x.354" tube
Blue Hanger: 1.5" x 40 pipe, 1/2" plate
Foot: 10" dia x .25" plate
Tool holders: 5/32" stainless steel cable
Manual air pump
Hand tools:
Phillips and flat head screwdrivers
2.5, 3, 4, 5, 6, 8mm Allen wrenches
Headset wrench
Pedal wrench
6 & 9/16" 15mm box wrenches
Tire levers (2)

FINISHES

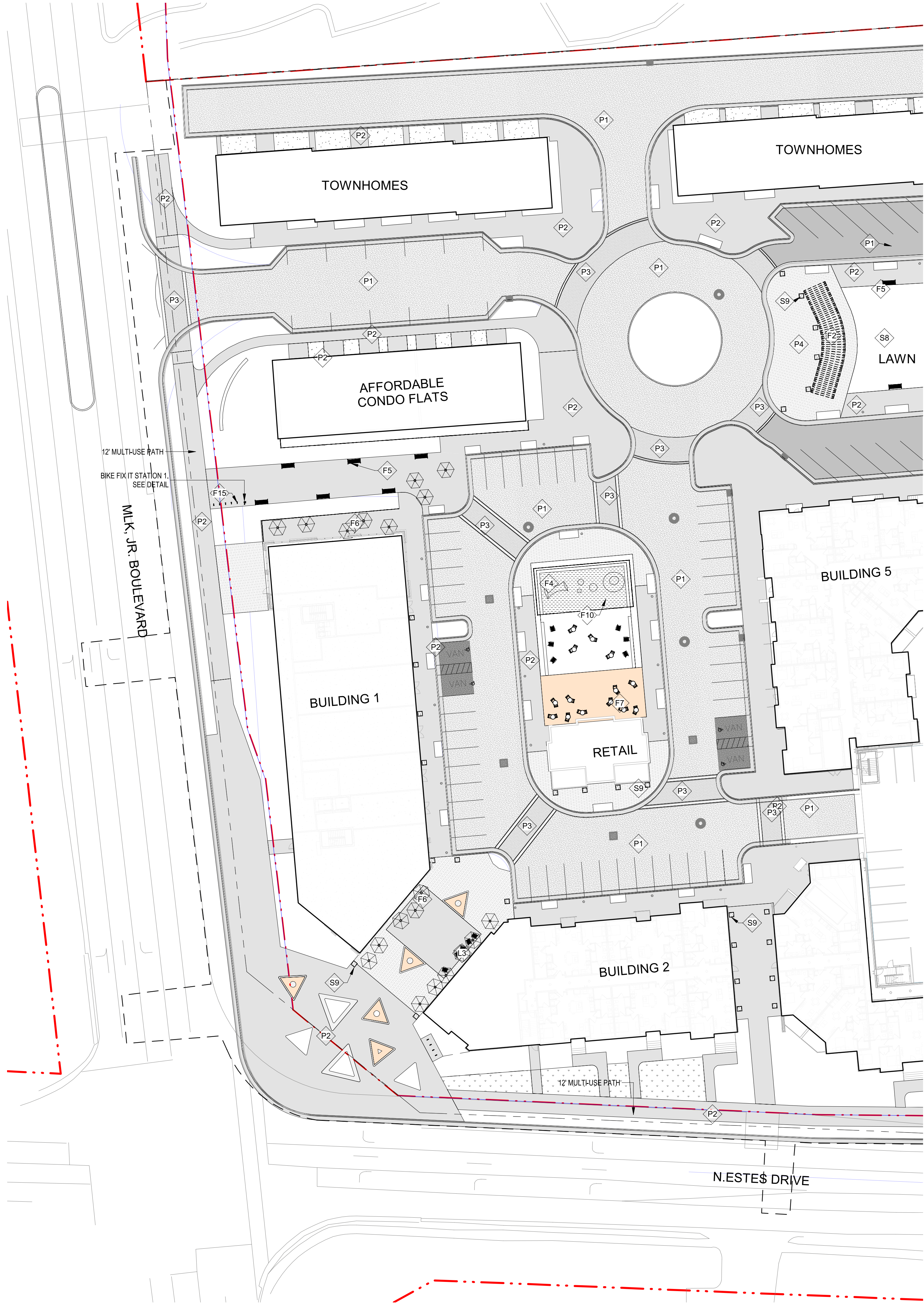
☐ **Galvanized**
An after fabrication hot dipped galvanized finish is our standard option.

☐ **Powder Coat**
Our powder coat finish assures a high level of adhesion and durability by following these steps:
1. Sandblast
2. Epoxy primer electrostatically applied
3. Final thick TGIC polyester powder coat

☐ **Stainless**
Stainless Steel: 304 grade stainless steel material finished in either a high polished shine or a satin finish.

MOUNT OPTIONS

☐ **Surface**
Has 10" diameter x.25" foot with four anchors per foot.



STREETSCAPE PLAN KEY NOTES

F2	PERGOLA/SHADE STRUCTURE.
F4	PLAY SCULPTURE/EQUIPMENT.
F5	BENCH SEATING.
F6	UMBRELLA TABLE + CHAIRS.
F7	DINING TABLE + CHAIRS.
F10	ORNAMENTAL FENCE.
F15	BIKE RACK.
L3	STRING LIGHTING.
P1	ASPHALT PAVING.
P2	SCORED CONCRETE PAVING.
P3	CONCRETE UNIT PAVING (VEHICULAR APPLICATION).
P4	CONCRETE UNIT PAVING (PED APPLICATION).
S8	LAWN.
S9	PLANTER POTS.

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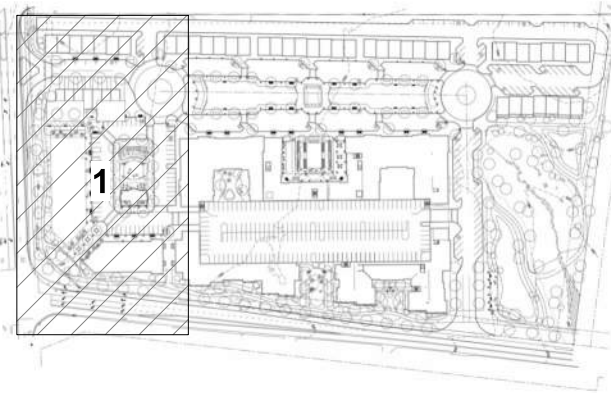
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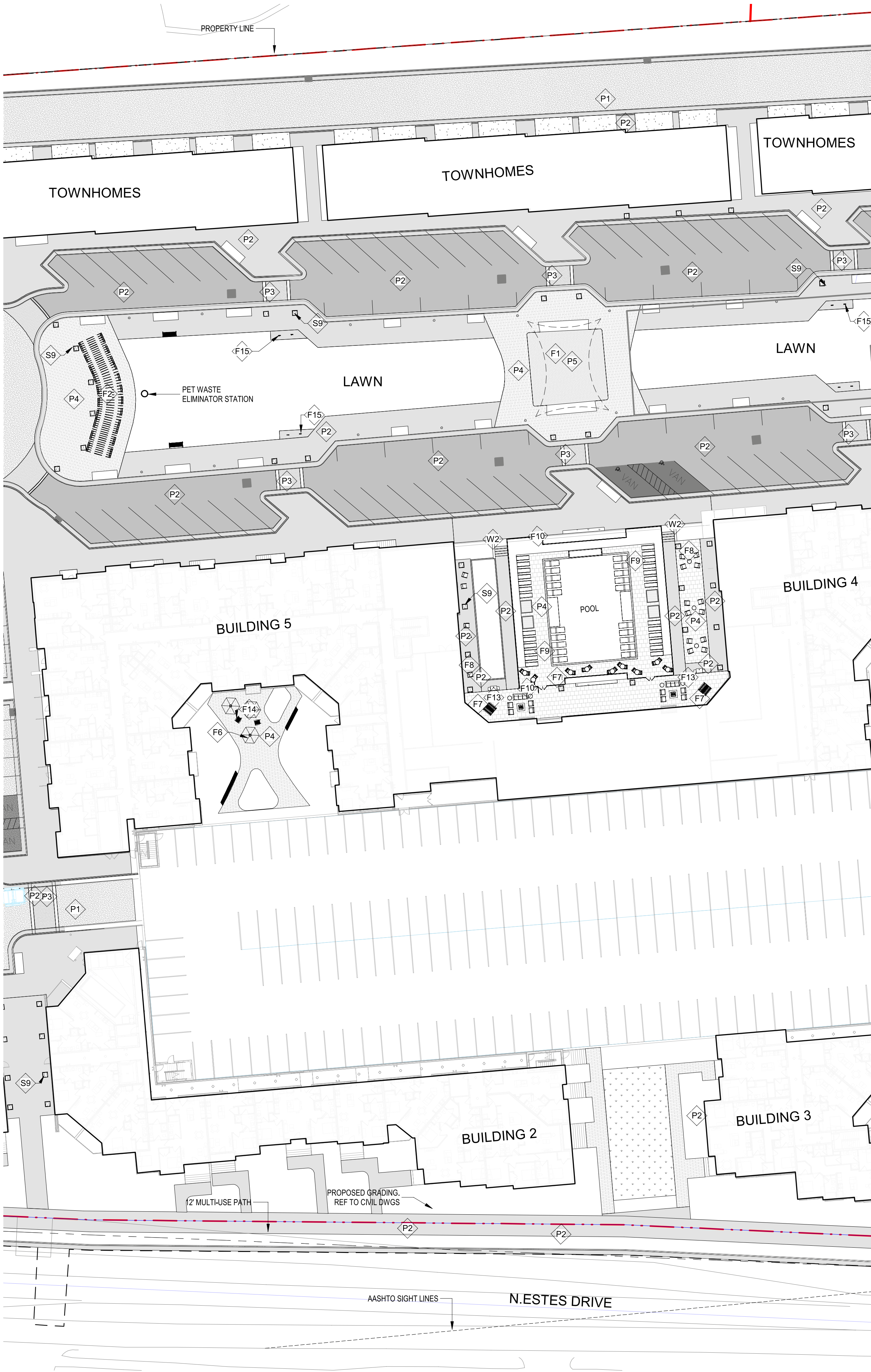
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HARDSCAPE PLAN ZONE 1

L1.04

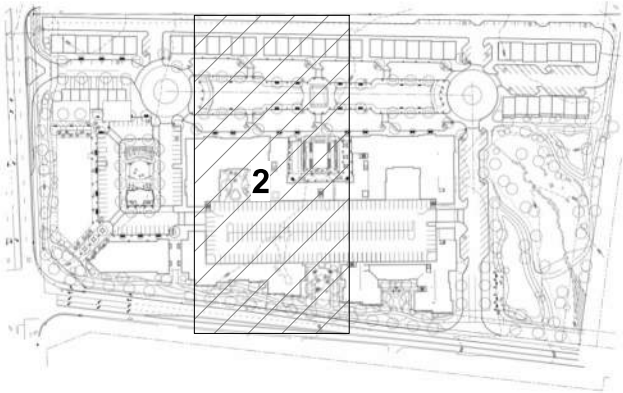


KEY PLAN



STREETSCAPE PLAN KEY NOTES

F1	STAGE STRUCTURE.
F2	PERGOLA/SHADE STRUCTURE.
F6	UMBRELLA TABLE + CHAIRS.
F7	DINING TABLE + CHAIRS.
F8	SOFT SEATING.
F9	LOUNGE CHAIRS.
F10	ORNAMENTAL FENCE.
F11	GRILLS.
F14	ADIRONDACK CHAIRS.
F15	BIKE RACK.
P1	ASPHALT PAVING.
P2	SCORED CONCRETE PAVING.
P3	CONCRETE UNIT PAVING (VEHICULAR APPLICATION).
P4	CONCRETE UNIT PAVING (PED APPLICATION).
P5	CROSSWALK UNIT PAVING (VEHICULAR APPLICATION).
S9	PLANTER POTS.
W2	SITE STAIR.



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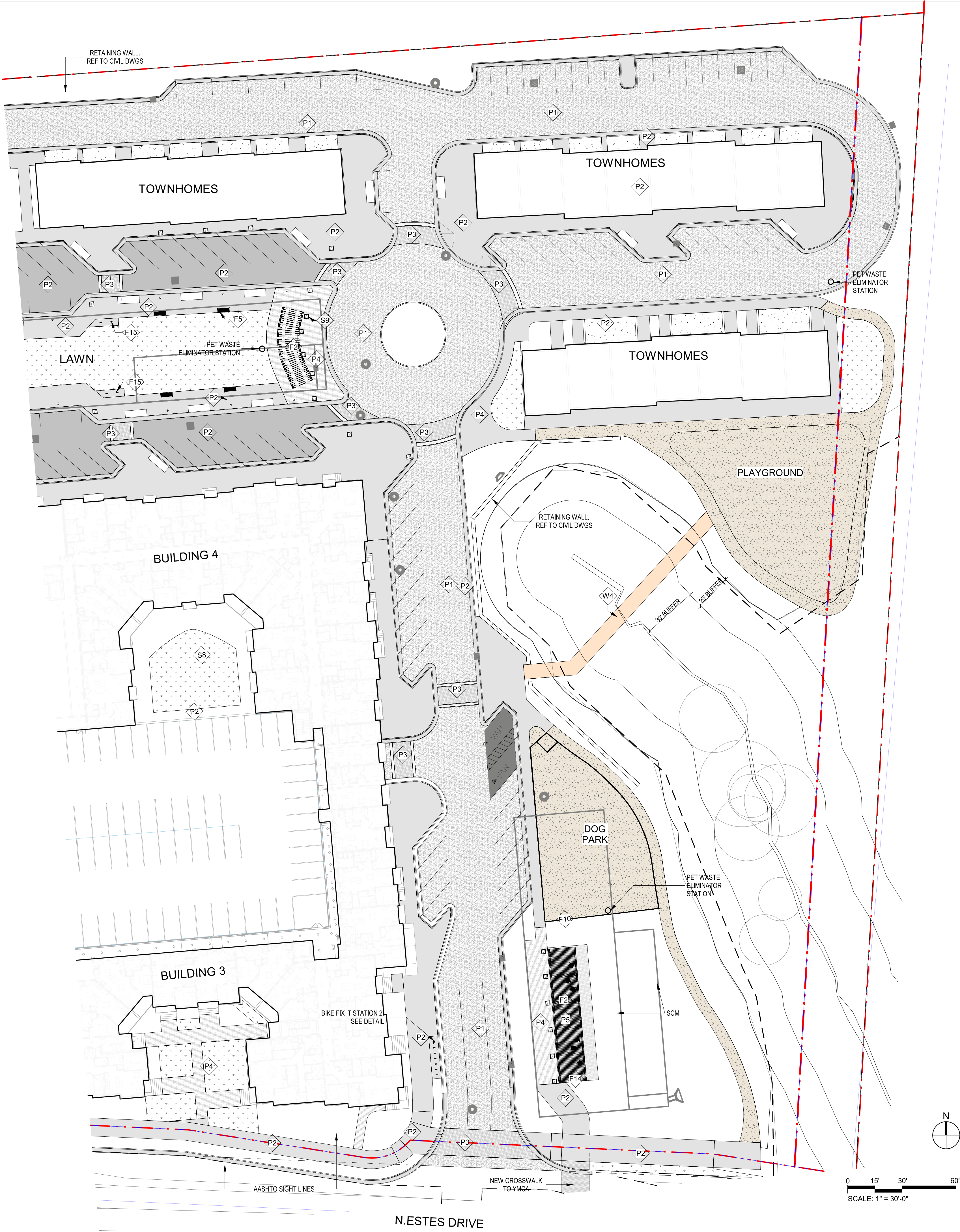
PLAN INFORMATION

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SCALE: As indicated
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HARDSCAPE PLAN ZONE 2

L1.05



STREETSCAPE PLAN KEY NOTES

F2	PERGOLA/SHADE STRUCTURE.
F5	BENCH SEATING.
F10	ORNAMENTAL FENCE.
F14	ADIRONDACK CHAIRS.
F15	BIKE RACK.
P1	ASPHALT PAVING.
P2	SCORED CONCRETE PAVING.
P3	CONCRETE UNIT PAVING (VEHICULAR APPLICATION).
P4	CONCRETE UNIT PAVING (PED APPLICATION).
P5	CROSSWALK UNIT PAVING (VEHICULAR APPLICATION).
S8	LAWN.
S9	PLANTER POTS.
W4	BOARDWALK/BRIDGE.

CLIENT

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REVISIONS

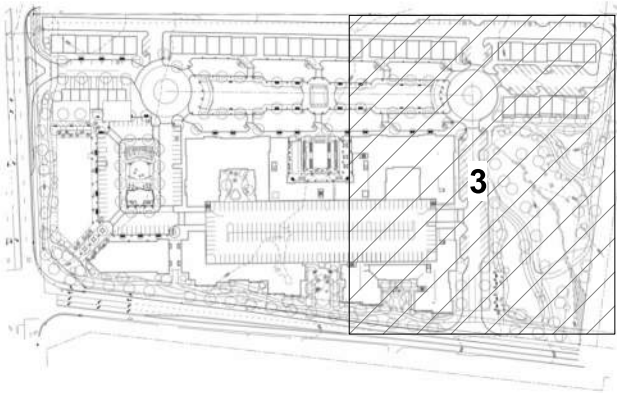
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HARDSCAPE PLAN ZONE 3



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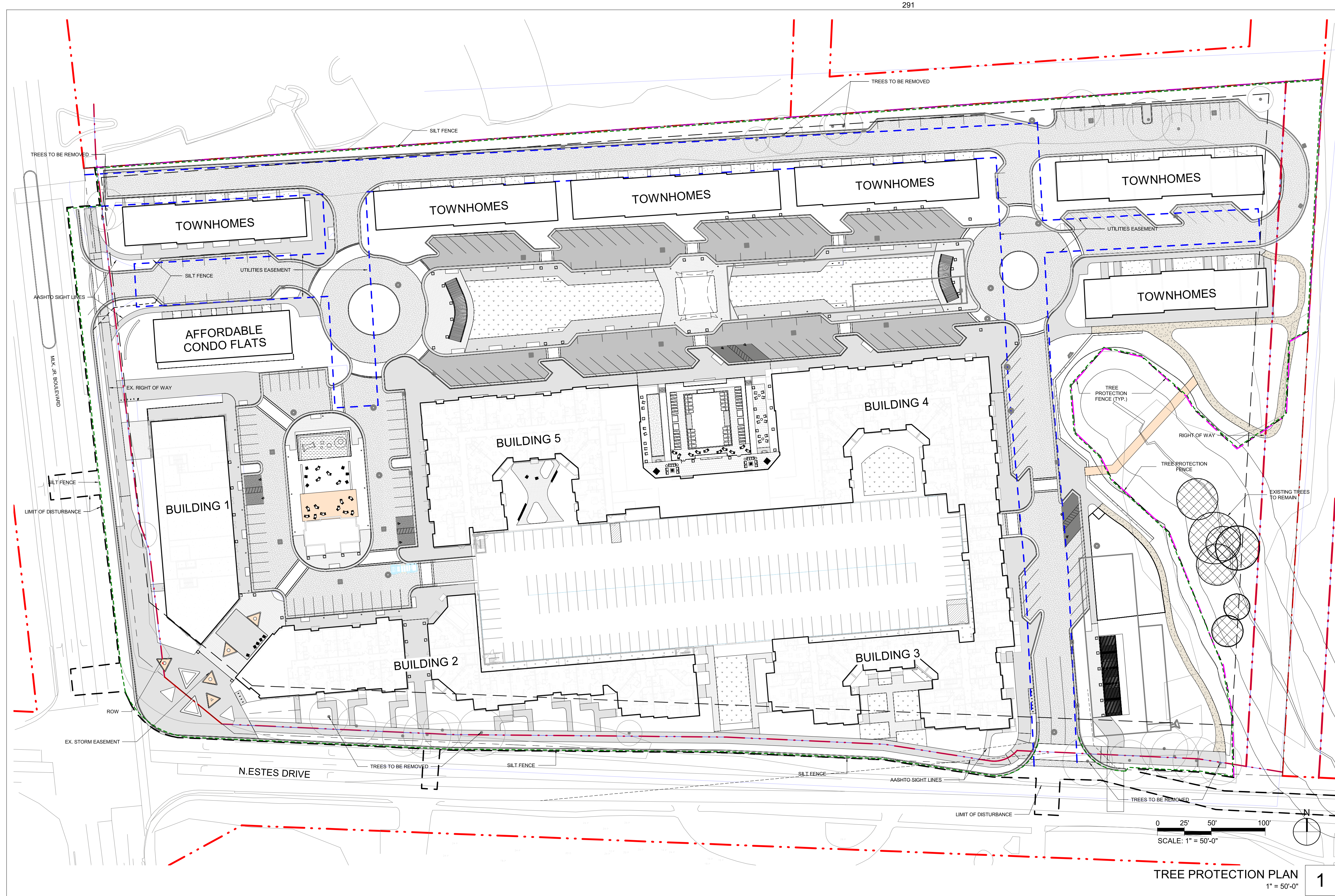
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LEGEND

- CRITICAL ROOT ZONE
- TREE PROTECTION AREA BOUNDED BY TREE PROTECTION FENCE
- TREES TO BE REMOVED
- SILT FENCE
- LIMITS OF DISTURBANCE
- TREE PROTECTION FENCE

TREE CANOPY CALCULATIONS:

- RARE TREES - 0
- SIGNIFICANT TREE STANDS - NONE (refer to Tree Evaluation Report)
- SPECIMEN TREES - 32
- TREES TO BE PROTECTED - 8
- TREES TO BE REMOVED - 24
- LOT SIZE - 640,973 SQF
- NET LOT SIZE (excl. easements and ROW's) - 511,267 SQF
- 40% REQUIRED CANOPY COVERAGE (MIXED USE) - 204,507 SQF
- AREA OF EXISTING CANOPY PROTECTED - 5,373 SQF
- CANOPY DEFICIT - 199,134 SQF
- REPLACEMENT TREES REQUIRED (as per Section 5.7.2) - 398
- REPLACEMENT TREES PROPOSED - 298

NOTES:

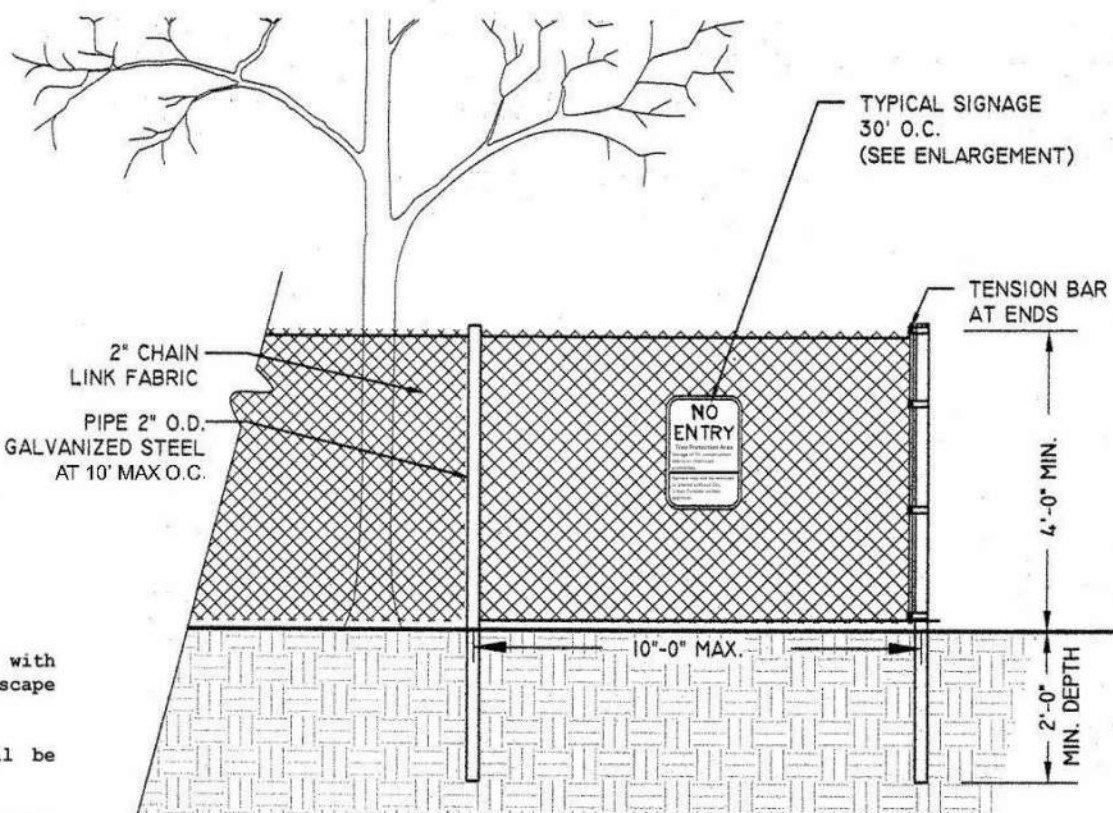
- Prior to the commencement of any activities requiring a zoning compliance permit, a **pre-construction conference** with the town's urban forester or landscape architect shall take place to review procedures for protection and management of all protected landscape elements identified on the landscape protection plan.
- On-site supervision:** The owner will designate landscape protection supervisors one or more persons who have completed instruction in landscape protection procedures with the town.
 - It is the duty of the landscape protection supervisor to ensure the protection of new or existing landscape elements, as defined in the landscape protection plan. The approved landscape protection supervisor shall supervise all site work to assure that development activity conforms to provisions of the approved landscape protection plan. At least one (1) identified landscape protection supervisor shall be present on the development site at all times when activity that could damage or disturb soil and adjacent landscape elements occurs such as:
 - Clearing and grubbing;
 - Any excavation, grading, trenching or moving of soil;
 - Removal, installation, or maintenance of all landscape elements and landscape protection devices; or
 - Delivery, transporting, and placement of construction materials and equipment on site.

TREE PROTECTION PLAN
1" = 50'-0"

1



NOTES:
1. TREE PROTECTION FENCE (TPF) SHALL BE INSTALLED PRIOR TO ANY SITE WORK, CLEARING OR DEMOLITION.
2. TPF SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
A pre-construction conference shall be held with the project manager and the Town's Landscape Architect before any site work begins.
Any tree roots exposed by construction shall be severed cleanly with a pruning tool.
The soil within the protected area around existing trees shall not be driven upon after fence removal for the purpose of installing landscaping.



