



351  
TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 12., **File #:** [21-0592], **Version:** 2

**Meeting Date:** 6/23/2021

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**Consider an Application for Special Use Permit Modification -Timberlyne Offices, 120 Banks Drive.**

See the Staff Report on the next page.

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

**PRESENTER:** 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. Applicant's statement regarding proposed conditions
- e. Motion to adopt a resolution approving the Special Use Permit.

**RECOMMENDATION:** That the Council adopt Resolution A, approving the application.



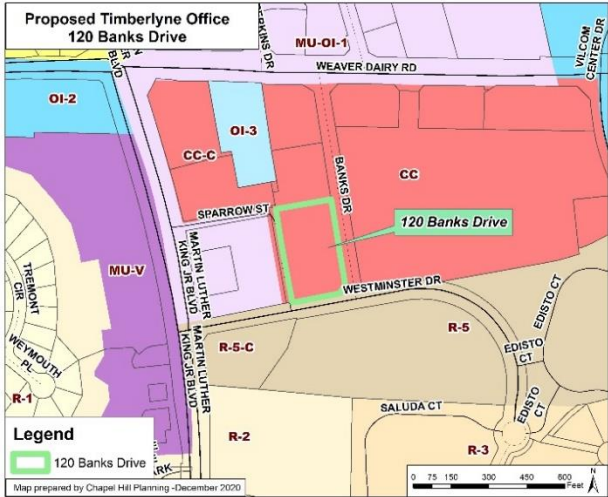
# **CONSIDER AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR TIMBERLYNE OFFICES, 120 BANKS DRIVE (PROJECT # 20-087)**

## **SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING

Colleen Willger, Director

Judy Johnson, Assistant Director

<b>PROPERTY ADDRESS</b> 120 Banks Drive	<b>MEETING DATE</b> June 23, 2021	<b>APPLICANT</b> Pamela Porter, TMTLA Associates on behalf of Parkway Holdings Phase Two LLC, Owner
<b>TOWN MANAGER'S RECOMMENDATION</b> After reviewing and discussing key issues with Town staff, and based on the evidence in the record to date, I believe that the Council could make findings required to approve the requested Special Use Permit limited scope modification.		
<b>UPDATES SINCE THE MAY 26, 2021 PUBLIC HEARING</b> No changes have been made to the proposal.		
<b>PROCESS</b> The application before Council is for approval of a Special Use Permit Modification. The Council must consider the <b>four findings</b> for approval of a Special Use Permit, which indicate that the use or development: <ol style="list-style-type: none"> <li>1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;</li> <li>2. would comply with all required regulations and standards of the Land Use Management Ordinance;</li> <li>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</li> <li>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.</li> </ol>	<b>DECISION POINTS</b> The Special Use Permit Modification is limited to the following modification by the applicant: <ol style="list-style-type: none"> <li>1. Revise the allowed use from Movie Theater to Medical Offices/Clinic.</li> <li>2. Remove the shared parking agreement with Timberlyne Shopping Center and revise the on-site parking from 73 spaces to 91 spaces.</li> <li>3. Reduce the requirement for 20 bicycle parking spaces. A total of 12 spaces will be provided.</li> <li>4. Reduce the floor area of the building from 22,724 sq. ft. to 19,930 sq. ft.</li> <li>5. Remove reference to recombination of lots, which has already occurred.</li> </ol>	
<b>PROJECT OVERVIEW</b> The existing Special Use Permit granted in 1992 allows: <ul style="list-style-type: none"> <li>• Permitted Uses: Movie Theater only</li> <li>• Current zoning: Community Commercial (CC)</li> <li>• Floor area: 22,724 sq ft</li> <li>• Shared parking agreement with the Timberlyne Shopping Center</li> </ul>	<b>PROJECT LOCATION</b> 	
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Technical Report and Project Fact Sheet</li> <li>2. Draft Staff Presentation</li> <li>3. Resolution A (Approving the Application)</li> <li>4. Resolution B (Denying the Application)</li> <li>5. Advisory Board Recommendations</li> <li>6. Applicant Materials</li> </ol>	





# TECHNICAL REPORT

## KEY CONSIDERATIONS

**Planning Commission:** At their [May 18, 2021 meeting](#)<sup>1</sup>, the Planning Commission recommended approval of Resolution A.

**Transportation and Connectivity Advisory Board:** At the [April 27, 2021 meeting](#)<sup>2</sup>, the Transportation and Connectivity Advisory Board recommended approval of Resolution A with the following conditions:

- Work with Chapel Hill Transit to include electronic digital signage to alert riders to when the next bus will arrive.

Applicant Response: We will work with Chapel Hill Transit to see if this is feasible.

- Use a comfortable bench without a central divider in the bus shelter.

Applicant Response: The bus shelter we are showing is the approved Town detail. We will follow the guidance and recommendation of the Town regarding what detail they would like us to use for the bus shelter.

**Environmental Stewardship Advisory Board:** At the [April 13, 2021 meeting](#)<sup>3</sup>, the Environmental Stewardship Advisory Board recommended approval of Resolution A with the following conditions:

- Use of permeable materials for parking areas and new sidewalk

Applicant Response: We looked into this and since we don't have a stormwater device to tie the permeable pavement into we decided it was best to use standard paving (asphalt and concrete) for the newly paved areas.

- Make the building solar ready

Applicant Response: We will make the building solar ready by providing the space for the wiring for solar panels if the owner decides to install solar panels in the future.

Staff Response: We have included the following stipulation in Resolution A:

Solar Readiness: Prior to issuance of a Zoning Final Inspection, conduit infrastructure will be run to the roof of the building to support solar photovoltaics.

- More information regarding the interior planning prior to a decision

<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4950613&GUID=C9F0C016-F9FD-4B3E-8C0F-7A0A94D8A7B0&Options=&Search=>

<sup>2</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4924752&GUID=0F4241D4-0777-4ABB-8313-5FA641EB24BA&Options=&Search=>

<sup>3</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4905259&GUID=3E9F0EF0-73B5-4BF9-9889-40B14DB06F37&Options=&Search=>

Applicant Response: Each tenant will be designing and upfitting the space prior to constructing their space so we do not have any additional information regarding interior planning at this time. This detail will be available for review during building permit submittal to the Town.

- Use the Town's Climate Action Plan as a guideline for further construction within the building.

Applicant Response: We will use the Climate Action Plan as a guideline for further construction.

**Community Design Commission:** The application was discussed at the [April 27, 2021](#)<sup>4</sup> meeting. The Community Design Commission recommended approval of Resolution A.

## PROJECT OVERVIEW

The application proposes modifying the existing special use permit on the site in order to accommodate the changes to the proposed existing building. The building has been the Timberlyne Movie Theatre and the proposal is to convert the space to a medical office building. More details about the proposed development can be found in the applicant's narrative and statement of justification in the Applicant Materials.

Information about the site and proposed changes can be found below, as well as 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 1.9 acres of gross land area and is the site of the existing Timberlyne Movie Theatre.
- The site fronts on and has access to Banks Drive and Westminster Dr. There are two access points that will remain, one off each street. No change to site access is proposed.
- The site is relatively flat with no hydrology features identified.
- Properties to the north are zoned Community Commercial (CC) and consist of a variety of commercial establishments.
- Timberlyne Shopping Center is to the east and is zoned Community Commercial (CC)
- The property to the south is zoned Residential-5 (R-5) and is the 86 North Apartment complex.
- The property to the west is zoned Mixed Use-Office/Institutional-1 (OI-MU-1) and consists of a small mobile home park.

## 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

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<sup>4</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4919346&GUID=76896A02-5D50-4AE4-B50D-E5B3551AB4D5&Options=&Search=>


be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

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

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

### Council Goals:

<input 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 type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration

Staff believes the Timberlyne Offices proposal complies with the above themes of the 2020 Comprehensive Plan.

**Land Use Plan:** The [Future Land Use Plan](#)<sup>8</sup>, adopted December 9, 2020 and a component of the 2020 Comprehensive Plan, includes this site in the North Martin Luther King Jr. Boulevard focus area. The focus area indicates land uses including multifamily, shops and offices, multifamily residential, commercial/office, and parks and green/gathering spaces.

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

<sup>6</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAU5MA](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAU5MA)

<sup>7</sup> <https://www.townofchapelhill.org/home/showdocument?id=2645>

<sup>8</sup> <https://online.flippingbook.com/view/26191/>
























# PROJECT FACT SHEET

## Overview


Site Description	
<b>Project Name</b>	Timberlyne Offices
<b>Address</b>	120 Bank Drive
<b>Property Description</b>	92,014 SF (2.1 acres)
<b>Existing Use</b>	Movie theatre
<b>Orange County Parcel Identifier Number</b>	9880-35-3244
<b>Zoning</b>	Community Commercial (CC)

Topic		Comment	Status
<b>Use</b> ( <a href="#">Sec. 3.7</a> )		Medical Office	✓
<b>Dimensional Standards</b> ( <a href="#">Sec. 3.8</a> )		Required	Proposed
	Height	60 ft.	Less than 60 ft
	Street	22 ft.	22 ft.
	Interior	8 ft.	More than 8 ft.
	Solar	9 ft.	More than 9 ft.
<b>Lot Size</b> ( <a href="#">Sec. 3.8</a> )		Minimum: 10,000 SF Proposed: 92,014 SF (2.1 acres)	✓
<b>Floor area</b> ( <a href="#">Sec. 3.8</a> )		Maximum floor area: 22,359 square feet Proposed floor area: 19,930 square feet	✓
<b>Modifications to Regulations</b> ( <a href="#">Sec. 4.5.6</a> )		N/A	N/A
<b>Adequate Public Schools</b> ( <a href="#">Sec. 5.16</a> )		N/A	N/A
<b>Inclusionary Zoning</b> ( <a href="#">Sec. 3.10</a> )		N/A	N/A
<b>Landscape</b>			
<b>Buffer – North</b> ( <a href="#">Sec. 5.6.2</a> )		Required: 10 ft. Type B buffer Provided: 10 ft. Type B buffer utilizing existing vegetation	✓
<b>Buffer – East</b> ( <a href="#">Sec. 5.6.2</a> )		Required: 10 ft. Type B buffer Provided: 10 ft. Type B buffer utilizing existing vegetation	✓
<b>Buffer – South</b> ( <a href="#">Sec. 5.6.2</a> )		Required: 10 ft. Type C buffer Provided: 10 ft. utilizing existing vegetation	✓

<b>Buffer - West</b> ( <a href="#">Sec. 5.6.2</a> )	Required: 20 ft. Type C buffer	
	Provided: 20 ft. Type C buffer	
<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	Required: 40%	
	Proposed: >40%	
<b>Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Constructed to Town standards	
<b>Environment</b>		
<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	No RCD is present.	
<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )	If more than 1 acre of land disturbance proposed, a performance bond required.	
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )	The application must comply.	
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )	Stormwater management will be provided with underground sand filter	
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	N/A	<b>N/A</b>
<b>Land Disturbance</b>	6,000 SF	
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	62,393.9 SF (67.8%)	
<b>Solid Waste &amp; Recycling</b>	A Solid Waste Management Plan has been submitted.	
<b>Access and Circulation</b>		
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	N/A	
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	Full access to Banks Drive, full access to Westminster Drive and provide ½ of access connecting to parcel to the west	
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	N/A	<b>N/A</b>
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	N/A	<b>N/A</b>
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	TIA exemption	
<b>Vehicular Parking</b> (Sec. 5.9)	Minimum: 88 parking spaces Maximum: 100 parking spaces Proposed: 91 parking spaces	
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	None	
<b>Bicycle Parking</b> ( <a href="#">Sec. 5.9</a> )	Minimum: 12 Proposed: 12	
<b>Parking Lot Standards</b> ( <a href="#">Sec. 5.9</a> )	Construct to Town standards.	
<b>Electric Vehicle Parking</b>	Three electric vehicle charging and parking spaces and 12 EV ready parking spaces	
<b>Technical</b>		

<b>Fire</b>	N/A	
<b>Site Improvements</b>	ADA compliant	
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	N/A	
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	0.3 foot-candles at property line is required. Street lighting is required.	<b>FP</b>

## Project Summary Legend

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

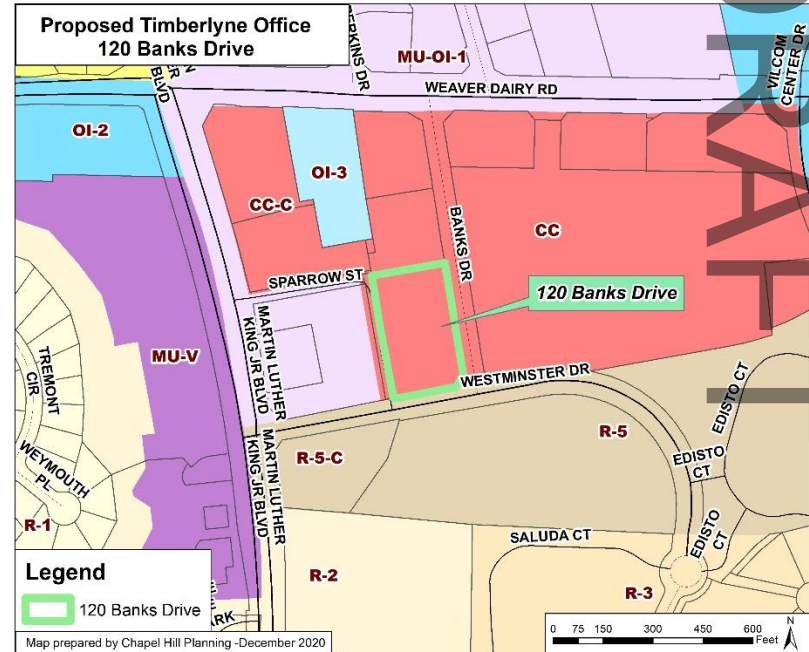


# Timberlyne<sup>359</sup> Offices

## 120 Banks Drive

### Special Use Permit Modification

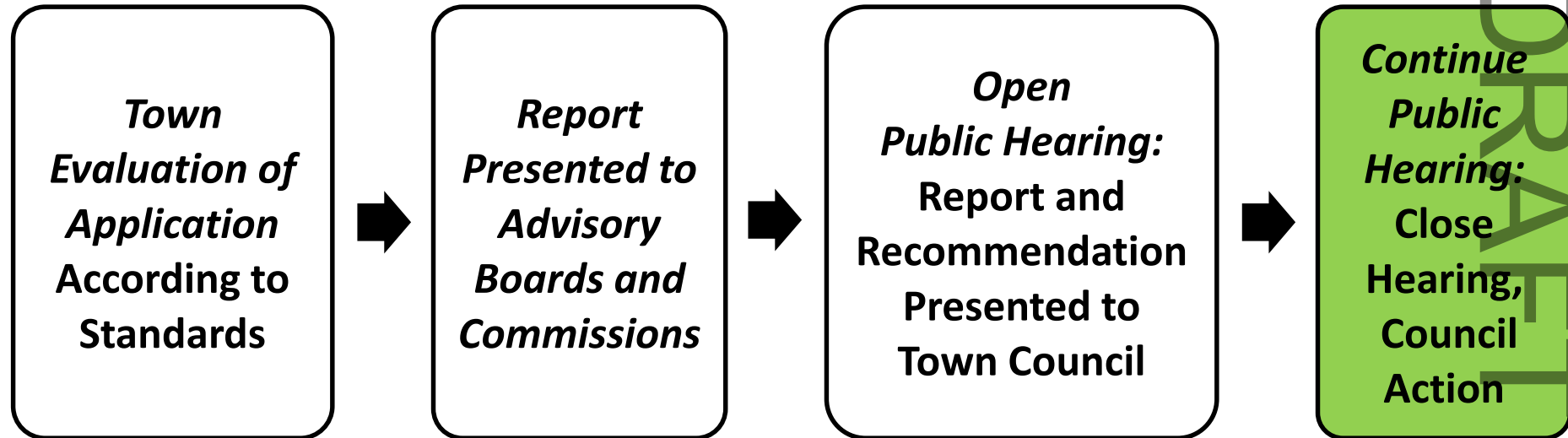
Town Council  
June 23, 2021





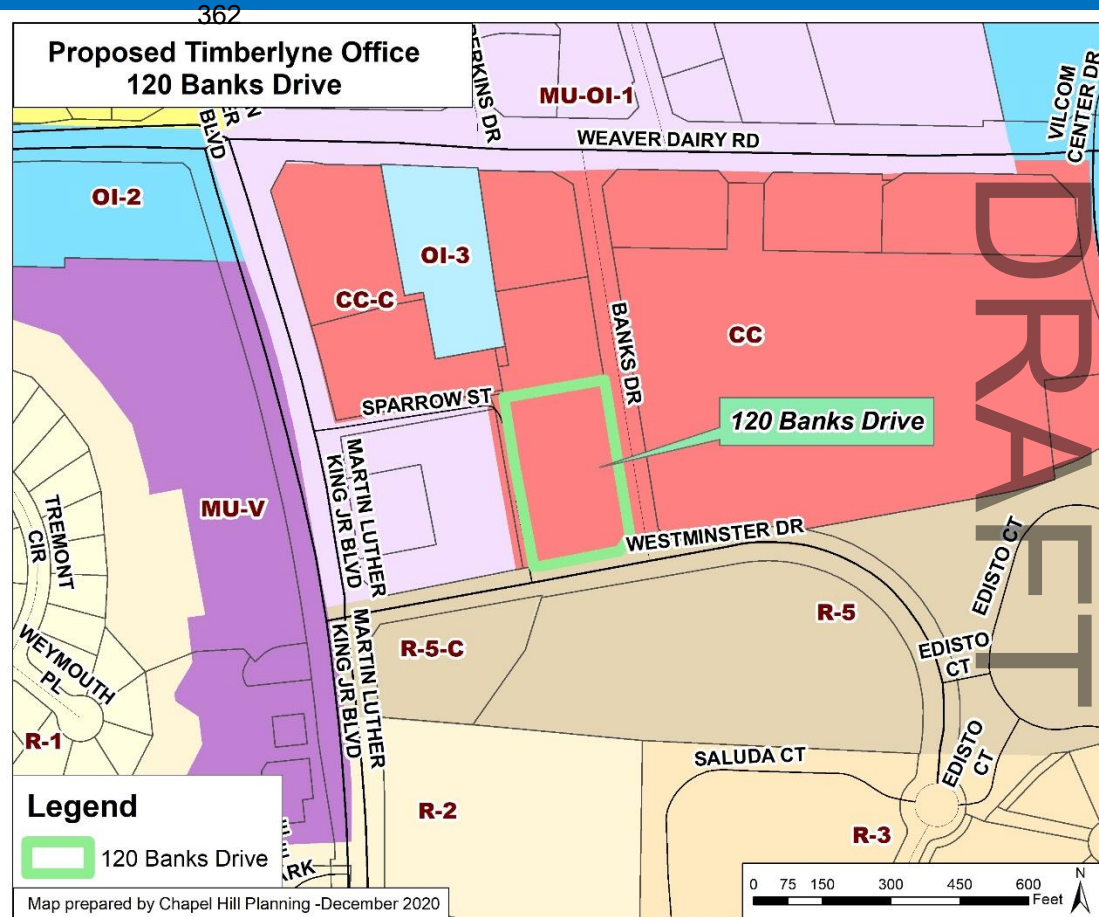
# Adopt Resolution A- Approving the Special Use Permit Modification

DRAFT



# 120 Banks Drive – Project Summary

- Existing 1992 SUP
- Currently movie theater
- Revise allowed use to Medical Offices/Clinic
- Revise parking requirements
- Reduce floor area



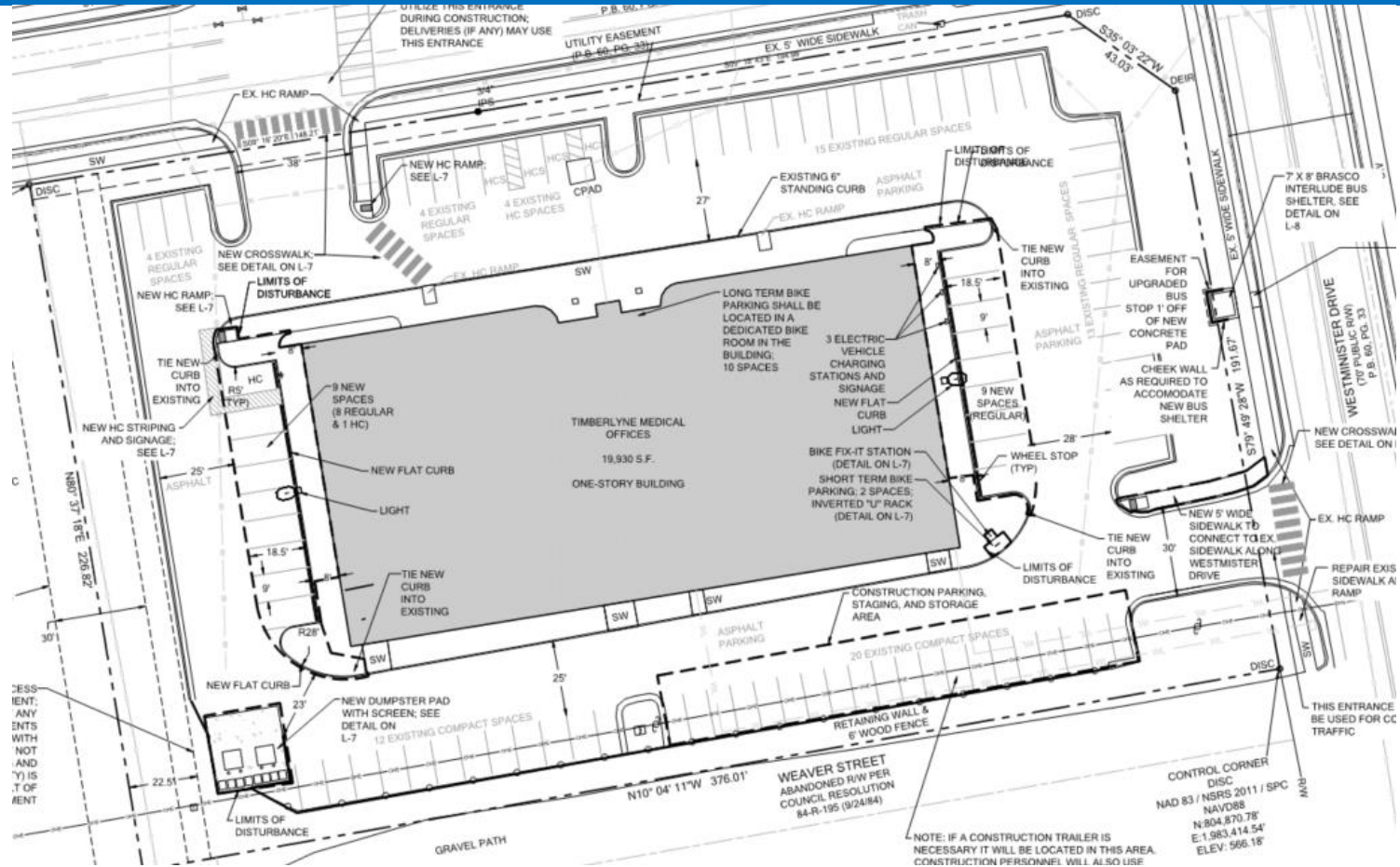
# Adopt Resolution A- Approving the Special Use Permit Modification

DRAFT

Board/Commission	Recommendation
Planning Commission	Approval
Community Design Commission	Approval
Transportation and Connectivity Board	Approval with conditions
Environmental Stewardship	Approval with conditions

DRAFT

365



DRAFT

**RESOLUTION A**  
(Approving the Request)

**A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR TIMBERLYNE OFFICES, 120 BANKS DRIVE (2021-06-23/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 Pamela Porter, TMTLA Associates, on behalf of Parkway Holdings Phase Two LLC, Owner, located at 120 Banks Drive on property identified as Orange County Property Identifier Number 9880-35-3244, if developed according to the plans dated February 18, 2021 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.

**STIPULATIONS SPECIFIC TO TIMBERLYNE OFFICE**

1. Permitted Uses: The following uses are permitted within the Timberlyne Office development

Use and Type	
Office - Medical Office, Clinic	
Maximum Floor Area	19,930 sq. ft.
Minimum Bicycle Parking	12 spaces
Minimum Vehicle Parking	88 spaces
Maximum Vehicle Parking	91 spaces

2. Existing Permit: The existing Special Use Permit Modification dated July 6, 1992 on file at the Town of Chapel Hill Planning Department, and recorded in the Orange County Registry (Book 1048, Page 274) remains in effect except as modified by these stipulations.
3. Shared Parking Agreement: The shared parking agreement with Timberlyne shopping center shall no longer be required, as all spaces will be accommodated on site.
4. Recombination Plat: The recombination requirement referenced in the prior Special Use Permit has been satisfied and shall no longer be required.
5. Easement Dedication: The Developer shall provide half of 45-foot right-of-way easement along the northern portion of the subject property for a future roadway connectivity between Sparrow Street and Banks Drive.



6. Solar Readiness: Prior to issuance of a Zoning Final Inspection, conduit infrastructure will be run to the roof of the building to support solar photovoltaics.
7. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
8. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council approves the application for a Special Use Permit Modification for Timberlyne Offices, 120 Banks Drive.

This the 23<sup>rd</sup> day of June, 2021.

**RESOLUTION B**  
**(Denying the Request)**

**A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT  
MODIFICATION FOR TIMBERLYNE OFFICES, 120 BANKS DRIVE (2021-06-23/R-11)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Pamela Porter, TMTLA Associates, on behalf of Parkway Holdings Phase Two LLC, Owner, located at 120 Banks Drive on property identified as Orange County Property Identifier Number 9880-35-3244, if developed according to the plans submitted 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 Special Use Permit Modification for Timberlyne Offices.

This the 23<sup>rd</sup> 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 SPECIAL USE PERMIT MODIFICATION: TIMBERLYNE OFFICES

May 18, 2020

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

**Motion:** Melissa McCullough moved and Louie Rivers seconded a motion to recommend that the Council approve Resolution A

**Vote:**                      7-0

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

**Nays:**

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 SPECIAL USE PERMIT AT 120 BANKS DRIVE – Timberlyne Offices

April 27, 2021

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

**Motion:** John Weis moved and Megan Patnaik seconded a motion to recommend project for approval with no conditions noted.

**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 MODIFICATION FOR TIMBERLYNE OFFICES LOCATED AT 120 BANKS DRIVE

April 13, 2021

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

**Motion:** Bruce Sinclair moved and Julie McClintock seconded a motion to recommend that the Council approve the special use permit modification for the Timberlyne Office project located at 120 Banks Dr., with the following conditions and special considerations.

**Vote:**                    9-0

**Aye:**    Chair Maripat Metcalf, Vice-Chair Adrienne Tucker, Bruce Sinclair, Grace Elliott, Julie Gras-Najjar, Julie McClintock, Marirosa Molina, Thomas Henkel, and Lucy Vanderkamp

**Nay:**

**Conditions:**

- Use permeable materials for parking areas and new sidewalk
- Make the building solar-ready
- We ask that the Council inquire about more details regarding the interior planning prior to a decision
- Use the Town's Climate Action Plan as guidelines for further construction within the building

**Special Considerations:**

- Add more trees and other vegetation, where possible
- Use the LEED-checklist to guide development and design

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

**Timberlyne Offices**

**(Project # 20-087)**

**April 27, 2021**

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

**Motion:**      Heather Brutz moved, and Rudy Juliano seconded, to recommend approval of the Special Use Permit modification with the following conditions:

- The developer work with Chapel Hill Transit to include electronic digital signage to alert riders to when the next bus will arrive; and
- To use a comfortable bench without a central divider in the bus shelter

**Vote: 8-0**

**Ayes: Susanne Kjemtrup-Lovelace, Rudy Juliano, Eric Allman, Heather Brutz, Brian Hageman, Denise Matthews, Nikki Abija, Katie Huge**

**Nays:**

Prepared by:

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

# SPECIAL USE PERMIT APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
 405 Martin Luther King Jr. Blvd  
 Chapel Hill, NC 27514  
 phone (919) 968-2728 fax (919) 969-2014  
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9880-35-3244

Date: 11/19/2020

## Section A: Project Information

Project Name: Timberlyne Offices

Property Address: 120 Banks Drive, Chapel Hill NC Zip Code: 27514

Use Groups (A, B, and/or C): B Existing Zoning District: CC

Project Description: Turning existing movie theater into medical offices, The wings of the building will be demolished (rest of the building to remain) and parking will be added.

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

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

Name: Pamela Porter - TMTLA Associates

Address: 5011 Southpark Drive, Ste. 200

City: Durham State: NC Zip Code: 27713

Phone: (919) 484-8880 Email: pam@tmtla.com

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

Signature: *Pamela Porter* Date: 11/19/2020

### Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Parkway Holdings Phase 2 LLC

Address: 220 Tals Rock Way, Unit 3

City: Cary State: NC Zip Code: 27519

Phone: 919-418-3014 Email: ez@nc.rr.com

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

Signature: *Ed Zelinski* Date: 12-3-2020



**PROJECT FACT SHEET**

TOWN OF CHAPEL HILL

Planning Department

**Section A: Project Information**

Application type: Special Use Permit Modification- Site Plan

Date: 11/19/2020

Project Name: Timberlyne Offices

**Use Type:** (check/list all that apply)☒ Office/Institutional ☐ Residential ☐ Mixed-Use ☐ Other: \_\_\_\_\_**Overlay District:** (check all those that apply) N/A☐ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone**Section B: Land Area**

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	83,649	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=	8,365 (10% max)	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	n/a	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	92,014	sq. ft.

**Section C: Special Protection Areas, Land Disturbance, and Impervious Area****Special Protection Areas:** (check all those that apply) N/A☐ 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, all grading, including off-site clearing)	6,000 s.f.
Area of Land Disturbance within RCD	0 s.f.
Area of Land Disturbance within Jordan Buffer	0 s.f.

Impervious Areas	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Impervious Surface Area (ISA)	62,558 s.f.	3,290.64	3,126.51	62,393.87
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	67.99%	3.58%	3.50%	67.81%
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	22,472 s.f.	2,542 s.f.	19,930 s.f.	19,930 s.f.
Number of Floors	1	n/a	1	1
Recreational Space	n/a	n/a	n/a	n/a

### Residential Space N/A

Dimensional Unit (sq ft)	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Floor Area (all floors – heated and unheated)				
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

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

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	22,472 s.f.				
Restaurant			# of Seats		
Government					
Institutional					
Medical		19,930 s.f.			
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22'	22'	n/a
	Interior (neighboring property lines)	8'	8'	n/a
	Solar (northern property line)	9'	9'	n/a
Height (maximum)	Primary	34' @ setback		n/a
	Secondary	60' @ core	40'	60' max.
Streets	Frontages	40'	343.19' & 191.67'	n/a
	Widths	50'	374.26' & 223.00'	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
Banks Drive	60'	40' b-b	3	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Westminster Drive	70'	40' b-b	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes

**List Proposed Points of Access** (Ex: Number, Street Name): All points of access are existing (one off Banks Dr. and one off Westminster Dr.) and no additional points of access proposed.

\*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
Banks Drive	5'	concrete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Westminster Drive	5'	concrete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Note: sidewalks along both streets are existing.

**Section G: Parking Information**

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	84	96	87
Handicap Spaces	4	4	4
Total Spaces	88	100	91 (18 new, 73 existing)
Loading Spaces	0	0	0
Bicycle Spaces	12	12	12 (existing)
Surface Type	asphalt		

**Section H: Landscape Buffers**

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Street (east)- Banks Drive	ex. 10' "B" buffer	n/a	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Street (south)- Westminster Drive	ex. 10' "C" buffer	n/a	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
North	ex. 10' buffer	n/a	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
West	ex. 20' "C" buffer	n/a	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

Note: Buffers to remain the same as part of this SUP. No changes to the buffers are proposed.

**PROJECT FACT SHEET**

TOWN OF CHAPEL HILL

Planning Department

**Section I: Land Use Intensity**

Existing Zoning District:

Proposed Zoning Change (if any):

*Note: Refer to Table 3.8-1 (Dimensional Matrix) in the Land Use Management Ordinance for help completing this table.*

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	.243	n/a	n/a	n/a	0.70	22,359	n/a
<b>TOTAL</b>	.243				0.70		
<b>RCD Streamside</b>	n/a	0.01					
<b>RCD Managed</b>	n/a	0.019					
<b>RCD Upland</b>	n/a						

**Section J: Utility Service***Check all that apply*

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Telephone</b>	<input type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		

Note: All utilities are existing and there are no proposed changes or additions as part of this SUP request.

**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)968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

X	<b>Application fee</b> (including <a href="#">Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$ <input type="text"/>
X	<b>Pre-application meeting</b> – with appropriate staff	
X	<b>Digital Files</b> - provide digital files of all plans and documents	
X	<b>Recorded Plat or Deed of Property</b>	
X	<b>Project Fact Sheet</b>	
X	<b>Traffic Impact Statement</b> – completed by Town's consultant (or exemption)	
X	<b>Description of Public Art Proposal</b> <b>This is in the project statement document.</b>	
X	<b>Statement of Justification</b> <b>This is in the project statement document.</b>	
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b> <b>This is in the project statement document.</b>	
N/A	<b>Affordable Housing Proposal, if applicable</b>	
X	<b>Provide existing Special Use Permit, if Modification</b>	
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )	
X	<b>Mailing fee for above mailing list (mailing fee is double due to 2 mailings)</b>	Amount Paid \$ <input type="text"/>
X	<b>Written Narrative describing the proposal</b> <b>This is in the project statement document.</b>	
N/A	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> - necessary for all submittals	
N/A	<b>Jurisdictional Wetland Determination</b> – if applicable	
N/A	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>	
N/A	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>	
N/A	<b>Reduced Site Plan Set (reduced to 8.5"x11")</b> <b>Note this is being submitted digitally</b>	

### Stormwater Impact Statement (1 copy to be submitted)

- Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- Description of land uses and area (in square footage)
- Existing and proposed Impervious surface area in square feet for all subareas and project area
- Ground cover and uses information
- Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- Time of concentration calculations and assumptions
- Topography (2-foot contours)
- Pertinent on-site and off-site drainage conditions
- Upstream and/or downstream volumes
- Discharges and velocities
- Backwater elevations and effects on existing drainage conveyance facilities
- 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
- r) 85% TSS removal for post-development stormwater run-off
- 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"x36")

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- 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, 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

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

### **Planting Plan**

- a) Dimensioned and labeled perimeter landscape bufferyard
- b) Off-site buffer
- 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 details

**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

**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).



Timberlyne Offices  
Special Use Permit Modification  
November 31, 2020

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### **Special Use Permit Narrative**

We are proposing a Special Use Permit modification for the change of use for the site located at 120 Banks Drive in Chapel Hill. The site is currently used as a movie theater. Our proposal is to change it to medical office/clinics with the lead anchor being a radiology clinic.

Our proposal includes minimal revisions to the existing site. The two ends of the building will be removed and a total of 18 parking spaces will be added in their place. The building will be just under 20,000 s.f. in area and will remain one-story. Parking lot landscaping will be added as required for the newly added parking spaces. The change of use will result in a building that is slightly smaller than what currently exists on the site but with updated facades, including additional fenestration not typically associated with movie theater uses.

The project will offer many benefits to the larger community. Medical office is a needed use and will fit well with the other medical offices that are within close proximity. There is already an anchor tenant on board so the site will not sit vacant once the change of use is complete. The new use will not negatively impact traffic volumes or patterns on the surrounding roads. Existing mature landscaping around the perimeter of the site will not be removed. Due to the minimal work on this site our proposal will blend in seamlessly with surrounding adjacent uses.

Our proposal for a modification to the current Special Use Permit on this property (Book 1048 Page 274) will no longer require a shared parking agreement with the Timberlyne Shopping Center. All of the parking we need will be contained on our site.

### **Response to Community Design Commission Concept Plan Comments**

Our project was on the September 22<sup>nd</sup> Community Design Commission (CDC) agenda. Overall, the CDC was receptive to our proposal for the change of use from movie theater to medical offices and the modifications to the building to



accommodate the new use. It was noted by one member of the CDC that they were pleased with us reusing an existing building rather than tearing it down and building new. Because the site is an existing theater and our scope is so small with the site work there wasn't much to discuss with regards the vehicular and pedestrian access to the site as there are provisions for both currently and they won't change as part of our proposal. Several members of the CDC commented on the design of the building and liked the modern look and addition of fenestration for increased natural light to the building. The entrance was discussed some and a couple CDC members noted they would like to see the entrance covered or protected so patrons standing outside won't have to stand in the elements waiting for a ride. As the building is currently shown we do have a covered entrance to protect patrons from the elements. One CDC member asked about the existing retaining wall along the east side of our project. The existing wall, which is currently concrete block, will be resurfaced to give it a more modern look. Last item that was discussed was providing pedestrian access to the Walgreens which is located northwest of our site. After further review of this Walgreens has not provided a place for us to connect to and the connection would require off-site sidewalk construction. Also we are being cognizant of how much proposed impervious our project will have as there is no room to add a stormwater control measure to our site for any increase in impervious over the existing site impervious area. There is existing pedestrian access via sidewalk along Westminster Drive and Martin Luther King Jr. Pkwy. This route is less than a quarter of a mile.

### **Public Art Proposal**

We appreciate the Town of Chapel Hill's commitment to public art as it adds a uniqueness to the community and helps to humanize the built environment. The modern look of the building post-renovation was designed with this goal in mind. Clean lines and modern materials give it a unique look among the more traditional buildings in the area.

We are also committed to providing a piece of public art on our site. We do not have a specific piece of art chosen yet but the art will be a small modern sculpture (similar to what is shown below) to reflect the modern look of the building. We are also still contemplating the location of the art on our site.



### Statement of Justification

#### Statement of Compliance with Design Guidelines:

There are no design guidelines of note for this site. The project placement and design will be consistent with the design and use of the surrounding area with regards to the building and parking placement as well as landscaping and façade treatment.

#### Statement of Compliance with Comprehensive Plan:

Our site is located in the general study corridor as shown on the Area 2: North Martin Luther King Jr. Blvd./I-40 map in the Chapel Hill 2020 Comprehensive Plan. This focus area speaks to creating development opportunities the area that are currently constrained by circulation and limited access as well as creating development along existing transit service routes. Our site has frontage on two roads – Westminster Drive and Banks Drive. There is currently adequate access to our project. There are also two bus stops immediately adjacent to our site – one along Westminster Drive on our side of the street and one on Banks Drive on the opposite side of the street. Our site is adequately serviced by existing public transit which will help to mitigate car traffic to our site.

The Area 2 Community Comments speak to a mix of uses in this area as well as creating balanced walkable scale and responsive development, not standalone retail. Our site has existing sidewalk along both Westminster Drive



and Banks Drive, as well as adequate cross walks, providing existing built-in walkability to the adjacent shopping center as well as the adjacent apartment complex and surrounding neighborhood. Our proposed use of medical offices, which is a needed use, will not create a situation where a standalone commercial use is being utilized.

The existing zoning, CC, supports this change of use so no incompatible zoning request is being made to accommodate this change.

Developers Program:

This development, located at the corner of Banks Drive and Westminster Drive, contains an existing building and parking. As a result the site is relatively flat and slopes gently towards the two streets. There are no existing natural features, such as streams or wetlands, existing on the site.

There are two existing site access points that will remain – one off of each frontage street. No new site accesses are planned with this change of use. Vehicular circulation shall remain as it currently exists.

The existing building shall remain with one exception – the two wings of the buildings (north and south side of the buildings) shall be removed and parking to be added in their place.

Existing vegetation is located in the north, east, and south buffers. There is a retaining wall with a fence on top along the west side of the site. There is also existing vegetation in landscape islands as well as around the foundation of the building. All vegetation on site will remain except where foundation landscaping needs to be removed for the parts of the building that will be removed. All existing vegetation is a result of what was on the approved plans for the Timberlyne Cinemas.

We propose this medical office project to fill in a gap that is needed with medical office space. The location of this project is suitable for this change of use as it is adjacent to other medical office and clinic uses. Examples of other medical uses in this area include UNC Orthopedics at the corner of Weaver Dairy Road and Martin Luther King Jr. Blvd., UNC Home Health on Weaver Dairy Road, EmergoOrtho and Comprehensive Physical Therapy – also both on Weaver Dairy Road.





This proposed development is adjacent to the Timberlyne Shopping Center, which has uses that include a grocery store, coffee shop, a handful of restaurants, and the Chelsea Theater as well as other uses on the outparcels with frontage on Weaver Dairy Road. In the spirit of maintaining the mixed-use element adjacent to the mobile home park on west side of our site, the proposed use supports the mixed-use nature of the area.

The aforementioned items note the benefit to local business, neighbors, and the community at large.

Due to the small scope of work no erosion and sediment control or proposed stormwater devices are anticipated as being required. If, however, they will be required those items will meet the requirements of the Town of Chapel Hill and Orange County.

### **Energy Management Plan**

Timberlyne Offices supports the Town of Chapel Hill policy for energy efficiency and for promoting carbon reduction. The Energy Management Plan (EMP) will be binding on the Owner.

Timberlyne Offices has a commitment to energy efficiency throughout the building by utilizing LED lights throughout the building, using water saving fixtures to help save potable water, and having a highly efficient HVAC system with high quality filters. All utilities to the building are existing, so we aren't proposing any new water or sewer services to the site. We are also not exceeding the amount of existing impervious on site with our scope so we aren't adding any unnecessary impervious surfaces to our project.

Our project consists of using the majority of an existing building rather than tearing down an existing building and building new. Unfortunately this means we cannot choose the location of our building on the site. We are, however, adding many new windows which will help increase the natural lighting available to the building. This will also help to increase solar exposure and reduce strain on the heating system in the winter.

Because we are utilizing an existing structure we are reducing the amount of building material that would normally be associated with new construction. This



helps to reduce carbon footprint by using less new construction material and having less delivery and construction vehicle traffic to the site.

Our project is located next to two existing transit stops which allows visitors to utilize public transit rather driving to the site, further reducing energy consumption and carbon footprint.

Most of the existing plant material is established and will remain so there is no need for irrigation. Any new plant material we use will be suitable for the local climate and not require additional irrigation once established.





TO: Town of Chapel Hill Mayor and Council Members  
FROM: Pamela Porter, PLA – TMTLA Associates  
CC: Town of Chapel Hill Planning Department  
File  
Date: December 1, 2020  
RE: Timberlyne Offices – Limited Scope SUP

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On behalf of Parkway Holdings Phase 2 LLC, TMTLA Associates is requesting the Chapel Hill Town Council to consider an expedited limited scope Special Use Permit Modification for the Timberlyne Offices located at 120 Banks Drive in Chapel Hill. Below is a summary of the specific items we are modifying from the originally approved Special Use Permit for this site:

1. Modification of the approved SUP to revise the use to medical offices. The site is currently a movie theater.
2. Modification of the approved SUP to remove the shared parking agreement with Timberlyne Shopping Center and to revise the on-site parking from 73 spaces to 91 spaces. The new use will only require the 91 parking spaced shown on site per our SUP Modification plan set.
3. Modification of the approved SUP to remove the requirement for 20 bicycle parking spaces. We will only require 12 bicycle parking spaces for this site.
4. Modification of the approved SUP to revise the floor area of the building from 22,724 s.f. to 19,930 s.f..
5. Modification of the approved SUP to remove reference to recombination of lots as this recombination occurred when the first SUP on this site was approved.

Thank you for your consideration of this correspondence.  
Please let me know should you have any questions regarding our request.

Regards,

Pamela Porter, PLA

## TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET  
CHAPEL HILL, NORTH CAROLINA 27516

BOOK 1048 PAGE 274

Telephone (919) 968-2700

ORANGE COUNTY

NORTH CAROLINA

### SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Eastern Federal Corporation having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, the same was granted by the Town of Chapel Hill on July 6, 1992, the terms of which are as follows:

NAME OF PROJECT: The Movies at Timberlyne

NAME OF DEVELOPER: Eastern Federal Corporation

### DESCRIPTION OF PREMISE

LOCATION: Banks Drive at Westminster Drive - Timberlyne Shopping Center

TAX MAP REFERENCE : Chapel Hill Township Tax Map 24K, Lots 17 and 16 = 9880-35-3244  
7.24K-16  
PB

### DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 120,245 sq. ft.	RECREATION SPACE: N/A
NUMBER OF BUILDINGS: 1	NUMBER OF PARKING SPACES (ON SITE): 73
NUMBER OF DWELLING UNITS: N/A	NUMBER OF PARKING SPACES (BORROWED OFF SITE): 141
FLOOR AREA: 22,724 sq. ft.	NUMBER OF PARKING SPACES (SHARED OFF SITE): 124
OPEN SPACE: 97,521 sq. ft.	TOTAL NUMBER OF PARKING SPACES: 338
LIVABILITY SPACE: 36,444 sq. ft.	

### SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated April 6, 1992 on file in the Chapel Hill Planning Department and the conditions set forth below:

#### Stipulations Specific to the Development

1. That construction begin by July 6, 1994 and be completed by July 6, 1995.
2. That Lots 16 and 17 be combined to form a single lot, and that the recombination plat be recorded in the Orange County Register of Deeds Office prior to issuance of a Zoning Compliance Permit.
3. That the internal traffic circulation pattern be two-way rather than one-way.
4. That the parking arrangement complies with Subsections 14.6.2 and 14.6.3 of the Development Ordinance, and that a longterm parking/access agreement between the owners of the theater and of Timberlyne Shopping Center be approved by the Town Manager and recorded at the Orange County Register of Deeds Office prior to issuance of a Zoning Compliance Permit.

#### Required Improvements:

5. a. That a sidewalk be constructed along the property frontage along Westminster Drive and Banks Drive.
- b. That two crosswalks be constructed across Banks Drive just north and south of the proposed driveway to the theater site. Appropriate signage and lighting shall be installed to create a safe, well-lit pedestrian link between the two sites. Also, that a crosswalk be provided across Westminster Drive.
- c. That bike rack(s) be installed near the front entrance of the building to accommodate at least 20 bikes.

FILED  
04 NOV 1992, at 03:57:50PM  
Book 1048, Page 274 - 277  
Betty June Hayes,  
Register of Deeds,  
Orange County, N. C.

Stipulations related to State and Federal Government Approvals

6. State or Federal approval(s): That any required State or Federal permits or encroachment agreements 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.

Stipulations Related to Landscape Elements

7. Landscape Plan Approval: That a detailed landscape plan and landscape maintenance schedule be approved by the Appearance Commission prior to the issuance of a Zoning Compliance Permit. The landscape plan shall include:  
Type "B" buffers along the northern and eastern property lines  
Type "C" buffers along the southern and western property lines  
A landscaping strip (minimum 8 (eight) feet in width) around all sides of the proposed building

Stipulations Related to Building Elevations

8. Building Elevation Approval: That detailed building elevations be approved by the Appearance Commission prior to issuance of the Zoning Compliance Permit.

Stipulations Related to Water, Sewer and Other Utilities

9. Fire Flow: That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, be approved prior to issuance of a Zoning Compliance Permit.
10. Utility/Lighting Plan Approval: That the final utility/lighting plan be approved by Orange Water and Sewer Authority, Duke Power, Cablevision, Public Service Company, Southern Bell, and the Town Manager, before issuance of a Zoning Compliance Permit. The property owner shall be responsible for assuring these utilities, including cable television, are extended to serve the development.

Miscellaneous Stipulations

11. Solid Waste Management Plan: That a detailed solid waste management plan, including a recycling plan and plan for management of construction debris, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
12. Detailed Plans: That final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), and landscape plans and landscape maintenance plans be approved by the Town Manager before issuance of a Zoning Compliance Permit, and that such plans conform to plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.
13. Certificates of Occupancy: That no Certificate of Occupancy be issued until all required public improvements are complete.
14. Erosion Control: That a soil erosion and sedimentation control plan be approved by the Orange County Erosion Control Officer before issuance of a Zoning Compliance Permit.
15. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
16. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
17. Non-severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

\* \* \* \* \*

IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST

Peter M. Richardson  
Town Clerk

East Federal Corporation  
President



W. Calvin Horton  
Town Manager

ATTEST

Paul E. Lloyd  
Secretary

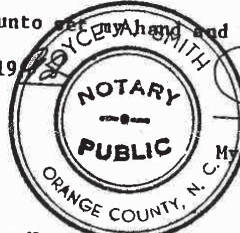
Eastern Federal Corporation  
Corporate Name  
BY President  
Title

ORANGE COUNTY

NORTH CAROLINA

I, Joyce A. Smith, a Notary Public in and for said County and State do hereby certify that W. Calvin Horton, Town Manager of the Town of Chapel Hill, and Peter M. Richardson, Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that W. Calvin Horton, Town Manager of said Town of Chapel Hill, and Peter M. Richardson, Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 24th day of August, 1992



Joyce A. Smith  
Notary Public  
My commission expires: 5-25-93

ORANGE COUNTY

NORTH CAROLINA

I, \_\_\_\_\_, a Notary Public in and for said State and County do hereby certify that \_\_\_\_\_ owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

MECKLENBURG COUNTY

NORTH CAROLINA

THIS 26th day of August, 1992, personally come before me,

Alice W. Hunter, a Notary Public of Lincoln County, North Carolina,

Paul E. Lloyd, who being by me duly sworn, says that he knows the common seal of the Eastern Federal Corp., and is acquainted with

Ira S. Meiselman, who is President of said corporation and he,

Paul E. Lloyd, who is Secretary of said corporation, and saw the

President sign the foregoing instrument and he, the said Paul E. Lloyd, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

WITNESS my hand and Notarial Seal, this the 26th day of August, 1992.

Alice W. Hunter  
Notary Public  
My commission expires: March 24, 1994

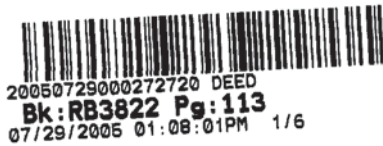
(Not valid until fully executed and recorded)

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificate(s) of

Joyce A. Smith





393

WAKE COUNTY, NC 688  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
07/26/2005 AT 16:23:08  
STATE OF NORTH CAROLINA  
REAL ESTATE EXCISE TAX: \$3238  
BOOK:011489 PAGE:00952 - 00956

FILED Joyce H. Pearson  
Register of Deeds Orange COUNTY, NC  
BY

*[Signature]*

Orange County NC 07/29/2005  
State of North Carolina  
Real Estate Excise Tax  
Excise Tax: \$3238.00

### NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$3238.00

Parcel Identifier No. 9880-35-3244 Verified by mal County on the \_\_\_\_ day of \_\_\_\_, 2005

By: \_\_\_\_\_

Mail/Box to: BTM, PA attn: GEH PO Box 25008 Winston-Salem, NC 27114-5008

This instrument was prepared by: Johnston, Allison & Hord, P.A. (JAM), Charlotte NC

Brief description for the Index: 120 Banks Drive (Timberlyne)

THIS DEED made this 21<sup>st</sup> day of July, 2005, by and between

#### GRANTOR

**EASTERN FEDERAL CORPORATION**  
a North Carolina corporation

**901 East Boulevard**  
**Charlotte, NC 28203**

#### GRANTEE

**REGAL CINEMAS, INC.**  
a Tennessee corporation

**7132 Regal Lane**  
**Knoxville, Tennessee 37918**

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Chapel Hill, Orange County, North Carolina and more particularly described as follows:

**See Exhibit A attached hereto and incorporated herein by reference.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1048, page 263.

A map showing the above described property is recorded in Plat Book 60, page 33.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

Taxes for the tax year 2005 and subsequent years, zoning and subdivision laws, restrictions, reservations, covenants, and easements of record which specifically are not reimposed or extended hereby.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

**EASTERN FEDERAL CORPORATION**

(Entity Name)

By: \_\_\_\_\_

Carter D. Meiselman  
Title: President

State of North Carolina - County of Mecklenburg

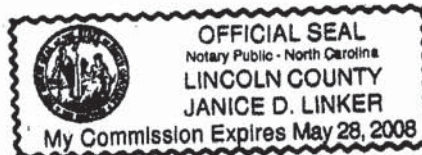
I, the undersigned Notary Public of the County of Lincoln and State aforesaid, certify that Carter D. Meiselman personally came before me this day and acknowledged that he is the President of EASTERN FEDERAL CORPORATION, a North Carolina corporation, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 18th day of July 2005.

My Commission Expires: 05/28/08

Janice D. Linker  
Notary Public

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.

By: \_\_\_\_\_ Register of Deeds for \_\_\_\_\_ County  
Deputy/Assistant - Register of Deeds



20050729000272720 DEED  
Bk:RB3822 Pg:115  
07/29/2005 01:08:01PM 3/6



BOOK:011489 PAGE:00952 - 00956

Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.



Wake County Register of Deeds  
Laura M. Riddick  
Register of Deeds

North Carolina – Wake County

The foregoing certificate \_\_\_ of \_\_\_\_\_

James D. Linker

\_\_\_\_ Notary(ies) Public 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.

Laura M. Riddick, Register of Deeds

By: Frederick C. Baymon

DEPUTY  
Assistant/Deputy Register of Deeds

This Customer Group

\_\_\_\_\_ # of Time Stamps Needed

This Document

\_\_\_\_\_ New Time Stamp  
5 # of Pages



Joyce H. Pearson  
Register of Deeds  
Orange County  
North Carolina

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**State of North Carolina, County of Orange**

The foregoing certificate(s) of JANICE D LINKER, NOTARY PUBLIC for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day July 29, 2005.

Joyce H. Pearson, Register of Deeds

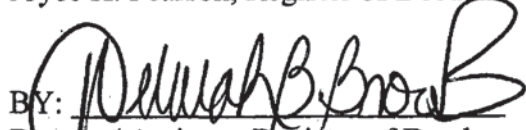
BY:   
~~Delmar B. Brown~~ / Assistant Register of Deeds



Exhibit A.

## Timberlyne

### PARCEL I:

A PARCEL OF LAND IN THE CITY OF CHAPEL HILL, COUNTY OF ORANGE, STATE OF NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF "TRACT A", ACCORDING TO A PLAT PREPARED BY PHILIP POST & ASSOCIATES, INC. DATED SEPTEMBER 2, 1992, ENTITLED "COMBINATION PLAT, TIMBERLYNE VILLAGE", HAVING JOB NUMBER A72102AA115BP01, RECORDED IN PLAT BOOK 60, PAGE 33, ORANGE COUNTY REGISTRY.



# HORVATH ASSOCIATES

CIVIL ENGINEERS · PLANNERS · LANDSCAPE ARCHITECTS

16 Consultant Place, Suite 201  
Durham, NC 27707  
919-490-4990

Date: February 19<sup>th</sup>, 2021

To: Stormwater Management Division  
Town of Chapel Hill – Public Works Department

From: Matt Jones, PE  
Ph: (919) 490-4990  
Email: [matt.jones@horvathassociates.com](mailto:matt.jones@horvathassociates.com)

Subject: Stormwater Impact Letter

Ref: Timberlyne Offices  
PIN: 9880353244

The subject plan is related to a re-development of the Regal Timberlyne Cinema Property located at the intersection of Banks Drive and Westminster Drive. The renovations will involve demolishing the northern and southern wings of the building and installing a total of 18 parking spaces in their place. As a result of the development, there will be a slight increase (less than 500 sf) of impervious area located on the property.

- Existing Impervious: 62,692 SF
- Total Proposed Impervious: 62,925 SF (Net increase of 233 sf Impervious)

No changes in the overall drainage patterns for this project are proposed. The roof of the existing building flows to drains located at the rear. The drains flow into the parking lot at the rear of the building which has a highpoint at about the middle of the building, with approximately half of the runoff from the rear parking lot flowing north and half flowing south. Ultimately, All the runoff from the areas that will be disturbed either drains to a 15" RCP that leaves the site flowing east from the northeast property corner, or a 15" RCP that leaves the site flowing southeast from the southeast property corner. The total drainage area to each of these pipes will not change from pre- to post-development, and the increase of impervious surface in each drainage area will be minimal; therefore, there will be no appreciable increase in peak flow directed to any stormwater conveyance outside of the property. A calculation is provided that demonstrates the small increase in impervious surface will not increase the composite curve number for the development.

Please do not hesitate to contact me if you have any questions related to this information.

Matthew L. Jones, PE

Attachments: (1) Composite Curve Number Calculation  
(2) Drainage Patterns Exhibit  
(3) Hydrologic Soil Group Map



NCBELS NO: C-0676

Timberlyne Offices  
Curve Number Calculations

Total Project Area = 1.92 acres  
Total Project Area = 83,635 sf

Pre-Development - Composite CN Calculation

Cover Condition	CN	Area (sf)	Portion of Total Area	Weighted CN
Open Space - Good Condition - HSG 'B'	61	20,943	0.25	15
Impervious	98	62,692	0.75	73
Total		83,635	Total	89

Pre-Development Composite CN = 89

Post-Development - Composite CN Calculation

Cover Condition	CN	Area (sf)	Portion of Total Area	Weighted CN
Open Space - Good Condition - HSG 'B'	61	20,710	0.25	15
Impervious	98	62,925	0.75	74
Total		83,635	Total	89

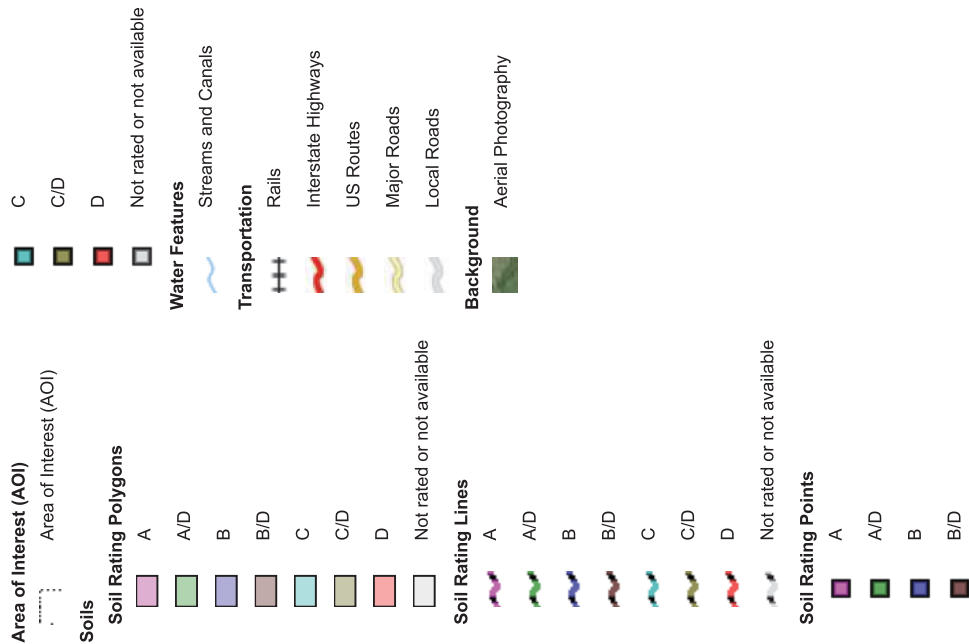
Post-Development Composite CN = 89

Per the NRCS Web Soil Survey, approximately 91% of the on-site soils are in Hydrologic Soil Group 'B' and 9% are HSG 'C'. For the composite curve number calculation, all on-site soils are assumed to be HSG 'B'. This produces a lower curve number in the pre-development condition, which results in a conservative calculation for the increase in curve number.

Hydrologic Soil Group—Orange County, North Carolina  
(Web Soil Survey)



## MAP LEGEND



## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.  
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, North Carolina  
Survey Area Data: Version 20, Jun 3, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 9, 2019—Oct 19, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ApB	Appling sandy loam, 2 to 6 percent slopes	B	1.7	87.4%
ApC	Appling sandy loam, 6 to 10 percent slopes	B	0.1	3.7%
EnB	Enon loam, 2 to 6 percent slopes	C	0.2	8.9%
<b>Totals for Area of Interest</b>			<b>2.0</b>	<b>100.0%</b>

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

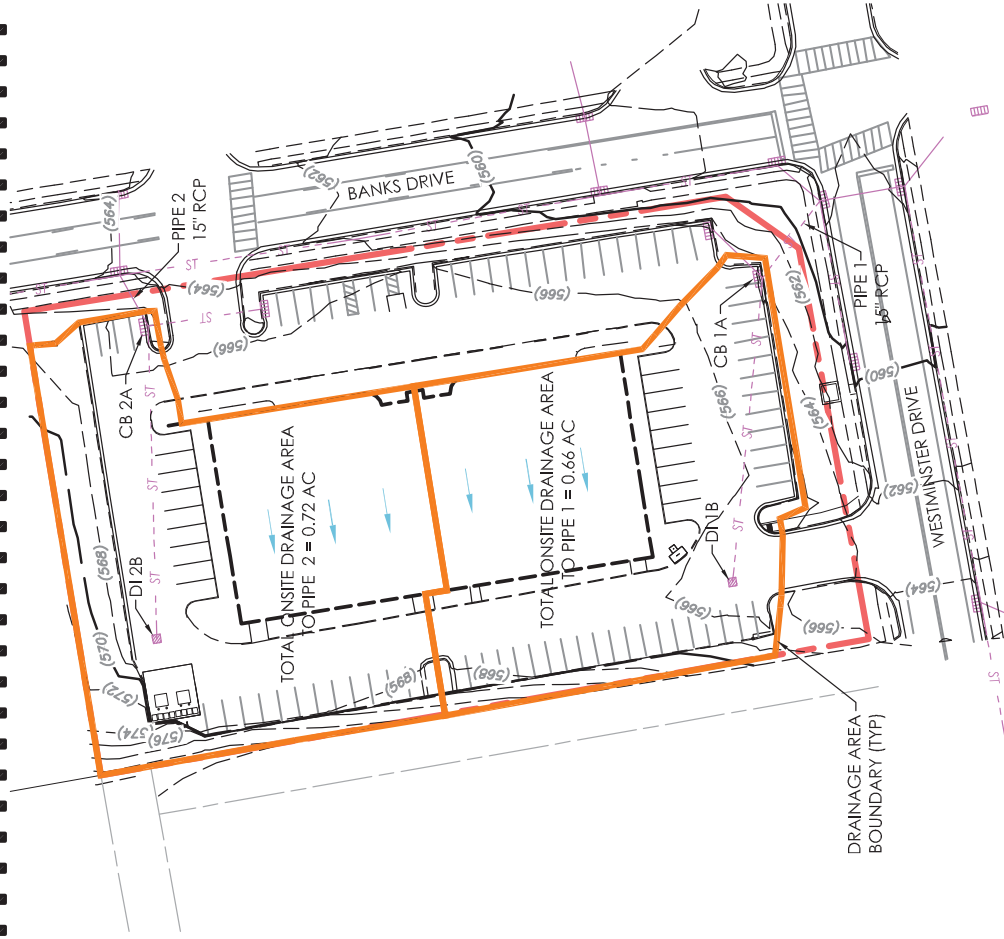
## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

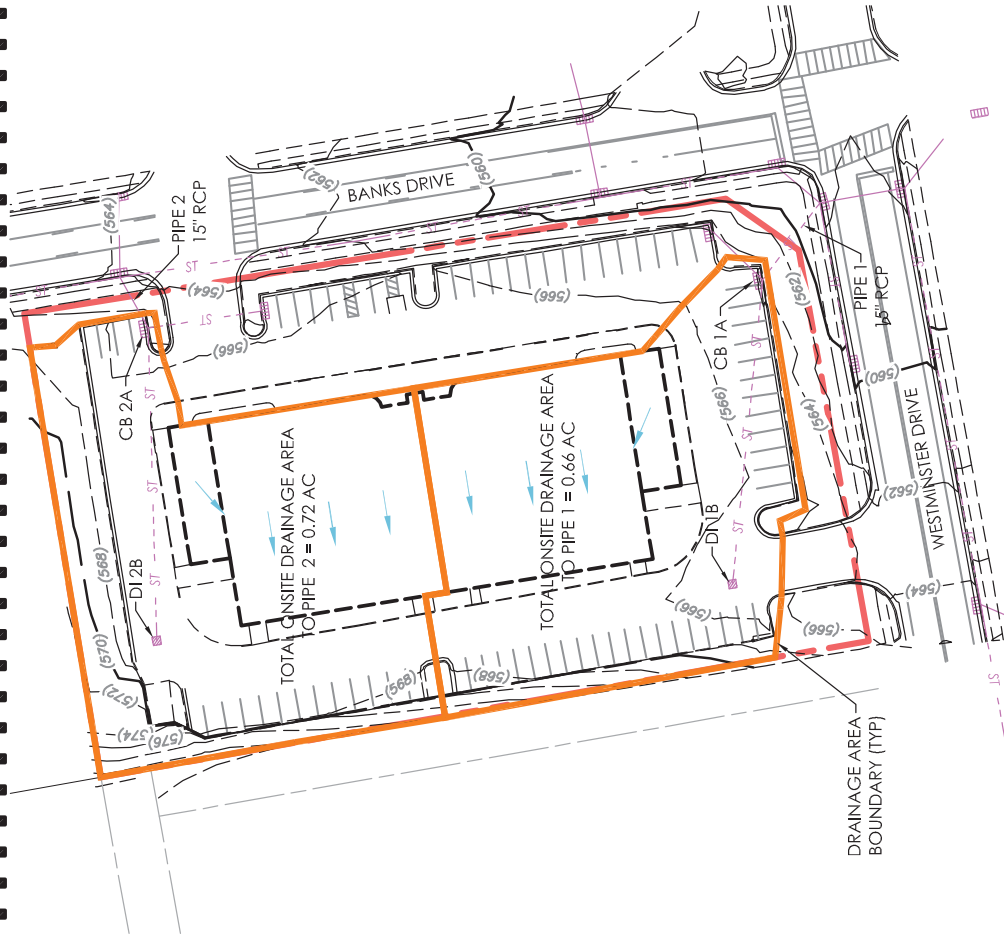
*Tie-break Rule:* Higher





## POST-DEVELOPMENT

### TIMBERLYNE OFFICES DRAINAGE PATTERNS EXHIBIT



## PRE-DEVELOPMENT

**Transportation Management Plan****Timberlyne Offices**

120 Banks Drive  
 Chapel Hill, NC  
 January 26, 2021

This Transportation Management Plan (TMP) is being prepared for the Timberlyne Offices at 120 Banks Drive in Chapel Hill. The site is currently a movie theater and it will be renovated to become medical clinics. A modification to the existing Special Use Permit was recently submitted for this site.

The new building will contain 19,930 square feet. This Transportation Management Plan will be a working document and the responsibility of the designated TMP Champion. The TMP Champion shall annually submit a report to the Designated TMP Manager at the Town of Chapel Hill to confirm elements in this TMP are being implemented.

The TMP Champion is responsible for administering and reporting as designed by the Owner. The Town will receive an annual update of the name and contact information from the TMP Champion.

TMP Champion responsibilities include:

- a. Required attendance of annual Go Chapel Hill TMP Conference
- b. Conduct Employee and Business Surveys as called for by Town (usually bi-annually)
- c. Regular employee communication regarding TMP information sent by Town
- d. Attendance & Support of related TMP Trainings or Information
- e. Coordinate TMP implementation with tenants or employees.
- f. Discuss the TMP, annually, with all employees to encourage alternative transportation use.

The contact information for the TMP Champion is below:

**Carmen Geerlings, MBA, RT-R, DTM**

Corporate Compliance Officer  
 Senior Manager Administrative Services & Quality Assurance  
 Raleigh Radiology – Business Support Services  
 5220 Greens Dairy Rd.  
 Raleigh, NC 27616  
[Carmen.Geerlings@RaleighRad.com](mailto:Carmen.Geerlings@RaleighRad.com)  
 P: 919-256-3563  
 C: 919-810-4405  
 F: 919-787-4870

The goals of this Transportation Management Plan are to provide methods of alternate transportation for those who would like to utilize them. This alternate methods of transportation, such as public transit, pedestrian, and bicycle use, will help to reduce carbon emissions and keep water and air clean. Please

note the Owner of the building will provide some transportation items and encourage the tenants over 3,000 s.f. to provide other transportation items.

The Owner of the building shall provide both long-term and short-term bicycle parking, designed to the Town of Chapel Hill Standards, as well as a bike fix-it station somewhere on site. The Owner shall also provide 3 electric vehicle charging stations for employees and patients. The remaining new parking spaces will be EV charging station ready for future added charging stations.

Owner will also improve the transit stop along Westminster Drive by adding a 7' x 8' Brasco Interlude shelter.

The Owner will encourage tenants over 3,000 s.f. to provide the following items:

- Recommend tenants provide bus passes to employees who chose to take public transit to work.
- Recommend tenants provide lockers, breakroom, and shower for those employees who choose to walk or bike to work.

All tenants shall provide the following communications:

- Send to all employees in building Go Chapel Hill Newsletters, Promotional Campaigns/Contests, Special Events, Announcements, etc.
- Provide a communication board for posting information from the Town and Go Chapel Hill program related to using alternative transportation such as Carpooling (Rideshare NC) and Bicycling including Maps, Safety Guides, healthy living and other green tips, etc.
- Communicate route, schedule, holiday and changes information regarding:
  - Chapel Hill Transit
  - Go Triangle
  - Go Raleigh
  - Go Durham

We do want to note that promoting employees to bicycle to work and patient to bicycle to appointments, although a great alternative to driving a car, does open up potential issues with liability if anyone gets injured during this commute. While we are excited that bicycling is so highly encouraged by the Town we request the Town provide the Owner and Tenants indemnifying them and holding them harmless if someone gets injured riding their bike to work or an appointment. We want to encourage bicycling as a transportation alternate to vehicular use - but not to the point where it could be a potential liability.

# TIMBERLYNE OFFICES MEDICAL CLINIC

## SPECIAL USE PERMIT MODIFICATION

120 Banks Drive  
Chapel Hill, North Carolina

developer:  
Parkway Holdings Phase II LLC  
220 Tals Rock Way, Unit 3  
Cary, NC 27519

landscape architect:  
TMTLA Associates  
5011 Southpark Drive Suite 200  
Durham, North Carolina 27713  
(919) 484-8880  
pam@tmtla.com

owners:  
Regal Cinemas, Inc  
101 East Blount Avenue  
Knoxville, TN 37920

civil engineer:  
Horvath Associates  
16 Consultant Place, Ste. 201  
Durham, North Carolina 27707  
(919) 490-4990  
matt.jones@horvathassociates.com

COVER SHEET	
AREA MAP	A-1
EXISTING CONDITIONS	L-1
DEMO PLAN	L-1b
DETAILED SITE PLAN	L-2
LANDSCAPE PLAN	L-3
GRADING PLAN	L-4
BUILDING ELEVATIONS	L-5
LIGHTING PLAN	L-6
DETAILS	L-7
DETAILS	L-8



VICINITY MAP  
1"=300'

SITE DATA	
PIN	9880-35-3244
EXISTING ZONING	CC
EXISTING USE	MOVIE THEATER
SITE AREA	1.92 ACRES
PROPOSED USE	MEDICAL CLINIC
EXISTING IMPERVIOUS AREA	62,692 S.F. (75%)
PROPOSED IMPERVIOUS AREA	62,925 S.F. (75%)
IMPERVIOUS INCREASE OF	233 S.F.
MAX. FLOOR AREA RATIO ALLOWED	.429
PROPOSED FLOOR AREA RATIO	.243
PARKING REQUIRED	88 to 100 SPACES
PARKING PROPOSED	90 SPACES (18 NEW/72 EX.)
COMPACT SPACES:	32 (EXISTING - 36% TOTAL PARKING PROVIDED)
REGULAR SPACES:	53 (EXISTING AND NEW)
HANDICAP SPACES:	5 (EXISTING AND NEW)
BIKE PARKING PROPOSED	12 SPACES
80% LONG TERM - 10 SPACES	
20% SHORT TERM - 2 SPACES	
BIKE PARKING PROPOSED	12 SPACES
80% LONG TERM - 10 SPACES (LOCATED INSIDE THE BUILDING)	
20% SHORT TERM - 2 SPACES (BIKE RACK OUTSIDE)	

1. Boundary and topographic information by Bateman Civil Survey Company dated 11/10/20.  
2. Site information taken from NCS data.  
3. Site information taken from NCS data.  
4. All construction shall be in conformance with Town of Chapel Hill and NC DOT standards and specifications.