4' CHAIN LINK TREE PROTECTION FENCE
ELEVATION



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TREE PROTECTION PLAN

L2.00



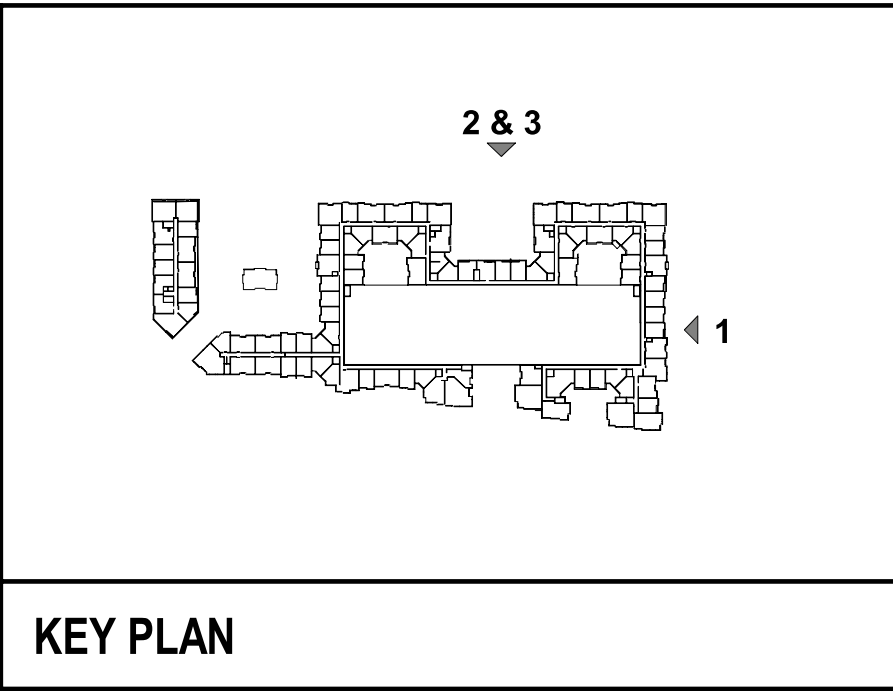
BUILDING 1 - EAST ELEVATION
1/16" = 1'-0" 1



BUILDING 1 - NORTH ELEVATION 1
1/16" = 1'-0" 2



BUILDING 1 - NORTH ELEVATION 2
1/16" = 1'-0" 3



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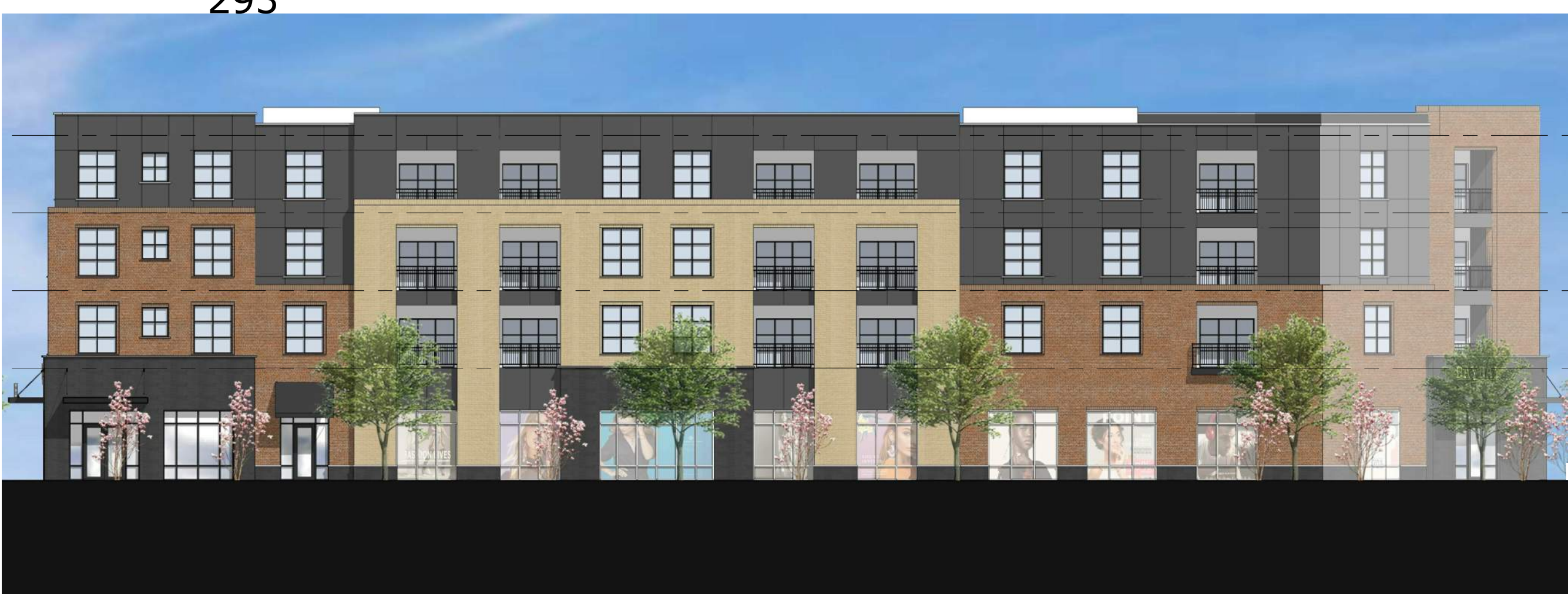
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ELEVATIONS
A5.00



BUILDING 5 - EAST ELEVATION
1/16" = 1'-0" 1



BUILDING 5 - WEST ELEVATION
1/16" = 1'-0" 2

BLDG 5 ROOF
49' - 0" A.F.F.
BLDG 5 LEVEL THREE
38' - 0" A.F.F.
BLDG 5 LEVEL TWO
27' - 0" A.F.F.
BLDG 5 LEVEL ONE
16' - 0" A.F.F.
BLDG 5 LOWER LEVEL
0' - 0" A.F.F.
(MEAN NATURAL GRADE)



BUILDING 6 - EAST ELEVATION
1/16" = 1'-0" 3



BUILDING 6 - NORTH ELEVATION
1/16" = 1'-0" 4



BUILDING 6 - SOUTH ELEVATION
1/16" = 1'-0" 5

BLDG 6 ROOF
14' - 0" A.F.F.
BLDG 6 LOWER LEVEL
0' - 0" A.F.F.
(MEAN NATURAL GRADE)



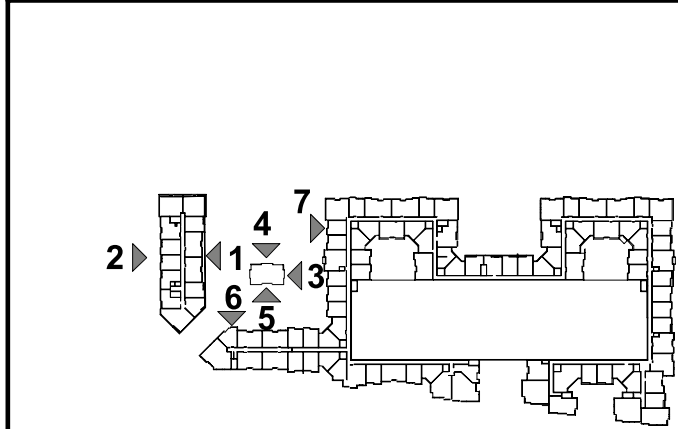
BUILDING 1 - PLAZA NORTH
1/16" = 1'-0" 6

BLDG 1-4 ROOF
44' - 0" A.F.F.
BLDG 1-4 LEVEL THREE
33' - 0" A.F.F.
BLDG 1-4 LEVEL TWO
22' - 0" A.F.F.
BLDG 1-4 LEVEL ONE
11' - 0" A.F.F.
BLDG 1-4 LOWER LEVEL
0' - 0" A.F.F.
(MEAN NATURAL GRADE)



BUILDING 1 - WEST ELEVATION
1/16" = 1'-0" 7

BLDG 1-4 ROOF
44' - 0" A.F.F.
BLDG 1-4 LEVEL THREE
33' - 0" A.F.F.
BLDG 1-4 LEVEL TWO
22' - 0" A.F.F.
BLDG 1-4 LEVEL ONE
11' - 0" A.F.F.
BLDG 1-4 LOWER LEVEL
0' - 0" A.F.F.
MEAN NATURAL GRADE



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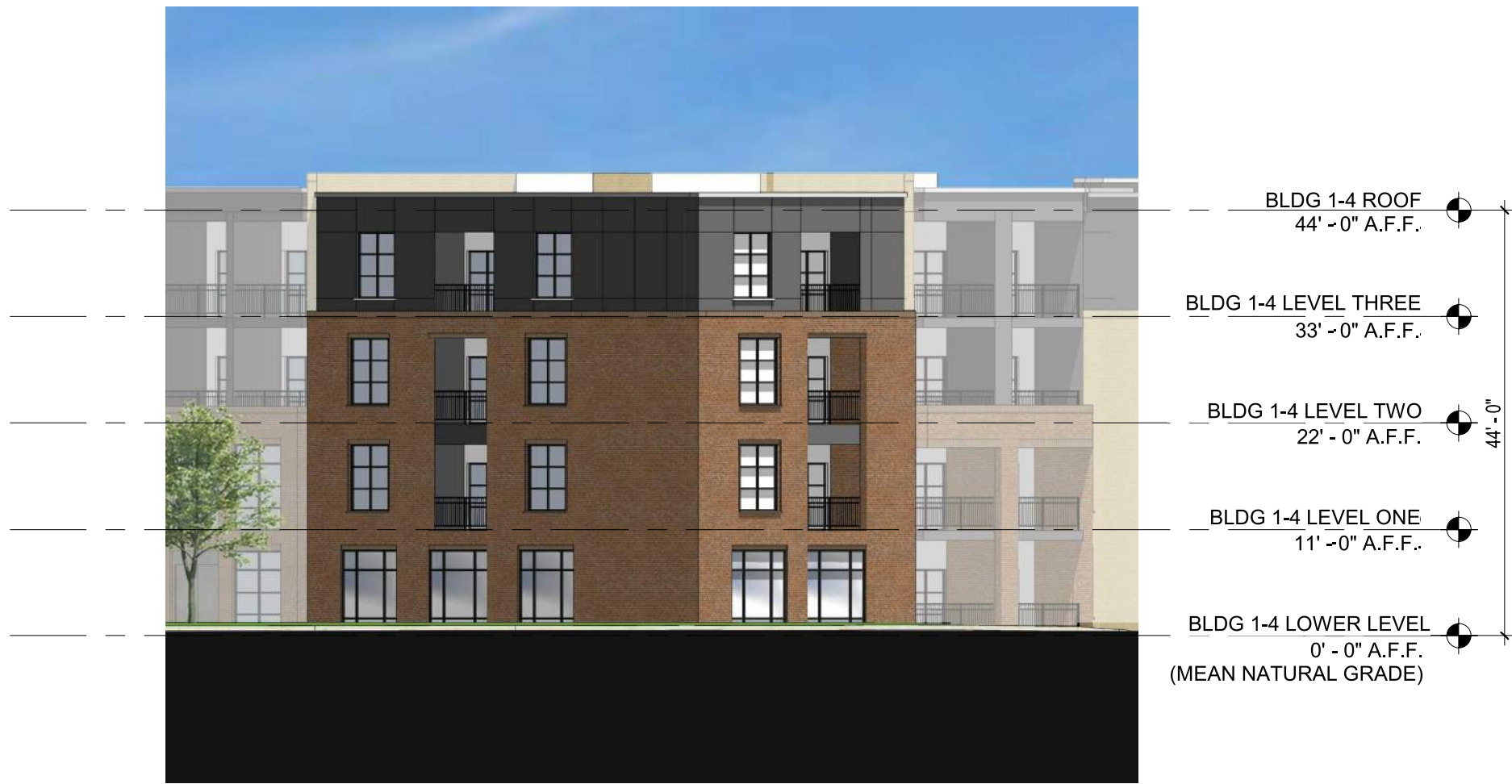
A5.01



BUILDING 1 - SOUTH ELEVATION 2
1/16" = 1'-0" 1



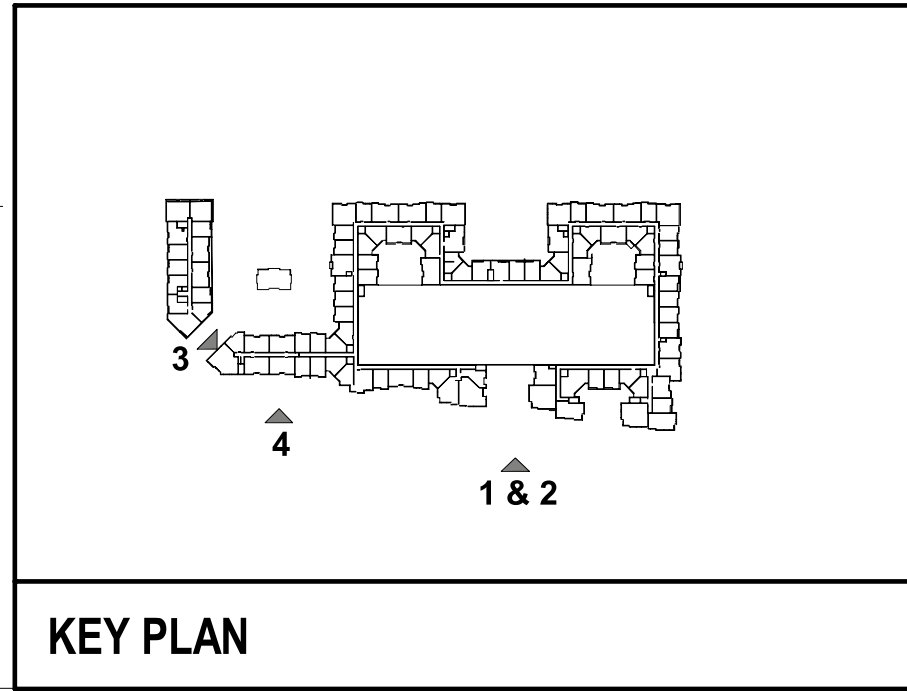
BUILDING 1 - SOUTH ELEVATION 1
1/16" = 1'-0" 2



BUILDING 1 - PLAZA WEST
1/16" = 1'-0" 3



BUILDING 1 - PLAZA SOUTH
1/16" = 1'-0" 4



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ELEVATIONS

A5.02



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., File #: [21-0564], Version: 1

Meeting Date: 6/16/2021

Continued 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 revised recommendation
- b. Recommendation of the Planning 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 continue the on-going 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.



CONTINUED 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).	June 16, 2021	Planning Department
STAFF'S RECOMMENDATION That the Council continue the on-going 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: 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.	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 mixed use and commercial zoning districts.• Prohibit 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 an 18-month period in which existing STRs shall come into compliance with the enacted ordinance or cease operations if they do not comply with 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 current Land Use Management Ordinance (LUMO) predates the phenomenon of the shared economy and the rise of STRs. 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. Currently, the LUMO allows residents to rent their primary residence on a weekly basis without a permit; however, STRs are not specifically addressed in the Chapel Hill LUMO. 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 19, 2019 ¹ , the Town Council asked staff to develop updated standards for STRs. Over the last two years, staff has worked with the STR Task Force, community members, and the Council to receive input on possible ordinance provisions. For more information regarding past meetings, materials, and recordings, please see the project website: https://chplan.us/ChapelHillSTRs ³ .		
CHANGES TO DRAFT ORDINANCE FROM MAY 19, 2021 PUBLIC HEARING During the May 19, 2021 public hearing ⁴ , the Town Council asked staff for changes to the draft STR ordinance: <ul style="list-style-type: none">• Modify the primary residence definition to reduce residency from 60% (219 days/year) to 50% of the year (183 days/year)• Allow simultaneous rentals so long as the STR operator is on-site with guests• Interest in permitting both dedicated and primary residence STRs as part of a pilot program. There was		

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3985501&GUID=BFA3AA22-D1D1-4D51-9285-1C4FE6B2FF99>

² <https://chplan.us/ChapelHillSTRs>

³ <https://chplan.us/ChapelHillSTRs>

⁴ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4955852&GUID=3AF096DD-698B-4641-9F93-1BFDAFDFEC76>

not a strong preference for a 12-month or 18-month amortization clause to bring STRs into compliance with the proposed ordinance.

- Allow on-street parking for STR guests as not all residential units have off-street parking.
- Eliminate the “Three Strikes, You’re Out” provision. Council felt that not all violations should be treated equally and there was interest in a well-defined investigation, notice of violation, and appeals process.
- Increase the age of the primary renter to 21 years.
- No dedicated STRs in any Residential (R-) zoning district.

Staff has updated the draft ordinance to reflect Council’s input on residency, rental age, parking, and prohibiting dedicated STRs in residential zoning districts.

Pilot Program

Per [GS160D-1207](#)⁵, the Town cannot require STR operators “to register rental property with the local government...” Recently, the New Hanover County Superior Court found Wilmington’s [whole-house lodging ordinance](#)⁶ to be void and unenforceable in the case of *Schroeder v. City of Wilmington* as the ordinance required STR operators to complete an annual registration. Wilmington has since filed an appeal of this decision as the city found that regulating STRs in residential areas was essential for safety and maintaining the integrity of residential neighborhoods. For more information on the Wilmington case, please see [Coates’ Canons](#)⁷.

Municipalities may continue to regulate STRs through land use regulations, including zoning ordinances, and require zoning permits for STRs.

Policies allow greater flexibility in introducing temporary measures to address zoning issues; however, staff has found that the Town cannot regulate STRs by requiring permitting through an adopted policy. No specific authorizing legislation permits municipalities to create laws through policies. STR regulations need to be incorporated into the zoning ordinance as law. Staff recommends Council adopt an ordinance based on the information currently available. Following the ordinance’s implementation, the Town can evaluate the success of the STR ordinance and refine the regulations through LUMO text amendments. Any new ordinance and amendments to the ordinance need to be created as part of the public process, which includes Planning Commission review and recommendations to the Council.

Existing STRs shall come into compliance with the enacted ordinance or, if they are unable to come into compliance, cease operations. Future changes to the adopted STR ordinance may create non-conforming uses. The LUMO defines a non-conforming use as one that was lawfully established prior to the effective date of the ordinance which does not conform to the current use regulations. Nonconforming uses are legal and may continue to operate after new ordinance requirements are in effect.

Code Enforcement & Violations

Staff has eliminated the “Three Strikes, You’re Out” clause, instead referencing [LUMO 4.5.9](#)⁸ which gives the Town Manager discretion in revoking an STR permit should an STR operator be in violation of the zoning ordinance. Further, it provides direction to reinstate STR permits should the permit be revoked by:

- Requesting a reinstatement within 90 days of the revocation
- Correcting the violations that caused the revocation
- Complying with all the conditions of the permit and all requirements of the STR ordinance

Any enforcement of the zoning ordinance would follow [LUMO 4.13 Violations and penalties](#)⁹.

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 mixed-use and commercial areas. Staff would develop a STR permit (zoning compliance permit) that would require annual renewal.

⁵ https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160D/GS_160D-1207.pdf

⁶ <https://www.wilmingtonnc.gov/home/showdocument?id=10107>

⁷ <https://canons.sog.unc.edu/understanding-the-legal-basis-for-the-strike-down-of-wilmingtons-short-term-rental-ordinance/>

⁸ https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.9ZOCOPE

⁹ https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.13VIPE

The STR ordinance would:

1. Allow Primary Residential STRs in all residential zoning districts and limit Dedicated STRs to only 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 process for revoking the STR permit and penalties for violations.

There have been many items proposed to be included as part of the STR program that are not included in the draft ordinance. Staff has provided the following table to show where these items will occur:

STR Permit:	Planning Dept. Policy:	STR Ordinance in the LUMO:
<ul style="list-style-type: none"> Reminder that homeowner insurance may not include STR Use Self-assessment of health and safety checklist 	<ul style="list-style-type: none"> Items on the health and safety checklist 100' mailing notification to neighbors First come, first served approach for managing the multi-family cap which restricts STRs to 2 units or 3% of units, whichever is greater. 	<ul style="list-style-type: none"> STR Permit Required Operational Standards Requiring permit number to be listed in all advertisements

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 an annual check-in 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	<ol style="list-style-type: none"> 1. Text Amendment Summary 2. Draft Staff Presentation 3. Resolution of Consistency (For proposed Land Use Management Ordinance amendment) 4. Revised 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. Planning Commission Letter to Council 8. Emails from the public
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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 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 any rental 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 proposes 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
- No more than three (3) vehicles parked on- or off-street associated with STR use
- Prohibition of signs advertising the STR use
- STR operators are responsible for paying all applicable taxes and fees
- Minimum rental age of 21 years of age
- Minimum rental duration not less than 18 hours, including overnight

5. Provide enforcement provisions including enforcement of violation and penalties.

Similar to other zoning compliance permits, the STR permit is subject to enforcement. The Town Manager will have the discretion to revoke a STR permit should he/she find that the STR operator is in violation of the zoning ordinance and provides a process for reinstating revoked permits. STR violations and penalties will follow the same process as other zoning violations.

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
- Hotel or Motel



Land Use Management Ordinance Text Amendment Short-Term Rentals

June 16, 2021

DRAFT

Recommendation

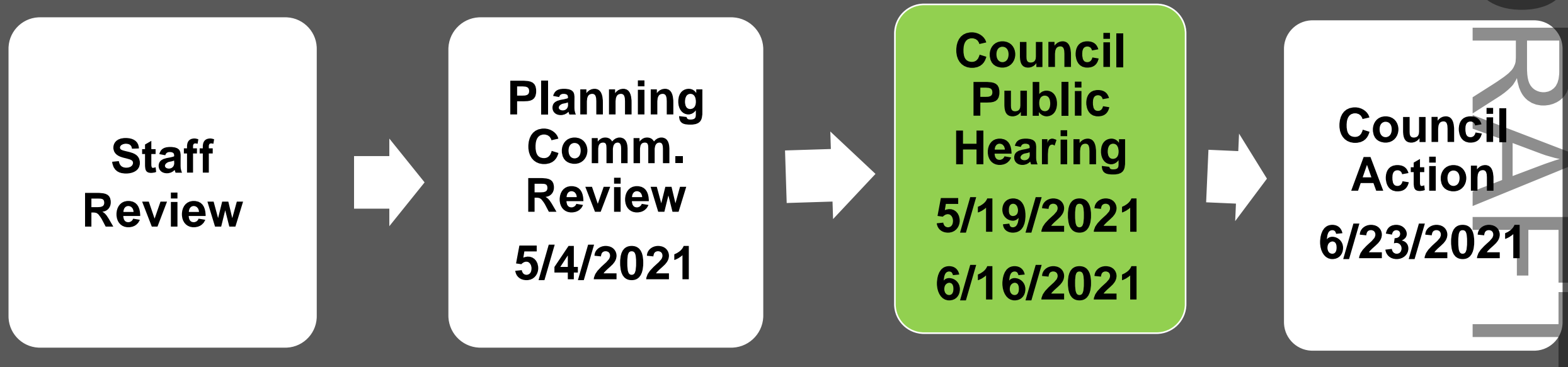
301

- Continue 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

302



What's in your packet?

303

- Staff Report
- Resolution A, Resolution of Consistency
- Ordinance A, enacting the amendment
- Resolution B, denying the amendment
- Planning Commission Recommendation

DRAFT

Text Amendment Background

304



- 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

305

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 from May 19th:

306

- Reduce residency from 60% (219 days/year) to 50% of the year (183 days/year)
- Allow simultaneous rentals so long as the STR operator is on-site with guests
- Interest in permitting both dedicated and primary residence STRs as part of a pilot program. There was not a strong preference for a 12-month or 18-month amortization clause to bring STRs into compliance with the proposed ordinance.
- Allow on-street parking
- Remove the “Three Strikes, You’re Out” provision.
- Increase rental age to 21 years.
- No dedicated STRs in any Residential (R-) zoning district.

DRAFT

Changes since May 19, 2021

307

- Updates based on Council feedback
- Amending definitions
 - STR
 - Lodging Unit
 - Hotel
 - Tourist Home
- Pilot Program
- Violations & Enforcement

DRAFT

Summary of Proposed Changes

308

- Require zoning compliance permits (STR permit) for all STRs
- Allow primary residence STRs in all zoning districts
- Permit dedicated STRs in mixed-use, and commercial zoning districts
- Limit dedicated STRs to only 2 units or 3% of units, whichever is greater in multi-family developments
- Provide operational requirements for STRs
- Zoning Violations



DRAFT

Definitions

309

- **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, or a lodging unit contained in a building that primarily contains dwelling units. A building that contains more lodging units than dwelling units, and at least three (3) lodging units, shall be considered a Tourist Home or Hotel or motel as defined in Appendix A.
 - **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, or a lodging unit contained in a building that primarily contains dwelling units.
 - **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 (**183 days per year or 50%** or more of the time).

Definitions

310

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

311

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 compliance 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

312

(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 within 2 hours

(d) Noise



Operational Requirements

313

(e) Parking

- No more than 3 vehicles on- or off-street for STR use

(f) Signs

(g) Taxes

(h) Minimum Rental Age of 21

(i) Minimum Rental Duration of overnight, or no less than 18 hours



- **Updated Enforcement**
- **18 months from the effective date of the ordinance:**
 - Existing STRs shall come into compliance and receive a STR permit
 - If they are out of compliance, then they shall cease operations



DRAFT

Pilot Program

315

- Inability to register STR properties under general statutes, but Town can require a zoning compliance permit
- Policies allow for flexibility in introducing temporary measures; however, permits cannot be required as part of a policy
- Adopting an ordinance allows Town to regulate STRs. Further amendments can be made once ordinance is adopted and additional information is available.

DRAFT

Recommendation

316

- Continue 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 AND CONSISTENCY WITH THE COMPREHENSIVE PLAN
(2021-__-__ /R-#)**

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, continued the public hearing to June 16, receiving comments through 11:59 PM on June 17, 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.

REVISED ORDINANCE A

(Enacting the Land Use Management Ordinance Text Amendment)

Changes to the draft ordinance from the May 19, 2021 meeting have red text to show the changes.

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 and continued the public hearing to June 16 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 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-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, dedicated STRs are appropriate in the Town Center (TC), Commercial Center (CC), Neighborhood Commercial (NC), Office/Institutional (OI), Planned Development-Office/Institutional (PD-OI), and Planned Development-Mixed Use (PD-MU) zoning districts that provide greater guest amenities such as shopping, restaurants, and access to transit; and

WHEREAS, multifamily dwelling units of three or more units are permitted in the mixed use and commercial 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

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, TC-3	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
“Short-term rental, dedicated”	A	=	=	=	=	=	=	=	=	=	=	=	=	P	P	P	P	P	P	=	=	=	=	=	=	=	=	=	=	P	P	P	=	P
“Short-term rental, primary residence”	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 preventing 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 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 (183** days per year or **50** 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, **or a lodging unit contained in a building that primarily contains dwelling units. A building that contains more lodging units than dwelling units,**

and at least three (3) lodging units, shall be considered a Tourist Home or Hotel or motel as defined in Appendix A.

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, **or a lodging unit contained in a building that primarily contains dwelling units.**

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 **compliance** 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 more than one dwelling unit on the zoning lot to more than one party under separate contracts is permitted only when the STR operator is on site.

(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 twenty-four (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.** There shall be no more than three (3) vehicles parked at any time on- or off-street associated with the STR use. Each STR is further subject to the parking regulations in LUMO Section 5.9.
- (f) **Special Events.** The STR operator shall not permit events, weddings, receptions, and other large gatherings that include more than five (5) individuals who are not guests of the STR to occur as part of the STR operations.
- (g) **Signs.** Signs on the property advertising it as the location of a short-term rental are prohibited.
- (h) **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.
- (i) **Minimum Rental Age.** An STR operator shall ensure that the primary responsible renter of a short-term rental shall be at least **twenty-one (21)** years old.
- (j) **Minimum Rental Duration.** The operator shall not make the short-term rental available for a period of less than eighteen (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.** The town manager may revoke an STR permit if he/she determines the conditions are being violated as outlined in LUMO Section 4.9.5.
- (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 eighteen (18) months after the effective date of this ordinance. Operation of an unpermitted STR after this period shall be a violation of this ordinance.

Section 4: Appendix A. Definitions is hereby revised to modify Hotel or motel, Lodging unit and Tourist home, and add Short-term rental (STR) as follows:

"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. **This term does not include short-term rentals.**"

"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 thirty (30) days.**

"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 or a lodging unit contained in a building that primarily contains dwelling units."

"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. "**

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 and continued the public hearing to June 16 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

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 4, 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

Short Term Rentals

Mayor and Members of the Chapel Hill Town Council, I have been requested to write to you concerning the reasons for the Planning Commission's decision at our May 4th meeting to vote the proposed Land Use Management Ordinance Text Amendment, regarding Short Term Rentals (STRs), was Inconsistent with the Town's Comprehensive Plan.

The Planning Commission is aware that officially allowing STRs in residential areas of town will require Amendments to the Land Use Management Ordinance (LUMO), but it cannot be overlooked that there already exists a Short Term Rental market in Chapel Hill. The concerns expressed about STRs appear to be primarily based on incidents in other parts of the country, not on data from Chapel Hill. We do not have evidence, for example, that STRs:

- Negatively impact housing affordability or neighboring property values
- Are more damaging to a neighborhood's character or tranquility, nor affect parking availability more than student rentals
- Increase gun violence
- Have been more damaging to hotelier's profits than the addition of new hotels in recent decades
- Their prevalence will increase at the same rate in the future as they have recently with the emergence of platforms like AirBnB

We do not see evidence that STRs are the threat described by their opponents.

There are STRs that have been operating in Chapel Hill for over twenty years. Many of these operators are residents that opened their doors to renters so that they could afford to stay in their homes. These individuals will need to be protected by a 'Grandfather' clause that allows them to continue operation. We do not recommend modifying the LUMO without considering the impact on residents that rely on the Short Term Rental Market to continue living in Chapel Hill.

A citizen caller to the meeting has operated a non-profit organization that provides accommodation for Academics attending conferences in Chapel Hill. His non-profit is located in an historic neighborhood. Under the pro-

posed Amendment he could no longer operate this valuable resource in his neighborhood.

There are Designated STRs in operation today that solely operate as full house rentals in traditionally single family residential neighborhoods. Under the proposed Amendment these rentals would not be allowed except in high density residential and or commercial areas. All STRs have a commercial component, parking needs beyond single family residential, and require limits to occupancy. To date, we do not have the data necessary to require separation of types of STRs from one another, or to regulate certain STRs to areas with particular zoning classifications. Indeed, if the concerns over large parties, noise and parking availability are substantiated by the data, are Designated STRs better suited to areas of higher density, are the residents of multi-family developments to bear the brunt of Town policy? It would be inappropriate to create this distinction without data to support the policy.

The Planning Commission feels that officially recognizing STRs requires a comprehensive approach based on fairness and Data. As an Advisory Board, we feel that STRs should be allowed in all areas zoned residential. Existing operators should be granted a 'Grandfather clause' and be allowed to continue to operate. STR operators should be required to be licensed and inspected, initially at no fee to facilitate compliance. The Town should collect the data necessary to write a text Amendment to the present LUMO, and to refine the language for the proposed LUMO revision. The existence of an STR market in Chapel Hill is not new, but the suspicion towards STRs is. A data driven approach will inform us if indeed there are areas of concern.

James Baxter
Planning Commission Advisory Board
STR Subcommittee
May 18, 2021

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 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.

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

Any,

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 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: pam zeman <pamzeman@msn.com>
Sent: Saturday, May 15, 2021 12:59 PM
To: Anya Grahn
Subject: Re: Short-Term Rentals -- Town Council Public Hearing

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Hi Anya,

Thank you for sending STR information. I have been reading comments etc,etc.

The only thing I would like to bring up is the Town tried to enforce registration and yearly payments from homeowners for rentals. What a disaster!!!! 20 plus years ago.

I had a number of rentals and they would certify some not others. It was a joke after sometime....after a year it was a disaster.

It just all evaporated and no one said anything... what did that cost the town???

This STR investigation reminds me of the same waste of money.

At least on Airbnb you have records. We pay our taxes.

Otherwise folks will just post it other places. You can not control what folks do in a reasonable safe and considerate manner.

I am against owners renting out a home and the renters use it as a AIRBNB. I know of this and I believe this can be problematic.

My whole neighborhood knows my house is a AIRBNB and they all have my cell number. They can call me if anything seems a problem. Like the time my neighbors-called me about AIRBNB because my tenant had a old large dog on a walk without a leash. I texted tenant and they immediately leashed dog.

Making owners inform a neighborhood or surrounding folks know it's a AIRBNB seems like common sense.

I also owned rentals in Northside back in the days when the parking patrol officers were the town folks like you. Taking pictures going on property looking around for a illegal car or bedroom, was also a waste of time and money.

My neighborhood on Windsor circle seem to have nothing better to do but jump on every issue this town does. They are absolutely in code violations on the the homes many live in...I don't really care what they do but if they are part of this STR it would not surprise me. If not excuse me please..

If you would like more information and my response to STR issues call anytime.

I will not attend any meetings to watch a few noise makers attack and complain about issues they no nothing about and they really don't care.

Warmly,

Pam Zeman

919-260-1019

Sent from my iPhone

On May 15, 2021, at 9:51 AM, Anya Grahn <agrahn@townofchapelhill.org> wrote:

All,

Thank you for your continued interest in the Town's development of a short-term rental (STR) ordinance. Town Council will be reviewing a draft ordinance this Wednesday, May 18th. (Please note that this ordinance has been revised since the Planning Commission meeting.) The agenda has been posted online and the Town's calendar includes information about registering to attend and speak at the meeting: <https://www.townofchapelhill.org/Home/Components/Calendar/Event/18329/15>.

Thank you for your consideration,

Anya Grahn, Senior Planner

Long-Range Planning Division | Planning Department
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5059 | agrahn@townofchapelhill.org

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Anya Grahn

From: Judy Johnson
Sent: Tuesday, May 18, 2021 8:45 AM
To: Anya Grahn
Subject: FW: VRBO town council hearing

From: Ronnie Parks <parks1952@gmail.com>
Sent: Tuesday, May 18, 2021 8:17 AM
To: Planning Department <planning@townofchapelhill.org>
Subject: VRBO town council hearing

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Greetings

I am a VRBO owner in Chapel Hill. I purchased my property about 15 years ago as my retirement home. It was leased yearly until I had to renovate in 2016, at which time I joined vrbo. I received several complaints about my long term renters, but have never had a complaint about a short term visitor in my neighborhood. I have lived in Orange Co. since 1970 and own another home here. I was born in Durham,

There is no legitimate argument that we owners take business from hotels. I provide a place to rent to families visiting UNC and the hospital ~ a place where a family can cook meals and be together which cannot be provided by a hotel. Times have changed. We are a responsible group of owners. I have strict rules in place about parties , limited parking, noise, age limits, families only.

My yard is clean and tidy. Visitors add money to the local economy and support town and gown. Taxes are paid for each visit thru vrbo. I pay taxes here and vote. I am retired and count on this home as small income and take care of my investment as my possible future home. I spent tens of thousands of dollars on my 2016 renovation. Please do not restrict my right to rent this home, as a responsible tax paying citizen of Chapel Hill and a UNC graduate. It is advertised as a place for Tarheel Families to feel at peace when they visit, in a home setting.

Thank you . Ronnie Parks, UNC BFA 1974, MFA 1984
tarheelson.com

Anya Grahn

From: Katie Loovis <kloovis@carolinachamber.org>
Sent: Tuesday, May 18, 2021 11:16 PM
To: Pam Hemminger; Michael Parker; Karen Stegman; Amy Ryan; Tai Huynh; Allen Buansi; Jess Anderson; Hongbin Gu
Cc: Aaron Nelson; Julie McClintock; John Quintero; Anthony Carey; Manish Atma; DR Bryan; Rosemary Waldorf; Maurice Jones; Anya Grahn; Colleen Willger; Ann Anderson
Subject: We support the STR Ordinance with 3 caveats
Importance: High

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Chapel Hill Town Council,

Thank you for your leadership and hard work in developing a framework for regulating short-term rentals (STRs) - an important and complicated emerging business phenomenon. The final ordinance will provide a much-needed framework to get STR operators out of the shadows, give them a clear and proper path to permit for their commercial activity, and help them operate safely in appropriate, allowable zones.

As you know, **our study group, including The Chamber, CHALT, local hoteliers, and a former mayor**, have put a great deal of time and reflection into the matter. We believe there are many positive elements in the version of the ordinance before you, and there are some areas that require strengthening. **In our view, the current version of the ordinance would be suitable for adoption with the following three changes:**

- 1. Prohibit Dedicated STRs in all Residential Zones, including the R4, R5, and R6 zones and the town's historic districts.** Running an STR is fundamentally a business activity-- an activity that involves the provision of lodging to transients in exchange for payment-- and should be treated and regulated as such. That said, there are differences between renting a room out of a house with a permanent resident ("Primary STR") and the buying of investment properties to operate exclusively as pseudo-hotels in residential neighborhoods (a.k.a. investor-owned STRs or "Dedicated STR").

As the regulatory process has unfolded, council has expressed stronger and stronger concern about the appropriateness of Dedicated STRs, a high-turnover commercial activity, in residential zones. To that end, council charged staff in March 2021 to draft an ordinance that prohibits Dedicated STRs in residential zones, which was reflected in earlier drafts. The current version, however, permits Dedicated STRs in the R4, R5, R6 districts, as well as in the Historic Districts. The R4, R5, and R6 districts allow for higher density than single-family districts and permit a greater variety of housing types, such as townhouses and condominiums. These units provide homeownership and long-term rental opportunities for a broader range of households, and such units shouldn't be directed into the Dedicated STR market. We highly recommend you follow the lead of other university communities, including Berkeley, Boulder, Charlottesville, Lawrence, Madison, and Nashville, and prohibit Dedicated STRs in all residential zones.

- 2. Raise Minimum Rental Age and Prohibit Special Events.** The current draft of the ordinance sets a minimum rental age of a primary STR renter at 18, down from age 21 in prior drafts. We

recommend setting the minimum rental age at 21, so as to foster a level of maturity consistent with a neighborhood's residential character. To the same end, we recommend reinstating the draft language that would prohibit STRs from being used as the sites of parties and other "special events."

- 3. Include Notification Requirements.** The current draft ordinance removes the previously included requirement that, at the time of application, neighboring property owners located within 100 feet of an intended short-term rental lot receive notification containing the address of the proposed STR property and the name and contact information of the designated responsible party. Knowing where STRs exist in a neighborhood and who to contact in the case of a problem will help to reduce potential conflicts and promote clearer understanding of any issues that might arise with STRs.

In conclusion, despite being more permissive than what is currently allowed in the LUMO and what our STR Study Group originally proposed, we can support this current draft ordinance with these three changes. We believe a revised draft ordinance with these three updates would deliver a fair and reasonable framework and reflect a grand compromise among many diverse perspectives.

Sincerely,

Aaron Nelson and Katie Loovis, The Chamber For a Greater Chapel Hill-Carrboro

Julie McClintock and John Quintero, Chapel Hill Alliance for a Livable Town

Anthony Carey, Managing Director, The Siena Hotel

Manish Atma, President & CEO, Atma Hotel Group

D. R. Bryan, President, Bryan Properties, Inc, and Co-owner, Hyatt Place Chapel Hill

Rosemary Waldorf, Former Mayor of Chapel Hill

Timeline




- **(STR Rapid Growth)** The Chamber started looking into short-term rentals back in early 2019 at the encouragement of local hoteliers. The short-term rental market in our community was growing rapidly with ~40% year-over-year growth and was approaching 20% market share in overnight lodging (Source: AirDNA via Orange County Visitors Bureau, 2019). These figures made us sit up and take a good look at the issue.
- **(Current Law)** In discussions with town staff, we learned that the town *already had* regulations for short-term rentals and a path for permit (see Image 1 below), and on any given night there were ~300 listings on the short-term market, but fewer than a dozen had a permit and the town was not enforcing its rules (Source: AirDNA via Orange County Visitors Bureau, 2019).
- **(Investor-Owned STRs)** In discussions with short-term rental operators, we learned that it is often more lucrative to list the investment properties on the short-term rental market rather than make them available for traditional, long-term use (i.e. affordable workforce housing). That being the case, it was no surprise to learn that a majority of the short-term rental listings in Chapel Hill were (and still are) the entire house listing, most often in residential neighborhoods (Source: AirDNA, Oct 2020).
- **(Neighborhood Impacts)** The Chamber found common ground with CHALT as we unpacked the impacts of investor-owned short-term rentals on neighborhoods. Operators of investor-owned STRs

were maximizing profits at the expense of the local neighborhoods, which are not built for this type of high-turnover commercial activity, and with negative impacts on the affordable housing supply.

- **(Commercial Activity)** The Chamber concluded that investor-owned short-term rental operators were (and still are) turning homes into pseudo hotels for commercial activity (changing “use” without permit) and competing with an unfair advantage – dodging the permitting process, breaking local land use laws, and avoiding the litany of health and safety rules and protocols required of overnight lodging facilities.
- **(Joint Petition)** In comparison to other college communities such as Berkley, Boulder, Lawrence, and Madison that prohibited Dedicated STRs entirely (Source: UNC School of Government), Chapel Hill was experiencing rapid and unenforced STR growth. The Chamber concluded that the town needed to figure out how to enforce their current law or change their law. We submitted a joint petition with CHALT, local hoteliers, and a former Mayor in June 2019 asking Council to address the matter.
- **(Task Force)** After we submitted the petition, our diverse collaborative operated in good faith to support what we were told would be a 6-month Task Force process that would culminate in a fair and reasonable ordinance.
- **(Covid Impacts)** After the Task Force, a delay followed, and the pandemic ensued. During this time, hotels suffered but STRs continued to break records. Hotel occupancy, average daily rate (ADR), and revenue per available room (RevPAR) declined significantly (down 70% according to the Orange County Visitors Bureau) while short-term rentals operating in our community broke records with their highest ADR (\$143 in September 2020) and highest occupancy percentage (69% in August 2020) to date (Source: AirDNA Trend Analysis, October 2020 via Orange County Visitors Bureau).
- **(Zones)** In early 2021, staff presented a draft ordinance that allowed Dedicated STRs in *all* zones. While the current Chapel Hill Land Use Management Ordinance (LUMO) *only* permits Dedicated STRs in commercial zone and our joint collaborative has recommended they *not be permitted* in any zone (similar to other college communities, including Berkeley, Boulder, Lawrence, Madison, etc.), the draft ordinance went in the opposite direction and *allowed in all zones, including residential*. (joint response to the shockingly permissive direction in Dec 2020)
- **(Neighborhood Concerns)** Residents quickly became concerned that their communities were going to be rezoned to allow this commercial activity and more than 75 emails were sent to Council from residents expressing shared concern about Dedicated STRs. Thankfully, in March 2021, Council directed staff to update the draft ordinance so that Dedicated STRs are only permitted in Commercial and Blue Hill District, not residential.
- **(Current Status)** After two years of discussion, learning, and debate, we believe the draft ordinance is ready for adoption with three changes, the most important being prohibiting Dedicated STRs in residential zones.
- **(Bottom line)** While this draft ordinance is more permissive than the current LUMO and our original petition, with the three changes (listed above), we will be ready to give it our full support.

Image 1: The Current Chapel Hill Law Regulating Short-Term Rentals

Types of Short Term Rentals:

Type 1: Hosted Rental	Type 2: Unhosted Rental	Type 3: Dedicated Rental
		
<ul style="list-style-type: none"> Primary resident is on site with guests Rental of a spare bedroom or accessory dwelling unit 	<ul style="list-style-type: none"> Primary resident is not on site with guests Rental of an accessory dwelling unit (when owner is not on-site) or the whole unit 	<ul style="list-style-type: none"> There is no primary resident Rental of dwelling unit and/or accessory dwelling unit (not part of primary residence)
<u>Current LUMO Provisions:</u> Home Occupation	<u>Current LUMO Provisions:</u> <ul style="list-style-type: none"> Tourist Home Overnight Lodging 	<u>Current LUMO Provisions:</u> <ul style="list-style-type: none"> Tourist Home Overnight Lodging

Source: Town of Chapel Hill



Katie R. Loovis

Vice President for External Affairs

The Chamber For a Greater Chapel Hill-Carrboro

104 South Estes Drive, Chapel Hill, NC 27514

m: 919.696.0781 | kloovis@carolinachamber.org

[Website](#) | [Blog](#) | [Announcements](#) | [YouTube](#)

Thank you to our Community Champions!



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Anya Grahm

From: Shay <shaymcjones@gmail.com>
Sent: Wednesday, May 19, 2021 4:02 PM
To: Anya Grahm
Subject: Re: Short-Term Rentals -- Town Council Public Hearing 5/19

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Unfortunate, guidelines look to be made. Our privacy, home ownership and protection from owners that do break rules, another stretch of development moving forward now into neighborhoods. Chapel Hill has a lot of hotels and many rental properties let them be used as designed. We should not have to carry these concerns again in our neighborhood.

The town should use the history of 837 Kenmore as a clear example to restrict short term rentals. We chose to own a home and be safe from hotel/motel/ bed and breakfast, political gatherings, weddings, sorority and fraternity extra large events and unwanted tenants wandering to other yards and even SWAT teams being called when owners don't know their own schedules of renters. This was not allowed during those years and with questionable permits it happened. An extremely difficult time period for our neighborhood to be a neighborhood. Thankful, to have new homeowners at that address today.

We lived short term rentals (and know there are more) and it was unbelievable how difficult getting the city to help the neighbors that called with concerns for several years. I won't speak because we were never heard for years and it was exhausting.

Please restrict any further short term rentals in our neighborhood.

Thank you.
 Sharon

Sent from my iPhone

On May 19, 2021, at 3:16 PM, Anya Grahm <agrahm@townofchapelhill.org> wrote:

For those planning to speak at tonight's public hearing on STRs:

Public Input Is Important to Us.

The Council will ask for public comments on the discussion items immediately after Council Members ask their Clarifying Questions of staff and the applicant.

At that time, Mayor Pro Tem Parker will call two names at a time so the second person can be ready. When it is your turn, you can turn on your video and unmute yourself.

Speakers are asked to stay within your allotted time.

As a heads up to those planning to speak on the Short-Term Rental item: Due to the high volume of speakers, each person will have 2 minutes to speak.

Thanks,
Anya

From: Anya Grahn
Sent: Wednesday, May 19, 2021 11:00 AM
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>
Subject: RE: Short-Term Rentals -- Town Council Public Hearing 5/19

All,

Please find attached the letter the Planning Commission shared with the Town Council last night regarding short-term rentals (STRs). I have attached a copy for your review here and made it available online on the project webpage: <https://chplan.us/ChapelHillSTRs>.

At this time, the draft ordinance is under review by the Town Council and they will be holding a public hearing at tonight's May 19th Town Council meeting. Comments and input should be directed to the Council so that they can consider the amendments and direct staff to make necessary changes. You may contact the Town Council with written testimony at mayorandcouncil@townofchapelhill.org or sign up to speak at [tonight's public hearing](#).

For more information and past meeting materials, please visit the project webpage at: <https://chplan.us/ChapelHillSTRs>.

Thank you for your consideration,

Anya Grahn, Senior Planner

Long-Range Planning Division | Planning Department
 405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
 t: 919-969-5059 | agrahn@townofchapelhill.org

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From: Anya Grahn
Sent: Saturday, May 15, 2021 9:51 AM
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>
Subject: Short-Term Rentals -- Town Council Public Hearing

All,

Thank you for your continued interest in the Town's development of a short-term rental (STR) ordinance. Town Council will be reviewing a draft ordinance this Wednesday, May 18th. (Please note that this ordinance has been revised since the Planning Commission meeting.) The agenda has been posted online and the Town's calendar includes information about registering to attend and speak at the meeting: <https://www.townofchapelhill.org/Home/Components/Calendar/Event/18329/15>.

Thank you for your consideration,

Anya Grahn, Senior Planner

Long-Range Planning Division | Planning Department
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

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Anya Grahm

From: BJ Warshaw <benjarwar@gmail.com>
Sent: Thursday, May 20, 2021 12:01 AM
To: Town Council
Cc: Anya Grahm; Alexa Nota
Subject: Re: RE STR draft LUMO amendments

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Hello again,

I have one last very strong point after hearing Town Council's thoughts. Please do not move to increase the minimum rental age to 21. This would be counter to the minimum age to sign other rental agreements (minimum age is 18). It's also not enforceable by hosts. Platforms like AirBnB and VRBO allow guests to be 18 and up. And hosts are unable to see the ages of prospective guests, and cannot reasonably discriminate based on age.

Thanks much,
BJ Warshaw

On Wed, May 19, 2021 at 11:01 PM BJ Warshaw <benjarwar@gmail.com> wrote:

Hello Mayor and Town Council,

I had to truncate my remarks this evening due to the late hour. Please find my full prepared statement attached for reference.

Thanks much for listening and for your continued attention and hard work around this complicated issue. I don't envy Town Staff in threading this tricky needle. But my overall hope is that the recommendations of the Planning Commission, and their unanimous opposition to this draft, be heard.

All the best,
BJ Warshaw

Hello! I'm BJ Warshaw. I'm an STR host and, with my wife, have been successfully running a five star AirBnB for over five years with zero neighborhood complaints or incidents.

I would like to stress that STRs, both hosted and dedicated, provide tangible benefits to our community. We have hosted all types of guests that prefer using services like AirBnB over traditional accommodations. For example, parents who want to cook a meal for their UNC grads. Or individuals with serious allergies, who can't stay in hotels due to the types of cleaning products used. We even recently hosted a young mother, and her daughter who was undergoing life saving treatments at UNC, and needed private, comfortable, and affordable lodging.

We are *not* a party house. Our guests are required to explicitly follow our house rules, which include;

- An occupancy cap
- No unauthorized additional guests
- Respecting quiet hours and our neighbors
- Taking out the trash/recycling on check out

When we rent our ADU, we are on site and available to our guests. We provide recommendations for things to do in town, or even hang out for casual meals together. Some of our guests have become good friends.

I must stress that it's in hosts' best interests to keep a clean and respectful STR – otherwise our reviews and livelihoods would suffer. This is a *hard* business. We lost money last year. But we do it not just for financial compensation, but because we truly love hosting people.

In my opinion, this Draft ordinance goes too far. As the Planning Commission has noted, the Draft is inconsistent with the Town's Comprehensive Plan. We have worse noise or neighborhood disturbance issues with college housing, and in far, *far* greater frequency than with STRs. And while the hotel lobby wants to cast STRs as an unmitigated threat, we've seen *zero* data about the degree to which STRs may or may not have impacted occupancy rates.

My most urgent specific concerns with the Draft:

1. Three strikes you're out, license revoked: this rule is ripe for abuse by neighbors with an axe to grind, and provides no protection for honest, hardworking STR hosts. There should be some kind of adjudication and appeals process for hosts. Or at minimum, soften the language from "the permit for that property shall be revoked" to "the permit *may* be revoked."
2. The Designated Responsible Party rules. I'm happy that the requirement of being on site in 2 hours has been removed. But I feel the timeframe should be increased to provide flexibility for hosts juggling other jobs and responsibilities – 2 hrs plus 24/7 availability is still a very tall order when 911 and first responders are best equipped to handle

emergencies. Anything else, hosts will already likely respond in a reasonable time frame, but it should not be a requirement from the Town. There should also be a clear process to appoint temporary DRPs in case we need to travel or tend to our own emergencies.

3. Disallowing simultaneous rental of our primary residence and ADU unless we're on site. I see no reason why we couldn't responsibly rent our primary residence and ADU to separate parties, especially if we can appoint an alternate Designated Responsible Party to respond to issues in our absence.
4. The limit around two units or three percent of units in a multifamily development shall be used as a Dedicated STR. This feels arbitrary to me in the absence of any data backing up Dedicated STRs being a significant issue for the Town.
5. The "Purpose and Intent" seems focused more on assuaging concerns of those opposed to STRs. The ordinance should include acknowledgement of the many benefits provided by STRs, including increased tourism for the Town and financial opportunity for hosts, that have been repeatedly raised throughout this process.

In general, I agree with all of the Planning Commission's unanimous recommendations. Please focus on licensing STRs, providing hosts with a clear route towards legal operation, and collect data before over regulating.

Anya Grahm

From: Judy Johnson
Sent: Thursday, May 20, 2021 9:56 AM
To: Anya Grahm
Subject: FW: Short-term rental ordinance

From: Carolyn Danielle <carolyn.danielle1@gmail.com>
Sent: Wednesday, May 19, 2021 6:31 PM
To: Planning Department <planning@townofchapelhill.org>; Town Council <mayorandcouncil@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>
Subject: Short-term rental ordinance

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Good Afternoon,

I hope this message finds you well. I hope that you will seriously consider the data (or rather, lack thereof) on the short-term rental issue, and the Planning Commission's letter -- which is spot on.

This is literally a solution in search of a problem. To be clear, that is not to say that short term rentals should **never** be regulated, it's only to say that there is not a need for it right now. The issues that have been reported (please look into those stats as well, how many over the last year or so?) have to do with standard noise and nuisance -- things for which we should already have ordinances in the books. It's about enforcement of those rules before the town starts going down the path of creating more regulation which is only going to take staff's time from doing work that would more uniformly serve the town's residents.

Specific to the ordinance being proposed, the cap on entire home rentals is arbitrary. It picks winners and losers and could help perpetuate inequities. The town should consider a cap in the future, if it becomes a problem. Additionally, you should consider a 'primary residence' category instead of 'hosted' or 'dedicated' rental. There are a number of people who these definitions leave out, who would like to rent their entire primary residence while they go on vacation for a few weeks, or while they choose to live/work from somewhere else for a few months. This ordinance limits their ability to do so with narrow language saying they **must** be in their home in order to be considered a hosted stay. But renting their homes for a few weeks a year does **not** make them a "dedicated" rental. Again, lack of thought and consideration for various scenarios.

Other, seemingly more minor provisions, also don't account for practicality. Why would you need a 'Designated Responsible Party' to appear "IN PERSON" at a listing to address an issue "within 2 hours" of an "emergency situation"? If there's an "emergency situation", we would all want EMS, police, or fire/rescue to respond, ***not*** a private citizen. This section/provision should read: "a designated responsible party should take affirmative action," or "be responsive" within an hour of any call from town or law enforcement officials. Also, mandating a "local contact" forces a person who may live more than 2 hours away to hire a local person to manage their rental, again, creating more inequities.

Thank you for taking the time to read this.

-Carolyn

Anya Grah

From: Judy Johnson
Sent: Thursday, May 20, 2021 9:55 AM
To: Anya Grah
Subject: FW: Feedback on proposed short-term rental ordinance

From: Tara Kachgal <tkvwhoa@gmail.com>
Sent: Thursday, May 20, 2021 12:17 AM
To: Planning Department <planning@townofchapelhill.org>
Subject: Feedback on proposed short-term rental ordinance

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Hello,

I attended the second half of Wednesday's (May 19, 2021) Town Council meeting and wanted to provide resident input about the proposed short-term rental ordinance.

I am glad that many of the councilors appear in favor of not having dedicated short-term rentals in residential areas. I agree with the public commenters who noted that these are commercial entities that change the complexion of neighborhoods (e.g., you don't know your neighbors, housing is taken off the market, etc.). Allowing nondedicated short-term rentals with the other proposed regulations in terms of owner occupancy and continuous days of rentals seems fair to me. I also support increasing the minimum age to rent a short-term rental to 21.

One thing that greatly concerned me is a lack of any type of inspection. The last public commenter of the night noted that he had stayed in hotels with lax safety and in AirBnBs with stellar safety. I have had suboptimal hotel experiences, for sure, but I have never doubted my safety in terms of fire exits, smoke detectors, mold, door locks, and so forth. I can't say the same about home rentals I have had. Folks operating short-term rentals are operating a public amenity for profit. I am stunned that regulation of them does not extend to any type of safety inspections. I do not think we can give our trust to the platforms they are using, so I would ask the Town to think of some way of providing accountability and ensuring public safety.

Thank you,
Tara Kachgal

Anya Grahn

From: Judy Johnson
Sent: Friday, May 21, 2021 2:23 PM
To: Anya Grahn
Subject: FW: Comments for Public Hearing on Short Term Rentals

From: Robert Epting <bobepting@gmail.com>
Sent: Thursday, May 20, 2021 11:50 AM
To: Planning Department <planning@townofchapelhill.org>
Subject: Comments for Public Hearing on Short Term Rentals

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Good morning:

Please consider the following remarks as my submission to the public comments at the Public Hearing on the short-term rental issue, which I understand has been continued from its beginning on May 19.

Thank you.

Bob Epting
 707 East Franklin Street
 Chapel Hill, NC 27514

May 19, 2021

Dear Mayor and Council Members,

I have had the great privilege to live in the East Franklin Historic District now for more than fifty years. During that time, I have been permitted to serve as a Member of the Town Council, (then known as the Board of Aldermen), and more recently as a Member and Chair of the Historic District Commission. I have restored two historic homes, and still live in one of them.

During my time here, I have seen the Historic District treasured as a place for families to grow up, where some have come to teach, and others to retire, but where all have come to enjoy the peace and beauty created and treasured by a dozen or more generations of Chapel Hillians, as their homes.

I also recall the various proposals to change our zoning laws or issue special use permits to allow the use of our historic residential homes and properties for commercial development and income producing purposes. On at least four different occasions, maybe more, we have heard, and strongly resisted, proposals formally to permit bed and breakfast businesses in our homes, and others proposing mixed purpose uses, and even institutional uses for non-profits, including fraternities and sororities. Some have been allowed, and we have learned to get along, especially with sororities and some fraternities. But proposals to allow bed and breakfast rentals have

always been denied as I believe they should be, and now as should be the proposals you are considering permitting short term rental uses of our homes, even when the owner is in residence.

In my opinion, such resistance is more important now than ever, if we are going to preserve the Historic Districts for their traditional residential purposes. After living next door to such a use for the last twenty-five years, I can tell you that allowing party uses in residential neighborhoods is corrosive to efforts to preserve these areas for what they are, that is places to shelter families, whether they are raising their children or have come to spend their retirement years there.

Further, and with great sadness, I remind you of the Town's failing to enforce regulations already in place to limit the number of residents, or the number of cars that park, or the frequency, amplification, or duration of partying, or garbage thrown haphazardly all over our neighborhoods whether by those planning to be here semester by semester, or just for a party weekend around a UNC athletic event.

Perhaps you elected officials prefer to think that we do not notice that you do not seem to notice, or to care, about how this rowdy rule-breaking impacts our lives here. But we do. And it is absolutely clear to me that should you decide to make legal further short-term rentals in our neighborhoods, whatever you may intend or even promise, Town officials will not be able to do any better at policing the rules you may make than they do now, which is to say, "NOT AT ALL."

I oppose short term rentals in our neighborhood in large part because I know that although they do not comply with our existing rules, the Town has done nothing to require them to follow the law, to pay their taxes, or to protect our residential neighborhoods from the impacts of inviting occasional visitors to rent a room and stay in Town for ball games or other recreational events, full of the spirits traditionally imbibed on such occasions, to the profit of their lessors, but the peril of our residents.

I urge you to vote not to permit further such commercial activities in our neighborhoods. Instead, have a go at enforcing the rules already in place limiting the existing adverse impacts from overloading our Historic Districts with more cars and people per residence than are permitted by existing law.