SUBMITTALS	
Concept Plan Submittal	08/11/2020
SUP Plan Submittal	11/30/2020
SUP Plan Resubmittal	2/18/2021



TMTLA ASSOCIATES  
5011 SOUTHSPARK DRIVE, STE. 200 - DURHAM, NC 27713  
P: (919) 484-8880 E: info@tmtla.com



408  
Know what's below.  
Call before you dig.

REVISIONS:	
2/18/2021	

COVER  
TIMBERLYNE OFFICES  
Chapel Hill, North Carolina  
SCALE:  
DRAWN BY:  
PMP  
PROJECT #  
49999  
DATE:  
08/20/2020  
SHEET  
COVER  
OF



DATA  
APPLICANT

TMILA ASSOCIATES  
5011 SOUTH PARK DRIVE, STE. 200  
DURHAM, NC 27715

OWNER:

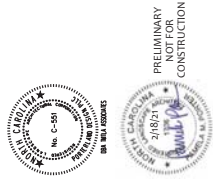
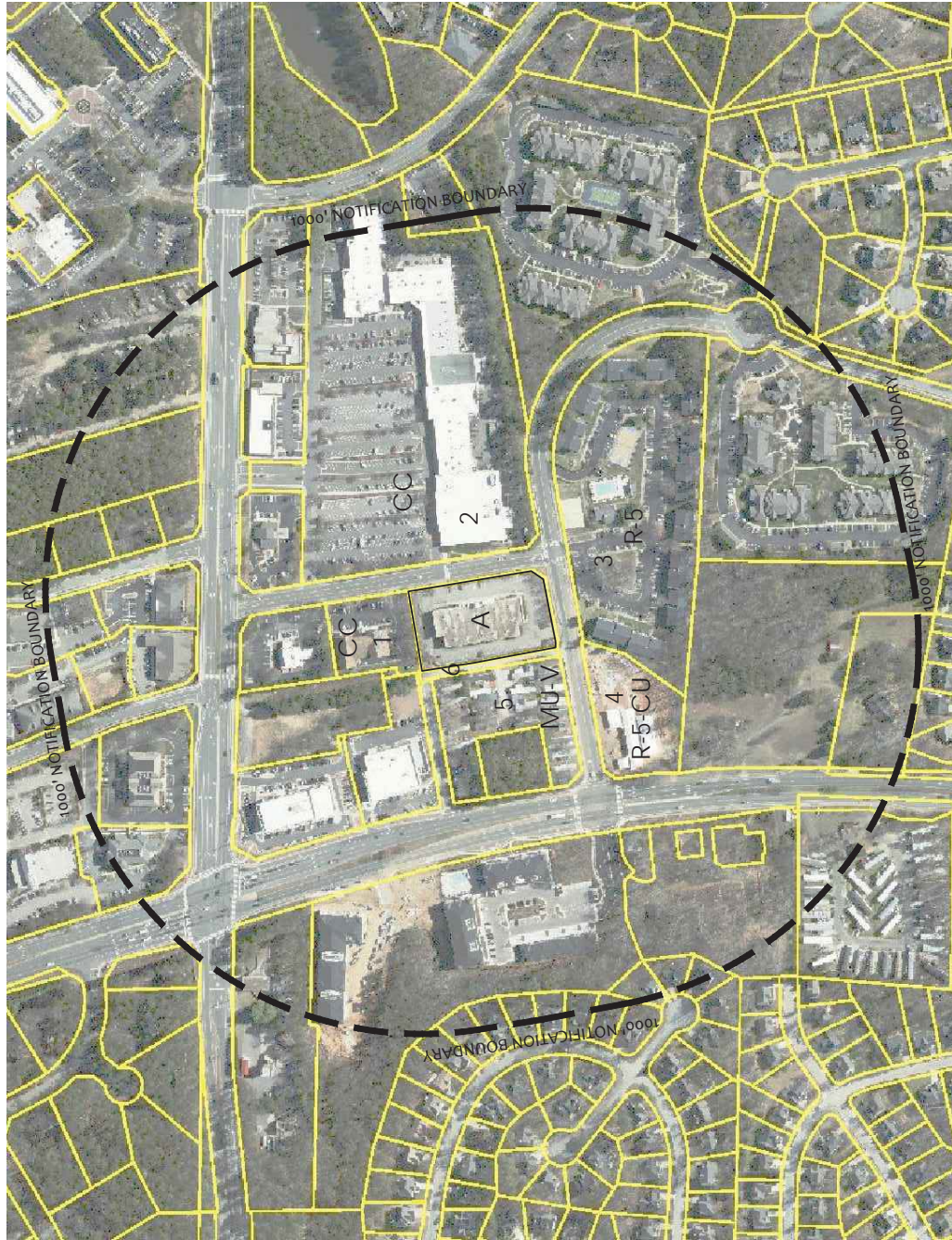
REGAL CINEMAS, INC  
101 EAST BLOUNT AVENUE  
KNOXVILLE, TN 37920

PROJECT AREA  
EXISTING ZONING

1.92 ACRES  
CC

NOTE: ALL PROPERTIES SHOWN ON THIS MAP ARE WITHIN THE TOWN OF  
CHAPEL HILL CORPORATE LIMITS

APPLICANT/OWNERS INFORMATION				
OWNER'S NAME	ADDRESS	PARCEL NUMBER	ACREAGE	ZONING
Regal Cinemas, Inc	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	1.89 AC	CC
TOTAL AREA			1.89 AC	
ADJACENT OWNERS INFORMATION				
NAME	ADDRESS	PAR	ZONE	USE
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC
Chapel Hill Regional Center	101 East Blount Avenue, Knoxville TN 37920	0680-35-5244	CC	CC



REVISIONS:
2/18/2021

AREA MAP  
TIMBERLYNE OFFICES  
Chapel Hill, North Carolina

SCALE:  
1" = 100'  
TOWN BY:  
PMP  
PROJECT #  
49999  
DATE:  
05/20/2020

SHEET  
A-1  
OF





# **CCRM Construction Waste Requirements**

1. For each project, the applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris. The applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris.

2. Pursuant to the County's SWO, the applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris. The applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris.

3. Pursuant to the County's SWO, the applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris. The applicant shall be responsible for the removal of all debris from the site in accordance with the County's Solid Waste Ordinance (SWO) and to ensure proper disposal of debris.

4. Prior to any demolition or construction activity on the site, the applicant shall hold a pre-demolition/deconstruction conference with Solid Waste staff. This may be the same pre-construction meeting held with other development/permit 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.

5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
P: (919) 484-8880 E: info@timla.com



**811**  
Know what's below.  
Call before you dig.

REVISIONS:  
2/18/2021

DEMO PLAN  
TIMBERLYNE OFFICES  
Chapel Hill, North Carolina

SCALE: 1" = 20'  
DRAWN BY: PMP  
PROJECT # 20996  
DATE: 1/19/2020  
SHEET 1-b

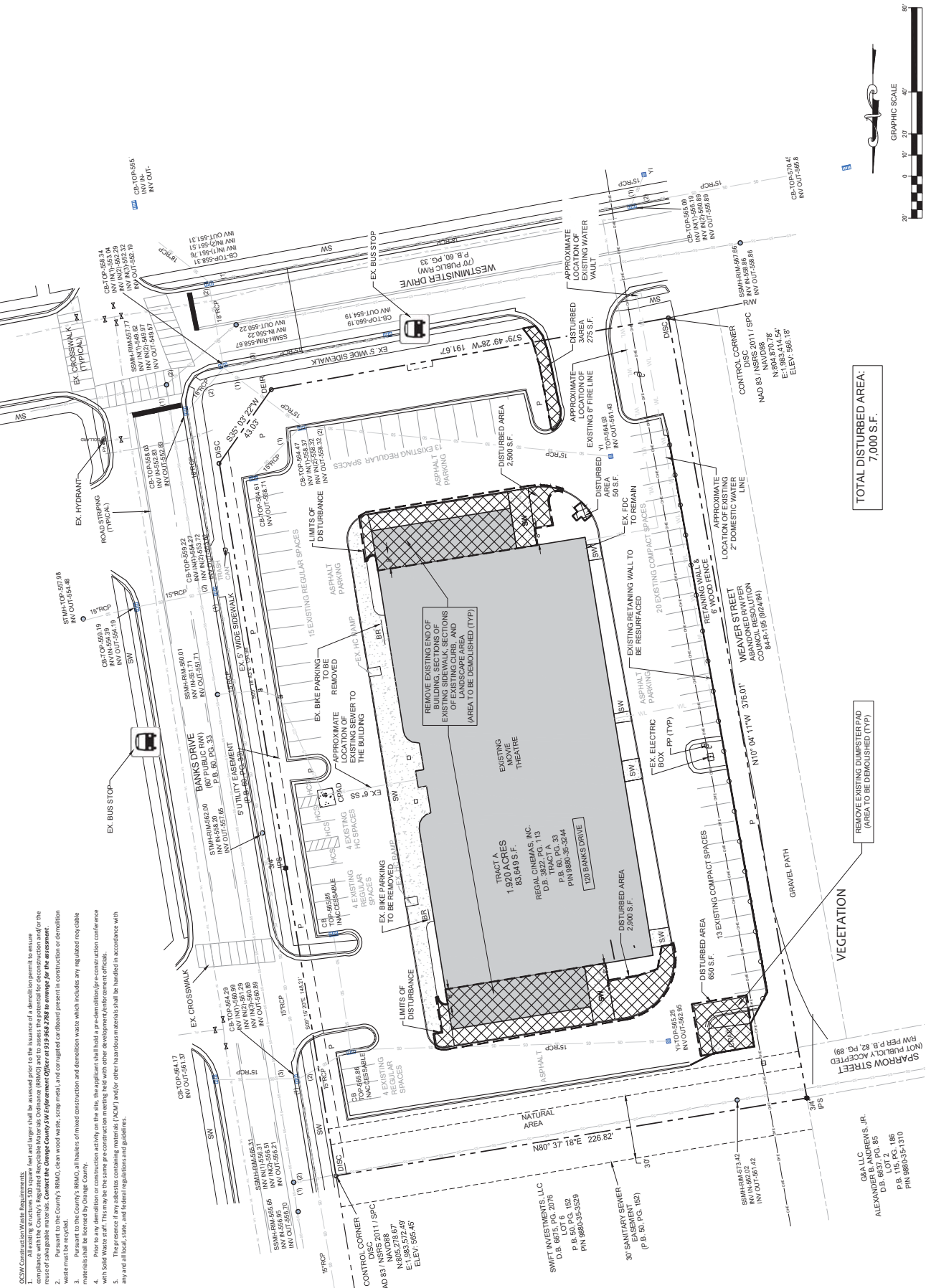
OF



TOTAL DISTURBED AREA:  
7,000 S.F.

REMOVE EXISTING DUMPSTER PAD  
(AREA TO BE DEMOLISHED (TYP))

GIA LLC  
ALEXANDER & ANDREWS, JR.  
DB 655 PG. 85  
P.B. 115 PG. 186  
PIN 980035-1310

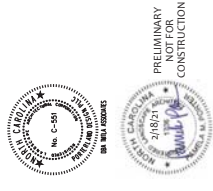
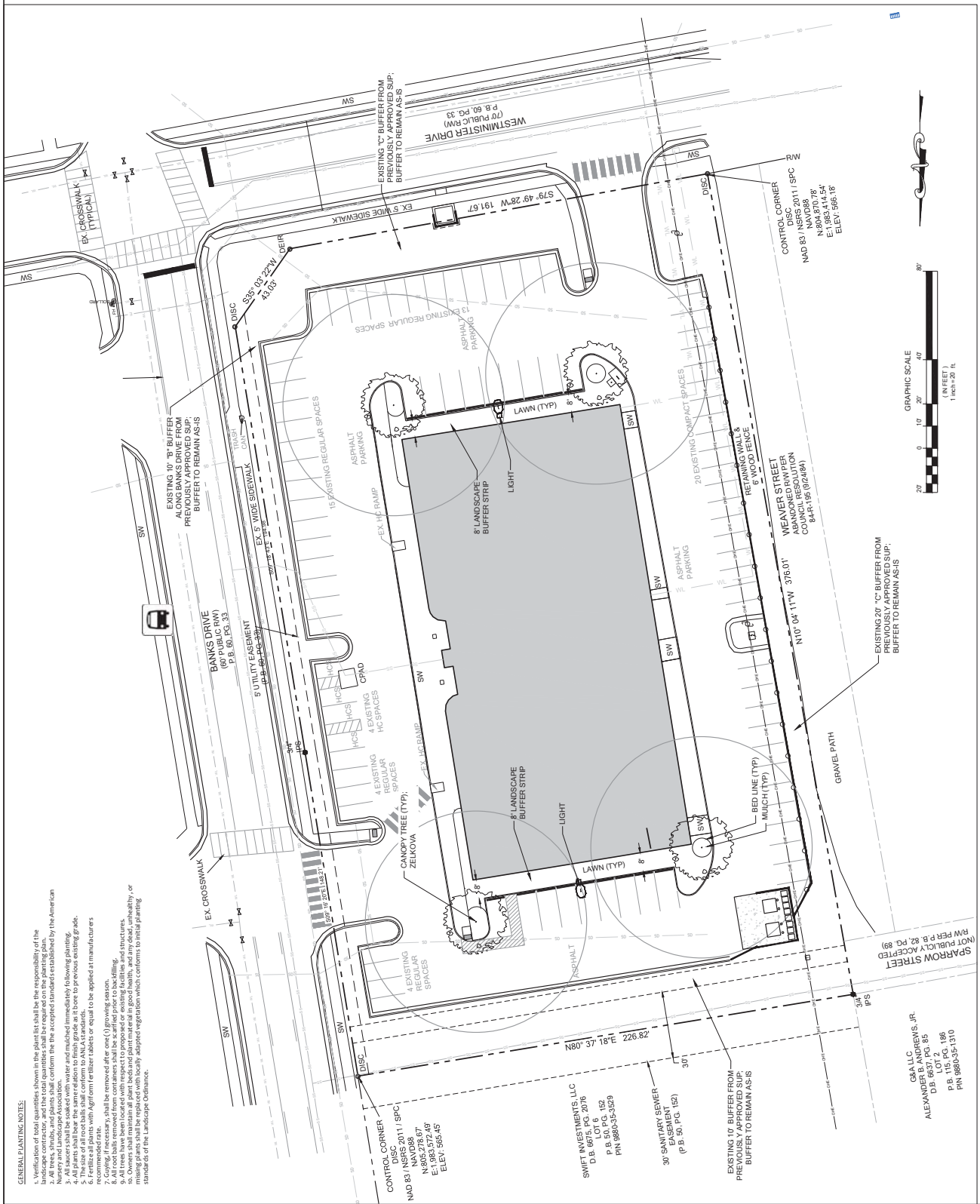






GENERAL PLANTING NOTES:

1. Location of seed quantities shown in the plan for shall be the responsibility of the landscape contractor, and the total quantities shall be required on the planting plan.
2. All trees, shrubs, and plants shall conform to the accepted standard established by the American Nursery Association.
3. All plants shall be soaked with water and mulched immediately following planting.
4. All plants shall bear the same relation to finish grade as it bore to previous existing grade.
5. Fertilizer shall be applied to all plants at the rate of 10 lbs. per 1,000 sq. ft. of area.
6. Fertilizer shall be applied to all plants at the rate of 10 lbs. per 1,000 sq. ft. of area.
7. Fertilizer shall be applied to all plants at the rate of 10 lbs. per 1,000 sq. ft. of area.
8. All plants shall be removed after one (1) growing season.
9. All plants shall be removed after one (1) growing season.
10. All plants shall be removed after one (1) growing season.



413  
Know what's below.  
Call before you dig.

REVISIONS:  
2/18/2021

LANDSCAPE PLAN  
TIMBERLYNE OFFICES  
Chapel Hill, North Carolina

SCALE:  
1" = 20'  
TOWN: BY:  
PMP:  
PROJECT #:  
20996  
DATE:  
1/19/2020  
SHEET  
1-3  
OF



SHEET  
BUILDING ELEVATIONS (BY OTHERS)  
TIMBERLYNE OFFICES  
Chapel Hill, North Carolina

SCALE:  
1" = 20'-0"  
TOWN: BY:  
PMP:  
PROJECT #:  
200996  
DATE:  
11/29/2020

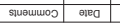
REVISIONS:  
2/18/2021

415  
Know what's below.  
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TMITA ASSOCIATES  
5011 SOUTH PARK DRIVE, STE. 200 - DURHAM, NC 27713  
p: (919) 484-8880 e: info@tmita.com





Calculation Summary						
Label	Calc Type	Units	Avg	Max	Min	Avg/Min
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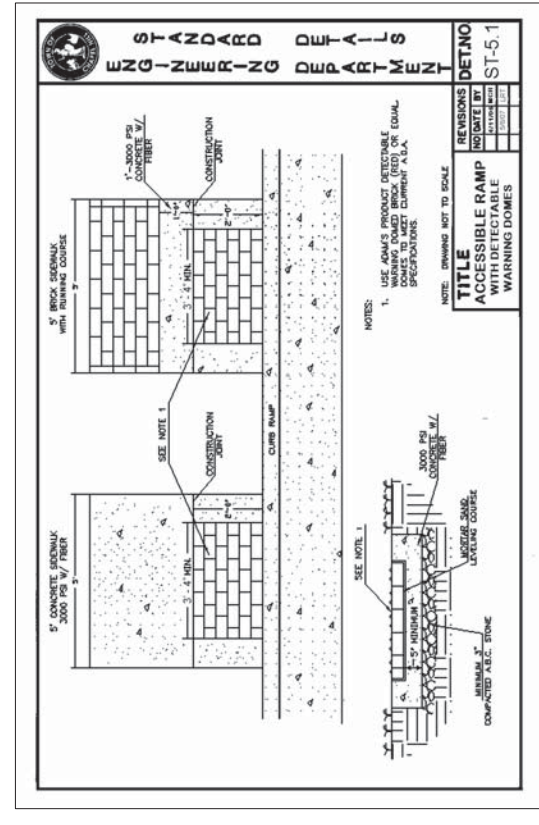
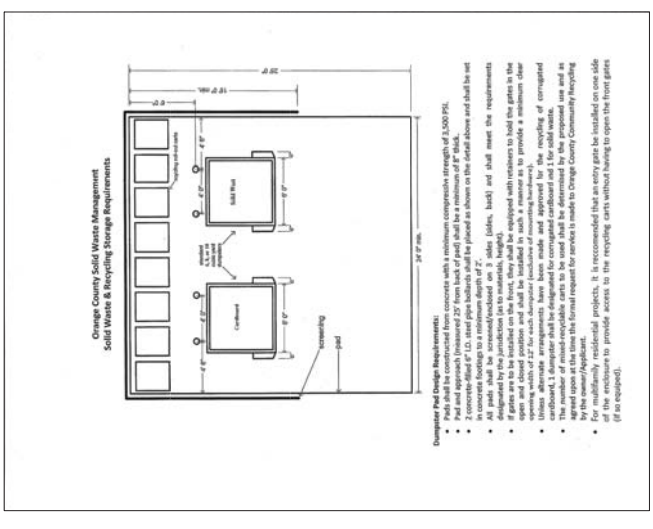
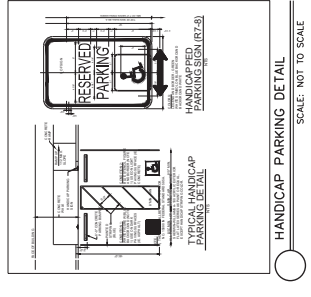
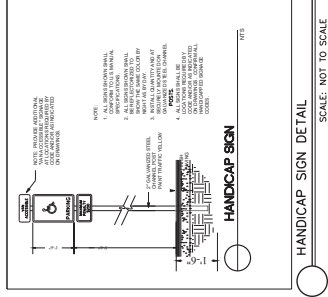
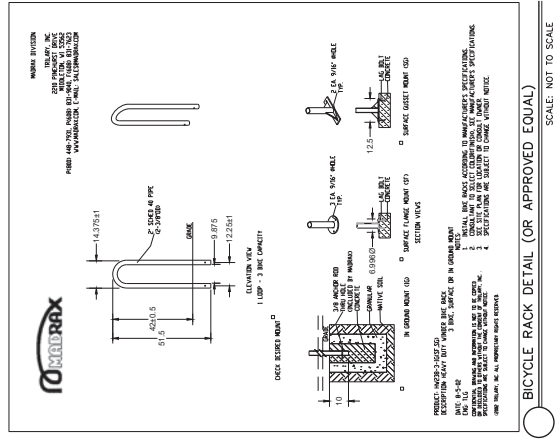
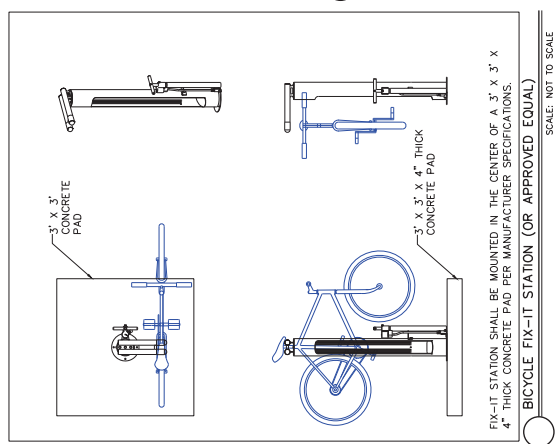
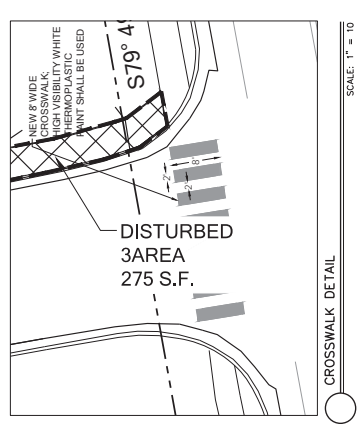
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Label	Calc Type	Units	Avg	Max	Min	Avg/Min
site	luminance	Fc	0.16	3.2	0.0	N.A.

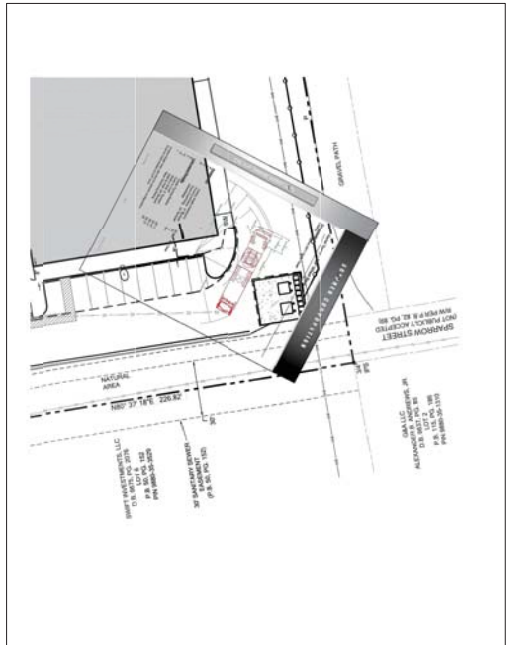


POLE STYL E A























422

422





424

MEICAL  
CENTER















428

MEDICAL  
CENTER



429

MEDICAL  
CENTER



430

MEDICAL  
CENTER











433





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 1H, File #: [21-0593], Version: 1

Meeting Date: 6/23/2021

### Receive Recommendations of the Re-Imagining Community Safety Task Force.

#### Staff:

Loryn Clark, Deputy Town Manager  
Chris Blue, Police Chief/Executive Director of Community Safety  
Sarah Vinas, Interim Director

#### Department:

Manager's Office  
Police Department  
Housing and Community

**Overview:** This item presents the 'Re-Imagining Community Safety Task Forces' <<http://www.townofchapelhill.org/reimaginecommunitysafety>> recommendations for improving racial equity and community safety in Chapel Hill.

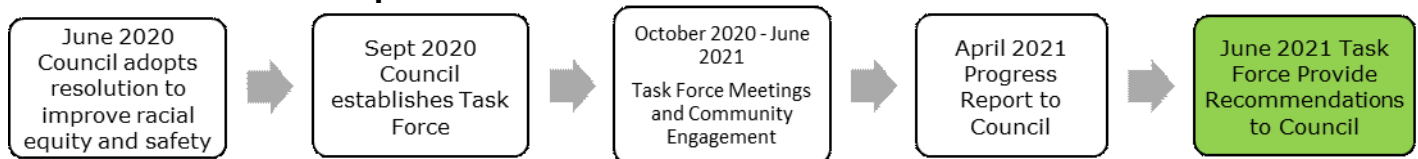


#### Recommendation(s):

That the Council receive this report from the Re-Imagining Community Safety Task Force and refer to the Manager.

**Fiscal Impact/Resources:** The Council approved \$100,000 in the Fiscal Year 2022 Budget for implementation of the Task Force's recommendations. Additional resource needs will be determined as the Town moves into the implementation phase.

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



#### Proposed Next Steps

- Based on direction from the Council and Manager, staff will develop an Action Plan for Implementation, including specific timeframes, performance measures, resource needs, implementation partners for the Task Force recommendations.
- Establish a framework for regular reporting to the Council and community to show our progress in implementing the Task Force recommendations.



#### Attachments:

- Resolution
- Community Engagement Summary Report
- Task Force Final Report

**A RESOLUTION TO RECEIVE THE FINDINGS OF THE RE-IMAGINING COMMUNITY SAFETY TASK FORCE, AUTHORIZE THE TOWN MANAGER TO IMPLEMENT NEXT STEPS, AND DISSOLVE THE TASK FORCE (2021-06-23/R-12)**

WHEREAS, on June 24, 2020, the Town Council adopted a resolution on developing new approaches to improve racial equity and public safety in Chapel Hill; and

WHEREAS, the Town Council established a Task Force in September of 2020 to Re-Imagine Community Safety in Chapel Hill; and

WHEREAS, the mission of the Task Force is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following:

- 1) Increase public safety
- 2) Eliminate structural inequities in Town public safety systems; and
- 3) Enable all in the community to thrive; and

WHEREAS, the Task Force met 16 times over an eight-month period, sharing their own experiences, hearing from outside experts, and analyzing information from a variety of sources; and

WHEREAS, the Task Force developed a final report outlining specific and actionable recommendations that aim to increase public safety, eliminate structural inequities in Town public safety systems, and enable all in the community to thrive.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council receive this report and refer the Task Force's recommendations to the Manager.

BE IT FURTHER RESOLVED that the Mayor and Town Council thank each of the Task Force members for their time and dedication to the process and offer our deepest appreciation for sharing their expertise, ideas, and lived experiences to inform the recommendations before the Council this evening. The Task Force members include:

Delores Bailey  
Robert Campbell  
Jamesha Cannon-Phillips  
Marcus Farrow  
Emma Ferriola-Bruckenstein  
Desmond Frierson  
Jaclyn Gilstrap  
Tye Hunter  
Paris Miller Foushee  
Heather Nash  
Eliazar Posada  
Ehmu Ra  
Jeremy Roberson  
Matthew Sullivan  
Shugong Wang

BE IT FURTHER RESOLVED that the Council finds that the Task Force has fulfilled its charge, its work is deemed complete, and the Task Force is dissolved.

This the 23<sup>rd</sup> day of June, 2021.

---

Item #: 14., File #: [21-0593], Version: 1

Meeting Date: 6/23/2021

---

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

PRESENTER: Jaclyn Gilstrap and Paris Miller Foushee, Re-Imagining Community Safety Task Force Members

RECOMMENDATION: That the Council receive this report and refer the Task Force's recommendations to the Manager.

# Re-Imagining Community Safety Report

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Town of Chapel Hill

---

Compiled by Amplify Consulting  
April 2021



# Contributors

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## Reimagining Community Safety Taskforce Members

Delores Bailey  
 Jamesha Cannon-Phillips  
 Robert Campbell  
 Marcus Farrow  
 Emma Ferriola-Bruckenstein  
 Desmond Frierson  
 Jaclyn Gilstrap  
 Heather Nash  
 Eliazar Posada  
 Jeremy Roberson  
 Shugong Wang

### *Steering Committee*

Mathew Sullivan  
 Tye Hunter  
 Paris Miller  
 Eh Mu Ra

*Learn more about the Town of Chapel Hill's  
[Reimagining Community Safety Task Force.](#)*

## Town of Chapel Hill Staff

Maurice Jones, Town Manager  
 Flo Miller, Deputy Town Manager  
 Chris Blue, Police Chief  
 Loryn Clark, Executive Director for Housing  
 and Community  
 Sarah Viñas, Assistant Director for Housing  
 and Community, Project Manager  
 Celisa Lehew, Assistant Police Chief  
 Faith Brodie, Public Housing Director  
 Anita Badrock, Town Ombuds

## Town Council Members

Karen Stegman  
 Tai Huynh  
 Allen Buansi

## Amplify Charlotte Consulting Staff

Christine Edwards, CEO  
 Diego Anselmo  
 Kelly Little  
 Kayla Earley

*Learn more about [Amplify Charlotte](#)*

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# Introduction

In the Fall of 2020, the Town Council of the Town of Chapel Hill established the Re-Imagining Community Task Force, whose mission is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following:

1. Increase public safety,
2. Eliminate structural inequities in Town public safety systems; and
3. Enable all in the community to thrive.

The task force is charged with community engagement to gather input from residents on how public safety services can better promote racial equity and economic inclusion. In this first phase of community engagement, the task force and Town of Chapel Hill opted to learn from the community with both a survey and a series of six community listening sessions.

## Oversight of Community Engagement

The Amplify Consulting Team was responsible for developing community listening tools, communicating with RICS members and Steering Committee leaders during regularly scheduled meetings, and facilitating community listening sessions in both English and Spanish. The Re-Imagining Community Safety Task Force members, Steering Committee, and Town of Chapel Hill staff provided direct insight into survey language, survey translation, and listening session questions.



# Demographic Profile

Table 1: Demographic Profile of Town of Chapel Hill compared to Community Engagement Participants

Demographics	Town of Chapel Hill (n=64051) <sup>1</sup>	Survey Participants (N=302)	
<b>Race</b>	<b>%</b>	<b>#</b>	<b>%</b>
White, not Hispanic	66.9%	31	28.4%
Black, not Hispanic	10.9%	6	5.5%
Asian / Pacific Islander	13.0%	61	55.9%
American Indian / Alaska Native	0.3%	2	1.8%
Multi-Race	2.9%	0	0%
Other / Not Specified	NR	2	1.8%
Did not respond	NR	7	6.4%
<b>Ethnicity</b>	<b>%</b>	<b>#</b>	<b>%</b>
Hispanic / Latinx	6.3%	0	0%
<b>Gender</b>	<b>%</b>	<b>#</b>	<b>%</b>
Male	47.0%	30	28.9%
Female	53.0%	64	61.55%
Third gender / Non-binary	NR	3	2.9%
Other	NR	1	0.9%
Did not respond	NR	6	5.8%

<sup>1</sup>Data from 2019 [US Census Bureau](#)

<sup>2</sup>NR = Not Reported

# Methodology

## Community Survey

### Survey Design

The survey drew upon questions a previously validated instrument used by Amplify Consulting in conjunction with the City of Asheville, NC. See [Appendix B](#) of this report for a copy of the English survey. The survey utilizes primarily open-ended questions and ranking questions.

The Town of Chapel Hill provided Spanish translations for the survey, community listening session slide deck, and promotional flyer.

### Online Survey Administration

Amplify Consulting utilized Qualtrics, a web-based online survey tool. Qualtrics features include:

1. Immediate tabulation of participants completing the survey with real-time results available for review by the consulting team.
2. Access to an online survey permits participants to utilize accessibility and linguistics software as needed.
3. Participants can complete the survey in their own time and in a socially distanced setting.

Table 2 outlines the groups that received the surveys and by what form of communication.

*Table 2: Electronic Survey Distribution*

Audience	Distributed by whom	Method of communication
Task Force Members	Amplify Consulting	Email; Regularly scheduled Zoom meeting
Listening Session Participants	Amplify Consulting	Post-session follow-up email
Community Stakeholders	Town of Chapel Hill, Task Force members, and Amplify Consulting	Email
General Public	Town of Chapel Hill	RICS webpage; Press release

### Paper Survey Administration

The Town of Chapel Hill also made the survey available in a paper format in both Spanish and English for distribution to community partners.

## Data Analysis

Online survey collection made an immediate tabulation of community responses possible. The Consulting Team provided mid-project reports to the RICS Task Force on March 22, 2021 to provide the task force with the opportunity to recommend tactics for reaching underrepresented populations.

Amplify Consulting reviewed and cleaned the database prior to analysis. Amplify Consulting exported data from Qualtrics and manipulated into tabular and graphic results for analysis and presentation.

## Listening Sessions

Amplify Consulting facilitated six listening sessions on the following dates and with the following groups:

- Monday, March 8, 2021: Task Force Pilot Session
- Wednesday, March 10, 2021: Town Staff and Leadership Session
- Saturday, March 13, 2021: General Public Session
- Tuesday, March 16, 2021: Spanish Language Session
- Saturday, March 20, 2021: General Public Session
- Tuesday, March 23, 2021: General Public Session
- Monday March 29, 2021: Task Force Session

In addition to the Spanish language session, language assistance services were available upon request for each session. All sessions were held virtually to abide by COVID-19 precautions.

## Session Design

Listening session drew upon questions from a previously validated instrument used by Amplify Consulting in conjunction with the City of Asheville, NC. The RICS Task Force piloted the session questions prior to the first community session. Additionally, the Steering Committee and Town Staff had opportunity at regularly scheduled meetings to provide feedback on question wording, which was implemented into the final session presentation.

The Town of Chapel Hill provided Spanish translations of the questions to be used in the Spanish language session. Bilingual co-facilitator, Diego Anselmo (Amplify Consulting) conducted the Spanish listening session.

## **Data Analysis**

Amplify Consulting kept detailed minutes of meetings and used data visualization tools to analyze and present qualitative data and identify themes across listening sessions. Amplify Consulting also collected demographic information of survey participants and reported demographics back to the Steering Committee to provide the committee with the opportunity to recommend tactics for reaching underrepresented populations and increasing diversity.

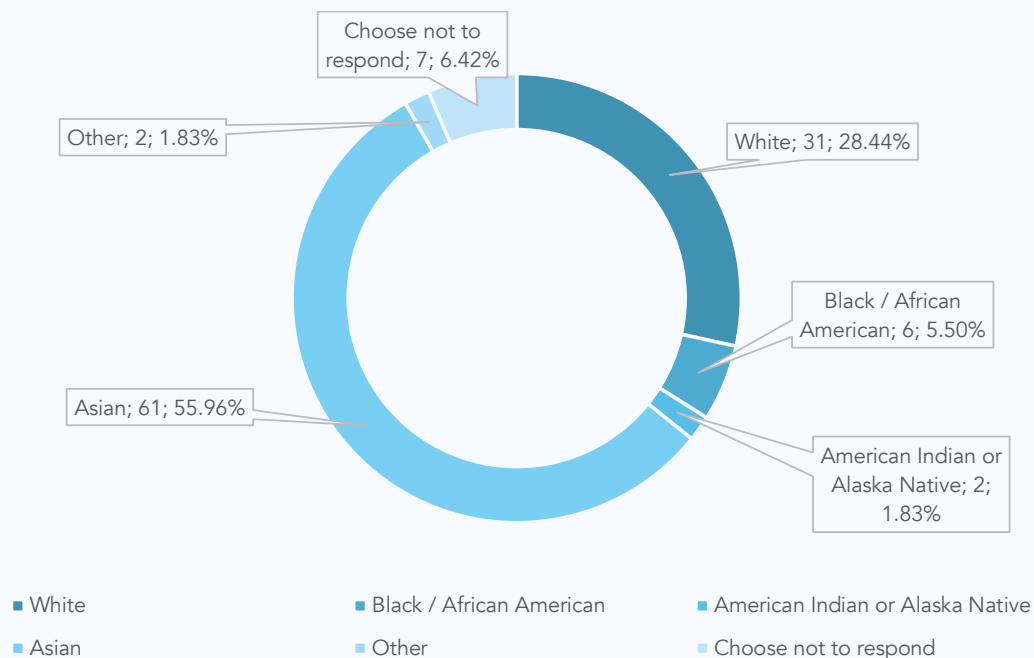
# Findings

## Participant Overview - Electronic Survey

Two-hundred-and-ninety (290) people participated in the survey as of Thursday, April 8, 2021. One-hundred-and-nine (109) of those individuals provided demographic information.

Fifty-six percent (n=61) of participants identified as Asian; 28% (n=31) as White; 6% (n=7) chose not to respond; 6% (n=6) as Black or African American; 2% (n=2) as American Indian or Alaskan Native; and 2% (n=2) as Other. There were no participants identifying as Hispanic or Latino nor Native Hawaiian or Pacific Islander.

*Graph 1: Survey Participant Race & Ethnicity*



Most participants, 93.4% (n=99) reported that their disability status according to the American Disabilities Act (ADA) is "not disabled." Two participants (1.89%) identified as Disabled, with five participants (4.72%) choosing not to respond.

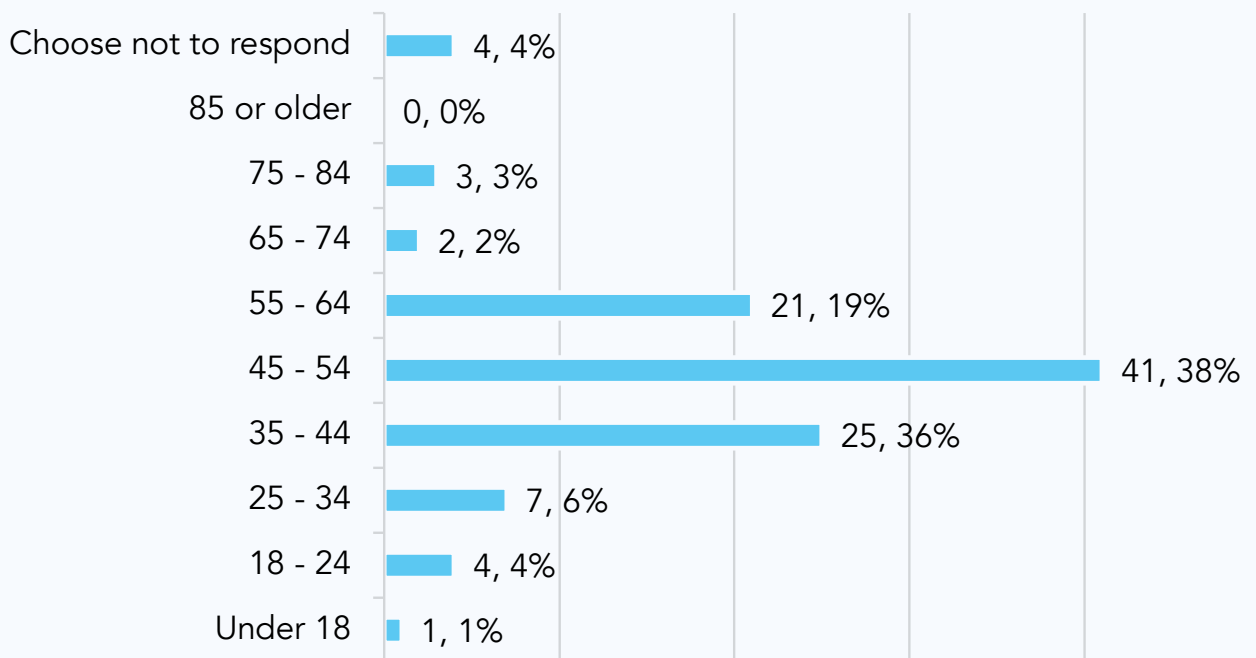
Zip codes represented by participants include:



Table 3: Participant Zip Codes

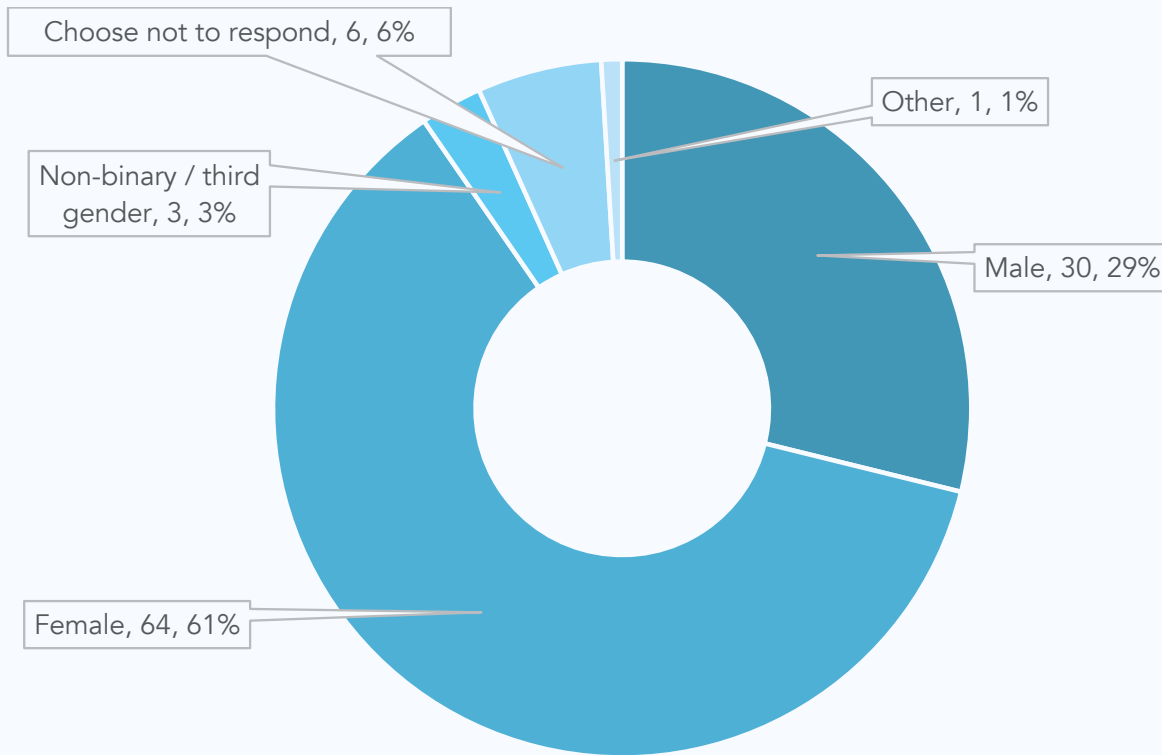
Zip Code	Number of People
27156	34
27514	22
27517	7
27510	3
27713	1

Graph 2: Survey Participant Age



About 80.55% of participants were between the ages of 35-64. There were no participants age 85 or older. Sixty-one percent (n=64) of respondents identified as female, followed by 29% (n=30) male, 6% (n=6) choosing not to respond, 3% (n=3) being non-binary or third gender, and 1% (n=1) identifying as Other.

Graph 3: Survey Participant Age



## Responses Summary

### Q1-What does community safety mean to you?

Respondents provided open-ended answers to this question. Find full responses to this question in the [Complete Responses to Open-Ended Questions](#) section of this document. Common themes include:

1. Freedom from intimidation, trepidation, or threats
2. Absence of fear, harassment, worry
3. Being able to move through a community independently and without fear or worry – from home, to work, to public spaces
4. A feeling of having everything I need – housing, food security, money
5. Equity, inclusivity, community voice is heard in decision making
6. Community is engaged and people look out for one another
7. Mental health and substance use are proactively addressed

## **Q2-How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)**

Respondents provided open-ended answers to this question. Find full responses to this question in the [Complete Responses to Open-Ended Questions](#) section of this document. Common themes include:

1. All of Chapel Hill
2. The greater Chapel Hill area, including Carrboro and/or Orange County and/or UNC Chapel Hill
3. My part of town and/or my neighborhood.

## **Q3-On a scale of 1 to 3, with 1 being the most safe and 3 being the least safe, how safe do you feel in Chapel Hill?**

Fourty-six percent (n=43) of respondents chose 1 most safe, followed by 43% (n=49) of respondents selecting the mid-range option. Two people (2%) selected 3 least safe, and eleven people (9%) selected Other.

## **Q4-What makes you feel safe in your community?**

Respondents provided open-ended answers to this question. Find full responses to this question in the [Complete Responses to Open-Ended Questions](#) section of this document. Common themes include:

1. Socioeconomic status
2. People looking out for each other
3. The feeling of community
4. Seeing people out and about
5. Absence of violence, crime

## **Q5-What makes you feel unsafe in your community?**

Respondents provided open-ended answers to this question. Find full responses to this question in the [Complete Responses to Open-Ended Questions](#) section of this document. Common themes include:

1. Seeing people who are strangers, experiencing homelessness and/or asking for money
2. Presence of drugs or of intoxicated people
3. Violence & violent crime; reports of shootings, car break-ins, and other local crime

4. Seeing heavy police presence and/or over-policing and over-criminalization
5. Racial profiling and other implicit/explicit racism
  - Including perceived increase in Asian hate
6. Lack of (or awareness of) community resources outside of police / 911

#### **Q6-Which of the following services should be delivered by the Chapel Hill Police Department?**

Participants ranked 12 services currently offered by the Chapel Hill Police Department (CHPD) based on the level of importance they felt it was for CHPD to be involved in each service. Rank was determined by the average rank and the standard deviation. Results are as follows:

*Table 4: Participant Ranking of Services Delivered by CHPD*

Rank	Service	Minimum	Maximum	Mean	Standard Deviation	Variance	Count
1	Violent Crime	1	11	2.49	2.58	6.66	113
2	Death Response / Investigation	1	12	3.94	2.83	8.01	113
3	Community Engagement	1	12	5.27	3.29	10.8	113
4	Drug & Alcohol Enforcement	1	12	5.59	2.76	7.64	113
5	Property Violations	1	12	6.16	3.01	9.04	113
6	Crisis Interventions	2	12	6.58	3.32	11.04	100
7	Crowd Management	1	12	6.79	2.72	7.41	113
8	Traffic Safety/Management	1	13	7.16	3.22	10.36	113
9	Mental Health Crisis Intervention	1	13	7.17	3.03	9.17	113
10	Noise Ordinance & Nuisance Violations	3	13	8.94	2.37	5.6	113
11	Response to Unsheltered Persons	2	13	9	2.75	7.56	113
12	Youth Engagement	2	13	9.12	2.84	8.07	113

**Q7-What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.**

See Responses In Appendix A.

**Q8-How important is it for CHPD to work within the following populations for ongoing community engagement?**

Participants ranked 7 populations (including an “Other” choice) based on the level of importance they felt it was for CHPD to engage with each population. Rank was determined by the average rank and the standard deviation. Results are as follows:

*Table 5: Participant Ranking of Populations to be Serviced by CHPD*

Rank	Population	Minimum	Maximum	Mean	Standard Deviation	Variance	Count
1	Teens	1	6	3.13	1.23	1.51	109
2	People experiencing homelessness	1	7	3.13	1.81	3.29	109
3	People experiencing Mental Health Crises	1	7	3.43	1.99	3.97	109
4	School aged children	1	7	3.51	1.64	2.69	109
5	Elderly/Aging	1	7	4.08	1.74	3.03	109
6	Students	1	7	4.56	1.62	2.63	109
7	Other (please specify)	1	7	6.16	1.96	3.84	109

**Q8-Who’s missing from the conversation?**

Respondents provided open-ended answers to this question. Find full responses to this question in the [Complete Responses to Open-Ended Questions](#) section of this document. Common themes include:

1. Marginalized communities / communities of color
2. College students and people affiliated with UNC Chapel Hill
3. Children, teenagers, “at-risk youth,” and their parents
4. People experiencing homelessness and those working in agencies that serve this population
5. Mental health professionals
6. Non-profits, including faith-based, cultural, and civic groups
7. Immigrants and refugees
8. People with developmental/intellectual disabilities or other disabilities
9. People who are elderly and aging



# Major Themes

## What is Safety

- Safety depends on where you live in Chapel Hill
- Safety means treated fairly and equitably
- Safety means being able to express self
- Safety means freedom not to be afraid in public
- Safety as an extension of themselves; speaking on behalf of others
- Education and civic awareness is a big part of feeling safe in Chapel Hill
- Some Asian, Black and Hispanic participants reported having different experiences in Chapel Hill than their white counterparts, in terms of police interactions, feeling safe in their own neighborhoods and in wider communities.

## Prioritization of Services

- **High Priority-** In terms of priorities, Violent Crime, Death Response & Investigation, and Community engagement remain top priorities
- **Lower Priority-** Noise & Nuisance Ordinances, Response to People Experience Homelessness, and Youth Engagement were ranked as lower priorities
- **Middle Priority-** Property violations, Crowd Management were ranked in the middle

## Who is Missing and Who can be More Involved?

- Youth, the Student population and the Faith Community are missing from the conversation
- More collaborations with UNC Campus, other health providers and community resources that can help provide mental health response services
- More collaborations with homelessness prevention and support organizations

# Preliminary Recommendations

1. Provide additional funding to the Orange County Street Outreach and Harm Reduction Program to increase instances of staff with lived experience doing the work of homelessness response so as to address the concerns with criminalizing poverty in Chapel Hill.
2. Provide funding to neighborhood organizations to address community safety concerns and expand capacity for neighborhoods to get organized and partner in the work of identifying community needs.
3. Collaborate with Peoples Academy to enhance awareness of community safety services to address the need for civic resources (ex: non-emergency phone number and how to file customer service complaints related to safety and other needs)
4. Develop a plan for Chapel Hill staff to participate in racial equity training to address the need for wider understanding of cultural differences .
5. Provide additional funding for CHPD Crisis Intervention Training and Crisis Unit to increase access to social workers who respond to crises.
6. Identify and further collaborate with existing mental health and substance abuse prevention agencies to address the need for community interventions in these instances that do not involve law enforcement.
7. Conduct additional community engagement activities to expand the diversity and reach of the community safety conversation to ensure recommendations represent the needs of the community.
8. Develop Task Force Implementation Plan to develop goals and objectives to guide the implementation of these recommendations. Prioritize recommendations based on community need, access to quality information and available resources in the Town of Chapel Hill's short term and longer budget term planning.

# Limitations

Survey limitations were minimized by having the survey accessible online to allow for the use of accessibility tools and translation options. Nevertheless, potential data limitations include:

1. Misunderstanding or misinterpreting words or terms. This was minimized by previous survey validation and piloting by the task force members.
2. A variety of open-ended questions, which allow for excellent qualitative data, but are difficult to quantitatively analyze and does not have an opportunity to provide clarification on answers inputted.
3. Participants had the option to take the survey by paper, thereby increasing the possibility of data entry errors.

## Suggestions for Future Assessments

Task Force members should be more engaged in future assessments and utilize their networks to ensure that the surveys and focus groups have a diverse group of people represented and that the people involved are representative of the most impacted populations.

# Appendix A: Complete Responses to Open-Ended Questions

## Q1-What does community safety mean to you?

Very important (This answer was given 6 times)

What community safety means to me is quality education (with equity in mind) with equal resources afforded to all students, unbiased/prejudice community policing, economic equity (jobs that pay a living wage), adequate affordable housing, quality healthcare, reliable and easily accessible public transportation and essential retail options accessible to all (clothing, healthy nutrition that is affordable, prescription medicines, etc.)

Very very important for us to live.

Very important because It's home!

Trust, compassion, ease...not living with general trepidation, esp if one is a POC or some obviously marginalized human being

This is the most important issue.

The ability to walk around without being harmed/threatened.

Safety means a "freedom from" in terms of freedom from being intimidated or injured by other actors, as in the case of robberies, assaults, being struck with motor vehicles; in "safety" freedom from also extends to sexual harassment, racial, sexist, transphobic epithets, and the like. Safety means feeling secure and invited to be and exist in the public realm.

Safety is the most important thing in daily live

Safety is the No 1 priority.

Safety is on my top priority. This is the foundation of life.

Safety is my number one concern, and community safety mean my family, my friends, and my neighbors can join the life without worry about being hurt.

Safe and enjoyable living environment.

Residents and those who work in the Town can fully participate in life while feeling safe doing so.

Reducing all types of risk within the community, allowing community members to thrive in an environment free from feeling threatened.

Quality of life; happiness of life.

Protecting and serving the public. Connecting them with resources. Not escalating situations into punitive consequences with long term, negative impacts.

Promoting the concept of community, seeing people out and about in our neighborhoods, access to facilities, participation and understanding in our community/government.

Priority

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

People live in this community without fear of robbery and thief. Kids can play outside safely without peasants watching.

Organizing a system of resources that meet the needs of ALL members or the community. To me this means breaking away from traditional methods of policing, because communities of color and other marginalized groups do not always feel safe in the presence of police, and do not always feel like calling the police will get them the help they need. Further, police are not equipped to handle things like mental health emergencies (and even with training, will not be as equipped as mental health professionals), and so resources to address those types of public safety issues should be decentralized away from the police.

Not worry about my home being broken in (whether I am at home or not), and not worry about being attacked walking outside any time of the day

Not having to be afraid for yourself and others.

Not be discriminated or attacked by other person, no broken through at home, etc.

No violence crime.

No safety, no community!

No robbery, no break ins, no discrimination and safe to go anywhere any time

No crime. No fear of crime.

No break in and stolen

Make me feel Comfortable and happy.



Low crime, no harassment of political views

Living without fear

Law and order

Knowing I can go anywhere and do anything, at my leisure, without the thought of anything bad happening to me or anyone around me.

It's one of the most important things in our life.

It's for basic daily life! Too important to all the community.

It's a feeling that you have everything you need, to live a productive life without worry. It also means that there is little to no crime in the community.

It should be the top priority of our society.

It means the lives of my family, my friends and my neighbors. Nothing can be more important than that.

It means quality of life

It means being able to move through my community without having to worry about my safety or wellbeing. The privilege of not having to worry about my physical safety or my properties safety. Not having to worry about my children. Being able to move through my day without thinking about anything other than what I need to accomplish.

It means a lot. When safety emerges to the top of the agenda, I believe people will start to move out, which will damage the prosperity of the town.

It means a lot to us! A community safety impacts our daily life quality.

It means a lot to me b/c it is so important and impact my life everyday

It means a community where everyone can feel safe, not just from crime, but from discrimination, harassment, and violence based on their race, gender identity, sexual orientation, etc. Safety means having resources to HELP people rather than punish them.

It means I can enjoy freedom and not worry about my safety or wellbeing

It means I can confidently travel independently cheaply and safely anywhere in our community. With resources for assistance nearby if I should need it.

It is essential to people's everyday life.

It is essential part of our life.

It is a very important factor for us to choose living in Chapel Hill.

Individuals and families have the resources and supports they need to live free of concern about their wellbeing. To be treated well, physically, mentally, emotionally, in our homes and community. To have non-biased supportive resources when there is a transgression so that individuals can get the redress that is appropriate for the concern and can get effective redress.

I would feel safe showing up in the community anywhere any time during the day.

I will not be attacked physically and verbally anywhere I go.

I make decision whether I should live based on community safety

I don't have to feel being discriminated against because of my race.

I don't have a personal definition

I can walk outside without worrying about being hit, pushed or shot.

Home without worries

Having a happy family and life

Freely move around without worrying about the safety.

Folks have what they need to thrive. We address basic needs like housing, food security, and poverty. Communities are connected and folks look out for each other

Folks being able to move, live, thrive, and express themselves to their fullest potential, without fear of emotional or physical harm.

Feels safe when my family takes a walk in the neighborhood and in the nearby greenways and parks, regardless of the time of the day.

Feeling safe walking down my street or on Franklin Street day or night. For my self, my non-white husband, and our teenage son.

Feeling safe at home, work and within the community. Also knowing that public safety staff has my best interests when responding to a call for help

Feeling comfortable leaving my home without fear of physical or emotional harm.

Feel safe to walk around neighborhood, on the trail, alone.

Feel safe and live safe

Extremely important!

Extremely important for a normal life.

Everything. We can feel safe walking on the streets, in the woods and trails. We can feel safe at home without worrying about breaking-ins. Our children are safe at schools.

Everyone is comfortable in pursuing their daily activities while feeling safe from harm.

Everyone having their voice heard regardless of their race,gender etc.

Everyone can walk on the road with out any concern.

Ensuring that everyone in the community feels safe, protected and treated fairly and equitably by law enforcement

Don't need to close the garage door when I get the house, walking by myself in the sidewalk or on street or go to downtown at night, or in the parking lot

Divesting money from police budget and investing in mental health, substance abuse, domestic violence and sexual assault services, housing, education, and economic justice (could look like standard basic income for people living in poverty, increasing minimum wage)

Community safety to me is being in a community where you can be engaged with one another and feel safe knowing that law enforcement are there to protect the community and helping enforce building the connections between the officers and the individuals in that community.

Community safety means that every person in Chapel Hill, rich or poor, whatever race or ethnicity, young or old, visitor or resident, is personally secure and treated with respect.

Community safety means that ALL residents feel safe in moving around the community regardless of gender, race, how we are dressed, or time of day. In order for a community to be safe, all residents must be treated equally and fairly by any law enforcement entity.

Community safety means police abolition, mutual aid, equity, community made decisions, and restorative justice.

Community safety means everybody should feel safe physically, and should be able to express his/her opinion freely and have a place to make his/her voice heard. A safe community is a home that embraces people regardless their race, age, gender, ethnicity and social/economic status.

Community safety means a lot to me.

Community safety is our first concern when choosing a city and a neighborhood to live.

Community safety is one of the most important issues to our family.

Community safe means children will be growing up in a healthy, possibility, and friendly environment. They will learn how to help other people, how to support and keep the community safe. Community safe means when we go to work or stay at home, we don't worry about theft, robbery or shooting for our family members.

Community members feel comfortable and at ease going about their day. They feel this comfort and ease in their homes, neighborhoods, and out and about in the town. They feel calm when their loved ones leave the house, and their anxiety about losing a loved one are low. People know what safety resources are available when they need help, and they feel confident that when they call a safety entity, that that entity will show up and help them, not cause more physical and/or emotional harm. We know that those around us have the things they need, including housing, food, work, childcare, etc.

Community Safety relates to both statistical data and individual perception as to a person's ability to live within the community without fear of harm or injury. Community safety includes an individual's ability to access foundational needs to promote wellness. I see community safety to be founded upon prevention initiatives.

Close to no fear of assault on one's person or belongings; low fear of loss of health, mobility, life, transportation vehicle, other possessions.

Being at ease and peace, not needing to worry about safety or health issues in my own community or environment. Having the content that my community will be supportive

Being and feeling safe and a part of the community without fear of harm or negative interactions.

Being able to walk around the triangle and feel safe , without people looking down on you for where you live, who you are etlll

Being able to get out and about and not be concerned about safety.

Being able to enjoy all public facilities, walk and drive around town without worrying about safety.

As an elder in good health it means that I can move about my community safely at all times, that the police are fair and treat all citizens with respect, that we look out for each other, treat each other respectfully at all times and try to make a community where everyone has a place and can thrive.

All people should feel safe and accepted, whether at home or in the street.

All community members feel safe and, if they don't, they feel comfortable calling 911 to assist them.

Acquiring community safety requires a holistic approach that is steeped in history and informed by white supremacist practices that have created many of the inequities that we see today throughout our communities

A safe community for me means one can walk anywhere in Chapel Hill without having to worry about being attacked.

A police department that works with all communities to create a place to live that safe and informed.

A lot (This answer was given twice)

A community where people are able to live the best version of themselves and enjoy people, places and things without fear. A place where a person is experiencing barriers receives sustained help rather than punishment. A community where digital means of policing and surveillance is prohibited, too.

1, I'm not nervous to go for a walk. 2, I feel we are supporting each other. 3, we are not worried about crime violence drugs 4, kids are safe to stay in school. 5, housewives aren't worried to open the door. 6, police are always supporting and responding quickly.

–A place where people with mental health or substance abuse issues get help and don't wind up living on the streets or putting themselves or other people in danger. –a place where people where people look out for each other. –a place where being different doesn't result in being targeted



**Q2-How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)**

All of Chapel Hill (This answer was repeated 40 times)
Safe, relax
Nice (This answer was repeated twice)
Our community is full of strong cultural atmosphere, and everyone gets along in a friendly and peaceful manner.
My neighborhood
It's relatively safe but still afraid of going out alone, especially at night
All of chapel hill, especially the Chinese American community.
My neighborhood is pretty welcoming. But there are occasionally events related to safety happened, which makes people upset and worried.
Friendly
Southern part
Peaceful, pleasant
All of Chapel Hill and surrounding area.
Chapel hill north (This answer was repeated 4 times)
My neighborhood is safe and inclusive. Chapel Hill so far feels inclusive to me
So far, it was ok. But I'm very concerned for situation caused by anti-AAPI recently.
Safe, quiet, university town.
Safe in general
All of community
All of Chapel Hill and Carrboro (This answer was repeated 3 times)
I think Chapel Hill is open and friendly to everyone. It's based on educational level.
Our community is generally safe, but I have heard a number of incidents recently, few of them happened to our family.
For now it's safe
This is a very safe community.
All of Chapel Hill and neighboring cities.
Overall it is good, but I have saw some reckless driver on the road.

Southern Village

I walk on around the trails in Chapel hill, parks, so all of chapel hill

Generally safe. I'm a little bit scared of some areas in Chapel Hill.

Quiet, beautiful and peaceful

I have ties across the Triangle, so I would say identify my community as primarily based in Chapel Hill/Durham.

I have many communities. There is my work community which includes staff, volunteers, community partners and those who use services. The Town of Chapel Hill, the county, the triangle.

Very nice collage town

A community to me is not only a neighborhood around where we live, but also is all of Chapel Hill, the entire town where we rely on for our daily life, education, people engagement, and policy making. A community is our supporting system.

Carrboro a diverse place where people understand.

There are smaller communities within the town of CH, but because this is a survey about the entire town, I define it as the entire town including all of the smaller communities working together.

My neighborhood is relatively safe, however I moved to larkspur from Parkside because in Parkside, I didn't feel safe at all. I heard too many break in, it was scary.

All of Orange County (This answer was repeated 1 time)

Chapel Hill/Carrboro and my neighborhood

All of the town, areas of town and demographic community

Chapel Hill has so many disparate communities it's hard to think of the whole town as one community. The area closest to downtown feels like my community.

For me, as someone who lives in Orange County but works in Chapel Hill, I think it's Chapel Hill, Carrboro and the surrounding county.

All of Chapel Hill, and close parts of Durham.

I think I define community in all of these ways, depending on the context, but I think true community safety feels most achievable on a more neighborhood/region level where we as community members can personally know and be accountable to one another.

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Humanity.

My community is all of Chapel Hill as well as my place of employment (Town of Chapel Hill) and my place of faith (St Thomas More). Community is also to me about people not just space. So my friends and coworkers are part of my community.

Hard to say. Lower middle class to poor. With a mix of UNC students.

All of Chapel Hill, including my workplace.

I don't live in Chapel Hill, I work in Chapel Hill and I do feel safe. I do not believe that community safety is defined by police, it is community and all of its infrastructure. We all own it.

my neighborhood (This answer was repeated thrice)

The Triangle

Chapel Hill and Carrboro, including UNC (This answer was repeated twice)

Mostly white, predominantly composed of autonomous individuals going about their private lives with minimal interaction; traffic mostly means motor vehicles rather than roaming humans; few kids plays in the dangerous streets, and people, to the detriment of those who cannot drive and the health of the population and local ecology, privilege car parking over virtually all other and far more pressing concerns related to environmental and public health, racial justice and wealth building, safety inside and outside of homes, community level physical activity, affordances such as walkability, and so forth.

Greater Chapel Hill minus UNC which I consider its own entity

I define my community as all of Chapel Hill and Orange County. A group of people living in a common place that share social ties and mores.

Chapel Hill is my broader community. My neighborhood (Dogwood Acres) is my hyper local community, especially during the pandemic. And my friends and colleagues are my social community. My community is multi-racial, multi-class, and multi-generational. We represent different languages and religions. And we are largely artists, educators, and non-profit workers.

Any place I walk in, drive in, work in, or play in is my community. My community doesn't stop at the Carrboro or chapel hill town lines, and that is part of my concern about this project –you can't think of these two towns as so separate or different when literally an eyelash of land is all that separates them.

All of the above

Very supportive and affluent.

#### Q4-What makes you feel safe in your community?

Many good and friendly people around.
Many People walk around ; police
Friendly people. Clean environment.
We need more police help
No bad news about break in or stolen
People are high educated
No crime, people are friendly and look out each other
Low crime rate, friendly people.
The quality of the people living here and police
I can walk around any time
People can go out-dining, shopping, playing, etc, without worrying about harmful impacts towards them, such as language attacks (could be hate crime related), body attacks, property lost/damages.
More patrol and nice people around
Other people like me.
Most people are not against immigrants.
The public awareness and zero tolerance of the racism in the community including the schools. No crimes in the community. Severe punishment on the crimes. More policemen.
Good neighborhood
Neighborhood with majority of Family, professional, diversity, and adequate income
Neighbors are friendly and willing to help. The police seem kind and friendly in the limited interactions.
To see the police car patrol in the community.
Nice people around
More police patrol
People greet each other on road.
Diversity and mutual respect
Clean, safe, stable, and friendly communities.

Crime rate is not high. Most of the residents are educated professional, and students.

Liberal climate

I have not experienced any threat.

People in the town are very friendly, nice and high educated.

People are kind with open mind and accept and embrace other cultures

No break in. Walk safe at night. police cars patrol around

Average education level is very high.

Positive voice in TV, media, even friendly neighbors.

Would like to see more policemen patrolling

Nice and quiet neighbors, safe walking trails, welcoming community.

Friendly neighborhood, quick response policy force.

Good neighbors

Police

clean streets, open public space, active community members, and proactive police

The education level

friendly neighbors, smiling strangers

City government promotes a community spirits of open-mindedness, racial equality and unity; Provides adequate police presence in high crime areas;

Add cameras and arrange patrol personnel in the community. Guild everyone to pay more attention to community safety through social media.

Good safety measures and system provided by police and town legislation

Most of our community connects and communicates like family, we also have alarm systems

Police response quickly to any issue. No suspected people wondering around.

No hate crime, no burglary and no shooting. Police can be available quickly if something happens

Not much big crime/ shooting

low crime rate, presence of police patrol

Regular police patrol and engagement with community activities. No drug and alcohol issue in public place. Traffic control.



I have not been attacked or threatened
More walkable, bikable space. Generally I feel safe when there are more than 3 people in sight.
Seeing police patrolling frequently in the community, no or few violence crime committed
Report the crime and make an arrest
Well educated neighbors. Most has no cash income as I know. Middle class in the Chapel Hill.
crime cases were seriously investigated
People are well educated, polite and nice.
Less break- ins and thefts comparing to other cities
Not many incidents
No reported crime
Good neighbors and people
Everyone be kind each other
Lower crime rates, feel that I can be in most parts of town without worrying about my physical safety
Seeing people out enjoying their daily lives, attending activities, being able to enjoy all the community has to offer.
As a white person with access to resources, I feel very safe, knowing that I am less likely to be targeted by oppressive policies and that I have built-in safety nets, such as financial stability and stable housing.
Being accepted for who I am.
Everyone is friendly to each other, takes care each other. There is no criminals in the town.
I could go have a walk around the neighborhood; I didn't feel uneasy when I was at an unfamiliar place; I attended some community events/activities where I felt welcomed and safe.
Knowing my neighbors, experiencing only a few incidents of racism, knowledge of few violent crimes
Not sure Depends on where I am at

In general, I see people obeying the laws and trying their best to be in community here in CH.

Knowing that the majority of people in Chapel Hill respect each other.

I am white and have a positive experience in terms of community safety.

I can move around freely and without fear. When we need the police in our neighborhood, they come quickly to help solve problems. I can walk at all times safely in my neighborhood. We have agreed that children who are on the streets can come to our house whenever they don't feel safe. I wish we had a program throughout the town of a sticker on windows where children can come if afraid and feel safe.

Our subdivision is very small, neighbors look after each other. Only one entrance

Most of my neighbors are professionals, and can watch out for each other. Chapel hill police seem willing to patrol and help communities.

Mostly the fact that I've lived here a very long time and I know people almost everywhere I go. I know that members of the community are looking out for me as much as I'm looking out for them.

Lower crime rate

My whiteness, socio-economic status and relationships to people in power and in law enforcement

Low crime rate, personally knowing police officers here, good lighting and parking

Knowing everyone has what they need to thrive, folks are not being limited by bureaucratic systems.

Availability of access to resources that are needed; low crime; fewer individuals begging for money; availability of Police if you need them

Well lit at night, nearby access to helpful resources if needed, transportation access, accessible shopping and entertainment.

Being able to go places either alone or where others are enjoying themselves, too, without fear of harm.

My whiteness and class privilege, which affords me a stable home supports I need to keep myself safe and avoid interactions with the police.

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Every one obeying the laws of the land.

I am a white middle class female. All the systems we have in place are for me. I know when I call 911 the police will help me.

No signs of gangs or guns

The fact that I can depend on the police department to respond to any sort of danger that may occur.

Confidence in those who work to maintain safety.

The feeling of community, of people working together.

my neighbors

Neighbors

Knowing police officers, knowing business owners and community leaders.

Seeing other people out, folks who will smile or say hello in authentic ways. Low car traffic with high rates of drivers yielding to me when I cross the street or giving me space when passing as I ride a bicycle. Not witnessing cat calling or sexual harassment, being able to exist without police harassment or prolonged gaze of others.

Being harassed and fear of retribution for not voting "blue". There is no space for differing viewpoints.

door-to-door salesmen / solicitors

I know my neighbors, I've taken time out to get to know them as well as them getting to know me and our community center (RENA) has built a relationship with law enforcement which helps allows us to feel comfortable around one another

I feel safe in my neighborhood. I am not sure how I would be treated in some parts of Chapel Hill.

I am white, upper middle class, live in a low crime town and don't worry that police will ever target me or treat me with less than complete respect.

I feel safe in Chapel Hill. This is a great town and county to work live and play and I am fortunate enough to be able to do all 3. My negative experiences have mostly been through past incidents (both provoked and unprovoked) with the Chapel Hill Police Department.

As a white woman with a decent income, I feel mostly safe. I almost always have everything I need, and I almost always feel comfortable that should something happen, I will be able to access what I need. My partner is a Black man, and I cannot say that I feel safe when it comes to thinking about his engagement in the community. It is clear to me that our experiences of safety in life and in this community are vastly different.

safe—when I am aware of my surroundings, when I see people around me, when there is hustle and bustle and life happening unsafe—when people are behaving erratically around me, when it’s very dark and I can’t see around me

I am fortunate to live in an area where I do not feel unsafe. There is little risk of crime in the area that I live, and as a white person I never feel like I am at risk from police violence. The only times I have felt unsafe in the Chapel Hill community have been when subject to catcalling and verbal harassment in certain parts of downtown.

The way in which white people police black and brown bodies in public spaces makes me feel unsafe. The way in which “whiteness & christianity” is propped up as the American standard at the exclusion diverse society. The “othering” that takes place within community.

A lack of fundamental fairness in our community creates disparities that harm individuals. We are not safe when any individual does not receive the support that he or she needs to meet basic needs or to address underlying mental health issues. When people are desperate or unstable the risk of harm increases to both them and others. I also believe that there are members of our community who do not share common values of safety and do not respect the rights of other members.

The people and the environment.

#### **Q5-What makes you feel unsafe in your community?**

Some violence still occurs from time to time.

Criminal cases; violence incidents; rude behavior

Violence, robberies, or other crime activities, conflict between people.

Several incidents happened in the nation and local

N/A (This answer was repeated twice)

Racialism

Stranger, crime drug

News of break-ins and other crimes in town.

More and more incidents and “Asian hate” are happening.

some defund police discussion

People are afraid of presenting themselves in public, or even staying at home, because of the worries mentioned in Q4 answer.

Crime

People who discriminate people for things they cannot control, like racists and homophobes.

Some people are against immigrants, especially, against Asian.

Crimes nearby. Racism in the schools and neighborhoods. Police is defunded.

I am not feeling unsafe

High Crime rate

Occasionally, my family and myself have been approached by strangers for money (or unknown reasons). There was another time that a person was asking for money in the parking lot of the daycare my son attends to.

To see many people wander around

Having events that threaten safety and way of life happening around or in my community

Break ins, random attacks,

Too many strangers and always hear siren.

Asian Hate

Robbery and murder

We hear too often break ins, even violent crimes. There had been a number of murders on/near UNC campus, unbelievable.

There have been an increase of shooting, car break ins, house breakins, and student partying, drinking, store lifting.

Racism. Majority against minority and minority against minority.

I have heard crimes, threats, violence.

More homeless on the streets than before

People are exclusive, no empathy, no showing of solidarity

Hate crimes, racism.

Broke-in criminals

If something happens and being ignored

Violent Crimes

Violent incidents, unsafe neighborhood to walk.

Jobless people wondering on the road.

Unfriendly, or noisy and irresponsible neighbors



The situation of asian hate now
violent crimes
People from outside
violent statements on social media, discrimination, guns, drugs
Racial divisions and hatred , unmanaged homeless population , and over-development
Recently happened shooting accident nearby Community Center and Glen apartment.
Incidents that are reported but not solved.
Knowing strangers might come and knock on your door looking to cause harm
Hate crime, burglary. Long waiting for police
Breakin to house/cars in neighborhood
racial discrimination, attack, stealing and breakingp
Violent crime, property violations, and racial discrimination
Dark street, dirty alley, and sometimes "angry" strangers.
Recent anti-Asian hate crimes really frightened me.
I am afraid to be in the wrong place at wrong time. Afraid of being yelled at.
Random people from other place.
the crime cases increasing
Some extreme behaviors.
Unfamiliar vehicles and unleashed dogs
Being an Asian
Reported crimes
Violence
No one follow the law and order
That a large percentage of community members are being harmed by violence such as sexual assault and domestic violence and are often suffering silently and are in fear for the emotional and/or physical safety.
Violence against citizens and law enforcement.
Being a woman moving through areas with less lighting/foot traffic.
Facing bias and preconceived notions about who I am. Sexism, racism, misogyny, homophobia, ableism, etc.