Bob Epting
707 East Franklin Street
Chapel Hill, NC 27514

Anya Grahm

From: Judy Johnson
Sent: Monday, May 24, 2021 9:09 AM
To: Anya Grahm
Subject: FW: STR input for the continued public hearing - May 20, 2021

From: susan smith <nasus48@bellsouth.net>
Sent: Thursday, May 20, 2021 1:51 PM
To: Planning Department <planning@townofchapelhill.org>
Cc: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: STR input for the continued public hearing - May 20, 2021

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

To: Mayor Hemminger, Allen Buansi, Jessica Anderson, Amy Ryan, Hongbin Gu, Karen Stegman, Tai Huynh, and Michael Parker,

Money, Money, Money Mon- NEY. Remember that song? Please don't let this become the rudder steering town council decisions. I hope that you will do your level best to think independently with conscience. How else will you catch the fair winds of equity to navigate these stormy waters? Many important decisions aren't easy, but it seems that opposition is necessary to make our values clear and take a stand on them.

1. Re 60% residency: Will residential even retain its meaning when STRs and ESPECIALLY dedicated STRs financed by developers are allowed to move in and turn residential living into an opportunity for financial gain? I don't think so, do you? Really? And if you do amend the LUMO, 60% residency is not nearly enough. That's barely over half the time. To keep our neighborhoods residential places, this percentage needs to be 80% - 85% or even higher.

If you don't want STRs happening in your neighborhood, will you vote to allow it in others? Will this practice of dedicated STRs begin and occur more frequently in poorer neighborhoods? In apartment complexes? How will white privilege factor into this business venture?

STRs should especially be kept out of all our historic districts, otherwise larger and larger additions to these historic homes will be created for rental purposes and not for residential reasons.

Neighborhoods thrive on the safety built around neighbors who know and care for each other and their properties. We need your support to keep it that way. It helps our police force.

2. Simultaneous rentals? NO THANK YOU, for obvious reasons, and especially when neighbors are the ones who have to call out infractions. We don't go away. We have to continue to live next to the ones we blow the whistle on.... so the whistle often doesn't get blown. And that's already happening when it comes to over-parking in our historic districts.

3. Minimum age: 21 DEFINITELY. Remember the adage, 40 is the new 30? Yes, giving responsibility for STRs to 18 year olds is not a high enough bar to set. Who is more likely to be responsible? Other-centeredness tends to increase with age, doesn't it? And in a college town, with sports events a primary reason for partying, why open that door wider by lowering the age to 18?

CONSIDER THE QUALITY OF OUR COLLECTIVE LIVES AND **STRENGTHEN** RATHER THAN WEAKEN THIS AMENDMENT, if you decide to accept it.

Better yet, say **NO** to STRs, and **ABSOLUTELY NO** TO DEDICATED STRs.

A pilot program may sound reasonable, but it will just allow developers to get their foot in the door, making it much harder to reverse this pattern a year from now when even more investments have been made. Not a practical idea and who will enforce the change in policy?

I hope my comments lead to insights in your deliberations. This is such a big issue for our town! I hope it continues to be discussed and next time given priority by being placed earlier in the agenda.

Thank you for your service,

Susan Smith, MLA, M.Ed.

Sent from my iPad

Anya Grahn

From: edsburke@gmail.com
Sent: Wednesday, May 26, 2021 11:25 AM
To: Pam Hemminger; Michael Parker; Jess Anderson; Allen Buansi; Hongbin Gu; Tai Huynh; Amy Ryan; Karen Stegman
Cc: Anya Grahn; rbadgett@sog.unc.edu
Subject: STR considerations

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Dear Mayor Hemminger and Town Council members,

I'm writing today once again to express my recommendations to you and the Town Council regarding the pending decisions on regulating the STR business in Chapel Hill. I support your thinking about implementing a pilot type period of monitoring the STR proposed regulatory processes before voting on a final LUMO set of revisions.

I continue having concerns and therefore offer these recommendations for your consideration:

Freeze additional STR expansion during pilot period

During this pilot period you should freeze additional expansions into our traditional historic-type neighborhoods and just determine through the permit process proposed exactly how many STRs are indeed imbedded into these neighborhoods. As currently proposed, hosted or residence owned home STRs are being offered unlimited expansion opportunities throughout these neighborhoods. I firmly support some form a zoning limitations, especially during a pilot phase while we learn.

I have been concerned throughout this process that I seldom, if ever, hear any council member, much less the Planning Commission, speak out with concern and support of traditional home owners in these traditional or historic type neighborhoods. I think of the families who have children who must change their daily routines when these "bed and breakfast" businesses operate next door or down the street. Safety must now be of paramount concern when strangers are coming and going days and weekends at a time. I simply urge that some compassion and concern be shown for traditional, family based, home owning neighbors who are not engaged in commerce, yet must cope with this new reality.

More than three complaints

I'm also concerned about the often used statement by the STR lobby that there have only be three complaints lodged against STR operators over the recent years. This is a myth! I was personally involved with reporting an Airbnb complaint in 2018 and was told then by a code enforcement official that there had been only three STR complaints lodged total. And that was 2018, three years ago! I attribute part of the problem to mis-coding of complaints, probably due to the intake process. I'm confident this will change with new training and sensibilities in that area. The point I'm trying to make is that we must plan for potential problems and ensure we have future problem scenarios in mind as statutes are passed. I had recommended in an earlier email that we should incorporate some fire arm safety measures, for instance, but was informed that the General Assembly prohibits local measures. So despite the very effective lobbying campaign I've witnessed from the STR lobby, imbedded STRs in our neighborhoods are not problem free. Have not been, and will not be. So please prepare!

Thank you again for your considerations and deliberations on these matters.

Respectfully,

Ed Burke
 228 Mill Race Drive

Chapel Hill, NC 27514
PH:919-932-9040

Anya Grahn

From: Lynne Hicks <hicks.lynne@gmail.com>
Sent: Wednesday, May 19, 2021 3:58 PM
To: Town Council
Cc: Anya Grahn
Subject: council meeting 5/19 on STR's

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Honorable Mayor Hemminger and Town Council Members:

Just a quick note for lack of time. I realize that not all STR's are equal. Some folks need a paid resident in their home in order to maintain affordability to remain in Chapel Hill. The resident caller from the historic district, that James Baxter of the advisory planning council refers to, has been operating his short term and long term rental on his family property compound between McCauley and Vance streets. He resides there full time. Scholarly types tend to board there. But, there are for - profit 5 bedroom properties: \$1,000.00/day that advertise for weddings, reunions, graduations, etc. These "sleep 12 person" properties invite day tripper attendees for various celebrations. People are celebrating and let their guard down, understandably. What they forget is that there are high tax paying home owners who work hard during the day and evening contributing to the health and education of their community and they get disrupted by trying to finish up reports at home by loud partying. They can't even sit out on their porch at night because, the revelers are loud and foul language ensues.

The STR property owner needs to maintain the extra parking, the property owner needs to post good neighbor initiatives, the property owner needs to be responsible for peace and quiet. It has been said for neighbors to call 911 if folks are too loud. When we lived in the Cameron McCauley Historic district, this was/is a common occurrence by the neighbors there. Just look at the police data. What isn't recorded is the number of times folks have gone to student houses in their bathrobes at midnight and asked them to pipe down. So, in nice quiet neighborhoods, away from the City Center and University, it would be nice to have assurances of peace. It is the owner of the STR's responsibility to establish and maintain quiet. 11:00 pm is too late for outdoor quiet hours to begin. Some of us have to be at work at 7am.

Lastly, I speak for many folks. The reason why you may not have enough data is that people do not want to be pitted neighbor against neighbor. If there are not anonymous surveys, people are not going to respond. People tend to ruminate during disruptions of sleep, rather than get up out of bed and call 911. We can't encourage more anger and miscommunication between neighbors. My only hope is that guidelines need to be put in place so that there is peace and harmony while living in your own homes.

Respectfully,
 Lynne K Hicks, RN-ret

Formerly of Cameron-McCauley Historic District Resides in Lake Forest



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., **File #:** [21-0565], **Version:** 1

Meeting Date: 6/16/2021

Consider an Application for 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 revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation of evidence by the applicant
- d. Recommendations by advisory boards and commissions
- e. Presentation of evidence by the public
- f. Applicant's statement regarding proposed conditions
- g. Comments and questions from the Mayor and Town Council
- h. Motion to close the Evidentiary Hearing
- i. Motion to adopt Revised Resolution A

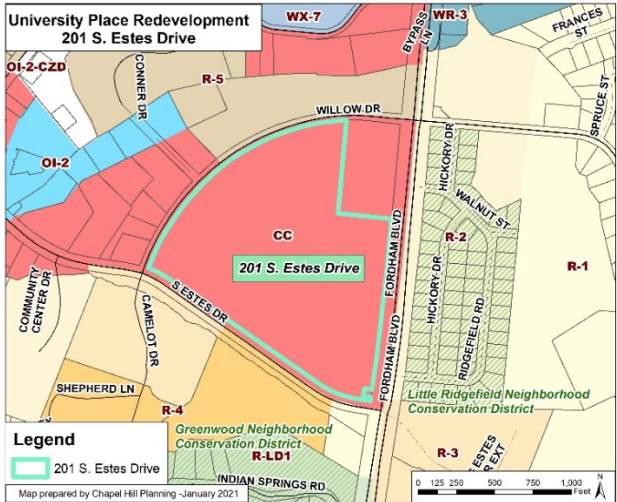
RECOMMENDATION: That the Council 1) continue the public hearing, 2) receive evidence, 3) close the evidentiary hearing, and 4) adopt Revised Resolution A.



CONSIDER AN APPLICATION FOR 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

PROPERTY ADDRESS 201 S. Estes Drive	MEETING DATE June 16, 2021	APPLICANT Jessie Hardesty, McAdams, on behalf of RRPV University Chapel Hill Limited Partnership
TOWN MANAGER'S RECOMMENDATION After reviewing and discussing key issues with Town staff and based on evidence in the record to date, I believe that the Council could make the findings required to approve the requested Special Use Permit Modification.		
UPDATES SINCE THE JUNE 9, 2021 HEARING Staff will provide updates from the June 9 hearing prior to the June 16 meeting.		
PROCESS 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: <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. 	DECISION POINTS The applicant requests modifications of regulations to the following categories: <ul style="list-style-type: none"> • setbacks, • buffers, • tree canopy coverage, • building height, • impervious surface coverage, • parking standards, • signage, and • Resource Conservation District. Design Standards have been proposed to shape and refine the block style development plan. This approval would supersede the previous Special Use Permit Modification granted in 2000.	
PROJECT OVERVIEW 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. <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 	PROJECT LOCATION 	
ATTACHMENTS	<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. Application Letter dated 06.04.20218. Application Materials9. Block Plan10. Design Standards11. Traffic Impact Study – Executive Summary |
|--|---|



TECHNICAL REPORT

KEY CONSIDERATIONS

Updates since the May 19, 2021 Hearing: At the hearing, Council members raised several topics for additional consideration including:

- Multi-family conversion rights,
- Fordham Boulevard multi-use path,
- Solar installation,
- Transit considerations, and
- Affordable housing

Multi-family conversion rights: The following condition has been added to Revised Resolution A to include a proposed change to the conversion rate. The proposed change is increasing the conversion rate to 1 residential unit per 800 sq. ft. of commercial area (an increase from 1 residential unit per 1,000 sq. ft. of commercial area). The conversion rates for the additional multi-family units shall only be available if the project includes at least 375,000 sq. ft. of commercial floor area and if the additional multi-family units are to be vertically integrated with ground floor commercial space. The condition will also limit the total dwelling units to 500 units.

Multi-family conversion rights: Pods A and C are limited to a maximum of 300 dwelling units. If the project limits entitled by this permit exceeds 375,000 sq. ft. of commercial floor area, the developer may apply a conversion rate of 1 dwelling unit per 800 sq. ft. of commercial floor area. If the developer chooses to use the conversion rights for additional multi-family dwelling units, the buildings will be vertically integrated buildings with ground floor commercial space. The number of dwelling units in Pod A or C shall not exceed 500 dwelling units.

Fordham Boulevard Multi-Use Path: The following condition has been added to Revised Resolution A:

Fordham Boulevard Multi-Use Path: The developer shall construct a multi-use path along the Fordham Boulevard frontage from Estes Drive to Willow Drive, including along the Binkley Baptist Church property.

Solar Installation: The following condition has been added to Revised Resolution A:

Solar Installation: The developer shall install sufficient solar voltaic panels to power all common areas within Pod A.

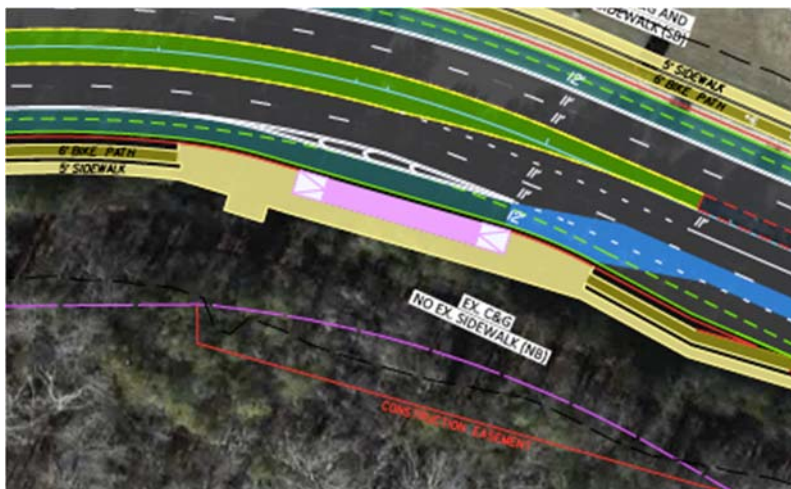
Transit: Following conditional recommendations from the Chapel Hill Transportation and Connectivity Advisory Board (TCAB), Chapel Hill Transit staff has reviewed the recommendation for additional bus stop(s) within the proposed development.

Based on the plans for the proposed redevelopment, staff recommends maintaining the existing stop, shelter and amenities. While staff appreciate the interests expressed by the recommendation, staff do not feel that additional stops are viable due to safety and other concerns:

- Current onsite stop provides a protected waiting area and is positioned to provide access to/from the main building on the site and to the Harris Teeter store.
- Adding stops on the Harris Teeter side of the property would require buses to circle the property before serving the main stop. This would be frustrating to customers on the bus and those waiting for the bus and would not be operationally efficient. This would also increase the opportunity for negative interactions between buses-pedestrians and buses-vehicles, while trying to maneuver around a challenging site. It would also require the area traveled to be built to Town standards and the developer to hold Chapel Hill Transit harmless from wear and tear from bus trips and turning movements. Additionally, using the entrance off of Willow near Harris Teeter is not an option for buses due to its design.
- The site is also served by the Senior Shuttle, that provided direct access to Harris Teeter and EZ Rider, that provides direct access for customers with mobility challenges.

Staff would recommend that applicant continue to work with staff to develop drop off/pickup zones or areas for the Senior Shuttle and EZ Rider vehicles and that you include wayfinding signage to help customers locate these and the main bus stop.

Chapel Hill Transit also has longer range plans for a future Bus Rapid Transit (BRT) project along Fordham Boulevard. Staff would recommend reserving space/ROW for a BRT station and pull-off along the property frontage on Fordham Boulevard between the current exit on Fordham and the Estes intersection. Estimated design space for these stations are 12'x80' with the ADA ramps extending 15' on each side of the station (depending on topography). An example of the station dimensions is below.



Affordable Housing: The developer has provided two options for the Council's consideration for affordable housing. The options are:

- 15 percent of the market rate units as affordable units for residents with incomes at 80 percent of the Area Median Income (AMI)
- or

- 10 percent of the market rate units as affordable units for residents with incomes at 65 percent of AMI.

The rental term under either option would be for a minimum of thirty (30) years. The occupancy of the affordable units would be concurrent with the market unit occupancy. An Affordable Housing Performance Agreement would be a condition of a Zoning Compliance Permit.

ADVISORY BOARD RECOMMENDATIONS

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.

Staff Response: The applicant is proposing to reduce the amount of impervious surface on the parcel from 78 percent impervious to 75 percent impervious, a reduction of approximately 55,000 square feet. The Land Use Management Ordinance (LUMO) limits impervious surface to 70 percent and the applicant has requested a modification to regulations for the amount of impervious surface.

Applicant Response: LUMO ordinance is intended for greenfield development and is not well suited for redevelopment projects. Actual impervious area requirements for this site are to not increase over existing as controlled by the stormwater regulations. For other redevelopment projects, including the Station at East 54 (Town's fire station) and others, the Town has allowed the existing impervious to be grandfathered and the development to build 70% impervious on the remaining area resulting in projects that were well over 70%. University Place is proposing reducing the impervious area on site by approximately 55,000 SF or 1.2 acres.

- Increase the amount of required tree canopy coverage to meet the current required ordinance standard of 30% minimum tree canopy coverage.

Staff Response: The applicant is proposing a modification to regulations to reduce the 30 percent tree canopy standard to 20 percent. The LUMO sets forth public purposes standards for a reduction in tree canopy:

- a. Goals of Comprehensive Plan
- b. LEED or "green" building and low impact development
- c. Affordable housing
- d. Stormwater management
- e. Community character of adjoining property, or established managed landscapes, or established streetscapes

Staff understands that the development was constructed prior to the standards of the current LUMO and believes that the Council could find that the modifying the standard is reasonable.

Applicant Response: It is worth noting that the current tree canopy is 13%. Therefore, an increase to 20% is an addition of approximately 250 trees.

¹ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829635&GUID=69079523-A7C3-4357-99C6-973E680DEA22&Options=&Search=>

- Further reduce parking totals and reduce required minimum parking on-site.

Staff Response: The applicant has requested flexibility on the number of parking spaces based on the uses that will be present. The applicant has requested to modify the minimum and maximum parking requirements for several uses including 2- bedroom dwelling units, all commercial uses, and all office uses. Additionally, the applicant is requesting a 30 percent reduction in parking for parking areas to be shared by multiple users.

- Greatly increase the amount of bicycle parking on-site.

Staff Response: We would encourage the applicant to consider adding additional bicycle parking spaces as the need is determined. We have included the following stipulation in Revised Resolution A:

Bicycle Parking Monitoring: That the developer annually monitor the available bicycle parking spaces as part of the annual Transportation Management Plan. If additional bicycle parking spaces are necessary, the developer shall install the racks in locations subject to review and approval by the Town Manager.

- Provide unbundled parking options, granting tenants the option of paying for parking spaces or not.

Staff Response: If the developer concurs, the following stipulation to Revised Resolution A could be added:

Residential Parking: That as part of the individual lease arrangements with tenants, the unit parking spaces shall be unbundled from the dwelling units.

This stipulation has not been added to Revised Resolution A.

Applicant Response: This creates a challenging situation given the mixed-use nature of this project and therefore we cannot agree to this request. Because there are surface parking lots adjacent to the proposed apartments, it will result in multifamily residents electing not to pay for parking and then parking their vehicles in the retail surface parking areas to avoid paying, thereby reducing available parking for retail uses.

- Engage with the Chapel Hill Farmers Market to provide permanent and shared-use infrastructure that suits their long-term needs.

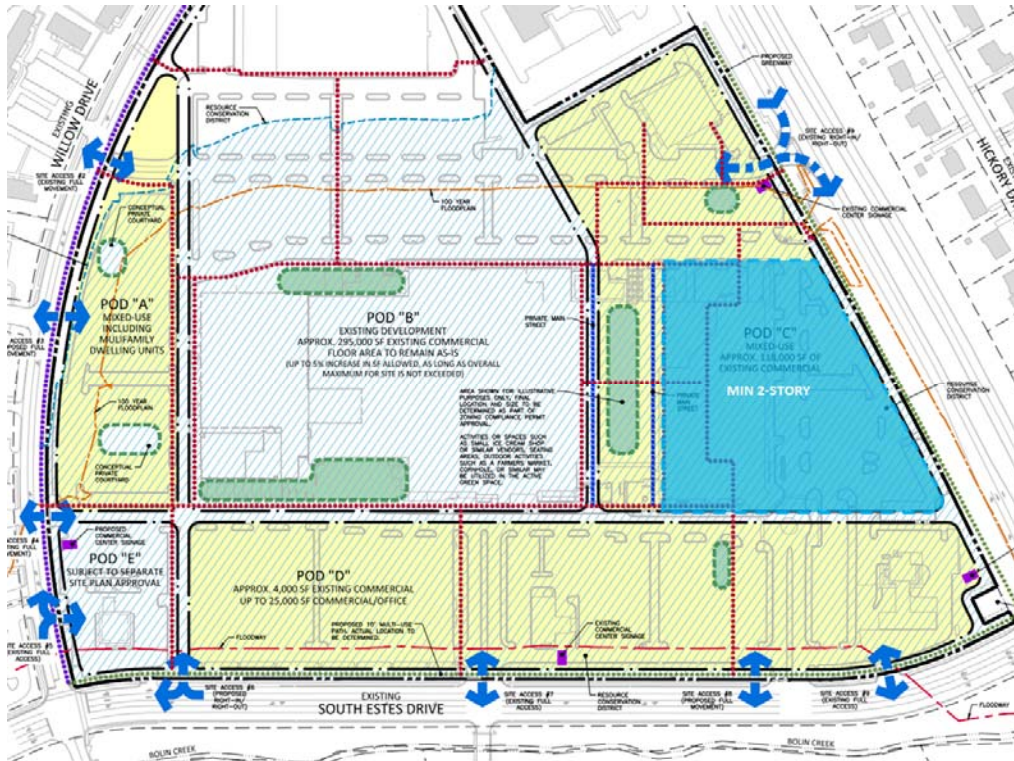
Staff Response: We understand the developer is working with the Farmers Market to develop a permanent location on the site.

- New constructed stand-alone buildings shall be more than one story in height.

Staff Response: The following stipulation has been added to Revised Resolution A:

Building Heights: Any new stand-alone building, to be constructed in Pod C, shall be constructed at a minimum height of two-story building.

Applicant Response: We have proposed requiring two story buildings only within the specified area of Pod C. This was the area where the board was requesting 2-story. Please see the diagram below indicating Pod C.



- Reduce the number of proposed signs and sign size along Fordham Boulevard.

Staff Response: The applicant has requested a modification to regulations to increase the number as well as the size of signs. The Council has the ability to make a finding that in this particular case that the public purposes are satisfied to an equivalent or greater degree, the Council may make specific modifications to regulations in the particular case. We have modified the condition in Revised Resolution A based on the applicant's response.

Applicant Response: We are willing to remove the Gateway sign from the requested modifications.

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

Staff Response: We have added the following stipulation to Revised Resolution A:

Chapel Hill Transit: Prior to issuance of a Zoning Compliance Permit, the developer shall coordinate with Chapel Hill Transit to explore additional bus stop(s) within the development.

² <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829632&GUID=D46F6713-4D34-4611-9CB0-10706B952834&Options=&Search=>

Applicant Response: We have met with Chapel Hill Transit, who did not recommend an additional stop or relocation of the existing stop at this time. A future stop would be likely on Fordham with planned BRT.

- Developer meets with community bicycle advocacy groups to determine ideal bicycle parking locations

Staff Response: We have added the following stipulation to Revised Resolution A:

Bicycle Parking: Prior to issuance of each Zoning Compliance Permit for building construction, the developer shall meet the local community bicycle advocacy groups and Town staff to determine ideal bicycle parking locations.

Applicant Response: We would ask that this be revised to be a ZCP for any proposed buildings as we would not want bicycle parking requirement if just infrastructure work.

- Developer install additional traffic calming treatments on the interior roadway network.

Staff Response: We have added the following stipulation to Revised Resolution A:

Traffic Calming: That prior to a Zoning Compliance Permit, the developer review the interior roadway network with Town staff, including emergency responders, to determine traffic calming treatments.

- 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.

Staff Response: We have added the following stipulation to Revised Resolution A:

Pedestrian and Bicycle Safety: That prior to a Zoning Compliance Permit, the developer coordinate with Town staff to consider pedestrian and bicycle routes for safety and accessibility.

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

Staff Response: We have revised the following stipulation to Revised Resolution A to include additional information:

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 include additional information regarding energy consumption, types of energy used, rainwater and stormwater. 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

³ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=853077&GUID=929FC572-0F65-4A58-A4C0-66B39C2A3C60&Options=&Search=>

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]

- Meet with the Stormwater Management Utility Advisory Board

Staff Response: The applicant has met with the Stormwater Management Utility Advisory Board at their April 27 meeting. The SMUAB recommendations are included in the Advisory Board recommendations.

- Utilize solar energy to reduce greenhouse gas emissions

Staff Response: We have added the following stipulation to Revised Resolution A:

Solar Readiness: That the developer consider installing solar conduit below the roof of the buildings to serve photovoltaic solar panels of dimensions adequate to service each individual building.

Due to heat and environmental health concerns, plant only natural vegetation and if an artificial turf is used, avoid crumb rubber base.

Staff Response: We have added the following stipulation to Revised Resolution A:

Artificial Turf Alternatives: If artificial turf is installed, that the developer avoid use of crumb rubber based turf. Prior to issuance of a Zoning Compliance Permit including artificial turf installation, the plans include specifications for alternate artificial turf materials.

- Support the increase in tree canopy and encourage a higher percentage than the proposed 20%, which is below the 30% standard.

Staff Response: The applicant is proposing a modification to regulations to reduce the 30 percent tree canopy standard to 20 percent. The LUMO sets forth public purposes standards for a reduction in tree canopy:

- Goals of Comprehensive Plan
- LEED or "green" building and low impact development
- Affordable housing
- Stormwater management
- Community character of adjoining property, or established managed landscapes, or established streetscapes

Staff understands that the development was constructed prior to the standards of the current LUMO and believes that the Council could find that the modifying the standard is reasonable.

- Upon termination of leases, explore opportunities for additional green spaces

Staff Response: Please see the applicant's response below.

Applicant Response: Due to the confidentiality clauses in each of the existing tenant leases, we are unable to disclose the specific protected areas for each tenant, making it extremely difficult to craft a stipulation around this request. However, the design guidelines include language stating that any modifications to parking areas require these areas to be brought

further into compliance, thereby increasing landscape islands, trees and green space over time.

- Support the decrease in impervious surface and encourage a lower percentage than the proposed 75%, which is above the 70% standard

Staff Response: The applicant is proposing to reduce the amount of impervious surface on the parcel from 78 percent impervious to 75 percent impervious, a reduction of approximately 55,000 square feet. The Land Use Management Ordinance (LUMO) limits impervious surface to 70 percent and the applicant has requested a modification to regulations for the amount of impervious surface.

Applicant Response: See comments above.

- Place reflective surfaces on roofs before installing solar

Staff Response: We encourage the applicant to consider installation of reflective surfaces on rooftops if photovoltaic solar panels are installed.

- Install rooftop rainwater capture for irrigation and non-potable water use and to reduce stormwater impacts

Staff Response: We encourage the applicant to install cistern-type devices to capture rainwater for irrigation and non-potable water uses throughout the site. We encourage the applicant to develop their final plans with accommodations for these types of uses.

- Build structured parking to reduce impervious surface and increase area for tree plantings

Staff Response: The applicant has proposed structured parking in some areas of the development. If the applicant proposes additional structured parking, it would be necessary to obtain additional entitlements.

- Install stormwater retention tanks to moderate runoff

Applicant Response: The property is 39-acres of a 7,500 acre drainage basin. Retention of stormwater would have no impact on the flooding experienced in this location. Underground tanks cannot practically be installed and outlet into Bolin Creek due to the level of groundwater and the flows in the creek that would backflow into an underground device. Retention tanks above ground would impact the flood storage volume.

- Suggest that Council ask for additional details about the multi-family units

Staff Response: We believe the Council has requested additional details about the multi-family dwelling units.

Applicant Response: The ~250 units proposed in Pod A include an average unit size of approx. 775 SF and include a mix of studios, 1BR & 2BR 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%.

Staff Response: The applicant is proposing to reduce the amount of impervious surface on the parcel from 78 percent impervious to 75 percent impervious, a reduction of approximately 55,000 square feet. The Land Use Management Ordinance (LUMO) limits impervious surface to 70 percent and the applicant has requested a modification to regulations for the amount of impervious surface.

- 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

Applicant Response: We agree to the use of alternative measures where practical as currently proposed and supported by the Stormwater Mgt. Utility Advisory Board. However, the applicant cannot commit to a 70% requirement.

- Future phases should incorporate additional measures to further meet the 70% impervious area ratio requirement.

Applicant Response: Future development will continue to reduce the impervious area on-site and provide additional measures to reduce the stormwater impact of the site. However, the applicant cannot commit to a 70% 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.

Applicant Response: Agree that there will be no net reduction in flood storage volume.

- 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.