- Big crowds during COVID (especially at outdoor bars)-Some UNC fraternities (big parties, increased risk of underage drinking/sexual assault)

There are more homeless than before in the town, they asked money in the traffic light area and parking Lot

As so many shootings have happened in numerous places nationwide in the past few years, and especially during last year due to COVID-19, the hate crime against Asian people has spiked tremendously. What happened in Atlanta last week was horrific and terrifying. Although I haven't encountered such an attack myself, I cannot help but thinking: am I the next target? is it safe for us to take a walk in the neighborhood? Are people looking at me differently when I run into a person on the trails, in the woods? Is it safe for my daughter to go out with her friends?

Being eyed by people as I walk through my neighborhood or others in the town. Seeing too many police gathered in one spot.

Chapel hill says they are diverse community, they hide under the white privilege, don't really understand marginalized people They are scared of us , sit down with us, understand about people

The pandemic has really brought about more crime generally. The number of break1-ins to cars and homes locally has me concerned.

Constant cyberstalking on my computer, iPhone, landline telephone, car with electronic key, nonforced entry into my house-now into my retiree apartment-which must be via 3D printed keys (likely on area university printers), with damage and thefts of many kinds.

I am worried about residents who do not have the same experience I do in terms of community safety. I would like to see a more service and crisis oriented model for community safety. 11

Drunk college students. Need more social workers on the streets with police or not that can help with community sports, conversations with youth, general mental health support.

When I was in Parkside, strangers knocked the door many times, car was damaged at night bike was stolen. So many entrances to that neighborhood. At least we had police involved investigation. Police brought my bike back. I strongly disagree defunding police. Chapel hill police are very supportive. We definitely need them.

There has been a increase in house and car break ins, and shooting.

Lacking non-police resources for help in the community during times of crisis.

Unspoken racism

Over-policing and over-criminalization

Dark alleys, concerns that my husband might be misidentified or racially profiled

People running red lights

Safety being dependent on the government

Visibility of individuals experiencing homelessness and requesting money; presence of violent crime (Chapel Hill does not have wide prevalence of this, fortunately)

Recent shooting right here on Tinkerbelle Road!

The proliferation of drugs and the unruly protests.

Seeing the police!

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Poor street lighting. People wandering the streets in dark clothing with their back to traffic, drivers can't see them until they are within inches of them. Pedestrian education is an urgent need. With so few sidewalks one would think people would have learned how to walk safely in the street. 1112 People on bikes ignoring traffic laws.

I worry about the prevalence of drugs in our schools and cover ups of this. To be clear I mean WHITE kids who are getting away with using and are causing problems that are not being addressed.

Dark dirty places

If I see or experience something threatening and don't see a way for the community to help me by dealing with that threat.

When we only listen to the loudest voices and react based on a national platform.

shots fired at night

Strangers

Being Downtown with people that are behaving erratically, follow you asking for money, etc. I also feel unsafe driving on evenings of UNC games when students are more likely to have been drinking.

Heavy police presence. Lack of people also walking.

**Q7-What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.**

I don't know / Not sure (This answer was repeated 6 times)
Social services (This answer was repeated once)
Police officers / CHPD (This answer was repeated twice)
Local government
No organization can deliver the essential service of CHPD
Doctors
No other party can deliver the above services.
Not sure. Churches? Minority organizations, e.g. Chinese American Associations?
Schools, social workers and media
Social worker, church
CHPD, school education, community involvement.
UNC Police / University (This answer is repeated once)
Town council.
Let the voice "stop Asian hate" or "stop racism" lessened through TV / next door/ FB/ Twitter.
local community, town residents
Churches, other local government agencies (for example, senior centers),or community organizations that have positive impact on certain ethnic groups may help (for example, local Chinese school)
Hospital
Mental health crisis is better managed in conjunction with crisis intervention professionals
Some of Neighborhood safety responsibility will be taken by HOA, which need set more cameras and lights on the road. Public area may be organized some volunteers.
Town leadership, school system, local political/ethnic/social groups
Community leadership, looking after the people in the community
No
Police, police. Maybe health providers for 10 and 12
No ideas if any organizations exit.

Not sure who can deliver such services besides CHPD

News station or text

Many different ones—but with adequate funding to truly do so.

All available and appropriate

Compass Center, mental health providers, OC Rape Crisis Center, CEF, IFC, drug/alcohol treatment providers,

Department of health, trained counselors should respond to these types of situations. These are health concerns and therefore should be addressed by the department that provides health services.

OCRCC Compass Center Trained mental health providers

Chapel Hill town mayor

All parties of Chapel Hill should be involved in the services listed above, including law enforcement, school board, city council, and community organizations.

A social service organization should lead most of the efforts on the list

Club nova, ifc, cef,

For mental health, crisis intervention, and response to unsheltered persons, we can create a model where behavioral mental health professionals partner with police to respond to these types of events. Many times, behavioral health units can de-escalate situations and make referrals to support the individual.

Many which have been mentioned in recent Zoom Community Safety sessions.

Social service and crisis response organizations should handle all crisis interventions, unsheltered persons and youth engagement—do not know specific organizations. People without guns should be responding to crisis situations. In terms of crowd management, reciprocal agreements and lines of communication with outside police forces must be clear to eliminate aggressive and unacceptable police tactics that do not reflect our community values. I want to add a comment about Q8—police should not be working with most of the groups listed.



Response to unsheltered persons, Mental Health Crisis Intervention, Youth Engagement need to be done by organizations. I don't know who, but I do know that when I was young, a couple teachers were paid to be at all playgrounds of the school system after school to do crafts, help with homework, help kids set up teams for fun sports. they were there from after school until 6pm. On some playgrounds there were high school students who were of good repute who earned community service credit for helping out. There should be a social worker with a car to drive around and figure out what is best for the unsheltered persons. Social workers could be assigned to neighborhoods that have more problems. But I don't really know.

Police department can have different branches. Some branches should function like social workers but definitely need to be trained. We pay property tax higher than other counties, we should have better education and safer neighborhoods. However our schools are not as good as they should be, our safety is also a concern , who would want to stay in chapel Hill in the future?

#### Community groups

Great question! Mental health professionals, local organizations like the OCRCC, Compass Center, Freedom House, etc. But I'm hoping to be able to expand this list.

More funds should be allocated to the mobile crisis unit, freedom house and/or other substance abuse treatment facilities, trained mental health crisis providers, restorative justice practitioners

Human services should be tasked with mental health crisis intervention and unsheltered persons (with appropriate support) and they should receive CHPD as backup only as necessary. I don't think community engagement and youth engagement should be the responsibility of CHPD, but I don't know who should be in charge of that.

Behavioral health specialists and crisis response; Street Outreach, Harm Reduction and Deflection program; Pre-arrest deflection and diversion programs; community paramedics; community-based programs

Dedicated task force of mental health and EMT and perhaps a community officer who is unarmed

#### Social workers

Town and County programs should prioritize lifting people out of poverty, ensuring folks are paid a living wage and have dignified housing and healthcare

The above rankings did not work-I would rank as follows: 1) violent crime; 2) property violations; 3) Death response / investigation; 4) Crisis intervention; 5) Mental health crisis intervention; 6) Drug and alcohol enforcement; 7) Noise ordinance and nuisance violations; 8) Crowd management; 9) Response to unsheltered persons; 10) Traffic safety and management; 11) Community engagement; 12) Youth engagement As far as other organizations I think UNC Health could partner for the crisis intervention / mental health intervention noted; Chapel Hill Housing & Community to lead / coordinate community engagement; and Chapel Hill Parks and Recreation for more youth engagement.

Im not sure what organizations are available and trained.

NAMI, UNC-CH, Durham Tech, Orange County Sheriff, Compass Center

I do not believe the police should perform ANY of the above, so my ranking is quite useless. I want to reimagine our communities such that noise complaints and property concerns can be resolved between community members. Mental health professionals and social workers should be supported in order to support folks who use substances, have mental health concerns, are experiencing crises, or are houseless. Educators and public health professionals, especially community health workers, are trained in youth and community engagement in ways that can actually help youth and communities feel safer for all. As for violent crime and death investigations, why don't we reimagine what an investigation team would look like in a way that isn't rooted in an institution of white supremacy, slavery, and anti-Blackness? As for traffic, what if this looked more like mutual aid? Like mechanics helping to fix vehicles? Like rebuilding an improved infrastructure for transportation? For crowd control... well couldn't that be nearly anyone? Putting armed humans in the middle of a crowd makes no sense.

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Mental Health Professionals should provide crisis and mental health intervention. Social workers can provide response to unsheltered persons' A separate force for traffic enforcement and pedestrian infractions.

Crisis Units working with the Police Dept. Other Town staff or private groups can do crowd management.

PD and Bike/Ped Transportation Team and Housing

I think the CHPD should create divisions, within the department, to handle these certain things.

Police Crisis Unit, Town Ombuds Office, Building and Fire Code enforcement. Some of these services (crowd management, for example) can be spearheaded by other Town Departments (Fire, Emergency Management, etc.) but there will still need to be a police presence to support adherence to laws and ordinances.

Street Outreach, Code Enforcement, Mental Health Liasons

That's a broad question, and PDs are asked to handle so much already. So, it depends on what they're trained to do. In general, starting with meeting-and-greeting and establishing \*connections\* with neighborhoods and people. Their jobs could be easier, if there were personal connections BEFORE a situation arises.

Mental Health Specialists, Town Inspectors

County's Street Outreach Team should be first on scene with people experiencing homelessness or mental health crises; OC Health should help respond to Drug and Alcohol calls; private contractors (ie Show Pros) could do crowd management

Social services; trained crisis deescalation personnel.

### **Q9-Who's missing from the conversation?**

Residents.

Asian community (This answer was repeated twice)

workers in Chapel Hill, even they are not living here.

LGBTQ+ people, especially trans people, if they were on this list they'd be first for me.

Church?

Not sure (This answer was repeated once)

Community leaders

minority rep

The media direction, the city, the school.

local residents

local residents. represents from each group.

None (This answer was repeated thrice)

Minorities & targeted as hated group

Community rep

Teachers, social workers and representatives from all different ethnic groups

Urban construction department and property management company.

Elderly that live alone
Which conversation?
Racial Minorities
The people who are not being provided enough protection, like elderly
Specific group
People with crime history
Campus Partners / UNC
Refugee, immigrant, unsheltered, poor, differently abled, and youth community members; sex workers, "gig economy" workers; trans and other LGBTQ community members; BIPOC community members; survivors of intimate partner violence
I think that some of the problems about safety are due to the fact that police focus on certain populations over others. This perpetuates the bias that makes us more unsafe in our communities. I would like to see the police engage in outreach with all populations in an intentional way that moves away from assuming teens, the homeless are more likely to commit crime and that our business professionals are not skirting the law which we know not to be the case.
People of color and people experiencing homelessness. These populations are more likely to receive punitive responses from law enforcement, instead of compassionate, informed responses.
People who do not channel to get involved; people who do not have resources or do not know how to engage with community, due to all sorts of barriers and difficulties, language for instance.
People in group homes and nursing homes
It is extremely important for representatives from communities where police activity is highest to be in the conversation. The overrepresentation of Black men in our prisons is a direct result of underinvestment in the communities and structurally racist systems.
Internet technical assistance and Internet Security oversight.
Have you asked students, teens, children, parents of these three groups, the homeless population or advocates for the mentally ill what would be more helpful than using the police to work with these populations?

The conversation of Safety, I believe you are inferring. Directors of men and women's shelters should give presentations several times a year to community groups-I am not sure how to interact with the clients when I see them walking around. Same with people at house on MLK Horizons(?) UNC students-is that who you mean when you say students in question 8? The University should pay a separate staff of police and social workers to help them grow up well.

Marginalized communities.

I think people in our county who have been most impacted by police violence should be centered in this conversation.

ALL communities of color

Justice-impacted; behavioral health professionals, criminal justice reform stakeholders, NAACP, El Futuro, CEF, Partnership to End Homelessness

Karen communities in Chapel Hill (you probably call them Burmese)

The university—they need to be a part of these conversations as they cannot be divorced from the community and what it means for their employees to be paid a living wage, get good benefits, contribute to public transit. Also they should be more involved in the lives of students who live in the community, specifically for accountability. There are many models where the university holds students accountable for their actions in the community because the university recognizes that their disciplinary processes are often more relevant for students than a court process, that their students are their responsibility, no matter where they are, and that students can have a negative impact on the community they live in (parties, noise, trash, neighborhood disrespect)

From the above: 1) People experiencing homelessness; 2) people experiencing mental health crises; 3) Students; 4) Teens; 5) School Aged Children; 6) Elderly/ Aging I also think that it is important for the Police Department to routinely interact with communities of color and the LGBTQ+ community.

Persons with disabilities, autism, etc

NAMI

Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Community leaders. At risk youth.

Historically Marginalized populations. Immigrant and asylum groups.

Minorities. They need to gain the trust of local authorities. As of now, they don't.

Civic Groups, Faith based and non-profit groups.



Police need to provide information on current services and responsibilities. You can't make decisions based on misinformation or a national climate.

The individual police officers who are being tasked (Is this something they'd actually want to do?)

Folks who have experienced encounters with the police: the homeless, folks experiencing mental health crises, folks recently released from prison

Racialized groups and those whose language is not English

Mental health professionals being with police response to "People experiencing Mental Health Crisis" to be able to give expert advice on best ways to interact with the person.

The wide swaths of people between very old, very young and "people experiencing X". Also probably cultural, religious and racial groups.

Church leaders, high school representation ( teachers or students), leaders of HOA ( because they create rules and regulations that are often unfavorable to black and brown residents).

Of all people listed under Q 7, only the elderly are represented on the task force. We need to hear from the others.

Young adults Older adults College students Church and community leaders Educational stakeholders Local homeless services stakeholders Affordable housing stakeholders

Which conversation? This question is unclear. If you're referring to the conversation around community safety... young people are missing. Refugees. People who don't speak English. Artists. Nonprofit organizations who are part of providing community safety. People of varying classes, especially those living at or near the poverty line. For questions 6 & 7 above, I do not believe police need to be the ones to perform most of those actions. That is part of what I'm advocating for...a much lower police presence. There are other folks we can hire to support community/youth engagement, crisis response, persons experiencing homelessness, traffic/event management, "nuisances" and others. I think police could be there for investigating and responding to deaths or incidences of violence.

I think Carrboro needs to be included since the two towns are in such close proximity. Also, UNC since a huge percentage of our residents are students who engage with our community far beyond the campus and who contribute to our town's sense of safety or lack thereof. .

People who have been convicted of crimes; formerly incarcerated individual; people who live in neighborhoods with a high police presence

Elected officials and policy makers need to weigh in and understand the roles that they play in creating safe/unsafe community

# Appendix B: Survey – English



In the fall of 2020, the Town Council established the Reimagining Community Task Force, whose mission is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following: increase public safety, eliminate structural inequities in Town public safety systems; and enable all in the community to thrive.

The Town has opened this survey to all members of the community to share their experiences and ideas for making Chapel Hill a safe and inclusive community and engage the community in an important conversation.

Q1. What does community safety mean to you?

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Q2. How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)

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Q3. On a scale of 1 to 3, with **1 being the most safe and 3 being the least safe**, how safe do you feel in Chapel Hill?

☐ 1 

☐ 2 

☐ 3 

☐ Other response: \_\_\_\_\_

Q4. What makes you feel safe in your community?

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Q5. What makes you feel unsafe in your community?

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Q6. Which of the following services should be delivered by the Chapel Hill Police Department?

Rank by priority level **with 1 being the most important and 12 being the least important for CHPD to provide.**

- ☐ Community Engagement
- ☐ Crowd Management
- ☐ Death Response/Investigation
- ☐ Drug and Alcohol Enforcement
- ☐ Mental Health Crisis Intervention
- ☐ Noise Ordinance and Nuisance Violations
- ☐ Property Violations
- ☐ Traffic Safety and Management
- ☐ Violent Crime
- ☐ Response to Unsheltered Persons
- ☐ Youth Engagement
- ☐ Crisis Interventions

Q7. What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.

---

Q8. How important is it for CHPD to work within the following populations for ongoing community engagement? Rank by level of importance with 1 being the most important and 8 being the least important.

- ☐ People experiencing homelessness
- ☐ School aged children
- ☐ Teens
- ☐ Elderly/Aging
- ☐ People experiencing Mental Health Crises
- ☐ Students
- ☐ Other (please specify): \_\_\_\_\_

Q9. Who's missing from the conversation?

---

Q10-A. Which of the following best describes your race and ethnic identity? Select One (Optional)

- ☐ White
- ☐ Black or African American
- ☐ Hispanic or Latino
- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Native Hawaiian or Pacific Islander
- ☐ Choose not to respond
- ☐ Other: \_\_\_\_\_

Q10-B. What is your age? (Optional)

- ☐ Under 18
- ☐ 18-24

- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65-74
- ☐ 75-84
- ☐ 85 or older
- ☐ Choose not to respond

Q10-C. Which of the following best describes your gender identity? (Optional)

- ☐ Male
- ☐ Female
- ☐ Non-binary / Third gender
- ☐ Choose not to respond
- ☐ Other: \_\_\_\_\_

Q10-D. Which of the following best describes your disability status according to the 1990 Americans with Disabilities Act (ADA)? (Optional)

- ☐ Not Disabled
- ☐ Disabled
- ☐ Choose not to respond

Q10-E. Enter your Zip Code of residence (Optional): \_\_\_\_\_

### **Thank you for Taking the Survey!**

Visit [townofchapelhill.org/reimaginecommunitysafety](https://townofchapelhill.org/reimaginecommunitysafety) to learn more about the Reimagining Community Safety Initiative and to register for upcoming Community Listening Sessions.

Return printed and paper surveys to [housingandcommunity@townofchapelhill.org](mailto:housingandcommunity@townofchapelhill.org)



TOWN OF CHAPEL HILL

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# Re-Imagining Community Safety Task Force Report

June 2021



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# LETTER FROM THE TASK FORCE

To the Mayor, Council, Manager and fellow residents:

We are honored to have served on the Chapel Hill Re-Imagining Community Safety Task Force. It has been a stimulating and daunting task. In many ways, we feel like we are just beginning to scratch the surface of our understanding of community safety. Thus, we submit our report to the Council with the hope and understanding that it is the beginning of much more study, discussion, and change.

As Council recognized in its Charge to the Task Force, reimagining community safety is not something that can be accomplished in a few months or even a few years, no matter how motivated the actors. It is urgent to start action now, but there will need to be sustained effort from now on. We hope that these recommendations and Council's follow-through will set Chapel Hill on a path toward greater community justice, more community happiness and thus, greater community safety.

We are convinced that many of the best ways to make Chapel Hill safer in the long run are only tangentially related to the police. Affordable housing, decent jobs for all who are able to work, equitable public education, and access to mental health and drug use treatment are the keys to a safer Chapel Hill.

In all our work, we must continue to grapple honestly and effectively with the still powerful effects of our nation's and Chapel Hill's long history of slavery, Jim Crow, exploitation and racism.

Many of the efforts the Task Force has recommended need to be regional. Carrboro, Orange County, the school systems, and UNC need to work together with the Town for our mutual benefit. Additionally, we have many private nonprofit agencies that are doing good work and should be brought in as partners for appropriate projects. The Task Force has identified several current public programs that deserve greater support. Many that are not mentioned are also making crucial contributions. We feel confident that as Council, staff and residents continue the work of reimagining community safety, new ideas and programs will emerge and neglected existing ideas and programs will be revealed.

# LETTER FROM THE TASK FORCE

The members of the Task Force want to thank: all the residents who took part in the listening sessions set up to help inform our work; Amplify, Inc., who facilitated the listening sessions and some of our Task Force Meetings; Chapel Hill staff who have assisted us in countless ways -- always with professionalism, patience, and good humor -- and many experts who gave us a very quick education about existing and planned public safety programs.

We stand ready to support the Town in any way we can as Council and staff determine how to go forward. We have made some suggestions as to how the Town can hold itself accountable in the hard, often painful work of change. We also recommend that Council utilize the expertise of existing standing committees to assist with implementation of our recommendations.

Thank you for the privilege of working on this project.

Sincerely,

The Re-Imagining Community Safety Task Force  
(see complete roster on the following page)

# ACKNOWLEDGEMENTS

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## TASK FORCE MEMBERSHIP

## STAFF PROJECT TEAM

Delores Bailey  
Robert Campbell  
Jamesha Cannon-Phillips  
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Paris Miller-Foushee \*  
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Eliazar Posada  
Ehmu Ra \*  
Jeremy Roberson  
Matthew Sullivan \*  
Shugong Wang

*\* indicates Steering Committee membership*

### Project Manager

Sarah Osmer Viñas, *Housing & Community Interim Director*

### Facilitators

Anita Badrock, *Ombuds*

Faith Brodie, *Public Housing Director*

### Advisors

Chris Blue, *Police Chief & Executive Director of Community Safety*

Loryn Clark, *Deputy Town Manager*

Maurice Jones, *Town Manager*

Flo Miller, (Former) *Deputy Town Manager*

## ENGAGEMENT CONSULTANT

Christine Edwards,  
*Amplify Consulting*

## COUNCIL LIAISONS

Karen Stegman

Tai Huynh

Allen Buansi

Special thanks to Mayor and Council for establishing the Task Force and supporting this effort, to all of the residents and community partners who provided input during the community listening sessions, to the Task Force Steering Committee for their leadership in assembling this report, and to Jaclyn Gilstrap and Thomas Chen for graphic design.

On June 24, 2020 Town Council adopted a [Resolution on Developing New Community Approaches to Improve Racial Equity and Public Safety in Chapel Hill](#) to improve racial equity and public safety in Chapel Hill. This resolution came after weeks of considerable nationwide concern over the killings of Black men and women by law enforcement, sparked by the murder of George Floyd, and the increasing demands from community members that Council take local action to address opportunities to reform law enforcement practices and enhance community resources in Chapel Hill.

Additionally, the resolution included changes to the Police Department's policies;

- authorizing deadly force only when there is clear and convincing evidence of imminent threat of death or serious physical injury,
- prohibiting the use of chokeholds and ensuring that policies and training reflect that prohibition,
- ending the use of regulatory traffic stops or low-level, non-moving violations that do not address public safety and which significant racial disparities are often found.

On September 9, 2020 Council established the Re-imagining Community Safety Task Force with a mission to bring forth concrete, actionable recommendations to the Town Council that will increase public safety, eliminate structural inequities in Town public safety systems, and enable all in the community to thrive. Additionally, a Council-approved Task Force Charge was created.

On October 7, 2020 Council appointed 13 members and 2 alternates to the Task Force, representing segments of the population most impacted by inequities in public safety approaches. Since being established, the Task Force has worked diligently to carry out their charge.

To learn more about the Re-Imagining Community Safety Project (RICS) project:

[www.townofchapelhill.org/reimaginecommunitysafety](http://www.townofchapelhill.org/reimaginecommunitysafety)

# TASK FORCE PROCESS<sup>492</sup>

October -  
December 2020

The Task Force met four times to establish the project timeline, review roles and responsibilities, elect a steering committee, learn from Town staff presentations, and review data. Additionally, a [comprehensive webpage](#) was dedicated to the work of the Task Force.

February 2021

The Town engaged [Amplify Consulting](#) to assist with community engagement and facilitation.

March 2021

Amplify Consulting conducted six virtual listening sessions for participants to share their experiences and ideas for making Chapel Hill a safe and inclusive community. Also, Amplify opened a survey asking the community for input on how public safety services can better promote racial equity and inclusion.

February -  
June 2021

The Task Force met 12 additional times to deepen their knowledge of community safety issues and develop recommendations to share with the Town Council. Guest speakers included representatives from Orange County's [Criminal Justice Resource Department](#), [Public Protection Section at NC Department of Justice](#), and the [Street Outreach, Harm Reduction and Deflection Program \(SOHRAD\)](#).

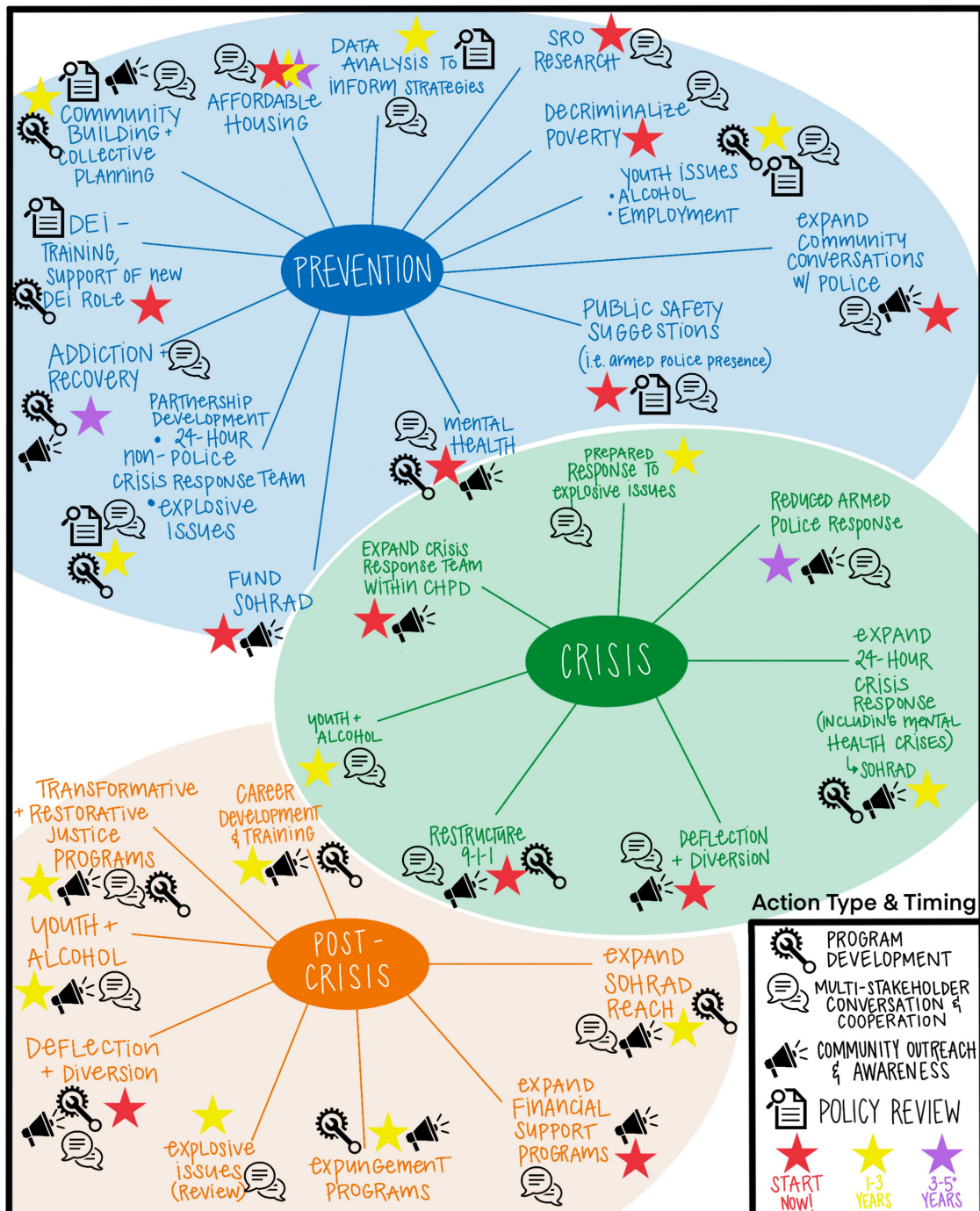
June 2021

The Task Force reached consensus on 28 recommendations to present to the Town Council, the details of which are described in this report. The Task Force's recommendations are rooted in what they learned through community listening sessions, outside experts, Town staff, and their own lived experiences.



# TASK FORCE RECOMMENDATIONS

The Re-Imagining Community Safety Task Force identified 28 recommendations and 31 action items for the Chapel Hill Town Council to consider implementing. The Task Force's recommendations fall into three categories: prevention, crisis, and post-crisis, as detailed below and in the pages that follow.



# PREVENTION

## 1. Use a Community Building Collective Planning approach

- We recommend the Council adopt a Community Building Collective Planning approach when considering new development. This framework seeks to produce alignment of purpose across related sectors working on social, economic, and environmental challenges. While intuitively collective planning would appear to be a welcome tool for addressing community challenges it is not a natural model in traditional planning environments and can counter current norms.

## 2. Create additional affordable housing opportunities to serve extremely low-income residents

- We recommend that the Town allocate resources to build affordable housing that addresses households at or below 30% of the Area Median Income. The town, in cooperation with other governmental, nonprofit, and private organizations should have adequate emergency shelter available at all times.

### ACTION ITEMS

- Town Council should use funds to incentivize private landlords to “ban the box,” allowing tenants with criminal records to rent.
- Town Council should create a policy removing criminal records as a barrier to public housing.

## 3. Use data analysis to inform strategies

- We recommend that the Chapel Hill Police Department prioritize the use of evidence-based policing, which is the concept of using the best available evidence to inform police actions and decisions, where practicable and appropriate as recommended by the National Institute of Justice. We also recommend that the Town identify the places along the criminal justice system where data collection directly impacts the implementation, evaluation, and monitoring of the Task Force’s recommendations and broader questions of racial equity within the criminal justice system.

### ACTION ITEMS

- Town Council should allocate funding to allow CHPD to consult with outside experts on data sets to report on and frequency of reporting.
- CHPD should provide Town Council with a report on policing data every six months. Report must be publicized to the local community and request CPAC and Town Council to respond.

## ACTION ITEMS (cont.)

- CHPD should provide data aggregated by race, ethnicity, and gender.
- An annual independent audit should be conducted to: review implementation of the Reimagining Community Safety Task Force recommendations and action items; test the efficacy of actions taken in response to the recommendations, and support continuous improvements to public safety resulting from the recommendations.

## 4. Research School Resource Officer Program

- We recommend the Town Council continue to explore SROs in collaboration with the other groups looking at this question.

## 5. Diversion and Deflection

- We recommend that minor, non-traffic violations of the law should generally be diverted or deflected from the criminal justice system. If a warning is appropriate, then the violation should be resolved with a warning. If the violation suggests the need for counselling or other assistance, then the person should be referred to appropriate agencies. Citations should only be issued if a warning is not appropriate and the violator is not amenable to diversion or deflection. Persons should not be arrested for minor violations of the law unless absolutely necessary. We recommend that the Town encourage the court system to continue and expand any court system diversion programs.

## ACTION ITEMS

- CHPD should have a concrete diversion policy to deflect drug charges from the criminal system.
- CHPD should have a diversion policy to deflect non-safety traffic violations, such as headlamp violations, other equipment issues, and license and registration violations.
- CHPD should expand existing diversion policies to include non-first time offenders in eligibility standards.
- CHPD should provide justification for why any eligible individual is not diverted.
- CHPD should include diversion data in its data reporting, including numbers, demographic data on who is and is not being diverted.

## 6. Take Steps to Decriminalize Poverty

- Societal, economic, and political events have illustrated historic levels of income inequality, children in poverty, and disparate treatment and impacts of the law and justice systems on communities of color and populations that face other barriers and obstacles to justice. We recommend that the Council seek to implement best practices for eliminating legal and justice system-related policies, practices and procedures that perpetuate or worsen the harmful effects of poverty and discrimination. The harmful effects of poverty manifest themselves in multiple areas of the community including but not limited to; substandard and unaffordable housing, homelessness, limited access to the justice system, food insecurity, stigma, isolation from community and political infrastructure, inadequate education outcomes and inadequate healthcare leading to poor health outcomes.

### ACTION ITEMS

- Town Council, in conjunction with CHPD and other criminal justice stakeholders, should identify a list of town ordinances that tend to target vulnerable communities and can be decriminalized (ie noise violations, open container, public urination, and panhandling).
- CHPD should conduct community conversations on when to call the police, with the goal of reducing calls that criminalize poor or marginalized individuals.
- Continue to enhance training for Police on racial equity.

## 7. Expand programs and support for youth

- We recommend that the Town work to ensure that community youth have access to substance use treatment programs. This includes community youth having access to a program like the “Carpe Diem” Alcohol Education program at UNC-Chapel Hill.
- We recommend that the Chapel Hill Police Department look for ways to decriminalize substance use by youth and use diversion to evaluation and treatment programs where appropriate.
- We recommend that Town support programs and activities to attract local youth to employment and service with the Town, including making existing programs (the Town's Summer Youth Employment Program, Empowerment's Career Explorers, and other programs) more accessible to all youth.

## 8. Expand Community Police Conversations

- We recommend to the Council that the Chapel Hill Police Department collaborate with partner organizations for important discussions surrounding public safety. This includes expanded community conversation with marginalized communities, youth and the University.

## ACTION ITEM

- CHPD should Engage Community Policing Advisory Committee (CPAC), Justice in Action, and community partners in regular conversations between police and various communities.

## 9. Continue making changes to Public Safety Policies

- We recommend to the Council that it, with the active advice of residents, work with Chief of Police and CPAC, to determine methods and timeline for “downsizing” the armed, uniformed portion of the police force and determine how to provide services that do not require armed police to be provided by other government employees or private agency employees. These functions may include parking enforcement, traffic enforcement, traffic accident response and investigation, routine patrols of downtown and neighborhoods, routine school security presence, responding to family crises that do not involve the threat of immediate violence, responding to substance use or mental health crises that do not involve the threat of immediate violence, responding to people who are homeless and other functions as determined by the Council and the Chief.
- We recommend to the Council that it, with the active advice of residents, work with the Chief of Police and CPAC review existing police department policies to ensure that current policies surrounding use of force are in line with best practice recommendations that seek to eliminate disparate application of force to minority populations.

## 10. Invest further in collaborative mental health solutions

- We recommend that the Town, in cooperation with other Orange County municipalities and the University, create a 24-hour Mental Health Crisis Intervention Center that could be used as a diversion or deflection resource by law enforcement and members of the community.
- We further recommend additional investments be made to provide additional mental health awareness and education and related crisis response, to include Rape Crisis Center, Compass Center, and Club Nova for the Chapel Hill Police Department and residents.

## ACTION ITEM

- Town Council should allocate funding for Crisis Intervention Training for all law enforcement officers.
- All Police recruits, sworn officers, and other emergency personnel should receive enhanced Crisis Intervention Training. In this effort, CHPD should seek out or develop a police training model that prioritizes problem-solving, crisis intervention, mediation and basic mental health triage as its core competencies.

## 11. Expand the Street Outreach, Harm Reduction, and Deflection Program (SOHRAD)

- We recommend to the Council that programs connecting people experiencing homelessness in our community with housing and services be expanded. We believe that programs using peer support and clinical staff in a relationship-based model to provide ongoing engagement and case management for people living unsheltered.

### ACTION ITEM

- Town Council should consider the use of ARPA funding, or other available funds, to expand SOHRAD by creating a 4th position.

## 12. Prevent Addiction and Support Recovery

- Drug and alcohol use, for people who become addicted and are unable to maintain sobriety, unable to maintain a job, unable to raise children, and/or financially unable to support their level of drug or alcohol use, are also major drivers of criminal activity. However, the criminalization of drug possession and use and the enforcement of our alcohol and drug laws has often caused more misery and contributed to a less safe community.
- We recommend that the council, in cooperation with other government and private organizations, fund and otherwise encourage affordable inpatient and outpatient treatment for any Chapel Hill residents in need of treatment. Drug and alcohol use should be treated primarily as a public health and not criminal law problem.
- We further recommend that the council, in cooperation with other organizations, urge the decriminalization of drug possession and use by adults. In the meantime, we recommend that the council instruct the CHPD to deprioritize the use of the criminal law to deal with currently illegal drug use and possession and, whenever possible, to refer persons using or possessing currently illegal drugs for evaluation to see if drug treatment is appropriate. People who commit other crimes, such as DWI, which create a significant danger to other people, should continue to be prosecuted in our court system, but any sanctions should include drug treatment. Persons who are unable to care for their children because of drug use should not be charged criminally, unless the children have been actually harmed, but should be referred to appropriate services so that they can reacquire the ability to care for their children. Persons who commit relatively minor offenses, such as misdemeanor larceny, where it is apparent that drug or alcohol use is the underlying problem, should have any criminal charges deferred and the person should be referred for evaluation and drug treatment if appropriate.



### 13. Develop Partnerships

- We recommend that the Town take action to foster collaboration among community partners to address issues such as homelessness, hunger, and addiction to ensure resources are coordinated and reach widest possible number of people.

### 14. Establish a 24-hour non-police crisis response team

- We recommend that a non-police crisis intervention team be established to provide an alternative crisis response option when indicated. Establish employee/response team to respond to mental health crises.

#### ACTION ITEM

- Town Council should allocate funds to, in conjunction with the County and other Orange County stakeholders, fully fund a 24-hour non-police crisis response unit, with teams consisting of paramedics and mental health clinicians.

### 15. Provide Diversity, Equity, and Inclusion (DEI) Training and Support for the DEI Officer

- We recommend that the Town continue to provide robust Diversity, Equity and Inclusion training for all employees and that the Town provide additional resources/staff to support the recently hired DEI Officer.

### 16. Oversight and Implementation of Re-Imagining Community Safety Task Force Recommendations

- We recommend that the Town charge the Community Policing Advisory Committee (CPAC) and other appropriate advisory boards with responsibility for monitoring the implementation of the Task Force recommendations.

#### ACTION ITEM

- The Community Policing Advisory Committee (CPAC) should function to monitor the implementation of Task Force recommendations, as well as furthering of the initiatives that are brought forth by the Task Force recommendations.
- CPAC should function as a place to coordinate community conversation around policing and safety.
- In the Event that the Town is authorized to create a Citizen's Review Board, CPAC would evolve into covering that role as well.
- The name of CPAC should be changed to "Community Safety Advisory Committee" to reflect a holistic approach to community safety beyond Policing.

## 17. Expand the crisis response team within the Chapel Hill Police Department

- We recommend that the size of the team should be expanded and the team should be trained and prepared to respond to a wider range of situations, sometimes independently of armed police officers.

### ACTION ITEMS

- Town Council should allocate funding to expand the Crisis Unit as necessary to be able to operate 24/7
- CHPD should modify its operations to make the Crisis Unit a corresponding unit, going out on calls with uniformed officers immediately rather than waiting to be called by responding officers.

## 18. Establish program outside the criminal justice system to deal with youth involved with alcohol and other drugs

- Substance use by youth is especially problematic and must be approached as a public health problem and not merely a discipline or criminal problem. We recommend that this be a Town, County, or private program partnering with the Town and the County. UNC and the public schools may be other possible partners.

## 19. Restructure 9-1-1

- We recommend either retrain 9-1-1 operators to triage calls or have a separate non-police crisis number for people to call who are experiencing mental health, alcohol, drug, family or other crises not requiring an armed police response.

### ACTION ITEMS

- Emergency Call Center/9-1-1 Operators should be trained to identify community needs that may be handled by non-law enforcement personnel and to redirect callers to the appropriate service provider.

## 20. Expand 24-hour crisis response

- We recommend that the Town, on its own or in partnership with county or private agencies, should be prepared to respond to homelessness, hunger, mental health, and other crises 24 hours a day. The SOHRAD program is an excellent example of the kind of program that could be expanded to provide this kind of service without involving the police.

## 21. Reduce armed police response

- We recommend that armed police only be sent to emergencies where they are the most appropriate responder or where, if time is of the essence, they are the quickest responder. In many situations currently handled by the police, the expanded services described above would be the preferred responder. This would allow the police to concentrate on what they are best trained and equipped to do and should allow the town, as these alternative programs are developed and expanded, to determine methods and a timeline for reducing the size of the armed, uniformed part of the police force. Other services that might be handled by someone other than armed police might include parking enforcement, traffic enforcement, traffic accident response and investigation, routine patrols of downtown and neighborhoods and other services as determined by the council, in consultation with the residents, town manager and chief of police.

### ACTION ITEMS

- Town Council and CHPD should conduct a risk assessment of police activities to determine the need for and effectiveness of having all officers carry firearms at all times.
- Town Council and CHPD should develop a policy for when officers can and should respond in an unarmed manner within 12 months of the Reimagining Community Safety Task Force report being submitted.

## 22. Be prepared to respond to explosive issues

- Chapel Hill is generally a low violent crime town. In addition, the Chapel Hill police rarely use violence. However, the violence we read about and sometimes see on television or the internet, along with the occasional violent incidents in Chapel Hill, have an effect on our local residents. The photos of the CHPD pointing weapons at people occupying the old Yates Motor Building were disturbing. The occasionally aggressive response by police from several neighboring jurisdictions brought to the UNC campus to respond to “Silent Sam” protests resulted in significant anti-police feeling among some students and others. The murder of the young Muslim students several years ago shocked the entire community but was especially painful and fear-provoking for Muslims. We know from our listening sessions that some Black and Brown people in Chapel Hill feel “over policed and under protected.” In addition, many people of Asian descent feel fearful in light of anti-Asian/Pacific Islander violence around the country. Immigrants, especially undocumented immigrants, are fearful of the police and reluctant to be involved with the police even when victimized by crime. We recommend that the Town constantly engage with and reassure all these communities that their safety and well-being is important and be prepared for extra communication and assistance in cases of local or national events.

### 23. Support persons formerly involved in the criminal justice system

- We recommend that the Town, in partnership with other public and private agencies, support judicial expungement of prior arrests and convictions, assist with reinstatement of driver's licenses and support programs to aid persons returning to our community from incarceration. We recommend that the Town continue to support programs to assist people with debt from court fines and fees. The Town should not have policies regarding housing or other services that discriminate against persons with prior convictions.

#### ACTION ITEMS

- Town Council should use funding to incentivize second chance employment and ban the box employment for private businesses, to create more job opportunities for individuals with criminal records.
- Town Council should look into creating a master leasing program, where the town is the leaseholder for residencies, to increase access to housing for individuals with criminal records.

### 24. Expand reach of SOHRAD

- See Crisis #20 above.

### 25. Expand diversion and deflection practices

- See Prevention #5 above. Diversion from the criminal justice system must also mean diversion to more appropriate treatment and service programs. When the Police or the Crisis Unit decide that court involvement is not appropriate, we recommend that the Town, perhaps in partnership with the County and private agencies, insure effective wrap-around services for post-crisis treatment and services.

#### ACTION ITEM

- Town Council should commit funding toward a Mental Health Crisis Facility, in conjunction with the County and other stakeholders, to provide a resource for people diverted away from the criminal system or in need of additional crisis support.

### 26. Expand support programs for people recovering from crisis

- We recommend that the Town encourage, fund, and provide support services for people attempting to recover from homelessness, substance use, mental illness, job loss and other crises. Emergency housing, job training, financial support, appropriate counselling and other support should be in place. Someone from the Town or supported by the Town whose job is to help guide folks to existing programs would be enormously helpful.

### 27. Evaluate and strengthen response efforts to explosive issues

- See Crisis #22 above. We recommend that the Town, relevant Town staff and residents work together to review and evaluate past responses to explosive issues in order to improve our response to the next situation.

### 28. Expand transformative and restorative justice programs

- We recommend that existing transformative and restorative justice programs be further supported, publicized, and expanded, including those of the court system, Orange County, and the Chapel Hill Police Department.

# ACTION ITEMS IDENTIFIED BY THE TASK FORCE

Stage	Task Force Concern	Action Items
Prevention	<b>Affordable Housing Opportunities</b>	<ul style="list-style-type: none"> <li>Town Council should use funds to incentivize private landlords to “ban the box,” allowing tenants with criminal records to rent.</li> <li>Town Council should create a policy removing criminal records as a barrier to public housing.</li> </ul>
Prevention	<b>Data Analysis to inform strategies</b>	<ul style="list-style-type: none"> <li>Town Council should allocate funding to allow Chapel Hill Police Department (CHPD) to consult with outside experts on data sets to report on and frequency of reporting.</li> <li>CHPD should provide Town Council with a report on policing data every six months. Report must be publicized to the local community and request the Community Police Advisory Committee (CPAC) and the Town Council to respond.</li> <li>CHPD should provide data aggregated by race, ethnicity, and gender.</li> <li>An annual independent audit should be conducted to: review implementation of the Reimagining Community Safety Task Force recommendations and action items; test the efficacy of actions taken in response to the recommendations, and support continuous improvements to public safety resulting from the recommendations.</li> </ul>
Prevention	<b>Diversion and Deflection</b>	<ul style="list-style-type: none"> <li>CHPD should have a concrete diversion policy to deflect drug charges from the criminal system.</li> <li>CHPD should have a diversion policy to deflect non-safety traffic violations, such as headlamp violations, other equipment issues, and license and registration violations.</li> <li>CHPD should expand existing diversion policies to include non-first time offenders in eligibility standards.</li> <li>CHPD should provide justification for why any eligible individual is not diverted.</li> <li>CHPD should include diversion data in its data reporting, including numbers, demographic data on who is and is not being diverted.</li> </ul>
Prevention	<b>Decriminalize Poverty</b>	<ul style="list-style-type: none"> <li>Town Council, in conjunction with CHPD and other criminal justice stakeholders, should identify a list of town ordinances that tend to target vulnerable communities and can be decriminalized (ie noise violations, open container, public urination, and panhandling).</li> <li>CHPD should conduct community conversations on when to call the police, with the goal of reducing calls that criminalize poor or marginalized individuals.</li> <li>Continue to enhance training for Police on racial equity.</li> </ul>
Prevention	<b>Expand Community Police Conversations</b>	<ul style="list-style-type: none"> <li>CHPD should Engage CPAC, Justice in Action, and community partners in regular conversations between police and various communities.</li> </ul>



Prevention	<b>Mental Health</b>	<ul style="list-style-type: none"> <li>Town Council should allocate funding for Crisis Intervention Training for all law enforcement officers.</li> <li>All Police recruits, sworn officers, and other emergency personnel should receive enhanced Crisis Intervention Training. In this effort, CHPD should seek out or develop a police training model that prioritizes problem-solving, crisis intervention, mediation and basic mental health triage as its core competencies.</li> </ul>
Prevention	<b>Expand Street Outreach, Harm Reduction and Deflection Program</b>	<ul style="list-style-type: none"> <li>Town Council should consider the use of American Rescue Plan Act (ARPA) funding, or other available funds, to expand SOHRAD by creating a 4th position.</li> </ul>
Prevention	<b>24-hour non-police crisis response team</b>	<ul style="list-style-type: none"> <li>Town Council should allocate funds to, in conjunction with the County and other Orange County stakeholders, fully fund a 24-hour non-police crisis response unit, with teams consisting of paramedics and mental health clinicians.</li> </ul>
Prevention	<b>Oversight and Implementation of Reimagining Community Safety Task Force Recommendations</b>	<ul style="list-style-type: none"> <li>The Community Police Advisory Committee (CPAC) should function to monitor the implementation of Task Force recommendations, as well as furthering of the initiatives that are brought forth by the Task Force recommendations.</li> <li>CPAC should function as a place to coordinate community conversation around policing and safety.</li> <li>In the Event that the Town is authorized to create a Citizen's Review Board, CPAC would evolve into covering that role as well.</li> <li>The name of CPAC should be changed to "Community Safety Advisory Committee" to reflect a holistic approach to community safety beyond Policing.</li> </ul>
Crisis	<b>Expand CHPD Crisis Unit</b>	<ul style="list-style-type: none"> <li>Town Council should allocate funding to expand the Crisis Unit as necessary to be able to operate 24/7</li> <li>CHPD should modify its operations to make the Crisis Unit a corresponding unit, going out on calls with uniformed officers immediately rather than waiting to be called by responding officers.</li> </ul>
Crisis	<b>Restructure 9-1-1</b>	<ul style="list-style-type: none"> <li>Emergency Call Center/9-1-1 Operators should be trained to identify community needs that may be handled by non-law enforcement personnel and to redirect callers to the appropriate service provider.</li> </ul>
Crisis	<b>Reduce Armed Police Response</b>	<ul style="list-style-type: none"> <li>Town Council and CHPD should conduct a risk assessment of police activities to determine the need for and effectiveness of having all officers carry firearms at all times.</li> <li>Town Council and CHPD should develop a policy for when officers can and should respond in an unarmed manner within 12 months of the Reimagining Community Safety Task Force report being submitted.</li> </ul>
Post-Crisis	<b>Support persons formerly involved in the criminal justice system.</b>	<ul style="list-style-type: none"> <li>Town Council should use funding to incentivize second chance employment and ban the box employment for private businesses, to create more job opportunities for individuals with criminal records.</li> <li>Town Council should look into creating a master leasing program, where the town is the leaseholder for residencies, to increase access to housing for individuals with criminal records.</li> </ul>
Post-Crisis	<b>Expand diversion and deflection practices.</b>	<ul style="list-style-type: none"> <li>Town Council should commit funding toward a Mental Health Crisis Facility, in conjunction with the County and other stakeholders, to provide a resource for people diverted away from the criminal system or in need of additional crisis support.</li> </ul>

# RESOURCES & LINKS

- [Asheville Police Department Reform Plan](#)
- [CAHOOTS \(Crisis Assistance Helping Out On The Streets\)](#)
- [Center for Policing Equity](#)
- [Central City Concern Hooper Inebriate Emergency Response Service \(CHIERS\) & Sobering Station](#)
- [Close the Jail ATL](#)
- [Dismantling of Minneapolis Police Department](#)
- [Durham Beyond Policing](#)
- [Government Alliance on Race & Equity \(GARE\) - Racial Equity: Getting to Results Report](#)
- [Key Town of Chapel Hill Public Safety Data](#)
- [North Carolina Association of Chiefs of Police \(NCACP\) Recommendations for Police Reform](#)
- [North Carolina Task Force for Racial Equity in Criminal Justice Report 2020](#)
- [Oakland Power Projects](#)
- [Orange County Bias-Free Policing Report](#)
- [Portland Fire and Rescue's Community Health Assessment Team \(CHAT\)](#)
- [Portland Street Medicine](#)
- [Project Respond](#)
- [Raleigh PACT \(Police Accountability Community Taskforce\)](#)

- Re-Imagining Community Safety Task Force Team Charter

# RE-IMAGINING COMMUNITY SAFETY TASK FORCE TEAM CHARTER



## STAFF PROJECT TEAM

- Anita Badrock, Ombuds
- Chris Blue, Police Chief & Executive Director of Community Safety
- Faith Brodie, Public Housing Director
- Loryn Clark, Deputy Town Manager
- Maurice Jones, Town Manager
- Flo Miller, Deputy Town Manager
- Sarah Osmer Vinas, Housing & Community Interim Director

## TASK FORCE MEMBERS

- Delores M Bailey
- Robert C Campbell
- Jamesha Q Cannon-Phillips
- Marcus Farrow
- Emma Ferriola-Bruckenstein
- Desmond A Frierson
- Jaclyn E Gilstrap (alternate)
- Malcolm Hunter (alternate)
- Paris T Miller
- Heather D Nash
- Eliazar A Posada
- Ehmura
- Jeremy L Roberson
- Matthew J Sullivan
- Shugong Wang

## COUNCIL LIAISONS

- Karen Stegman
- Tai Huynh
- Allen Buansi (alternate)

## TO LEARN MORE:

Contact Sarah Osmer Vinas,  
Project Manager  
919.969.5079  
reimaginecommunitysafety@  
townofchapelhill.org

Project Webpage:  
[www.townofchapelhill.org/reimaginecommunitysafety](http://www.townofchapelhill.org/reimaginecommunitysafety)

## OVERVIEW OF TASK FORCE CHARGE

In the Resolution, issued on June 24, 2020, the Town Council called for the creation of a community-based Task Force to do the pioneering work of reimagining public safety in Chapel Hill. The Task Force promises to draw on community perspectives, Town department insights, and data from Chapel Hill and other jurisdictions. It will consider best practices research and innovative ideas for identifying approaches to ensure public safety for everyone. The mission of the Task Force is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following:

- 1) Increase public safety
- 2) Eliminate structural inequities in Town public safety systems; and
- 3) Enable all in the community to thrive.

## EXPECTATIONS

- Attend regular meetings
- Collaborate with each other
- Complete work between meetings, as needed
- Assist with community outreach and engagement
- Channel communications to Task Force staff liaisons
- Provide recommendations to Council
- Request resources as needed
- Share your involvement with other members of your community
- Outside facilitation for the process
- Identify community leaders

## GROUP NORMS

- Lean into the discomfort of the topic
- Respect where people are and assume best intentions
- Remain curious (Remember differences are opportunities for learning)
- People may disagree with your thoughts/ideas and still offer good opposing ideas
- Try not to become positional
- Keep an open mind and willingness to learn/unlearn
- Take space, make space
- One mic, one speaker
- Offer what you can, ask for what you need
- Expect and accept a lack of closure
- Use "I" statements
- Non-attribution
- Make the process language accessible
- Include preferred names and pronouns in Zoom title/introduction
- Create protocols for how we participate



508  
**TOWN OF CHAPEL HILL**

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

Item Overview

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**Item #:** 14., **File #:** [21-0594], **Version:** 1

**Meeting Date:** 6/23/2021

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**Consider an Application for Conditional Zoning for Putt Putt Fun Center, 2200 Eubanks Road (115/135 Chapel Point Road) Community Commercial-Conditional Zoning District and Office/Institutional-2-Conditional Zoning District (OI-2-CZD).**

See Summary Report on next page.

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

**PRESENTER:** 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 PUTT PUTT FUN CENTER, 2200 EUBANKS ROAD (115/135 CHAPEL POINT ROAD)  
(PROJECT # 20-062)**

**SUMMARY REPORT**

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

<b>PROPERTY ADDRESS</b> 2200 Eubanks Road (115/135 Chapel Point Road)	<b>MEETING DATE</b> June 23, 2021	<b>APPLICANT</b> Wendi Ramsden, Coulter Jewell Thames on behalf of Optimal Ventures, LLC, Contract Purchase and ERBER LLC, Property Owner
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**TOWN MANAGER RECOMMENDATION**

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

**UPDATES SINCE THE MAY 26, 2021 PUBLIC HEARING**

No changes have occurred.

**ZONING**

*Current:* Mixed-Use Residential-1 (MU-R-1)  
(Approximately 19.35 acres)

*Proposed:* Community Commercial-Conditional Zoning District (CC-CZD)  
(Approximately 15.1 acres)

Office/Institutional-2-Conditional Zoning District (OI-2-CZD)  
(Approximately 4.2 acres)

**PROCESS**

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties. No accompanying Land Use Plan Amendment is proposed with this application, as commercial uses are proposed within Sub Area B of the North MLK Boulevard Focus Area.

**PROJECT OVERVIEW**

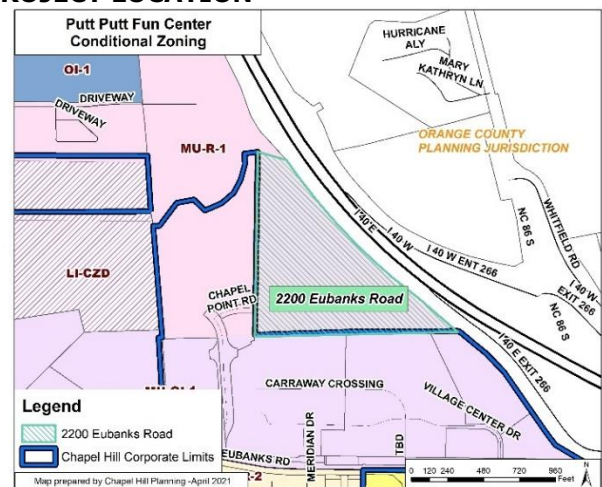
The Putt Putt Fun Center project is sited north of Carraway Village and west of Interstate 40. The parcel has access to Eubanks Road from Chapel Point Rd. The development proposes both indoor and outdoor commercial recreation facilities, including electric go-karts and mini-golf. The site also proposes 84,000 sq. ft. of floor area for a three-story conditioned self-storage facility on the southwest corner of the site.

**DECISION POINTS**

The applicant has requested the following modifications through the Conditional Zoning process:

1. Reduce the southern landscape buffer width by 10 feet, as a portion of the buffer is being provided by the adjacent development.
2. Construct a portion of the stormwater pond in the managed and upland RCD zones. An RCD Encroachment application has been submitted concurrently with this Conditional Zoning application.
3. Increase the floor area ratio on the Office/Institutional-2 (OI-2) portion of the site.
4. Reduce the minimum number and size of large loading spaces for the self-storage building.

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Resolution A (Resolution of Consistency)
4. Ordinance A (Approving the Application)
5. Resolution B (Denying the Application)
6. Applicant Materials



# TECHNICAL REPORT

## KEY CONSIDERATIONS

**Planning Commission:** At their [May 18, 2021 meeting](#), the Planning Commission recommended approval of Ordinance A with the following conditions:

- Integrate additional green infrastructure around the Go-Cart track and Putt Putt course such that the detention pond may be reduced in size or pulled out of the RCD altogether.
- Remove the minimum parking requirement for the storage facility.
- Continue to pursue a pedestrian connection to Carraway Village apartment and pursue additional pedestrian connection to the current Drive-In movie theatre lot.
- Add additional bicycle parking spaces.

**Transportation and Connectivity Advisory Board:** At the [April 27, 2021 meeting](#)<sup>1</sup>, the Transportation and Connectivity Advisory Board recommended approval with the following conditions:

- That the applicant ensures that pedestrian lighting along Chapel Point Drive connection is sufficient.
- The applicant coordinates with the Town of Chapel Hill and Carraway Village (to the extent possible) on sidewalks and greenway connections between the sites and to provide access to businesses.

**Environmental Stewardship Advisory Board:** At the [April 13, 2021 meeting](#)<sup>2</sup>, the Environmental Stewardship Advisory Board recommended approval with the following conditions:

- Add zoning conditions that ensure that the northern portion of the site remains open space
- Use plant species that are non-invasive
- For the mini golf course area, use reclaimed water, native/non-invasive plant species, and as much permeable materials as possible
- Add zoning conditions that restrict the use of potable water irrigation and require the proper use of fertilizers, with sensitivity to nearby wetlands
- Ask that the Stormwater Management Utility Advisory Board review the project

**Community Design Commission:** The application was discussed at the [May 10, 2021](#)<sup>3</sup> meeting. The Community Design Commission recommended approval of the project with the following conditions:

- Enhancing the buffer adjacent to the future affordable housing site to the west
- Limiting the commercial re-zoning boundary to the foot print of the buildings and not the entire site.

<sup>1</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829640&GUID=93AE8C74-5F9A-41F0-8659-B154294899E3&Options=&Search=>

<sup>2</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829638&GUID=B8C2F033-661C-43AE-87A3-05E65B29385B&Options=&Search=>

<sup>3</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=860475&GUID=71350B0E-7669-4F96-BCE0-17470B6A1833&Options=&Search=>



## PROJECT OVERVIEW

The application proposes applying the Office/Institutional-2-Conditional Zoning District (OI-2-CZD) to the site to accommodate the self-storage facility, conditioned, and Community Commercial-Conditional Zoning District (CC-CZD) for the recreation facility. The site proposal includes a 1½ story building, approximately 28,500 square feet, which will house the amusements and public spaces for the Putt Putt Fun Center. The area will also include outdoor facilities including a mini golf facility and a go-kart track. The self-storage facility is proposed as a three-story building of approximately 84,000 square feet. 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 21.3-acre forested site.
- The site is located at the end of Chapel Point Road, a local street maintained by the Town of Chapel Hill.
- The site is located north of the future Bus Rapid Transit (BRT) terminus adjoining the Town's park/ride lot.
- Carraway Village is to the south and is zoned Mixed Use-Office/Institutional-1 (MU-OI-1).
- The site is triangular-shaped bisected with a stream running southeast to northwest and the associated Resource Conservation District (RCD).

## 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 to zone 15.1 acres as Community Commercial-Conditional Zoning District (CC-CZD) and 4.2 acres as Office/Institutional-2-Conditional Zoning District (OI-2-CZD).

The intent of the Community Commercial (CC) zoning district is to provide for the development of high-intensity commercial and service centers that serve community-wide or regional commercial and service needs. The intent of the Office/Institutional-2 (OI-2) zoning district is to provide for medium-intensity office and institutional development.

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 to reduce the southern perimeter buffer width by ten (10) feet due to the adjoining development providing a buffer.

*Staff Comment:* Section 5.6.5 of the Land Use Management Ordinance allows that where a buffer meeting the requirements of the Ordinance is provided on an adjacent zoning lot, the screening and/or land within that buffer may be counted as contributing to the total buffer required between the adjacent land uses.

- 2) Section 3.6.3-2 Permitted Uses within Resource Conservation District:** The Ordinance specifies that storm drainage facilities and stormwater mitigation facilities are allowed uses in the streamside, managed use, and upland Resource Conservation District zones. The applicant is proposing to place the storm mitigation pond in the managed use and upland Resource Conservation District (RCD) zones.

*Staff Comment:* In both zones, the land disturbance will be below the 20 percent standard. No impervious surface is proposed for the RCD as part of this project.

- 3) Section 3.8.2(I) Maximum Floor Area Ratio:** The maximum floor area ratio for the Office/Institutional-2 zoning district is 0.264. The applicant is requesting an increase to this ratio to 0.73. The existing floor area ratio would allow a 31,677-square-foot building, and the applicant is proposing an 84,000-square-foot building.

*Staff Comment:* The applicant states that the area proposed to be zoned Office/Institutional-2 is limited to a specific area of the site with the remaining portion of the site to be used for outdoor recreation activities. This will ensure that the self-storage facility use does not extend beyond the portion of the site that is well screened from public rights-of-ways.

- 4) Section 5.9 Parking and Loading:** The applicant is requesting a reduction of large loading spaces for the self-storage facility.

*Staff Comment:* The applicant states that one of the largest self-storage operators on the East coast is involved in the project and, based on their business model, does not need loading spaces 55 feet long. The project proposes two loading spaces that are 30 feet long instead of three loading spaces that are 55 feet long.

**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.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS







Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>4</sup>, the standards of the [Land Use Management Ordinance](#)<sup>5</sup>, and the [Town](#)

<sup>4</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>5</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

of Chapel Hill, NC : Design Manual and Standard Details<sup>6</sup> and believes the Putt Putt Fun Center, 2200 Eubanks Road (115/135 Chapel Point Road) complies with several themes of the 2020 Comprehensive Plan:

**Comprehensive Plan Themes:** The applicant has indicated that this project is meeting the following 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

- Unique and Inclusive Recreation Facility (*Create A Place for Everyone.1*)
- Entertainment Facilities generally not offered in Chapel Hill (*Support Community Prosperity and Engagement.1*)
- Sidewalk access, transit access (*Facilitate Getting Around.1,.2*)
- Entertainment use for surrounding developments (*Develop Good Places, New Spaces.6,.8*)
- Natural area preservation and high quality Stormwater control measures (*Nurture Our Community.2,.3*)

**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.

## 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:

- To correct a manifest error in the chapter; or
- Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- 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

<sup>6</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

changing conditions in a particular area or in the jurisdiction generally.

*Arguments in Support:* Staff notes that recent development surrounding the site, including Carraway Village and the Millhouse Enterprise Zone, represents changing conditions in the area.

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

*Staff Response:* We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in the North MLK Jr Blvd Focus Area.

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

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

- Unique and Inclusive Recreation Facility (*Create A Place for Everyone.1*)
- Entertainment Facilities generally not offered in Chapel Hill (*Support Community Prosperity and Engagement.1*)
- Sidewalk access, transit access (*Facilitate Getting Around.1,.2*)
- Entertainment use for surrounding developments (*Develop Good Places, New Spaces.6,.8*)
- Natural area preservation and high quality Stormwater control measures (*Nurture Our Community.2,.3*)

*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.

















## PROJECT DETAILS


### Overview

Site Description	
<b>Project Name</b>	Putt Putt Fun Center
<b>Address</b>	2200 Eubanks Road (115/135 Chapel Point Road)
<b>Property Description</b>	Approximately 21.3 acres located north of Carraway Village and south of Interstate 40
<b>Existing</b>	Vacant/Wooded
<b>Orange County Parcel Identifier Numbers</b>	9870997083
<b>Zoning</b>	Mixed Use – Residential – 1 (MU-R-1)
<b>Proposed Zoning</b>	Office/Institutional-2-Conditional Zoning District (OI-2-CZD); Community Commercial-Conditional Zoning District (CC-CZD)


Topic	Comment				Status
Use/Density ( <a href="#">Sec 3.7</a> )	Applicant is proposing 112,500 sq ft of conditioned self-storage space and an indoor and outdoor commercial recreation facility with mini-golf and electric go-karts.				
Dimensional Standards ( <a href="#">Sec. 3.8</a> )		Required (CC-CZD)	Required (OI-2-CZD)	Proposed (OI-2-CZD)	
	Frontage	40 ft	40 ft	174 ft	
	Lot Width	50 ft	40 ft	28 ft	
	Building Height, Setback	34 ft	34 ft	>800 ft	
	Building Height, Core	60 ft	60 ft	>60 ft	
	Street Setback (min. ft.)	22 ft	22 ft	>22 ft	
	Interior Setback (min. ft.)	8 ft	8 ft	58 ft	
	Solar Setback (min. ft.)	9 ft	9 ft	614 ft	
Floor area ( <a href="#">Sec. 3.8</a> )	Allowed: OI-2-CZD: 31,677 sf CC-CZD: 211,641 sf Total: 243,318 sf		Proposed: OI-2-CZD: 84,000 sf CC-CZD: 28,500 sf Total: 112,500 sf		M
Modifications to Regulation	Modifications: <ul style="list-style-type: none"><li>• RCD encroachment for stormwater pond</li><li>• Reduced landscape buffer</li><li>• Modified minimum loading spaces</li><li>• Increased floor area ratio for OI-2-CZD</li></ul>				M
Inclusionary Zoning ( <a href="#">Sec. 3.10</a> )	None				NA
Landscape					
Buffer – North ( <a href="#">Sec. 5.6.2</a> )	Required: 20’ Type C Buffer Proposed: 20’ Type C Buffer				
Buffer – East ( <a href="#">Sec. 5.6.2</a> )	Required: 100’ Type E Buffer Proposed: >100’ Type E Buffer (undisturbed forest to remain)				
Buffer – South ( <a href="#">Sec. 5.6.2</a> )	Required: 20’ Type C and 30’ Type D Buffers Proposed: 10’ Type C Modified and 20’ Type D Modified Buffers				M
Buffer - West ( <a href="#">Sec. 5.6.2</a> )	Required: 20’ Type C Buffer Proposed: 20’ Type C Buffer				

<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	Required:	Proposed:													
	40%	40%													
<b>Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Landscape elements to meet LUMO Standards		<b>FP</b>												
<b>Environment</b>															
<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	<table><tr><th>RCD Zone</th><th>Land Disturbance</th><th>Impervious Surface</th></tr><tr><td>Streamside</td><td>0</td><td>0</td></tr><tr><td>Managed</td><td>15,255 sf 12.4%</td><td>0</td></tr><tr><td>Upland</td><td>19,500 sf 19.5%</td><td>0</td></tr></table>		RCD Zone	Land Disturbance	Impervious Surface	Streamside	0	0	Managed	15,255 sf 12.4%	0	Upland	19,500 sf 19.5%	0	<b>M</b>
	RCD Zone	Land Disturbance	Impervious Surface												
	Streamside	0	0												
	Managed	15,255 sf 12.4%	0												
	Upland	19,500 sf 19.5%	0												
Modification requested for stormwater pond to be allowed in the managed and upland zones of the RCD															
<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )	Orange County Erosion Control permit required														
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )	<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> Disturb <25% of steep slope area														
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )	Stormwater control measures proposed, and will be and designed to meet or exceed LUMO 5.4 standards.		<b>FP</b>												
<b>Land Disturbance</b>	335,500 sq ft disturbed (7.7 acres)														
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	180,911 sq ft (19.52% of gross land area)														
<b>Solid Waste &amp; Recycling</b>	Town services requested. Current proposal compliant with Orange County Solid Waste														
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	No Jordan Buffer on-site														
<b>Access and Circulation</b>															
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	None Required														
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	Single full-access driveway proposed														
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	NA														
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	Sidewalk connection to Carraway Village to be extended and connected to greenway trail easement														
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	TIA completed														
<b>Parking</b> ( <a href="#">Sec. 5.9</a> )	<i>Minimum:</i> 34 spaces <i>Maximum:</i> No maximum <i>Proposed:</i> 170 spaces														
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	Project location will be within close sidewalk access to bus transit locations														



<b>Bicycle Parking</b> ( <a href="#">Sec. 5.9</a> )	<i>Required:</i> 11 spaces <i>Proposed:</i> 18 spaces	
<b>Parking Lot Standards</b> ( <a href="#">Sec. 5.9</a> )	To be constructed to Town Standards	<b>FP</b>
<b>Technical</b>		
<b>Fire</b>	Meets Town Standards	<b>FP</b>
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	Not required	<b>NA</b>
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	Maximum of 0.3 foot-candles at property line	<b>FP</b>
<b>Homeowners Association</b> ( <a href="#">Sec. 4.6</a> )	Not required	<b>NA</b>
<b>Schools Adequate Public Facility</b> ( <a href="#">Sec. 5.16</a> )	Not required	<b>NA</b>

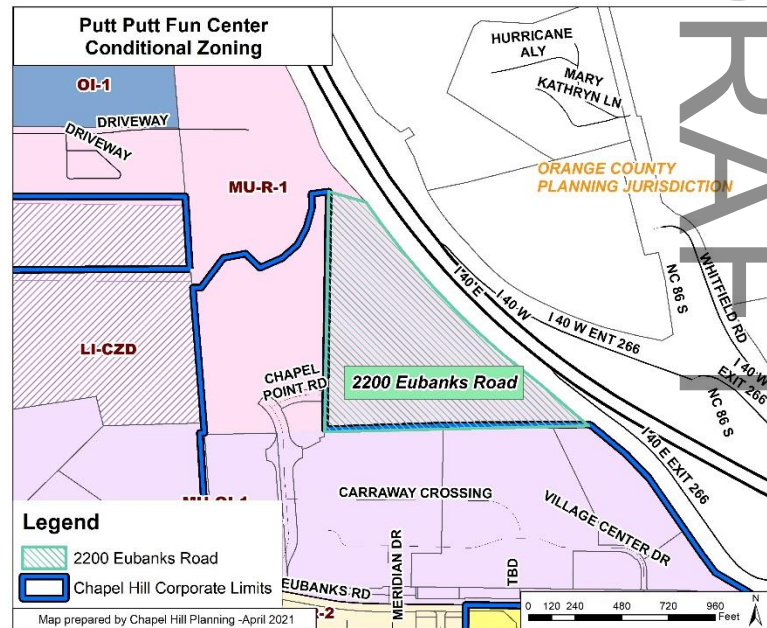
## Project Summary Legend

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



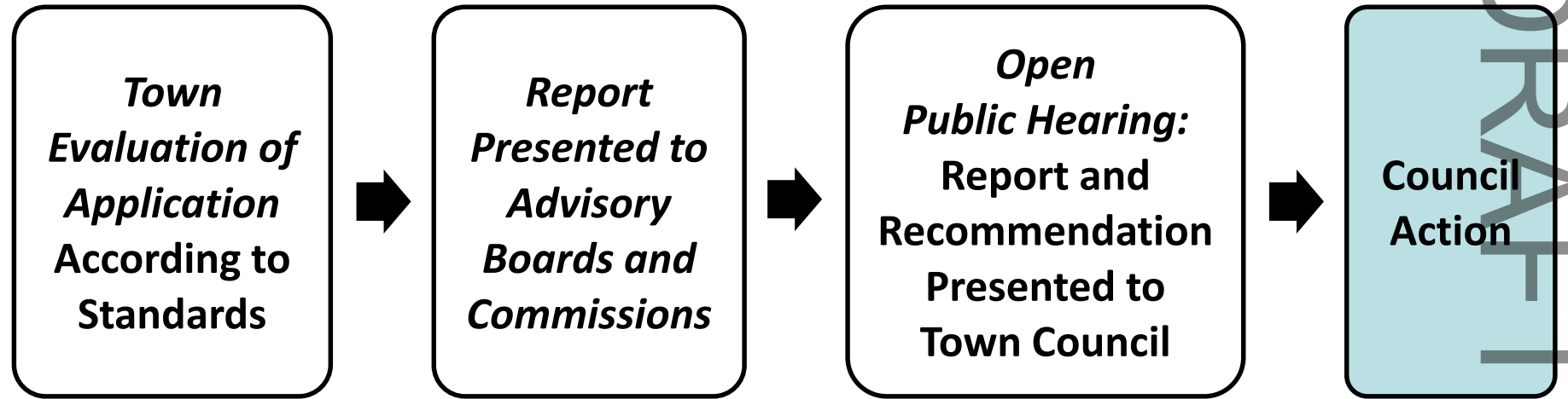
# Putt-Putt Fun Center<sup>518</sup> 2200 Eubanks Drive Conditional Zoning

June 23, 2021



## Adopt the Resolution of Consistency and enact Ordinance A

DRAFT



# 2200 Eubanks Road – Project Location

521



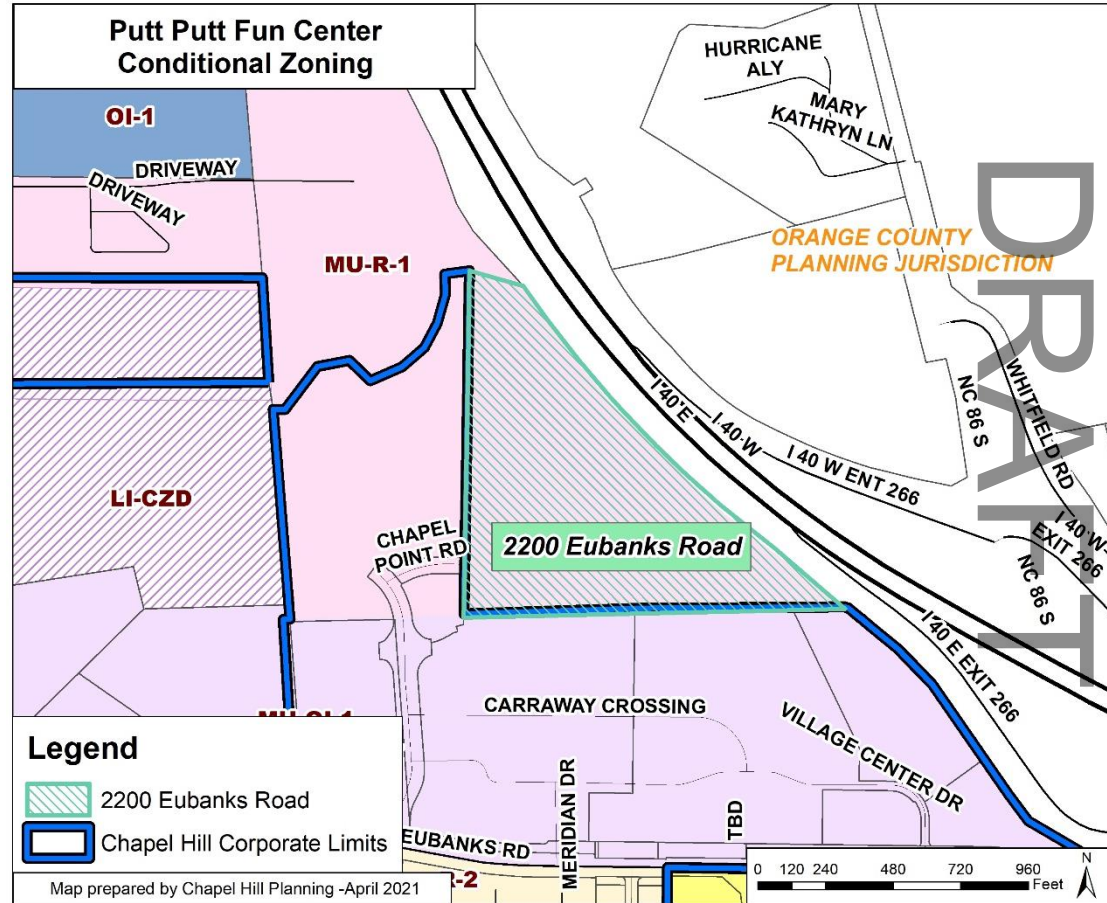
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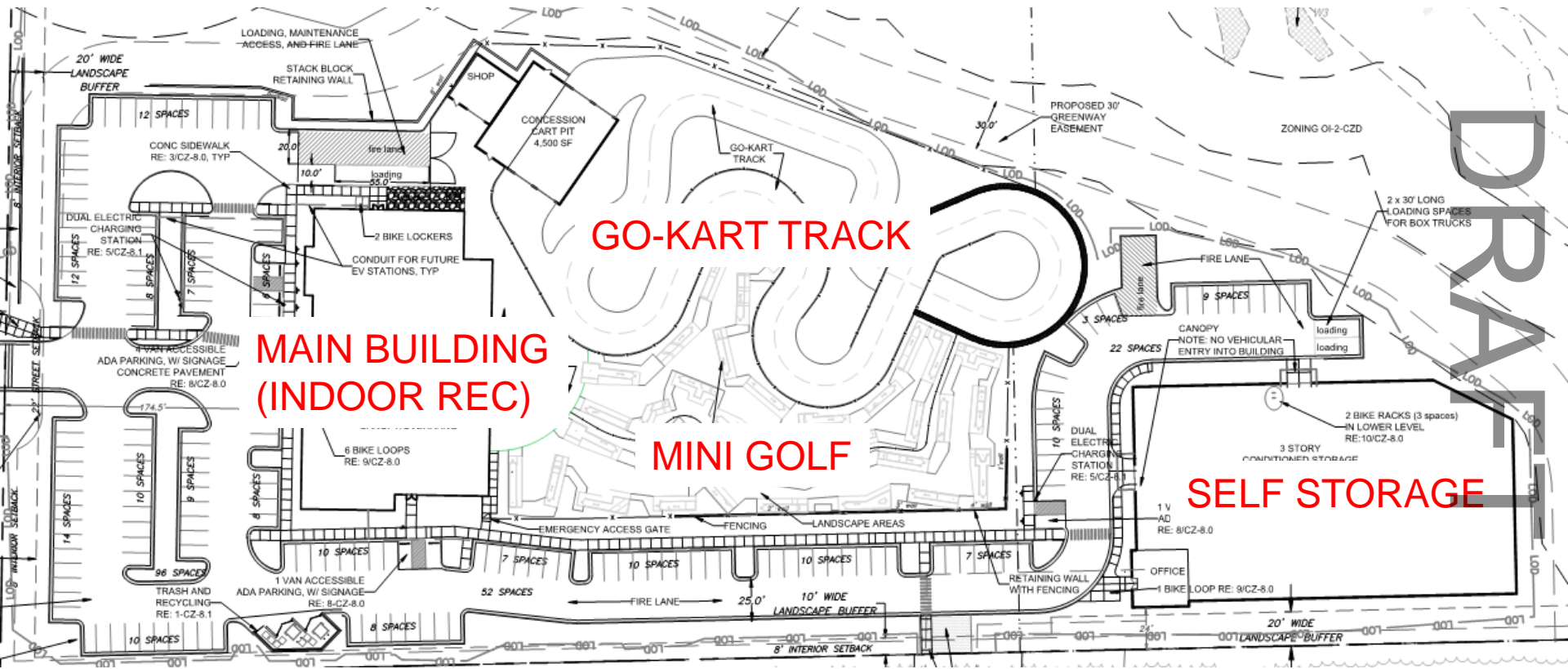
# 2200 Eubanks Road – Project Summary

522

- 19.35 acre site
- Currently vacant
- Proposed OI-2-CZ and CC-CZ
- Recreation facility with mini golf and go-karts
- 84,000 sf conditioned self-storage







## Proposed Modifications to Regulations:

- Stormwater facility in RCD
- Reduced buffer adjacent to Carraway Village
- Reduced requirements for loading spaces
- Modified FAR for OI-2-CZ district

DRAFT

# Adopt the Resolution of Consistency and enact Ordinance A

DRAFT

**RESOLUTION A**

(Rezoning from Mixed Use-Residential-1 (MU-R-1) to Community Commercial-Conditional Zoning District (CC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD))

**A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 2200 EUBANKS ROAD (ORANGE COUNTY PARCEL IDENTIFIER #9870-99-7083) FROM MIXED USE-RESIDENTIAL-1 (MU-R-1) TO COMMUNITY COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-06-23/R-13)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Wendi Ramsden of Coulter Jewell Thames on behalf of Optimal Ventures, LLC, Contract Purchaser and ERBER LLC, property owner to rezone 19.35 acres located at 2200 Eubanks Road (115/135 Chapel Point Road) on property identified as Orange County Property Identifier Number 9870-99-7083 as described in the accompanying rezoning application for the Putt Putt Fun Center from Mixed Use-Residential-1 (MU-R-1) to Community Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-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:

- Unique and Inclusive Recreation Facility (*Create A Place for Everyone.1*)
- Entertainment Facilities generally not offered in Chapel Hill (*Support Community Prosperity and Engagement.1*)
- Sidewalk access, transit access (*Facilitate Getting Around.1,.2*)
- Entertainment use for surrounding developments (*Develop Good Places, New Spaces.6,.8*)
- Natural area preservation and high quality Stormwater control measures (*Nurture Our Community.2,.3*)

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

This the 23<sup>rd</sup> day of June, 2021.

**ORDINANCE A**

(Approving the Conditional Zoning Application)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2200 EUBANKS ROAD (115/135 CHAPEL POINT ROAD) TO COMMUNITY COMMERCIAL-CONDITIONAL ZONING DISTRICT (CC-CZD) AND OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) (PROJECT #20-062) (2021-06-23/O-8)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Wendi Ramsden of Coulter Jewel Thames on behalf of Optimal Ventures, LLC, Contract Purchaser and ERBER LLC, property owner, to rezone 19.35 acres located at 2200 Eubanks Road (115/135 Chapel Point Road) on property identified as Orange County Property Identifier Number 9870-99-7083, to allow indoor and outdoor commercial recreation facilities and a conditioned self-storage facility, 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:

- Unique and Inclusive Recreation Facility (*Create A Place for Everyone.1*)
- Entertainment Facilities generally not offered in Chapel Hill (*Support Community Prosperity and Engagement.1*)
- Sidewalk access, transit access (*Facilitate Getting Around.1,.2*)
- Entertainment use for surrounding developments (*Develop Good Places, New Spaces.6,.8*)
- Natural area preservation and high quality Stormwater control measures (*Nurture Our Community.2,.3*)

WHEREAS, the application, if rezoned to Community Commercial-Conditional Zoning District (CC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD) according to the rezoning plan dated March 30, 2021 and, and the conditions listed below would:

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

**MODIFICATIONS TO REGULATIONS**

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

- 1) Section 3.6.3(e) Resource Conservation District Permitted Use Variance:** The Ordinance specifies that storm drainage facilities and stormwater mitigation facilities

are allowed uses in the streamside, managed use, and upland Resource Conservation District zones. The applicant is proposing to place the storm mitigation pond in the managed use and upland Resource Conservation District (RCD) zones.

**2) Section 5.6 Landscaping Screening and Buffers:**

The applicant is requesting proposed modifications to perimeter buffer standards to reduce the southern perimeter buffer width by ten (10) feet due to the adjoining development providing a buffer.

**3) Section 5.9 Parking and Loading:** The applicant is requesting to modify the required minimum loading spaces for the facility from 4 spaces to 3, including smaller dimensions than those required by the ordinance as outlined in the site plan.

**4) Section 3.8-1 Dimensional Standards:** The maximum floor area ratio for the Office/Institutional-2 zoning district is 0.264. The applicant is requesting an increase to this ratio to 0.73. The existing floor area ratio would allow a 31,677-square-foot building, and the applicant is proposing an 84,000-square-foot building.

### **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 uses allowed in Community Commercial (CC) and Office/Institutional-2 (OI-2), subject to the conditions below, satisfies the purposes of Community Commercial-Conditional Zoning District (CC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-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 parcel identified by Parcel Identifier Number (PIN) 9870-99-7083, shown on plans dated March 30, 2021 and described by metes and bounds below, shall be rezoned to Community Commercial-Conditional Zoning District (CC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD)

New Parcel #1 Legal Description Zone Community Commercial-Conditional Zoning District (CC-CZD):

Beginning at the southwest corner of the parcel at a point near the Chapel Point Road right of way; Thence S 00°57'33" W a distance of 1228.95' to a point; Thence S 74°14'06" E a distance of 197.87' to a point on the western right of way of Interstate 40; Thence with a curve running with the right of way of Interstate 40 with an arc length of 1037.26', with a radius of 3954.82', with a chord bearing of S 41°55'24" E with a chord length of 1034.31' to a point; Thence leaving the right of way of Interstate 40 S 88°42'30" W a distance of 298.24' to a point; Thence S 01°17'35" E a distance of 114.49' to a point; Thence with a curve with an arc length of 128.05', with a radius of 48.00', with a chord bearing of N 07°57'25" E with a chord length of 93.32' to a point; Thence N 01°17'35" W a distance of 178.42' to a point; Thence S 88°42'30" W a distance of 597.58' to a point; which is the point of beginning, having an area of 14.716 acres.

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



Beginning at the southeast corner of the parcel at a point where the parcel adjoins I-40 right of way and the Carraway Village property to the south, N 88°42'21" E a distance of 753.73' to a point; Thence N 01°17'35" W a distance of 178.42' to a point; Thence with a curve with an arc length of 128.05', with a radius of 48.00', with a chord bearing of N 07°57'25" E with a chord length of 93.32' to a point; Thence N 01°17'35" W a distance of 114.49' to a point; Thence S 88°42'30" W a distance of 298.24' to a point; Thence along the Interstate 40 right of way with an arc length of 255.71', with a radius of 3955.72', with a chord bearing of S 51°17'08" E with a chord length of 255.66' to a point; Thence N 49°15'01" E a distance of 329.45' to a point; which is the point of beginning, having an area of 4.628 acres.

## **SECTION II**

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 23, 2023 (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Consent to Conditions: This approval is not effective until the property owner provides written consent to the approval. Written consent must be provided within ten (10) days of enactment by the Town Council.
3. Annexation: Prior to issuance of a zoning compliance permit, the developer shall submit a petition for voluntary annexation of the property.
4. Greenway Easement: The developer shall designate a 30' wide greenway easement through the site as proposed on the submitted site plan. Final location to be approved by the Town Manager.
5. Connectivity: The development shall provide pedestrian access to the adjoining Carraway Village property line, and shall preserve the opportunity for future vehicular connection along the southern property line.
6. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Land Use Intensity</b>	
Permitted Uses	<ul style="list-style-type: none"> <li>• Recreation Facility, Commercial (CC-CZD)</li> <li>• Recreation Facility, Outdoor Commercial (CC-CZD)</li> <li>• Conditioned Self Storage (OI-2-CZD)</li> </ul>
Gross Land Area	926,893 sq. ft. (21.3 acres)
Maximum Floor Area	OI-2-CZD - 84,000 sq ft CC-CZD - 28,500 sq ft 112,500 sq. ft.Total
Maximum Impervious Surface	180,911 sq. ft.
Maximum Land Disturbance	335,500 sq. ft.
Maximum Parking Spaces	170 spaces
Minimum Parking Spaces	35 spaces
Minimum Bicycle Parking Spaces	18 spaces

7. Landscape Bufferyards: The landscape bufferyards shall be provided as shown in the applicant's buffer plan sheet (CZ-7.0) and summarized in the following table:

Buffer Area	Buffer
South	Type C 10' Modified & Type D 20' Modified Buffers
East	Type E 100' Wide Buffer
North	Type C 20' Wide Buffer
West	Type C 20' Wide Buffer

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

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

#### Access

8. 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

9. 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]
10. 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]
11. 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]
12. 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]
13. 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).
14. 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.

15. 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.
16. 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]
17. 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]
18. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
19. 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]
20. 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]
21. 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

22. 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]
23. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]
24. 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]

25. 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]
26. 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]
27. 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]
28. 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.
29. 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).
30. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
31. Community Design Commission Approval: The developer shall obtain Community Design Commission approval of 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

32. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of Zoning Compliance Permit.
33. Modification: The applicant shall submit a Special Use Permit (SUP) modification application prior to making any changes to approved plans.

34. Erosion Control Bond: If one (1) acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. The financial guarantee is intended to cover the costs of restoration of failed or failing soil erosion and sedimentation controls, and/or to remedy damages resulting from land-disturbing activities, should the responsible party or parties fail to provide prompt and effective remedies acceptable to the Town. [Town Code 5-98]
35. Silt Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent roadways. [Town Code 5-86]
36. 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.
37. Erosion Control Inspections: In addition to the requirement during construction that an inspection occurs 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]
38. 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. The stormwater control measures must discharge outside of the 50 foot RCD Streamside Zone in a non-erosive manner.
39. Curb Inlets: The developer shall provide pre-cast curb inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-5A, for all new curb inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]
40. As-Built Plans: That 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.
41. On-Site/Adjacent Stormwater Features: 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.
42. 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.
43. Jordan Riparian Buffer: Any proposed impact in the Jordan Riparian Buffer require the submission of a Jordan Riparian Buffer Authorization application. The applicant shall demonstrate a NO PRACTICAL ALTERNATIVE for the proposed disturbance and meet the requirement in Section 5.18 of the Land Use Management Ordinance.

44. Resource Conservation District: Any proposed impact in the Resource Conservation District shall demonstrate a NO PRACTICAL ALTERNATIVE and meets the requirement in Section 3.6.3 the Land Use Management Ordinance.
45. Steep Slopes: That prior to issuance of a Zoning Compliance Permit, the applicant shall include a map indicating how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to Town Manager review and approval.
46. Stream Restoration: All stream crossings should be constructed perpendicular to the stream. No mechanical equipment should be brought into the streamside RCD buffer/Jordan Riparian Buffer without consulting with the Town stormwater staff beforehand.
47. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair and operation of the Stormwater Control Measures, ditches and storm sewer conveyances located outside public right-of-way.
48. P.E Certification: The developer shall provide shall provide a certification, signed and sealed by North Carolina –licensed Professional Engineer, that the Stormwater Control Measure are constructed in accordance with the approved plans and specifications.
49. 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 Conditional Zoning approval. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
50. 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

51. 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.
52. 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

53. 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]
54. 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]
55. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer will install underground all public utilities that are currently located overhead on the site except for 3 phase or greater electric lines. [LUMO 5.12.2]
56. 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]
57. 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]
58. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

#### Fire Safety

59. 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.
60. 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.
61. Obstruction of Fire Apparatus Access Roads: Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times. 2018 NCFC 503.4

62. Traffic Calming Devices: Traffic calming devices shall be prohibited unless approved by the fire code official. 2018 NCFC 503.4.1
63. 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
64. 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]
65. 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]
66. 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]
67. 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.
68. 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]
69. 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.
70. 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]
71. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at

least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1, 503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]

72. 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.
73. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]
74. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
75. 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]
76. 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]
77. 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]
78. 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]
79. 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]

80. 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]
81. 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.
82. 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.
83. 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]
84. Fire Department Connections, 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' 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 2012 Section 1413.
85. 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.
86. 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]
87. 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]
88. 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]

89. Construction/Demolition: All Construction and demolition conducted shall be in compliance of the current edition of Chapter 14 of the NC FPC.

#### Solid Waste Management and Recycling

90. 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]
91. 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]
92. 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

93. 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]
94. 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

95. 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]

96. 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]
97. 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]
98. 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]
99. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
100. 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]
101. 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.
102. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
103. 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.



104. 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]
105. Vested Right: This Conditional Zoning 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.
106. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
107. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
108. 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 Conditional Zoning for Putt Putt Fun Center, 2200 Eubanks Road (115/135 Chapel Point Road).

This the 23<sup>rd</sup> 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 2200 EUBANKS ROAD TO COMMUNITY COMMERCIAL-CONDITIONAL ZONING DISTRICT (CC-CZD) AND OFFICE INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) (2021-06-23/R-14)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Wendi Ramsden of Coulter Jewel Thames on behalf of Optimal Ventures, LLC, Contract Purchaser, to rezone 19.35 acres located at 2200 Eubanks Road on property identified as Orange County Property Identifier Number 9870-99-7083, if rezoned Community Commercial-Conditional Zoning District (CC-CZD) and Office Institutional-2-Conditional Zoning District (OI-2-CZD) according to the rezoning plan dated March 30, 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 2200 Eubanks Road to Community Commercial-Conditional Zoning District (CC-CZD) and Office Institutional-2-Conditional Zoning District (OI-2-CZD).

This the 23<sup>rd</sup> day of June, 2021.

# 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): 9870 99 7083

Date: 3-30-2021 REV

## Section A: Project Information

Project Name: Putt-Putt Fun Center

Property Address: 115/135 Chapel Point Road

Zip Code: 27516

Use Groups (A, B, and/or C): C

Existing Zoning District: MU-R-1

Project Description:

indoor amusements w/ outdoor mini golf and go-karts, separate self-storage building

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

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

Name: Coulter Jewell Thames PA, Attn: Wendi Ramsden

Address: 111 West Main Street

City: Durham

State: NC

Zip Code: 27701

Phone: 919-682-0368

Email: wramsden@cjtpa.com

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

Signature: on file

Date: \_\_\_\_\_

### Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Optimal Venures LLC Attn: John Morris

Address: 194 Finley Golf Course Road, Suite 102

City: Chapel Hill

State: NC

Zip Code: 27517

Phone: 919-942-1141

Email: jmorris@morriscommercial.com

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

Signature: on file

Date: \_\_\_\_\_

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



## CONDITIONAL ZONING

TOWN OF CHAPEL HILL

Planning Department

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

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

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

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

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

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

**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=	842,609.63	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=	84,261	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=	926,893	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)	335,500 sf
Area of Land Disturbance within RCD	34,755 sf
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	0 sf	0 sf	180,911 sf	180,911 sf
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	0%	0%	19.52%	19.52%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	0			



# 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	3 bldg	114,900 sf
Number of Floors	0	0	4 stories mx	
Recreational Space	0	0	n/a	

### 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)	n/a			
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

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

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial					
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other	0	114,900 sf			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22'n	n/a	174'
	Interior (neighboring property lines)	8'	n/a	28'
	Solar (northern property line)	9'	n/a	>800'
Height (maximum)	Primary	34'	n/a	
	Secondary	60'	n/a	
Streets	Frontages	40'	none	58'
	Widths	40'	avg 614'	avg 614'



**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
Chapel Point Road	58'	28'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

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

\*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
Chapel Point Road	10' to match existing	Concrete	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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	33	no maximum	164
Handicap Spaces	2	n/a	6
Total Spaces	35	no maximum	170
Loading Spaces	4	n/a	3
Bicycle Spaces	24	n/a	24
Surface Type	asphalt and concrete		

**Section H: Landscape Buffers**

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
West	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South	20' (SW) 30' (SE)	10'(sw) 20'(SE)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East	100'	100'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

**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
OI-2-CZD	.264					30,211 sf	
CC-CZD	.429					208,630 sf	
RCD stream	.01					1,910 sf	
RCD managed	.019					2,567 sf	
<b>TOTAL</b>						243,318 sf	
<b>RCD Streamside</b>		0.01					
<b>RCD Managed</b>		0.019					
<b>RCD Upland</b>							

**Section J: Utility Service**

Check all that apply:

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Telephone</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input type="checkbox"/> Town	<input type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning Department

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

n/a	<b>Application fee</b> ( <a href="#">including Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	paid 7-27-20
n/a	<b>Pre-application meeting</b> –with appropriate staff		
X	<b>Digital Files</b> – provide digital files of all plans and documents		
n/a	<b>Recorded Plat or Deed of Property</b>		
X	<b>Project Fact Sheet</b>		
n/a	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
X	<b>Description of Public Art Proposal</b> , if applicable		
X	<b>Statement of Justification</b>		
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b> , if applicable		
n/a	<b>Affordable Housing Proposal</b> , if applicable		
X	<b>Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan</b>		
n/a	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )		
n/a	<b>Mailing fee for above mailing list</b> (mailing fee is double due to 2 mailings)	Amount Paid \$	paid 7-27-20
X	<b>Written Narrative describing the proposal</b> , including proposed land uses and proposed conditions		
X	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> – necessary for all submittals		
X	<b>Jurisdictional Wetland Determination</b> – if applicable		
X	<b>Resource Conservation District Encroachment Exemption or Variance</b> (determined by Planning)		
n/a	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval</b> (determined by Planning)		
n/a	<b>Reduced Site Plan Set</b> (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)



**CJT P.A.**

111 WEST MAIN STREET

DURHAM, NORTH CAROLINA 27701

919-682-0368 F 919-688-5646

## Planning for the Future

March 30, 2021

Mr Jake Lowman  
Town of Chapel Hill Planning Department  
405 Martin Luther King Jr Blvd  
Chapel Hill, NC 27514

RE: CONDITIONAL ZONING PERMIT APPLICATION – PROJECT NARRATIVE  
PUTT-PUTT FUN CENTER, 115 / 135 Chapel Point Road

Mr. Lowman:

Enclosed is the re-submittal for the Conditional Zoning Permit application for the Putt-Putt Fun Center multi-use project.

The project site is located north of the Carraway Village development west of I-40 at the end of a newly built street, Chapel Point Road. The site is currently wooded / vacant with a jurisdictional stream buffer running southeast to northwest leaving approximately 11.2 acres south of the stream. The only vehicular access to the site is via the new Chapel Point Road right of way, which ends at the parcel property line. There is a 10' wide sidewalk on that street, which dead ends near the parcel and will be extended into the project to connect to the site facilities and to the proposed trail easement.

The proposed development will include a 1.5 story building at the west end which will house amusements and public spaces for the Putt-Putt Fun Center. That area will also include outdoor facilities, specifically a mini-golf facility and a go-kart track. Further east on the site will be a 3-story self-storage building, set into the hillside so it is 2 stories on the west and south facades.

Total square footage for the buildings will not exceed 112,500 square feet broken down as approximately 28,500 sf for the amusement buildings, and 84,000 sf for the self-storage building. There will be sufficient parking on site distributed between both facilities. In the LUMO there is no specific parking ratio provided for the commercial outdoor recreation use. The operator has 5 other locations in North Carolina, and over 30 locations across the country. They have assessed the parking requirements at their other locations and compared them with the amusement facilities being located in the Chapel Hill location and have determined that they need approximately 135 parking spaces for the Fun Center in this location. Regarding bicycle parking, the applicant has looked at a number of ordinances in other locations and a fairly standard count is to provide 5% of the vehicular parking spaces in bicycle parking. Therefore the

base amount of 7 bike spaces, or 5% of 135 parking spaces, was determined to be a reasonable baseline. In fact the project will offer double that number as Chapel Hill is a Town where people use alternate transportation modes.

All parking will be in surface lots broken up by landscaped areas. The site has a high point near the southeast point and falls at a fairly even 5% slope toward the northwest. For this reason, all the new impervious on site will be treated in a single pond at the low point to the northwest of the built spaces. The bicycle parking will be broken up between the amusement use and the self-storage use, and includes a variety of options – indoor bicycle spaces, exterior bike parking at building entries, and bicycle lockers at the amusement center for employees.

Service for the amusement center will be located north of the amusement building. Trash for all site uses will be located at the south end of the project and not visible from the road. It will be located below a tall retaining wall that was built on the adjacent property, and therefore will not be visible from most of that development unless viewed from the top of the wall at the property line. The vehicular layout allows service and emergency vehicle access to all facilities. Bicycle parking will be accommodated at both building locations on site. The bike racks at the amusement center will be located under a roof canopy near the entry. For the self-storage use, there will be one bike rack in front of the office, and additional racks inside the building.

There is a requirement for 30% tree coverage on site. This project proposes to retain more than 50% of the site in existing trees. There will also be some additional trees saved on the southern and western property boundaries, and tree and shrub plantings will be added to the buffers along those two property lines. The eastern 100' wide landscape buffer against I-40 will remain undisturbed.

The conditional zoning being requested is Community Commercial (CC-CZD) for the recreation center, and OI-2-CZD for the self-storage building.

The applicant is requesting four modifications. The first is a reduction of the southern landscape buffer width by 10' as that portion of the buffer is being provided by the adjacent development, currently under construction. The second modification request is for construction of a portion of the storm pond in the managed and upland RCD zones. An RCD Encroachment application has been submitted concurrent with this CZ submittal. The third modification requested is for a higher FAR on the OI-2 portion of the site. This allows for a rectangular area to be zoned specifically for the self-storage building and to contain that use in one portion of the site, while still allowing for future outdoor recreation activities on the rest of the site. The fourth modification is for reduction of large loading spaces for the self-storage building. The applicant is working with one of the largest self-storage operators on the east coast and they do not have a need for loading spaces 55' long. The project proposes 2 loading spaces 30' in length instead of 3 loading spaces 55' long.

A traffic impact study has been completed for this project, and has been submitted with the initial application. There were no off-site improvements required or recommended.

The project has gone through the Town's Concept review process. It was presented to the Community Design Commission in August 2019 and there is a separate document responding to the board members'

comments. The project also was reviewed by Town Council in October 2019, and a separate document addresses and responds to their comments and concerns.

Sincerely,

Coulter Jewell Thames, PA

Wendi Ramsden RLA



cc. Scott Morris, John Morris, Optimal Ventures LLC  
David Callahan, Teresa Greco, Putt-Putt Fun Centers

# Putt-Putt Fun Center

## Conditional Zoning Permit Application

30 March 2021

### Statement of Justification

The proposed Putt-Putt Fun Center project is located north of the Carraway Village development, adjacent to I-40 and with vehicular access from the west via the new public street Chapel Point Drive. The triangular parcel is bisected by a stream running southeast to northwest, and the associated resource conservation district (RCD). This project proposes to develop the portion of the site south of the stream. The full build out being requested in this application is for an indoor/outdoor amusement center located on the majority of the development area, and also a self-storage building tucked away from the road toward the south-eastern corner of the site.

The specific findings and justification are provided below.

### **Required Findings of Fact (LUMO 4.4)**

- **Zoning shall not be amended except to a) correct a manifest error in the appendix, or b) because of changed or changing conditions in a particular area or in the jurisdiction generally, or c) to achieve the purposes of the comprehensive plan.**

A conditional zoning amendment is being requested in response to changed conditions in this area. The proposed project is located on a site whose only right of way frontage was I-40. Without opportunity for vehicular access from a public street, and without water and sewer services, this site was not developable. In recent years the adjacent properties have been developed with multiple uses and have brought public streets and public utilities within reach of the project site.

This project will be developed in a way that achieves the purposes of the comprehensive plan. It supports many of the Comprehensive Plan's themes and goals. We believe the development will meet 5 of the 6 goals identified and will not contradict the 6<sup>th</sup>.

- *A Place for Everyone*

Putt-Putt Fun Center will provide in Town a unique and inclusive indoor and outdoor recreational and participatory experience for all age ranges of individuals, groups, organizations, schools (public, charter, and private)/faith-based centers, and families including such activities as go-karts, mini-golf, laser tag, other recreational activities, an arcade and redemption/prize area, as well as accessory uses such as dining and event spaces in a tobacco-free wholesome environment.(PFE.1) .

- *Community Prosperity and Engagement*

Putt-Putt Fun Center will provide recreation and entertainment facilities which are generally not offered elsewhere in town. Currently Chapel Hill residents travel to Durham, RTP and beyond for the proposed combination of activities. The project will apply for annexation into the Town and will be served by utilities from Eubanks Road and from the west. The project parcel is located outside Town limits but within the Urban Services boundary. The project will apply for annexation (CPE.1).

The project will provide wholesome and positive employment opportunities for teens and adults in the community, as well as provide access for local organizations to increase their fundraising and awareness efforts and outreach. The project site is close to public transit which makes it more accessible for all community members and potential employees.

- *Getting Around*

Putt-Putt Fun Center will be located near the new Carraway Village development. There will be sidewalks on site which connect to the new pedestrian systems recently constructed here. The site is a few minutes' walk / less than 1000' to the Town Park & Ride lot providing public transit access throughout Town and also to adjacent cities via the regional bus system. (GA.1, GA.2)

No greenway trails currently exist, but the project site would be designed to connect to planned greenways nearby and to the trails and pedestrian system within Carraway Village. The project will provide a 30' wide easement to the Town for future trail construction which aligns with proposed trail easements on the adjacent property to the south and connects with the existing street trail to the west.

- *Good Places, New Spaces*

This property has until recently lacked access to public utilities and was considered a rural part of Chapel Hill (although not in the rural buffer). With the construction of the CHCT Maintenance and CH Public Works operations center northwest of the site, and construction of Carraway Village to the south, the property is now accessible and provides an opportunity to create an entertainment accessory use for the other developments and a destination use for the rest of the Town population. (GPNS.6 and GPNS.8)

- *Nurturing Our Community*

The project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the Owner. These will include, but not be limited to the building materials, HVAC systems, lighting, and preservation of at least half of the existing forest. The project will install stormwater mitigation facility to treat runoff from



impervious surfaces and will also protect the buffer adjacent to the jurisdictional stream on site (NOC.2). The project will retain more than the required amount of tree coverage as well as installing additional plantings. (NOC.3)

In addition to the sustainable building and development efforts, the project will incorporate eco-friendly amusement attractions as the majority of these small-scale attractions are electric and battery-powered, including the go-kart equipment.

# Putt-Putt Fun Center

## Conditional Zoning Permit Application

30 March 2021

### Statement of Consistency with Comprehensive Plan

The proposed Putt-Putt Fun Center project is located north of the Carraway Village development, adjacent to I-40 and with vehicular access from the west via the new public street Chapel Point Drive. The project will include an indoor/outdoor amusement center located on the majority of the development area, and also a self-storage building tucked away from the road toward the south-eastern corner of the site.

#### **Chapel Hill 2020 Plan**

This project conforms to the general plans for the physical development of the Town and it supports the Comprehensive Plan's themes and goals. We believe the development will meet 5 of the 6 goals identified and will not contradict the 6<sup>th</sup>.

- *A Place for Everyone*

Putt-Putt Fun Center will provide in Town a unique and inclusive indoor and outdoor recreational and participatory experience for all age ranges of individuals, groups, organizations, schools (public, charter, and private)/faith-based centers, and families including such activities as go-karts, mini-golf, laser tag, other recreational activities, an arcade and redemption/prize area, as well as accessory uses such as dining and event spaces in a tobacco-free wholesome environment.(PFE.1) .

- *Community Prosperity and Engagement*

Putt-Putt Fun Center will provide recreation and entertainment facilities which are generally not offered elsewhere in town. Currently Chapel Hill residents travel to Durham, RTP and beyond for the proposed combination of activities. The project will apply for annexation into the Town and will be served by utilities from Eubanks Road and from the west. The project parcel is located outside Town limits but within the Urban Services boundary. The project will apply for annexation (CPE.1).

The project will provide wholesome and positive employment opportunities for teens and adults in the community, as well as provide access for local organizations to increase their fundraising and awareness efforts and outreach.

- *Getting Around*

Putt-Putt Fun Center will be located near the new Carraway Village development. There will be sidewalks on site which connect to the new pedestrian systems recently constructed here. The

site is a few minutes' walk / less than 1000' to the Town Park & Ride lot providing public transit access throughout Town and also to adjacent cities via the regional bus system. (GA.1, GA.2)

No greenway trails currently exist, but the project site would be designed to connect to planned greenways nearby and to the trails and pedestrian system within Carraway Village. The project will provide a 30' wide easement to the Town for future trail construction which aligns with proposed trail easements on the adjacent property to the south and connects with the existing street trail to the west.

- *Good Places, New Spaces*

This property has until recently lacked access to public utilities and was considered a rural part of Chapel Hill (although not in the rural buffer). With the construction of the CHCT Maintenance and CH Public Works operations center northwest of the site, and construction of Carraway Village to the south, the property is now accessible and provides an opportunity to create an entertainment accessory use for the other developments and a destination use for the rest of the Town population. (GPNS.6 and GPNS.8)

- *Nurturing Our Community*

The project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the Owner. These will include, but not be limited to the building materials, HVAC systems, lighting, and preservation of at least half of the existing forest. The project will install stormwater mitigation facility to treat runoff from impervious surfaces and will also protect the buffer adjacent to the jurisdictional stream on site (NOC.2). The project will retain more than the required amount of tree coverage as well as installing additional plantings. (NOC.3)

In addition to the sustainable building and development efforts, the project will incorporate eco-friendly amusement attractions as the majority of these small-scale attractions are electric and battery-powered, including the go-kart equipment.

### **Future Land Use Map – Update to Chapel Hill 2020 Plan**

This project is located in sub area B of the North Martin Luther King Jr Boulevard future focus area. The predominant land use goal is institutional/civic and light industrial uses, with a secondary use of parks and greenspace. The recreation center and self-storage uses conform to these desired uses.

The building heights suggested for this zone are 4-6 stories. The amusement center will be a lower building, but the self-storage building is anticipated to be 3 stories with one being a partial basement. This would conform to the desired massing.

The FLUM encourages connectivity between commercial and residential uses, parking strategies to encourage people to park and walk to multiple destinations, and multimodal links from

existing development to the new projects. The proposed Putt-Putt Fun Center project supports these goals. It is located near a public transit hub and close to multiple apartment buildings where residents will be able to walk to the facility. There is connectivity from the site to the street, the adjacent mixed-use development, and the greenway trail system along shaded sidewalks built to ADA standards.

# Putt-Putt Fun Center

Conditional Zoning Permit Application

30 March 2021

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Public Art Proposal

The proposed Putt-Putt Fun Center project proposes to offer public art near the site entry and associated with the amusement center. The project will offer recreation and entertainment facilities and is aimed at families and users of all ages. In the spirit of the project being activity based, the owners are investigating some kind of participatory art installation outside the building.



Coulter Jewell Thames, PA

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Planning for the Future

## RESPONSE TO CONCEPT PLAN REVIEW, COMMUNITY DESIGN COMMISSION

### PUTT-PUTT FUN CENTER

30 March 2021

Town File 9788-20-4502

July 27, 2020

The concept plan was original presented to the COMMUNITY DESIGN COMMISSION on AUGUST 27, 2019. The project as presented included 16,000 sf amusement center and an 84,000 sf 3-story self-storage building on the 19-acre site. Additional outdoor amusement areas include a mini-golf course, go-kart space, and other outdoor activities. Parking for 200 cars was shown, as well as a storm pond

Board Members in attendance: Chris Berndt, Susan Lyons, Polly Van de Velde, Susanna Dancy, Megan Patnaik, Ted Hoskins, John Weis

#### BOARD COMMENTS

John Weis

- Appreciates the recreation idea but doesn't see how it fits into the Town land use plan
- Concerned about signage for the project
- Wants to wait to see what Carraway village proposed for the eastern portion of their site so see if it's compatible with the fun center, especially where the go-karts will be located.
- Doesn't see how the use integrates into the community
- likes the 100' buffer against the highway

*RESPONSE: The Town's Land Use 2020 plan calls out this area as a Development Opportunity Area. The development team feels that an indoor/outdoor activity family-friendly facility very much fits into the Town's plan for development. This type of facility is not currently available in Town and the large size requirement for the use lends itself to be located in a growing area.*

Megan Patnaik

- would like to see a bigger buffer against the go-kart area
- would like a bigger buffer against the parking, or to put the parking in a stacked facility (deck??)
- likes the closeness of the park & ride
- likes that the view from the highway won't be "cheapered"
- wants to see what the pedestrian connectivity would be



*RESPONSE: The go-kart area has been moved north and the current design proposes the property line buffer as well as an additional evergreen planted buffer between the parking and the mini-golf area to put multiple layers of uses between the adjacent property and the go-kart space.*

*The economics of this project do not support a parking deck. But the parking has been broken up into smaller lots with more landscaping opportunities.*

*This design continues to keep a 100' wide undisturbed buffer between the project and the I-40 property line.*

*The plans show pedestrian connections throughout the site and between this use and the nearby facilities, including the park & ride and the residential development to the south.*

Ted Hoskins

- Likes that we want to be architecturally compatible with Carraway village but would like to see something distinctive to this site
- Architecture – primary use is the 1 story building – would like to see how we can make that stand out and reduce the presence of the 3 story self storage
- Site – troubled by the proximity of the parking lot to the Carraway Village parking lot
- Will want to see the non-car connectivity at the next phase

*RESPONSE: The architecture will be more developed during the final plan phase of design.*

*The 1 story building representing the main use on this site has been moved forward so it is more visible to people entering the site. And it will be 1.5 stories, with a mezzanine in a portion of the building, thereby increasing the volume of that building visually. Additionally, the self-storage building has been moved to the far east end of the site so that it is not a large building mass visible as amusement customers enter the site.*

*The proposed parking lot has been broken down into smaller lots. Some of it will be near the existing Carraway Village parking, but those two lots have a 3'-15' vertical separation as well as a 25'-35' wide planted area spanning the upper and lower levels.*

*Non-vehicular connections are shown on the existing conditions and site plans.*

Susanna Dancy

- Likes the use and thinks it highly appropriate and needed by the community
- Site design – concerns about the dominance of the parking at the entrance and would like to see cars come in and not be dumped into a huge lot
- Would like to see more of the active uses at the entrance
- Not concerned about future Carraway Village uses – they're not here tonight to comment or raise issues/concerns
- Town noise ordinance will apply
- At SUP stage will want to see elevations, signage, and architecture, and pedestrian plan with greenway trails, etc.
- Would like to see the pedestrian connections, likes the ability of non-drivers to have access to the fun center

*RESPONSE: The site has been redesigned to bring the amusement center closer to the site entry, and the parking lots have been broken into smaller chunks with more opportunities for landscaping and for visibility of the outdoor activity uses.*

*Building elevations have been included in the application materials.*

*Pedestrian connections are shown on the plans, including connections to the park & ride and to the transit stops.*

Polly Van De Walde

- Concerns about light and sound pollution
- Good that bumper cars will be indoors
- Gas go-kart engines produce pollution

*RESPONSE: Some existing vegetation will be retained at the property line, and additional buffer vegetation added. Also the go-karts have been moved north so they are separated from adjacent properties. The go-karts will be battery operated, not diesel so that will reduce both noise and pollution.*

Susan Lyons

- Would like to see the larger Carraway Village plan to see what's near the proposed Putt-Putt elements
- Would like to see the pond incorporated into the woodsy feel and nature trails
- Concerned about the sea of parking
- 20' buffer doesn't feel like enough between this use and the adjacent residential at Carraway Village

*RESPONSE: The adjacent built and under construction layout is shown on the plans now. The whole extent of that development is best seen on the area plan. There are some blank spaces on the south side of our shared property line as Northwood Raven has not made a formal submittal to the Town indicating potential uses there. It is unlikely to be residential as the project is near its residential percentage limit. There is some landscape buffer on the Carraway Village side of the shared property line (10' width) and they have also construction a large retaining wall between their residential uses and the proposed Putt-Putt development. The proposed pond will be located at the northwest corner of the development, which is the low spot. The elevation of the pond needs to be such that it can collect all runoff from new impervious surfaces. There will be some additional plantings made to the non-dam areas of the disturbed pond area.*

*The parking has been broken up so that it is not all in one large lot. The smaller lots also have more opportunities for landscaping.*

*The buffer between the proposed development and the recently completed Carraway Village development is 25'-40' wide. Where it is narrower, there is also a 3'-25' vertical separation.*

Chris Berndt

- Could parking go under buildings or amusement building be incorporated into the taller self-storage building?
- Would like to see the tree clearance and impervious area both reduced
- Likes that trees will be saved along the highway frontage
- This is a sensitive site and she wouldn't support rezoning of this parcel
- Wants parking under the buildings
- Would want the storage building to NOT be visible from the highway
- Wants us to look at the Town's gateway plan, p29 – old field trail – She'd like to see this space interconnected with paths and the greenway system

*RESPONSE: The economics of the project do not allow for underground parking, but the parking lot has been broken up in to smaller chunks with more landscaping opportunities.*

*Tree clearance will be limited to less than half the site and impervious area is much below what is allowed by the LUMO.*

*The storage building has been moved east so that it is well into the site and not prominent to people and vehicles entering the site. There is a 100' wide landscape buffer between the building and the highway, and in fact at least 150' of undisturbed existing forest will remain after construction. The majority of the self-storage building will not be visible from the highway.*

*The project will provide an easement east around the amusement development for the portion of the old field trail greenway shown in the Town's Greenway master plan. This is the location requested by the Town Parks Dept and by Planning.*



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Planning for the Future

## RESPONSE TO CONCEPT PLAN REVIEW, COUNCIL PUTT-PUTT FUN CENTER

30 March 2021

Town File 9788-20-4502

The concept plan was original presented to the TOWN COUNCIL on October 30, 2019

Council Members Present: Pam Hemminger, Donna Bell, Allen Buansi, Hongbin Gu, Nancy Oates, Michael Parker, Karen Stegman

Absent: Rachel Schaevitz

### BOARD COMMENTS

Donna Bell

- Make sure the pedestrian route from the bus area into our site is safe.
- Would like to see the interior of the site softer – more park-like

*RESPONSE: The existing sidewalk on Chapel Point Drive has been extended to our site and this project will extend the sidewalk through to the main entry. Planting areas have been added within the parking lot (between aisles) and also within the outdoor amusement areas.*

Allen Buansi

- Also wants to see pedestrian connections
- Appreciates the commitment to the forest buffer against I-40
- Town will want to see electric charging stations
- Can we reduce parking as we're so close to transit?

*RESPONSE: The many pedestrian routes are shown on the drawings, as are electric charging station locations. The project continues to keep 100' wide existing forest buffer against the I-40 property line. Parking proposed is based on the owner's experience at their other locations. They do anticipate some traffic reduction and use of public transit at this location.*

Nancy Oates

- Pleased to see this use put forward – she thinks it's a good fit with the Town.
- Would like to see a commitment to a zone that will not be clear cut.
- Would like to see shade in the mini-golf area
- Pleased to see consideration of battery powered go-karts vs. diesel
- Would like to see any trails on site stay natural surface, or for mountain biking, not more paved trail.

*RESPONSE: The area to be developed will be clear cut – there are large areas of cleared level space that are needed to accommodate the outdoor facilities proposed. But a large portion of the site (over half) is being*

*left undisturbed, and not just land within the RCD. There are accommodations for landscape areas and especially shade trees within the mini golf area.*

*The go-kart area as proposed is designed for battery power vehicles.*

*The project is not proposing any trail construction at this point. But the developer expects that any project-related trails on site will be unpaved nature trails.*

*There is an easement proposed for the Town's multimodal trail around the eastern side of the proposed development.*

Michael P

- Would like to see some green space brought into the golf area.

*RESPONSE: The golf area design allows for some tree and groundcover plantings, shown in the drawings.*

Karen Stegman

- Feels the fun center is a good use for Chapel Hill
- Bikability and walkability to this facility is important
- Worried about the effect of light and noise against the Carraway Village residential uses

*RESPONSE: The site will be accessible by bike routes and sidewalk, and covered bike facilities are proposed in front of the building so that first time visitors will be aware of bike parking accommodations.*

*Lighting will be directed toward the outdoor activities, not toward the property lines. There will be some buffer remaining between the new project and the recently constructed apartments at Carraway Village, and additional plantings will be installed.*

Hongbin Gu

- Worried about the significant removal of trees and hopes we can preserve lots of green space and natural forest features
- Agree with the CDC comments that there is too much parking and not enough nature

*RESPONSE: More than half the existing trees will remain on site so that much of the natural forest will be preserved. Parking has been broken up into smaller areas and many new trees and landscape areas are proposed within the parking areas.*

Pam Hemminger

- Would like to see conduit for roof solar potential in the future
- Would like to see the pond more central to the project, more integrated
- Wants to see walkability and safe navigation for pedestrians on site
- Would like to see the site rearranged somewhat so that storage is closer to the apartments and elements with more light and noise further away

*RESPONSE: The building and roof design will be developed during final plan processes.*

*The pond needs to be located at the low point of the site to be able to collect runoff from all new impervious areas, and that low point is at the northwest corner of the development. The pond area may be incorporated into future nature trails on site.*

*The site plan shows the pedestrian connections throughout the site.*

*The storage building has been moved toward the non-residential portion of the Carraway Village development, and the golf and go-karts moved further away from the property line. Additionally, some existing buffer will remain and be augmented with additional plantings, and a secondary evergreen buffer is proposed between the parking lot and the mini-golf space.*



# Putt-Putt Fun Center

## 115 / 135 Chapel Point Road

### CONDITIONAL ZONING PERMIT APPLICATION

#### CHAPEL HILL, NORTH CAROLINA

#### OWNER:

ERBER, LLC  
3055 BIG RIDGE ROAD  
BAKER, WV 26801

#### CONTRACT PURCHASER / DEVELOPER:

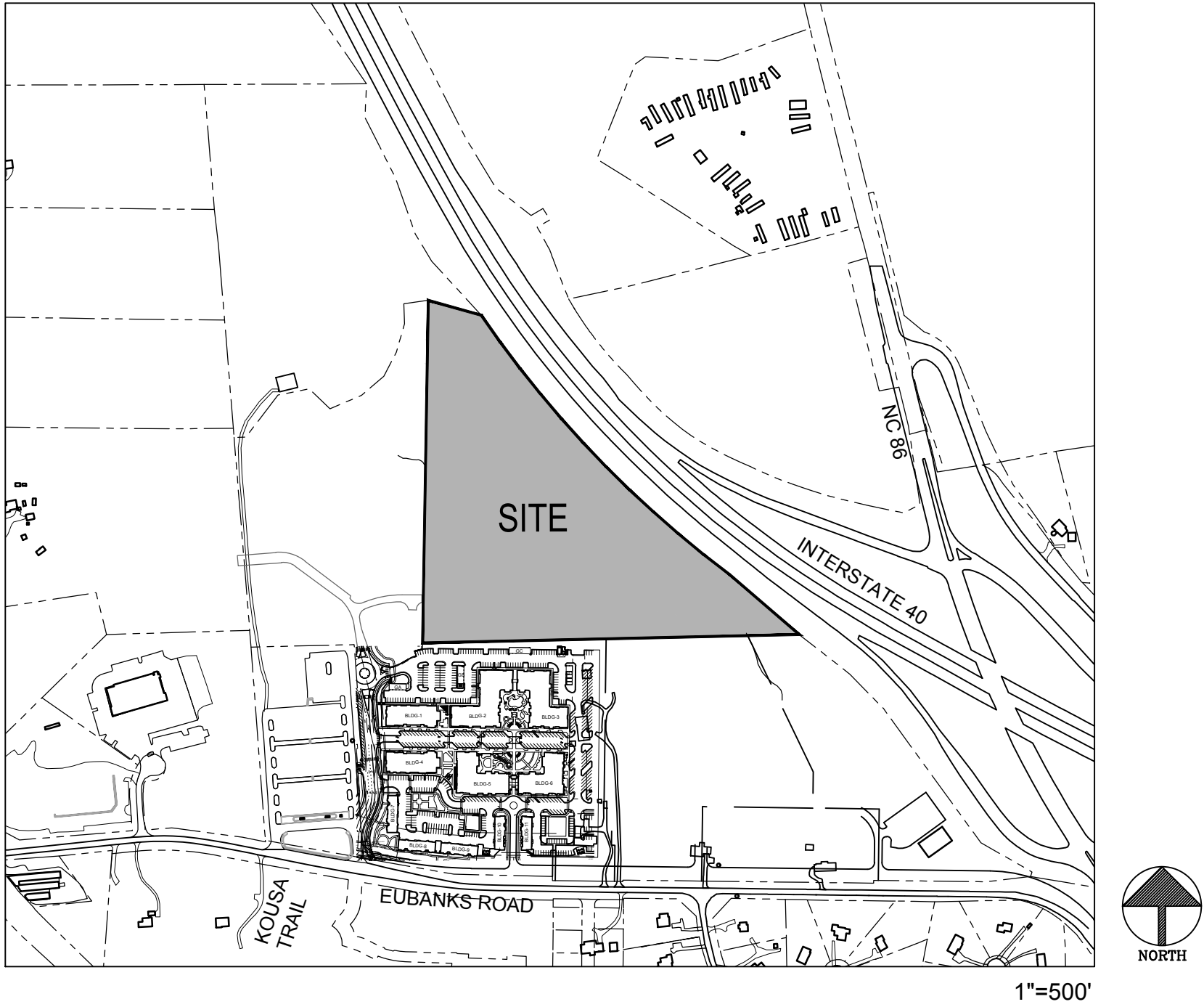
OPTIMAL VENTURES, LLC  
194 FINLEY GOLF COURSE ROAD, SUITE 102  
CHAPEL HILL, NC 27517  
CONTACT: SCOTT MORRIS  
SMORRIS@MORRISCOMMERCIAL.COM  
919-942-1141

#### APPLICANT / CONSULTANTS:

LANDSCAPE ARCHITECT / LAND PLANNER:  
COULTER JEWELL THAMES, PA  
111 WEST MAIN STREET  
DURHAM, NC 27701  
CONTACT: WENDI RAMSDEN  
WRAMSDEN@CJTPA.COM  
919-682-0368

ENGINEER:  
COULTER JEWELL THAMES, PA  
111 WEST MAIN STREET  
DURHAM, NC 27701  
CONTACT: PRESTON ROYSTER  
PROYSTER@CJTPA.COM  
919-682-0368

#### VICINITY MAP



#### TOWN OF CHAPEL HILL NOTES

1. A FIRE FLOW REPORT SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A ZCP.

#### LIST OF SHEETS:

CZ-0	COVER SHEET
CZ-0.1	AREA MAP
CZ-1.0	EXISTING CONDITIONS PLAN
CZ-1.1	NOTES
CZ-1.2	TREE PROTECTION AND TREESAVE PLAN
CZ-2.0	SITE PLAN
CZ-3.0	GRADING PLAN
CZ-3.1	CROSS SECTION THROUGH RCD
CZ-4.0	reserved for Erosion Control
CZ-5.0	UTILITY PLAN
CZ-6.0	LIGHTING PLAN
CZ-7.0	LANDSCAPE PLAN
CZ-8.0	SITE DETAILS
CZ-8.1	SITE DETAILS
CZ-8.2	UTILITY SITE DETAILS
A-1	ARCHITECTURAL BUILDING SECTIONS

#### RESOURCE CONSERVATION NOTES

STREAM BUFFERS:  
THERE IS A MAPPED STREAM AND ASSOCIATED STREAM BUFFER LOCATED ON SITE. A DETERMINATION WAS COMPLETED BY CHAPEL HILL PUBLIC WORKS TO VERIFY THAT THE STREAM SHOWING UP ON THE ORANGE COUNTY SOIL SURVEY EXISTS.

FLOODPLAIN PROTECTION:  
THE SITE IS NOT AFFECTED BY A MAPPED FLOODPLAIN ACCORDING TO FIRM MAPS 3710978900 J (FEB. 2 2007).

STEEP SLOPE PROTECTION:  
THERE ARE STEEP SLOPES ON SITE LOCATED PRIMARILY WITHIN THE RCD. STEEP SLOPES ARE NOTED ON THE EXISTING CONDITIONS PLAN, CZ-1.0.

WETLANDS:  
THERE ARE NO MAPPED WETLANDS ONSITE.

TREE PROTECTION:  
REFER TO SHEET CZ-1.1

#### PROJECT DATA:

PARCEL:  
ADDRESS: I-40 FRONTAGE NORTH OF EUBANKS ROAD  
CHAPEL POINT ROAD  
PIN: 9870997083  
NET SITE SIZE: 842,609.63 SF / 19.344 AC  
GROSS SITE SIZE: 926,870 SF / 21.278 AC

LAND USE:  
EXISTING: VACANT, WOODED  
PROPOSED: INDOOR / OUTDOOR RECREATION SPACE  
CONDITIONED SELF-STORAGE

ZONING:  
EXISTING: MU-R-1  
PROPOSED: OI-2-CZD (183,672 SF NET, 202,039 SF GROSS)  
AND CC-CZD (658,937 SF NET, 724,831 SF GROSS)

EXISTING BUILDINGS: N/A

PROPOSED BUILDINGS:  
INDOOR RECREATION: 28,500 SF (1 STORY + MEZZANINE MAIN BUILDING, 16,500 SF FOOTPRINT  
+ 4,500 SF 1 STORY CART SHOP)  
SELF STORAGE: 84,000 SF (3 STORY / 28,000 SF FOOTPRINT)  
TOTAL SQUARE FOOTAGE: 112,500 SF

TOTAL SITE AREA :	NET LAND AREA	GROSS LAND AREA
NON-RCD AREA	446,129 SF	490,741 SF
AREA IN STREAMSIDE RCD ZONE	173,620 SF	190,982 SF
AREA IN MANAGED RCD ZONE	122,851 SF	135,136 SF
AREA IN UPLAND RCD ZONE	100,010 SF	110,011 SF

ALLOWABLE BUILDING SF FOR:	OI-2-CZD FAR	SQUARE FOOTAGE	CC-CZD FAR	SQUARE FOOTAGE
PROPOSED ZONE:	114,434 sf @ .264	30,211 SF	486,318 sf @ .429	208,630 SF
STREAMSIDE RCD:	63,604 sf @ .010	636 SF	127,378 sf @ .010	1,274 SF
MANAGED RCD:	43,703 @ .019	830 SF	91,433 sf @ .019	1,737 SF
TOTAL MAXIMUM BUILT SQUARE FOOTAGE:		31,677 SF		211,641 SF

PROPOSED BUILT SQUARE FOOTAGE: 84,000 SF 28,500 SF

TOTAL BUILDING SQUARE FOOTAGE ALLOWED: 243,318 SF  
TOTAL BUILDING SQUARE FOOTAGE PROPOSED: 112,500 SF  
TOTAL SITE FAR: .1214

VEHICULAR PARKING:  
REQUIRED: NO PARKING REQUIREMENT FOR INDOOR RECREATION  
34 TO 56 - SELF STORAGE (MIN. 1/2500 SF, MAX. 1/1500 SF)  
= 34 SPACES REQUIRED MIN, NO MAXIMUM

PROPOSED: 144 STANDARD SPACES  
6 VAN ACCESSIBLE ADA SPACES  
= 170 SPACES PROVIDED

ELECTRIC CHARGING STATIONS  
REQUIRED: 3% OF TOTAL PARKING = 149 X 3% = 5.1 SPACES  
PROVIDED: 6 SPACES SERVED BY 3 DUAL CHARGING STATIONS  
SPACES INCLUDE 2 ADA SPACES AND 4 STANDARD SPACES  
2 DUAL STATIONS AT THE RECREATION PARKING, 1 DUAL STATION AT THE SELF STORAGE  
CONDUIT TO AN ADDITIONAL 34 SPACES AT THE AMUSEMENT CENTER

BICYCLE PARKING:  
REQUIRED: 0 - INDOOR/OUTDOOR RECREATION USE FACILITY  
(bicycle parking for this use is not specified in the LUMO)  
+ 7 OUTDOOR RECREATION SPACES @ 5% vehicular parking provided  
80% SHORT TERM (5), 20% PROTECTED (2)  
+ 4 - SELF STORAGE (MIN. 4, NO OTHER REQ.)  
20% SHORT TERM (1), 80% PROTECTED (3)  
= 11 SPACES REQUIRED  
6 outdoor, 5 protected

OUTDOOR RECREATION BICYCLE PARKING = 5% OF VEHICULAR PARKING  
136 VEHICULAR SPACES X 5% = 7 BICYCLE SPACES

PROPOSED: OUTDOOR RECREATION:  
2 - PROTECTED SPACES (2 BIKE LOCKERS)  
+ 12 - SHORT TERM SPACES (6 LOOPS UNDER ROOF)  
14 SPACES

SELF-STORAGE BUILDING  
3 PROTECTED SPACES (INDOOR SPACES IN SELF STORAGE)  
+ 1 SHORT TERM SPACE (LOOP AT OFFICE ENTRY)  
= 4 SPACES

TOTAL PROPOSED BIKE PARKING ON SITE: 18 SPACES

IMPERVIOUS SURFACE:

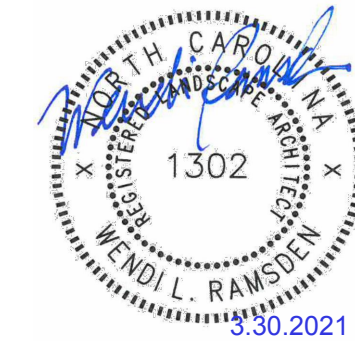
EXISTING: 0 SF  
PROPOSED: 180,911 SF

DISTURBED AREA INCLUDING OFF SITE: 335,500 SF / 7.7 AC



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NC BOARD OF EXAMINERS FOR  
ENGINEERS AND SURVEYORS  
LIC # C-1289  
NC BOARD OF  
LANDSCAPE ARCHITECTS  
LIC # C-104



Project

#### Putt-Putt Fun Center

115 / 135 Chapel Point  
Road  
Chapel Hill, NC

PIN 9870997083

Job Number 1952

Drawn WLR, MTC  
Checked WLR, PBR  
Date 7/27/2020  
Revisions 12/10/2020 TRT REVIEW RESPONSE  
2/19/2021 TRT REVIEW RESPONSE  
3/30/2021 TRT FINAL CHANGES

CONDITIONAL ZONING  
PERMIT APPLICATION  
NOT ISSUED  
FOR CONSTRUCTION

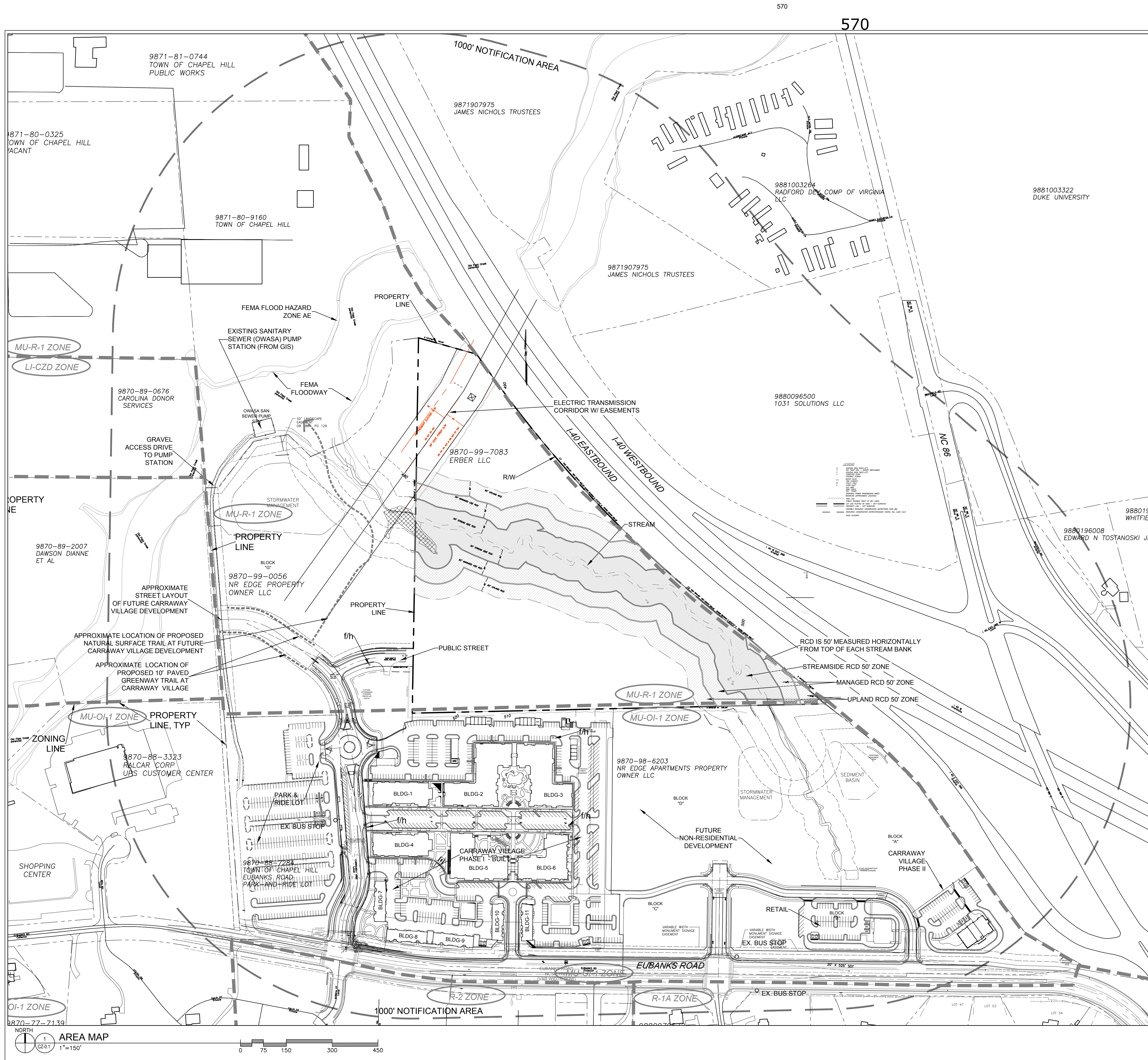
Sheet Title

#### COVER SHEET

Sheet Number

#### CZ-0







PIN 9870997083

JORDAN BUFFER  
RESOURCE CONSERVATION DISTRICT

NET LAND AREA 844,031 SF / 19.376 AC

EXISTING ZONING: MU-R-1  
PROPOSED ZONING: OI-2 WITH PD-MU OVERLAY

1. POTABLE WATER IS AVAILABLE TO THE PARCEL WITH A WATER MAIN EXTENSION.
2. SANITARY SEWER IS AVAILABLE TO THE PARCEL WITH A SEWER MAIN EXTENSION.
3. NATURAL GAS IS AVAILABLE TO THE SITE.
4. ELECTRIC SERVICE IS AVAILABLE TO THE SITE.

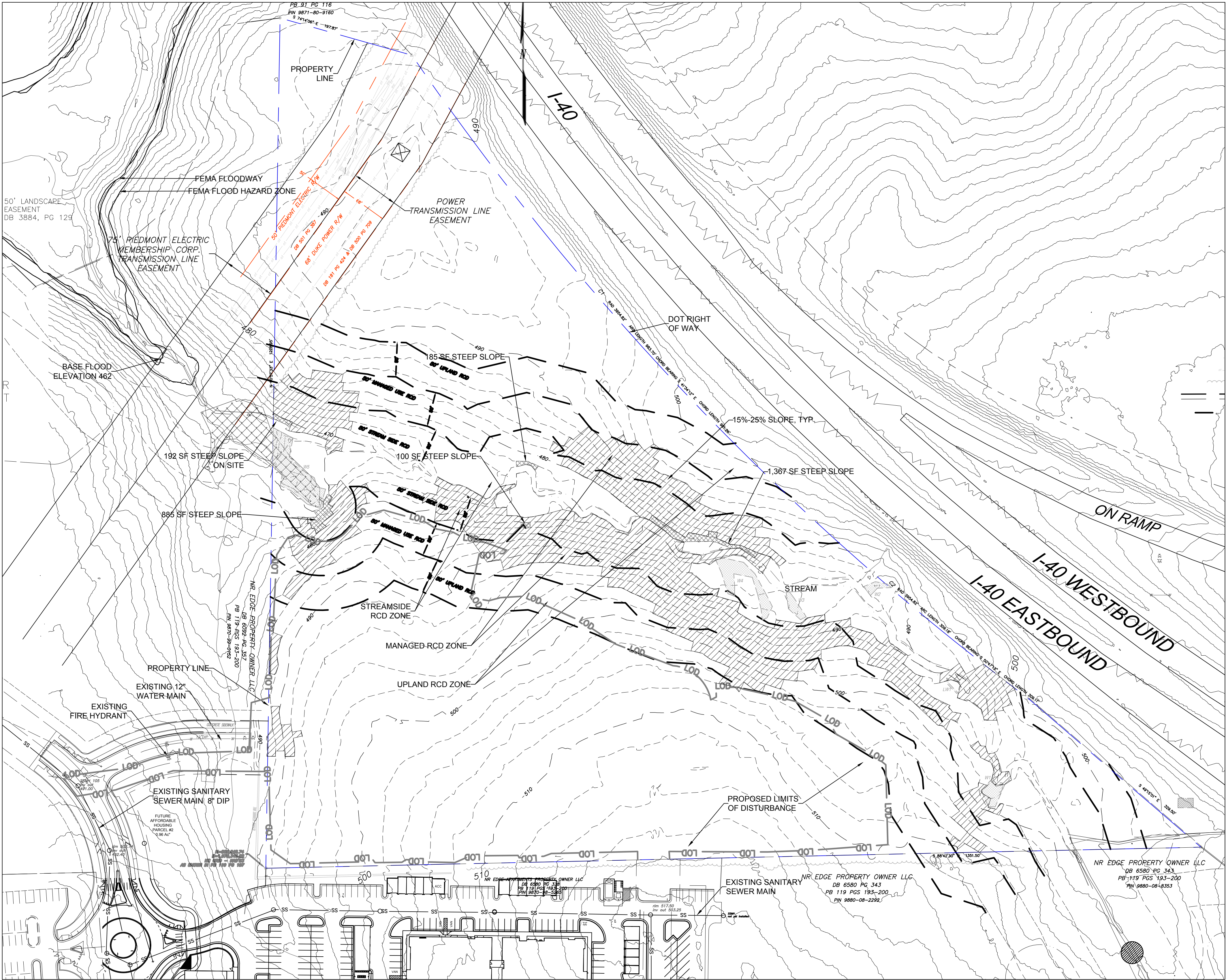
LEGEND

- PROPERTY LINE
- BUILDING ENVELOPE
- PERENNIAL STREAM
- INTERMITTENT STREAM
- BREAKPOINT BETWEEN PERENNIAL/INTERMIT. STREAM
- FEMA FLOODWAY OR FLOOD HAZARD AREA ALL OFFSITE
- RESOURCE CONSERVATION DISTRICT ZONES

- EXISTING IRON ROD(1/2")
- SET "MAG" NAIL - SURVEY BENCHMARK
- EXISTING IRON PIPE(1/2")
- COMPUTED POINT
- POSSIBLE SPRING
- WATER VALVE
- FIRE HYDRANT
- UTILITY POLE
- CURB INLET
- GUY WIRE
- WIRE FENCE
- SILT FENCE
- OVERHEAD POWER TRANSMISSION WIRES
- WATERLINE (APPROXIMATE LOCATION)
- TREE LINE
- PUBLIC ROADWAY RIGHT OF WAY LIMITS
- LOT LINE PLOTTED BY DEED - NOT SURVEYED
- PROPERTY LINE - NOT SURVEYED
- POSSIBLE RESOURCE CONSERVATION DISTRICT(SEE NOTE #6)
- RESOURCE CONSERVATION DISTRICT(RCD)SEE CHAPEL HILL LUMO 3.6.3
- ROCK OUTCROP

2 PARCEL DATA

3 EXISTING SERVICES



The parcel is bisected by a perennial stream with floodplain and on RCD zone, 150' wide horizontally from the top of each stream bank. The developable land includes approximately 7 acres between the stream and the south property line, with a smaller buildable area approximately 2.5 acres north of the stream buffer.

Slopes: The steepest slopes are in the stream buffer and RCD zones. The south developable area has slopes of 5-15% with the steepest area located where the new public street meets the property. The area north of the stream buffer has slopes of 5-10%.

Vegetation: Site is entirely wooded except for the electric transmission corridor.

4 SITE ANALYSIS

LEGEND

- SLOPES > 25%  
2,729 SF  
NO PROPOSED DISTURBANCE OF SLOPES >25%
- SLOPES 15%-25%  
107,192 SF  
PROPOSED 8,890 SF ESTIMATED DISTURBANCE (8.3%) OF SLOPES 15%-25%
- AREA NOT HATCHED REPRESENTS SLOPES <15%

5 SLOPE SUMMARY

BASE INFORMATION  
TOPOGRAPHIC PARCEL INFORMATION SURVEYED  
SURROUNDING INFORMATION FROM ORANGE COUNTY AND CHAPEL HILL GIS

1 EXISTING CONDITIONS PLAN

SEE NOTES RE: 1/CZ-1.1



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NC BOARD OF EXAMINERS FOR  
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LIC # C-104



Project

Putt-Putt  
Fun Center

115 / 135 Chapel Point  
Road  
Chapel Hill, NC

PIN 9870997083

Job Number 1952

Drawn WLR, MTC  
Checked WLR, PBR  
Date 7/27/2020  
Revisions 12/10/2020  
TRT REVIEW RESPONSE  
2/19/2021  
TRT REVIEW RESPONSE  
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TRT FINAL CHANGES

CONDITIONAL ZONING  
PERMIT APPLICATION  
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Sheet Title

EXISTING  
CONDITIONS

Sheet Number

CZ-1.0



1. ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION.
2. SEE SITE PLAN SHEET CZ-2.0 FOR LAYOUT DIMENSIONS AND CZ-1.0 FOR EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
3. UTILITIES: SEE UTILITY PLAN CZ-5.0. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES FOR LOCATION, REMOVAL AND RELOCATION OF ANY UTILITIES. CONTRACTOR RESPONSIBLE FOR DETERMINING EXTENT AND LOCATION OF UTILITIES. THIS MAY INCLUDE CONTACTING "NO-CUTS" TO HELP LOCATE SOME UTILITIES.
4. CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
5. CONTRACTOR RESPONSIBLE FOR OBTAINING ANY PERMITS FOR WORK IN THE NCDOT AND TOWN OF CHAPEL HILL RIGHTS OF WAY. ANY DAMAGED INFRASTRUCTURE IN THE RIGHT OF WAY CAUSED BY CONSTRUCTION ACTIVITIES MUST BE REPAIRED TO TOWN OF CHAPEL HILL STANDARDS. THIS INCLUDES, BUT IS NOT LIMITED TO UTILITIES, SIDEWALKS, CURB AND GUTTER, ASPHALT.
6. CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
7. CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
8. ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
9. A DECONSTRUCTION ASSESSMENT MUST BE CONDUCTED BY OCSW STAFF PRIOR TO THE APPROVAL OF THE DEMOLITION PERMIT FOR THE EXISTING CONVENIENCE STORE AND 2 STORY STRUCTURE. CONTACT OCSW ENFORCEMENT STAFF AT 919-968-2788 TO REQUEST THE ASSESSMENT.
10. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
11. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
12. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
13. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL (ACM) OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
14. DEMOLITION PERMIT REQUIRED TO REMOVE 5,200 SF STORE.
15. TREE PROTECTION SEMINAR TO BE COMPLETED BY CONTRACTOR PRIOR TO TREE PROTECTION FENCE INSTALLATION. PLEASE CALL ADAM NICHOLSON AT 919-969-5006 TO ARRANGE.
16. ANY ACCESS TO THE PROJECT SITE THROUGH PRIVATE PROPERTY REQUIRES WRITTEN PERMISSION OF THE ADJACENT PROPERTY OWNER.