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>

Staff Response: The applicant has agreed to the use of alternative measures where practical.

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 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%

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.

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/>

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 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

(This section has not been updated with the most recent proposal – see above)

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.

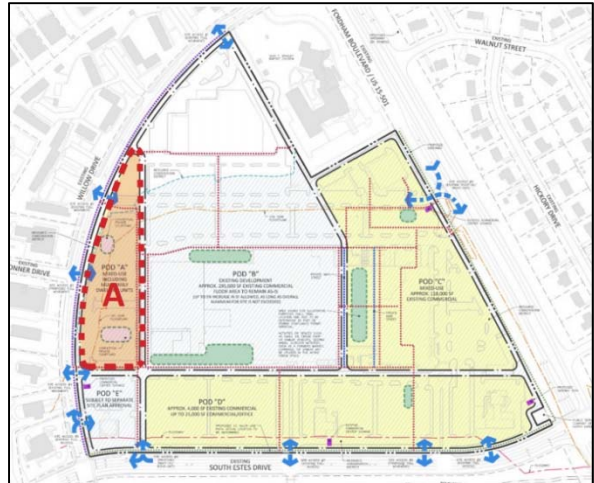
The maximum commercial square footage shall not exceed 450,000 square feet, the maximum office square footage shall not exceed 150,000 square feet and the combined commercial and office square footage shall not exceed 600,000 square feet. Up to 50,000 square feet may be converted between office and commercial; however, the total combined square footage shall not exceed 600,000 square feet including conversions.

Design Evaluation

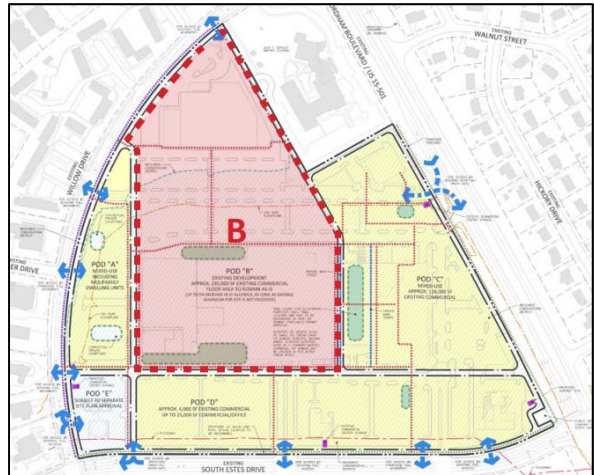
The applicant has proposed Design Standards as a guide to building mass, form, uses, location and relationship to the street frontages, entrance locations and glazing. The site plan has been configured into different development areas referred to as “Pods”. The Design Standards will serve as the framework 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.

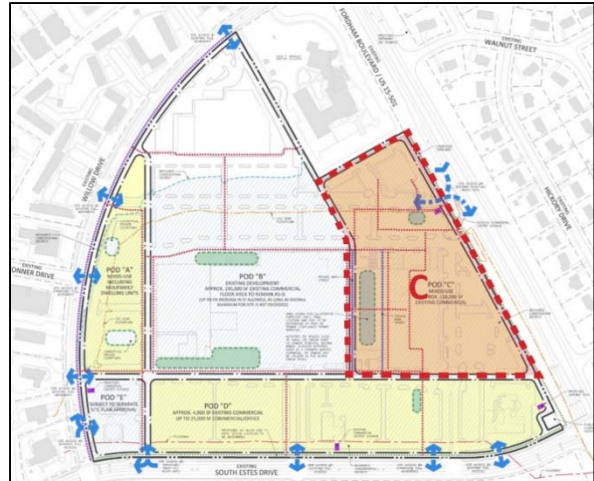
Pod A: converts an existing surface parking area into a more dense, multi-use part of the site. A new parking structure is proposed with a residential wrap screen. Given the significant grade change along Willow Drive and the interior street being a service alley for trash and deliveries, no building 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.



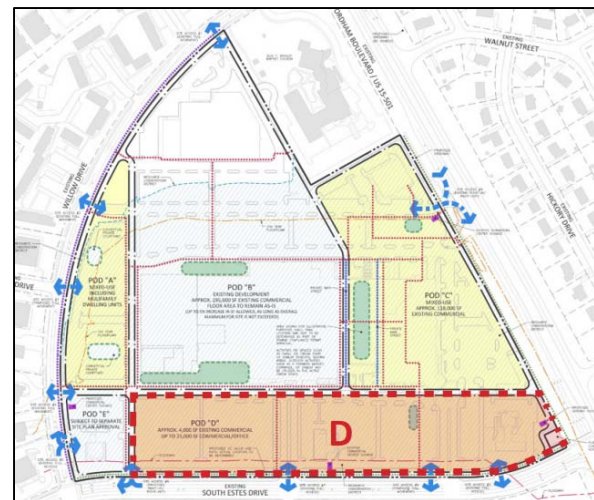
Pod B: There is ±295,000 SF of existing commercial to remain and be renovated, with conversion of interior mall space into exterior space. Enhanced outdoor amenity and green spaces are to be provided throughout Pod B along with parking improvements.



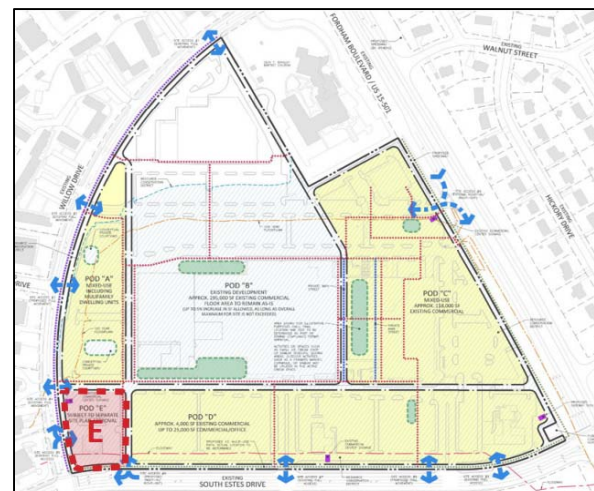
Pod C: Pod C will be focused around a central park or green space that will be pedestrian focused and include programmed space for the farmers market and other recurring events. The central park area will be flanked by urban 'main streets' with a consistent streetscape experience that is designed to 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.



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.



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.



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:</i> 30' Type "D" <i>Proposed:</i> 0'	M
Buffer – Estes (Sec. 5.6.2)	<i>Required:</i> 30' Type "D" <i>Proposed:</i> 0'	M
Buffer – Willow (Sec. 5.6.2)	<i>Required:</i> 20' Type "D" <i>Proposed:</i> 0'	M
Buffer – Binkley Baptist Church (Sec. 5.6.2)	<i>Required:</i> 20' Type "B" <i>Proposed:</i> 10' Type "B"	M
Tree Canopy (Sec. 5.7)	<i>Required:</i> 30% and 40% <i>Proposed:</i> 20%	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: 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> 10 or 15% depending on income levels	
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

**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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March 2021



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 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
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 Capture ³									
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 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
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

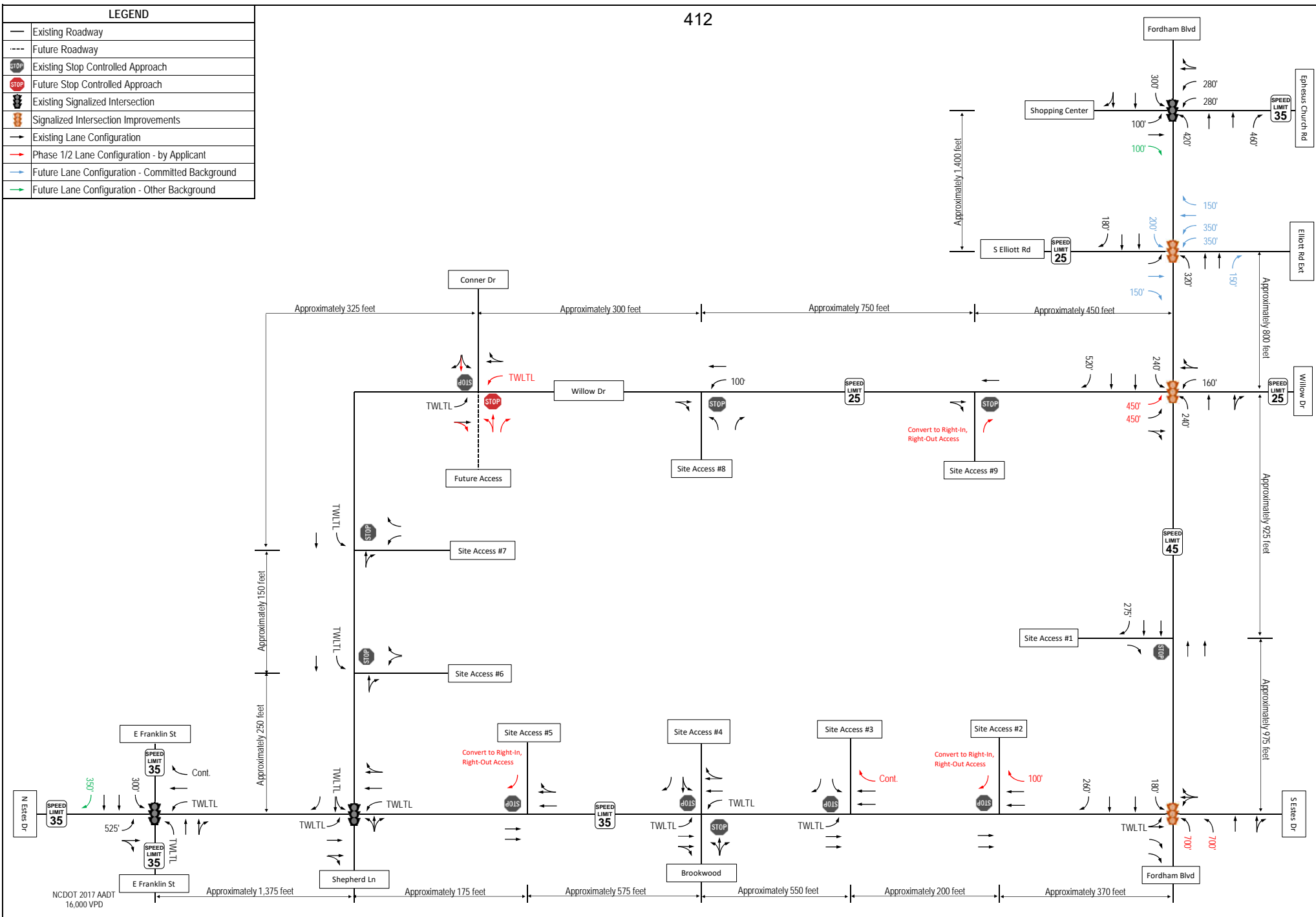


UNIVERSITY PLACE CHAPEL HILL • ILLUSTRATIVE SITE PLAN

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



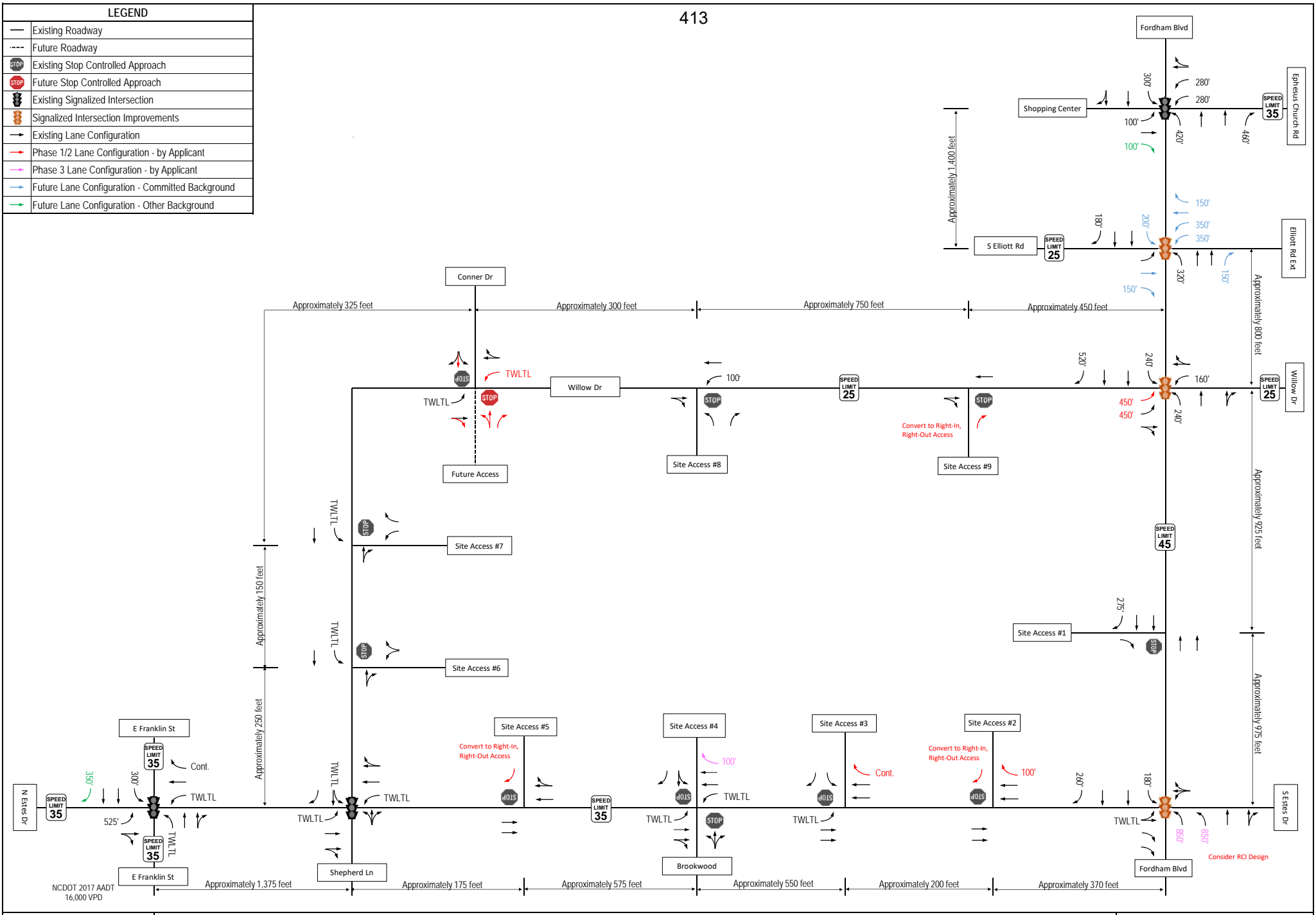


Figure ES-4
Build (2028) Lane Geometrics and Traffic Control



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REVISED RESOLUTION A
(Approving the Request)

**A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT
MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE (2021-06-16/R-9)**

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)

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). 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	1
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 June 9, 2023 (2 years from the date of approval) and be completed by June 9, 2031 (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	
Affordable Housing Units	10% of Market Units at 65% AMI or 15% of Market Units at 80% AMI	
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 800 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.
8. Solar Installation: The developer shall install sufficient solar voltaic panels to power a majority of the common areas within Pod A.
9. Multi-family conversion rights: Pods A and C are limited to a maximum of 300 dwelling units. If the project limits entitled by this permit exceeds 375,000 sq. ft. of commercial floor area, the developer may apply a conversion rate of 1 dwelling unit per 800 sq. ft. of commercial floor area. If the developer chooses to use the conversion rights for additional multi-family dwelling units, the buildings will be vertically integrated buildings

with ground floor commercial space. The number of dwelling units in Pod A or C shall not exceed 500 dwelling units.

Affordable Housing

(italicized font to be determined prior to Council action)

10. Affordable Housing Performance Agreement: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Affordable Housing Performance Agreement consistent with the following terms:
 - a. 10 (or 15) percent of the total market rate units will be available as affordable rental units for a minimum period of 30 years.
 - b. The affordable rental units are proposed in the following manner:
 - i. *units are to be available to households meeting 65% of the area median income or*
 - ii. *units are to be available to households meeting 80% of the area median income.*

(Area median income as defined by the U.S. Dept of Housing and Urban Development for the Durham/Chapel Hill MSA.)
 - c. Designate the affordable rental units in fixed locations in the development and the units may be periodically rotated. Unit locations to be reviewed and approved by the Town Manager.
 - d. The unit size mix shall be similar to the market rate unit size mix.
 - e. An affordable unit vacant for more than 30 days may be made available to market rate renters. Units shall remain at this level for a leasing cycle, not to exceed twelve months, after which time the unit will revert to the previous income level of 65% or 80% of the area median income.
 - f. The maximum rent to be charged for the affordable units each year and method for determining yearly affordable rents of the affordable rental units shall be reported to the Town Manager.
 - g. Upon a determination by the Town Manager that the applicant's Affordable Rental Unit Housing Plan meets the criteria set out herein, the Applicant and the Town Manager, on behalf of the Town, shall execute an Affordable Housing Performance Agreement incorporating the terms of the Plan. That Agreement, as well as the Special Use Permit Modification herein approved shall be recorded at the Office of the Orange County Register of Deeds and shall be binding upon the applicant and its successors in interest. The Agreement and Special Use Permit Modification and the Deed Book and Page Number where they are recorded, shall be specifically referenced in all future conveyances of an interest in any portion of the property covered by the Permit.
11. Affordable Housing: That occupancy of 40 percent of the affordable units shall occur prior to half of the market rate units. The remaining affordable units shall be occupied prior to 90 percent of the market rate dwelling units.
12. Annual Report: The property owner shall submit an annual report to the Town Manager for compliance with the Affordable Housing Performance Agreement. Included in the reports shall be efforts to partner with area non-profits for eligible renters. The report shall also include details on unit locations and unit sizes.
13. Modifications to the Affordable Housing Performance Agreement: Modifications to the Affordable Housing Performance Agreement shall be considered a minor amendment to the Special Use Permit and may be approved administratively by the Town Manager.

14. Compliance: All remedies allowed by law, including specific performance of any of the terms of this permit and the Affordable Housing Performance Agreement shall be available to the Town in the event the Town determines the developer or any subsequent owner is not in compliance with this Permit or Affordable Housing Performance Agreement.
15. Conversion of Residential Rental Units to Ownership Condominium Units: That if the rental development is converted to an ownership condominium development, the affordable units for ownership shall be provided according to the Inclusionary Zoning Ordinance or other affordable housing policy in place at the time of conversion. An Affordable Housing Plan shall be approved by the Town Manager prior to recordation of the condominium plat.

Stormwater

16. Floodproofing: Prior to Zoning Final Inspection, the perimeter of the building/entrance doors within the floodplain 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.
17. 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.
18. Flood Emergency Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall develop an emergency plan for residents during flooding events.
19. 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.
20. 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.
21. 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.
22. 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.

23. 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, if located within the flood plain, 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.
24. 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.
25. 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.
26. 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

27. 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.

28. 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.
29. 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.
30. Multi-Use Path: Prior to Zoning Inspection Final for Pod D, the developer shall construct a 10 foot wide multi-use path along the north side of S. Estes Drive, and prior to the Zoning Inspection Final for Pod C along the west side of Fordham Boulevard in accordance with the Town's Design Manual. An approved phasing plan may detail the installation sequence for the multi-use paths.
31. Fordham Boulevard Multi-Use Path: The developer shall construct a multi-use path along the Fordham Boulevard frontage from Estes Drive to Willow Drive, including along the Binkley Baptist Church property. The design 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 multi-use path.
32. 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 Standards. The design must be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
33. 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.
34. 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.
35. 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.
36. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.

37. 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.
38. 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).
39. 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.
40. 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.
41. 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.
42. 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

43. 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

44. 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]
45. 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]
46. 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]
47. 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]
48. 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.
49. 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.
50. 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.
51. 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]
52. 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]
53. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
54. 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]

55. 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]
56. 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

57. 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]
58. 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]
59. 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]
60. 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]
61. 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]
62. 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]
63. 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.

64. 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).
65. 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]
66. 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

67. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
68. 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]
69. 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]
70. 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]
71. 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]
72. 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]

73. 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]
74. 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]
75. 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]
76. 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]
77. 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]

78. 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]
79. 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

80. 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.
81. 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

82. 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]
83. 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]

84. 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]
85. 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]
86. 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

87. 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.
88. 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.
89. 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.
90. 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

91. 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]

92. 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]
93. 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]
94. 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.
95. 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]
96. 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.
97. 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]
98. 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]

99. 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.
100. 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]
101. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
102. 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]
103. 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]
104. 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]
105. 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]
106. 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]
107. 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]
108. 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.
109. 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.

110. 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]
111. 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.
112. 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]
113. 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]
114. 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

115. 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]
116. 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]

117. 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

118. 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]
119. 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

120. 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]
121. 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]
122. 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]

123. 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]
124. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
125. 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]
126. 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.
127. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
128. 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.
129. 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]
130. 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.
131. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
132. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

133. 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 16th day of June, 2021.

RESOLUTION B
(Denying the Request)

**A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT
MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE (2021-06-16/R-10)**

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 16th day of June, 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.

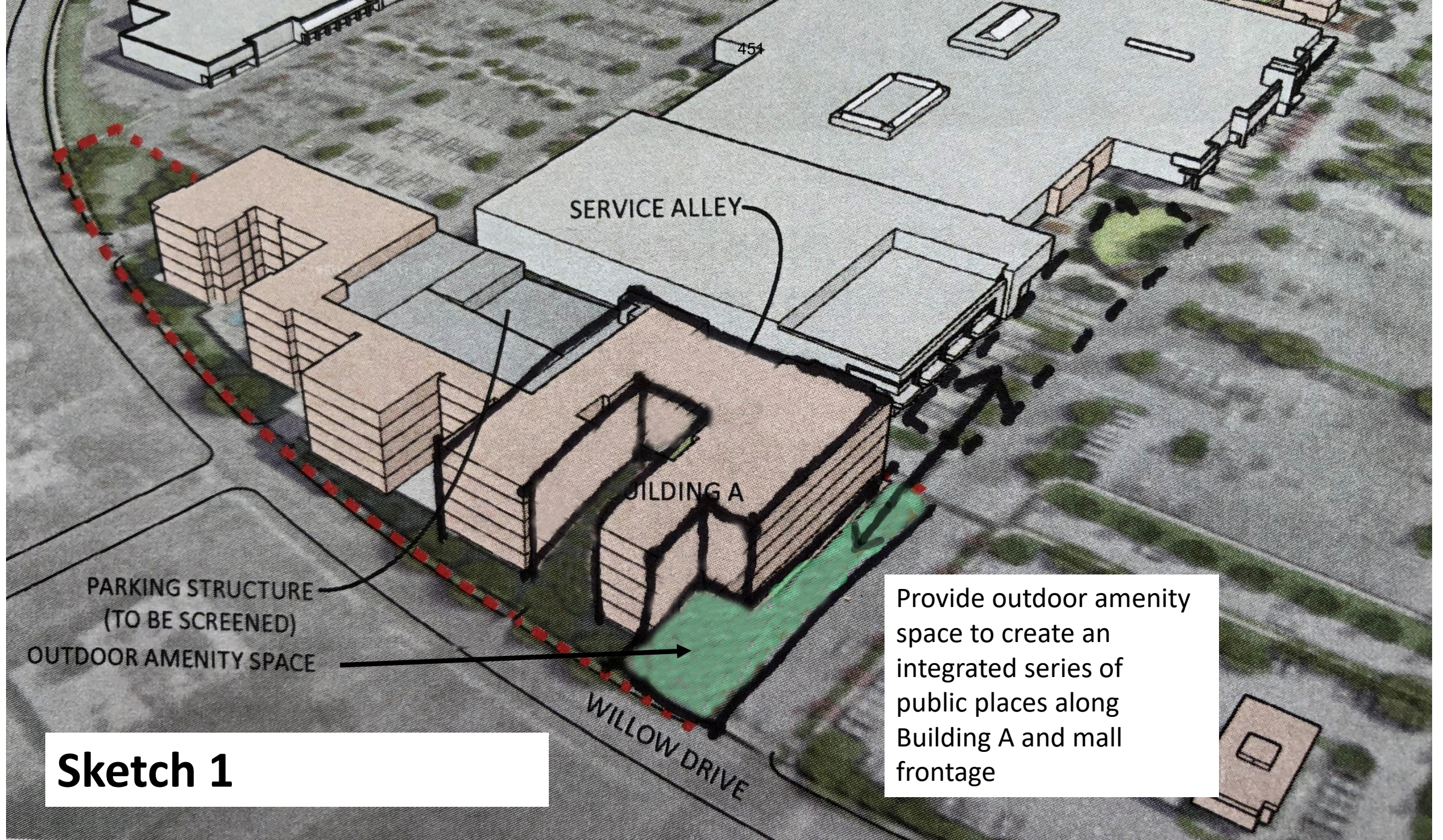
Design Criteria: Street Frontages

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.

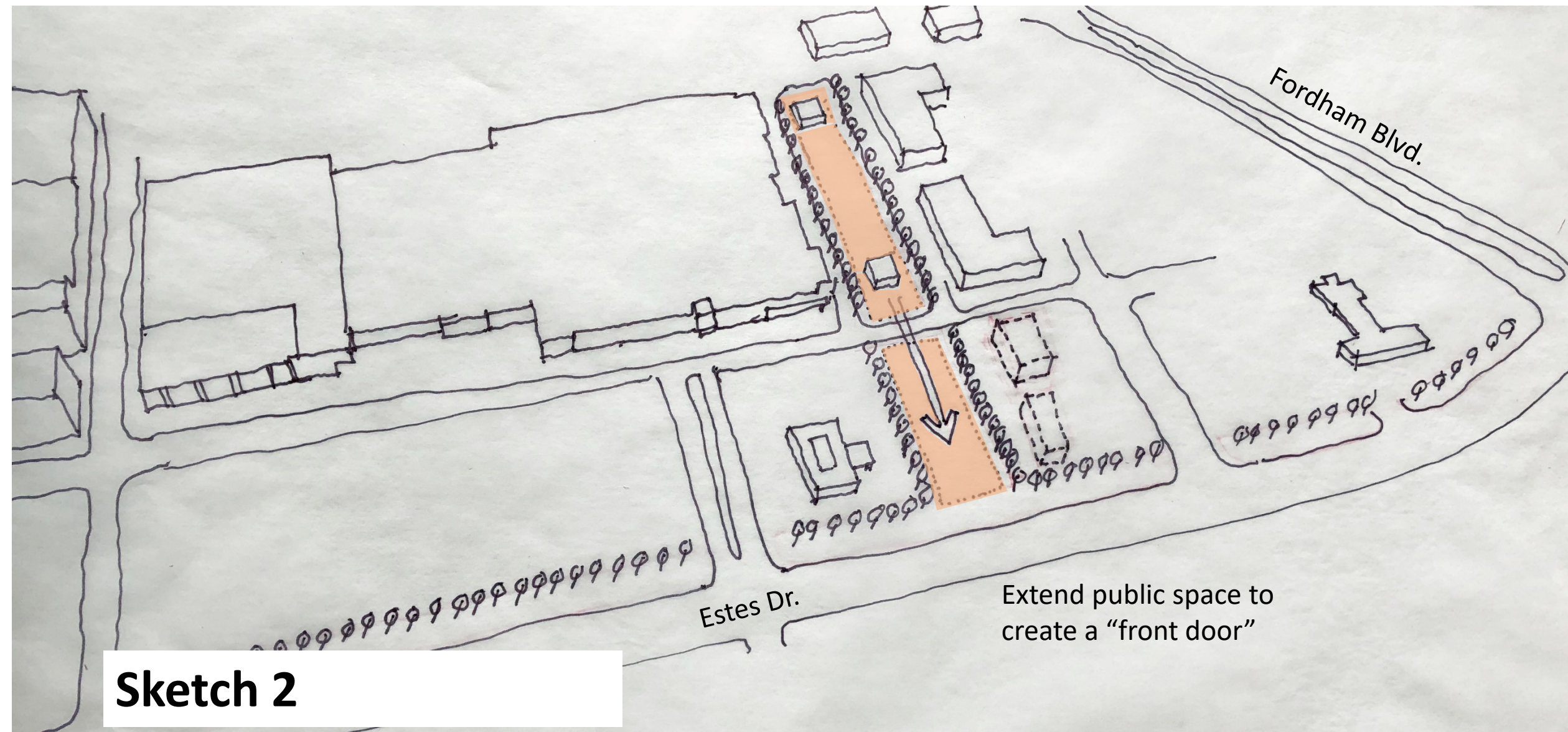
Development Options-Pods

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**



June 4, 2021

Ms. Colleen Willger
Director of Planning
405 M.L.K. Jr Blvd
Chapel Hill, NC 27514

Dear Ms. Willger:

We appreciate the extensive efforts and thoughtful consideration of the redevelopment plan for University Place. Ram Realty Advisors ("Ram") has been working collaboratively with the Town of Chapel Hill ("Town") Planning staff since August 2019 regarding the proposed modification to the Special Use Permit ("SUP"). The proposed Design Standards and SUP modification have been created to govern the future redevelopment of the project. We are committed to creating a new "place" that is consistent with the high-quality standards established by the Town and in keeping with the character of the surrounding area, while balancing the complexities associated with redeveloping a 40+ year-old mall (i.e., not a greenfield site).