1 DEMOLITION NOTES

CZ-1.1

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. KEY BOXES FOR FIRST RESPONDERS WILL BE REQUIRED NEAR THE FRONT DOOR AND SPRINKLER RISER ROOM AREAS. 2012 NC FIRE CODE, SECTION 506.
7. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE BASE FLOOD ELEVATION + 2 FEET.
8. PRIOR TO ISSUANCE OF THE DRIVEWAY PERMIT AND UTILITY EXTENSION PERMITS, THE APPLICANT WILL NEED TO OBTAIN ENCROACHMENT AGREEMENTS.

2 SITE PLAN NOTES

CZ-1.1

ADA route notes apply to all sheets

FOR ALL SIDEWALKS THE FOLLOWING APPLIES:

1. SIDEWALK SLOPES TO BE A MAXIMUM 4.8%.
2. SIDEWALK CROSS SLOPES TO BE A MAXIMUM 1.8%.
3. MINIMUM 1' SHOULDER AT MAXIMUM 2% SLOPE ADJACENT TO ADA PAVED ROUTES UNLESS A HANDRAIL IS CALLED OUT.
4. ADA PARKING TO BE A MAXIMUM 2% SLOPE IN ANY DIRECTION FOR ENTIRE AREA - PARKING SPACES AND AISLES.
5. ALL DOORS EXITING THE BUILDING REQUIRE AN ADA ACCESSIBLE COMPLIANT ROUTE TO A PUBLIC WAY.
6. PARKING - NUMBER OF SPACES TO COMPLY WITH NCSC 2012 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE, NO SLOPE TO EXCEED 2% IN ANY DIRECTION. SIGNAGE PER NC REQUIREMENTS, MUT-CD AND ICC A 117.1.
7. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 ED. CROSS SLOPE LIMITED TO 2%, CALL FOR INSPECTION BEFORE PLACEMENT OF CONCRETE.
8. SLOPE GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.

1. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL".
4. CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
5. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
6. SOIL UNDER BUILDING PAD, PAVED AREAS AND WITHIN SLOPES GREATER THAN 3:1 (H:V) SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. THESE SOILS SHALL BE COMPACTED AS SPECIFIED UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ANY UNDERCUT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO BE QUANTIFIED BY THE GEOTECHNICAL ENGINEER.
7. ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR WET LAWN AREAS, TO ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING STRUCTURES, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.
8. CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
9. STORM STRUCTURES: PROVIDE CURB INLET HOODS AND COVERS, MANHOLE RINGS AND COVERS, AND INLET GRATES STATING, "DUMP NO WASTE! DRAINS TO JORDAN LAKE", IN ACCORDANCE WITH ALL SPECIFICATIONS OF THE TOWN STANDARD DETAILS INCLUDING, BUT NOT LIMITED TO, SD-4A AND SD-5A, FOR ALL NEW CURB INLETS, JUNCTION BOXES, MANHOLES, AND YARD INLETS FOR PRIVATE, TOWN AND STATE RIGHTS-OF-WAY. TOP PLANS MUST INCLUDE ALL APPLICABLE STANDARD DETAILS WITH JORDAN LAKE STAMP. SEE TOWN OF CHAPEL HILL DESIGN MANUAL AND STANDARD DETAILS.
10. BW (BOTTOM OF WALL) ELEVATION IS FINISH GRADE, NOT THE FOOTING. REFERENCE RETAINING WALL PLANS/DETAILS FOR DEPTH OF FOOTING.
11. ANY DISTURBANCE WITHIN THE FORESTED "NO LAND DISTURBANCE AREA" WILL REQUIRE AN UPDATE TO THE JORDAN ACCOUNTING TOOL.
12. PRIOR TO COMPLETING POND GRADING, THE CONTRACTOR SHALL COORDINATE AN INFILTRATION TEST OF THE IN-SITU SOILS AT THE BOTTOM OF THE PROPOSED POND BY A QUALIFIED, LICENSED GEOTECHNICAL ENGINEER. THE MAXIMUM ALLOWABLE INFILTRATION RATE IS 0.01 IN/HR. A REPORT SHALL BE PROVIDED TO THE ENGINEER AND THE TOWN OF CHAPEL HILL FOR REVIEW PRIOR TO COMPLETING POND GRADING. IF THE INFILTRATION RATE IS GREATER THAN 0.01 IN/HR, AN IMPERMEABLE LINER (EITHER CLAY OR A SYNTHETIC PRODUCT) SHALL BE INSTALLED. DETAILS OF THE PROPOSED LINER SHALL BE REVIEWED AND APPROVED BY THE GEOTECHNICAL ENGINEER, THE CIVIL ENGINEER, AND THE TOWN OF CHAPEL HILL.

3 GRADING NOTES

CZ-1.1

1. ALL STORM DRAINAGE PIPES SHOWN ARE TO BE CLASS III REINFORCED CONCRETE (RCP) UNLESS NOTED OTHERWISE.
2. ALL STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS.
3. ALL CONCRETE SHALL MEET A MINIMUM 3000 PSI COMPRESSIVE STRENGTH.
4. ALL PIPE IN STORM DRAIN STRUCTURES SHALL BE STRUCK EVEN WITH INSIDE WALL.
5. ALL PIPE JOINTS SHALL BE MADE WITH PREFORMED JOINT SEALER, WHICH CONFORMS TO AASHTO SPECIFICATION M-198 FOR TYPE B FLEXIBLE PLASTIC GASKETS UNLESS OTHERWISE NOTED.
6. THE INTERIOR SURFACES OF ALL STORM DRAINAGE STRUCTURES SHALL BE POINTED AND SMOOTHED TO AN ACCEPTABLE STANDARD USING MORTAR MIXED TO MANUFACTURER'S SPECIFICATIONS.
7. ALL BACKFILL SHALL BE NON-PLASTIC IN NATURE, FREE FROM ROOTS, VEGETATION MATTER, WASTE CONSTRUCTION MATERIAL OR OTHER OBJECTIONABLE MATERIAL. SAID MATERIAL SHALL BE CAPABLE OF BEING COMPACTED BY MECHANICAL MEANS AND SHALL HAVE NO TENDENCY TO FLOW OR BEHAVE IN A PLASTIC MANNER UNDER THE TAMPING BLOWS OR PROOF ROLLING.
8. MATERIALS DEEMED BY THE OWNER'S REPRESENTATIVE AS UNSUITABLE FOR BACKFILL PURPOSES SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL.
9. BACKFILLING OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PIPE IS LAID. THE FILL AROUND THE PIPE SHALL BE THOROUGHLY COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY OBTAINABLE WITH THE STANDARD PROCTOR TEST. THE TOP EIGHT (8) INCHES SHALL BE COMPACTED TO 100% STANDARD PROCTOR.
10. UNDER NO CIRCUMSTANCES SHALL WATER BE ALLOWED TO RISE IN UNBACKFILLED TRENCHES AFTER PIPE HAS BEEN PLACED.
11. RISER STRUCTURES WITH MULTIPLE BARREL SECTIONS SHALL HAVE GASKETTED JOINTS, AND EACH SECTION SHALL BE BOLTED TO ADJACENT SECTIONS WITH STAINLESS STEEL STRAPS.

4 STORM DRAINAGE NOTES

CZ-1.1

1. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICE INDEPENDENT OF "NORTH CAROLINA ONE CALL".
2. ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY THE TOWN OF CHAPEL HILL.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
4. ALL EXISTING UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. ACTUAL LOCATION AND DEPTH SHALL BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION.
5. BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY TOWN OR N.C.D.O.T. STREET OR HIGHWAY RIGHT-OF-WAY THE FOLLOWING PROCEDURES SHOULD BE UNDERTAKEN; TOWN RIGHT-OF-WAY: CONTACT LOCAL AUTHORITIES' TRAFFIC ENGINEERING DEPT. FOR INFORMATION ON DETOURS, OPEN CUTTING OF STREETS OR FOR ANY CONSTRUCTION WITHIN RIGHT-OF-WAY. N.C.D.O.T. RIGHT-OF-WAY: CONTACT PROJECT ENGINEERS AND OBTAIN ALL PERMITS AND ENCROACHMENTS (KEEP COPIES ON CONSTRUCTION SITE, ALSO CONTACT N.C.D.O.T. DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER).
6. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST. PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADING CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
7. POWER, TELEPHONE, AND GAS SERVICES TO BUILDINGS SHALL BE UNDERGROUND. ACCESS AND SERVICE ROUTES TO BE COORDINATED WITH THE PUBLIC UTILITIES, CONTRACTOR AND THE OWNER.
8. RESURFACING OF STREET DUE TO UTILITY CUTS SHALL BE REQUIRED AT THE DIRECTION OF ENGINEERING. (MINIMUM 50' TO EITHER SIDE OF UTILITY CUTS).
9. PROVIDE 10'-FT OF HORIZONTAL SEPARATION BETWEEN PROPOSED NEW WATER AND SEWER MAINS

SANITARY SEWER:

1. BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL UNITS WITH FINAL FLOOR ELEVATIONS OF BUILDINGS LESS THAN 1'-0" ABOVE UPSTREAM MANHOLE.
2. MINIMUM COVER OF 5 FEET IN TRAFFIC AREAS TO BE PROVIDED FOR ALL COLLECTOR LINES 4 INCHES AND LARGER. IF LESS THAN 5 FEET, DUCTILE IRON PIPE SHALL BE REQUIRED.
3. MINIMUM SLOPE FOR 4 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 2.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.
4. MINIMUM SLOPE FOR 6 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 1.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.

WATER:

1. WATERLINES WILL BE 3' OFF CURB AND GUTTER UNLESS SHOWN OTHERWISE.
2. LAY WATER MAINS AT LEAST 10 FEET Laterally FROM EXISTING OR PROPOSED SANITARY SEWERS. IF LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT SEPARATION, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER PIPE EITHER IN A SEPARATE TRENCH OR IN THE SAME TRENCH ON A BENCH OF UNDISTURBED EARTH.
3. WHEN A PROPOSED WATER MAIN CROSSES OVER A PROPOSED OR EXISTING SANITARY SEWER, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER. IF LOCAL CONDITIONS PREVENT AN 18" VERTICAL SEPARATION, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER FOR A DISTANCE OF 10 FEET ON EACH SIDE TO THE POINT OF CROSSING WITH FERROUS PIPE HAVING WATER MAIN QUALITY JOINTS.
4. WHEN A PROPOSED WATER MAIN CROSSES UNDER A PROPOSED OR EXISTING SANITARY SEWER, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER OF FERROUS MATERIALS WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. CENTER THE SECTION OF WATER PIPE AT THE POINT OF CROSSING.
5. MAINTAIN A MINIMUM COVER OF 36" AND MAXIMUM COVER OF 42" BELOW FINISHED GRADE OVER ALL PIPES UNLESS OTHERWISE DIRECTED OR SHOWN ON THE PLANS. DUE TO THE HEIGHTS OF VALVES, INCREASE THE COVER DEPTHS ADJACENT TO THE VALVES OR VARIED AT POINTS OF TIE-IN TO EXISTING LINES.
6. ALL FDC(S) AND HYDRANT(S) SHALL BE SIAMESE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
7. A FIRE SPRINKLER SYSTEM WILL BE REQUIRED FOR THE SELF-STORAGE FACILITY.
8. A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO INSTALL ANY NEW UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE/COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17.

5 UTILITY NOTES

CZ-1.1

1. LANDSCAPING MUST BE IN PLACE PRIOR TO REQUEST FOR A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, DEPTHS, QUANTITIES, DISTANCES, ANGLES AND SLOPES PRIOR TO ORDERING MATERIALS OR INSTALLING PROJECT.
3. IN AREAS OF GROUND COVER, MAINTAIN A 12" MINIMUM DISTANCE BETWEEN PLANTS AND HARD IMPROVEMENTS.
4. BED LINES SHALL CONFORM TO CONFIGURATION SHOWN ON THE PLANS. BED LINES SHALL MEET CURBS, WALKS, BUILDINGS, ETC. AT RIGHT ANGLES UNLESS SHOWN OTHERWISE.
5. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE THEMSELF WITH ACTUAL CONDITIONS AND VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL REPORT ALL DISCREPANCIES TO LANDSCAPE ARCHITECT.
6. CONTRACTOR SHALL ACCEPT ACTUAL CONDITIONS AT SITE AND PERFORM THE WORK SPECIFIED INCLUDING FINE GRADING AND INCORPORATION OF TOP SOIL INTO PLANTING AREAS, WITHOUT ADDITIONAL COMPENSATION FOR POSSIBLE VARIATION FROM GRADES AND CONDITIONS SHOWN, WHETHER SURFACE OR SUBSURFACE, EXCEPT AS PROVIDED FOR IN CONTRACT DOCUMENTS.
7. IN LAWN AREAS, 2" TOPSOIL/COMPOST SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING. IN LANDSCAPE BEDS, 3" TOPSOIL/COMPOST SHALL BE TILLED INTO THE TOP 6" OF GROUND PRIOR TO PLANT INSTALLATION.
8. CONTRACTOR WILL OBTAIN WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY PLANT SUBSTITUTIONS OF SPECIES, SIZE, OR TYPE OF CONTAINER.
9. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE UTILITIES DURING INSTALLATION, AND SHALL PROMPTLY REPAIR AND RESTORE SERVICES AT NO ADDITIONAL COST TO THE OWNER IF DAMAGE OCCURS DURING INSTALLATION. CONTRACTOR SHALL BECOME THOROUGHLY FAMILIAR WITH THE FULL SET OF CONSTRUCTION DRAWINGS AND SPECIFICATIONS FOR COORDINATION WITH UTILITIES, ARCHITECTURAL FEATURES, ETC.
10. CONTRACTOR WILL LEAVE DISTURBED AREAS LEVEL AND RAKED SMOOTH, REMOVING ALL ROCKS AND DEBRIS.
11. MULCH IS TO BE A 3" LAYER OF TRIPLE SHREDDED HARDWOOD MULCH. MULCH IS TO BE KEPT AWAY FROM TREE TRUNKS.
12. ANY DAMAGE TO EXISTING CONDITIONS OUTSIDE THE CONTRACT LIMITS, INCLUDING CURBS, SIDEWALKS, TURF AREAS AND PAVING, SHALL BE RESTORED TO ORIGINAL CONDITION BY THE CONTRACTOR WITHOUT EXTRA COST TO THE OWNER.
13. IN CASE OF DISCREPANCY BETWEEN THE QUANTITY OF PLANTS ON THE PLANS COMPARED TO THE PLANT LIST, THE CONTRACTOR SHALL CZPLY QUANTITIES AS SHOWN ON THE PLANS.
14. ALL UNPAVED SURFACES ARE TO BE COVERED IN PLANTS, MULCH, OR GRASS.
15. LINE OF SIGHT NOTE: NO PROPOSED LANDSCAPING WITHIN THE LINE OF SIGHT EASEMENT SHALL EXCEED 24" AT MATURITY. ANY NEW TREES SHALL BE LIMBED TO 7' ABOVE FINISHED GRADE.
16. ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING THE LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
17. THE AREA WITHIN THE SIGHT TRIANGLE AREA SHALL BE THINNED OF ALL SHRUBS, TREES LARGER THAN 1" CAL SHALL BE LIMBED UP TO 7' ABOVE EXISTING GRADE TO IMPROVE VISIBILITY.

6 LANDSCAPE NOTES

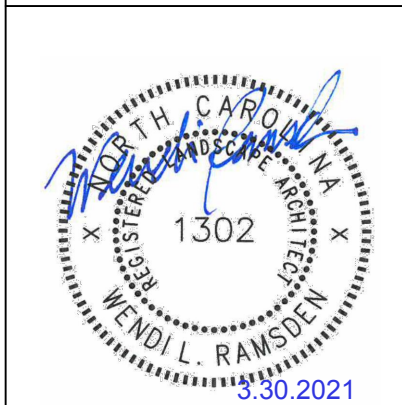
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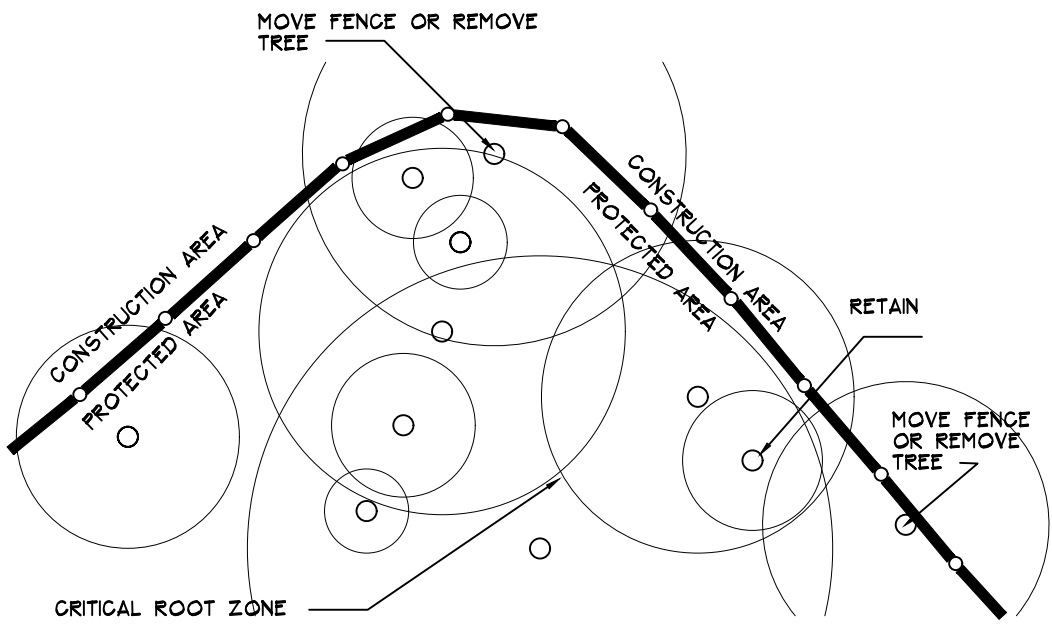
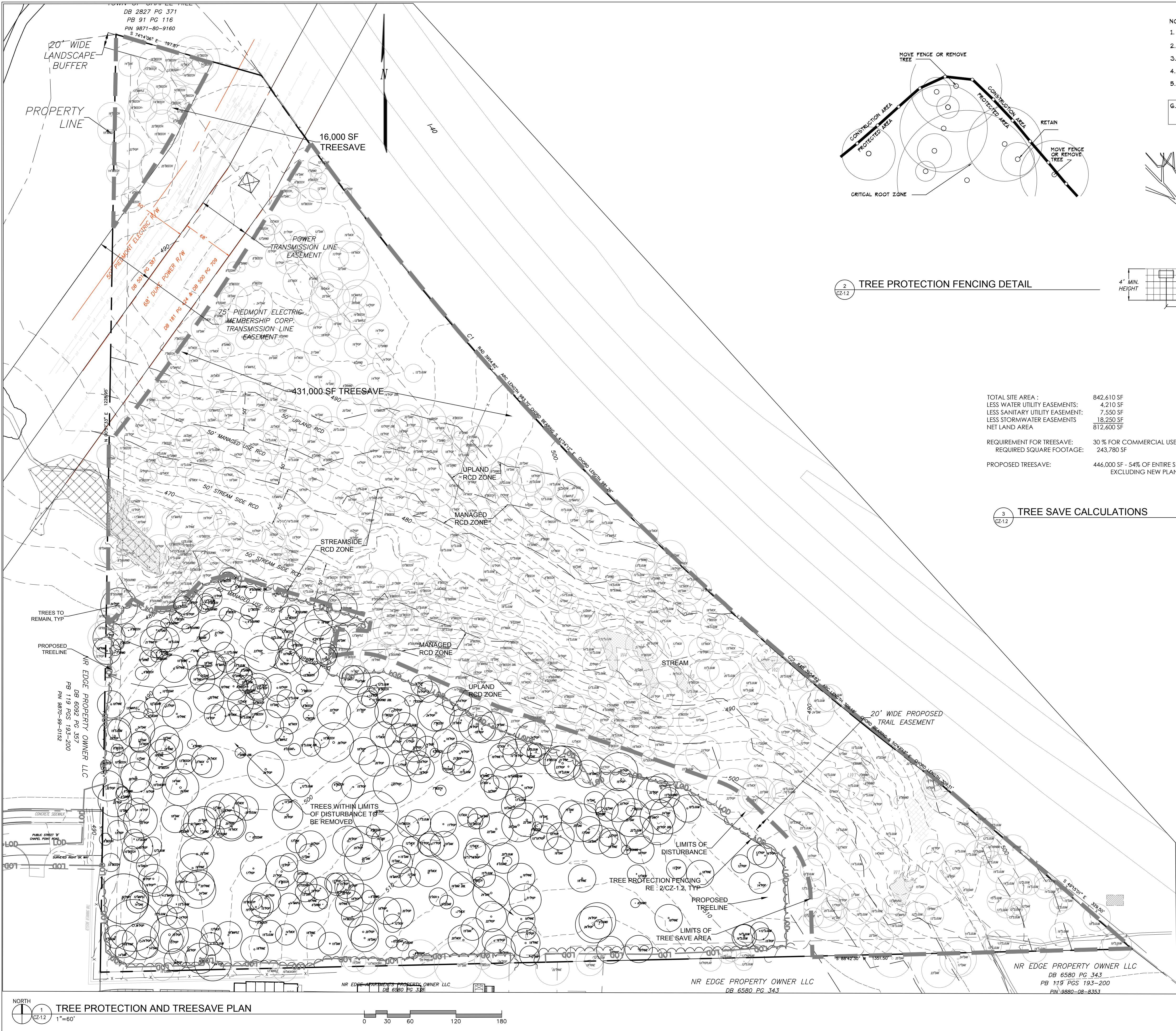
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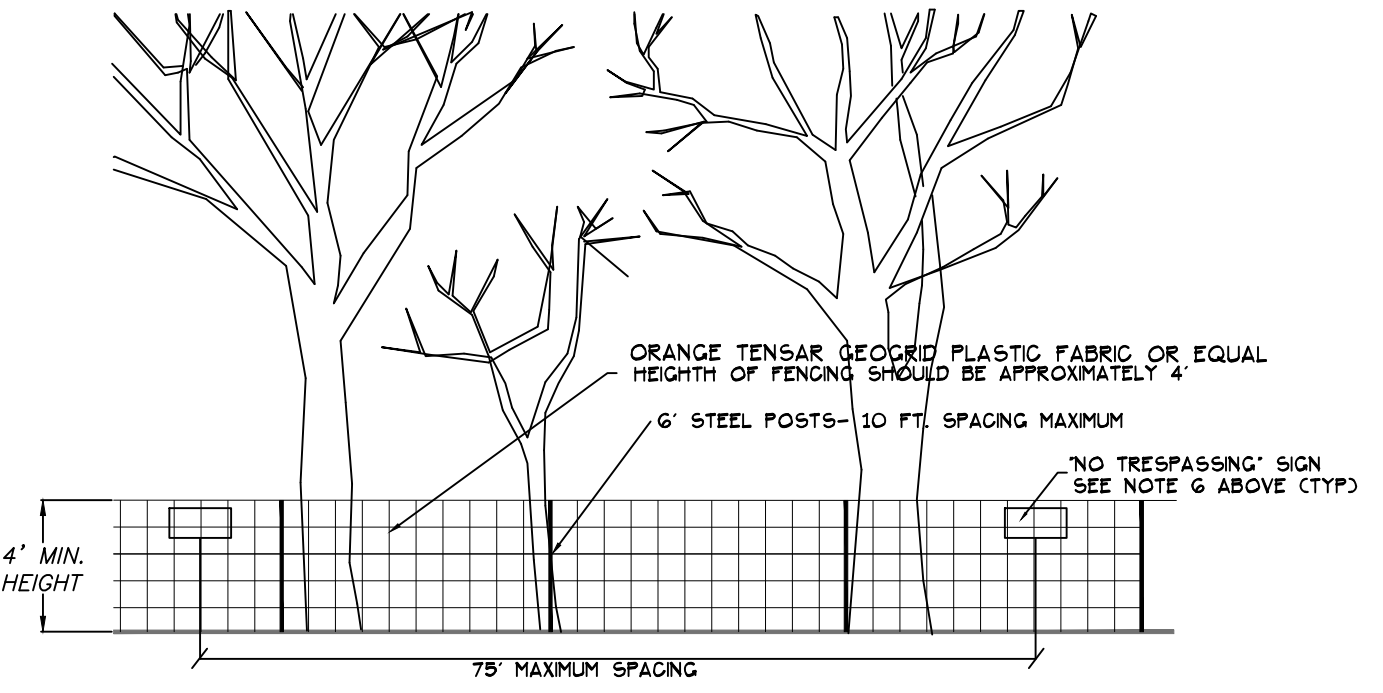
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2 TREE PROTECTION FENCING DETAIL

- NOTES:
1. MOVE FENCE OR REMOVE TREE IF MORE THAN 20% OF A TREE'S CRITICAL ROOT AREA IS UNPROTECTED.
  2. ROOT PRUNE TREES TO REMAIN WHERE CONSTRUCTION ACTIVITIES WILL SEVER ROOTS.
  3. ANY TREE ROOTS EXPOSED BY CONSTRUCTION SHALL BE SEVERED CLEANLY WITH A PRUNING TOOL.
  4. DO NOT DISPOSE OF ANY CHEMICALS OR REMOVE SOIL OUTSIDE THE LIMITS OF WORK.
  5. WHEN INSTALLING NEW LANDSCAPE PLANTS, DO NOT DRIVE EQUIPMENT UPON OR DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.
  6. SIGNAGE MUST BE PLACED ON TREE PROTECTION FENCING WITH A MINIMUM MINIMUM SPACING OF 75' O.C. TO READ "TREE PROTECTION AREA - NO TRESPASSING WITHIN THE FENCE".



TOTAL SITE AREA :	842,610 SF
LESS WATER UTILITY EASEMENTS:	4,210 SF
LESS SANITARY UTILITY EASEMENT:	7,550 SF
LESS STORMWATER EASEMENTS	18,250 SF
NET LAND AREA	812,600 SF
REQUIREMENT FOR TREESAVE:	30 % FOR COMMERCIAL USE GROUP C
REQUIRED SQUARE FOOTAGE:	243,780 SF
PROPOSED TREESAVE:	446,000 SF - 54% OF ENTIRE SITE, EXCLUDING NEW PLANTINGS

3 TREE SAVE CALCULATIONS

- LEGEND
- PROPERTY LINE
  - - - LANDSCAPE BUFFER
  - . - PERENNIAL STREAM
  - - - RESOURCE CONSERVATION DISTRICT
  - TREESAVE AREA

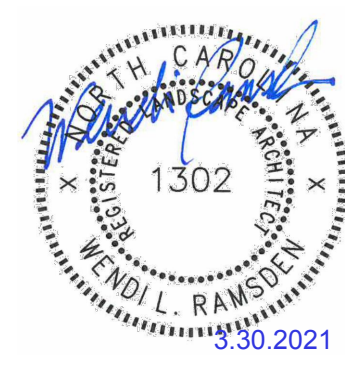
BASE INFORMATION  
ON SITE TOPOGRAPHIC AND TREE INFORMATION SURVEYED  
BY RILEY SURVEYING, PARCEL, AND SURROUNDING  
INFORMATION FROM ORANGE COUNTY GIS.



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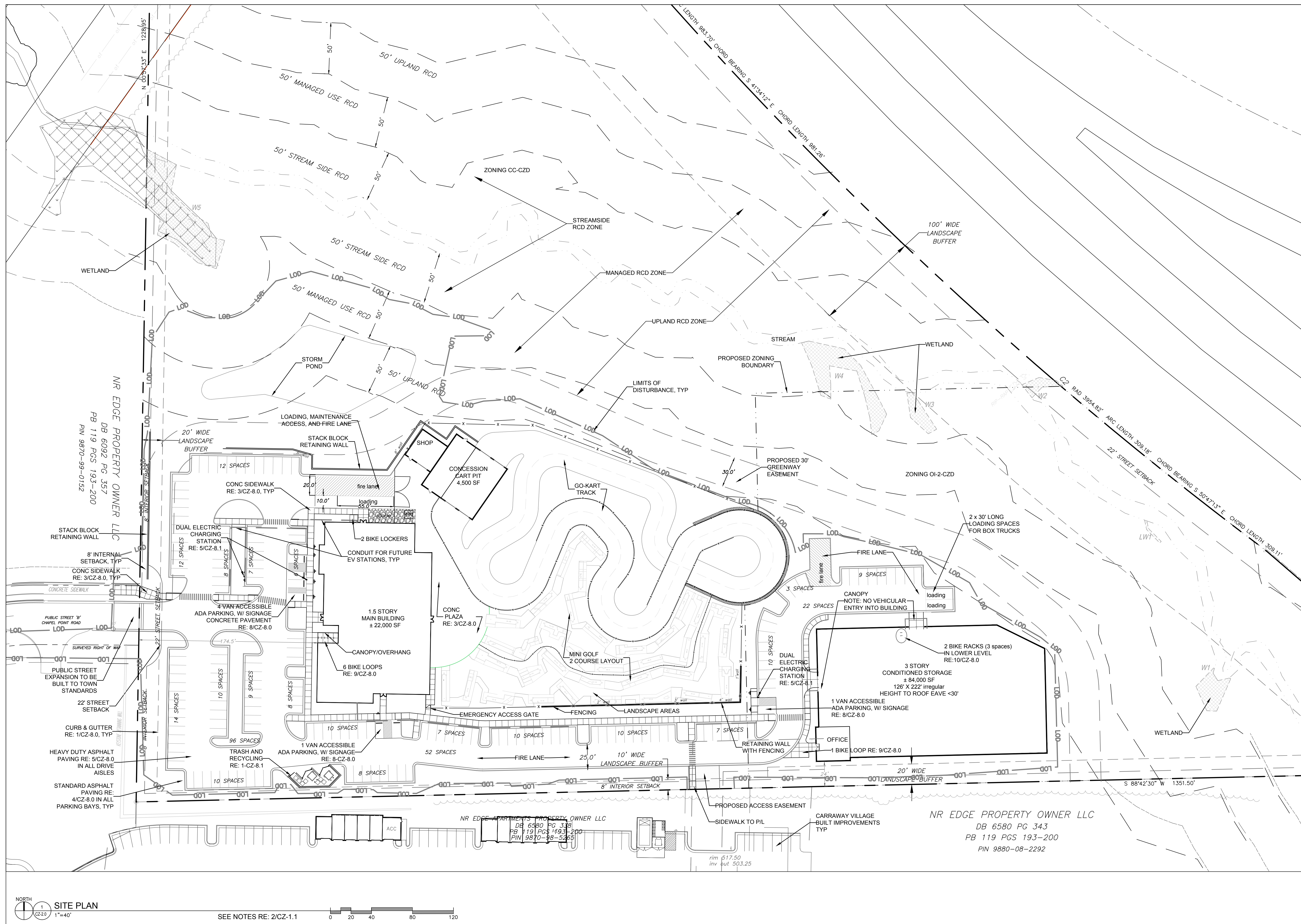
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**TREE  
PROTECTION  
AND TREESAVE  
PLAN**

Sheet Number

**CZ-1.2**

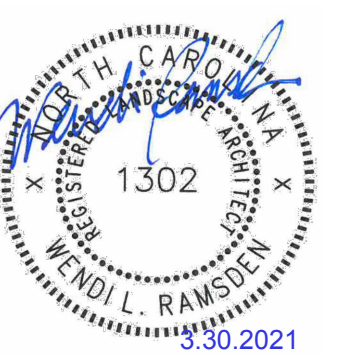




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LIC # C-104



Project

**Putt-Putt  
Fun Center**

115 / 135 Chapel Point  
Road  
Chapel Hill, NC

PIN 9870997083

Job Number 1952

Drawn	WLR, MTC
Checked	WLR, PBR
Date	7/27/2020
Revisions	12/10/2020
	TRT REVIEW RESPONSE
	2/19/2021
	TRT REVIEW RESPONSE
	3/30/2021
	TRT FINAL CHANGES

**CONDITIONAL ZONING  
PERMIT APPLICATION  
NOT ISSUED  
FOR CONSTRUCTION**

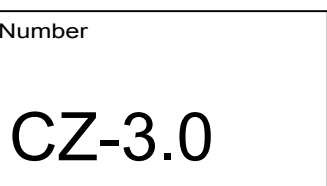
Sheet Title

**SITE PLAN**

Sheet Number

**CZ-2.0**

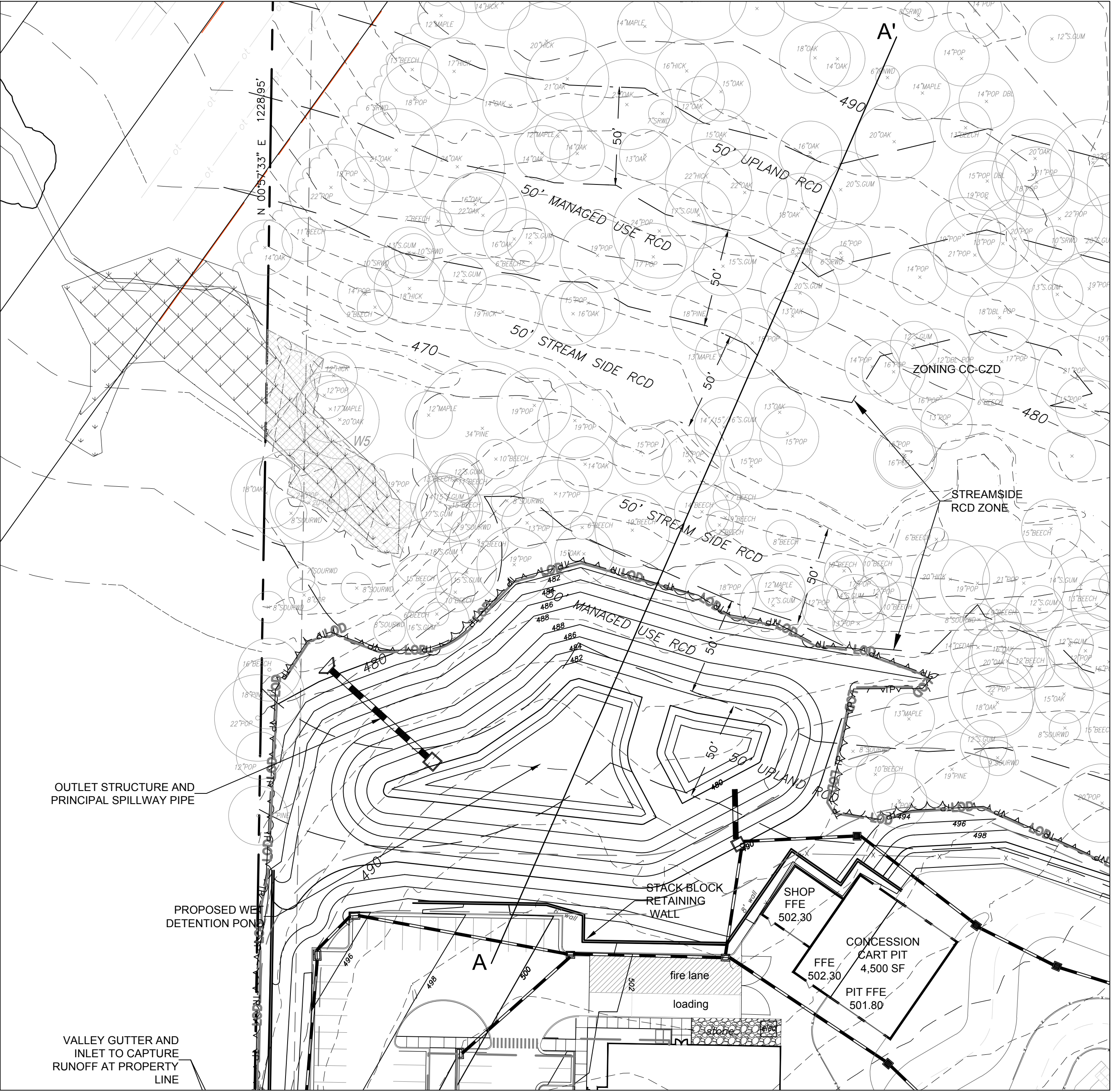




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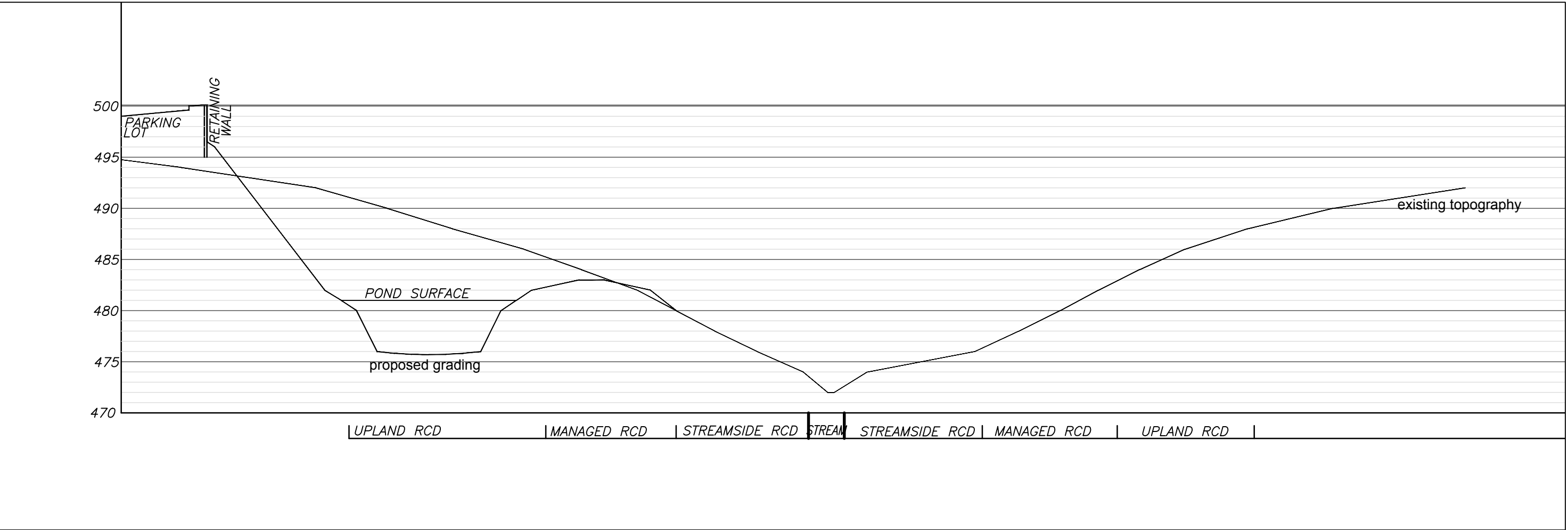
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NOTE: THERE IS NO FLOODPLAIN ON SITE.

**GRADING PLAN - AREA OF RCD ENCROACHMENT**  
1  
CZ3.1  
1"=40'



**CROSS SECTION A-A'**  
2  
CZ3.1  
HORIZONTAL SCALE: 1"=40'  
VERTICAL SCALE: 1"=10'



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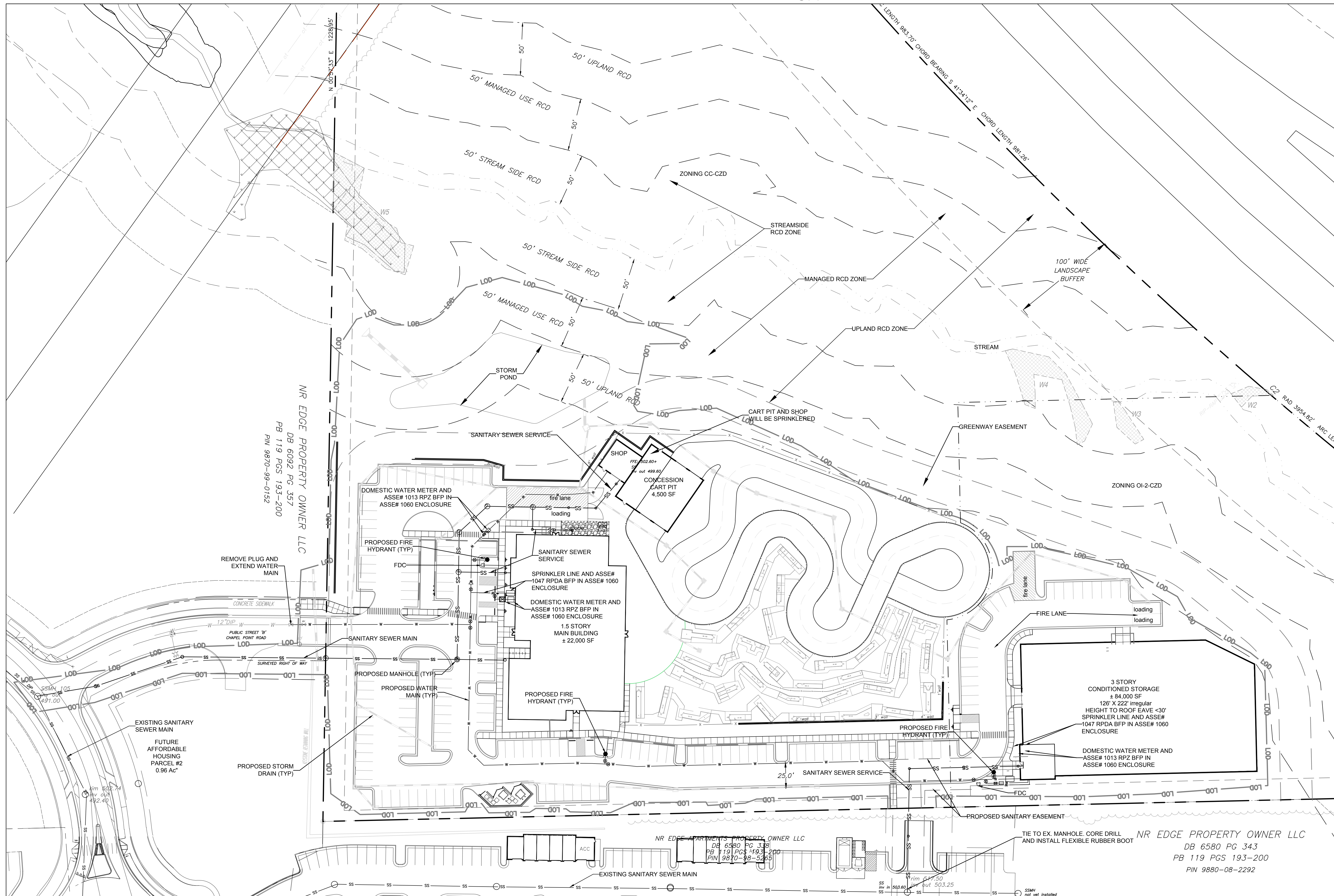
Sheet Title

**STREAM / RCD  
CROSS SECTION**

Sheet Number

**CZ-3.1**





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Sheet Title

UTILITY PLAN

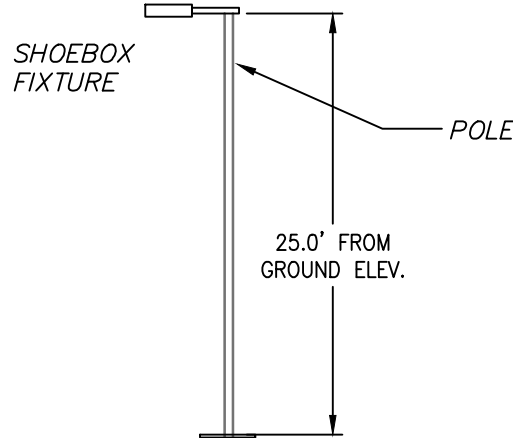
Sheet Number

CZ-5.0



lighting notes

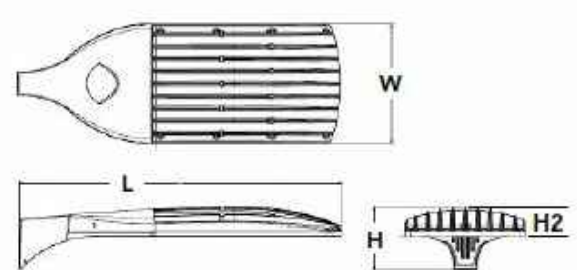
1. CONTRACTOR TO PROVIDE 2" SCH 40 PVC GRAY ELECTRICAL CONDUIT UNDER PAVEMENT, UNDER HEAVILY LANDSCAPED AREAS AND AS NECESSARY TO PROVIDE ACCESS TO ALL LIGHT FIXTURES/POLES AND CONNECT BACK TO ELECTRICAL TIE IN LOCATIONS.
2. CONTRACTOR TO COORDINATE LIGHT POLE AND CONDUIT LOCATIONS PRIOR TO PAVING.
3. ALL ELECTRICAL CONDUIT SHALL BE FURNISHED BY THE CONTRACTOR. PARKING LOT LIGHT POLES AND FIXTURES TO BE FURNISHED BY DUKE ENERGY AND LOCATIONS COORDINATED BY THE CONTRACTOR. EXTERIOR AMUSEMENT AREA AND BUILDING FIXTURES TO BE FURNISHED BY THE CONTRACTOR.
4. ALL CONDUIT ENDS ARE TO BE CAPPED TO PREVENT ENTRY OF DEBRIS.
5. ALL CONDUITS MORE THAN 30' IN LENGTH SHALL HAVE A POLY STRING INSTALLED.
6. ALL JOINTS ARE TO BE SOLVENT WELDED.
7. LIGHTS MUST BE LOCATED AT LEAST 10' FROM EXISTING AND PROPOSED CANOPY TREES.



- NOTES:
1. DUKE ENERGY FIXTURE SHALL BE MOUNTED ON A 25' TALL POLE.
  2. CONTRACTOR SHALL COORDINATE LIGHT INSTALLATION WITH DUKE ENERGY.



**Specifications**  
EPA: 1.1 ft<sup>2</sup> (0.10 m<sup>2</sup>)  
Length: 40" (101.6 cm)  
Width: 15" (38.1 cm)  
Height 1: 7'-1/4" (18.4 cm)  
Height 2: 3.5"  
Weight: 36lbs

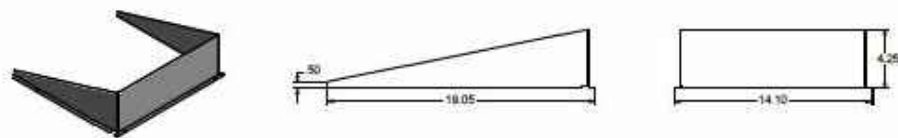


Product Number	
Notes	
Type	

**Introduction**  
The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.  
The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

Options

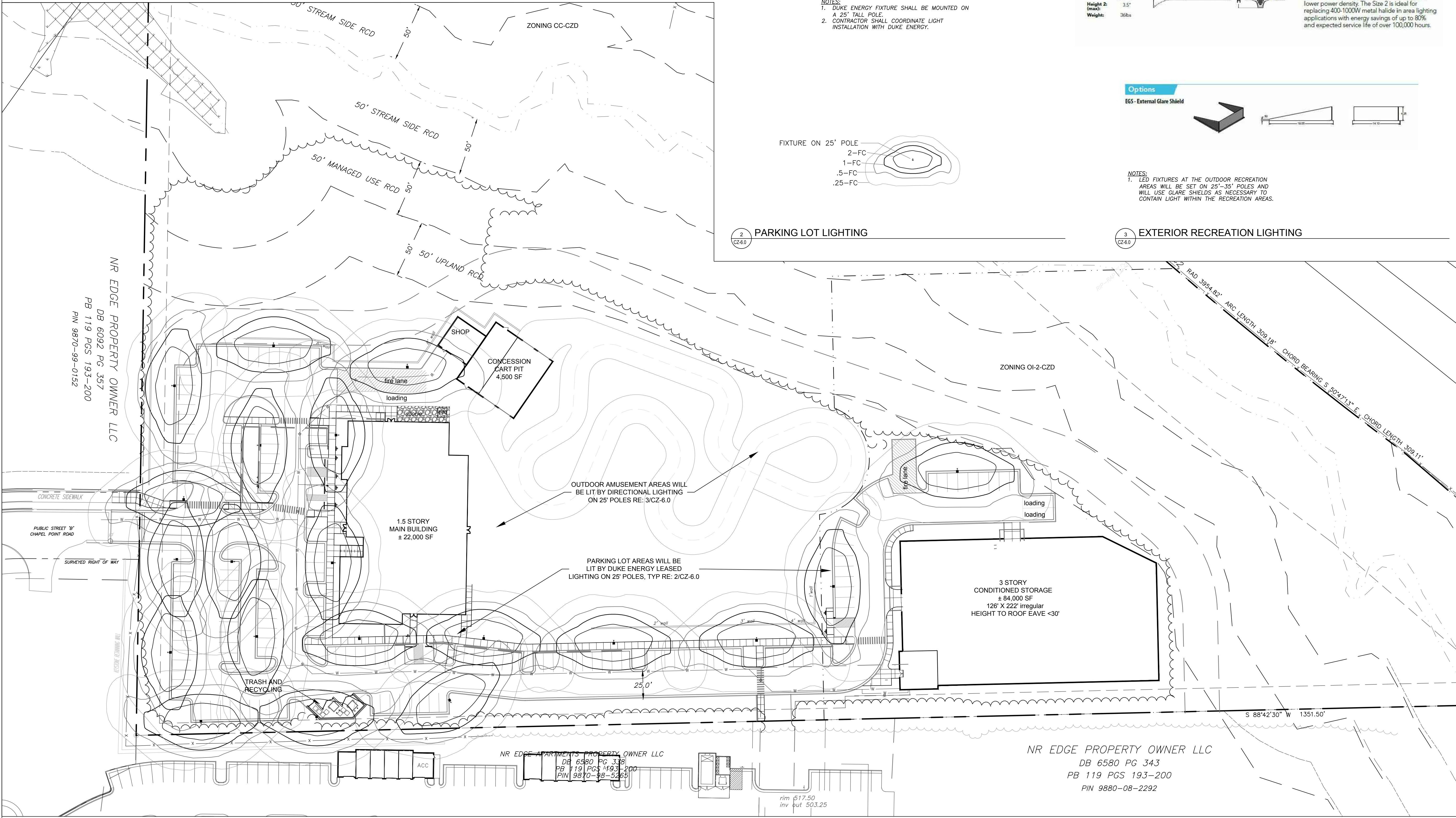
E65 - External Glare Shield



- NOTES:
1. LED FIXTURES AT THE OUTDOOR RECREATION AREAS WILL BE SET ON 25'-35' POLES AND WILL USE GLARE SHIELDS AS NECESSARY TO CONTAIN LIGHT WITHIN THE RECREATION AREAS.

2 PARKING LOT LIGHTING

3 EXTERIOR RECREATION LIGHTING



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LIGHTING PLAN

Sheet Number

CZ-6.0



West Buffer "C"		# Required per 100'		Required Plantings:		Existing Plantings		Plantings Provided	
20' Wide	4 Large Tree	=	17.4	18	Large Trees	-	0	=	18 Large Trees
435 LF	8 Small Tree	=	34.8	35	Small Trees	-	0	=	35 Small Trees
(Internal)	30 Shrubs	=	130.5	131	Shrubs	-	0	=	131 Shrubs

Southwest Buffer "C" - Adjacent to Outdoor Recreation Use  
Modification request to plant half width as 10' is already planted on adjacent parcel

Plant half of:		# Required per 100'		Required Plantings:		Existing Plantings		Plantings Provided	
10' Wide	4 Large Tree	=	12.4	13	Large Trees	-	0	=	13 Large Trees
616 LF	8 Small Tree	=	24.7	25	Small Trees	-	0	=	25 Small Trees
(Internal)	30 Shrubs	=	92.4	93	Shrubs	-	0	=	93 Shrubs

Southeast Buffer "D" - Adjacent to Self Storage Use  
Modification request to plant two thirds the width as 10' is already required on adjacent parcel

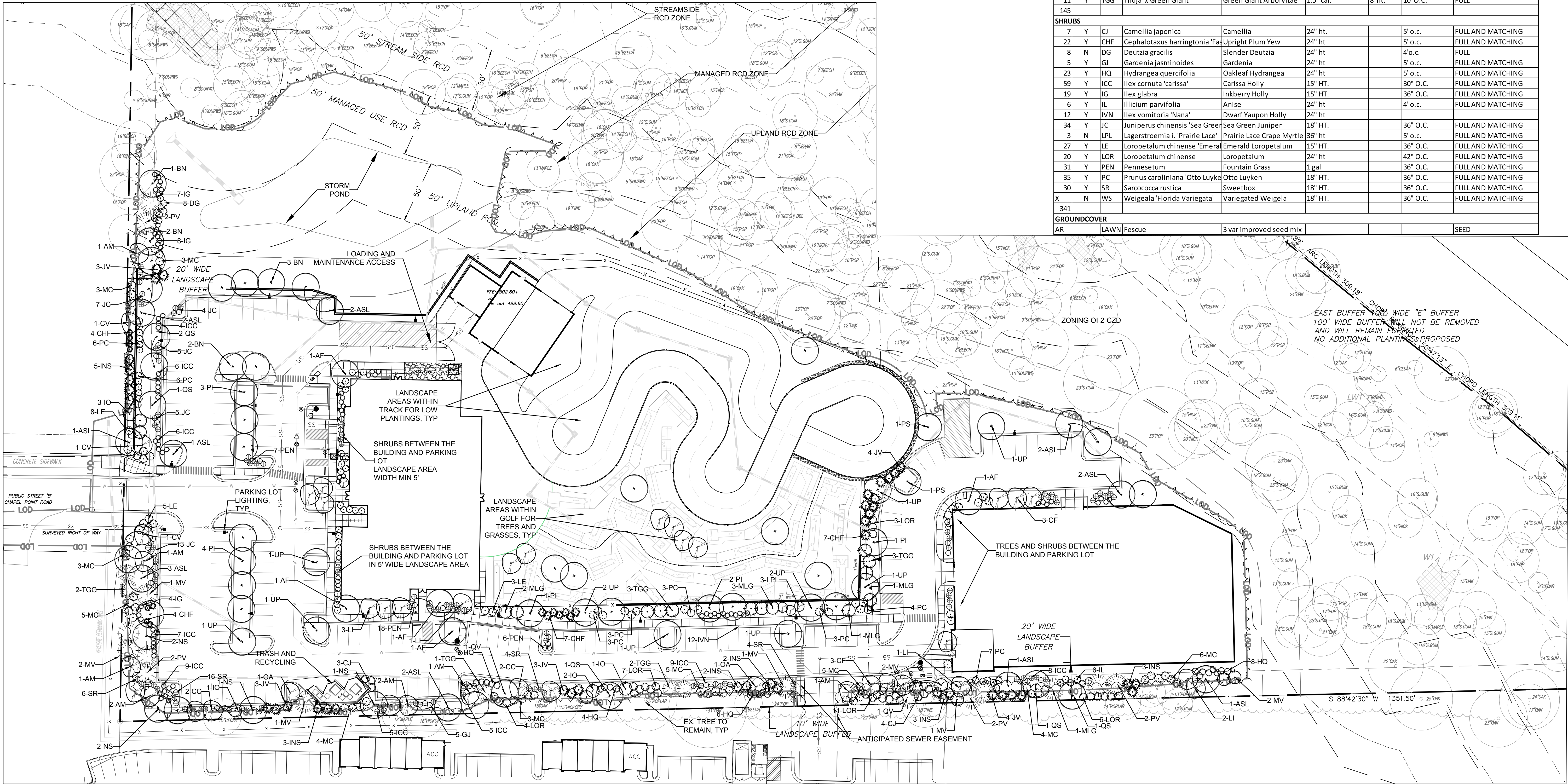
Plant 2/3 of:		# Required per 100'		Required Plantings:		Existing Plantings		Plantings Provided	
20' Wide	5 Large Tree	=	9.1	10	Large Trees	-	0	=	10 Large Trees
276 LF	10 Small Tree	=	18.2	19	Small Trees	-	0	=	19 Small Trees
(Internal)	30 Shrubs	=	54.6	55	Shrubs	-	0	=	55 Shrubs

North buffer (20' width) and west (1-40) buffer (100' width) will be left in undisturbed forest.  
No additional plantings proposed.

Parking Lot Shading		# Required per 2000 Sf		Required Plantings:		Plantings Provided	
Lot	Paved Area						
Main	39,698 SF	1 Canopy Tree	19.9	20	Large Trees	20	Large Trees
Linear	19,010 SF	1 Canopy Tree	9.6	10	Small Trees	10	Large Trees
Storage	15,315 SF	1 Canopy Tree	7.7	8	Shrubs	8	Large Trees

NOTE:  
CANOPY TREES TO BE  
INSTALLED AT LEAST 10'  
FROM LIGHT POLES

QTY	EVGN	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	REMARKS
CANOPY TREES							
3	N	AF	Acer freemanii	Freeman Maple	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
17	N	ASL	Acer saccharum 'Legacy'	Legacy Sugar Maple	2.5" CAL.		
8	N	BN	Betula nigra 'heritage'	Heritage River Birch	3" CAL total	14' ht.	AS SHOWN 3 TRUNK MINIMUM
6	N	NS	Nyssa sylvatica	Black gum	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
8	Y	PV	Pinus virginiana	Virginia Pine	2" cal.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
11	N	PI	Pistacia chinensis	Chinese Pistache	2.5" CAL.		AS SHOWN SINGLE TRUNK & LEADER
2	N	PS	Prunus sargentii	Sargent Cherry	2" cal.		AS SHOWN SINGLE TRUNK & LEADER
6	N	QS	Quercus shumardii	Shumard Oak	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
2	Y	QV	Quercus virginiana	Live Oak	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
13	N	UP	Ulmus americana 'Princeton'	Princeton American Elm	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
76							
UNDERSTORY TREES							
9	N	AM	Amerlanchier arborea	Serviceberry	1" cal.	8' HT.	AS SHOWN MULTI-TRUNK
4	N	CC	Cercis canadensis 'Hears of Gold'	Hearts of Gold Redbud	1" cal.	8' HT.	AS SHOWN SINGLE TRUNK & LEADER
6	N	CF	Cornus florida	Dogwood	1" cal.	8' HT.	AS SHOWN
3	N	CV	Chionanthus virginiana	Fringetree	1" cal.	8' HT.	AS SHOWN
18	Y	INS	Ilex Nellie Stevens	Nellie Stevens Holly	8" ht.	AS SHOWN	
7	Y	IO	Ilex opaca	American Holly	1" cal.	8' O.C.	SINGLE TRUNK & LEADER
17	Y	JV	Juniperus virginiana	Eastern Redcedar	8" HT.	AS SHOWN	FULL AND MATCHING
9	N	LI	Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle	8-10" HT.	AS SHOWN	MULTI-TRUNK
41	N	MC	Myrica cerifera	Eastern Waxmyrtle	8" HT.	AS SHOWN	FULL
8	Y	MLG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	1.5" cal.	8" ht.	10' O.C. FULL AND MATCHING
10	Y	MV	Magnolia virginiana	Sweetbay Magnolia	1.5" cal.	8" ht.	AS SHOWN FULL
2	N	OA	Oxydendron arboreum	Sourwood	1.5" cal.	8" ht.	AS SHOWN FULL
11	Y	TGG	Thuja x Green Giant	Green Giant Arborvitae	1.5" cal.	8" ht.	10' O.C. FULL
145							
SHRUBS							
7	Y	CJ	Camellia japonica	Camellia	24" ht.	5' o.c.	FULL AND MATCHING
22	Y	CHF	Cephalotaxus harringtonia 'Fastigiata'	Upright Plum Yew	24" ht.	5' o.c.	FULL AND MATCHING
8	N	DG	Deutzia gracilis	Slender Deutzia	24" ht.	4' o.c.	FULL
5	Y	GJ	Gardenia jasminoides	Gardenia	24" ht.	5' o.c.	FULL AND MATCHING
23	Y	HQ	Hydrangea quercifolia	Oakleaf Hydrangea	24" ht.	5' o.c.	FULL AND MATCHING
59	Y	ICC	Ilex cornuta 'carissa'	Carissa Holly	15" HT.	30" O.C.	FULL AND MATCHING
19	Y	IG	Ilex glabra	Inkberry Holly	15" HT.	36" O.C.	FULL AND MATCHING
6	Y	IL	Illicium parvifolia	Anise	24" ht.	4' o.c.	FULL AND MATCHING
12	Y	IVN	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	24" ht.		
34	Y	JC	Juniperus chinensis 'Sea Green'	Sea Green Juniper	18" HT.	36" O.C.	FULL AND MATCHING
3	N	LPL	Lagerstroemia i. 'Prairie Lace'	Prairie Lace Crape Myrtle	36" ht.	5' o.c.	FULL AND MATCHING
27	Y	LE	Loropetalum chinense 'Emerald'	Emerald Loropetalum	15" HT.	36" O.C.	FULL AND MATCHING
20	Y	LOR	Loropetalum chinense	Loropetalum	24" ht.	42" O.C.	FULL AND MATCHING
31	Y	PEN	Pennisetum	Fountain Grass	1 gal	36" O.C.	FULL AND MATCHING
35	Y	PC	Prunus caroliniana 'Otto Luyken'	Otto Luyken	18" HT.	36" O.C.	FULL AND MATCHING
30	Y	SR	Sarcococca rustica	Sweetbox	18" HT.	36" O.C.	FULL AND MATCHING
X	N	WS	Weigela 'Florida Variegata'	Variegated Weigela	18" HT.	36" O.C.	FULL AND MATCHING
341							
GROUND COVER							
AR			LAWN Fescue	3 var improved seed mix			SEED



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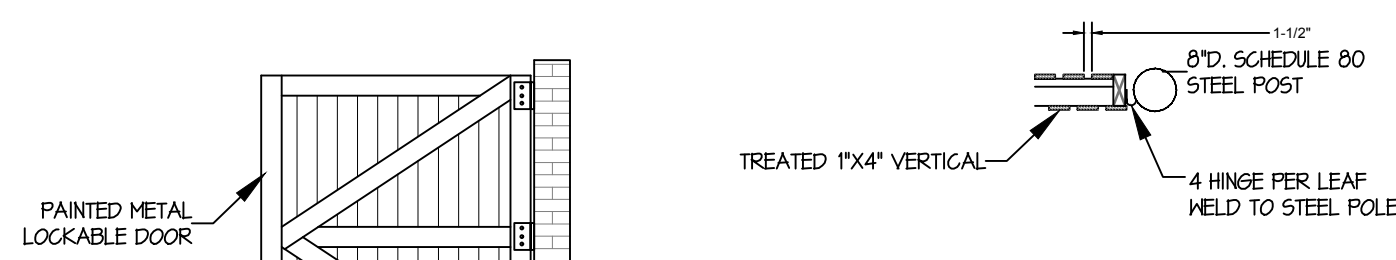
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LANDSCAPE  
PLAN

Sheet Number  
CZ-7.0

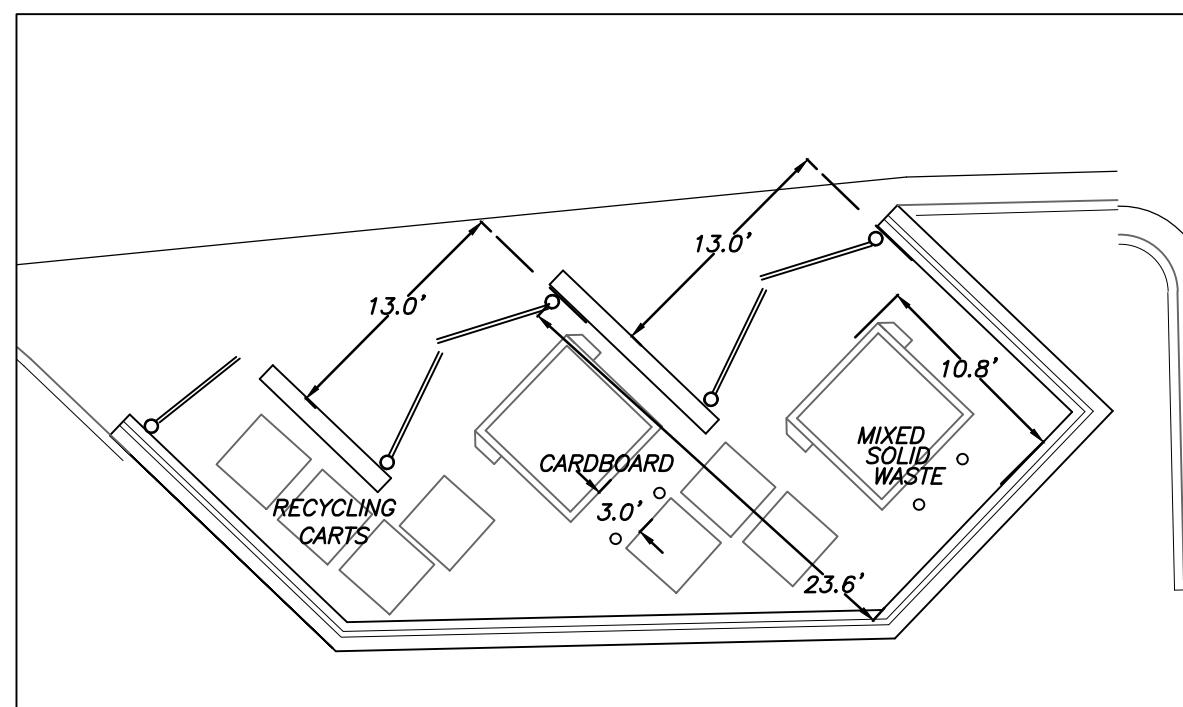
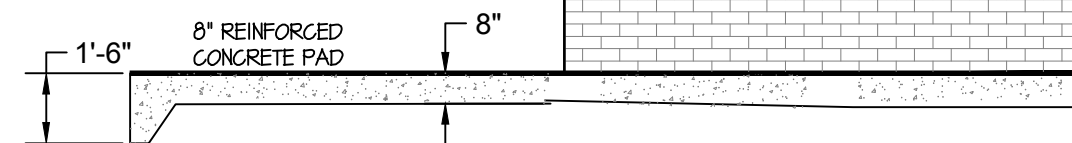




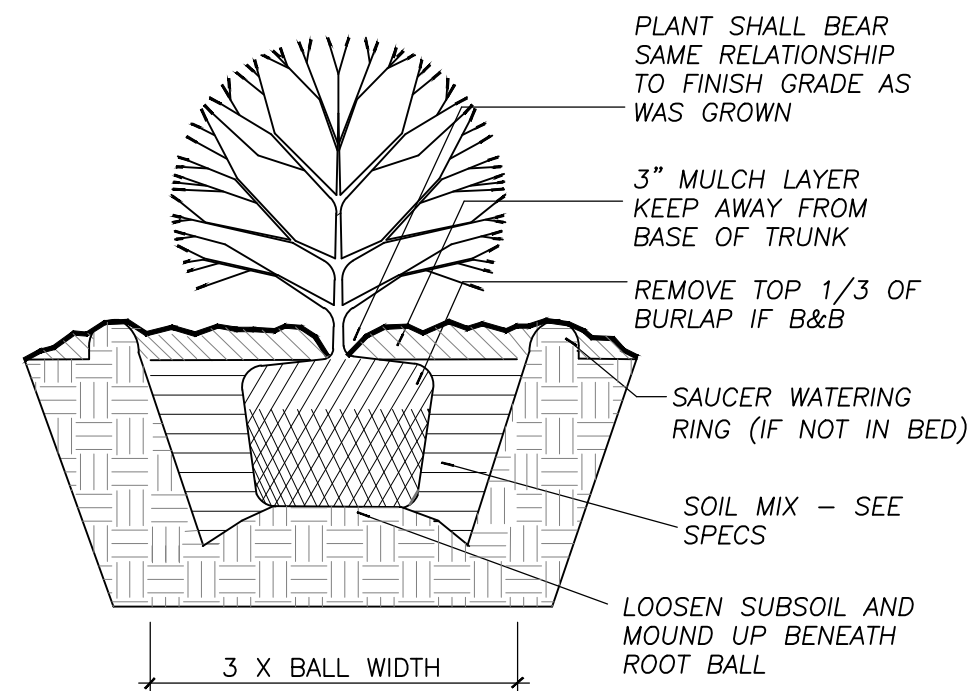
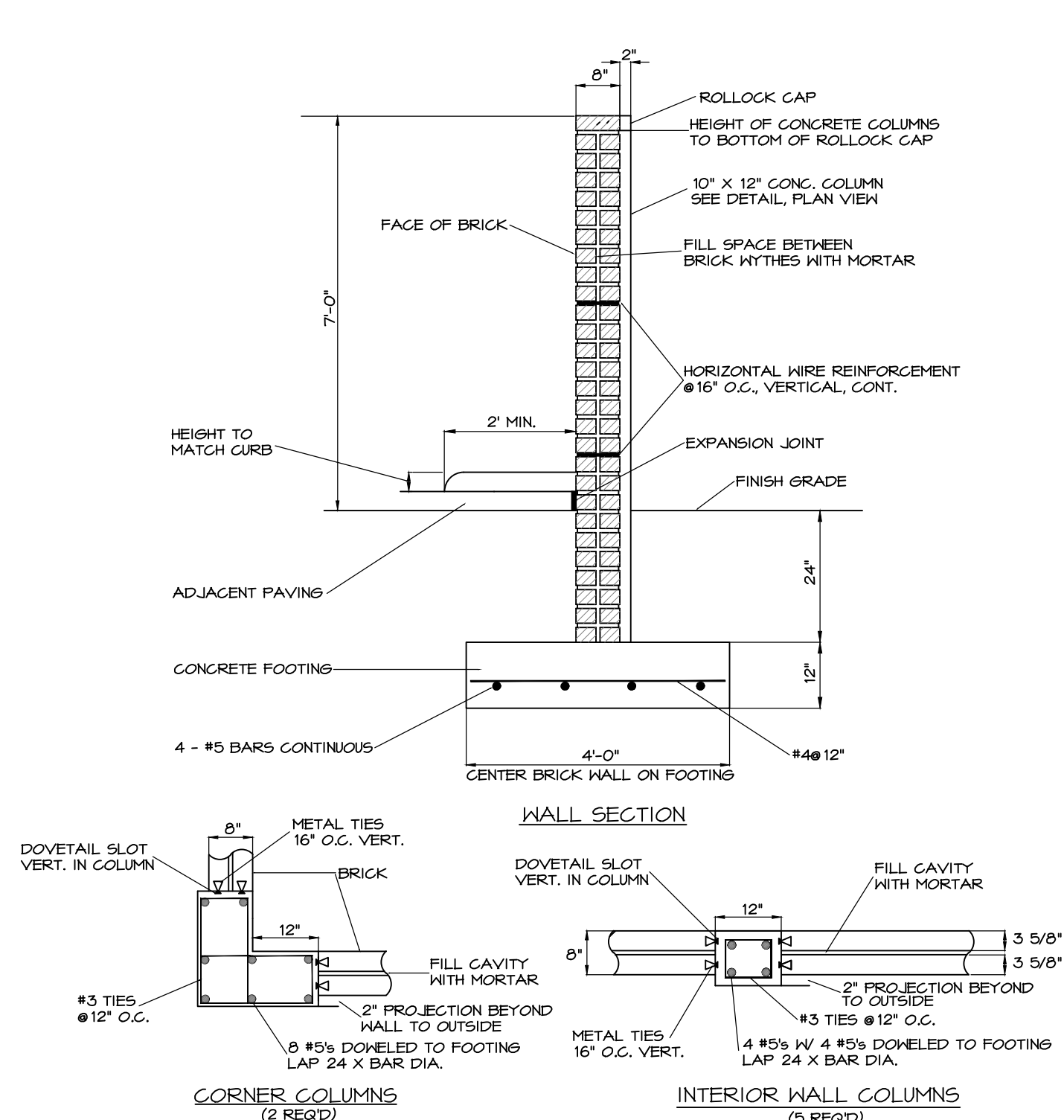




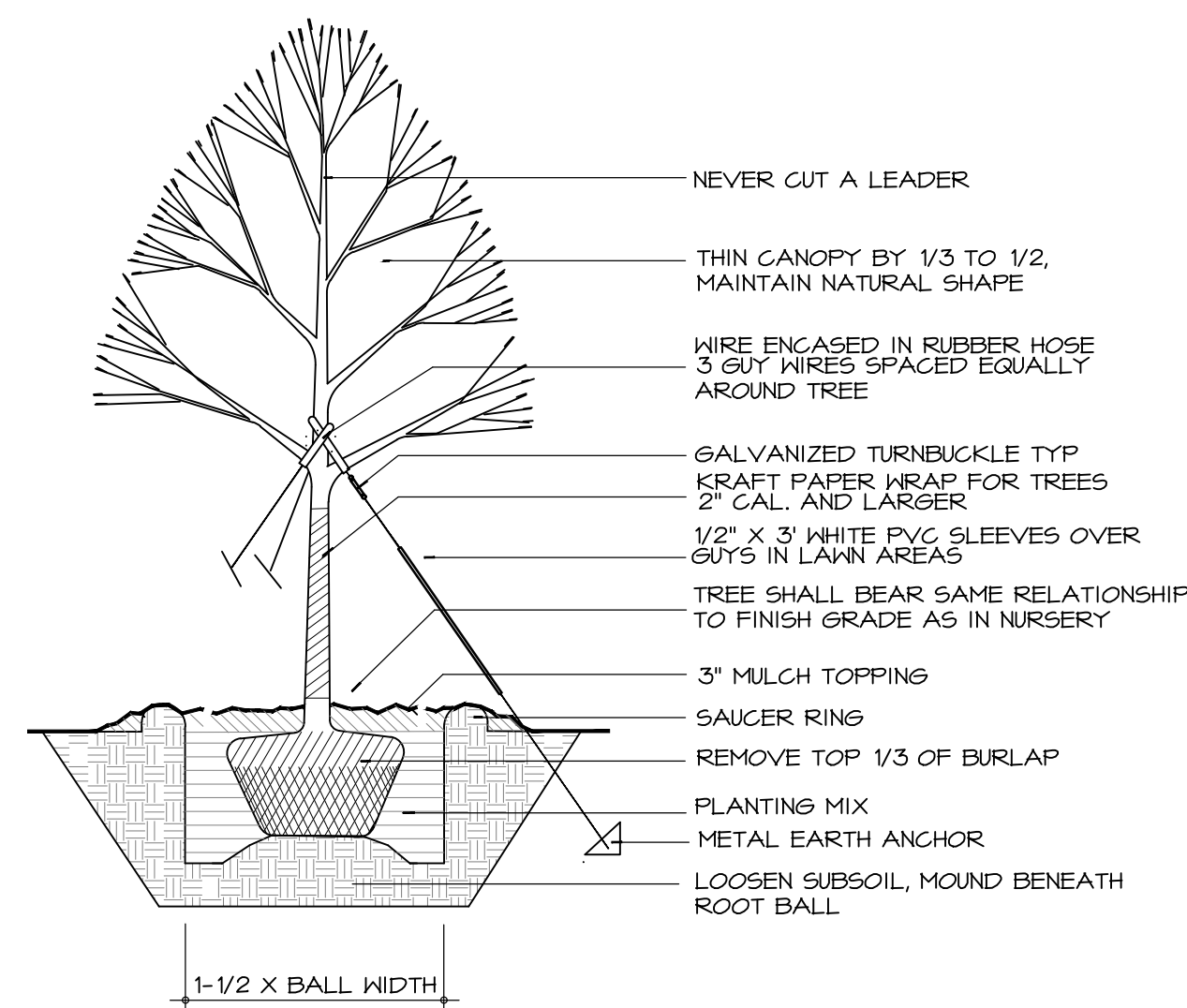
GATE RETAINERS SHALL BE INSTALLED TO HOLD GATES EITHER OPEN OR CLOSED.



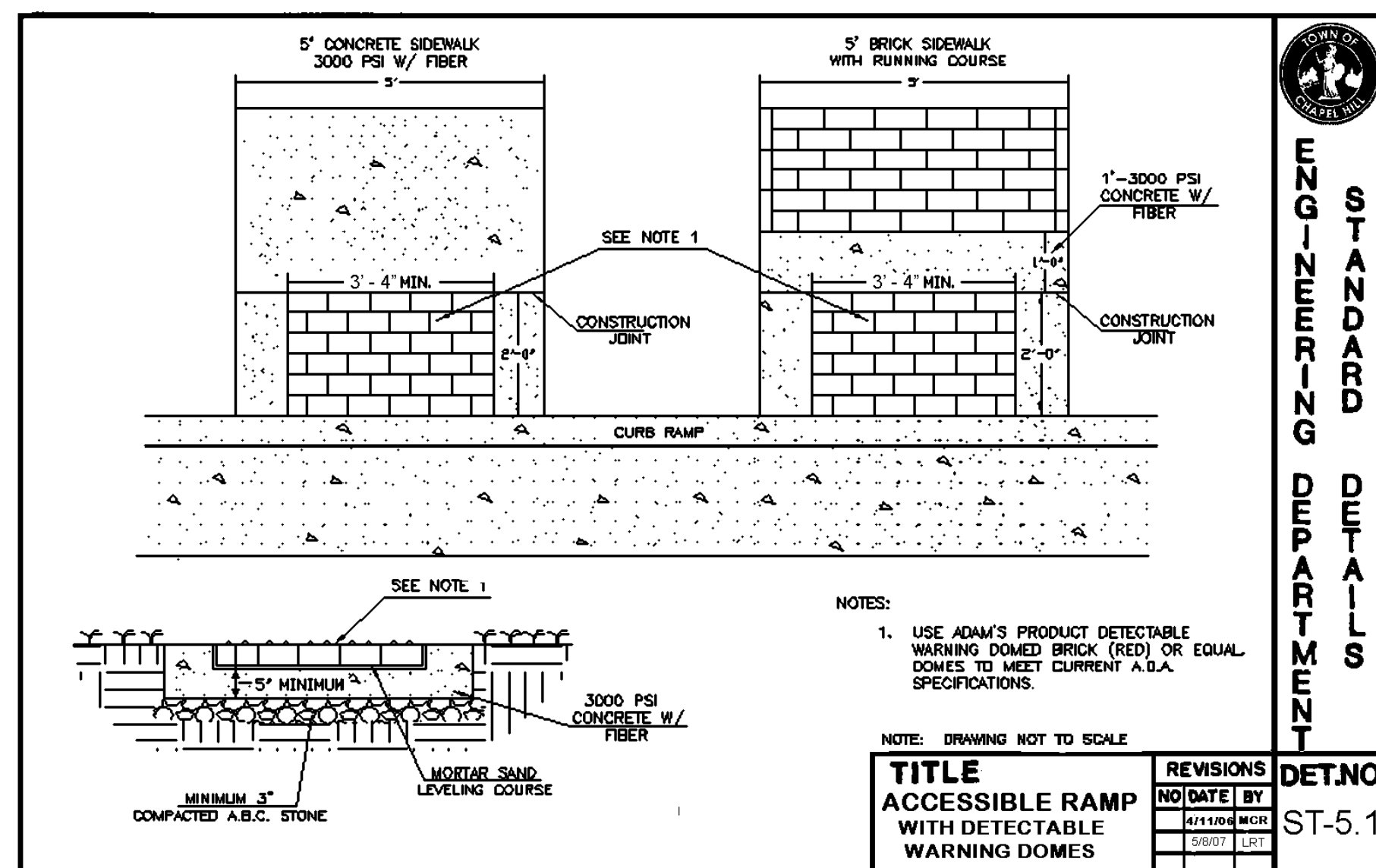
**1 DUMPSTER W/ MASONRY SCREEN ENCLOSURE**  
SCALE: 1" = 10'



**2 SHRUB DETAIL**  
NO SCALE



**3 TREE PLANTING DETAIL**  
NO SCALE



NOTES:  
1. USE ADAM'S PRODUCT DETECTABLE WARNING DOME BRICK (RED) OR EQUAL DOMES TO MEET CURRENT A.D.A. SPECIFICATIONS.

NOTE: DRAWING NOT TO SCALE

**TITLE**  
**ACCESSIBLE RAMP**  
**WITH DETECTABLE**  
**WARNING DOMES**

**REVISIONS**  
**NO DATE BY**  
**4/11/10 MCH**  
**5/3/07 LST**

**DET.NO**  
**ST-5.1**

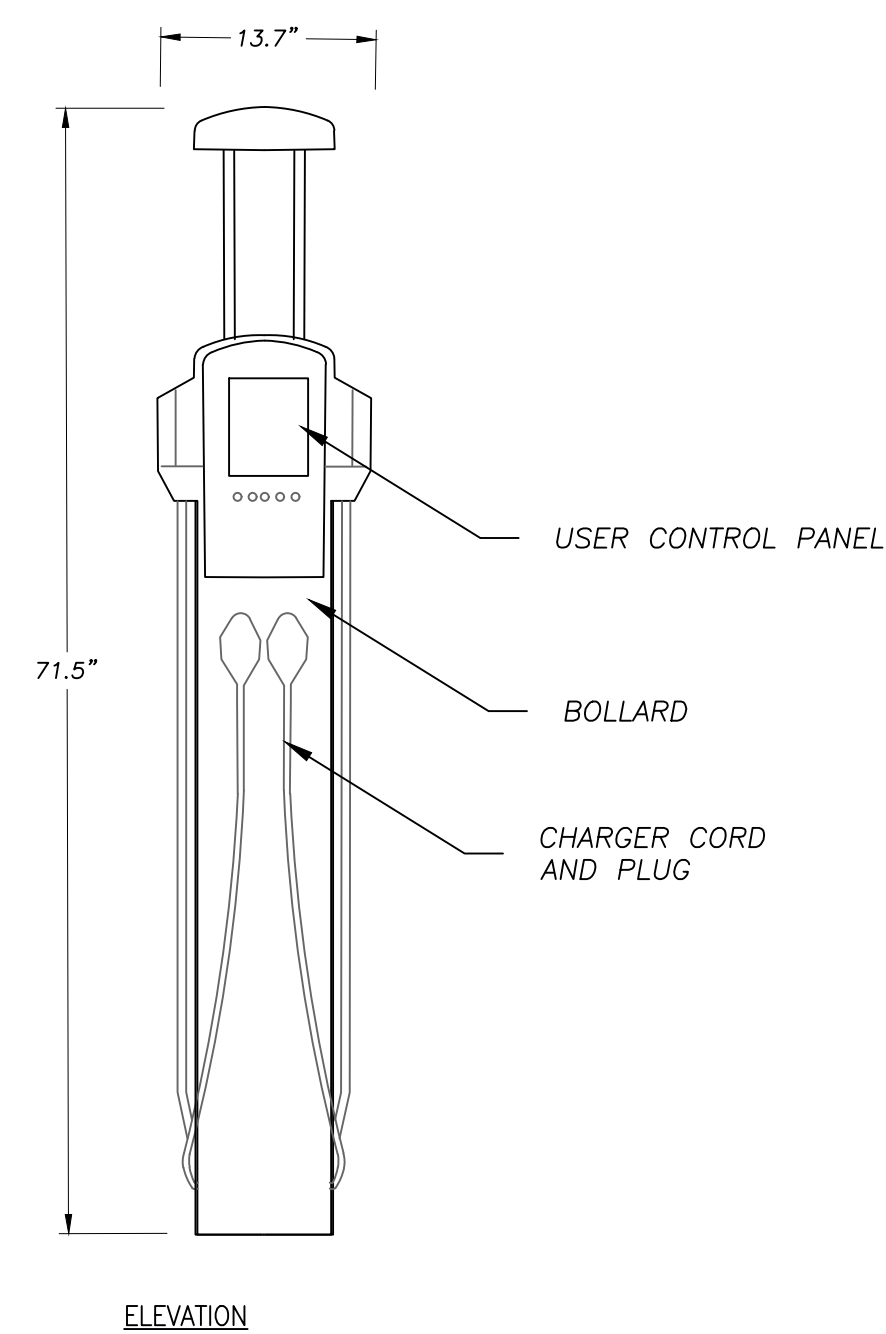
NOTES:

1. CONSTRUCT THE WALKING SURFACE WITH SLIP RESISTANCE AND A 70% CONTRASTING COLOR TO THE SIDEWALK.
2. CROSSWALK WIDTHS AND CONFIGURATION MAY VARY BUT MUST CONFORM TO TRAFFIC DESIGN STANDARDS.
3. PROVIDE WHEELCHAIR RAMPS AT LOCATIONS AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER. LOCATE WHEELCHAIR RAMPS AS DIRECTED BY THE ENGINEER WHERE EXISTING LIGHT POLES, FIRE HYDRANTS, DROP INLETS, ETC. ARE NOT PLACED. WHERE TWO RAMPS ARE INSTALLED, PLACE NOT LESS THAN TWO FEET OF FULL HEIGHT CURB BETWEEN THE RAMPS. PLACE DUAL RAMPS AS PERPENDICULAR TO THE TRAVEL LANE BEING CROSSED AS POSSIBLE.
4. DO NOT EXCEED 0.08 (1:12) SLOPE ON THE WHEELCHAIR RAMP IN RELATIONSHIP TO THE GRADE OF THE STREET.
5. CONSTRUCT WHEELCHAIR RAMPS 40" (3'-4") OR GREATER FOR DUAL RAMPS AND 60" (5'-0") OR GREATER FOR DIAGONAL RAMPS.
6. USE CONCRETE WITH A SIDEWALK FINISH IN ORDER TO OBTAIN A ROUGH NON-SKID TYPE SURFACE.
7. PLACE A 1/2" EXPANSION JOINT WHERE THE CONCRETE WHEELCHAIR RAMP JOINS THE CURB AS SHOWN ON DETAIL ST-5A.
8. PLACE THE INSIDE PEDESTRIAN CROSSWALK LINES NO CLOSER IN THE INTERSECTION BY BISECTING THE INTERSECTION RADIUS, WITH ALLOWANCE OF 4'-4" CLEAR ZONE IN THE VEHICULAR TRAVELWAY WHEN ONE RAMP IS INSTALLED. (SEE NOTE 13).
9. COORDINATE THE CURB CUT AND THE PEDESTRIAN CROSSWALK LINES SO THE FLOOR OF THE WHEELCHAIR RAMP WILL FALL WITHIN THE PEDESTRIAN CROSSWALK LINES. PLACE DIAGONAL RAMPS WITH FLARED SIDES SO 24" OF FULL HEIGHT CURB FALLS WITHIN THE CROSSWALK MARKINGS ON EACH SIDE OF THE FLARES.
10. CONSTRUCT THE PEDESTRIAN CROSSWALK A MINIMUM OF 6 FEET. A CROSSWALK WIDTH OF 8 FEET OR GREATER IS DESIRABLE.
11. USE STOP LINES, NORMALLY PERPENDICULAR TO THE LANE LINES, WHERE IT IS IMPORTANT TO INDICATE THE POINT BEHIND WHICH VEHICLES ARE REQUIRED TO STOP IN COMPLIANCE WITH A TRAFFIC SIGNAL, STOP SIGN OR OTHER LEGAL REQUIREMENT. AN UNUSUAL APPROACH SKEW MAY REQUIRE THE PLACEMENT OF THE STOP LINE TO BE PARALLEL TO THE INTERSECTION ROADWAY.
12. TERMINATE PARKING A MINIMUM OF 20 FEET BACK OF PEDESTRIAN CROSSWALK.
13. PLACE ALL PAVEMENT MARKINGS IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION AND THE NORTH CAROLINA SUPPLEMENT TO THE MUTCD.

SOURCE: MCDOT STANDARD DRAWINGS

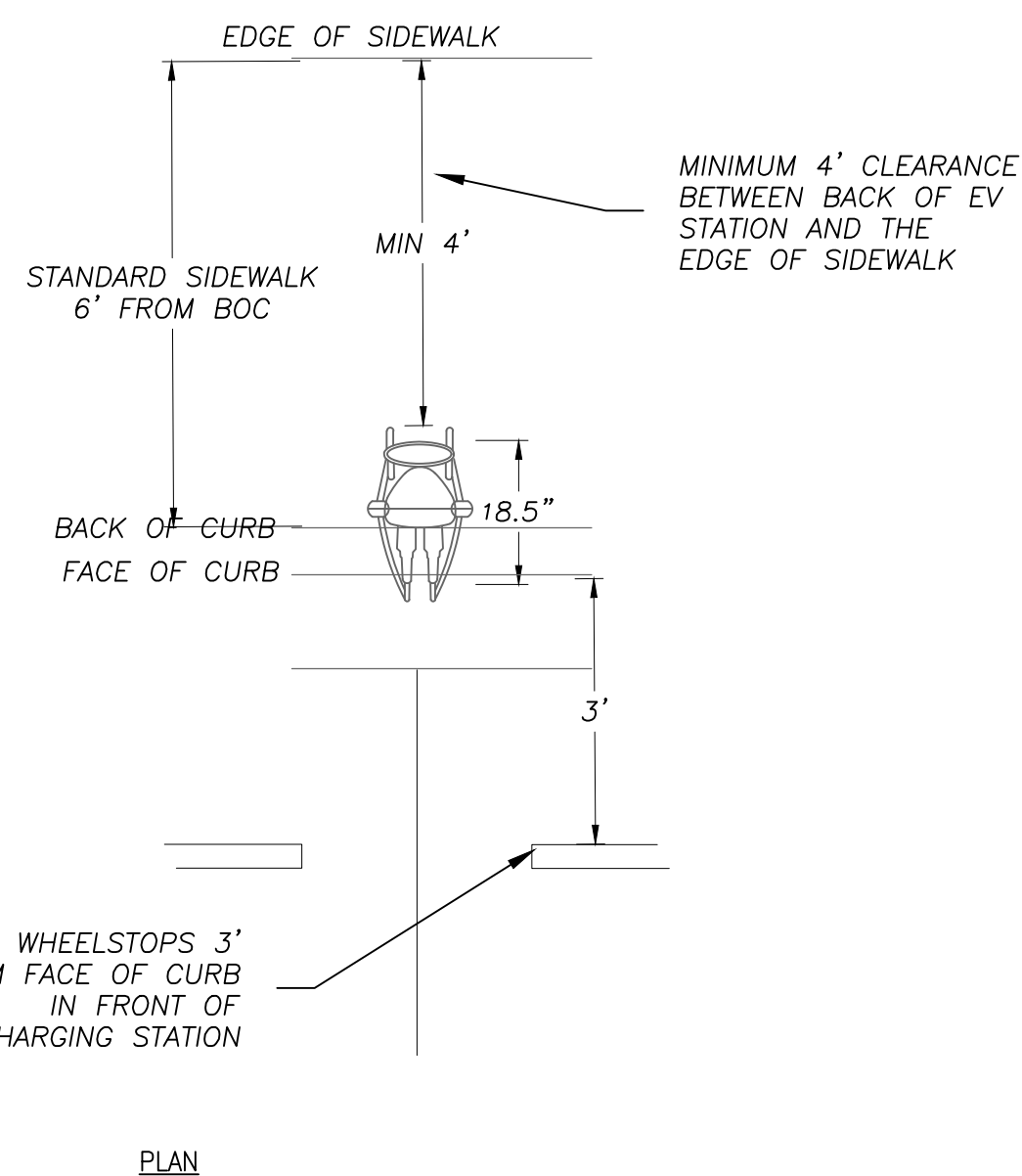
TITLE:	REVISIONS	DET.NO.
ACCESSIBLE RAMP	09/03 JH	ST-5.4

**4 ACCESSIBLE SIDEWALK RAMP**  
NO SCALE



NOTES:

- BASIS OF DESIGN: CHARGEPOINT MODEL CT4021
- BOLLARD TYPE CHARGING STATION
- 2-VEHICLE SIMULTANEOUS CHARGE CAPACITY



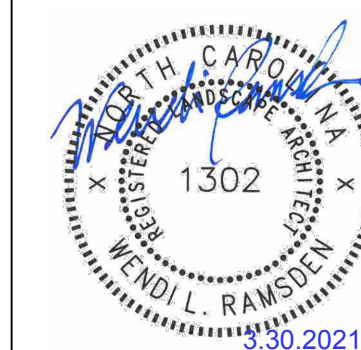
**5 EV CHARGING STATION**  
NO SCALE



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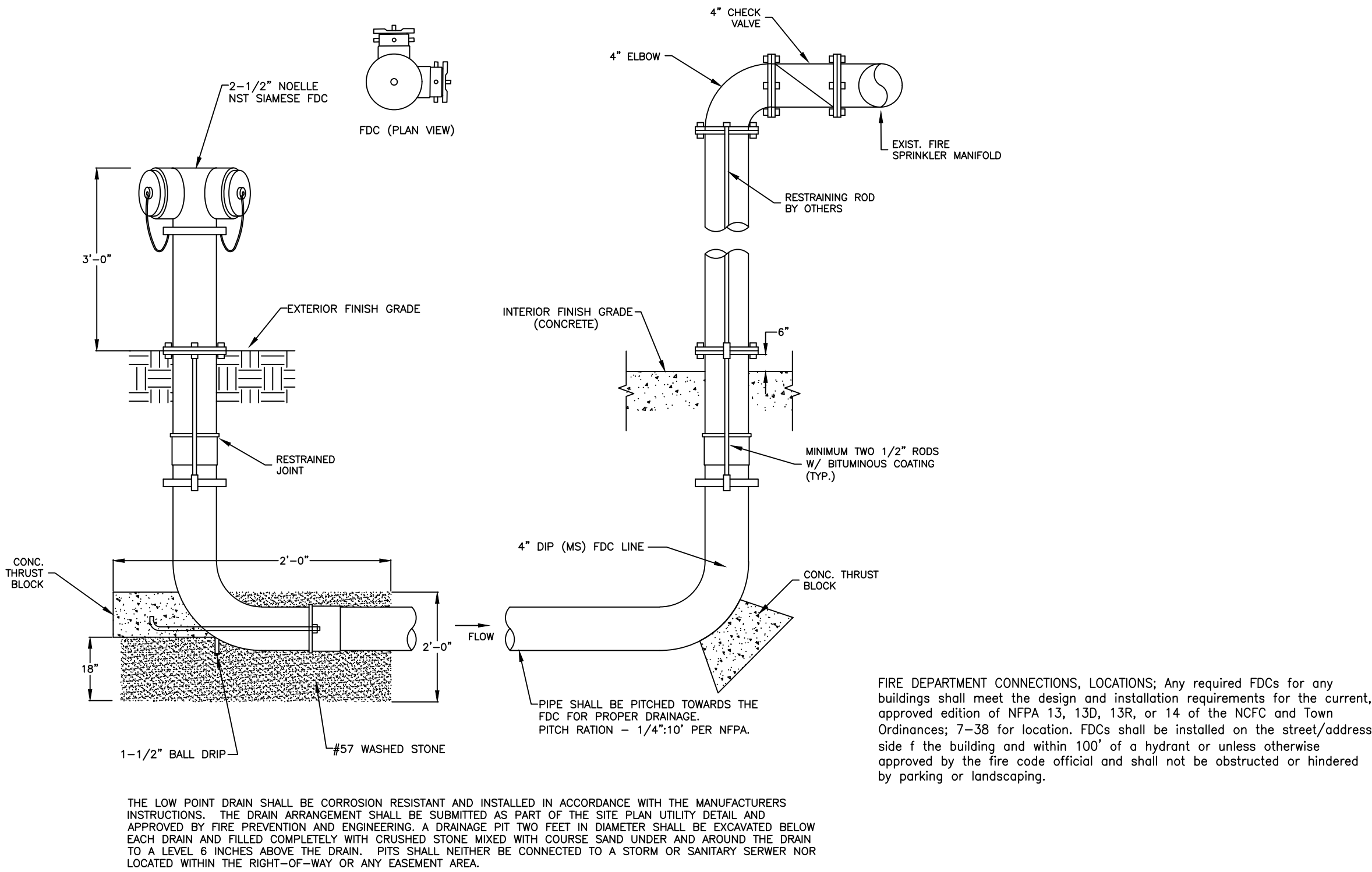
**CONDITIONAL ZONING PERMIT APPLICATION NOT ISSUED FOR CONSTRUCTION**

Sheet Title

**SITE DETAILS**

Sheet Number

**CZ-8.1**



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CZ-8.2 NO SCALE

2 NOT USED  
CZ-8.2 NO SCALE

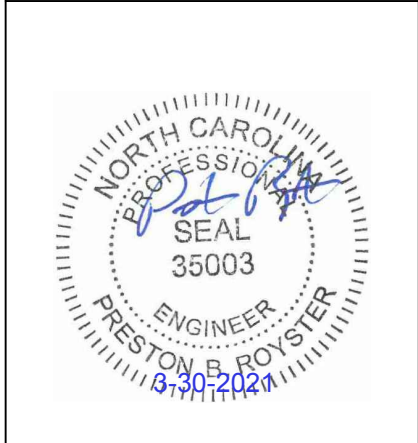
3 NOT USED  
CZ-8.2 NO SCALE



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Drawn WLR, MTC  
Checked WLR, PBR  
Date 7/27/2020  
Revisions 12/10/2020 TRT REVIEW RESPONSE  
2/19/2021 TRT REVIEW RESPONSE  
3/30/2021 TRT FINAL CHANGES

CONDITIONAL ZONING  
PERMIT APPLICATION  
NOT ISSUED  
FOR CONSTRUCTION

Sheet Title

UTILITY  
SITE  
DETAILS

Sheet Number

CZ-8.2





583  
TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 15., File #: [21-0595], Version: 1

Meeting Date: 6/23/2021

### Consider Funding the ReVive Recovery Plan with Dollars from the American Rescue Plan.

**Staff:**

Dwight Bassett, Director

**Department:**

Economic Development and Parking Services

**Overview:** The community advisory committee spent six months meeting and studying the future needs of our community post-pandemic. We created the ReVive recovery plan and this begins a path toward funding goals in the plan. The full plan and research can be found at [Open2.biz/ReVive](https://open2.biz/ReVive).



**Recommendation(s):**

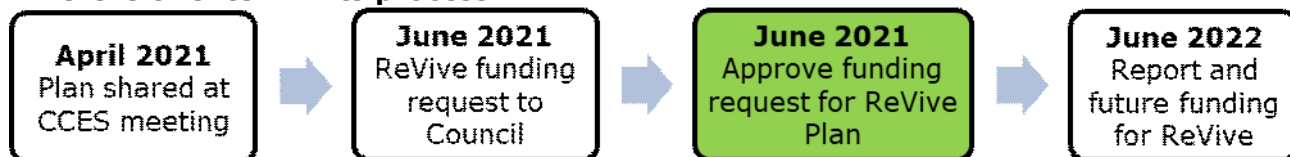
That the Council adopt the recommended funding for the ReVive plan to be implemented by June 2022.

**Key Issues:**

- Support for continued recovery of our businesses.
- Providing research and funding to support workforce development.
- Placemaking concepts to help support women and minority businesses.
- Digital ads to support businesses in Chapel Hill, downtown and for business opportunities.
- Downtown Together planning and downtown beautification.
- Support Chapel Hill Downtown Partnership recovery initiatives.

**Fiscal Impact/Resources:** American Rescue Plan funding of \$650,000

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



**Attachments:**

- Resolution
- Draft Staff Presentation
- Funding request for ReVive recovery plan

**A RESOLUTION APPROVING FUNDING FOR THE REVIVE RECOVERY PLAN FOR CHAPEL HILL  
(2021-06-23/R-15)**

WHEREAS, Council desires for our community to recover from the pandemic; and

WHEREAS, Council desires to see local businesses grow through support of customers; and

WHEREAS, there are needs in our community to help us return to the thriving place we have been in the past; and

WHEREAS, there are employment opportunities to fill and residents in need of training to access new jobs and opportunities; and

WHEREAS, there is opportunity to embrace women and minority owned businesses in our community; and

WHEREAS, we can use these resources to also help enhance placemaking throughout our community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes \$650,000 in funding as requested today to support the ReVive recovery plan and to help stimulate future growth for our community and local business.

This the 23<sup>rd</sup> day of June 2021.

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

PRESENTER: Dwight Bassett, Director of Economic Development and Parking Services

RECOMMENDATION: That the Council adopt the recommended funding for the ReVive plan to be implemented by June 2022.

**EY**Building a better  
working world

# ReVive

June 23, 2021  
[Open2.biz/revive](https://open2.biz/revive)

CHAPEL HILL

OPEN2.BIZ

# **Recommendation:**

## **Consider Funding the ReVive Recovery Plan with Dollars from the American Rescue Plan.**

CHAPEL HILL

OPEN2.BIZ

DRAFT



## Chapel Hill Economic Development Targets

587

Target	Focus	Activity Mix
Small businesses	<ul style="list-style-type: none"> <li>Grants</li> <li>Recovery and re-tooling</li> </ul>	<ul style="list-style-type: none"> <li>Restore</li> <li>Grow</li> </ul>
Retail, tourism and downtown	<ul style="list-style-type: none"> <li>Restaurants</li> <li>Independent retailers</li> <li>Hotels</li> <li>Community events/spaces</li> </ul>	<ul style="list-style-type: none"> <li>Restore</li> <li>Attract</li> </ul>
Technology startups	<ul style="list-style-type: none"> <li>Life sciences</li> <li>Software/IT</li> <li>Research</li> </ul>	<ul style="list-style-type: none"> <li>Develop</li> <li>Retain</li> </ul>
Corporate office	<ul style="list-style-type: none"> <li>Professional services</li> </ul>	<ul style="list-style-type: none"> <li>Attract</li> </ul>
Housing	<ul style="list-style-type: none"> <li>Mixed income development</li> </ul>	<ul style="list-style-type: none"> <li>Develop</li> </ul>
Talent	<ul style="list-style-type: none"> <li>Graduates</li> <li>Remote Workers</li> </ul>	<ul style="list-style-type: none"> <li>Retain</li> <li>Attract</li> </ul>

DRAFT



# Business<sup>588</sup> Grants

1 – Business Grants \$200,000

- Micro grant- Grant amount would be \$500,. (\$25,000 pool of dollars)
- Entrepreneur grant – Entrepreneurs grants up to \$1500. (\$50,000 pool of dollars)
- Small business grant – Grants beginning at \$2500 (\$125,000 pool of dollars)

Final guidelines for all programs will be finalized in the near future.



**GRANTS**

DRAFT

# Marketing Funds

## 2- Marketing funds \$150,000

- To market Chapel Hill (shopping, dining and entertainment opportunities)
- To market real estate opportunities in Chapel Hill. Space available for companies in retail and office work.

With the goal of helping our community to recover from the pandemic.  
Includes \$50,000 to marketing downtown Chapel Hill



DRAFT

# Opportunity Grants

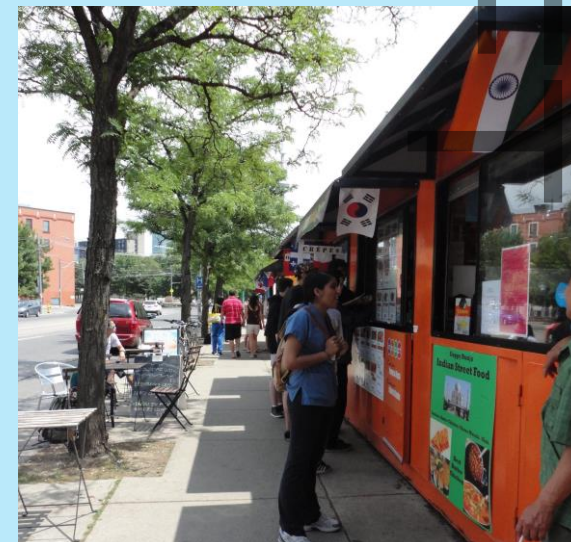
## 3- Opportunity grants \$120,000

- Support innovative ideas that also positively affects placemaking
- Support women and minority businesses with new opportunities for doing business

### Potential projects:

- 1) Working with Andrea Reusing on vendor opportunities for parking lot behind the Lantern and Basnight Lane
- 2) Improvement for a temporary structure for farmers market at UPlace

Includes \$21,000 for Chapel Hill Downtown Partnership



DRAFT

# Downtown Together

## 5- **Downtown Together initiative** \$110,000 (Town and Gown partnership)

- Support a joint strategic planning initiative for downtown in partnership with the University.
- Support the beautification of East Franklin/Columbia with UNC.

Includes \$10,000 for Chapel Hill Downtown Partnership



DRAFT



# Workforce Development

## 6- Workforce development - \$70,000

- Research the needs of our unemployed residents
- Target programs and training to help with connecting jobs and people

Includes \$20,000 for research to better understand the need before we begin the work.



DRAFT

# **Recommendation:**

## **Consider Funding the ReVive Recovery Plan with Dollars from the American Rescue Plan.**

CHAPEL HILL

OPEN2.BIZ

DRAFT



## American Rescue Plan

Economic Development request for implementation of ReVive recovery plan.

April 1, 2021, May 7, 2021 updated., May 19, 2021 updated., May 28, 2021 updated.

\$650,000 total for 2022 budget year

### 1 – **Business Grants** \$200,000

These would be a range of grant types, probably two, targeted to help businesses return to a different state of existence post pandemic. The Chamber is completing a needs assessment now and we will look to that data to determine the type of need we would target to help business survive and thrive again. This would be administered by the Chamber of Commerce in partnership with the Town to ease the required paperwork for accessing these grants. The Downtown Partnership and Launch are also partnering in these grants.

- Micro grant- Targeted towards very early startup and support or encouraging idea formulation. Grant amount would be \$500, Applicants considered by Chamber's Minority Committee and applicants could receive up to 2 grants in 12 months if they are able to show progress. Requirements would be minimal. (\$25,000 pool of dollars)

- Entrepreneur grant – Targeted to entrepreneurs who are progressing toward a functioning and operating organization. Applicants considered by Launch Advisory Board and previous progress must be shown on an initiative to qualify, with moderate requirements. Grants up to \$1500. (\$50,000 pool of dollars)

- Small business grant – Grants beginning at \$2500 and targeted to Chapel Hill based businesses who can show negative effects of the pandemic. Reviewed by a staff team of Town, Chamber and Downtown Partnership with location and affects from pandemic required from applicant. (\$125,000 pool of dollars)

### 2- **Marketing funds** \$150,000

There are two categories we would target; market Chapel Hill and the opportunities for shopping/dining and marketing available space for new businesses to start, expand or relocate. The marketing available space would also have a co-op for some of the dollars to help leverage our investment. There is an emerging partnership between Clean Design, Chapel Hill Chamber, Downtown Partnership and Orange Co. Visitors bureau to partner on similar campaigns to reinforce the message. This is targeted toward a digital marketing campaign to encourage shopping, dining and doing business in Chapel Hill. Includes \$50,000 for downtown marketing.

### 3- **Opportunity grants** \$120,000

This would be to support new and innovative ideas around support of small businesses and placemaking. It would be opportunities like the small box-car idea for West Franklin or other similar ideas. It would be required to support innovative ideas for doing business and create a refreshed sense of place at the same time. We would target an impact of minority and women owned business as a component of this venture fund. (Chapel Hill Downtown Partnership - \$21,000)

### 4- **Downtown Together initiative** \$110,000 (Town and Gown partnership)

This is money for the Downtown Initiative being led by a Town/Gown partnership that includes the Mayor, Maurice, myself, Matt Gladdek, Gordon Merklein, Sheryl Waddell and Doug Rothwell. It comes as a sub-

element to the Chancellor's UNC Economic Development plan for Chapel Hill. This includes matched money for a Downtown Plan and downtown beautification (also matched) for the east end of downtown in partnership with the University. (Chapel Hill Downtown Partnership - \$10,000)

**5- Workforce development - \$70,000**

In partnership with NC Works, Durham Tech, and the Chamber of Commerce, develop a series of training opportunities and build off the research completed by the Chamber of Commerce in helping with the trend of "employee reallocation" as residents seek new jobs and opportunities.





596  
**TOWN OF CHAPEL HILL**

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

## Item Overview

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**Item #:** 16., **File #:** [21-0596], **Version:** 1

**Meeting Date:** 6/23/2021

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**Redevelopment and Risk Assessment of Police Station Property at 828 Martin Luther King, Jr. Boulevard.**

**Staff:**

Mary Jane Nirdlinger, Deputy Town Manager  
Laura Selmer, Economic Development Specialist

**Department:**

Manager's Office

**Overview:** This item provides Council with additional information concerning redevelopment of the current police station property, located at 828 Martin Luther King Jr. Blvd. Hart & Hickman, the Town's environmental consultants for the project, will share information about the proposed risk assessment for the upland portion of the property and safe property reuse.



**Recommendation(s):**

That the Council provide feedback on the content presented and authorize staff to draft an Economic Development Agreement (EDA) over the summer and return to the Council for further discussion and decision in the fall.

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

**PRESENTER:** Laura Selmer, Economic Development Specialist  
Hart & Hickman, Consultants

**RECOMMENDATION:** That the Council provide feedback on the content presented and authorize staff to draft an Economic Development Agreement (EDA) over the summer and return to the Council for further discussion and decision in the fall.



597  
TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 17., **File #:** [21-0597], **Version:** 1

**Meeting Date:** 6/23/2021

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**Consider Land Use Management Ordinance Text Amendments - Proposed Changes to Articles 3, 4, and 6 and Appendix A Related to Short-Term Rentals.**

See the Staff Report on the next page.

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

**PRESENTER:** Anya Grahm, Senior Planner

- a. Introduction and revised recommendation
- b. Recommendation of the Planning Commission
- 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 the ordinance to approve the changes to the Land Use Management Ordinance.

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



# CONSIDER 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 23, 2021	Planning Department
<b>UPDATES SINCE THE JUNE 16, 2021 PUBLIC HEARING</b>		
Town Council discussed the item and requested that staff return with additional information on: <ul style="list-style-type: none"><li>• Enforcement</li><li>• Age restrictions</li><li>• Parking</li><li>• Sunsetting Clause</li><li>• Special Events</li><li>• Adding a Fee Schedule</li></ul>		
Staff will be providing an updated staff memo and revised ordinance reflecting these updates to the Council on Monday, June 21, 2021 as well as any additional comments received from the public.		
<b>TOWN MANAGER’S RECOMMENDATION</b>		
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.		
<b>PROCESS</b>	<b>DECISION POINTS</b>	
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 <b>three findings</b> for enactment of the Land Use Management Ordinance Text Amendment applies: <ol style="list-style-type: none"><li>1. To correct a manifest error in the chapter; or</li><li>2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or</li><li>3. To achieve the purposes of the Comprehensive Plan.</li></ol>	<ul style="list-style-type: none"><li>• Allow primary residence short-term rentals (STRs) in all zoning districts, but limit dedicated short-term rentals to mixed use and commercial zoning districts.</li><li>• Prohibit dedicated STRs in the historic districts.</li><li>• Place a cap on the number of dedicated STRs permitted within multi-family dwelling developments.</li><li>• Establish operational standards.</li><li>• Permit simultaneous rentals only when the STR operator is on-site with guests as part of a primary residence STR.</li><li>• Provide a 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.</li><li>• Require all STR operators to apply for an STR permit within six months of the enactment of the ordinance.</li></ul>	
<b>Background</b>		
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"><li>• Home Occupation (allowed in most zoning districts)</li><li>• Tourist Home (allowed in non-residential zoning districts)</li><li>• Overnight Lodging (limited to the Blue Hill District)</li></ul>		
On <a href="#">June 19, 2019</a> <sup>1</sup> , the Town Council directed 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		

<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3985501&GUID=BFA3AA22-D1D1-4D51-9285-1C4FE6B2FF99>

possible ordinance provisions. For more information regarding past meetings, materials, and recordings, please see the project website: <https://chplan.us/ChapelHillSTRs><sup>3</sup>.

## CHANGES TO DRAFT ORDINANCE FROM MAY 19, 2021 PUBLIC HEARING

During the [May 19, 2021 public hearing](#)<sup>4</sup>, the Town Council provided the following direction to staff for changes to the draft STR ordinance:

- 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 not a strong preference for a 12-month or 18-month amortization clause to bring STRs into compliance with the proposed ordinance.
- Amend 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, and prohibiting dedicated STRs in residential zoning districts.

### Pilot Program

Per [GS160D-1207](#)<sup>5</sup>, 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](#)<sup>6</sup> 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](#)<sup>7</sup>.

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. There are no specific authorizing legislation that 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 informational 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.

Future changes to the 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](#)<sup>8</sup> which gives the Town Manager discretion in revoking a STR permit should a 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](#)<sup>9</sup>.

<sup>2</sup> <https://chplan.us/ChapelHillSTRs>

<sup>3</sup> <https://chplan.us/ChapelHillSTRs>

<sup>4</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4955852&GUID=3AF096DD-698B-4641-9F93-1BFDAFD7EC76>

<sup>5</sup> [https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_160D/GS\\_160D-1207.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160D/GS_160D-1207.pdf)

<sup>6</sup> <https://www.wilmingtonnc.gov/home/showdocument?id=10107>

<sup>7</sup> <https://canons.sog.unc.edu/understanding-the-legal-basis-for-the-strike-down-of-wilmingtons-short-term-rental-ordinance/>

<sup>8</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART4PR\\_4.9ZOCOPE](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.9ZOCOPE)

<sup>9</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART4PR\\_4.13VIPE](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.13VIPE)



## 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 that requires annual renewal.

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"> <li>• Reminder that homeowner insurance may not include STR Use</li> <li>• Self-assessment of health and safety checklist</li> </ul>	<ul style="list-style-type: none"> <li>• Items on the health and safety checklist</li> <li>• 100' mailing notification to neighbors</li> <li>• First come, first served approach for managing the multi-family cap which restricts STRs to 2 units or 3% of units, whichever is greater.</li> </ul>	<ul style="list-style-type: none"> <li>• STR Permit Required</li> <li>• Operational Standards</li> <li>• Requiring permit number to be listed in all advertisements</li> </ul>

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

1. Text Amendment Summary
2. Draft Staff Presentation
3. Resolution of Consistency (For proposed Land Use Management Ordinance amendment)
4. Ordinance A (Enactment of Land Use Management Ordinance Text Amendment Proposal)
5. Resolution B (Deny Land Use Management Ordinance Text Amendment Proposal)
6. Planning Commission Recommendation
7. Planning Commission Letter to Council
8. Public Comment



## **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 all online advertisements.

### **3. Place a cap on the number of Dedicated STRs permitted in any multi-unit dwelling building to no more than two (2) units or three (3) percent of units, whichever is greater.**

This amendment will permit only three (3) percent of units within a multi-unit dwelling development, such as apartment and condo complexes, to operate as Dedicated STRs. Permits will be issued on a first-come, first-served basis.

### **4. Amend Article 6- Special Regulations for Particular Uses to provide definitions and operational requirements for STRs.**

A. Staff proposing adding definitions for:

- Primary Residence
- Short-term rental (STR)
- STR, Dedicated
- STR, Primary Residence
- STR Local Designated Responsible Party
- STR Hosting Platform
- STR Permit

B. Operational requirements include the following:

- Limiting simultaneous rentals to primary residence STRs and only when STR operator is on-site.
- Maximum overnight occupancy of two (2) persons per bedroom + two (2) additional persons, not including children under 12 years of age
- Designated Responsible Party that is available to respond on-site within two (2) hours to address any emergency situations stemming from the STR use
- Adequate on-site parking
- Prohibition of signs advertising the STR use
- STR operators are responsible for paying all applicable taxes and fees
- Minimum rental age of 21 years of age
- Minimum rental duration not less than 18 hours, including overnight

### **5. Provide enforcement provisions including a 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 23, 2021

DRAFT

# Recommendation

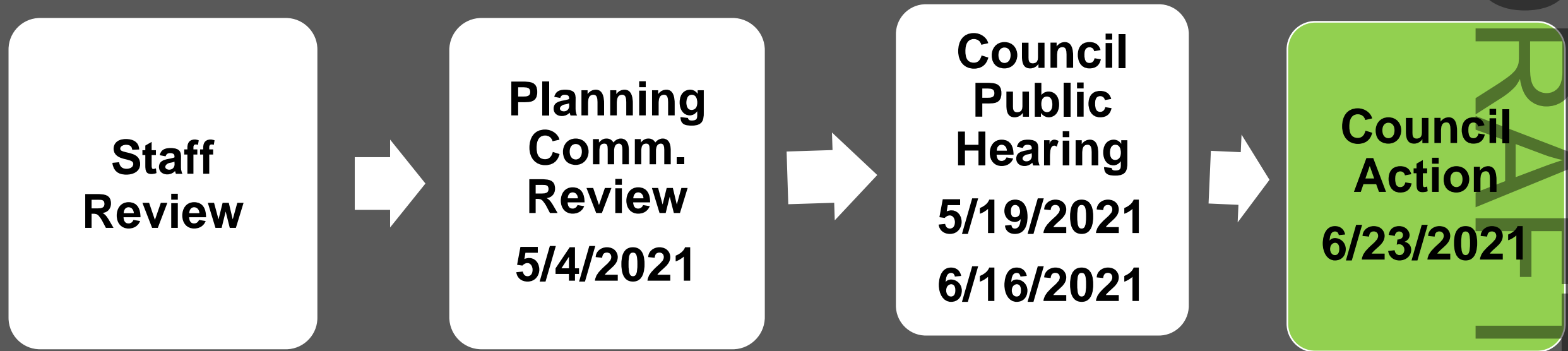
603

- Adopt the Resolution of Consistency (R-#)
- Enact Ordinance A (O-#)

DRAFT

# Text Amendment Process

604





# Updates Since the 6/16 Public Hearing

605

- To be completed following 6/16 Public Hearing

DRAFT

# What's in your packet?

606

- Staff Report
- Resolution A, Resolution of Consistency
- Ordinance A, enacting the amendment
- Resolution B, denying the amendment
- Planning Commission Recommendation

DRAFT

# Text Amendment Background

607



- 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

<b>June 2019</b>	<ul style="list-style-type: none"><li>• CHALT, Chamber for a <sup>608</sup>Greater Chapel Hill-Carrboro, and local hoteliers submit a petition</li><li>• Council directs staff to develop updated standards for STRs</li></ul>
<b>Fall 2019 – Winter 2020</b>	<ul style="list-style-type: none"><li>• Council appoints a 13-member taskforce focused on dedicated STRs</li><li>• Taskforce meets monthly from October – February</li><li>• Taskforce creates a final set of findings</li></ul>
<b>March 2020</b>	<ul style="list-style-type: none"><li>• Staff reviews taskforce findings with CCES</li></ul>
<b>June 2020</b>	<ul style="list-style-type: none"><li>• Council accepts taskforce findings and dissolves taskforce</li></ul>
<b>Fall 2020 – Spring 2021</b>	<ul style="list-style-type: none"><li>• Staff meets with Town Council to receive input on possible STR ordinance provisions</li></ul>

DRAFT

# Summary of Proposed Changes

609

- Require zoning compliance permits (STR permit) for all STRs
- Allow primary residence STRs in all zoning districts
- Permit dedicated STRs in high-density residential, mixed-use, and commercial zoning districts
- Limit dedicated STRs to only 2 units or 3% of units, whichever is greater in multi-family developments
- Provide operational requirements for STRs
- Three strikes, you're out clause



DRAFT



# Definitions

- **Short-term rental (STR):** A dwelling unit rented<sup>610</sup> 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

611

**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.

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# Definitions

612

**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.

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# Operational Requirements

613

## **(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

614

## **(e) Parking**

- Provided on-site and not in the right-of-way

## **(f) Signs**

## **(g) Taxes**

## **(h) Minimum Rental Age of 21**

## **(i) Minimum Rental Duration of overnight, or no less than 18 hours**





# Enforcement & Compliance

615

- **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



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# Recommendation

616

- Adopt the Resolution of Consistency (R-#)
- Enact Ordinance A (O-#)

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  
(2021-06-23/R-16)**

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Sections 3.7, 4.9, 6.27, and Appendix A on May 4, 2021. The Planning Commission found the proposed text amendments were not consistent with the Comprehensive Plan and took no action on the proposed text amendments; and

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council held that public hearing on May 19, 2021, receiving comments through 11:59 PM on May 20, 2021, and closed the public hearing at that point; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

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

This the 23<sup>rd</sup> day of June, 2021.

**REVISED ORDINANCE A**

(Enacting the Land Use Management Ordinance Text Amendment)

**AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 3, 4, 6, AND APPENDIX A TO REGULATE SHORT-TERM RENTALS (2021-06-23/O-9)**

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Sections 3.7, 4.9, 6.27, and Appendix A on May 4, 2021. The Planning Commission found the proposed text amendments were not consistent with the Comprehensive Plan and took no action on the proposed text amendments; and

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

WHEREAS, a short-term rental (STR) is a dwelling unit that is rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration; and

WHEREAS, short-term rentals provide additional opportunity for overnight accommodations to guests wishing to stay in a home-like environment. These guests benefit the local economy by investing in local restaurants, shops, and museums; and

WHEREAS, short-term rentals provide many Chapel Hill residents the opportunity to supplement their income and afford housing in the community; and

WHEREAS, the 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/Intuitionial (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**

		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
<b><u>Short-term rental, dedicated</u></b>	<b><u>A</u></b>	-	-	-	-	-	-	-	-	-	-	-	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	-	-	-	-	-	-	-	-	-	-	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	-	<b><u>P</u></b>
<b><u>Short-term rental, primary residence</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	-	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	-	-	-	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	<b><u>A</u></b>	-	-	-	<b><u>A</u></b>	-	<b><u>A</u></b>

"—" 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 onsite.**

**(b) Maximum Overnight Occupancy.** The overnight occupancy shall not exceed two (2) persons per bedroom plus two (2) additional persons, excluding children under twelve (12) years of age. The occupancy limit shall be posted prominently within the short-term rental and be included in property listings on hosting platforms.

**(c) STR Designated Local Responsible Party.** Operators shall designate a short-term rental local responsible party available to respond within two (2) hours to handle emergency situations stemming from the short-term rental use. The responsible party shall be available 24 hours per day and seven (7) days a week during all times the property is under rental. The name, telephone number, and email address of the designee shall be conspicuously posted within the short-term rental and match the name, telephone number, and email address provided in the short-term rental permit. The designee may be the property owner. A designee's repeated failure to timely respond to renter issues, resident concerns, or Town initiated communications may result in revocation of the STR permit.

**(d) Noise.** The noise regulations set forth in Chapter 11, Article III of the Code of Ordinances shall apply to short-term rentals. Among other requirements, Article III regulates nuisance noises and makes it unlawful to create, cause, or allow the continuance of any unreasonably loud noise, particularly during

**nighttime, which interferes seriously with neighboring residents' reasonable use of their properties.**

- (e) **Parking.** Sufficient parking for each STR shall be provided on site and shall not be permitted in the right of way. Each STR is further subject to the parking regulations in LUMO Section 5.9.
- (f) **Special Events.** Events, weddings, receptions, and other large gatherings are not permitted.
- (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 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 a 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 months after the effective date of this ordinance, provided its continued operation on or after December 23, 2022, shall be in violation of the LUMO.**

**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 **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. This term does not include short-term rentals.**"

**Section 6.** This ordinance shall be effective upon enactment.

This the 23<sup>rd</sup> day of June, 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 (2021-06-23/R-17)**

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are not reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

WHEREAS, a short-term rental (STR) is the rental of a dwelling unit that is rented wholly or partly for a fee for fewer than thirty (30) consecutive days.

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 23<sup>rd</sup> 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 LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – PROPOSED CHANGES TO ARTICLES 3,4,6 AND APPENDIX A REGARDING SHORT-TERM RENTALS (STRS)

May 5, 2021

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

**Motion:** Melissa McCullough moved and Neal Bench seconded a motion to recommend that the Council deny the Resolution of Consistency.

**Vote:**                      8 – 0

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

**Nays:**

**Excused:** Buffie Webber

**Recommendation:**    Approval ☐                      Approval with Conditions ☐                      Denial ☐  
   No Action ☒

**Motion:** Neal Bench moved and Melissa McCullough seconded a motion to recommend that the Council take no action on Ordinance A, amending the Chapel Hill Land Use Management Ordinance Section 3.6.2 Historic Districts related to review criteria and Section 8.4 Historic District Commission.

**Vote:**                      8 – 0

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

**Nays:**

**Excused:** Buffie Webber

**Reasons for No Action:**

- The Planning Commission is generally in support of an updated STR ordinance but is concerned that the scope and magnitude of the problems caused by STRs to the Town are unclear and do not necessarily merit some of the proposed changes to the ordinance.
- Support for providing a sunset clause to bring existing STRs into compliance and grandfather STRs that cannot come into compliance.
- Many STR hosts and operators are financially dependent on their STRs and any new ordinance should allow them to maintain their businesses.
- STRs should be permitted in all zoning districts that allow residential uses.
- Create a dedicated framework for collecting data. Interest in reviewing the data collected in two years.
- No STR permit fee should be charged, to promote compliance, to facilitate data collection, and not drive STR operators underground.
- Concerns that other details of the proposed ordinance are overly burdensome on some STR operators (e.g. 2-hour requirement for an on-site designated party, the 3-strikes provision, simultaneous rental prohibition, trash collection rules)

Prepared by: Anya Grahn, Senior Planner

## 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

## Anya Grahn

---

**From:** BJ Warshaw <benjarwar@gmail.com>  
**Sent:** Sunday, June 13, 2021 11:13 PM  
**To:** Anya Grahn; Town Council  
**Cc:** Alexa Nota  
**Subject:** Latest STR Draft Ordinance

**External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)**

Hello Anya, Mayor Hemminger, and Town Council,

I'm writing to you today about the [latest draft](#) of the proposed STR ordinance and, to be honest, I'm a little disappointed that the Town is moving in a more regulatory direction than where we were previously.

My particular issues of concern are as follows.

**(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.**

As I've previously stated, this creates an impossible burden on STR hosts. The platforms used (primarily AirBnB and VRBO) allow users to be 18 and older. We are not able to fully verify guests ages before bookings.

It also feels extremely discriminatory against STRs, when other rental properties in Town are rented to 18+ individuals. Please remember that the vast majority of parties/noise disturbances are already occurring in college/off-campus housing, so if this regulation is in service of "preventing party houses", the Town should be dealing with the problem at the true source.

Please also note that *even some hotels* in Town allow 18+ guests (for example the Carolina Inn).

I, and I'm sure other hosts, would greatly appreciate the ordinance being switched back to the perfectly reasonable age of 18+. Otherwise, I'd like to know precisely what problem we're trying to solve by increasing the age to 21+ for STRs in such a discriminatory fashion.

**(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.**

I'm frustrated that this regulation is back in play. As so many have stated, including the Planning Commission, there simply isn't a widespread enough problem with events/parties occurring at STRs to justify this regulation.

I've heard that there is one specific STR property in Town that has been hosting regular events/weddings, and that it's causing quality of life issues for neighbors. I can absolutely appreciate that being frustrating for the STR's neighbors. But I fail to see why this one issue couldn't be dealt with as what it is: a noise/civic disturbance complaint. Were the previous draft to be passed, I would imagine a property violating the Town's noise ordinances would be duly subject to STR license revocation.

Alternatively, why couldn't an STR apply for a temporary [special event permit](#) – like any other property in Town – and conduct parties on behalf or with their guests in a legal, safe, and respectful manner?

I'm also questioning how Town staff arrived at the number of 5 additional guests. It seems arbitrary to me. Please consider that many properties (ours, for one) are in lower density zones, with extra space and few neighbors. We feel we could, theoretically, accommodate more than 5 additional guests, with absolutely no detrimental effect on our neighborhood or neighbors. Therefore, this ban feels discriminatory when other processes and regulations already exist (such as the aforementioned special event permit and noise ordinances).

By creating this cap, the Town will be prohibiting other means of income generation for hosts. For example, AirBnB recently launched their [Experiences](#) platform which allows people to host informal workshops, classes, and gatherings. It's yet another way for our creative community to increase the ways they can earn a living in this challenging gig economy. Think drawing classes, group meditations or yoga, community garden seed exchanges: all of these things would suddenly become illegal (or severely restricted) for an STR host – but not for other primary residence owners or long-term renters. It's truly a "throwing the baby out with the bathwater" situation. Many guests that travel through STR platforms are looking for a unique, positive, and memorable experience when they're visiting Chapel Hill. It seems unnecessary and deeply unfortunate to limit potential tourism experiences, due to a fear that every STR aspires to host weddings or rowdy parties.

I'm also concerned for other STR hosts whose neighbors might conflate primary residence hosts holding their own legal, safe gatherings as an excuse to complain about an STR if they have an axe to grind.

In short, this cap is a "one size fits all" approach that doesn't fit all. It is also another example of a solution in search of a problem, especially considering the new, stricter regulations forbidding "Dedicated" STRs in all residential zones and the previously set STR occupancy caps.

**(e) Parking. There shall be no more than three (3) vehicles parked at any time on- or off-street associated with the STR use.**

Our STR is a two bedroom ADU that customarily hosts up to 4 people. If each individual drove their own vehicle, we'd be in violation, and we don't even have a large house! Many STRs have ample parking to accommodate guests.

We work hard to ensure safety of our guests, and adequate parking space, without impacting our neighbors. For instance, we bumped out our gravel driveway to host a pro-angler that visits with his boat annually for the Bass Pro Fishing Tournament! We are not sports fans, but we do care deeply that our guests are comfortable and the space meets their needs.

The STR ordinance does not need this additional restriction, especially when no such restriction exists for other property types. Given that we already have an occupancy cap in the ordinance, and that parties/events can be dealt with via existing noise/public disturbance regulations, I again feel that this new restriction is a bridge too far, serving only to further burden STR hosts in the guise of placating the anti-STR crowd.

**In short:** we're so close! I think, in general, the ordinance otherwise serves the interests of hosts, residents, concerned citizens, and the hotel industry very well. I'm happy to have a formal licensing process, and relieved that the "three strikes your out" language has been removed in favor of recognizing that "the town manager may revoke an STR permit". But these new items listed above go too far, seem targeted at preventing the "party house issue" that, in actuality, isn't a widespread problem requiring additional stringent regulation. They create challenges for us as hosts in a way that feels considerably unfair and in conflict with our attempts to already abide by the Town's ordinances, make a living, and to accommodate our guests.

Thanks as always for your continued attention,  
BJ Warshaw

## Anya Grahm

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**From:** Eric Plow <ericplow1@aol.com>  
**Sent:** Wednesday, June 16, 2021 7:24 AM  
**To:** Town Council  
**Cc:** rbadgett@sog.unc.edu; Ann Anderson; Anya Grahm; Colleen Willger; Judy Johnson; joeevalentine@gmail.com; celiebrichardson@aol.com  
**Subject:** Re: astounding new information from your finance department

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Correction: in my haste to assemble the figures at 2 AM, I made an error. The Airbnb presence is between 4.5 and 5.5 %. But this is still a negligible number compared to what special interest groups would have us believe.

In a message dated 6/16/2021 7:13:16 AM Eastern Standard Time, ericplow1@aol.com writes:

Mayor and Town Council:

Before this evening's STR council meeting, I will to email to you figures obtained directly from your finance department from a public records request which demonstrate that Airbnb rentals approximate only 4/10 of 1% of overall hotel revenue. This is negligible, and should put to rest the continuing false allegations put forth by special interest groups that STRs have and will continue to infiltrate every corner of Chapel Hill.

Airbnb accounts for the overwhelmingly vast majority of short term rentals, and some have questioned whether or not Airbnb submits the proper occupancy taxes that they collect. Suffice is to say that Airbnb is a world-wide organization, and any class action lawsuit against Airbnb regarding this matter would destroy the company. It therefore follows that the documentation from the town's own finance office is reliable, and can be used to accurately estimate the presence of STRs in Chapel Hill. You will be surprised.

Stay tuned ...  
 Eric Plow

## Anya Grahn

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**From:** Joe Valentine <joevalentine@gmail.com>  
**Sent:** Wednesday, June 16, 2021 10:57 AM  
**To:** Town Council  
**Cc:** Eric Plow; rbadgett@sog.unc.edu; Ann Anderson; Anya Grahn; Colleen Willger; Judy Johnson; Joe Valentine; celiebrichardson@aol.com; alexa.nota@gmail.com  
**Subject:** Proposed STR Ordinance

**External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)**

Dear Mayor and Town Council Members,

I would like to respectfully put forward the following points for your kind consideration, before your upcoming vote on the proposed ordinance that seeks to regulate short term rentals (STRs) in Chapel Hill.

1. The proposed ordinance reads like a copy and paste from other ordinances that were presumably passed in other cities. It makes numerous assertions and conclusory statements which are not based on any objective detailed study. To that extent, it is premature and is not likely to address the specific needs of Chapel Hill town.
2. Chapel Hill is not New York or Boston or Chicago or even Wilmington or Asheville. It is not a big city and it does not have a White House or a Smithsonian or even mountains and beaches that should attract significant tourist inflow. When there is no significant tourist traffic, it does not attract corporate investment in STRs due to lack of profitability. Therefore, the regulations that apply to other cities and towns with significant tourist traffic are inappropriate for Chapel Hill.
3. There is no evidence that conversion of homes to STRs has affected the housing market in Chapel Hill. Most of the STRs are owned by individuals who run it in their own private homes either on a sharing or dedicated basis, purely to generate income to maintain, and upgrade their homes as well as meet expenses on mortgage and tax payments. Banning STRs will deprive these individuals of income forcing them to sell their homes and move elsewhere.
4. STR owners have invested time and money in upgrading their homes. Forcing them to close will be an irreparable economic injury without due process. The ordinance is silent about any financial or other compensation to be paid to STR owners who are forced to close.
5. The ordinance appears to state that families who visit Chapel Hill should stay near the town center where there are more amenities and restaurants. This assertion is another example of misguided thinking which is driving the proposed draft ordinance. Most of the families who have stayed in our dedicated STR have not come to Chapel Hill to eat at its restaurants or enjoy its amenities. They come for family reunions or graduations or anniversaries or for medical attention at the hospitals. These families wish to stay together in privacy and comfort with the ability to cook their own food and accommodate their pets. Hotels do not meet their requirements and they have no desire to stay near downtown to use the amenities.
6. During and after the pandemic, families like to socially distance themselves from other strangers. This is not possible in hotels which are usually large high rise buildings accommodating hundreds of strangers at any given time.
7. Dedicated STRs meet a real need of traveling families and these people spend money on food, beverages, local transport, shopping etc. in Chapel Hill which supports the local economy. They also pay taxes to the Town on their



accommodation and other purchases. The Town stands to lose significant tax income by banning dedicated STRs as then these families will simply choose to stay in other nearby towns.

8. Local governments have delegated powers from the state to issue zoning ordinances to regulate land use. This does not extend to regulating ownership as held by numerous courts in North Carolina. The proposed ordinance seeks to regulate ownership and goes beyond the powers available to the Town. It is therefore ultra vires NC law.

9. The definition of dedicated STR has stipulations that require a homeowner to stay in his home for a certain period of time to qualify for primary home ownership. The Town does not have the powers to legislate that homeowners have to stay in their homes for any period of time. In many cases, homeowners are forced to travel and stay outside the state for reasons of employment. Requiring owners to stay in their homes to qualify for non dedicated STR ownership is not within the powers delegated to the Town and the distinction between short and long term rentals is impermissible under delegated powers.

10. Records available with the Town show only 3 nuisance complaints relating to STRs in the past year. There are far more nuisance complaints from long term student rental housing which is not addressed by this ordinance. The Town has produced no facts to show that short term rentals create more nuisance than long term rentals. The rationale for this ordinance which proposes to ban dedicated STRs is unclear. Regulation must not be whimsical or arbitrary but must be based on solid reasoning to solve a real problem. That does not appear to be the case here.

11. We are for responsible regulation in the interest of public health and safety. The cap on the number of people, age limit on who can book accommodation, minimum stay of one night, restrictions on parking, no parties or large group functions, availability of a dedicated support service system - these are all reasonable regulations which are in fact already insisted upon by the STR platforms in most cases.

12. The STR platforms also have a review system where hosts and guests rate each other on numerous parameters. If a guest has created problems in any STR, the review system provides the ability to make that information known to other hosts so they can maintain control over who is provided accommodation at their STR.

In view of these facts, I would urge you to accept your Planning Commission's recommendations and vote No for the ordinance in its present form. I am available to provide additional information and answer your questions.

Best regards,

Joe Valentine, J.D., LL.M., M.B.A.

Licensed Attorney (NC, DC, FL) & Licensed Customs Broker

Phone: [\(919\) 923 4280](tel:9199234280)

## Anya Grahm

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**From:** Katie Loovis <kloovis@carolinachamber.org>  
**Sent:** Wednesday, June 16, 2021 10:25 AM  
**To:** Anya Grahm; Badgett, Rebecca; Colleen Willger; Pam Hemminger; Jess Anderson; Hongbin Gu; Tai Huynh; Allen Buansi; Karen Stegman; Michael Parker; Amy Ryan; Maurice Jones; Ann Anderson  
**Cc:** Aaron Nelson; Julie McClintock; Anthony Carey; Manish Atma; John Quintero; Linda Carol Davis; Dr Bryan; Rosemary Waldorf  
**Subject:** We Support the STR Ordinance with 2 Points for Reconsideration  
**Importance:** High

**External email:** Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)

Dear Mayor and Council,

Thank you for your continued focus and attention on developing a fair and reasonable framework for regulating short-term rentals (STRs) in the Town of Chapel Hill.

The most recent draft of the ordinance reflects much thought and compromise, and **we are very supportive of this proposed regulatory framework**. We do ask you to **reconsider two items** that have been revised from earlier versions of the proposed ordinance.

- 1) Reconsider the 18-month "sunset" period.** - The current draft ordinance allows existing, illegally-operating STRs that will be unable to obtain a zoning compliance permit to continue operating for 18 months after the effective date of the ordinance. While some "sunset" period may be practical, we recommend returning to the six-month period specified in earlier versions of the draft ordinance. Remember that most existing STRs already are operating illegally, and allowing impermissible activity to continue for another 1.5 years seemingly rewards people for prior bad behavior. This overly generous sunset window also is inconsistent with any and all town policies and practices. Keep in mind, this is not a hardship for the STR operator. In a mere moment and without any fees, STR operators can easily and immediately shift their short-term commercial market operation for transients to a long-term residential rental use, thereby helping to meet our community's strong demand for affordable rental housing.
- 2) Reconsider the 50% minimum occupancy requirement for primary residence STRs.** - Throughout this process, our working group has focused primarily on dedicated STRs, not primary residence ones. However, the current draft ordinance requires operators of primary residence to be present for just 50 percent of the calendar year. In our view, a unit that could be rented out for as many as six months a year without a primary resident present really has, for all intents and purposes, crossed the line into a Dedicated STR. We recommend raising this minimum primary occupancy threshold to at least 60%, with a preference for a 75% standard. This will ensure that primary residence STRs are operated by members of the community and not become a "back door" to the kinds of activity the council is seeking to limit.

Again, thank you for your leadership and hard work on this important and complicated emerging business phenomena. We believe 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 while also ensuring a more level playing field for the hospitality industry.

With appreciation,

Aaron Nelson and Katie Loovis, The Chamber For a Greater Chapel Hill-Carrboro  
 Julie McClintock, Linda Carol Davis, and John Quinterno, 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

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**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](mailto:kloovis@carolinachamber.org)

[Website](#) | [Blog](#) | [Announcements](#) | [YouTube](#)

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**Thank you to our Community Champions!**



THE UNIVERSITY  
 of NORTH CAROLINA  
 at CHAPEL HILL

## Anya Grahm

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**From:** Eric Plow <ericplow1@aol.com>  
**Sent:** Thursday, June 17, 2021 7:55 AM  
**To:** Town Council  
**Cc:** rbadgett@sog.unc.edu; Ann Anderson; Anya Grahm; Colleen Willger; Judy Johnson; celiebrichardson@aol.com; alexa.nota@gmail.com; joeevalentine@gmail.com  
**Subject:** why?  
**Attachments:** 2021-05-18 Planning Comm recommendationl.pdf

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During this last day of written public input, this will be my final comment on STRs. I ask each council member to read these brief comments with as much care as I have put into writing them. Please also pay particular attention to my suggestion at the end.

I once again ask why you feel the need to pass legislation without having any concrete facts? If you have not already done so, read the attached recommendation from the planning board advisory commission, recommending that no ordinance be passed at this time until further study has been done. It has been clearly shown that existing STRs are not causing any problems, and in actuality are a benefit to the community.

MOST IMPORTANTLY, it is also clear that you may not legally legislate separate requirements for "dedicated" rentals since they are simply another name for "investor-owned rentals". If you decide to legislate rentals, you may not do so based on the ownership of the property, nor may you require an owner to live in his or her property for a certain amount of time in order to use it for residential purposes.

The recently discussed sunset provision sounds "fair", but will eventually terminate certain currently operated rentals at the end of the sunset period. Some have said that we should sell the property or convert them to long-term rentals. This is not as easy as it may sound. Some of us has spent many years and dollars (such as furnishings) creating affordable short-term housing serving the community for a much-needed service, and we may not wish to abandon this activity. Our property is ours to do as we wish so long as we do not cause a nuisance to others. Last time I heard, we live in the United States of America where freedom and individual rights are a bedrock of our society.

If you feel the pressure to issue an ordinance now, you must treat all STRs the same, regardless of owner. I am sure all other STR hosts would agree with me that we have no objection to reasonable safety, nuisance, occupancy, age, and parking requirements. **However, I would urge you to add wording to the effect that all STRs in existence prior to the ordinance may continue to be operated in their current residential zones, without caps or density restrictions, until the property ownership passes to another entity. This will provide natural attrition over time, and is only fair to those of us who have worked very hard for many years on our STRs.**

In closing, I am sure that all of you have also worked many years getting to where you are today, whether it be by education, experience, or both. How would you feel if your source of income was dried up due to the government restricting or banning the type of work that you do?



## 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

## Anya Grahn

---

**From:** Joe Valentine <joevalentine@gmail.com>  
**Sent:** Thursday, June 17, 2021 12:57 AM  
**To:** Town Council  
**Cc:** Eric Plow; rbadgett@sog.unc.edu; Ann Anderson; Anya Grahn; Colleen Willger; Judy Johnson; celiebrichardson@aol.com; alexa.nota@gmail.com  
**Subject:** Re: Proposed STR Ordinance

**External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)**

Dear Mayor and Town Council members,

I would like to add an important point that the purpose of delegating powers to local governments is to enable them to craft regulations that are customized to solve local problems. It is about decentralization of governance to be more responsive to people's concerns.

Chapel Hill is a small University town better known for its education and health care. It does not have any major tourist attractions and does not attract an influx of tourists unlike some other towns. Therefore, there is no flow of capital from corporate investors seeking to buy homes to convert into STRs here. The number of STRs is so low that it does not materially impact the availability or prices of homes on the market.

The families who visit Chapel Hill do so for fairly well defined purposes such as seeking medical treatment or attending family reunions or gatherings. We have also housed families who were fleeing from natural disasters or whose homes were damaged by natural calamities or who were engaged in house hunting in Chapel Hill. They prefer to socially distance themselves in individual homes which have space and amenities for interacting with each other, preparing their food, and accommodating their pets. These facilities are not available in hotels. Further, these families cannot afford to stay in hotels for an extended period of time.

Regulation has to be judicious and tailored to the specific needs of the community. It also has to balance competing interests between producers, consumers and other stakeholders. The rights of property owners have to be respected. While the hotel lobby appears to have some excess capacity, with the economy recovering post pandemic, these hotel rooms should be filled to a healthy capacity soon. Market forces have to be allowed to operate to determine supply, demand and pricing and regulation should not be misused to stifle competition.

In any case, STRs are not a commercial activity. There is usually no corporate entity involved and no employment of full time service staff. No food and beverage or room service is provided. Further, the owner stays in the same home when it is not occupied by guests or shares it with guests. This is still a residential use of the property for housing single families. The zoning ordinance requirements of residential use by families is still satisfied.

Requiring homeowners to stay in their homes for 183 days and discriminating between short and long term rentals etc. is an overreach and is not part of the powers delegated to local governments. Zoning ordinances can only regulate land use, not the type of ownership as has been held by various courts in North Carolina. It is open to the homeowner to decide whether he should own the property as a primary, secondary, vacation, or rental home. In cases where the homeowner is employed out of state, they may not be able to stay in Chapel Hill for some time. They ought not to be discriminated against for reasons beyond their control.

Best regards,

Joe Valentine, J.D., LL.M., M.B.A.

Licensed Attorney (NC, DC, FL) & Licensed Customs Broker

Phone: [\(919\) 923 4280](tel:9199234280)

On Wed, Jun 16, 2021 at 10:56 AM Joe Valentine <[joevalentine@gmail.com](mailto:joevalentine@gmail.com)> wrote:

Dear Mayor and Town Council Members,

I would like to respectfully put forward the following points for your kind consideration, before your upcoming vote on the proposed ordinance that seeks to regulate short term rentals (STRs) in Chapel Hill.

1. The proposed ordinance reads like a copy and paste from other ordinances that were presumably passed in other cities. It makes numerous assertions and conclusory statements which are not based on any objective detailed study. To that extent, it is premature and is not likely to address the specific needs of Chapel Hill town.
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3. There is no evidence that conversion of homes to STRs has affected the housing market in Chapel Hill. Most of the STRs are owned by individuals who run it in their own private homes either on a sharing or dedicated basis, purely to generate income to maintain, and upgrade their homes as well as meet expenses on mortgage and tax payments. Banning STRs will deprive these individuals of income forcing them to sell their homes and move elsewhere.
4. STR owners have invested time and money in upgrading their homes. Forcing them to close will be an irreparable economic injury without due process. The ordinance is silent about any financial or other compensation to be paid to STR owners who are forced to close.
5. The ordinance appears to state that families who visit Chapel Hill should stay near the town center where there are more amenities and restaurants. This assertion is another example of misguided thinking which is driving the proposed draft ordinance. Most of the families who have stayed in our dedicated STR have not come to Chapel Hill to eat at its restaurants or enjoy its amenities. They come for family reunions or graduations or anniversaries or for medical attention at the hospitals. These families wish to stay together in privacy and comfort with the ability to cook their own food and accommodate their pets. Hotels do not meet their requirements and they have no desire to stay near downtown to use the amenities.
6. During and after the pandemic, families like to socially distance themselves from other strangers. This is not possible in hotels which are usually large high rise buildings accommodating hundreds of strangers at any given time.
7. Dedicated STRs meet a real need of traveling families and these people spend money on food, beverages, local transport, shopping etc. in Chapel Hill which supports the local economy. They also pay taxes to the Town on their accommodation and other purchases. The Town stands to lose significant tax income by banning dedicated STRs as then these families will simply choose to stay in other nearby towns.
8. Local governments have delegated powers from the state to issue zoning ordinances to regulate land use. This does not extend to regulating ownership as held by numerous courts in North Carolina. The proposed ordinance seeks to regulate ownership and goes beyond the powers available to the Town. It is therefore ultra vires NC law.
9. The definition of dedicated STR has stipulations that require a homeowner to stay in his home for a certain period of time to qualify for primary home ownership. The Town does not have the powers to legislate that homeowners have to stay in their homes for any period of time. In many cases, homeowners are forced to travel and stay outside the state

for reasons of employment. Requiring owners to stay in their homes to qualify for non dedicated STR ownership is not within the powers delegated to the Town and the distinction between short and long term rentals is impermissible under delegated powers.