The design and regulatory work were completed by a team of professionals that are credentialed and experienced with creating sustainable, economically vibrant, well-designed mixed-use environments. We believe the project will be economically successful and a valuable asset to the community.

As part of this process, we have held meetings with six Advisory Boards and had three meetings with the Town Council. This collaborative and iterative process has resulted in several improvements to the project. A summary of the key components of the redevelopment, including modifications made to address specific concerns, is outlined below.

Tree Canopy:

University Place is a 39.5-acre, auto-dominated property with only 13% of the property covered by tree canopy. Under the proposed plan, the canopy coverage will increase to 20%. The design team evaluated all potential areas for new green infrastructure and has developed a plan to plant approximately 250 new trees on the property. This level of commitment to new planting will increase the canopy coverage to the maximum practical tree canopy coverage that can be achieved at this time.

The Town's Land Use Management Ordinance ("LUMO") Section 5.7.2. provides for tree canopy coverage standards of 30% in Multi-Family Residential and Commercial developments. The ordinance allows for modification of the standard and places the "highest priority" on maintenance and replacement of the canopy on-site. The flexibility in these standards is needed for redevelopment projects like University Place where achievement of the 30% standard is not feasible, but maintenance and replacement of the tree canopy is accomplished.

In addition to the benefits associated with the significant improvement in canopy (i.e., 13% increased to 20%), we will evaluate additional tree plantings in future phases and are committed to using best efforts to maintain existing mature trees on site. This will include stringent management practices during construction to preserve the maximum number of existing trees.

Impervious Surface and Stormwater Management:

The proposed redevelopment will increase pervious area on the site by ~1.2 acres, reducing the impervious surface on the entire property from 78% to 75%. While University Place cannot meet the 70%

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Chapel Hill, NC 27517
P: 919-336-5443
www.ramrealestate.com

target outlined for new developments in the LUMO, the proposed design is compliant with Section 5.4 of the LUMO because the redevelopment results in a net reduction of the impervious area (i.e., ~1.2 acres). These reductions were accomplished through a variety of sustainable design practices, including:

- Reduction in building footprint within the 100-year floodplain.
- Conversion of parking areas to green spaces.
- Addition of green parking islands.
- Enlarged bioretention areas.

The reduction of impervious surface and other improvements will have several positive impacts on water infiltration and flood prevention, including:

- A ~30,000 square foot increase in impervious area treated by green infrastructure.
- A ~37,000 cf increase in flood storage capacity in the 100-year floodplain.
- Additional rainwater capture in tree canopy during small rainfall events.
- Improved downstream water quality and stream health.
- An estimated 8% reduction in peak flow rates for the 10-, 25-, 50-, and 100-year return periods.
- A 2% reduction in peak volume for the 10-year return period and 3% for the 25-, 50-, and 100-year periods.

The stormwater measures proposed are supported by the Town's Stormwater Advisory Board.

Building Height:

The new buildings have been designed to provide appropriate density and integration into the existing improvements while trying to support other sustainable initiatives (e.g., reduced building footprint, use of existing infrastructure). In order to accomplish this objective, the Design Standards for Pod A allow a maximum primary height of 75' at the minimum setback and a maximum absolute height of 90'. The underlying adjacent Community Commercial (CC) zoning district allows a 60' core height, and other nearby mixed-use districts (WX-5 and WX-7) have allowable building heights of 60' and 90', respectively. Fortunately, as a result of existing topography, the proposed multifamily building in Pod A is 59' above grade along Willow Drive at the northern end of the building and 72' at the southern end.

Council has thoughtfully expressed concern about potential impacts to nearby properties, most specifically the Willow Terrace Condominiums. The nearest Willow Terrace condominium building is ~113' across Willow Drive from the corner of the proposed multifamily building. However, this building does not face Willow Drive or the multifamily building. The section of the multifamily building nearest the Willow Terrace building is ~58' above the sidewalk, while the height of the Willow Terrace building is ~24'. However, because the Willow Terrace building is built on a hill, the height differences are mitigated (~28' delta). The design team believes the relatively modest height differences, combined with the significant separation and mature tree canopy, provides an appropriate buffer. A cross section is attached hereto as Exhibit A.

We believe properly scaled mixed-use buildings with well-designed ground level features allows for the creation of a vibrant and walkable place. The Town's Urban Designer has reviewed the approach and considers it consistent with sound planning practices given the nature of the redevelopment.

Setback and Buffer Modifications:

To facilitate a pedestrian friendly and walkable environment, the University Place Design Standards create design criteria for various street frontages found at the property. These criteria encourage generous streetscape elements such as sidewalks, planting strips and amenity areas/tree planting zones.

The Design Standards also create a Build-to-Zone ("BTZ") which provide minimum and maximum buffers beyond the dimensions required in the streetscape criteria.

Along Willow Drive the design criteria call for a minimum 16' buffer area, which includes a 5' minimum sidewalk, a minimum planting strip of 3', as well as a minimum outdoor amenity space/tree planting zone of 8'. The Design Standards require a minimum of 50% of a building's façade be built in the BTZ and that the BTZ have a minimum setback of 0' behind the streetscape buffer and a maximum setback of 20'. Based on the dimensions provided in the design criteria, 50% of the building's façade must be built between a minimum distance of 16' and 36' from the edge of curb. A diagram that shows these criteria has been provided as part of the Design Standards and is attached hereto as Exhibit B.

Comparatively, the CC District requires a 22' setback from the Right of Way (ROW). In order to preserve the mature trees that grow along Willow Drive, we designed the multifamily building to be mainly sited beyond the 22' setback. This approach allows us to maintain the existing mature tree canopy and create a soft landscape edge along the street frontage. Additional screening and landscaping are proposed along the building edge in the form of landscaped paths, public plazas, and garden rooms. The combination of these design elements is intended to create a safe pedestrian environment.

The building setbacks and buffers have been coordinated with the Town's Planning and Transportation staff and reviewed by the Town's Urban Designer, who considers this approach consistent with sound planning practices given the nature of the redevelopment.

Building and Block Lengths:

University Place as it exists today has a defined block layout. The length of the existing block configuration is ~600' between Willow Drive access points. Due to the grade change along Willow Drive and to preserve existing infrastructure (notably including the mature tree canopy), the existing block configuration will remain as-is. However, we have added a residential access point in between the existing curb cuts to align with Conner Drive. In addition, we have proposed significant improvements along Willow Drive to promote walkability including enhanced plantings, improved sidewalks, new crosswalks and a multi-use path. The Town allows for up to 600' block lengths in the Blue Hill Form District if a design alternative "supports connectivity to adjacent properties and supports a walkable public realm consistent with the purpose and intent of Section 3.11.2.1.B". It is important to note that LUMO does not regulate maximum building length.

Our redevelopment of the property will significantly reduce block lengths and improve the overall design. For example, the existing mall structure is over 1,000' long and approximately 370' wide, creating a building perimeter of over 2,760'. The proposed redevelopment will remove approximately 350' in length from the building and shorten the perimeter by almost 700'. The redevelopment of the mall will greatly enhance the walkability of the site.

We firmly believe that the quality of the public experience along Willow Drive, rather than the length of the block, is of utmost importance. For that reason, the multifamily building public space along Willow Drive has been designed to encourage pedestrian activity and link to the new proposed retail storefronts. After the addition of sidewalks and landscaping, the multifamily building will have a 535' frontage along Willow Drive. The building incorporates the Module Offset approach detailed in the Design Standards to create a segmented appearance along Willow Drive. The Design Standards propose a minimum module offset of 12' wide and 6' deep, but the Pod A multifamily building has average offsets of 57' wide and 39' deep. This degree of articulation breaks the façade into 3 separate masses along Willow Drive, preventing the appearance of a singular, long building façade.

Due to the significant grade change on site the Design Standards propose allowing for a design alternative in the form of public outdoor amenity space in lieu of the Pass-Through. Ram believes that providing high-quality public amenity space and creating a series of garden rooms linking the ends of the building is additive to the public environment and a better option than a building Pass-Through. During the May 19th Council meeting, concern was expressed with the overall building length and questions were asked about access along the Willow Drive frontage. The attached Exhibit C shows the location of resident access to the building and public access to the balance of the property. The residents can access the building directly from Willow Drive, while the public will have a better pedestrian experience into the commercial and public spaces by following the enhanced pedestrian paths along the existing access drives. We believe this approach promotes walkability and provides for a safer condition.

The building articulation and pedestrian linkages were reviewed with the Town's Urban Designer, who considers this approach consistent with sound planning practices given the nature of the redevelopment.

Traffic Impacts:

At the May 19th meeting, Council asked about the impact of the redevelopment on the Fordham/Estes and Franklin/Estes intersections. A Transportation Impact Analysis ("TIA") was performed to study the impact on these intersections and others near to the redevelopment area. Although the TIA noted that poor conditions already exist at the Estes/Franklin intersection, improvements are not a requirement of the University Place project; however, several improvements were identified to mitigate the impacts of the University Place redevelopment. One such improvement is that Ram will be required to extend existing northbound dual left turn lanes on Fordham Boulevard at the intersection with S Estes Drive to provide a minimum storage length of 700' each, doubling the storage capacity of each turn lane. This improvement will be made in the first phase of construction.

The Transportation Board, NCDOT and the Town's staff have all reviewed the project and provided several proposed conditions for approval including roadway improvements which must be completed prior to the issuance of a Certificate of Occupancy. Ram has agreed to those conditions.

Additional Enhancements:

We have provided several additional enhancements to the project to address concerns previously raised by Council. We believe these enhancements, all of which will be provided at Ram's sole expense, will further support the Town's goals and improve the nearby community.

- Affordable Housing – Ram has agreed to include either 10% of total residential units at 65% AMI or 15% of all units at 80% AMI, with the Town having the ability to choose which option will be required.
- Chapel Hill Farmer's Market – Ram has designed a Market Pavilion along Willow Drive that would provide a permanent home for the Farmer's Market and other seasonal activities.
- Gateway Sign on Fordham Boulevard – Ram has agreed to withdraw the request for a 24' gateway sign and will adhere to existing regulations governing sign size without modification.
- Utilize Solar Power to Reduce Greenhouse Gas Emissions – Ram has agreed to install a solar array which will power the multifamily building's common areas within Pod A.
- Conversion Rights – Ram has agreed to provide a "lock out period" on multifamily conversion rights so that a building permit for multifamily units utilizing conversion rights cannot be obtained until July 1, 2024 at the earliest. Additionally, Ram has proposed that conversion rights only be available if the project includes at least 375,000 SF of commercial; that all future multifamily be

vertically integrated with ground floor commercial; and conversion rights shall be at the ratio of 1 unit per 800 SF of unused commercial rather than 1 unit per 1,000 SF of unused commercial.

- Single Story Buildings – Ram has agreed that buildings within a portion of Pod C be a minimum 2-story height, including any buildings facing the new Main Street.
- Stormwater – Ram has proposed adding rain gardens and other green infrastructure to increase the drainage area treated by using green infrastructure by approximately 30,000 SF, increasing the total drainage area to approximately 105,000 SF.
- Minority Owned Businesses – Ram has agreed to set aside 20% of the incubator retail spaces within the Pod A multifamily building for minority owned businesses.
- Additional Green Area at Internal Main Street – At the request of Council, Ram has agreed to remove the word "Optional" from the outdoor amenity space description and has agreed to increase the minimum width of the green space from 10' to 50'.
- Connectivity – Ram has committed to extend the multi-use path north along Fordham Boulevard by an additional ~620' to connect with Willow Drive, subject to approvals from Binkley Baptist, NC DOT and other third parties from whom approval is required.

Ram remains committed to breathing new life into University Place and creating a community asset for the Town. We appreciate the time Staff, the Advisory Boards, and Council have spent reviewing the SUP modification request and Design Standards. We trust that the information necessary to reach a decision has been provided and we remain available to answer additional questions.

Sincerely,

Jeff Kurtz

Jeff Kurtz
Director of Development
Ram Realty Advisors

Exhibit A

Cross Section of Willow Drive

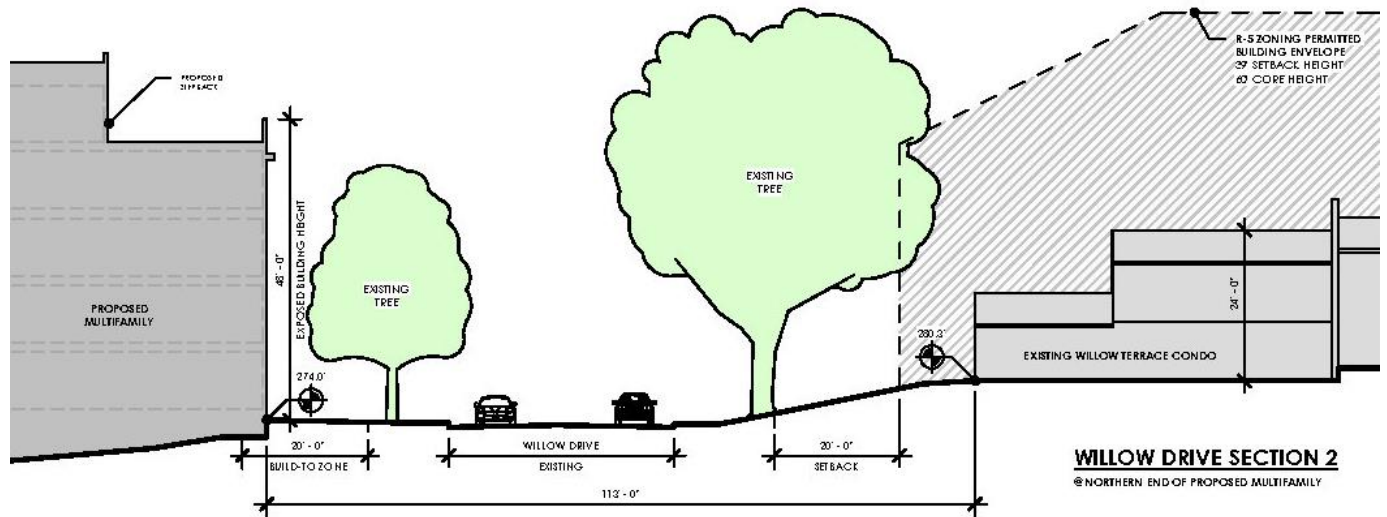


Exhibit B-1

Streetscape Buffer and Build-to-Zone Diagram

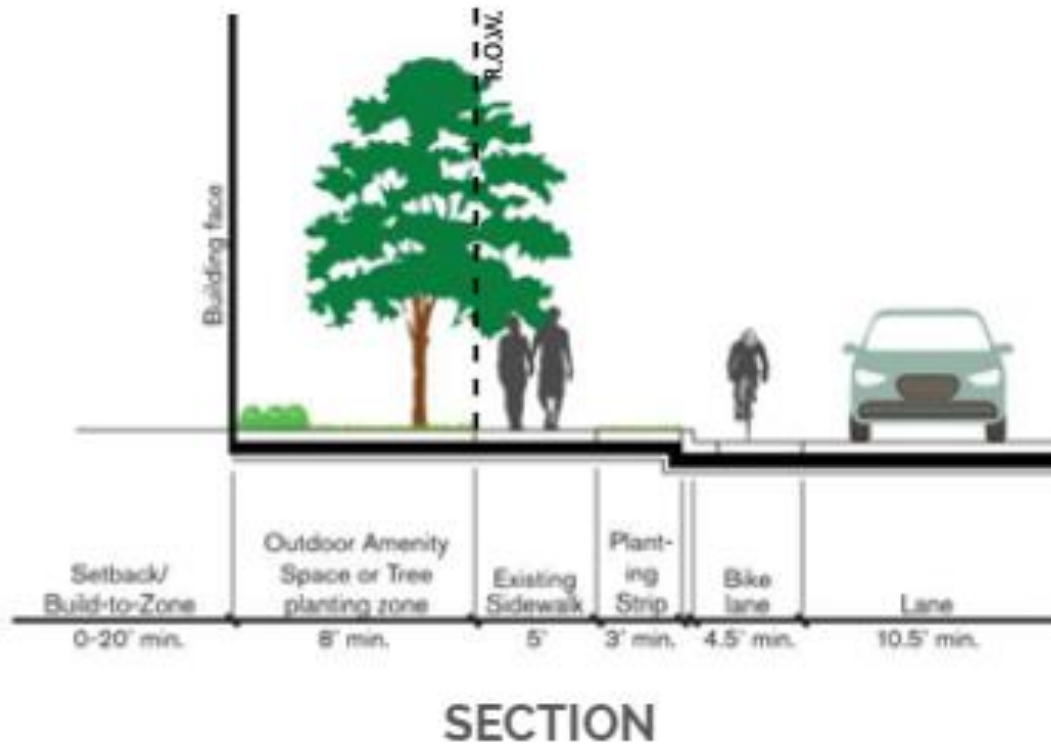


Exhibit B-2

Streetscape Buffer and Build-to-Zone Diagram

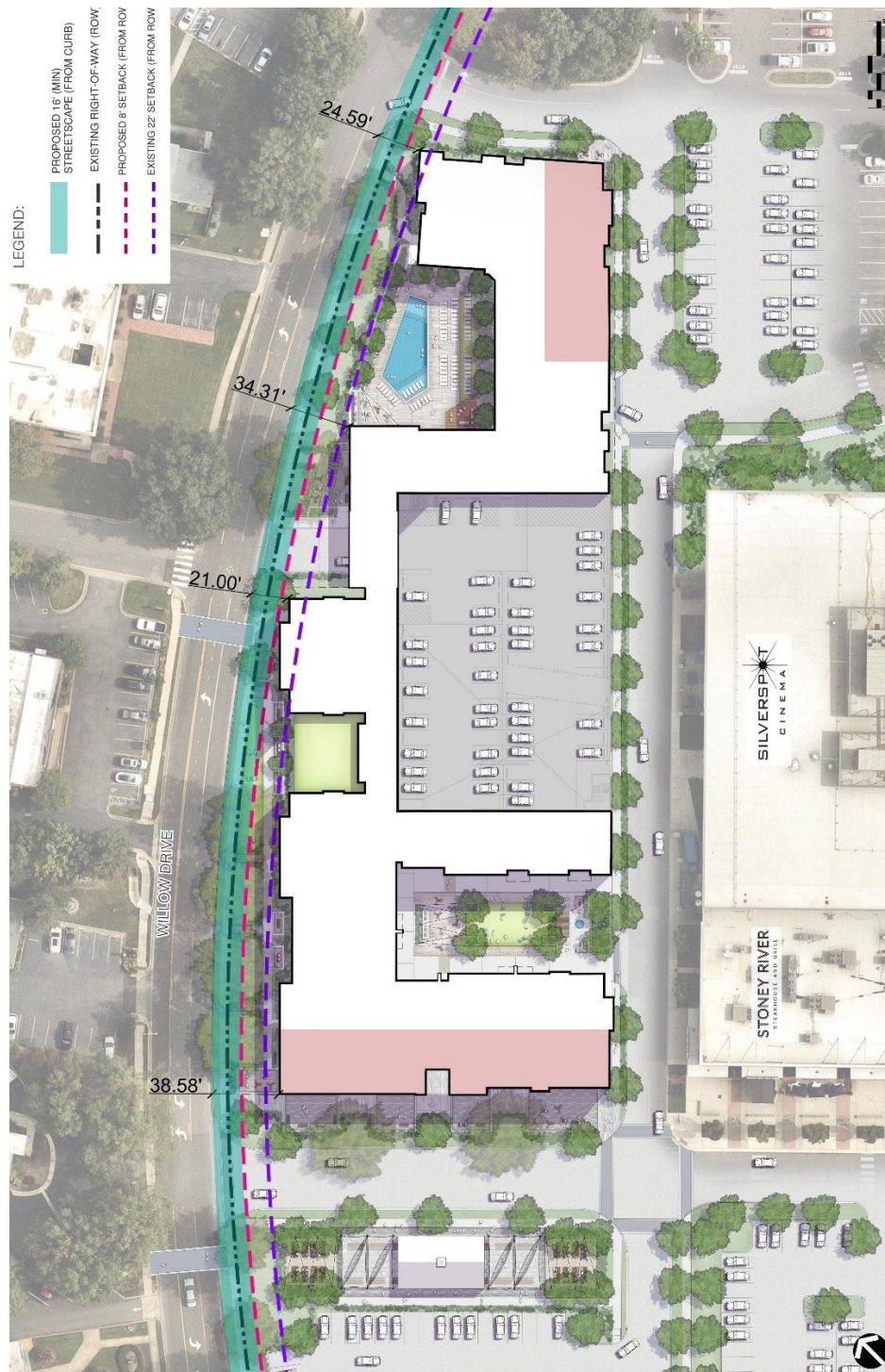
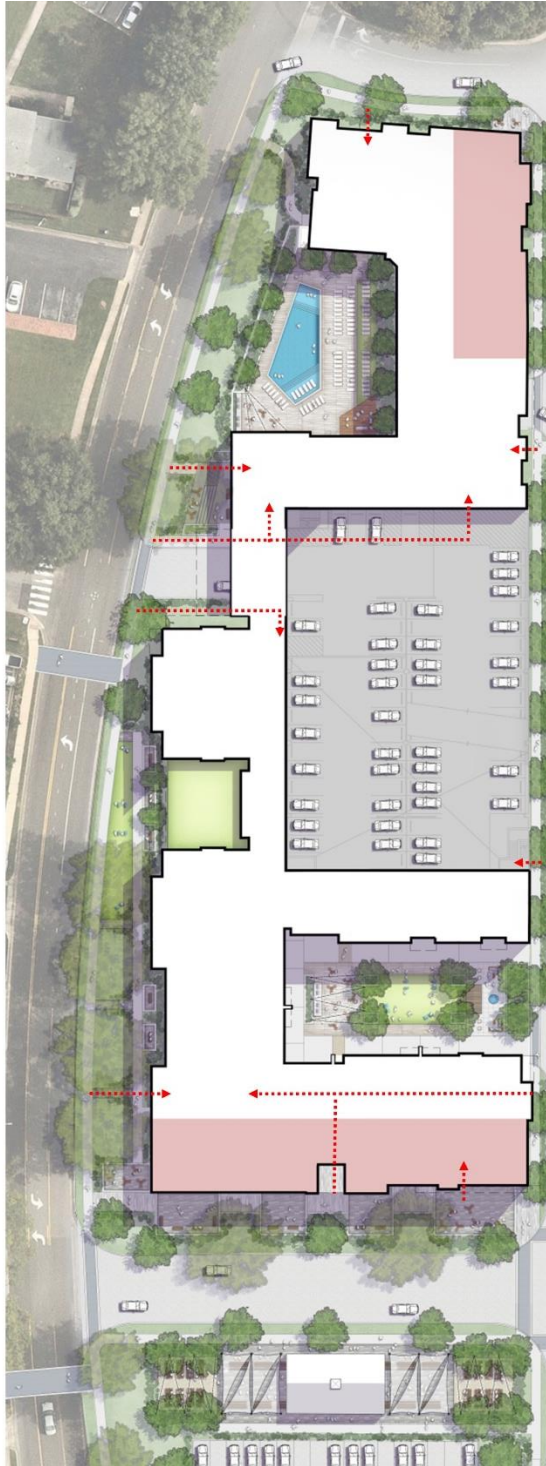


Exhibit C

Building Entry Points

BUILDING ACCESS - POD A



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)

OK
an



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

XXX

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

UP
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 $81^{\circ} 05' 29''$ 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 $68^{\circ} 00' 29''$ West 267.86 feet to a right of way monument; (3) North $54^{\circ} 55' 29''$ 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 $61^{\circ} 22' 38''$ 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 $49^{\circ} 26' 10''$ 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 $83^{\circ} 07' 19''$ 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 $05^{\circ} 35' 31''$ West 607.53 feet to a point; thence South $84^{\circ} 24' 29''$ 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 $05^{\circ} 35' 31''$ West 599.72 feet to a point; (2) South $07^{\circ} 07' 31''$ West 282.98 feet to a point; and (3) South $08^{\circ} 51' 31''$ West 257.07 feet to a point; thence leaving said right of way of U.S. 15-501 North $81^{\circ} 08' 29''$ West 50.00 feet to a point; thence South $08^{\circ} 51' 31''$ West 50.00 feet to a point; thence South $81^{\circ} 08' 29''$ 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 $08^{\circ} 51' 31''$ 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



This digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of North Carolina and the Federal Emergency Management Agency (FEMA). The State of North Carolina has implemented a long term approach to floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map flood hazard areas at the local level. As a part of this effort, the State of North Carolina has joined in a Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTP://FRIS.NC.GOV/FRIS](http://FRIS.NC.GOV/FRIS)

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) has 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). The FIS data are digitized from hardcopy maps and are combined 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 watersheds, lakes, and coastal flood hazard areas within a community. The FIS data are used by FEMA to determine the flood insurance rates for communities. Data collected 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 NCEM. Base map information shown on this FIRM was provided in hardcopy form by the NCEM. The metadata associated with the data and the metadata available in the digital FIRM database and in the Technical Support Data Notebook (TSDN).

ACCREDITED LEEVE 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 NOTICES 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 any emergency action plan, on the basis of the levee's status as a system that is not fully accredited. The FEMA levee accreditation process requires that you 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, FEMA will remove the levee from the list of accredited levees. The 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, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

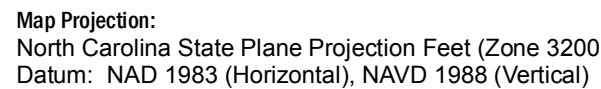
LIMIT OF MODERATE WAVE ACTION NOTES TO USERS: For some coastal flooding zones the AE Zone category has been divided by a Limit of Moderate Wave Action (LiMWA). The LiMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LiMWA (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.

 Limit of Moderate Wave Action (LiMWA)

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

1 inch = 500 feet 1:6 000



PANEL LOCATOR



VERSION NUMBER

2.3.3.2

MAP NUMBER

3710979900

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 NCDOI. Please submit plans to NCDOI 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 of 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.

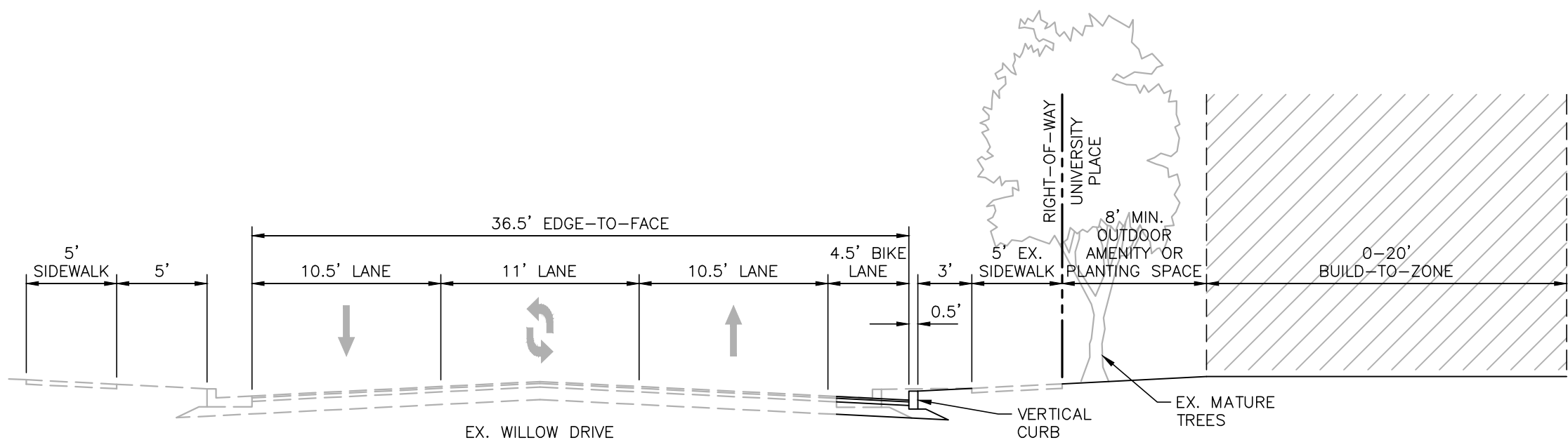
Consideration of this response is greatly appreciated. If you should have any questions or require additional information, please do not hesitate to contact me at 919. 361. 5000.