10. Records available with the Town show only 3 nuisance complaints relating to STRs in the past year. There are far more nuisance complaints from long term student rental housing which is not addressed by this ordinance. The Town has produced no facts to show that short term rentals create more nuisance than long term rentals. The rationale for this ordinance which proposes to ban dedicated STRs is unclear. Regulation must not be whimsical or arbitrary but must be based on solid reasoning to solve a real problem. That does not appear to be the case here.

11. We are for responsible regulation in the interest of public health and safety. The cap on the number of people, age limit on who can book accommodation, minimum stay of one night, restrictions on parking, no parties or large group functions, availability of a dedicated support service system - these are all reasonable regulations which are in fact already insisted upon by the STR platforms in most cases.

12. The STR platforms also have a review system where hosts and guests rate each other on numerous parameters. If a guest has created problems in any STR, the review system provides the ability to make that information known to other hosts so they can maintain control over who is provided accommodation at their STR.

In view of these facts, I would urge you to accept your Planning Commission's recommendations and vote No for the ordinance in its present form. I am available to provide additional information and answer your questions.

Best regards,

Joe Valentine, J.D., LL.M., M.B.A.

Licensed Attorney (NC, DC, FL) & Licensed Customs Broker

Phone: [\(919\) 923 4280](tel:9199234280)



**From:** info@preservationchapelhill.org <info@preservationchapelhill.org>  
**Sent:** Thursday, June 17, 2021 11:00 AM  
**To:** Planning Department  
**Cc:** Town Council  
**Subject:** Comments on 6/16/2021 Council Discussion of STRs

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**External email:** Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)

Dear Mayor and Council:

Preservation Chapel Hill is a private nonprofit which has sought to preserve our community's historic buildings and neighborhoods since 1973. PCH is proud of its role in preserving historic homes and in the establishment of the town's four national register districts, three local historic districts and much more.

Our board of trustees have voted to oppose STRs in our historic neighborhoods. Limiting "dedicated" STRs to mixed use or commercial areas is a good first step. A further step should be excluding hosted STRs from either National Register or local historic district overlays. Further consideration should be given to allowing town's neighborhood conservation districts to opt-out of hosted STRs.

The latest proposed amendment from the Town is that a space can be considered "hosted," if the owner is in residence at least 50% of the year. We believe this far too low. The percentage should be 100% or the Town will be taking-on an enforcement impossibility and placing the onus on neighbors to enforce or worse, becoming informants. Moreover, there is no easy and safe way to "inform" when violations occur. Calling 911 is not effective nor appropriate. An alternative must be found

*The ordinance, as proposed at the Wednesday, June 16th Council meeting also includes a provision to discourage STR's being used to hold events like weddings and conferences. We believe this to be a good amendment.*

And finally we are concerned about enforcement of the proposed new LUMO provisions. The Town of Chapel Hill already has a difficult time enforcing the existing rules of the Land Use Management Ordinance.

An example is the number of student renters who appear to be living and parking at the homes in the historic districts. About two years ago, the Town took moderately successful action about this problem in the Franklin-Rosemary historic district for which we are grateful. With the University returning to in-class learning this Fall, how will the Town enforce this provision of the LUMO, especially on street parking?

Investment groups and developers would like to be able to profit on the beauty and charm of the many historic neighborhoods in Chapel Hill that have made this town special. It is already happening. What is

needed is a continued emphasis on protecting the historic neighborhoods which contribute to the unique character of the town and attracts visitors and alumni alike

Our historic neighborhoods are especially vulnerable to threats to single family ownership as is seen in the large number of non-residential ownership in portions of two of the three local historic districts. The existence of Dedicated STR's will further diminish the uniqueness, charm and character of our town's historic neighborhoods.

With sincere thanks to Mayor and Council for considering these comments, which originate from historic neighborhood residents, we are,

Preservation Chapel Hill  
610 E Rosemary St.  
Chapel Hill, NC 27514  
919.942.7818  
[info@preservationchapelhill.org](mailto:info@preservationchapelhill.org)



647  
TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 18., **File #:** [21-0598], **Version:** 1

**Meeting Date:** 6/23/2021

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**Open the Public Hearing: Limited Scope Special Use Permit for Tri-City Medical Office Building, 5002 Barbee Chapel Road.**

See the Staff Report on the next page.

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

PRESENTER: Judy Johnson, Assistant Planning Director

Swearing of all persons wishing to present evidence

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation of evidence by the applicant
- d. Recommendation by the Planning Commission
- e. Presentation of evidence by the public
- f. Comments and questions from the Mayor and Town Council
- g. Applicant's statement regarding proposed conditions
- h. Motion to continue Public Hearing to September 1, 2021
- i. Referral to Manager and Attorney

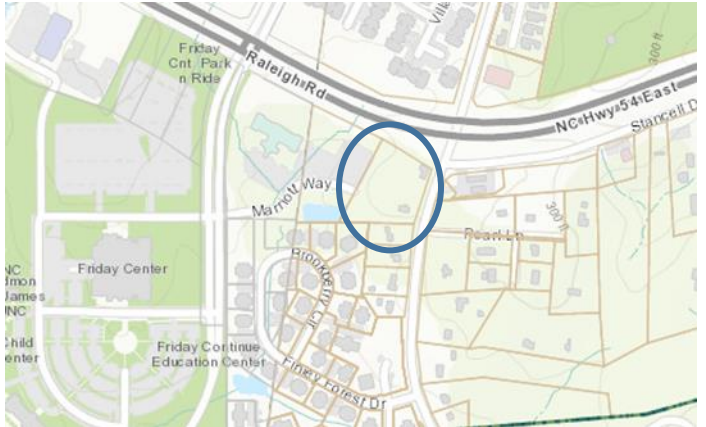
RECOMMENDATION: That the Council open the public hearing, receive evidence, and continue the public hearing to September 1, 2021.



# **OPEN THE PUBLIC HEARING: LIMITED SCOPE SPECIAL USE PERMIT FOR TRI-CITY MEDICAL OFFICE BUILDING, 5002 BARBEE CHAPEL ROAD**

## **STAFF REPORT**

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

<b>PROPERTY ADDRESS</b> 5002 Barbee Chapel Road	<b>DATE</b> June 23, 2021	<b>APPLICANT</b> C. F. Smith Property Group
<b>STAFF RECOMMENDATION</b> That the Council 1) open the Evidentiary Hearing 2) receive evidence, and 3) continue the Evidentiary Hearing to September 1, 2021.		
<b>PROCESS</b> The application is before the Council for approval of a Special Use Permit Modification. The Council must consider the <b>four findings</b> for approval of a Special Use Permit, which indicate that the use or development: <ol style="list-style-type: none"> <li>1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;</li> <li>2. would comply with all required regulations and standards of the Land Use Management Ordinance;</li> <li>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</li> <li>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.</li> </ol>	<b>DECISION POINTS</b> The applicant requests a limited scope review to the Special Use Permit to allow an extension to the construction start and completion dates.	
<b>PROJECT OVERVIEW</b> The project at 5002 Barbee Chapel Road received a Special Use Permit approval by the Council at the <a href="#">November 23, 2015 Council meeting</a> <sup>1</sup> . The approval was for construction of a 60,000 sq. ft. office building with 240 parking spaces.  The applicant states that the developers have made progress towards completing the project by closing on the purchase of the property; contracting with architects and other design professionals to work on the final design drawings; and working aggressively to solicit prospective tenants for the building.	<b>PROJECT LOCATION</b> 	
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Draft Staff Presentation</li> <li>2. Resolution A</li> <li>3. Resolution B</li> <li>4. Planning Commission Recommendation</li> <li>5. Applicant's Materials</li> </ol>	

<sup>1</sup> [https://chapelhill.granicus.com/DocumentViewer.php?file=chapelhill\\_d3beafbb58fbab22be938acc37f6147d.pdf&view=1](https://chapelhill.granicus.com/DocumentViewer.php?file=chapelhill_d3beafbb58fbab22be938acc37f6147d.pdf&view=1)



# **5002 Barbee Chapel Road<sup>649</sup> Limited Scope Special Use Permit**

Town Council  
Public Hearing

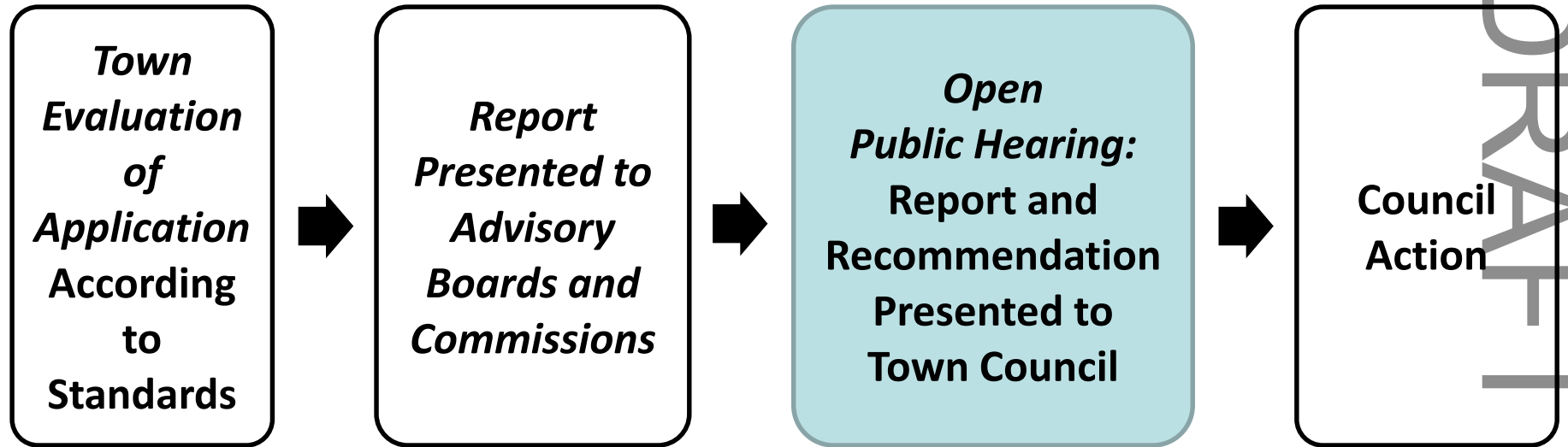
June 23, 2021

DRAFT



Open the Public Hearing, receive comments and evidence on the application, and recess the Public Hearing to September 1, 2021.

DRAFT



- 2.4 acre site
- Original approval allowed 60,000 SF office
- Proposing to modify the construction start and completion deadlines
- No changes to site plan proposed

DRAFT

Open the Public Hearing, receive comments and evidence on the application, and recess the Public Hearing to September 1, 2021.

DRAFT

**RESOLUTION A**  
(Approving the Request)

**A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR TRI-CITY MEDICAL OFFICE, LOCATED AT 5002 BARBEE CHAPEL ROAD (PROJECT #202025542)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by CJT PA, on behalf of C. F. Smith Property Group for a modification approved on November 23, 2015 for a 2.3-acre parcel located at 5002 Barbee Chapel Road on property identified as Durham County Property Identifier Number 9799-04-72-5824 to allow up to 60,000 square feet of medical office use if developed according to the plans dated October 21, 2014 and last revised March 27, 2015, 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.

**STIPULATIONS SPECIFIC TO TRI-CITY MEDICAL OFFICE**

1. Construction Deadline: That construction begin by June 23, 2025 and be completed by June 23, 2027.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council approves the request by Tri-City, Inc. for a Limited Review to the Special Use Permit to extend the construction start and completion dates of the Tri-City Medical Building, 5002 Barbee Chapel Road, to allow construction of the project in accordance with the approved November 23, 2015 Special Use Permit.

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



**RESOLUTION B**  
(Denying the Request)

**A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT  
MODIFICATION FOR TRI-CITY MEDICAL OFFICE BUILDING, 5002 BARBEE CHAPEL  
ROAD (PROJECT #202025542)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification, proposed by C. F. Smith Property Group on behalf of the Tri-City Medical Building at 5002 Barbee Chapel Road and having Durham County Parcel Identifier Number 9798-04-72-5824, would not:

- a) Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- b) Comply with all required regulations and standards of the Land Use Management Ordinance;
- c) Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
- d) 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 Tri-City Medical Office Building, 5002 Barbee Chapel Road for a Special Use Permit Modification.

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 LIMITED SCOPE REVIEW FOR TRI-CITY MEDICAL OFFICE BUILDING, 5002 BARBEE CHAPEL ROAD

June 15, 2021

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

**Motion:** Neal Bench moved and Melissa McCullough seconded a motion to recommend that the Council adopt Resolution A.

**Vote:**                      7 – 0

**Yeas:** James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, and Elizabeth Webber

**Nays:**

Prepared by:    James Baxter, Vice Chair  
                         Anya Grahn, Senior Planner



April 14, 2021

Mr. Maurice Jones  
Town Manager  
Town of Chapel Hill  
405 Martin Luther King, Jr. Blvd  
Chapel Hill, NC 27514

Re: Request to allow limited scope (CZD) Conditional Zoning District review for Construction Start and Construction Completion Timeline Extension requests for Special Use Permit (Project #14-070), Tri-City Medical Building, 5002 Barbee Chapel Road.

Mr. Jones

On behalf of our client, C.F. Smith Property Group, we would respectfully like to request the Town of Chapel Hill allow a limited scope (CZD) Conditional Zoning District review for construction start and construction completion timeline extension requests for Special Use Permit (Project #14-070), Tri-City Medical Building, 5002 Barbee Chapel Road.

On September 15, 2020, CJT submitted an extension request to Town of Chapel Hill Planning requesting the Town Manager allow a 12-month extension for both construction start and construction completion timelines for the above referenced Special Use Permit as allowable per LUMO 4.5.5.b.&c.1. Shortly after submitting Town Planning Staff acknowledged receipt of the request and confirmed the request was submitted appropriately in accordance with LUMO 4.5.5.b.&c.1. Please find a copy of the request enclosed, it is also important to note the \$1,260 extension request fee has been paid.

On March 15, 2021, CJT received additional correspondence from Town Planning Staff regarding updated process for requesting extensions per 2021 changes due to 160D Legislation. It is now understood all Conditional Use Districts (Rezoning with associated SUPs) are required to be converted to Conditional Zoning Districts (CZD). This change occurred on January 1, 2021 and included the Tri-City Medical Building project. In this process we understand, all prior Special Use Permit stipulations were automatically converted to "conditions" as part of the CZD designation. This includes the construction start time and construction completion times for the Tri-City Medical Building project. Therefore, we understand in order to modify the change, a conditional rezoning is required.

With this letter we are requesting approval to submit a limited scope CZD application for construction start and construction completion timeline extension requests only. Our Client will not be requesting any other changes to the already approved SUP. Further our Client also requests the \$1,260 extension request fee already paid be accepted as the fee for a limited scope CZD application review. It's our understanding from discussing with Planning Staff the Towns current fee schedule does not include a specific fee for a CZD modification as requested.

With approval of this request, we will proceed to submit a formal limited scope CZD application to Town Planning Staff. We understand the process for review of the application to include Staff review, Planning Commission and then City Council for approval.

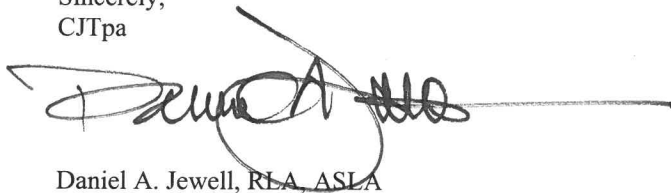
We remind the Town our Clients have made good efforts toward completion of the project including:

- Closing on the purchase of the property
- Contracting with Architects and other design professionals to work on final design drawings
- Aggressively soliciting prospective tenants for the building

We further emphasize COVID-19 has severely disrupted the office market and we hope this extension will allow the project to move forward as the workforce moves back to the office environment.

We hope you will find this sufficient to grant our request, but should you need further clarification please do not hesitate to contact me at [djewell@cjtpa.com](mailto:djewell@cjtpa.com) or at 919.219.6601. Thank you in advance for your review of this matter.

Sincerely,  
CJTpa

A handwritten signature in black ink, appearing to read 'Daniel A. Jewell', with a horizontal line extending to the right.

Daniel A. Jewell, RLA, ASLA  
President

CC: Judy Johnson, Town of Chapel Hill  
Neil Robinette, C.F. Smith Property Group  
Barry Embler, C.F. Smith Property Group

ENC: September 15, 2020 Extension Request to Town Manager per LUMO 4.5.5.b.&c.1

# CONDITIONAL ZONING APPLICATION



659

**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): 9798-04-72-5824 (Durham County Parcel)

Date: June 8, 2021

## Section A: Project Information

Project Name: Tri-City Medical Building

Property Address: 5002 Barbee Chapel Road

Zip Code: 27517

Use Groups (A, B, and/or C): C

Existing Zoning District: R-5-CZD

Project Description: Limited scope (CZD) for Construction Start and Construction Completion Timeline Extensions

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

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

Name: Neil Robinette, CEO

Address: 1227 Rockingham Road

City: Rockingham

State: NC

Zip Code: 28379

Phone: 910-997-2544

Email: nrobinette@cfsmithpg.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: June 8 2021

### Owner/Contract Purchaser Information:

☒ **Owner**

☐ **Contract Purchaser**

Name: Tri-City Investments 2, LLC

Address: 1227 Rockingham Road

City: Rockingham

State: NC

Zip Code: 28379

Phone: 910-997-2544

Email: nrobinette@cfsmithpg.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: June 8 2021

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





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 19., **File #:** [21-0599], **Version:** 2

**Meeting Date:** 6/23/2021

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**Open the Public Hearing: Application for Conditional Zoning - Rosemary-Columbia Street Hotel at 108, 110, and 114 W. Rosemary Street (Project 20-076).**

See Summary Report on next page.

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

**PRESENTER:** Anya Grahn, Senior Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- h. Referral to the Manager and Attorney
- i. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- j. Consider enacting the ordinance to approve the Conditional Zoning application on September 1, 2021.

**RECOMMENDATION:** That the Council open the legislative hearing and receive comments on the proposed Conditional Rezoning. That the Council then make a motion to close the public hearing and schedule approving the proposed Conditional Rezoning application for September 1, 2021.



**OPEN THE PUBLIC HEARING: CONDITIONAL ZONING APPLICATION FOR ROSEMARY-COLUMBIA STREET HOTEL PROPERTY ASSEMBLAGE LOCATED AT 108, 110, AND 114 W. ROSEMARY STREET, 205 AND 207 N. COLUMBIA STREET, AND 208 PRITCHARD AVENUE (PROJECT #20-076)**

**SUMMARY REPORT**

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

<b>PROPERTY ADDRESS</b> 108 W. Rosemary Street	<b>MEETING DATE</b> June 23, 2021	<b>APPLICANT</b> Wendi Ramsden, Coulter Jewell Thames PA, on behalf of Chapel Hill Ventures, LLC
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**STAFF RECOMMENDATION**

Staff recommends that the Council 1) open the public hearing 2) receive comment on the Conditional Zoning Ordinance, 3) close public hearing taking public comments for an additional 24 hours.

That the Council then make a motion to schedule the possible zoning action for September 22, 2021.

**PROCESS**

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

**PROJECT OVERVIEW**

The applicant proposes redeveloping lots surrounding the Historic Town Hall building on the northwest corner of N. Columbia Street and W. Rosemary Street. The applicant is working with the Town Council on a land swap in which the Town will transfer the lot at 110 W. Rosemary Street to the developer in exchange for a portion of the lot at 208 Pritchard Avenue.

The site currently includes four surface parking lots, a small brick building, and a two-story wood structure. These structures will be removed as part of the site development. There is an existing house at 208 Pritchard Avenue which will be deeded to the Town as part of the land swap, and it is not proposed to be modified by this application.

Following the land swap, the applicant proposes to redevelop the site to construct a 125-140 room hotel with attached parking deck with access connecting the hotel to N. Columbia Street occurring on the Town-owned property and adjacent to the Historic Town Hall building. The 8,180 sq. ft. Town-owned lot adjacent to the Historic Town Hall will also be developed to create a park.

- Lot size: 56,997.96 sq. ft. (1.31 acres)
- Project area: 74,134 SF (1.70 acres), including town land to be developed into park space

**DECISION POINTS**

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

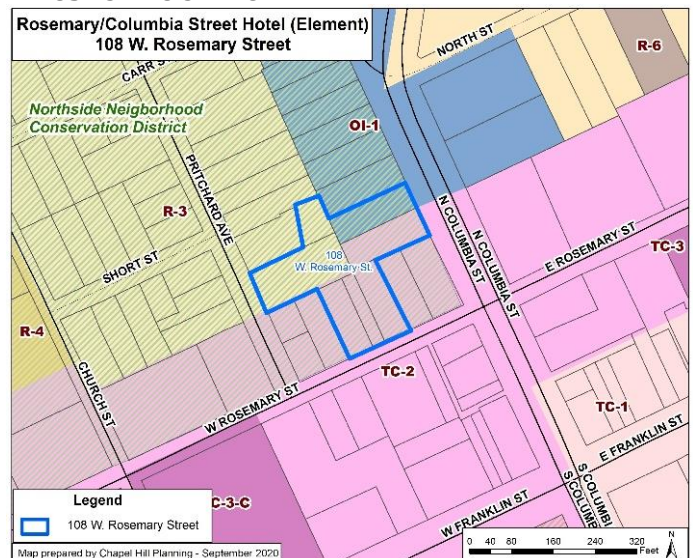
- Landscape buffers
- Landscaping strips along entrance drives
- Building height

**ZONING**

*Existing:* Residential-3 (R-3), Office/Institutional-1 (OI-1), Town Center-2 (TC-2) with Northside Neighborhood Conservation District (NCD) overlay

*Proposed:* Town Center-2-Conditional Zoning District (TC-2-CZD) with Northside NCD overlay

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report and Project Details
2. Draft Staff Presentation
3. Resolution A, Resolution of Consistency
4. Ordinance A (Approving the Application)
5. Resolution B (Denying the Application)
6. Advisory Board Recommendations
7. Urban Designer Comments
8. Applicant Materials
9. Submitted Plans



# TECHNICAL REPORT

## PROJECT OVERVIEW

November 13, 2019	Town Council reviewed a concept plan for a 95,000 square foot, 140-room hotel.
September 28, 2020	Applicant submitted a Conditional Zoning District Permit application for 125-140 room hotel with approximately 70 parking spaces.

The application proposes a Town Center-2-Conditional Zoning District (TC-2-CZD) for the site to accommodate a 125-140 room hotel. The project seeks to redevelop seven (7) contiguous parcels on the northwest corner of N. Columbia Street and W. Rosemary Street to construct a hotel and parking deck on the proposed lot. As part of the project, the applicant will also be developing a park adjacent to the Historic Town Hall building. More details about the proposed development can be found in the applicant's narrative and statement of justification.

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

- The site is adjacent to the following uses and zoning districts
  - The Office/Institutional-1 (OI-1) zoning district to the north contains offices and businesses located within converted homes.
  - The Town Center-2 (TC-2) zoning district to the east, south, and west, including across N. Columbia St and E. and W. Rosemary St., contains a bank, surface parking lots, and small office/commercial buildings
  - The Residential-3 (R-3) zoning district to the northwest contains single-family and two-family residential uses.
- Portions of the site are already zoned Town Center-2 (TC-2). If portions of the site currently zoned Office/Institutional-1 (OI-1) and Residential-3 (R-3) are rezoned to Town Center-2 (TC-2) as proposed, then the same adjacency of zoning districts would still exist – a larger Town Center-2 (TC-2) area abutting Office/Institutional-1 (OI-1) and Residential-3 (R-3).
- Areas of manmade steep slopes have been identified along some of the parcel boundaries. The applicant describes the site as "fairly flat on the south half, but slopes down approximately 10 feet along the parcel spur toward N Columbia."

- The site does not appear to have any hydrological features.
- There is extensive impervious surface already on the site, meaning the proposed development is likely to have minimal impact on total built-upon area and there would be minimal loss of tree canopy.
- The site fronts on N. Columbia St., an arterial corridor in Chapel Hill with high amounts of existing vehicular traffic. N. Columbia St. has a high amount of existing bus service and serves as part of the corridor for the future North-South Bus Rapid Transit (BRT) project. A proposed BRT station is located just south of the site.
- The site also fronts on W. Rosemary St., a significant business corridor for Downtown Chapel Hill where there has been recent investment in sidewalks and streetscape improvements.

## 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 –CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant has proposed a Conditional Zoning district for the site, as shown on the site plan: Town Center-2 (TC-CZD).

- The intent of the Town Center-2 (TC-2) zoning district is “to provide for the development of the commercial, service, and social center of Chapel Hill while maintaining its character, its pedestrian-oriented scale, and its nature as a concentration of business, administrative, financial, governmental, and support functions serving the community.”<sup>1</sup>

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25percent or greater slopes. These slopes are not natural, but manmade slopes.

*Staff Comment:* Staff believes the Council could find a public purpose for exceeding the steep slopes, as these are manmade, not natural, slopes.

- 2) Section 5.6 Landscaping, screening, and buffering:** The applicant is proposing to reduce the required landscape buffer as follows:

Buffer	Required	Proposed
Northern Buffer	10 ft.	6 foot Modified Buffer, 60 percent of required plant mix

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<sup>1</sup> LUMO 3.3.1

*Staff Comment:* Landscape buffers are not required for properties where both the proposed development site and the adjacent land are both located within the Town Center Districts. Landscape buffers are intended to separate proposed development from different adjacent land uses or zoning designations in order to minimize potential nuisances, reduce the visual impact of unsightly aspects of adjacent development, provide separation of spaces, and establish a sense of privacy. Staff believes the Council could find a public purpose for reducing the buffers as the proposed buffers meet the intent of reducing the visual impact of unsightly aspects of adjacent development, providing separation of spaces, and establishing a sense of privacy.

- 3) Section 5.9.6(c) – Parking & Loading - Design Standards:** A 5 foot wide foundation buffer strip is required between the structure and any parking facilities. Entrance drives into parking facilities are required to be bordered by a minimum 8 foot wide landscaped buffer strip.

The applicant proposes combining the two buffers (5 foot and 8 foot) to create a reduced 12 foot wide landscape area between the building and the sidewalk along the W. Rosemary Street entrance. The applicant finds that the wider space will allow greater plant variety, including small trees, shrubs, and ornamental grasses for a layered effect that will give more depth to the planting pallet. No landscaping strip is proposed at the hotel entrance adjacent to the guest drop off zone on the west side of the drive.

Along the northern property line adjacent to the N. Columbia Street entrance into the parking deck, the applicant proposes a 6 foot wide landscape strip with no planting strip along the north elevation of the parking deck. The applicant finds that this drive provides access to the service areas of the building and there is not sufficient space for the required width of two landscaped strips on either side of the drive. On the north side of the drive, the applicant proposes a 6 foot wide parking strip with a fence to help screen the view of the parking deck from neighboring properties. The applicant proposes a trellis with vines on the north elevation of the garage to create a green wall to minimize the appearance of the parking deck.

*Staff Comment:* Staff believes the Council could find a public purpose for reducing the planting strips as the intent of the requirements is to reduce radiant heat from structures, reduce noise, ameliorate stormwater drainage problems, and protect and preserve the appearance, character, and value of adjacent properties. The applicant has proposed planting strips that, while reduced in width, will provide trees, shrubs, and other vegetation that will meet the intent of the ordinance.

- 4) Appendix B, Section 1.4 Building Height:** In the Town Center-2 (TC-2) zoning district of the Northside Conservation District (NCD), the maximum primary building height is 40 feet, and 30 feet if it is adjacent to residential zones. The secondary building height is 50 feet. All measurements are taken from mean finish grade.

At the Rosemary wing, the applicant proposes a four-story building at the street (approximately 54 feet above mean finish grade). At the Columbia wing, the applicant proposes a three-story building at the street (approximately 43 feet above mean finish grade). The total roof height is 65 feet above mean finished grade. The increased height will be along portions of the Rosemary and Columbia wings, meeting at the northwest corner of the building, adjacent to the Residential-3 (R-3) zoning districts.

The west and northwest elevations of the hotel are adjacent to the Residential-3 (R-3)



zoning districts. The applicant argues that the Town Center zoning on adjacent blocks allows for heights up to 90 feet. The hotel is 65 feet at the street and steps down on the north and north-west corners of the building to create a transition zone between this commercial use and the adjacent residential uses of the Northside neighborhood.

*Staff Comment:* Staff believes the Council could find a public purpose for allowing increased height as the proposal would generate increased economic development and expand the non-residential tax base.

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

For additional information on the proposed modifications and other considerations on timing and flexibility, please refer to the applicant's attached materials.

## KEY CONSIDERATIONS

1. Environmental Stewardship Advisory Board (ESAB): At the May 20, 2021 meeting, ESAB recommended approval with the following modifications to Ordinance A:

- That the Energy Management Plan meet the requirements of the Town's Climate Action Plan.

*Staff Response:* The applicant has agreed to continue to coordinate with the Town's Community Resilience Officer to identify items in the Town's Climate Action and Response Plan (CARP) that will improve the site's energy efficiency and sustainability. The applicant is willing to incorporate these items, where feasible. Staff has incorporated the following specific conditions to address ESAB's concerns:

*#17. 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 should be developed following the staff's guidance document and 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; and 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. For item c), the 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 Conditional Zoning District approval. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model or prescriptive calculation method should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]*

*#18. Climate Action and Response Plan: Consistent with the Town's Climate Action and Response Plan and in connection with stipulation #17 that requires an Energy*

*Efficiency Plan to be approved as part of a Zoning Compliance Permit (ZCP), the applicant will work with the Town's Community Resilience Officer to identify and incorporate, as feasible, ways to reduce the development's energy usage and improve the project's overall sustainability and resiliency.*

2. Community Design Commission (CDC): At the May 25, 2021 meeting, CDC recommended approval with the following modifications to Ordinance A:
  - That the CDC review and approve building elevations, including screening of the HVAC and mechanical equipment, site lighting plan, and landscape plan. The review of elevations shall be an iterative process.

*Staff Response:* LUMO 8.5.5(s) and (t) gives the CDC the authority to review, but not approve, lighting plans, building elevations, and alternative landscape bufferyards. The applicant has committed to working with the Town's Urban Designer to support the Town's design goals and they are amenable to taking the project before the CDC twice for feedback and support; however, the applicant has not consented to the CDC approving the proposed building elevations, screening, lighting plan, and landscaping.

3. Transportation and Connectivity Advisory Board (TCAB): At the May 25, 2021 meeting, TCAB recommended approval with the following modifications to Ordinance A.

- That the applicant remove the left turn from the full service driveway onto Columbia Street. [There have been concerns about the safety of making a left turn onto Columbia which may require crossing three lanes of traffic.]
- That the applicant communicate with the Town on the potential for bikeshare on the site.

*Staff Response:* The applicant has not agreed to limiting turn movements from the service driveway onto Columbia Street. The applicant has been working with the Town and North Carolina Department of Transportation (NCDOT) to ensure safe vehicular movements. Further, the applicant argues that the TIA did not request a limited turning movement at this driveway.

The applicant does consent to continuing to work with the Town on a potential location for bikeshare on the site. Staff has incorporated the following Specific Stipulation to address the bike share:

**#8. Bikeshare.** The developer may consider bikeshare for this site. If the developer choses to install a bikeshare, they shall coordinate its location with the Town.

4. Planning Commission: At the June 15, 2021 meeting, the Planning Commission recommended that the applicant consider adding tree canopy and soften the building transition as it abuts the Northside neighborhood. There was also interest for in the Council and Town Manager exploring a community benefit agreement as recommend by the West Rosemary Street Design Guidelines.

*Staff Response:* Staff did not include stipulations reflecting the Planning Commission feedback as these were items for the applicant and Town to consider.

## OTHER CONSIDERATIONS

Applicant proposes a building height modification that would increase the height allowed under the Northside Neighborhood Conservation District (NCD) Overlay. Height limits are the main impact that the NCD regulations have on nonresidential development. Proposed

heights on the northern part of the site, adjoining the Northside Neighborhood, are also inconsistent with the Transitional Area shown on the Future Land Use Map, and with the guidance provided by the West Rosemary Street Development Guide.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>2</sup>, the standards of the [Land Use Management Ordinance](#)<sup>3</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>4</sup> and believes the Weaver's Grove proposal complies with several themes of the 2020 Comprehensive Plan:

**Comprehensive Plan Themes:** The applicant has indicated that this project meets the following themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

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

**Future Land Use Map:** The Future Land Use Map (FLUM) envisions the Downtown Focus Area as the social and cultural center of Chapel Hill, where infill and redevelopment can encourage sufficient density to absorb growth and limit impacts to other areas of town. The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located, and Commercial/Office is one of the appropriate Primary uses. The proposed hotel use falls within this Commercial/Office category, and the proposed rezoning aligns with the character envisioned by the FLUM. The FLUM also calls for:

- **ACTIVATED STREET FRONTAGE.** Activated street frontage is encouraged in order to create vibrancy and ensure pedestrian activity over time. Sub Area E of the FLUM's Downtown Focus Area calls for active visual engagement between the street and ground floor uses, with an environment between streets and buildings that provides pedestrian connections and excludes off-street parking.
- **TRANSITIONAL AREA.** Along the northern site boundary, the Downtown Focus Area strives for harmonious transitions to adjacent neighborhoods. Transitions can include less-intense uses, reduced height, landscape buffers, and other measures.
- **BUILDING HEIGHT.** The FLUM calls for 4 stories along the streets and within the Transitional Area, stepping up to 6 stories in the core part of the site. (The FLUM suggest a story height of approximately 12 ft.) The Downtown Focus Area recommends that new developments along West Rosemary Street are in keeping with the spirit of the West Rosemary Development Guide and mitigate building mass by introducing steps backs from the front façade to maintain a human-scale public realm as well as incorporating setbacks that respect the adjacent residential Northside neighborhood.
- **ENVIRONMENTAL.** The Downtown Focus Area also suggest creating urban pocket

<sup>2</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>3</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>4</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

parks adjacent to the sidewalk zones, specifically in areas prime for public events and festivals.

**Mobility Plan:** The Mobility and Connectivity Plan shows bicycle facilities for the site's frontages on both N Columbia St and W Rosemary St. There are existing sidewalks on both streets.

**West Rosemary Development Guide:** The Plan includes the following elements impacting the site:

- Intersection pedestrian improvements at Rosemary/Columbia
- Fewer curb cuts/shared driveways for the site's frontage along W Rosemary St
- Enhanced open space around Historic Town Hall
- Appropriate transitions to adjacent residential areas, with stepping down of height and landscape buffers
- Sustainability elements going beyond LUMO requirements, such as green roofs, underground cisterns, and rain gardens integrated into streetscapes and open space
- An approximate 20-foot wide public realm zone along W Rosemary St, with a 10-foot wide sidewalk and streetscape improvements such as street trees, welcoming lighting, wayfinding, and other pedestrian amenities
- Screen/minimize unsightly features such as trash collection, loading areas, parking, rooftop equipment, and power lines.
- Building design that emphasizes the ground floor, activates the pedestrian realm, and creates visual interest

**Staff Evaluation:** North Carolina General Statute Section 160D-605(a) requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

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

- The proposed rezoning aligns with the character envisioned by the FLUM. The TC-2 district would allow all of the uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes hotel that would fall within the 'Commercial/Office' category.
- The presence of Activated Street Frontages suggests urban design that is compatible with more intense, pedestrian-oriented development. Zoning conditions would be useful to ensure that street activation is achieved.
- Zoning conditions would be useful to ensure that Building Height follows FLUM guidance. Current proposal indicates a 5-story building in the Transitional Area, exceeding the height limit.
- The current proposal is not consistent with the 'transitional height planes' abutting residential areas as envisioned by the Development Guide. Building heights are meant to "step down towards the neighborhood to reflect the smaller scale of the Northside Neighborhood."

## FINDINGS OF FACT

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

- 1) To correct a manifest error in the chapter; or

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

All information submitted at the public hearing will be included in the record of the hearing.

- 1) Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.  
*Arguments in Support:* To date, no arguments in support have been submitted or identified by staff.

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

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

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

*Arguments in Support:* The applicant states that "the small commercial buildings and surface gravel parking lots are a remnant of decades past where the majority of downtown development happened on Franklin Street. But the development in the past decade of multi-use projects, and the influx of residential uses in the downtown have created an environment where Rosemary Street is an extension of the Franklin Street corridor."

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

*Staff Response:* We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in the Downtown Future Focus Area.

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

*Arguments in Support:* The applicant's Statement of Consistency states that the application is in accordance with the following elements of the 2020 Comprehensive Plan:

- A community of high civic engagement and participation (A Place for Everyone.5)
- Balance and sustain finances by increasing revenues and decreasing expenses (Community Prosperity and Engagement.1)
- Foster success of local businesses (Community Prosperity and Engagement.2)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Getting Around.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Getting Around.2)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (Getting Around.6)



- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places New Spaces.2)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Good Places New Spaces.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Good Places New Spaces.8)
- Become a model for North Carolina and beyond in wisely and justly reducing waste in a way that minimizes local environmental impact without imposing upon the environmental and social rights of others (Nurturing Our Community.1)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Nurturing Our Community.2)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Town and Gown Collaboration.6)

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

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














# PROJECT FACT SHEET




## Overview

Site Description	
<b>Project Name</b>	Rosemary/Columbia Hotel
<b>Address</b>	108, 110, 114 W. Rosemary Street; 205 N. Columbia St., and 208 Pritchard Avenue
<b>Property Size (GLA)</b>	56,998 sq. ft. (1.3 acres)
<b>Project Area</b>	56,998 sq. ft. (1.3 acres)
<b>Existing</b>	Existing one-story brick building along W. Rosemary Street and a two-story wood frame house accessible from N. Columbia Street
<b>Orange County Parcel Identifier Numbers</b>	9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647, 9788-37-0535
<b>Existing Zoning</b>	Town Center-2 (TC-2), Office/Institutional-1 (OI-1), Residential-3 (R-3)
<b>Proposed Zoning</b>	Town Center-2-Conditional Zoning District (TC-2-CZD)


## Site Design

Topic	Comment	Status
<b>Use/Density</b> ( <a href="#">Sec 3.7</a> )	5 story plus lower level and 125-140 hotel rooms and parking garage	✓
<b>Dimensional Standards</b> ( <a href="#">Sec. 3.8</a> )	Comply with LUMO Section 3.8; Dimensional standards (setbacks) only apply to exterior property lines	✓
<b>Floor area</b> ( <a href="#">Sec. 3.8</a> )	<i>Maximum:</i> 104,256 sq. ft. <i>Proposed:</i> 95,000 sq. ft.	✓
<b>Inclusionary Zoning</b> ( <a href="#">Sec. 3.10</a> )	NA	NA
Landscape		
<b>Buffer – North</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> 10' Type "B" <i>Proposed:</i> Modified 6' Type "B"	M
<b>Buffer – East</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> NA (not applicable in TC zoning) <i>Proposed:</i> 0' Type "B" and modified 4' Type "D"	✓
<b>Buffer – South</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> NA (not applicable in TC zoning) <i>Proposed:</i> Modified 0' Type "C" and modified 0' Type "B"	✓
<b>Buffer - West</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> NA (not applicable in TC zoning) <i>Proposed:</i> 20' Type "C" and 10' Type "B"	✓
<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	NA (not applicable in TC zoning)	NA
<b>Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Application must comply	✓

Environment		
<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	NA	NA
<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )	Orange County Erosion Control permit required	
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )	<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> 100% (2,173 sq. ft. total)	M
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )	NA	NA
<b>Land Disturbance</b>	62,350 sq. ft. (1.43 acres)	
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	53,727 sq. ft. (72% of gross land area – Impervious surface limits do not apply to Town Center zoning districts)	
<b>Solid Waste &amp; Recycling</b>	Individual public refuse pickup	
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	No disturbance proposed	
Access and Circulation		
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	No road improvements proposed.	NA
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	Primary access will be from W. Rosemary Street and N. Columbia Street.	
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	No bicycle improvements proposed.	NA
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	Sidewalk connections exist along W. Rosemary Street and N. Columbia Street. Pedestrian links throughout the site to connect site with W. Rosemary Street and N. Columbia Street.	
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	TIA Executive Summary attached	
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	Not proposed at this time; site is accessed by routes.	NA
<b>Bicycle Parking</b> ( <a href="#">Sec. 5.9</a> )	<i>Required:</i> 9.3 spaces <i>Proposed:</i> 10 spaces	
<b>Parking Lot Standards</b> ( <a href="#">Sec. 5.9</a> )	Application must comply	
<b>Vehicular Parking</b> ( <a href="#">Sec. 5.9</a> )	<i>Maximum Allowed:</i> 126 max. (no minimum in TC zoning) <i>Proposed:</i> 71 spaces	
<b>Parking &amp; Loading</b> ( <a href="#">Sec. 5.9</a> )	<i>Required:</i> A 5 ft. wide foundation buffer strip; 8 ft. landscaped buffer strip along entrance drive <i>Proposed:</i> 12 ft. landscaped buffer strip	M
Building Height		
<b>Building Height</b>	<i>Required:</i> Primary Building Height: 40 ft. (30 ft. adjacent to residential zones); Secondary Building Height: 50 ft.	M

( <a href="#">Appendix B, Section 1.4</a> )	<i>Proposed:</i> Primary Building Height: 42 ft. (along Columbia St.) and 53 ft. (along Rosemary St.); Secondary Building Height: 65 ft.	
<b>Technical</b>		
<b>Fire</b>	Meet Town Standards	
<b>Site Improvements</b>	125-140 room hotel and parking garage	
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	<i>Not required for commercial uses</i>	<b>NA</b>
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	Maximum of 0.3 foot-candles at property line	
<b>Homeowners Association</b> ( <a href="#">Sec. 4.6</a> )	NA	<b>NA</b>
<b>Adequate Public Schools</b> ( <a href="#">Sec. 5.16</a> )	NA	<b>NA</b>

### Project Summary Legend

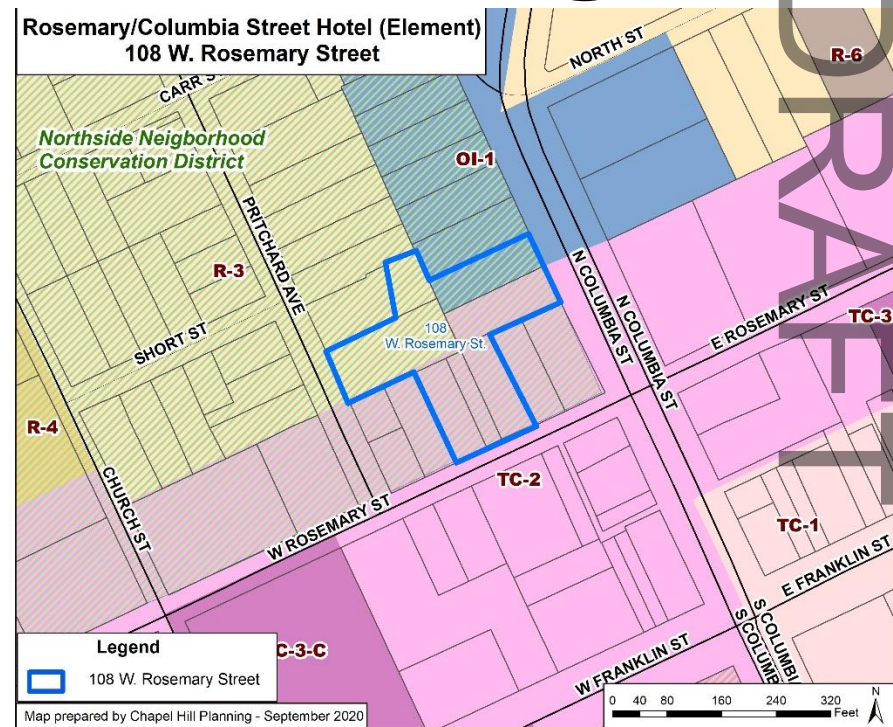
Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plan;
<b>NA</b>	NA



# 108 W. Rosemary Street<sup>674</sup> Conditional Rezoning

Town Council  
Public Hearing

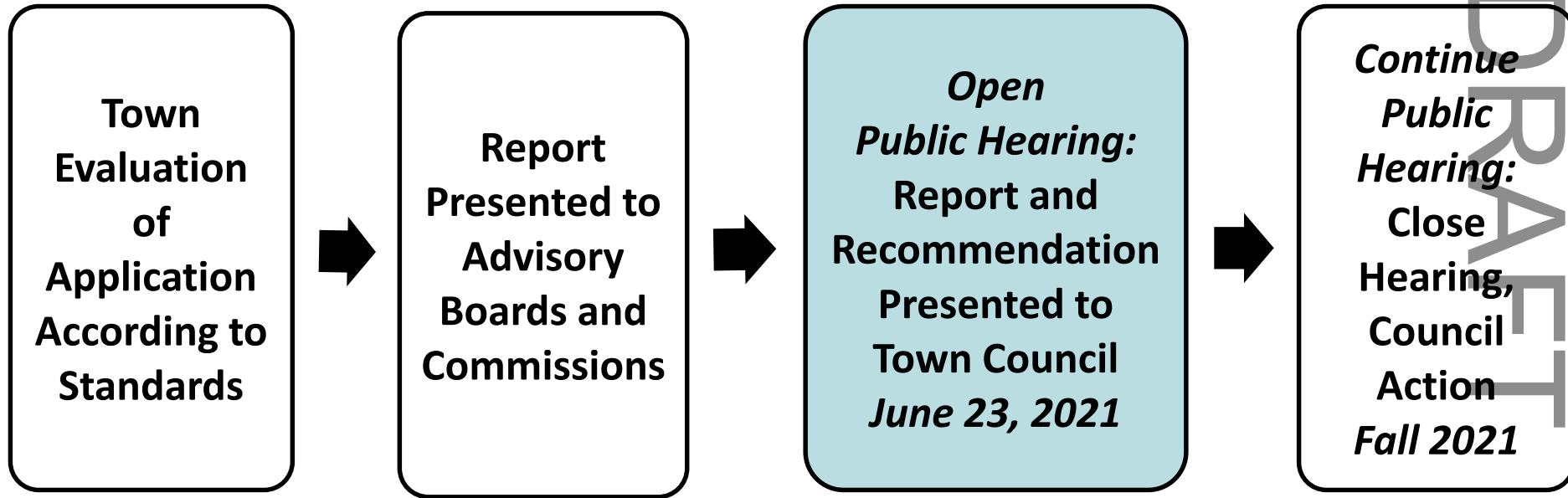
June 23, 2021





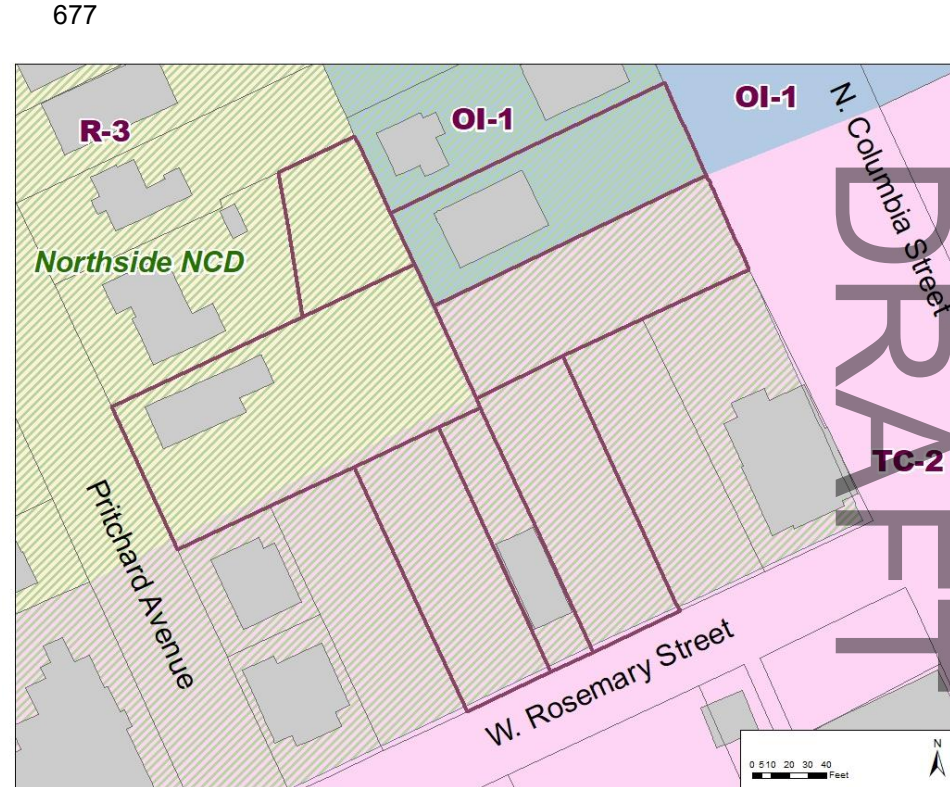
- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org)
- Schedule action on September 22, 2021

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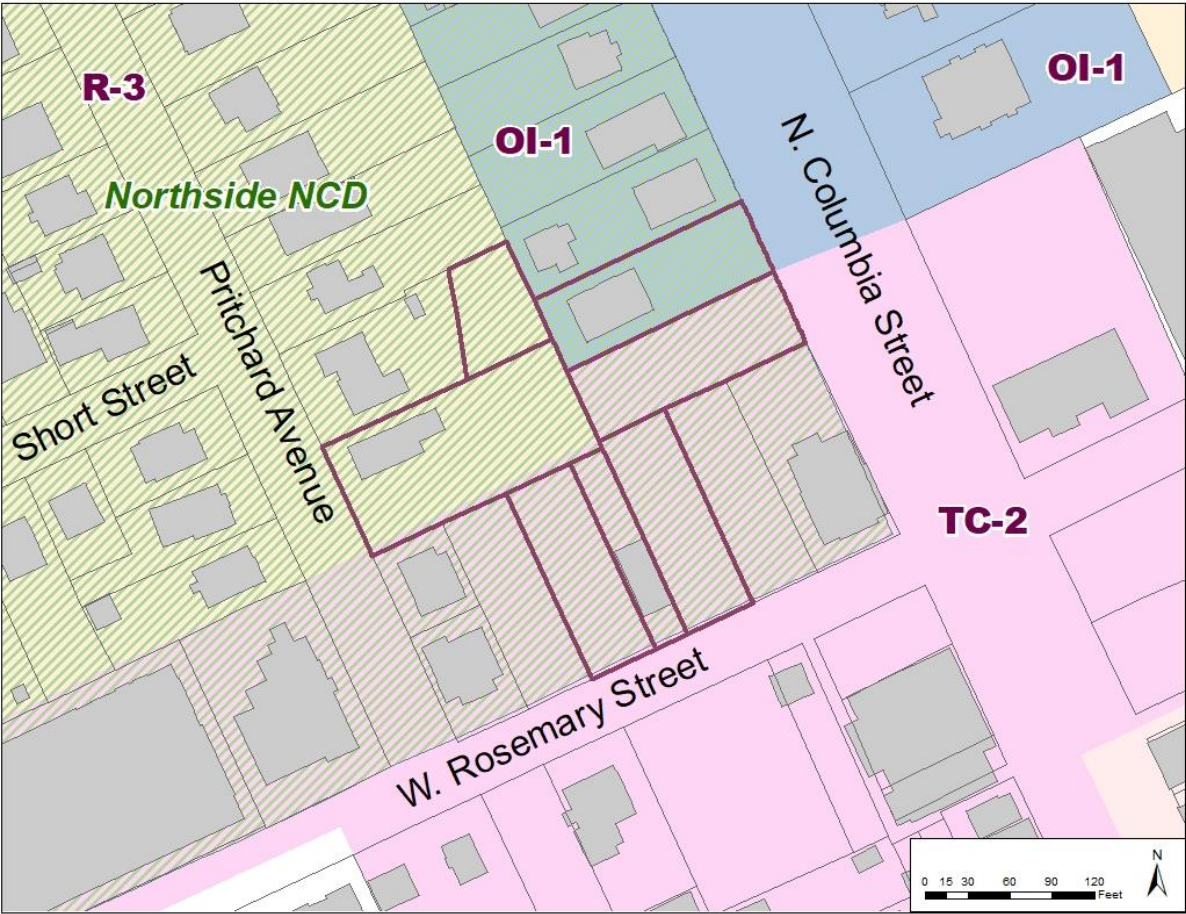
# 108 W. Rosemary St. Rd – Project Summary

- 1.31 acre site
  - 48,111 sq. ft. hotel Lot
  - 8,887 sq. ft. park
- Conditional Zoning
  - Currently TC-2, OI-1, R-3
  - Proposing TC-2-CZD
- Demolish 4 surface parking lots, small brick building, and wood structure
- 125-140 room hotel + parking garage



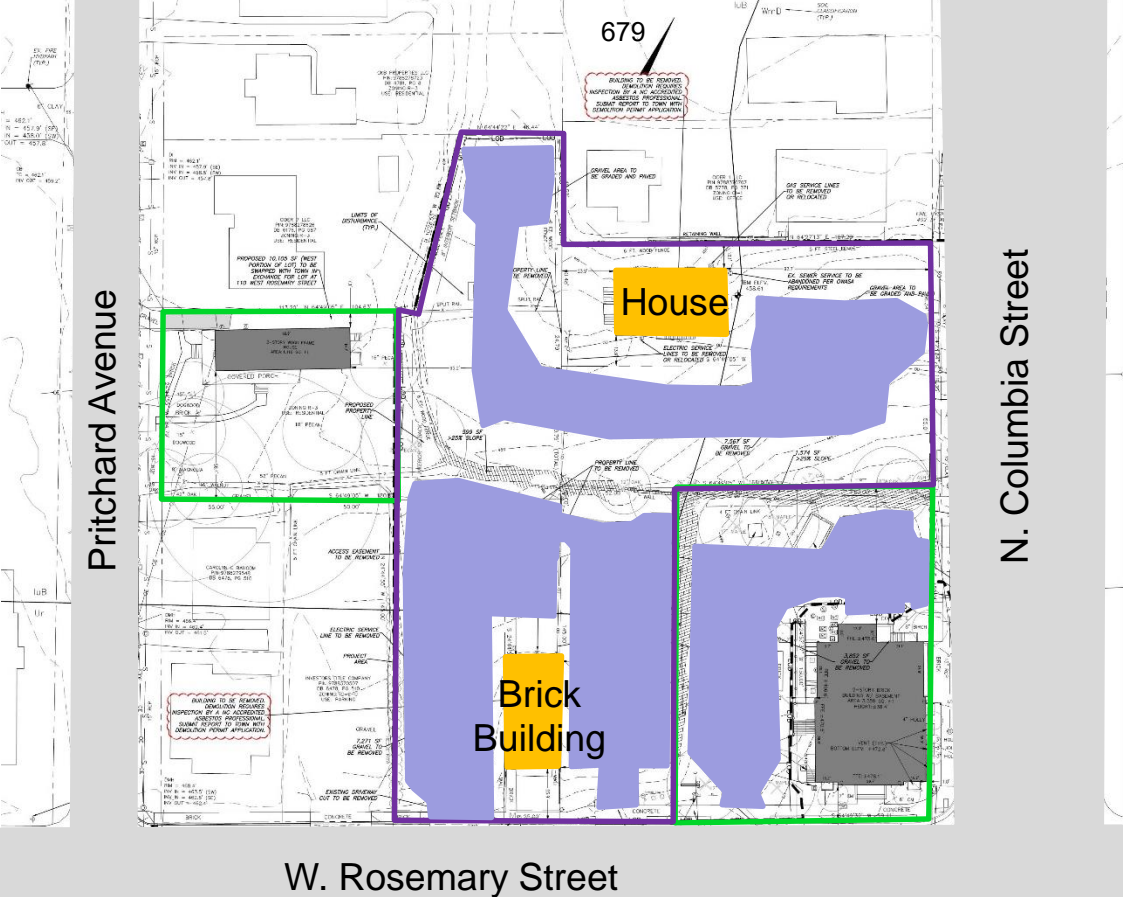
# 108 W. Rosemary St. Rd – Location

678



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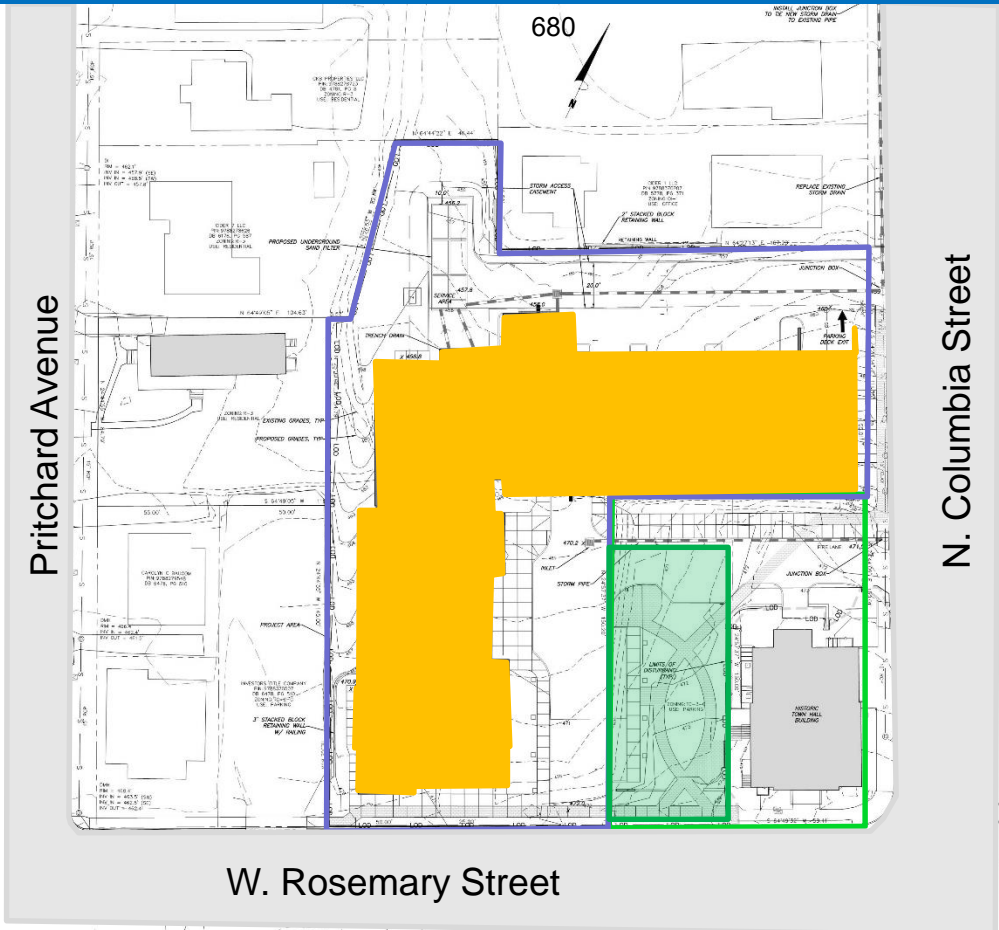
# 108 W. Rosemary St. Rd – Existing Conditions



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# 108 W. Rosemary St. Rd – Site Plan



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1. Section 5.6 Landscaping, Screening, and Buffering

Buffer:	Required:	Proposed:
Northeast	10 ft.	6 ft., 60% required plat mix, fence
Street buffer along N. Columbia St.	20 ft.	0 ft. with sidewalks, small trees, and flowering shrubs
Street buffer along W. Rosemary St.	20 f.	0 ft., plaza
South (along Town-owned parcel)	10 ft.	0 ft.
West (along Town-owned parcel)	10 ft.	0 ft.

DRAFT

2. Parking & Loading

Required Buffer:	Proposed:
<ul style="list-style-type: none"><li>• 5 ft. foundation strip between the structure and any parking facilities</li><li>• 8 ft. buffer along entrance drives</li></ul>	<ul style="list-style-type: none"><li>• Combined 12 ft. buffer along W. Rosemary St.</li><li>• North drive from N. Columbia St.<ul style="list-style-type: none"><li>○ 6 ft. landscape strip with no plantings</li><li>○ 0 ft. landscape strip along the north elevation of the garage</li></ul></li></ul>

DRAFT

3. Building Heights

683

Required Heights:	Proposed:
<ul style="list-style-type: none"><li>• 40 ft. primary building height, 30 ft. if adjacent to residential zones</li><li>• 50 ft. secondary building height</li></ul>	<ul style="list-style-type: none"><li>• 40 ft. primary building height</li><li>• 65 ft. secondary building height</li></ul>

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108 W. Rosemary St. Rd – Advisory Boards	
Advisory Boards/Commissions	684 Recommendations
Environmental Stewardship Advisory Board	<ul style="list-style-type: none"> <li>Compliance with Climate Action &amp; Response Plan</li> </ul>
Community Design Commission	<ul style="list-style-type: none"> <li>Approval Authority</li> </ul>
Transportation and Connectivity Board	<ul style="list-style-type: none"> <li>Removal of left turn lane onto Columbia St.</li> <li>Bikeshare</li> </ul>
Planning Commission	TBD
Town of Chapel Hill   405 Martin Luther King Jr. Blvd.   www.townofchapelhill.org	



- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org)
- Schedule action on September 22, 2021

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

**A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE ROSEMARY-COLUMBIA STREET HOTEL PROPERTY ASSEMBLAGE LOCATED AT 108, 110, AND 114 W. ROSEMARY STREET, 205 AND 207 N. COLUMBIA STREET, AND 208 PRITCHARD AVENUE FROM RESIDENTIAL-3 (R-3), OFFICE/INSTITUTIONAL-1 (OI-1), AND TOWN CENTER-2 (TC-2) TO TOWN CENTER -2-CONDITIONAL ZONING DISTRICT (TC-2-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-X-X/R-X)**

WHEREAS, Coulter Jewel Thames, PA on behalf of owner Chapel Hill Ventures LLC has filed an application for Conditional Zoning Atlas Amendment to rezone a 1.3-acre parcel located at 108, 110, 114 W. Rosemary Street; 205, 207 N. Columbia St., and 208 Pritchard Avenue and identified as Orange County Parcel Identifier Numbers 9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647, 9788-37-0535 to Town Center—2-Conditional Zoning (TC-2-CZD) to allow a hotel development; and

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

WHEREAS, the Planning Commission reviewed the application on June 15, 2021 and recommended that the Council enact the Conditional Zoning Atlas Amendment rezoning the property; and

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

- A community of high civic engagement and participation (A Place for Everyone.5)
- Balance and sustain finances by increasing revenues and decreasing expenses (Community Prosperity and Engagement.1)
- Foster success of local businesses (Community Prosperity and Engagement.2)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Getting Around.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Getting Around.2)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (Getting Around.6)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places New Spaces.2)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Good Places New Spaces.7)

- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Good Places New Spaces.8)
- Become a model for North Carolina and beyond in wisely and justly reducing waste in a way that minimizes local environmental impact without imposing upon the environmental and social rights of others (Nurturing Our Community.1)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Nurturing Our Community.2)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Town and Gown Collaboration.6)

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

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

**ORDINANCE A**

(Approving the Conditional Zoning Application)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE ROSEMARY-COLUMBIA STREET HOTEL PROPERTY ASSEMBLAGE LOCATED AT 108, 110, AND 114 W. ROSEMARY STREET, 205 AND 207 N. COLUMBIA STREET, AND 208 PRITCHARD AVENUE RESIDENTIAL-3 (R-3), OFFICE/INSTITUTIONAL-1 (OI-1), AND TOWN CENTER-2 (TC-2) TO TOWN CENTER -2-CONDITIONAL ZONING DISTRICT (TC-2-CZD) (PROJECT #20-076) (2021-X-X/O-X)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Coulter Jewel Thames, PA, on behalf of owner Chapel Hill Ventures, LLC to rezone a 1.3 acre parcel located at the Rosemary-Columbia Street Hotel property assemblage located at 108, 110, 114 W. Rosemary Street; 205, 207 N. Columbia St., and 208 Pritchard Avenue and identified as Orange County Parcel Identifier Numbers 9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647, 9788-37-0535 to Town Center—2-Conditional Zoning District (TC-2-CZD) to allow a hotel development and park 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 community of high civic engagement and participation (A Place for Everyone.5)
- Balance and sustain finances by increasing revenues and decreasing expenses (Community Prosperity and Engagement.1)
- Foster success of local businesses (Community Prosperity and Engagement.2)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Getting Around.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Getting Around.2)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (Getting Around.6)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places New Spaces.2)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Good Places New Spaces.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Good Places New Spaces.8)
- Become a model for North Carolina and beyond in wisely and justly reducing waste in a way that minimizes local environmental impact without imposing upon the environmental and social rights of others (Nurturing Our Community.1)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Nurturing Our Community.2)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Town and Gown Collaboration.6)

WHEREAS, the application, if rezoned to Town Center –2 –Conditional Zoning District (TC-2-CZD) according to the district-specific plan last revised dated April 28, 2021, would address the impacts reasonably expected to be generated by the development or use of the site and the conditions listed below would:

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

### **MODIFICATIONS TO REGULATIONS**

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

- 1. Section 5.3.2 Steep Slopes.** Modify the standard to exceed 25 percent of the area containing 25 percent or greater slopes.

This finding is based on a determination that the public purpose are satisfied to an equivalent or greater degree as the steep slopes are manmade, not natural slopes.

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

Buffer	Proposed
Northern Buffer	6 ft. Modified Buffer with 60 percent required plant mix

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed buffers meet the intent of reducing the visual impact of unsightly aspects of adjacent development, provide separation of spaces, and establish a sense of privacy. The property to the north is a commercial use and the proposed fence with smaller shrubs along the property line will provide a buffer between the two commercial uses.

- 3. Section 5.9.6(c) Parking Design Standards:** The parking landscape standards require a foundation buffer strip to separate the building from parking facilities as well as entrance drives shall be bordered by a landscape buffer strip a minimum of eight (8) feet in width. In lieu of these standards, the applicant is proposing a six (6) foot wide landscaped strip along the property line.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the intent of the planting strips is to reduce radiant heat from structures, reduce noise, ameliorate stormwater drainage problems, and protect and preserve the appearance, character, and value of adjacent properties. The applicant has proposed planting strips that, while reduced in width, will provide trees, shrubs, and



other vegetation that will meet the intent of the ordinance.

- 4. Appendix B, Northside Neighborhood Conservation District Section 1.4 Building Height:** In the Town Center-2 (TC-2) zoning district of the Northside Neighborhood Conservation District (NCD), the maximum primary building height is 40 feet, and 30 feet if it is adjacent to residential zones. The secondary building height is 50 feet. All measurements are taken from mean finish grade. At the Rosemary Street wing, the applicant proposes a four-story building at the street (approximately 54 ft. above mean finish grade). At the Columbia Street wing, the applicant proposes a three-story building at the street (approximately 43 ft. above mean finish grade). The total roof height is 65 ft. above mean finished grade. The increased height will be along portions of the Rosemary Street and Columbia Street wings, meeting at the northwest corner of the building, adjacent to the Residential-3 (R-3) zoning districts.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the increased height of the proposal would generate increased economic development and expand the non-residential tax base.

### **CONDITIONAL ZONING DISTRICT**

BE IT ORDAINED by the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Town Center-2-Conditional Zoning District (TC-2-CZD).

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

### **SECTION I**

The following Orange County parcels identified by Parcel Identifier Numbers (PIN) 9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647, 9788-37-0535, described below, shall be rezoned to Town Center-2-Conditional Zoning District (TC-2-CZD):

Parcel 1 (PIN: 9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647):

BEGINNING at an existing 1/2 inch pipe in the western R/W of Columbia Street (a public 100' R/W), point also marking the northeast corner of Tract 3; thence with the western R/W of Columbia Street South 24°23'34" East a distance of 56.34 feet to a calculated corner; thence South 24°23'34" East a distance of 55.01 feet to an existing iron pipe; South 64°49'05" West a distance of 60.00 feet to an iron pipe set; thence South 64°49'05" West a distance of 54.50 feet to an iron pipe set; thence South 64°49'05" West a distance of 54.50 feet to a calculated corner; thence South 24°44'55" East a distance of 5.00 feet to an existing iron pipe; thence South 24°44'55" East a distance of 145.00 feet to a calculated corner on the northern R/W of Rosemary Street (a public 38' R/W), passing an existing iron pipe at 135.00 feet; thence South 64°49'05" West a distance of 25.00 feet to a calculated corner; thence South 64°49'05" West a distance of 50.00 feet to a calculated corner marking the southwest corner of Tract 2; thence leaving the northern R/W of Rosemary Street and with the western line of Tract 2, North 24°44'55" West a distance of 145.00 feet to an existing iron pipe marking the northwest corner of Tract 2 and along the southern line of Tract 5; thence with the southern line of Tract 5, South 64°49'05" West a distance of 105.00 feet to an existing iron pipe on the eastern R/W of Pritchard Ave (a public 50' R/W), iron also marking the southwest corner of Tract 5; thence with the eastern R/W of Pritchard

Ave., North 24°44'55" West a distance of 84.79 feet to a calculated corner marking the northwest corner of Tract 5; thence with the northern line of Tract 5, North 64°49'05" East a distance of 113.20 feet to an existing iron pipe marking the southwest corner of Tract 4; thence with the western line of Tract 4, North 10°28'53" West a distance of 82.64 feet to an existing iron pipe marking the northwest corner of Tract 4; thence with the north and east line of Tract 4, North 64°44'22" East a distance of 46.44 feet to a calculated corner; thence South 24°44'55" East a distance of 49.52 feet to a calculated corner, marking the northwest corner of Tract 3; thence with the northern line of Tract 3, North 64°27'13" East a distance of 167.20 feet to the point of BEGINNING, containing an area of 49,151 square feet, or 1.13 acres, more or less.

Parcel 2 (PIN 9788-37-0535):

Property located at the North West intersection of North Columbia Street and West Rosemary Street, aka tax map reference 7.85.h.12.

## **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 \_\_\_\_\_ (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Consent to Conditions: This approval is not effective until the property owner provides written consent to the approval. Written consent must be provided within ten (10) days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Land Use Intensity Hotel Development</b>	
Gross Land Area	56,291 sf (1.29 acres)
Maximum Floor Area	88,000 sf
Hotel Rooms	140 Rooms Maximum
Total Impervious Surface	53,727 sf
Maximum Land Disturbance	62,350 sf

4. Landscape Bufferyards: The following landscape bufferyards shall be provided:

<b>Location</b>	<b>Required Buffer</b>
North	6' Type "B" Modified
East	NA, not required in TC zoning
South	NA, not required in TC zoning
West	NA, not required in TC zoning

5. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing the design details and dimensions of the Class I (long-term) and Class II (short-term) bicycle parking spaces on the site details sheet. The developer shall provide the appropriate amount of Class I (long-term) and Class II (short-term) bicycle parking spaces and clearly mark them on the plans. The Class I (long-term) and Class II (short-term) shall adhere to the Association of Pedestrian and Bicycle Professionals (APBP) Bicycle Parking Guidelines showing appropriate spacing between

each bicycle parking structure and any physical structures (walls, doors, curbs, tree plantings).

6. Bicycle Facility: Prior to issuance of a Zoning Compliance Permit, the developer shall continue to communicate and coordinate with Town Staff and North Carolina Department of Transportation (NCDOT) Staff on the appropriate bicycle facility along the site frontage of N. Columbia Street. Final design and construction details must be approved by the Town Manager and NCDOT.
7. Wayfinding Signage: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing wayfinding signage to inform cyclists where the Class I (long-term) bicycle parking spaces, that are not visible from the street, are located. The developer shall include the design details and dimensions of the wayfinding signage on the site details sheet. The signage shall be installed prior to issuance of a Zoning Inspection Final.
8. Bikeshare: The developer may consider bikeshare for this site. If the developer chooses to install a bikeshare, they shall coordinate its location with the Town.
9. Pedestrian Access to Parking Garage: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing the installation of a high visibility crosswalk and ADA ramps at the south entrance of the parking deck. Final design and construction details must be approved by the Town Manager.
10. Stormwater Structure Locations: No stormwater structures are permitted in the building setbacks. Structures include pipe ends, flared end sections, underdrains, inlet structures, outlet structures, control structures, flow dissipation measures such as rip-rap aprons or stilling pools, rock splash pads, concrete splash blocks, and the downgradient toe of French drains. [LUMO 3.8]
11. Geotechnical Report: As part of the application for a Zoning Compliance Permit, the applicant shall submit a geotechnical report, signed by a North Carolina registered professional engineer.
12. 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.
13. Transit: The developer shall provide a payment-in-lieu of \$10,000 to update and improve the bus stop at Columbia Street and Rosemary (2283) and Columbia Street at Franklin Street (3421) prior to issuance of a Zoning Compliance Permit.
14. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design, except as modified by Town Council as part this Conditional Zoning District. [LUMO 5.9.5]
15. Parking Lot Landscape and Screening: The parking lot landscape design shall adhere to the standards of the Chapel Hill Land Use Management Ordinance, except as modified by Town Council as part this Conditional Zoning District. [LUMO 5.9.6]

16. Retaining Wall Construction: If applicable, the final design and location of all retaining walls over five feet (5') in height shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
17. 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 should be developed following the staff's guidance document and 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; and 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. For item c), the 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 Conditional Zoning District approval. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model or prescriptive calculation method should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
18. Climate Action and Response Plan: Consistent with the Town's Climate Action and Response Plan and in connection with stipulation #17 that requires an Energy Efficiency Plan to be approved as part of a Zoning Compliance Permit (ZCP), the applicant will work with the Town's Community Resilience Officer to identify and incorporate, as feasible, ways to reduce the development's energy usage and improve the project's overall sustainability and resiliency.