Sincerely,

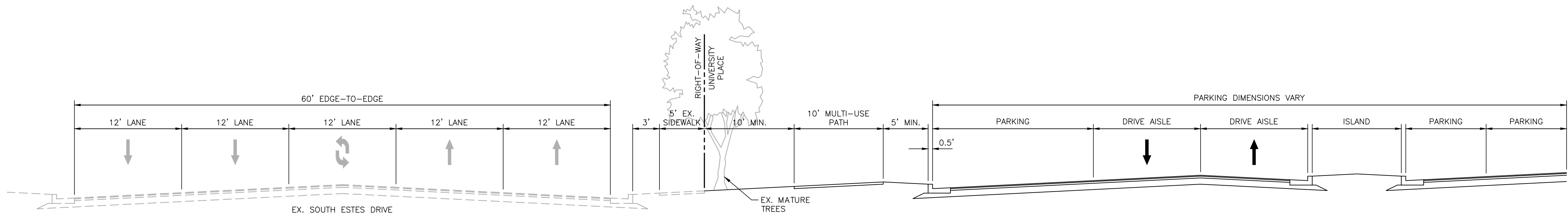
MCADAMS



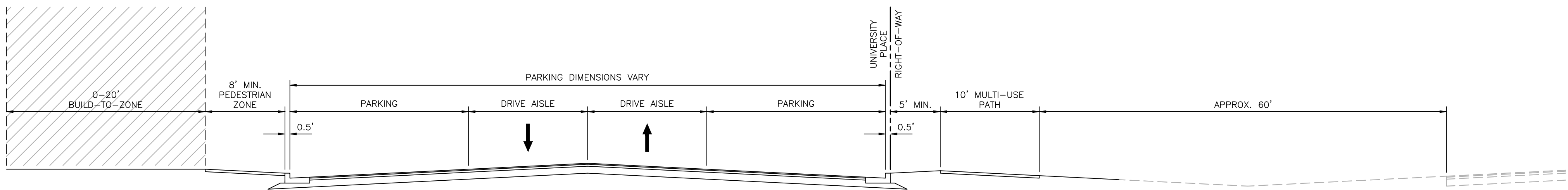
Jessie Hardesty
Planner, Planning + Design Group



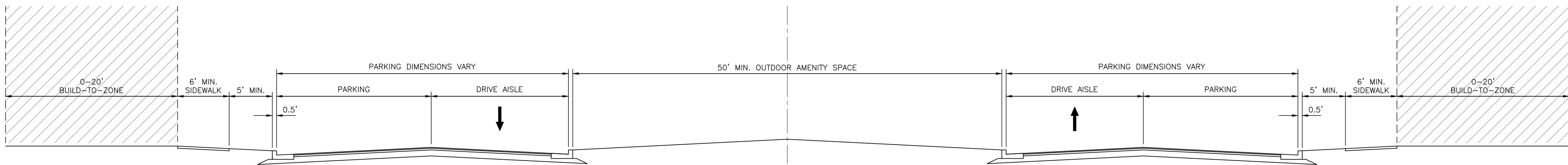
TYPICAL SECTION
WILLOW DRIVE FRONTAGE



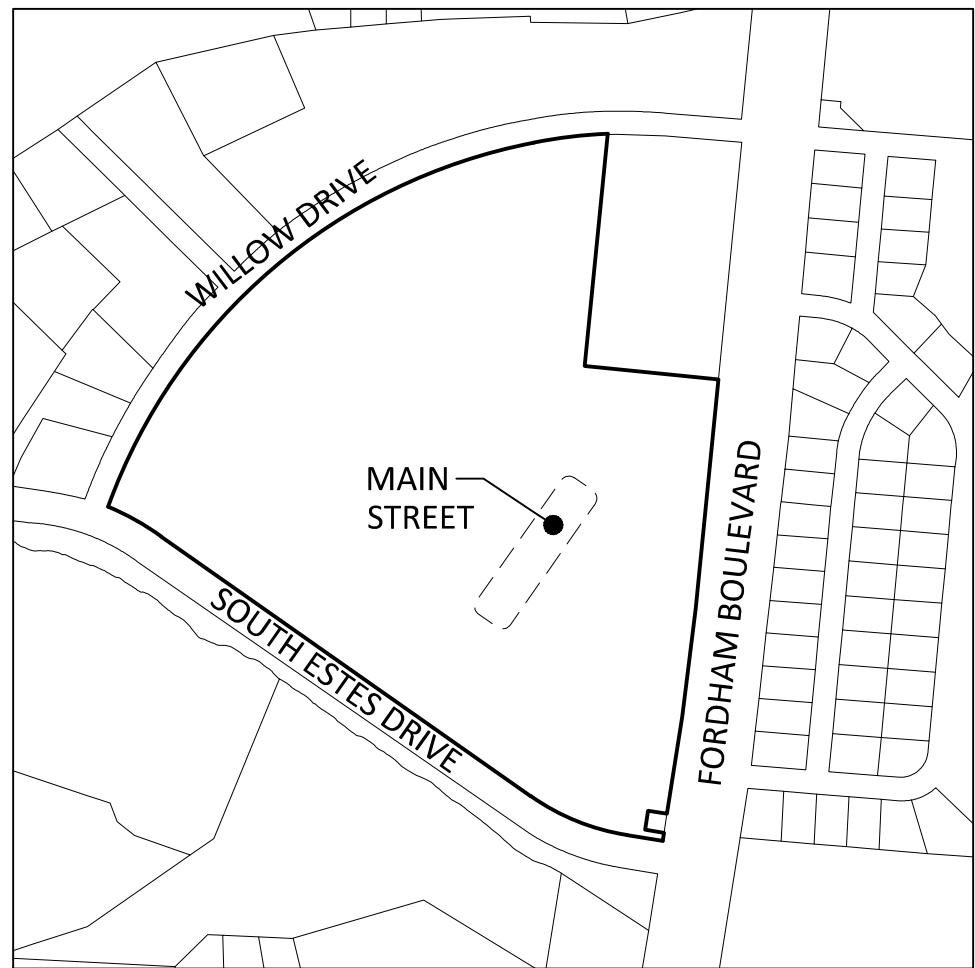
TYPICAL SECTION
SOUTH ESTES DRIVE FRONTAGE



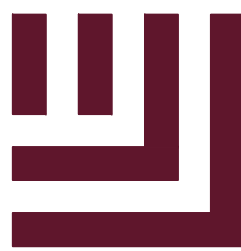
TYPICAL SECTION
FORDHAM BOULEVARD FRONTAGE



TYPICAL SECTION
INTERNAL MAIN STREET



STREET KEY



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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

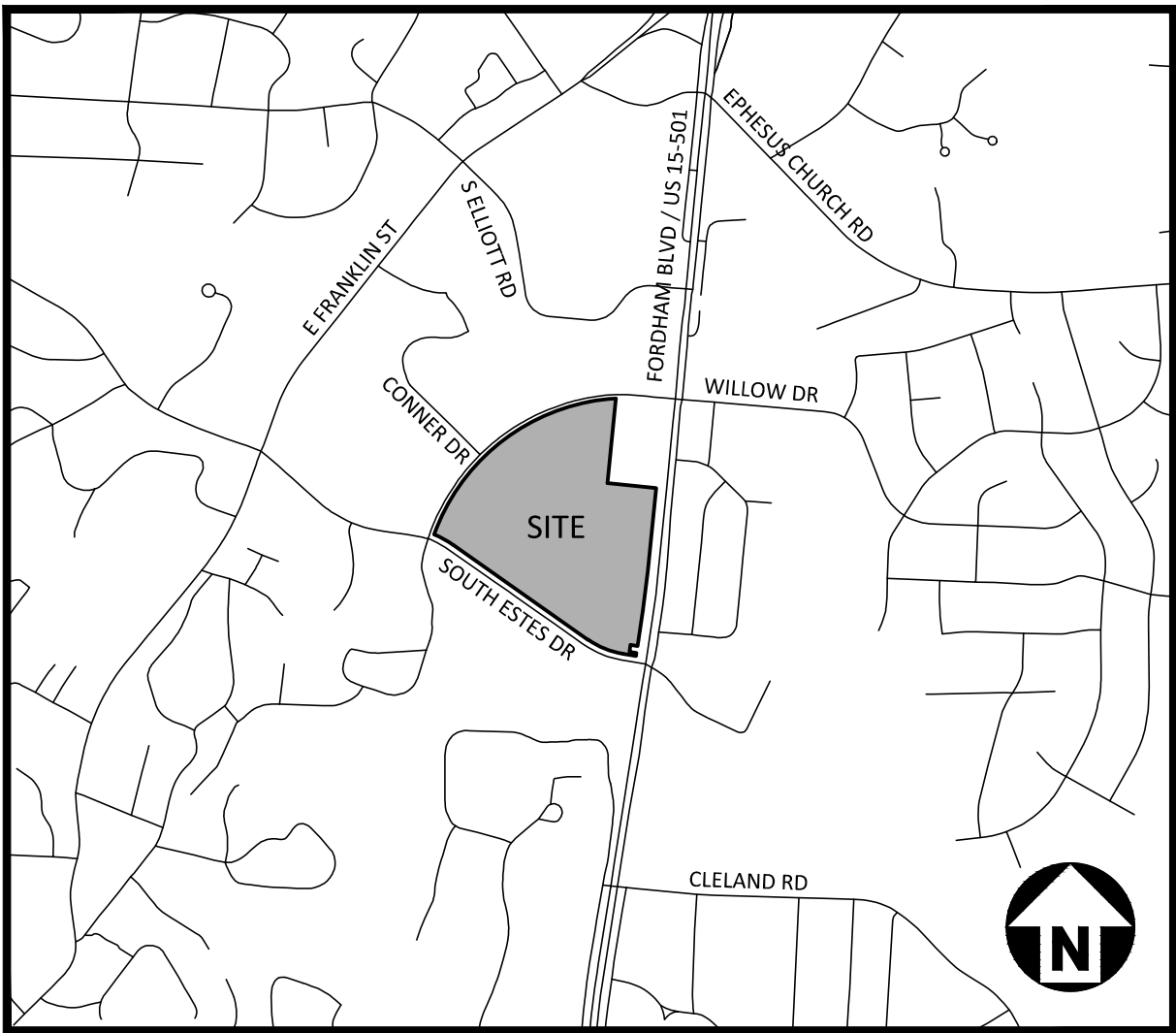
REVISED: NOVEMBER 12, 2020

SHEET INDEX

C0.00	AREA MAP
C1.00	EXISTING CONDITIONS
C2.00	PROPOSED SITE PLAN

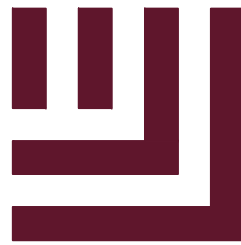
NOTES

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.

X:\Projects\RAM\RAM-19000\04-Production\Planning and LA\Concept Plans\Current Drawings\RAM19000-C01.dwg, 11/12/2020 4:11:45 PM, Updeltgove, Rich



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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

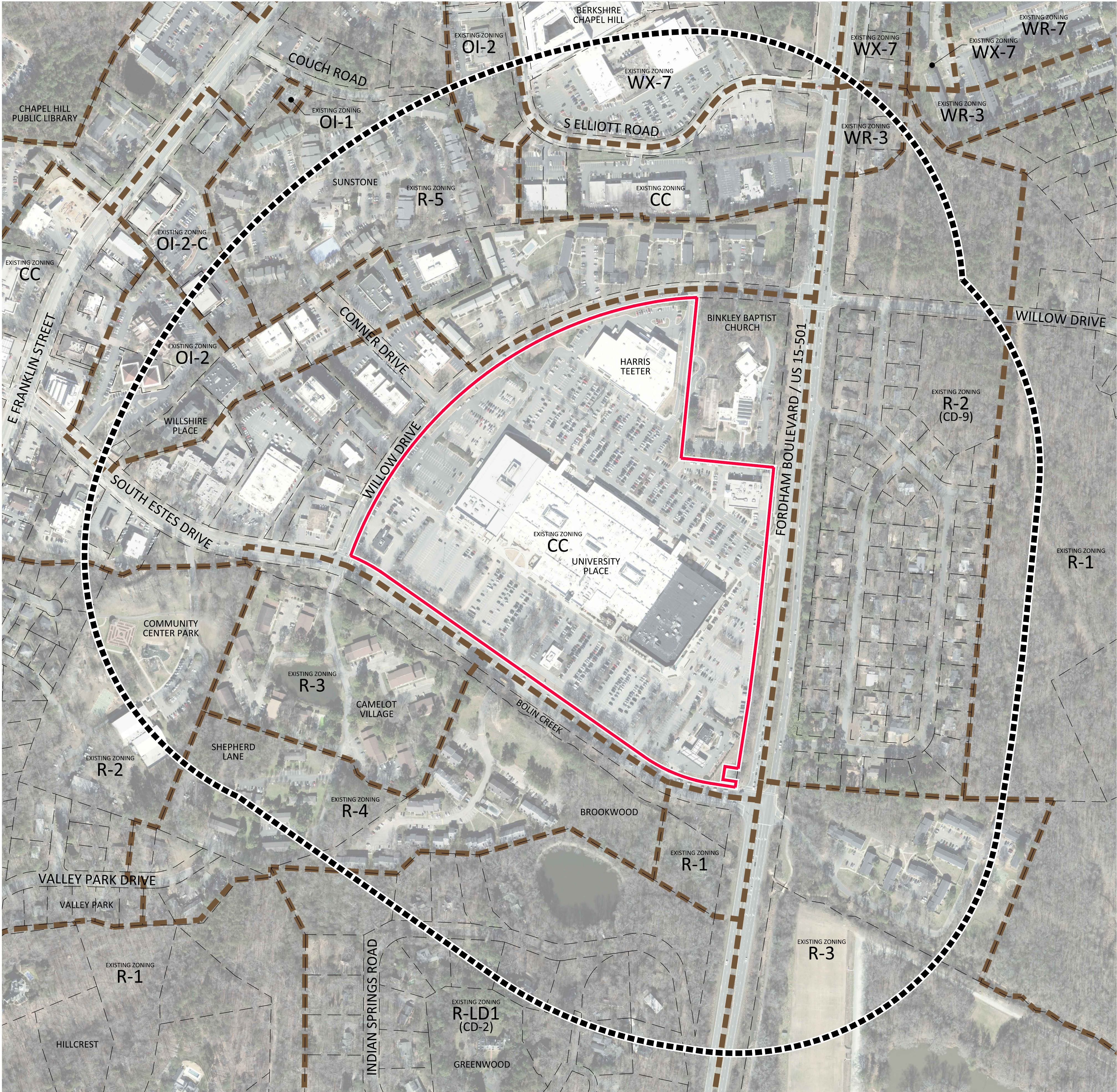


REVISIONS

NO.	DATE	
1	11.12.2020	PER TOWN COMMENTS

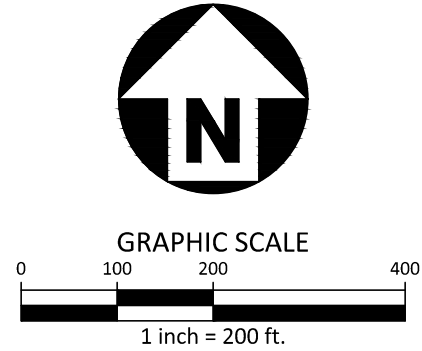
SPECIAL USE MASTER PLAN FOR:

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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UNIVERSITY PLACE
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CHAPEL HILL, NORTH CAROLINA



REVISIONS

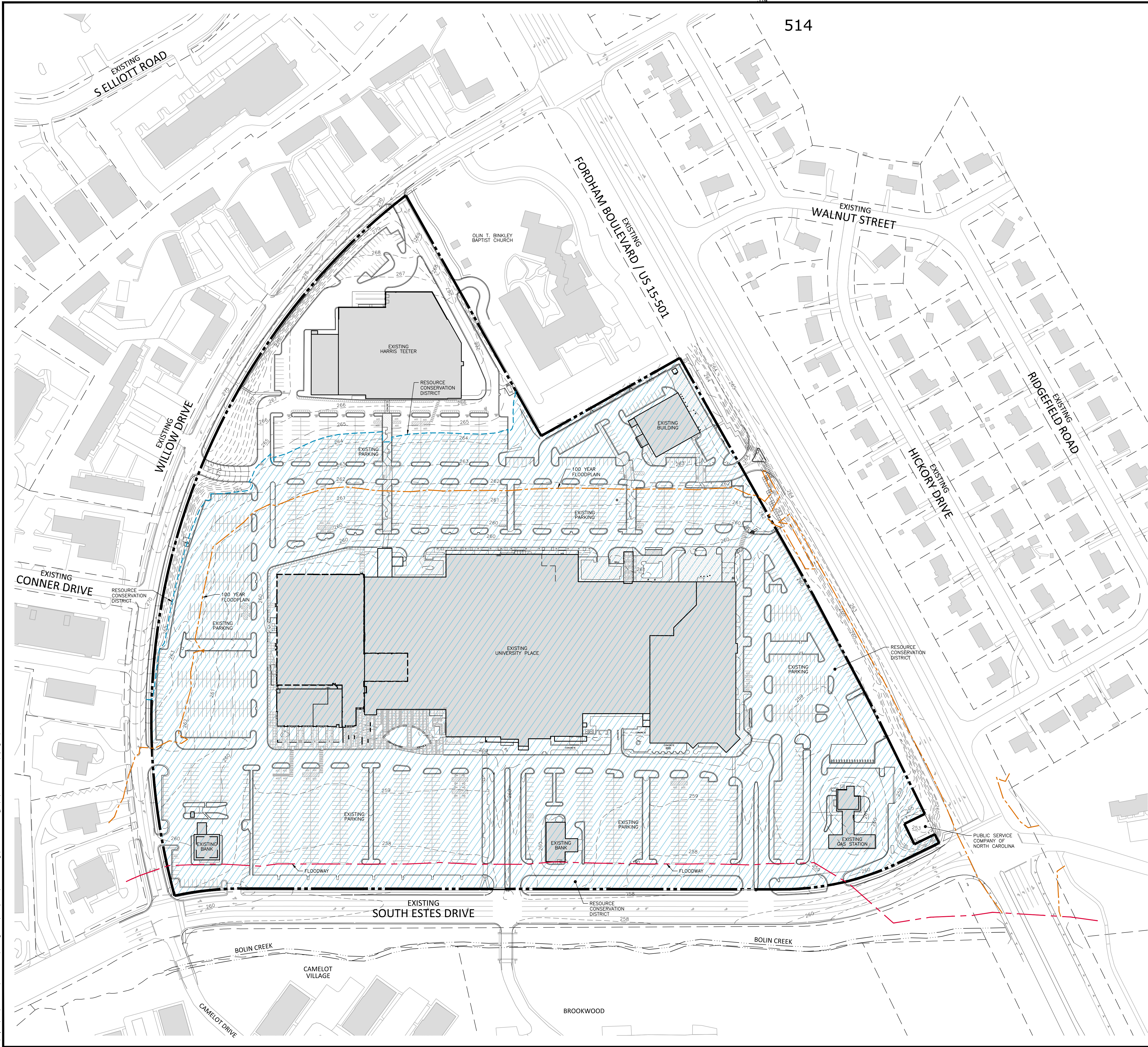
NO.	DATE	
1	11.12.2020	PER TOWN COMMENTS

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



LEGEND

- SITE AREA (PIN 9799125797)
- RESOURCE CONSERVATION DISTRICT (RCD)
- 100 YEAR FLOODPLAIN
- FLOODWAY

GRAPHIC SCALE

0 50 100 200

1 inch = 100 ft.

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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

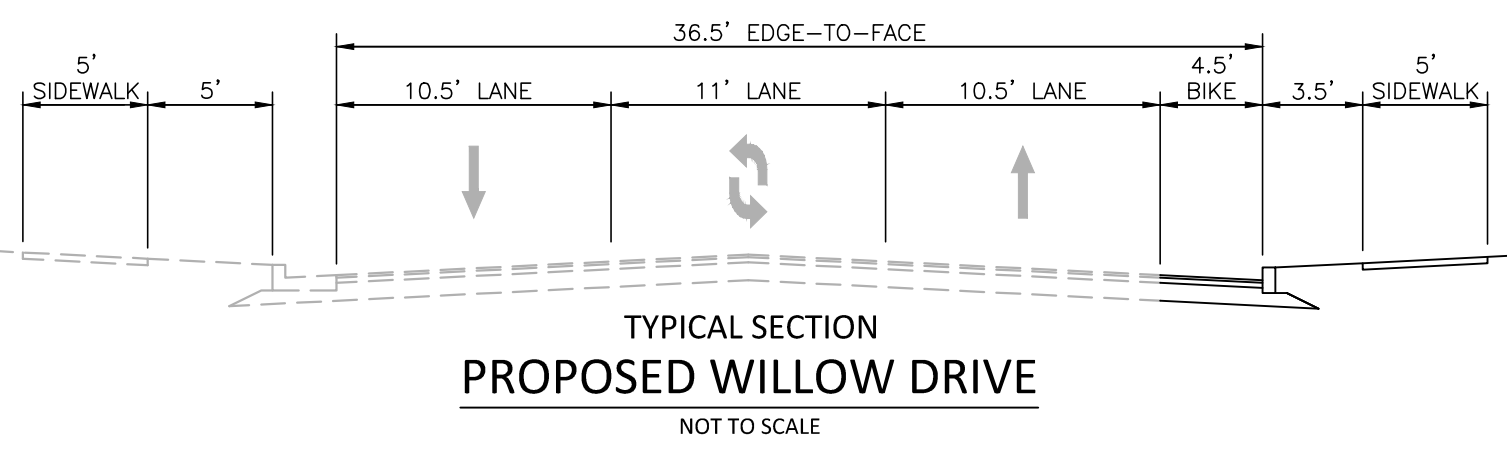
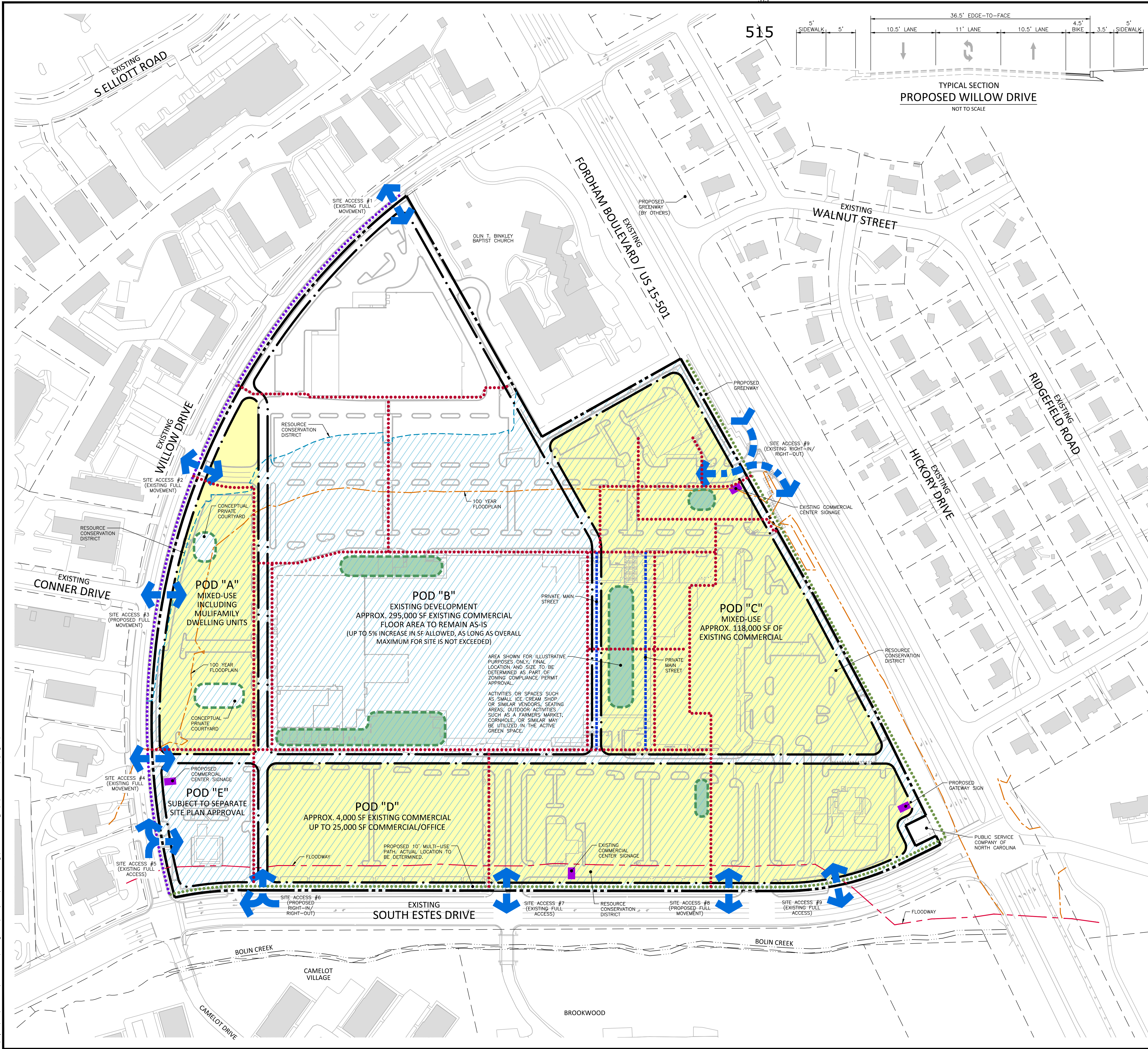
SHEET

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'		
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.			

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REVISIONS

NO.	DATE	PER TOWN COMMENTS
1	11.12.2020	

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

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

UNIVERSITY PLACE

DESIGN STANDARDS

November 13, 2020



TABLE OF CONTENTS

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- Intent, Vision & Framework
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- Street Frontages
- Building Mass & Form
- Parking
- Drive-Thru Standards
- Outdoor Amenity Space

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- 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.

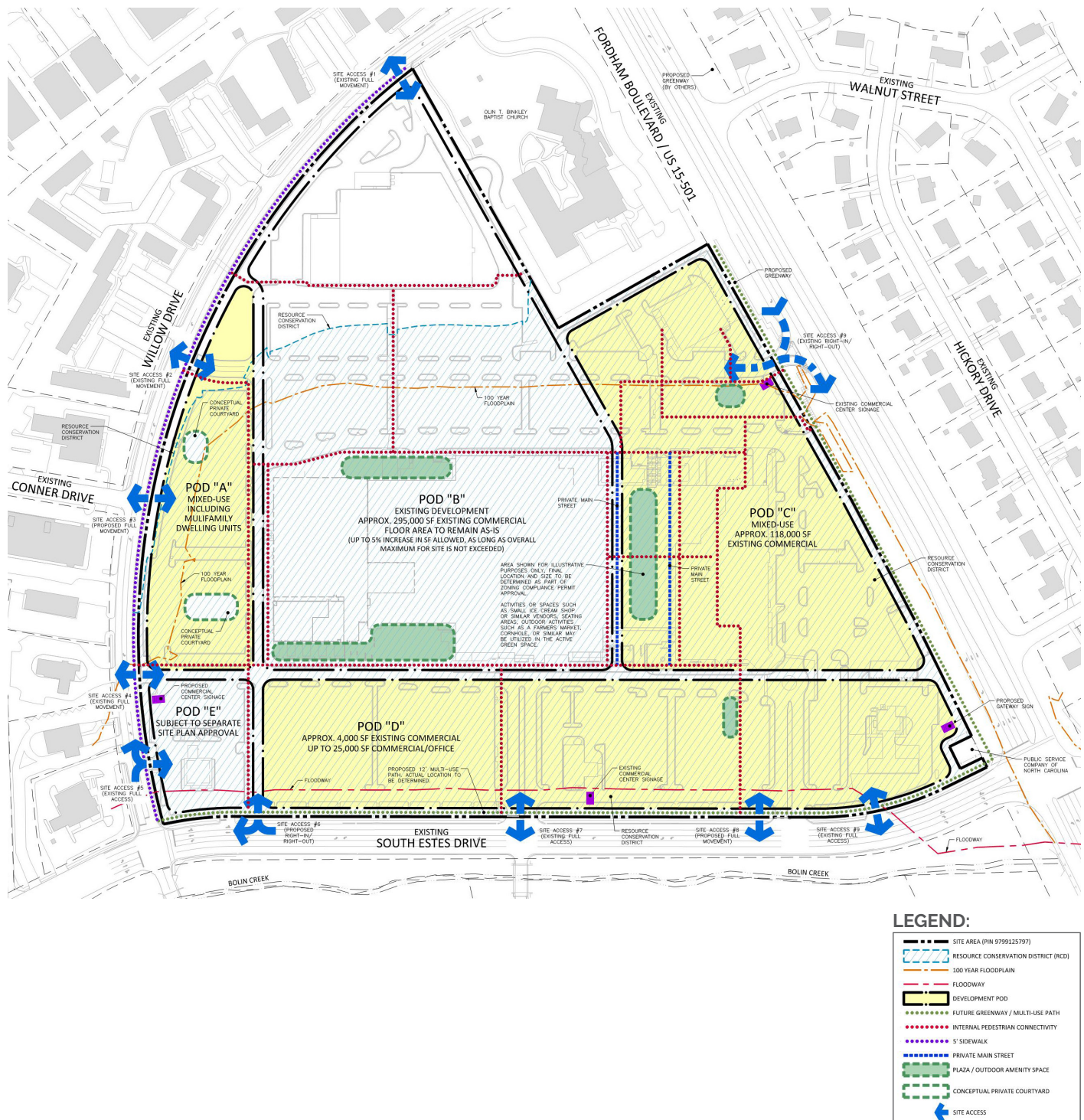
TERMS (CONTINUED...)

- 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



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

[illegible]

	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)

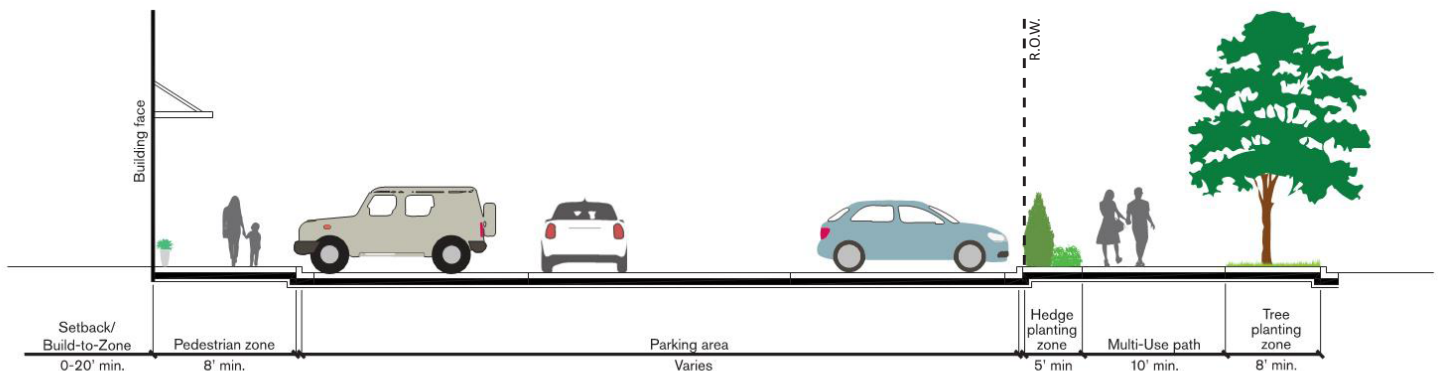
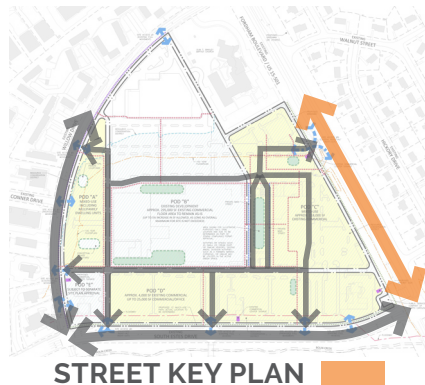
PARKING AREA

- 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.



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.

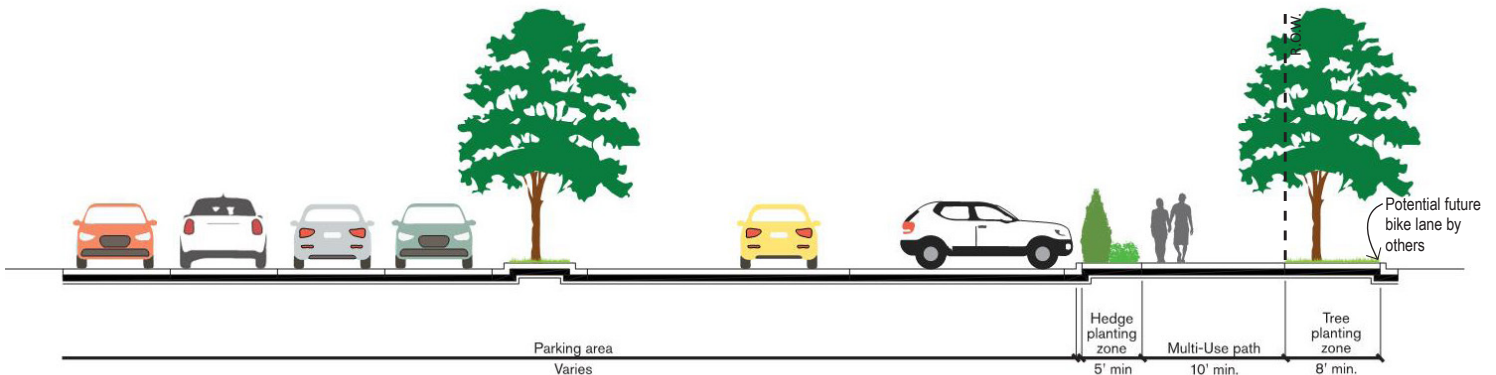
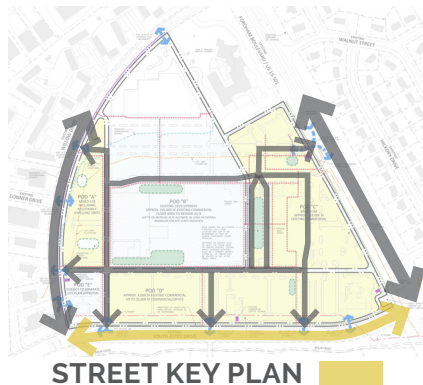
PARKING

- 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.**

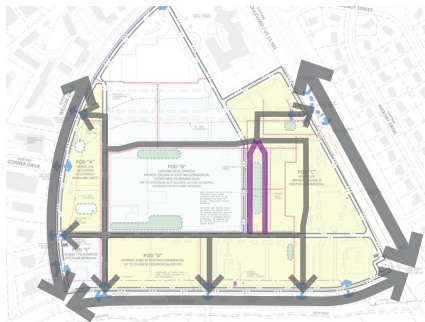
BUILDING LOCATIONS

- 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.

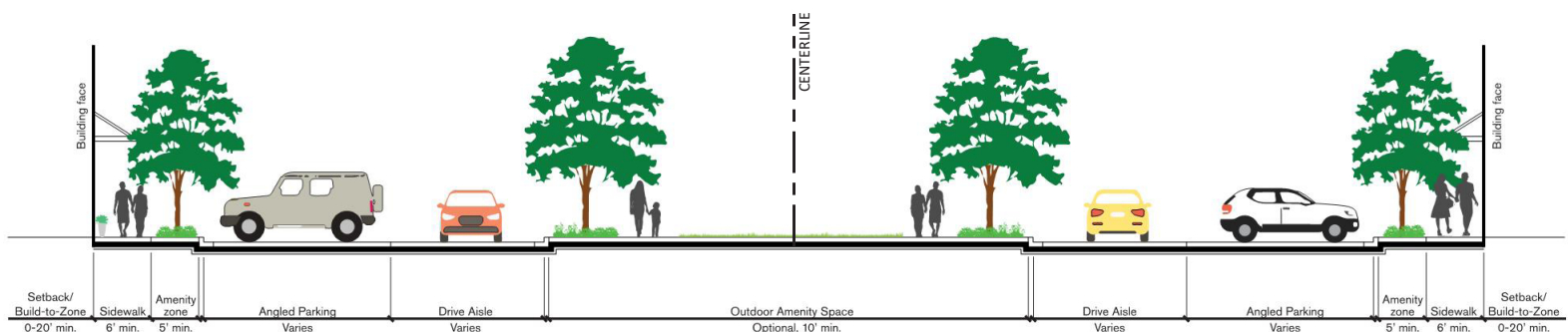


STREET KEY PLAN

STREETSCAPE

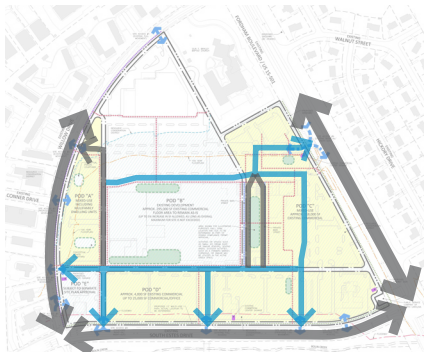
- Sidewalk (min): 6'
- Amenity Zone (min): 5'
 - Includes but not limited to: tree planting zone, light poles, bollards, tree grates, benches, planters, street furnishings, and hardscape areas/ extended sidewalk.
- Tree Spacing (on center, avg): 40'
 - A tree shall be provided at least every 40' measured 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**

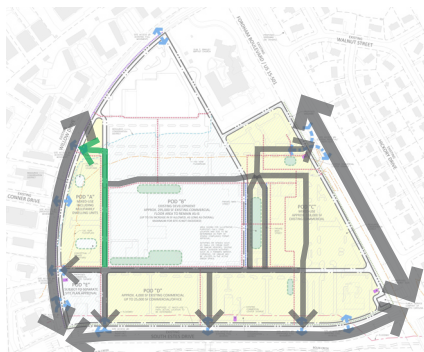
5. INTERNAL TYPICAL DRIVEWAY



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

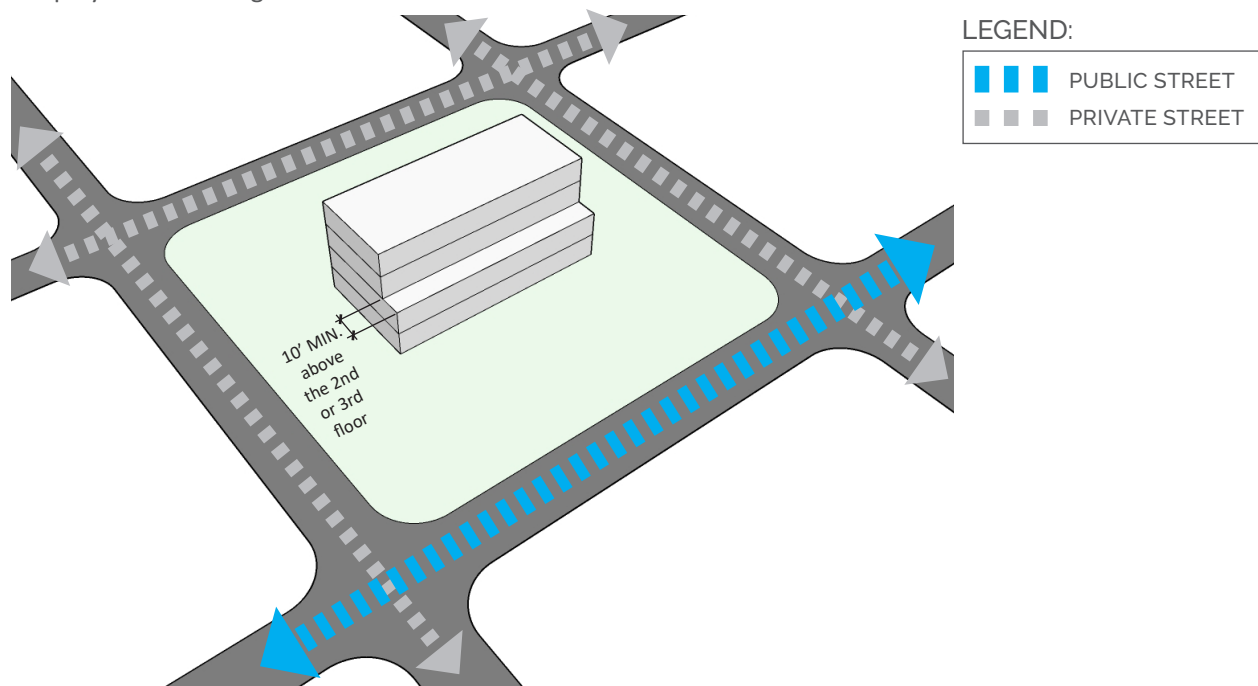
Building height shall be measured from the average grade at the foundation to the highest portion of the structure. Building height requirements are broken down into primary and secondary. Primary height shall be the maximum height allowed for any structure located at the minimum setback required for 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

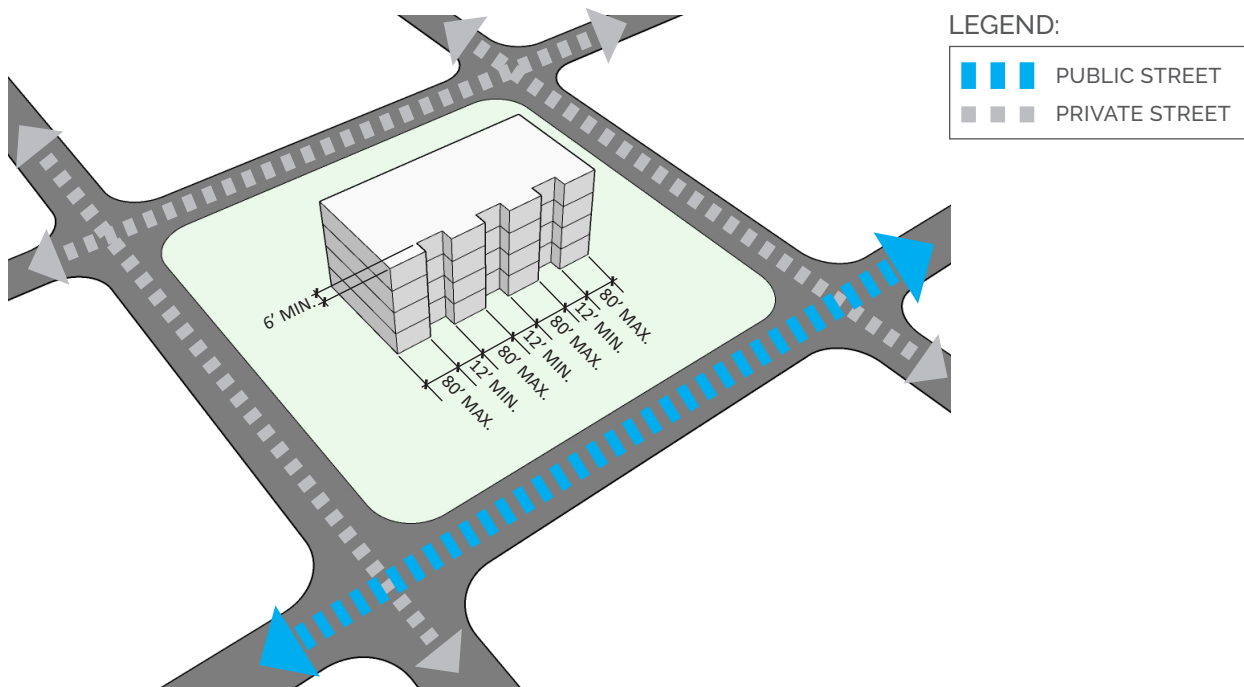
MASS (CONTINUED...)

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.

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

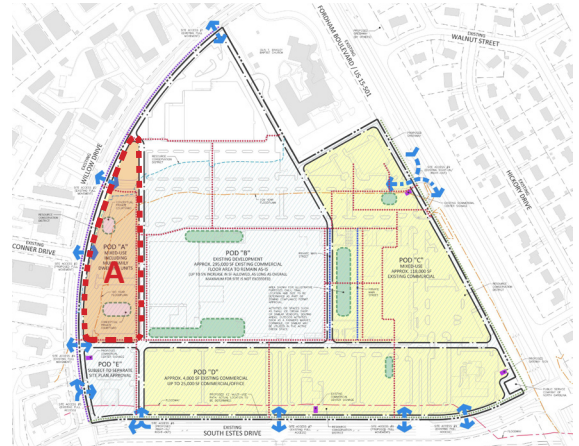
NOTES

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

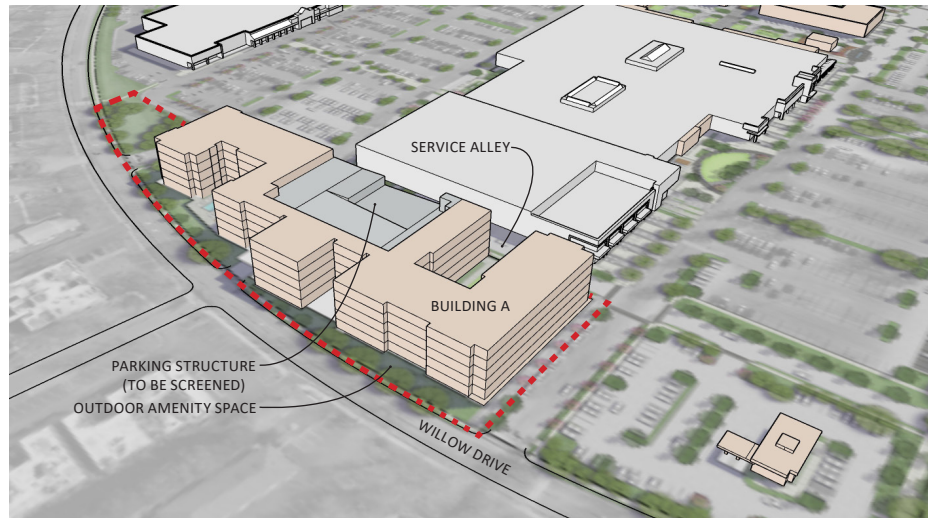
Pod A converts an existing surface parking area into a more dense, multi-use part of the site. A new parking structure is proposed with a residential wrap screen. Given the significant grade change along Willow Drive and the interior street being a service alley for trash and deliveries, no building 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*

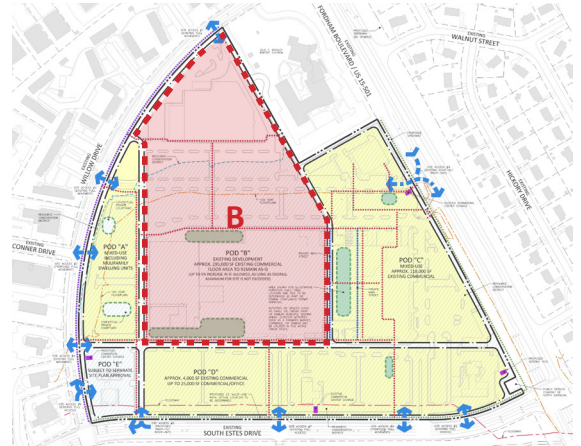
*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

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.

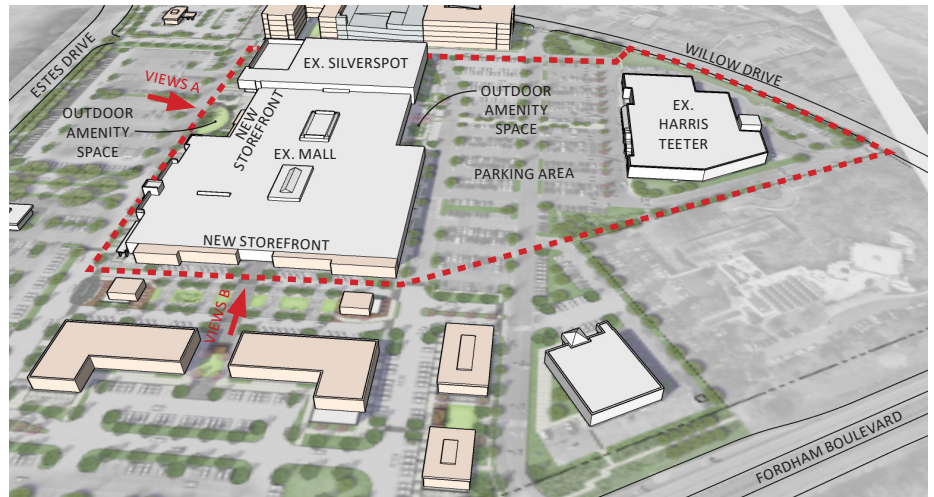


KEY MAP

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



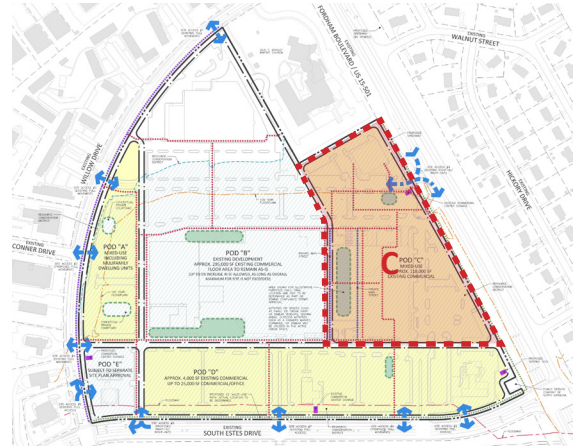
CONCEPT STOREFRONT VIEWS B

DEVELOPMENT OPTIONS

PODS

POD C

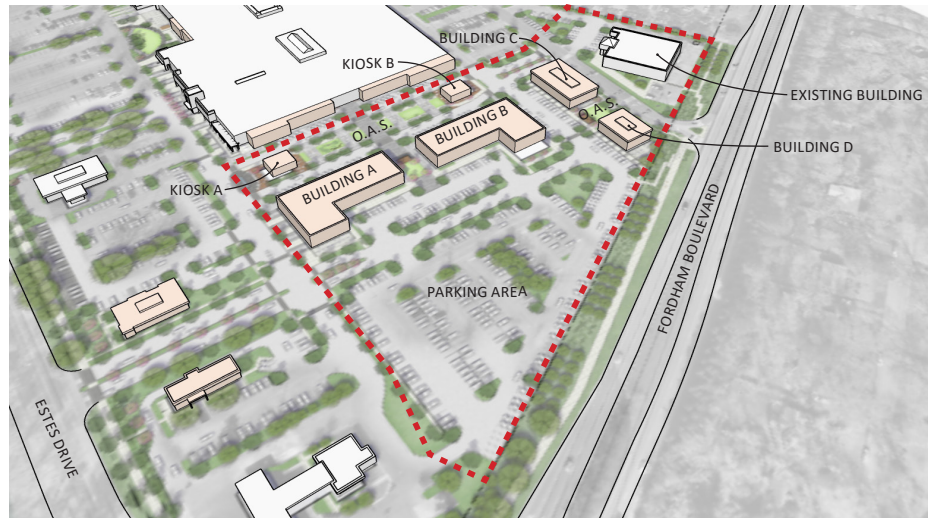
Pod C will be focused around a central park or green space that will be pedestrian focused and include programmed space for the farmers market and other recurring events. The central park area will be flanked by urban 'main streets' with a consistent streetscape experience that is designed to promote 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*

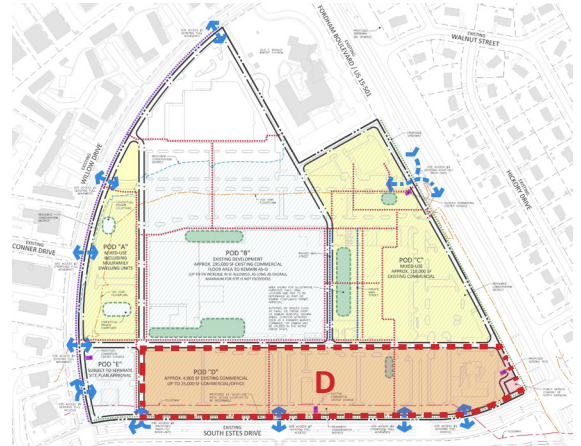
*These concept massing views are conceptual in nature and are provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

DEVELOPMENT OPTIONS

PODS

POD D

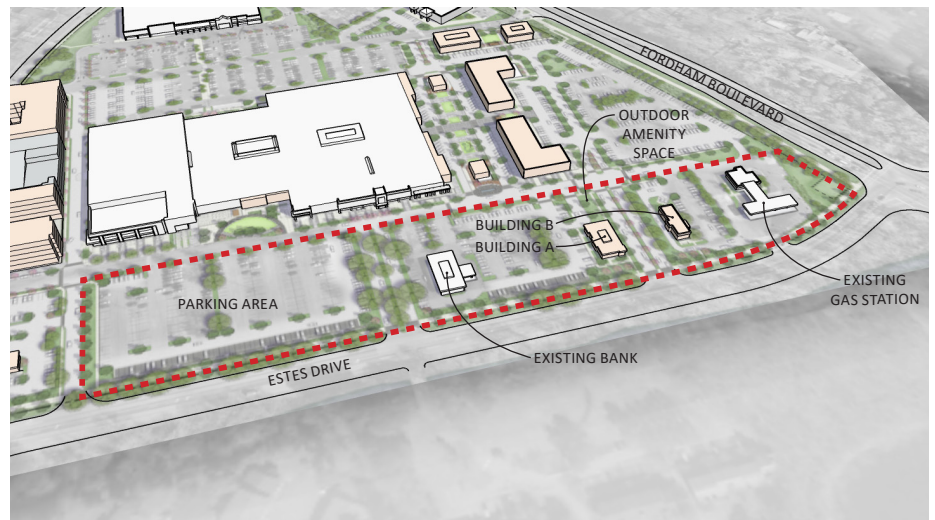
Pod D includes existing parking areas and buildings to remain, amongst 2 proposed commercial buildings lining a relocated driveway. Note that this pod faces limitations to major design changes because of sensitivity to being in a floodplain. The proposed development should assist with flooding concerns because it overall reduces the amount of impervious area on site.



KEY MAP

DEVELOPMENT EXAMPLE

- Existing Gas Station: ±2,000 SF
- Existing Bank: ±2,400 SF
- Building A: ±3,500 SF Bank Commercial
- Building B: ±2,800 SF Commercial
- Outdoor Amenity Space



CONCEPT MASSING*

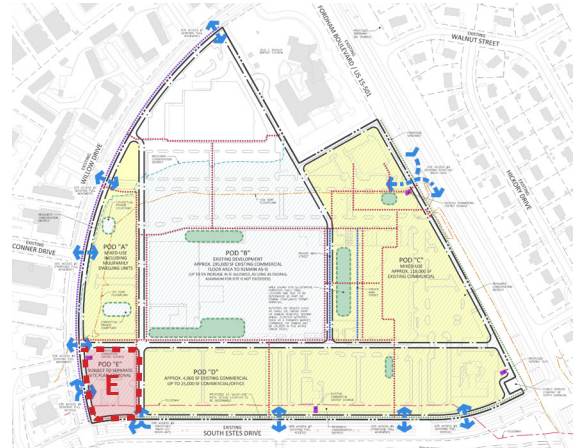
*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

DEVELOPMENT OPTIONS

PODS

POD E

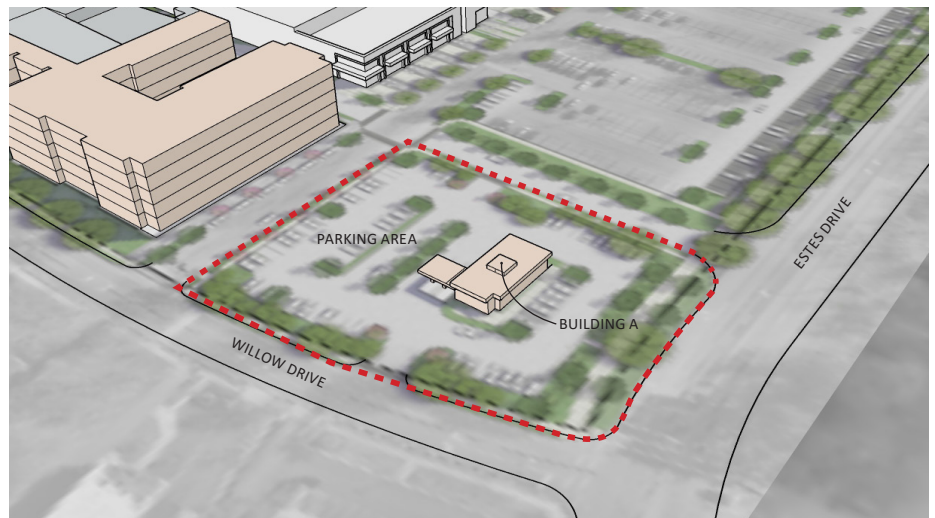
In Pod E, the Zoning Compliance Permit (ZCP) is under review for minor modifications to the existing SUP. The bank use is to remain and only parking modifications and potential driveway relocation are to occur in Pod E.



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.