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

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

##### Access

19. 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

20. 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]
21. 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]

22. 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).
23. 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.
24. 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.
25. 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]
26. 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]
27. Low Vision Design Features: Any proposed pedestrian facilities should be incorporate low vision design features as feasible. [LUMO 4.5.2]
28. 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]
29. 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]
30. 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

31. 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]

32. 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]
33. 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]
34. 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]
35. 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]
36. 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]
37. 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).
38. 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]
39. 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

40. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
41. Phasing Plan: If phasing of the project is proposed, then the applicant shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans. [LUMO 4.5.3]
42. 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]
43. 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]
44. 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]
45. 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]
46. 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]
47. 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]
48. 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]

49. 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]
50. 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 applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

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

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the stormwater infrastructure as required by the Town's Land Use Management Ordinance.

51. 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]

#### Water, Sewer, and Other Utilities

52. 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]
53. 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]
54. 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]
55. 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]
56. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

#### Fire Safety

57. 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]
58. 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]
59. 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]

60. 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.
61. 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]
62. 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.
63. 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]
64. 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]
65. 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.
66. 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]
67. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.



68. 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]
69. 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]
70. 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]
71. 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]
72. 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]
73. 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]
74. 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.
75. 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.
76. 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]

77. 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.
78. 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]
79. 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]
80. 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

81. 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]
82. 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]
83. 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

- 84. 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]
- 85. 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

- 86. 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]
- 87. 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]
- 88. 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]
- 89. 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]
- 90. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
- 91. 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]

92. 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.

93. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
94. 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.
95. 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]
96. 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.
97. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
98. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
99. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Conditional Zoning at the Rosemary-Columbia Street Hotel property assemblage located at 108, 110, 114 W. Rosemary Street; 205, 207 N. Columbia St., and 208 Pritchard Avenue.

This the \_\_\_\_ day of \_\_\_\_, 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 108 W. ROSEMARY STREET FROM RESIDENTIAL-3 (R-3), OFFICE/INSTITUTIONAL-1 (OI-1), AND TOWN CENTER-2 (TC-2) TO TOWN CENTER -2-CONDITIONAL ZONING DISTRICT (TC-2-CZD) (PROJECT #20-076)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Coulter Jewel Thames, PA, on behalf of owner Chapel Hill Ventures LLC, to rezone 108 W. Rosemary Street and identified as Orange County Parcel Identifier Numbers 9788-37-0680, 9788-37-0549, 9788-27-9667, 9788-27-9700, 9788-37-0721, 9788-37-0647, 9788-37-0535, if rezoned to Town Center-2-Conditional Zoning District (TC-2-CZD) according to the rezoning plan dated April 28, 2021, and the conditions listed below would not:

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

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to rezone the property located at 108 W. Rosemary Street to Town Center—2-Conditional Zoning District (TC-2-CZD).

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



## ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

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

### RECOMMENDATION FOR CONDITIONAL ZONING DISTRICT FOR ROSEMARY-COLUMBIA STREET HOTEL LOCATED AT 108, 110, AND 114 W. ROSEMARY STREET, 205 AND 207 N. COLUMBIA STREET, AND 208 PRITCHARD AVENUE

May 20, 2021

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

**Motion:** Bruce Sinclair moved and Marirosa Molina seconded a motion to recommend that the Council approve the conditional zoning district for the Rosemary-Columbia Street Hotel project located, with the following conditions and special considerations.

**Vote:**                    8-0

**Aye:**    Chair Maripat Metcalf, Bruce Sinclair, Grace Elliott, Julie Gras-Najjar, Marirosa Molina, Thomas Henkel, and Lucy Vanderkamp

**Nay:**

**Conditions:**

- That the Energy Management Plan meet the requirements of the Town's Climate Action Plan

**Special Considerations:**

- Continue to provide the Town information about the project's consideration of the NCGreenTravel and Green Key Eco Rating Program
- Offer pervious surface alternatives to address the 7% increase in impervious surface area
- As a good neighbor to the Town, capture and provide water from runoff for irrigation to the pocket park and surrounding landscaping

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

## 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 108 WEST ROSEMARY STREET

May 25, 2021

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

**Motion:** Ted Hoskins moved and Susan Lyons seconded a motion to recommend approval of the project presented by the applicant, with the following conditions:

1. That the proposed stipulations be modified to read that the Commission review *and approve* building elevations (including HVAC/Mechanical equipment screening), site lighting plans, and the landscape plan.
2. That Commission review of elevations be an iterative process in consultation with the applicant.

**Vote:**                      5-1

**Yeas:** Ted Hoskins  
Susan Lyons  
Ted Hoskins  
Megan Patnaik  
John Weis

**Nays:** Christine Berndt

**Reason for Nay Vote:** Against modifying the LUMO regulations to allow height encroachment into the Northside Neighborhood Conservation District.

Prepared by:    Adam Nicholson, Senior Planner

## 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 Rosemary-Columbia Hotel (Project # 20-076) May 25, 2021

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

**Motion:**        Rudy Juliano moved, and Denise Matthews seconded, to recommend approval of the conditional zoning application with the following conditions:

- That the applicant remove the left turn from the full service driveway onto Columbia Street.
- That the applicant communicate with the Town on the potential for bikeshare on the site.

**Vote: 7-1**

**Ayes: Heather Brutz, Eric Allman, Mary Breeden, Brian Hageman, Katie Huge, Rudy Juliano, Denise Matthews**

**Nays: Nikki Abija**

Prepared by:  
Josh Mayo, Transportation Planner I

## PLANNING COMMISSION

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

### RECOMMENDATION FOR CONDITIONAL ZONING APPLICATION FOR 108 WEST ROSEMARY STREET

June 15, 2021

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

**Motion:** Neal Bench moved and Melissa McCullough seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency).

**Vote:**                      9 – 0

**Yeas:** James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, Jon Mitchell, John Rees, Louie Rivers, Elizabeth Webber, Stephen Whitlow

**Nays:**

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

**Motion:** Neal Bench moved and Elizabeth Losos seconded a motion to recommend that the Council approve the Conditional Rezoning, with conditions.

**Vote:**                      7 – 2

**Yeas:** Neal Bench, Elizabeth Losos, Melissa McCullough, Jon Mitchell, John Rees, Louie Rivers, Elizabeth Webber

**Nays:** James Baxter (Vice-Chair), Stephen Whitlow

#### Special Considerations:

- Interest to add tree canopy and soften building transition as it abuts Northside
- For Council or the Town Manager to explore putting in place a community benefit agreement as recommended by the West Rosemary Street Design Guidelines, which may include items such as the use of minority-owned contractors and hiring employees from the Northside community.

**Reason for Nay Votes:**

- Traffic concerns
- Safety concerns of left-turns from Columbia Street driveways without a signal light or other traffic stops
- Height of the building encroaching into the Northside neighborhood
- Town should reevaluate the land swap as there may be a better option

Prepared by: Anya Grahn, Senior Planner

DRAFT

**Columbia/Rosemary Hotel****Design Discussion: 5/10/22**

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

*Note:* Some of the comments below may not be manifested in current development drawings and may appear in subsequent design iterations.

**Site Plan (drawings dated 04-28-21)**

1. Suggested extending brick pavers across the service drive to create a more defined crosswalk along Columbia. This also allows the new paving to extend to the existing brick paving along the east side of the Old Town Hall. Similarly, suggest doing the same to create a crosswalk across the parking access drive on the north side of the hotel.
2. Consider widening the brick sidewalk along Columbia on the east side of the hotel and look at what the best balance is between landscaping and paving in this location. Brick paving and landscape improvements could potentially extend north from here as part of future streetscape enhancements.
3. Revise the diagonal pathway across the hotel fire lane to be more implied, consider providing a brick sidewalk behind the Old Town Hall to complete a brick sidewalk network around the building.
4. In consultation with fire and traffic personnel, investigate if the designated fire lane asphalt drive can be narrowed somewhat provided the paved sidewalk can be considered part of the fire apparatus access area.
5. Benches originally proposed along the sidewalk on the east façade to be replaced by stone or brick walls to create a more integrated landscape.

**Building Design (drawings dated 05-07-21)**

6. East Elevation along Columbia sidewalk: Continued discussions on how to activate this façade for pedestrians and passersby. Per previous discussions a lower zone has been established that blends the building wall with landscape features to help break down the scale of the façade at the pedestrian level. The lower portion now incorporates Chapel Hill stone (continues the theme of the stone walls utilized in the small park space) and the upper portion to serve as a “canvas” for art. The current images depict a large singular wall surface: The upper wall should be further broken down and articulated in a manner that integrates the eventual art piece(s). Options for the art are under discussion, including a potential “kinetic” theme. The artwork should wrap around the NE corner to extend over the wall surface above the parking garage exit, as that corner of the building is a critical design element, and is highly visible as one approaches from the north by foot or car.
7. This corner of the building could further be enhanced by a special architectural feature. Discussed adding a pergola structure to sit across the brick columns above the garage exit. Also discussed changing the brick columns on the corner of the building to stone, to add more visual interest.
8. Trees are being considered along the east façade, they will need to be carefully integrated with the artwork so as not to block views.
9. As an additional means to increase activation, suggested providing a small space at the SE corner of the garage that could be a place for an activity that would be noticeable and interesting to view driving or walking by along the Columbia frontage. For example, suggested a kind of “pop up” or maker space for artists, perhaps on a rotating basis. As in examples elsewhere, the artist/craftsperson may have regular hours working there where people can stop in and see what’s going on and talk to the artist, while at other times, the work in the space is visually interesting on its own. This space could be expressed as a glass area on the SE corner of the building, including a portion of the east façade, with a door into the space from the courtyard side.



10. Building design along Rosemary: Vertical bays have been incorporated at widow openings, as suggested before, to add a sense of verticality. Generally, the building articulation should stress verticality over horizontality, with horizontal expression utilized as a balance to the vertical.
11. Discussed increasing the amount of glass at the first floor along the Rosemary frontage and around the corner along the entrance drive, to help activate the pedestrian experience.
12. Consider reinstating “pergola” like overhangs for roof terraces and at other canopy locations.
13. The “frame” massing element that extends to the top of the building and denotes the main building entrance from the courtyard seems a bit out of scale with the rest of the building. Consider breaking it down with more articulation (joint lines, smaller panel sizes, projecting cornice/”cap” feature, etc.). The same concern for scale could be said for the expanse of glass in the middle. It is a rather large area of glass compared to the articulation of the rest of the building.

# CONDITIONAL ZONING APPLICATION



**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): 9788-27-9700/9667,9788-37-0647/0721/0680/0549

Date: 5-20-2021 REVISED

## Section A: Project Information

Project Name: Rosemary/Columbia Hotel

Property Address: 110 West Rosemary Street Zip Code: 27514

Use Groups (A, B, and/or C): B Existing Zoning District: OI and R-3

Project Description: 125-140 room hotel with +/- 70 parking spaces on site

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

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

Name: Chapel Hill Ventures LLC, a Florida Limited Liability Company Attn: John Sandlin and Ed Small

Address: c/o Clarendon Properties, 107 Stokley Drive, Suite 100

City: Wilmington State: NC Zip Code: 28403

Phone: 910-256-4841 Email: esmall@smarthotelsgroup.com / jsandlin@clarendonnc.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: \_\_\_\_\_

### Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Chapel Hill Ventures LLC, a Florida Limited Liability Company

Address: c/o Clarendon Properties 107 Stockley Drive, Suite 100

City: Wilmington State: NC Zip Code: 28403

Phone: 910-256-4841 Email: esmall@smarthotelsgroup.com / jsandlin@clarendonnc.com

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

Signature: *Ed Small, Co-President* Date: 5/20/21

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=	48,110.70	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=	4,811.07	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=	52,921.77	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)	62,350 sf
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	PROJECT AREA 50,164 sf	42,981 sf	46,544 sf	53,727 sf
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	74%			75%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	n/a	n/a	n/a	n/a





**PROJECT FACT SHEET**  
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**Section D: Dimensions**

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	2 demo, 1 new	2,939 sf	95,000 sf	95,000 sf
Number of Floors	1-2		4-5	
Recreational Space	n/a			

**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)				
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

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

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial					
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office					
Hotel	0	95,000	# of Rooms	0	up to 140
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
<b>Setbacks (minimum)</b>	Street	0	n/a	4'
	Interior (neighboring property lines)	8'	n/a	12'
	Solar (northern property line)	11'	n/a	29'
<b>Height (maximum)</b>	Primary	40'	n/a	53' Rose, 42' Col
	Secondary	50'	n/a	65'
<b>Streets</b>	Frontages	12'	25'-56.34'	127.55'/111.35'
	Widths	15'	25'-56.34'	127.55'/111.35'



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### 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
West Rosemary	38'	38'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
North Columbia	100'	64'	5	<input checked="" type="checkbox"/> Yes	<input checked="" 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
W Rosemary replacement	5'-16' var	concrete and brick pavers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
S Columbia partial replacement	5'	concrete and brick pavers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

### Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	0	121	68
Handicap Spaces	0	5	3
Total Spaces	0	126	71
Loading Spaces			2 car loading
Bicycle Spaces	9.33	n/a	10
Surface Type	asphalt and concrete		

### Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
West	10'(south) - 20'(north)	10' (south) - 20'(north)	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
North	10'	6'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East (N Columbia Street)	20'	4'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
South (W Rosemary Street)	20'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes





**PROJECT FACT SHEET**  
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### 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
TC-2	1.97					104,256 sf	
<b>TOTAL</b>							
RCD Streamside	n/a	0.01					
RCD Managed	n/a	0.019					
RCD Upland	n/a						

### Section J: Utility Service

Check all that apply:

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Telephone</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning Department

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

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





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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



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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



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### 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)





# Rosemary / Columbia Hotel

110 W Rosemary Street

Conditional Zoning Application

1 June 2021

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## PROJECT NARRATIVE

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

### Introduction

The proposed Rosemary / Columbia Hotel project will redevelop a site currently dominated by surface parking and non-descript single story commercial buildings, and redevelop it with a high quality, custom-designed hotel in downtown Chapel Hill. The project involves the redevelopment of 7 contiguous parcels in a generally L-shaped configuration: 3 parcels on the north side of West Rosemary, 2 on North Columbia, 1 on Pritchard Avenue, and 1 landlocked parcel with no street address. The project will involve removal of 4 surface parking lots, a small brick building, and a 2-story wood structure. The parcels will be recombined, then subdivided to accommodate a land swap between the developer and the Town. The final address is expected to be 110 West Rosemary Street, and the main drive entry and lobby area and public space entries will all be accessible from that frontage.

The project will be a 140-room, 5-story hotel with approximately 70 on-site parking spaces. Most will be under the building in an under-building deck space, but there will be 11 surface spaces on the lower level behind the building, and a few surface parking spaces will be accommodated along the entry drive for short term parking and loading, and one space will be constructed on the Town's property for use by Town service vehicles. The hotel will be targeted to extended stay visitors to Chapel Hill, and the facilities are proposed to include public spaces and a rooftop bar. Additional guest common areas will include a business center, guest dining area, meeting rooms, fitness center, and an outdoor recreational area. The hotel's public spaces and common areas will incorporate custom-designed elements that authentically reflect the hotel's downtown Chapel Hill location.

The proposal includes a land swap with the Town of Chapel Hill to provide a single parcel with a usable building envelope. The land currently owned by the Town is a 7,847 sf narrow parcel at 110 W Rosemary with a 16 space gravel parking lot. The trade would include that narrow parcel becoming part of the hotel project, and an approximately 8,887 sf portion of land fronting Pritchard Avenue and containing a 2-story wood frame house to be deeded to the Town. The project would also include improvements to the driveway behind the Historic Town Hall building and preparation of the lot beside that building to be used as a Town green space or pocket park.

The intent is to end up with an L-shaped parcel zoned TC-2-CZD for the hotel development, and significant enhancement of the Town-owned site around the Historic Town Hall building for the

Town to program. It would also result in the retention of the house on Pritchard which would be owned by the Town.

The project was submitted as a Concept Plan and reviewed by Town staff, the Community Design Commission, and Town Council in September and October 2019. Applicant responses to comments made at those meetings are attached to this application.

### **Site Description**

The site consists of 6 parcels, totaling 49,151 sf. A seventh parcel fronting W Rosemary is currently owned by the Town and will be part of a land swap with a subdivided parcel fronting Pritchard Avenue, for a total of 56,998 sf. The project assumes and requires a parcel exchange with the Town in order to develop the hotel while including an appropriate buffer to the adjacent neighborhood to the north, and enhancing the space around the historic Town Hall building with improvements including a pocket park. In the parcel exchange process, the Town would convey the surface parking lot located at 110 W Rosemary Street to the Developer, and the Developer would convey to the Town a parcel of comparable size comprising the majority portion of the 208 Pritchard Avenue parcel, including a house of historic construction. Post-land swap, the hotel parcel will total 48,111 sf, and the Town-owned homesite on Pritchard will be 8,887 sf. The 8,180 sf pocket park parcel is owned by the Town and will continue to be owned by the Town. The hotel developer intends to develop that site as a small park, and once constructed the park would be maintained and programmed by the Town.

The site is completely developed in small commercial buildings and gravel parking lots. All existing improvements will be removed, except for the home and associated site improvements on the Pritchard property.

The project site located at the edge of the Northside neighborhood, and is bounded by West Rosemary Street to the south, the Historic Town Hall to the southeast, North Columbia Street to the east, a law office to the north, and residential rental properties to the northwest.

The site is fairly flat on the south half, but slopes down approximately 10' along the parcel spur toward N Columbia. The project will take advantage of this grade change to provide access along the northern property line to a lower level under building parking and service areas.

### **Site Access and Circulation**

The site is currently accessed via three driveways on W Rosemary and two driveways on N Columbia. The proposed configuration will be a single access point on W Rosemary, with a one-way circulation pattern toward an exit-only restricted access driveway onto N Columbia, and toward the interior parking spaces. That exit drive near the Historic Town Hall building will be used for emergency access and Town service. The northernmost driveway access to N Columbia will be 2-way allowing access to the lower level of the parking deck and to the lower level service area. This will result in the reduction of access points on W Rosemary and provide for a safer pedestrian experience along that frontage.

Per the Town of Chapel Hill LUMO, there is no required parking in the TC zone, but this use will require parking spaces. The parking deck and surface parking on the service drive can accommodate approximately 67 parking spaces, plus three surface spaces on the main entry drive, and overflow will be arranged at nearby parking decks via negotiations with the Town and adjacent property owners.

The project is within walking distance of downtown amenities and the UNC campus. The sidewalk in front of the hotel project will be improved with areas between building and back of curb designed to meet the West Rosemary design guidelines, and there will be ample pedestrian circulation routing within the site.

### **Building Orientation and Site Layout**

The proposed L-shaped hotel will have a public presence on W Rosemary Street, which will have access to the hotel lobby and the public spaces. On the top floor of the Rosemary-facing wing will be a rooftop terrace inviting visitors and residents to enjoy the downtown view. The south wing will contain all the public spaces as well as hotel rooms. The FLUM calls for 4 stories at the street on this section of W Rosemary, allowing heights up to 6 stories within the site. This wing is 4 stories facing Rosemary Street, with an outdoor rooftop bar over the 4<sup>th</sup> story. The building transitions to 5 stories behind that public bar area.

The Columbia-facing wing will contain hotel rooms in 4 stories over the main level parking deck. There will also be a rooftop terrace on the eastern end of this wing for the use of hotel guests. That terrace will face north, east, and south, and will actually step back twice, so that the height on S Columbia is only 3 stories with a rooftop amenity space for guests. It steps back to 4 stories, then steps back again to the full 5 story height.

### **Environmental and Landscaping**

The 1.1 acre site contains few trees and is mostly impervious. The redevelopment will include a small amount of additional impervious, and therefore a small underground stormwater mitigation facility is proposed. There will be new landscaping in the buffers and within the site. There are no stream buffer or RCD zones on the site.

### **Stormwater**

The existing site currently does not have any stormwater treatment. The proposed redevelopment will comply with the current stormwater quality and quantity regulations and because of some increased impervious, a small mitigation facility is proposed under the service drive at the northwest corner of the hotel. The project will comply with all sedimentation and erosion control requirements utilizing on- and offsite protection measures during construction.

### **Utilities**

The project site is currently served by OWASA water and sewer services. The new hotel facility will utilize existing water and sewer mains on N Columbia Street. Additional fire hydrants will be installed as necessary. Existing overhead electric services on site will be removed and relocated underground.

### Outline of Modifications requested

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

1. *Per LUMO section 5.6, landscape buffers would be required on the western, northern, and street frontages of the project.*

There are 9 property lines/landscape buffers required on this project. A Modification to regulations is requested to allow reduction of landscape buffers as follows:

- a) The required northeastern landscape buffer is a 10' width. This project is requesting a modification to reduce that to 6', including elimination of canopy trees and reduction of the understory and shrub requirements prorated to 60% of the total requirement.

*Justification:* The property to the north is also a commercial use, and we propose to install a fence and smaller maturing landscaping at the property line to help screen these two non-residential uses from each other.

- b) The required street buffer on Columbia Street is 20', and we are asking to have this buffer removed. We are proposing to build approximately 4' off the right of way line, leaving approximately 17' from back of curb to building façade to accommodate a sidewalk and small planting area.

*Justification:* Small trees and flowering shrubs will be planted on that frontage as allowed by NC DOT to enhance the pedestrian experience, but it will have an urban character and will not be a dense vegetative screen. We are also proposing public artwork on that façade to give the street space an urban identity benefitting the entry experience of the Columbia Street view. The applicant has been working with the Town's Urban Designer to incorporate this space into the larger pedestrian experience along this portion of Columbia Street. The developer has also started conversations with the Town's Cultural Arts Commission to develop a public art installation in that space.

- c) The required street buffer on W Rosemary Street is 20', and we are asking to have this buffer removed.

*Justification:* The West Rosemary Development Guide recommends a more urban approach with plazas and street trees and space for pedestrian circulation. The proposed design accommodates this with a 10-14' wide plaza and street tree plantings. The narrower portion of the plaza includes a 25' wide entry feature which will pull people into a streetside secondary lobby which will provide elevator access to the rooftop bar. That jut-out also acts as the beginning of an expanding view toward the park and Historic Town Hall building. As pedestrians move eastward along W Rosemary Street, the view will open up as the building articulation steps back from the street opening the viewport to the pocket park and historic building on the adjacent Town owned properties.

- d) The required buffer at the south side of the parking deck wing is 10'. We are requesting elimination of this buffer.



*Justification:* An equally sized landscape area will be provided south of the parking deck wing on the Town parcel. It will be planted with understory trees and shrubs consistent with fire code along this fire lane.

- e) The required buffer between the hotel and the pocket park is 10' and we are asking to have this buffer removed.

*Justification:* The pocket park area will be constructed by the hotel developer as part of the project. This provides a 40' wide landscaped park between the hotel use and the historic Town Hall building.

These buffer reductions are requested on this urban parcel in order to give the site an urban identity. The landscape buffers along the east property line and in the north-west corner of the site near the residential uses will be installed to fully meet code.

2. *Per LUMO section 5.9.6(c), entrance drives shall be bordered by an 8' wide landscape strip and a 5' wide landscape strip is required between the exterior wall of the building and any parking area.*

A Modification to regulations is requested to allow reduction of these entry and parking lot landscape strips as follows:

- a) Along the entry drive from W Rosemary Street, we are requesting to combine the two requirements in a 12' wide landscape area to be located between the building and the sidewalk.

*Justification:* This will provide a wider space to allow for various plant types including small trees, shrubs, and ornamental grasses for a layered effect giving more depth to the planting pallet. There would be no landscape strip in the vicinity of the guest drop off zone in front of the lobby.

- b) Along the entry drive from S Columbia Street, we are requesting a 6' wide strip on one side of the drive, and in lieu of the planting strip between the building and the parking area, a series of small landscape areas to support vines and green walls.

*Justification:* This is a narrow zone which provides access to the service areas and includes access in two locations to the under-building parking spaces as well as stormwater piping and water and sewer service. There isn't room in this very urban site for 13'-16' of landscaping along the driveways which will also be heavily shaded by the hotel building. We are proposing a fence to help screen this area with a 6' wide landscape strip on the north side of the drive.

Additionally there will be vines and trellises added to create a green wall on the south side of the drive between the parking and the building.

3. *Per LUMO Appendix B section 1.4, Maximum primary building height in the TC-2 zone of the NCD is 40', and maximum secondary building height is 50'.*

A modification to regulations is requested to allow a secondary height of 65' as the project is on the edge of the NCD zone and across from similarly sized buildings. The project proposes to encroach beyond the secondary building height and solar setbacks of the LUMO for properties within the Northside Conservation District.

More specifically, the top floor of the building along portions of both the Rosemary and Columbia wings would encroach beyond this height limit.

*Justification:* The TC zone on adjacent blocks allows for heights up to 90'. The hotel is 65' at the street, but does consider the residential uses to the north and northwest by notching out the top floor in that corner to create a transition zone between the residential use and the TC zone across Rosemary which will allow for much taller development. The method specified in the ordinance to calculate building height measures the base from the mean ground elevation, meaning that along Rosemary Street the building elevation is measured from 6' below grade, meaning that the pedestrian impression of height in this area is a 4-story building on the Rosemary frontage, with a rooftop bar at the street, and a building that rises to 5 stories as it steps back from the street. Again, on Columbia, that wing is lower at the street frontage and steps back twice to 4 stories and 5 stories with rooftop use. In this way the building design is following the intent of the West Rosemary guidelines.

# Rosemary/Columbia Hotel

## Conditional Zoning Application

1 June 2021

06.01.2021 REVISED

### STATEMENT OF JUSTIFICATION

The project site is an irregular group of 7 parcels adding up to a little over 1 acre with frontage on both W Rosemary Street and S Columbia Street. The site is located at the central north part of downtown Chapel Hill and wraps around the Historic Town Hall site. The parcel development will be affected by the West Rosemary Development Guide, by the Northside Neighborhood Conservation District document, the Land Use Management Ordinance, and by the Town's overall design guidelines as defined in the Design Manual.

The rezoning is warranted due to changing conditions in this area. The small commercial buildings and surface gravel parking lots are a remnant of decades past where the majority of downtown development happened on Franklin Street. But the development in the past decade of multi-use projects, and the influx of residential uses in the downtown have created an environment where Rosemary Street is an extension of the Franklin Street corridor.

We believe the proposed development is consistent with the goals outlined for the area in the 2020 Comprehensive Plan.

### West Rosemary Development Guide

The West Rosemary Development Guide was adopted by the Town in May 2017. The project meets the intent of this plan.

### Northside Neighborhood Conservation District

The Northside NCD plan was adopted by the Chapel Hill Town Council in early 2004, with amendments in early 2012. It is a set of land use regulations applied to the development of properties within the district. The proposed development parcel is located at the southeast corner of this district which in this area is bounded by Rosemary Street and South Columbia Street. The proposed hotel project aims to provide an edge to the downtown zone by eliminating the opportunity for off-street vehicular connections into the neighborhood and by improving the pedestrian experience on both West Rosemary and South Columbia streets. The proposed hotel project will not create public amenity space adjacent to the residential neighborhood and will not be targeting the student

population. The project locates service elements like dumpsters into the building and off the street. The project will utilize under building parking and shared parking agreement with the Town and commercial property neighbors to mitigate overflow parking within the neighborhood. Further, the project proposes to remove large surface parking lots from the neighborhood and replace them with green space in the form of a pocket park accessible from both W Rosemary Street and via a short sidewalk, from Columbia Street.

# Rosemary/Columbia Hotel

## Conditional Zoning Application

1 June 2021

09.24.2020 REV 06.01.2021

### STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN

#### 2020 PLAN

The proposed Rosemary/Columbia Hotel project is being designed to comply with the Town's 2020 Comprehensive Plan. We believe the development will meet the 6 goals identified.

- **A Place for Everyone**

The proposed hotel project will provide hotel rooms and public gathering amenities in a site that has the potential to serve as a Gateway to downtown Chapel Hill. It will provide full time and part time employment opportunities, and will complement and support business, retail and dining uses already existing downtown. The project will include enhancement of Rosemary Street and Columbia Street for pedestrians, and will also include enhancement of the space around the historic Town Hall building by creating a public gathering space. At the interior of the ground floor, meeting room space will be provided for public use. (PFE.5)

- **Community Prosperity and Engagement**

The Rosemary/Columbia Hotel development will propose 125-140 rooms and will operate with a staff of approximately 30 FTE employees. The project will increase revenues for the town by creating employment opportunities, increasing the real estate tax valuation, and by bringing visitors who will support local businesses and the university. Further, it will provide hotel accommodations, meeting spaces for downtown businesses and their neighborhood groups, a rooftop terrace for public gathering, and a public pocket park. (CPE.1, CPE.2)

- **Getting Around**

The hotel project will be located within walking distance of all the downtown businesses, and also within walking distance to the UNC campus. It is located at a principal intersection that serves as an entryway into downtown, and resides on multiple bus lines so that many non-car transportation alternatives are available. (GA.1, GA.6) Bicycle parking will be available on site for employees and guests.

The project proposes to improve the pedestrian experience on W Rosemary Street and S Columbia Street by the improvement of the sidewalk, reduction of driveway curb cuts to one on W Rosemary and two on S Columbia, addition of street plantings, and the creation of a public gathering space adjacent to the historic Town Hall building. (GA.2)

- **Good Places, New Spaces**

The proposed hotel project will provide a pedestrian friendly vibrant space for visitors and residents. It will provide a space for people to work and socialize. (GPNS.2) It will be an infill project in the downtown area, located where underutilized commercial and surface parking infrastructure currently exists, and will provide active interior and exterior spaces. (GPNS.1, GPNS.8) The project will improve the pedestrian experience on W Rosemary street by enlarging the sidewalk, reducing curb cuts in this area from three to one, and adding street-side plantings.

- **Nurturing Our Community**

The proposed hotel project will redevelop land that is currently mostly surface gravel parking lot. The project will be designed to reflect local architecture that supports the historic Town Hall building, and the addition of public gathering amenities including a rooftop terrace and a pocket park adjacent to the historic Town Hall will enhance the opportunities to repurpose that local historic structure.

The West Rosemary Hotel project is being developed by Smart Olympia Carolina LLC, Clarendon Properties LLC, and Chapel Hill Ventures LLC, which share a commitment to support local business and to develop and operate in an environmentally responsible way. (NOC.1) The project will efficiently use the site by incorporating parking under the multi-story building (minimizing visibility from the public right-of-way), thereby reducing the impervious footprint. The developer will also enter into agreements to utilize offsite shared parking opportunities with the Town, privately owned parking facilities, or both. The project will meet Town standards in the treatment of stormwater runoff. (NOC.2)

- **Town and Gown Collaboration**

The project will provide a hotel with local flavor located within walking distance of downtown Chapel Hill and the UNC campus. All public and common spaces will incorporate custom-designed elements that authentically reflect the hotel's downtown Chapel Hill location. The hotel will provide employment opportunities and will also provide short-term accommodation for university related visits. Chapel Hill Ventures LLC specializes in projects that serve both campus and community. (TGC.6)



## WEST ROSEMARY DEVELOPMENT GUIDE

The West Rosemary Development Guide was adopted by the Town May 2017.

The proposed project may not strictly meet all guidelines but clearly meets the intent of the guidelines in the following ways:

- The building height transitions from the street frontages down toward the residential uses to the north.
- The massing at the northwest corner has been articulated and reduced to reduce the visual massing nearest the residential uses.
- The northwest corner of the site which juts north into the neighborhood, will not have any vertical development, thereby retaining an open area between the neighborhood homes and the hotel building.
- The building steps up from public right-of-way at both Rosemary and Columbia Streets.
- The building architectural design and materials will reflect local spirit
- The non-residential uses increase daytime activity
- The project provides public green spaces and meeting spaces
- The project improves the pedestrian experience and increases pedestrian safety along the street frontage
- The project includes enhancement of the historic Town Hall building setting
- The project incorporates many of the sustainability recommendations such as a higher density and more efficient use of the land, non-surface parking, and promotion of alternative forms of transit.
- The project provides sufficient space and improved and continuous sidewalks for pedestrians along Rosemary and Columbia Streets.
- The project's utility infrastructure refuse and parking will be screened or located below the building to minimize visibility from the public right-of-way.
- The project proposes pedestrian scale massing at the sidewalks, variety in the upper cornice heights, and visual breaks in the façade.

Additionally, the project does not encourage negative intrusion into the Northside neighborhood:

- The use is not geared toward student housing
- The project does not increase pedestrian access from W Rosemary Street into the residential neighborhood
- The project directs vehicular traffic toward W Rosemary and S Columbia Streets and not toward the smaller residential streets.

# WEST ROSEMARY STREET HOTEL

## TRANSPORTATION IMPACT ANALYSIS

### EXECUTIVE SUMMARY



**Prepared for:**

The Town of Chapel Hill  
Public Works Department - Engineering

**Prepared by:**

***HNTB North Carolina, PC***

*343 East Six Forks Road  
Suite 200  
Raleigh, NC 27609*

*NCBELS License #: C-1554*

May 2021



# WEST ROSEMARY STREET HOTEL

## TRANSPORTATION IMPACT ANALYSIS

### EXECUTIVE SUMMARY



#### Prepared for:

The Town of Chapel Hill  
Public Works Department - Engineering

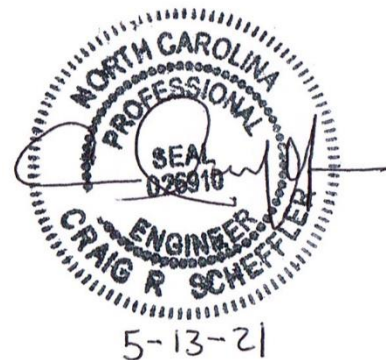
#### Prepared by:

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May 2021





## EXECUTIVE SUMMARY

### Project Overview

A commercial redevelopment known as the West Rosemary Street Hotel, located near the intersection of W. Rosemary Street and NC 86 (N. Columbia Street), is being proposed in Chapel Hill. The project proposes to construct a new four to five story extended-stay hotel featuring up to 145 rooms on several existing parcels along the north side of W. Rosemary Street and west side of NC 86. **Figure ES-1** shows the general location of the site. The project is anticipated to be fully complete by late 2022. This report analyzes the full build-out scenario for the year 2023 (one year after anticipated completion), the no-build scenario for 2023, as well as 2020 existing year traffic conditions. The impacts of the proposed site at the study area intersections will be evaluated during the AM, noon, and PM peak hours of an average weekday.

The proposed site concept plan shows three vehicular access points. An “enter-only” driveway will be located on W. Rosemary Street, serving the main floor/lobby area and short-term parking. This driveway would also serve some surface parking spaces in front of the hotel that may be used by activities by tenants of the adjacent historic Town Hall building. A connecting “exit-only” driveway would provide access to NC 86 (N. Columbia Street). A third driveway along NC 86 would primarily be used as a service access driveway and an access connection to the lower level of the proposed hotel parking deck. **Figure ES-2** displays the preliminary concept plan of the West Rosemary Street Hotel and nearby land uses and roadways. The project is expected to provide 82 parking spaces in the on-site underground parking garage and surface lot area.

### **Study Area Summary**

This report analyzes and presents the transportation impacts that the West Rosemary Street Hotel will have on the following intersections in the project study area:

- NC 86 (Martin Luther King Jr. Boulevard) and North Street / N. Columbia Street
- NC 86 (N. Columbia Street) and Rosemary Street
- NC 86 (Columbia Street) and Franklin Street
- N. Church Street and W. Rosemary Street
- W. Rosemary Street and Proposed Site Driveway #1 (Enter Only)
- NC 86 (N. Columbia Street) and Proposed Site Driveway #2 (parking garage access)
- NC 86 (N. Columbia Street) and Proposed Site Driveway #3 (Exit Only)

The site is located in downtown Chapel Hill along W. Rosemary Street in the northwest quadrant of its intersection with NC 86. The study area contains three signalized intersections along W. Rosemary Street and NC 86. NC 86 and Franklin Street are major arterial facilities providing connectivity between the UNC Main Campus/downtown area, Carrboro, and the region. Remaining study area network roadways are either collector streets or local neighborhood access streets. The existing study area transportation network features numerous bus routes and connected sidewalks and bicycle facilities.

### **Site Traffic Generation**

With the addition of new “net” peak hour trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates and methodologies taken from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, Version 10* and adjusted, as appropriate, for the estimated existing traffic volumes from the existing surface parking lot facilities that the hotel will replace, as well as the effects of transit/pedestrians/bicycles.



**Table ES-1. Weekday Vehicle Trip Generation Summary**

Trip Generation Statistic	Daily			AM Peak Hour			Noon Peak Hour*			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
New Site Raw Totals	575	575	1,150	37	27	64	28	25	53	40	39	79
Existing Parking Lot Traffic Volumes	127	127	254	20	1	20	8	4	11	4	20	24
<b>Net Site Traffic Added to the Study Area</b>	<b>448</b>	<b>448</b>	<b>896</b>	<b>17</b>	<b>26</b>	<b>44</b>	<b>20</b>	<b>21</b>	<b>42</b>	<b>36</b>	<b>19</b>	<b>55</b>

\* - No ITE Data Available, Assumed Average of AM/PM Peak Hour Data

### Background Traffic

Background traffic growth for the 2023 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Based on existing information, two Town-approved development projects (Union Chapel Hill Apartments, E. Rosemary Street Parking Deck and Office Building) in or near the project study area are expected to background traffic growth by the 2023 analysis year. All remaining estimated traffic growth in the area is assumed to occur due to overall region-wide ambient growth. To account for this, an ambient area-wide traffic growth percentage of 1.0 percent per year was applied to existing traffic volumes based on information from the historic daily traffic growth patterns in the project study (NCDOT and Town daily traffic information) and consistent with recent traffic impact studies completed near the project study area.

### Impact Analysis

#### Peak Hour Intersection Level-of-Service (LOS)

Study results indicate existing traffic operations at all study area intersections are acceptable during the AM and noon weekday peak hours but drop to a LOS F for one study area intersection in the 2020 PM peak hour. 2023 build-out year+1 background traffic growth impacts are mitigated by Town of Chapel Hill planned and committed transportation improvement projects throughout the project study area. One intersection, NC 86 and Franklin Street, is expected to operate at/over capacity (LOS E) in the 2023 PM peak hour. The addition of peak hour site-generated trips to the projected 2023 background traffic volumes, do not cause any additional study area intersections to experience deficient traffic operations in any peak hour. A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding Level-of-Service (LOS) is shown in **Table ES-2**.

#### Access Analysis

Vehicular site access is to be accommodated via three proposed site driveway connections to adjacent roadway facilities. Driveway throat lengths as shown on the proposed site concept plans (25 feet or less) may impede vehicular operations in the immediate vicinity of the driveway connection with the external street system – most notably along W. Rosemary Street. At the other driveway locations, the short driveway stem length would only affect internal parking operations.

Driveway distances from the signalized intersection at W. Rosemary Street and NC 86 (N. Columbia Street) are acceptable (100 and 125 feet, respectively), based on recommendations of 100 foot minimum corner clearance as set forth in the 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and 100 foot minimum along collector streets (for the driveway along W. Rosemary Street) as required in the 2017 *Town of Chapel Hill Public Works Engineering Design Manual*. The exit-only driveway along NC 86 would not meet the Town spacing requirement for arterial facilities (150 feet minimum). Individual driveway spacing between each driveway and adjacent driveways meets the 50 foot minimum driveway spacing requirement in the Town Design Manual.



Access for pedestrians is currently excellent, with continuous sidewalk on both sides of all study area roadways and crosswalk/pedestrian signalization at all signalized study area intersections. Bicycle access is available to and from the site via bicycle and sharrow lanes along W. Rosemary Street.

**Table ES-2. LOS and Delay (Seconds/Vehicle) Summary**

Intersections	Peak Hour	2020 Existing		2023 No-Build		2023 Build		2023 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
W. Rosemary Street & N. Church Street	AM	B	11.5	A	10.0	B	10.0	N/A	N/A
	NOON	A	9.8	A	9.9	A	9.9	N/A	N/A
	PM	B	16.5	B	14.4	B	14.6	N/A	N/A
NC 86 (Martin Luther King, Jr. Blvd) & N. Columbia Street / North Street	AM	C*	15.1*	B	11.0	B	11.0	N/A	N/A
	NOON	B*	14.6*	B	16.5	B	16.5	N/A	N/A
	PM	<b>F*</b>	<b>85.5*</b>	B	18.7	B	18.7	N/A	N/A
W. Rosemary Street & NC 86 (N. Columbia Street)	AM	C	26.5	C	25.6	C	25.7	N/A	N/A
	NOON	C	31.5	C	32.0	C	32.1	N/A	N/A
	PM	C	34.3	D	37.8	D	39.2	N/A	N/A
Franklin Street & NC 86 (N. Columbia Street)	AM	D	36.0	C	30.8	C	30.8	N/A	N/A
	NOON	D	44.4	D	41.2	D	41.4	N/A	N/A
	PM	D	53.0	<b>E</b>	<b>60.0</b>	<b>E</b>	<b>61.3</b>	N/A	N/A
W. Rosemary Street & Site Driveway 1 (Enter Only)	AM	N/A	N/A	N/A	N/A	A*	0.1	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	A*	0.0	N/A	N/A
	PM	N/A	N/A	N/A	N/A	A*	0.1	N/A	N/A
NC 86 (N. Columbia Street) & Site Driveway 2 (Service)	AM	N/A	N/A	N/A	N/A	C*	16.5	C*	18.9
	NOON	N/A	N/A	N/A	N/A	B*	13.9	C*	15.3
	PM	N/A	N/A	N/A	N/A	C*	18.3	C*	20.9
NC 86 (N. Columbia Street) & Site Driveway 3 (Exit-Only)	AM	N/A	N/A	N/A	N/A	C*	15.8	B*	13.4
	NOON	N/A	N/A	N/A	N/A	B*	13.5	B*	12.0
	PM	N/A	N/A	N/A	N/A	C*	18.3	B*	13.7

N/A – Not Applicable or No Improvements Necessary

**BOLD/ITALICS** – Critical Movement or Overall Intersection Requires Mitigation Per Town TIS Guidelines

\* - Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

### Crash Analysis

Data from the NCDOT Traffic Safety Unit TEAAS software database was compiled for the recent five-year period for existing major study area intersections and the NC 86 and Rosemary Street corridors. Crash rates for the NC 86 and Rosemary Street corridors indicates that the frequency of crashes for both facilities are higher than North Carolina statewide average for similar facilities. Crashes are generally clustered at the high volume signalized intersections.

### Other Transportation-Related Analyses

Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.





**Table ES-3. Other Transportation-Related Analyses**

<b>Analysis</b>	<b>Comment</b>
Long-Range Daily Volume-Capacity Analysis	Since the proposed site will add less than 900 new “net” daily trips to the study area network, no long-range planning-level analyses of daily traffic impacts were conducted for this study.
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using Synchro and HCM 95 <sup>th</sup> percentile (max) queue length estimates for the 2023 Build Scenario. In most cases, existing storage for turn lanes is adequate in the project study area and can be managed with signal timing adjustments. Several existing or future auxiliary turn lane lengths may not provide enough storage to accommodate future estimated maximum peak hour queue estimates – a condition that occurs regardless of the W. Rosemary Street Hotel project. In these cases, signal timings need to be monitored and adjusted as necessary to mitigate queue spillback.
Appropriateness of Acceleration/Deceleration Lanes	Given the existing location and configuration of site driveways, and the lane geometrics, traffic patterns and posted speeds on W. Rosemary Street and NC 86, no special acceleration or deceleration lanes are required due to the proposed W. Rosemary Street Hotel redevelopment.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is excellent through the study area. Continuous sidewalk and intersections with crosswalks/pedestrian signals are present throughout the downtown Chapel Hill area. Designated bicycle lanes and sharrows are present on W. Rosemary Street along the site frontage.
Public Transportation Analysis	Public transportation service to the site is excellent, with an on-street bus stops located less than 200 feet away from the site and multiple routes serving the study area.

### **Mitigation Measures/Recommendations**

#### **Planned Improvements**

The Town of Chapel Hill *W. Franklin Street Lane Reallocation* project will change current laneage on W. Franklin Street between NC 86 and Carrboro town limits to provide two vehicular travel lanes and auxiliary turning lanes at select intersections. It will also provide dedicated bicycle lanes and reallocate on-street parking in certain locations. The proposed changes also affect the intersection of NC 86 and Franklin Street by repurposing the westbound travel lanes for a single through lane and a right-turn “drop” lane. This change will also affect signal operations at the intersection by allowing a potential westbound right-turn “overlap” signal phase. This project (as shown in **Figure ES-3**) is assumed to be complete by 2023. It will also require retiming/re-optimization of downtown traffic signals.

The Town *North-South Corridor Bus Rapid Transit (NSBRT)* project includes additional transit amenities for the NC 86 corridor through the study area, as well as potential cross-section widening and reallocation for dedicated transit lanes. Since final design details are not complete, the changes associated with this project were not explicitly considered to be complete for the purposes of this study.

There are no NCDOT improvement projects for study area roadway facilities within the analysis year time frame of 2020-2023.

#### **Background Committed Improvements**

The *E. Rosemary Street Parking Deck and Office Building Transportation Impact Analysis* (HNTB, October 2020) lists the following as necessary improvements for that study which have specific impacts on study area intersections (details on page 32, and Appendix A – Figures 16 & 16A):



- Due to potential peak hour queuing issues for the westbound left-turn and through travel lanes at the E. Rosemary Street intersection with NC 86 (N. Columbia Street), reoptimize the traffic signal timings to allow adequate green time to reduce westbound queuing for this movement in all peak hours.
- At the NC 86 intersection with North Street/N. Columbia Street - to reduce projected queues along North Street westbound that would include parking deck egress traffic, provide a right-turn bay (making the westbound approach a stop-controlled shared left-turn/through lane and right-turn lane) with at least 50 feet of vehicle storage is recommended to reduce overall approach delays and queues at this location. The currently skewed minor street intersection approaches for North Street and N. Columbia Street should be realigned to better align through movements. Monitor the intersection for signalization if operational or safety issues result from the additional traffic produced by the parking deck/office building.

These committed improvements are shown on **Figure ES-3**. There are no other known background committed improvements at study area intersections from any of the other background traffic generators analyzed in this report.

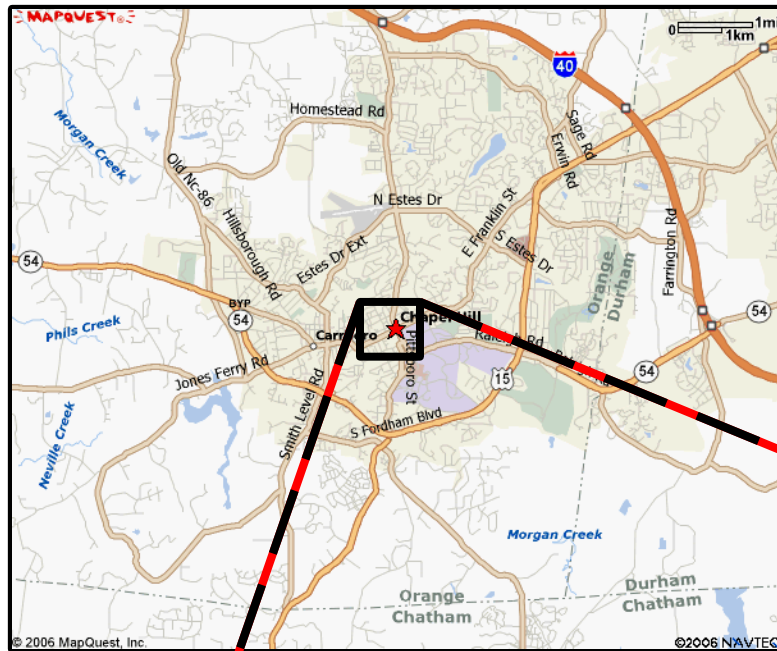
### **Applicant Committed Improvements**

Based on the preliminary site concept plans and supporting development information provided, there are no external transportation-related improvements proposed adjacent to the West Rosemary Street Hotel – other than the reconfiguration of existing access driveways along the W. Rosemary Street and NC 86 frontage.

### **Necessary Improvements**

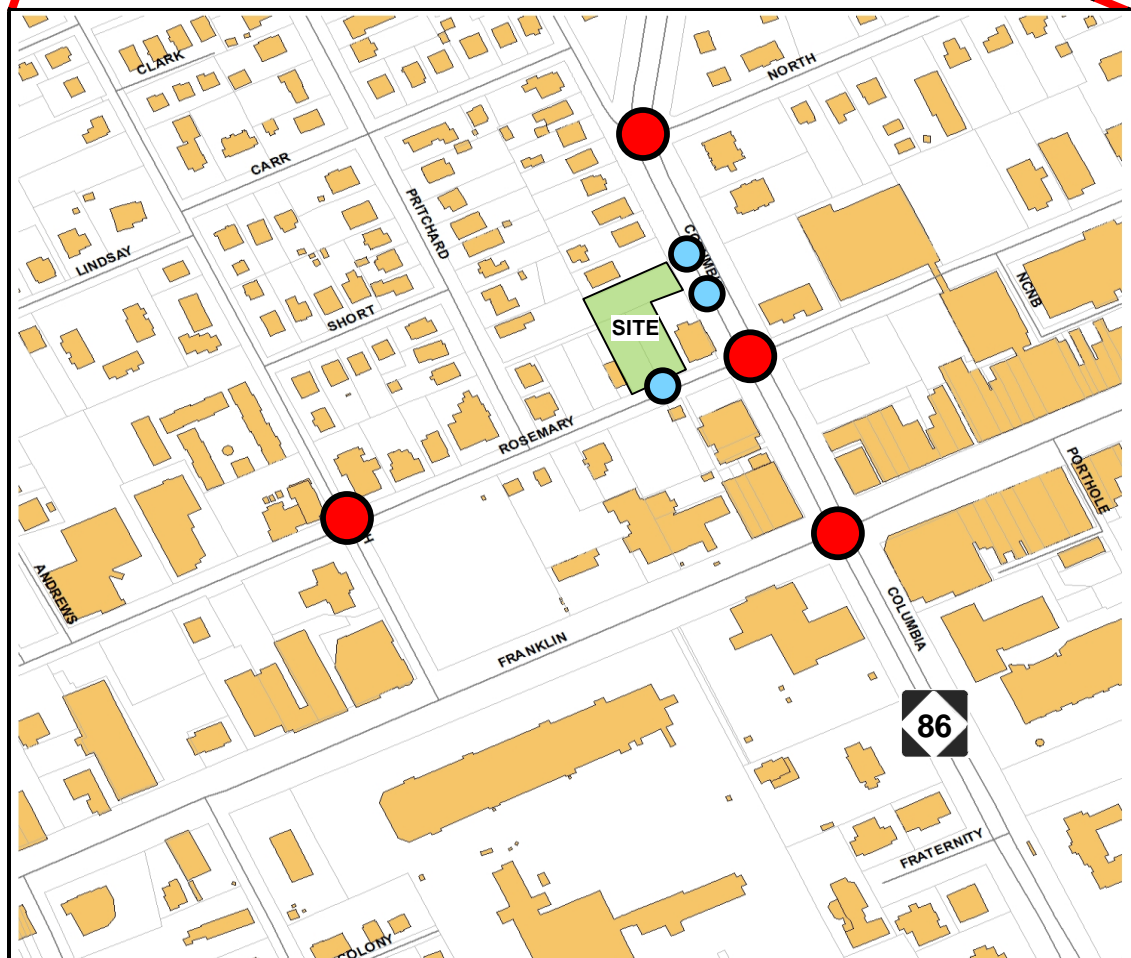
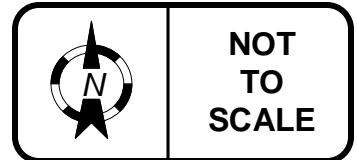
Based on the 2023 design year peak hour intersection capacity analyses, only one study area intersection is expected to be over capacity (overall LOS E or F) in any of the three weekday peak hours studied in this report. The intersection of NC 86 (Columbia Street) and Franklin Street is expected to operate at an overall LOS E in the PM peak hour – with or without site-related traffic due to the W. Rosemary Street Hotel project. Due to right-of-way limitations in providing additional capacity improvements at this location, traffic signal operations will need to be monitored to mitigate queuing issues at this location regardless of whether or not the W. Rosemary Street Hotel project is constructed.

- One recommended improvement, unrelated to intersection capacity analyses, is to allow only right-turns out at the proposed exit-only site driveway nearest to the NC 86 (N. Columbia Street) intersection with Rosemary Street. Allowing left-turns to exit at this location may introduce conflicts with queued traffic along NC 86 southbound. In addition, exit lane channelization and signage as part of the design of the exiting driveway is necessary to prevent site traffic from mistakenly entering this driveway access point.
- Internal driveway signage and pavement markings for the internal circulating driveways will also be necessary to allow upper level parking to access the proposed exit-only driveway, as well as direct site-related traffic to the lower parking garage area for any traffic seeking to make a left-turn exit onto northbound NC 86.
- A final recommendation, related to driveway internal throat stem lengths, is to restrict any surface parking stalls that are closer than 50 feet to the driveway curb cut location to prevent parking maneuvers that block inbound driveway access. Based on the site concept plan reviewed for this analysis, this applies to the W. Rosemary Street enter-only driveway.



### LEGEND

- = Existing Study Area Intersections
- = Proposed Site Driveway
- = Existing Building Footprints



Source: Town of Chapel Hill GIS Files

**HNTB**

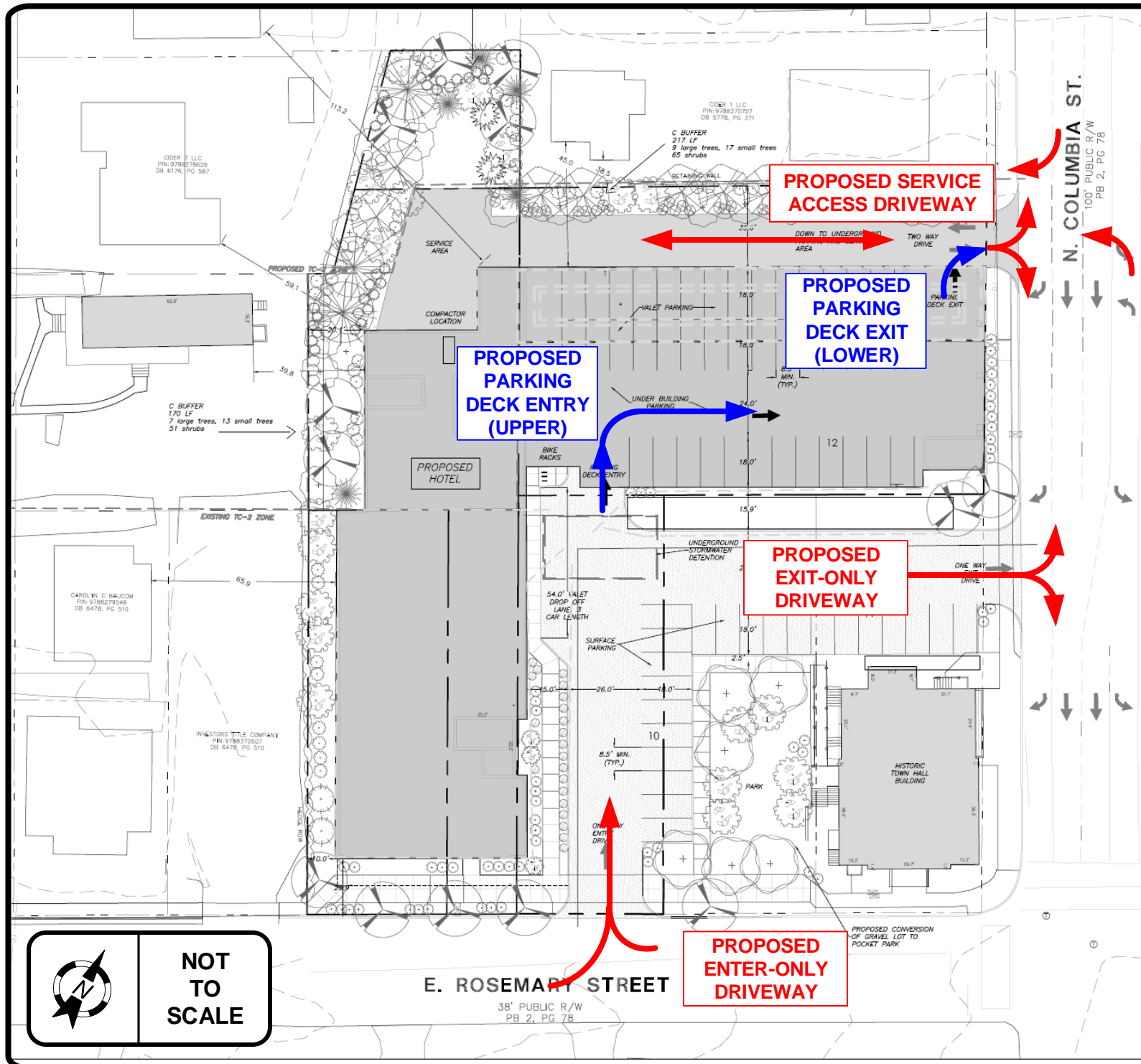


## West Rosemary Street Hotel Transportation Impact Analysis

SITE LOCATION MAP

DATE: May 2021

**FIGURE ES-1**

**HNTB**

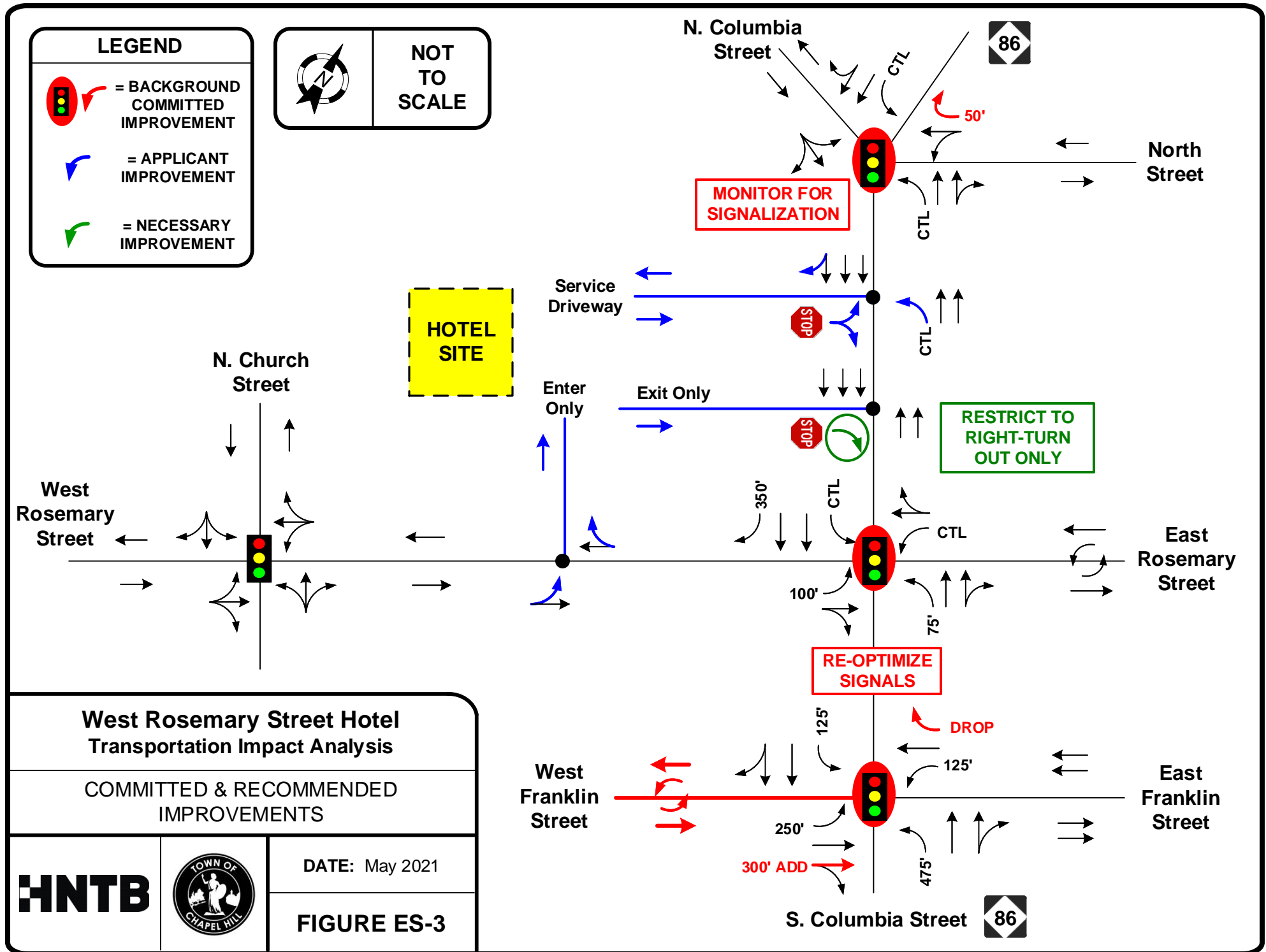
## West Rosemary Street Hotel Transportation Impact Analysis

### PRELIMINARY SITE PLAN

DATE: May 2021

**FIGURE ES-2**





# Rosemary/Columbia Hotel

Conditional Zoning Application

1 June 2021

09.24.2020, REV 06.01.2021

## RESPONSE TO COMMENTS FROM COMMUNITY DESIGN COMMISSION

The concept plan was original presented to the COMMUNITY DESIGN COMMISSION for a courtesy review on AUGUST 27, 2019. The formal presentation was made on OCTOBER 22, 2019.

Present were CDC Board Members Chris Berndt, Sue Lyons, Polly Van der Velde, Susana Dancy, Ted Hoskins, Megan Patnaik, John Weis.

Ed Small, the developer's representative, started the presentation and made introductions. Jared Martinson, the architect, went over the program, the Concepts and the key questions

The project was presented as approximately 140 rooms and 80 parking spaces in a 4-5 story building fronting West Rosemary Street. Primary vehicular entry would be from W Rosemary Street with secondary access from S Columbia Street. The project would include a green space adjacent to the Historic Town Hall fronting West Rosemary Street.

Jared specifically asked the board to comment on these four elements:

1. Hotel use
2. Rezoning to allow the proposed FAR and hotel use
3. Height of 5 stories
4. Property exchange.

Questions from board:

Ted Hoskins - wanted to clarify that the property swap is needed to make the project feasible. Ed Small - yes, and the Town gets additional benefits such as the pocket park.

How does the extra height get allowed? Jared Martinson - through a rezoning to TC-2. The west wing has a larger penetration out of the allowed building envelope - why not make the Columbia St wing larger?

Susana Dancy - Who is your typical customer? Ed S - Parents coming in, researchers, med center collaboration, etc. Because it's so close to UNC campus, they would expect the most obvious mode of transportation for guests to be walking. An average



stay would be 3 to 5 days, but some transient and some longer stays up to a month would be expected.

Sue Lyons - Asked if Smart Hotels is a brand. Ed S - No, they develop hotels with a local flavor and are not a specific brand.

Asked of Smart hotels does student housing - Ed S - no.

Asked about the raised portion of the roof on S Columbia. Ed Smart - it is public space for the hotel guests. The rooftop restaurant-bar overlooking W Rosemary is a public space, but the guests would have more private outdoor common space on the S Columbia wing.

Megan Patnaik - Asked if the TIA was done. Jared M - Not yet.

Why did the hotel get bigger between August and October? - Jared M - A level was removed from the Columbia Street wing to reduce the perceived height and mass of the building from that viewpoint.

Would the hotel still be economically viable if the building stayed within the allowed envelope? Jared M - unknown

Polly Van der Velde - Have we spoken with the Northside neighbors? Jared M - we're working to schedule a meeting with them in early December. *Note: We had this meeting on Dec 19.*

Response from board:

Ted Hoskins

-Feels extended stay hotel is the most complementary fit to the other hotels nearby which are more of an average 1-2 night stay.

-Likes what he sees

-Would support a taller wing on S Columbia Street to get the massing away from the Northside neighborhood

*RESPONSE: The hotel program proposes to be extended stay and the current project design proposes height along a portion of the Columbia Street wing equal to the Rosemary Street wing, with building setbacks from both streets.*

Susana Dancy

-The hotel has a residential feel. Could the hotel be 2 or 3 buildings? The current layout feels like a motor inn.

-Would put the taller element at the street and shorter at the neighborhood. Can the height be articulated? Maybe up to 8 stories in some places? Or put the parking deck in the center and have the hotel wings come out from that central block.

-Parking is too dominant, and surface parking seems inappropriate, particularly at the center of town

-Would a brick wall or gates around the park help create the edge to help define the historic spot

-The Columbia wing will be a terminated vista as you are walking and driving south, so it needs to be really special. Feels that wing could be larger to reduce the massing near the Pritchard side.

-Can the parking structure on S Columbia be turned into a space with pedestrian uses on the street? Concerned about activating this frontage.

*RESPONSE: The size of the site does not allow for multiple buildings, but the surface parking at the front has been nearly removed, and plaza / park areas enlarged to give the space a more urban feel. Building code requirements for egress and access inform the location of massing at the top floors, and the central elevator shaft (located at the center of the building) needs to reach all floors which wouldn't be possible if the central portion was fewer stories or if the building massing was varied. The northwest corner has been articulated though to reduce the massing adjacent to the residential uses.*

*The design team and developer have been working with the Town's Urban Designer, Brian Peterson. The pocket park will include some low Chapel Hill stone walls to define the space and tie into the older town design elements.*

Chris Berndt

-Note that NCD regulations apply.

-Would like to see north and west views

-Would like to see the building step down to the neighborhood behind

-Not sure about rezoning R3 to TC 2

-208 Pritchard is very historic. What will happen to it?

-What are Town's long range plans for old Town Hall

-There were formerly some plans for MLK right of way. Where do those stand?

-Would like to see the under-building parking lowered completely underground

*RESPONSE: Building elevations illustrating massing, heights, and solar setbacks are included with the Conditional Zoning submittal and include north and west views.*

*The building does not step down into the neighborhood for reasons noted in previous responses, but there is some articulation at the northwest corner to reduce the visual massing seen from the residential neighborhood.*

*The 208 Pritchard house will be deeded to the Town. There are no plans for alterations to that house in the hotel project.*

*The lowest level of interior parking is completely underground as far as views from the street.*

Sue Lyons

-Likes the roof garden at the AC Hotel and would like to see something similar here.

-Likes the pocket park.

-Supportive of 4-5 stories. But would prefer the west wing remain under 5 stories.

-Supportive of the property exchange so that the Pritchard house will remain and be owned by the Town.

-She lives across from the project and she and her neighbors are excited about the possibility of improvement at that corner

-Doesn't like the access behind the Historic Town Hall building and would prefer it be completely surrounded by green space.

-Appreciates the larger setback on W Rosemary between August and October.

*RESPONSE: The hotel will include rooftop common space for guests on the eastern end of the Columbia wing. The access drive between the Historic Town Hall building and the hotel is required for fire and emergency access, but the parking off this drive aisle has been removed to increase the green space against the Historic Town Hall.*

Megan Patnaik

-There is an important opportunity for placemaking around the Historic Town Hall. Appreciates the pocket park and how a green space will set off that historic building.

-Does not like the parking lot next to the pocket park. Would like all the parking to go underground.

-Would like to create more building facade and less parking on both Columbia and Rosemary to make it feel “cozier” and provide a better street façade

-Concerned about the 52” pecan tree on the Pritchard Street parcel.

-All 4 sides need to be “architecturally superior”.

-The Northside NCD was well thought out and hard-fought so she would like to see a response to that in the Rosemary wing, while still keeping an urban edge.

*RESPONSE: The surface parking on site has been almost entirely removed. The few remaining spaces are parallel to the property line so are not as prominent. Parking in the area between the Historic Town Hall and the hotel has been removed so that the amount of parking near the new park will be minimal.*

*Hotel construction and land disturbance will remain outside of the root protection zone for the indicated pecan tree.*

Polly Van der Velde

-Likes the proposal to improve grounds at the Historic Town Hall

-Looking for sustainable components like the green roof at the AC Hotel

-She does not like the architecture of the Durham Hotel.

-Would prefer a more elegant building with fewer / more expensive rooms

*RESPONSE: The improvements to the grounds around the Historic Town Hall remain in the project.*

*This hotel façade will be custom designed to complement its Chapel Hill location and will not be a reproduction of any other hotels, though the hotel branding elements will be included at the lobby entry area.*

John Weis

-Likes the look of their Hilton Garden Inn in Durham

-Feels redevelopment of this space presents a tremendous opportunity and likes what’s being proposed in this project.

-Likes how the project sets off but celebrates the Historic Town Hall and feels the green space helps reinforce this

-There is a cupola on top of the old Town Hall building. Can the new building frame that element?

-Feels the two 5-story wings nicely frame the historic Town Hall building, but would like the hotel wings to have larger setbacks so the cupola is visible.

- This use is better than the existing public surface parking, but advocates for under building parking
- Would like to see the building/surface area be more of an urban streetscape
- Feels the 5 story option for the hotel is a better fit with the Northside Community than the taller 7-story option.

*RESPONSE: Except for a few unloading spaces and 3 surface spaces, all parking has been moved into the parking deck which is located beneath the building. The remaining area is green space and pedestrian plaza.*

The Chair, Susanna Dancy, noted that these comments are not an endorsement or discouragement of the project but a summary of their comments.

# Rosemary/Columbia Hotel

Conditional Zoning Application

1 June 2021

REVISED 06.01.2021

## RESPONSE TO COMMENTS FROM COUNCIL

The concept plan was presented to the TOWN COUNCIL for a courtesy review on NOVEMBER 13, 2019.

Present were Mayor Pam Hemminger, Nancy Oates, Allen Buansi, Karen Stegman, Hongbin Gu, Michael Parker, Rachel Shaevitz

The project was presented as approximately 140 rooms and 80 parking spaces in a 4-5 story building fronting West Rosemary Street. Primary vehicular entry would be from W Rosemary Street with secondary access from S Columbia Street. The project would include a green space adjacent to the Historic Town Hall fronting West Rosemary Street.

The architect Jared Martinson specifically asked the board to comment on these four elements:

1. Hotel use
2. Rezoning to allow the proposed FAR and hotel use
3. Height of 5 stories
4. Property exchange.

Questions and comments from Council members:

Nancy Oates

- Questions about parking and access routes. Would the Town be able to recover these lost parking spaces (from demolished surface gravel lots) elsewhere? Is there enough parking for the hotel use?
- Would like to see retail space on S Columbia
- Likes the idea of a mural on the S Columbia wing
- Would like an option with more park area
- Questioned if there is enough parking
- Appreciates the concealed structured parking.
- Asked what the Town would do with the house on Pritchard. Would consider demolition.
- Would support the land swap.

*RESPONSE: The hotel program includes a one-way driveway entering from W Rosemary and exiting onto S Columbia or into the parking deck. The parking*

*alongside the proposed pocket park has been reduced. The hotel anticipates sharing other parking facilities in the downtown.*

*Commercial programming along Columbia is not included in the project scope. The project team, the Town urban designer, and the Executive Director of Chape Hill Downtown Partnership do not believe commercial uses can be successful at this location given the lack of adjacent commercial spaces (island effect) and the width of Columbia Street. Further, the applicant is committed to enhancing this façade and the entry experience along Columbia Street via other solutions.*

*Though the Town will not recover the lost parking spaces on site, there is a proposed parking deck being constructed a half block east which will be available to the public.*

Allen Buansi

- Asked about the local jobs strategy
- Likes the pocket park feature
- Appreciates the sensitivity of height and the step back design
- Would encourage engagement with the Northside neighbors
- Likes the idea of a mural on the S Columbia wing
- Would support the land swap.

*RESPONSE: The hotel has a policy of promoting employment to nearby residents. The development team has started conversations with the Town's Public Art group to begin a process of attracting proposals for public art in front of the S Columbia wing. It may be a mural or may be another type of installation.*

Karen Stegman

- Asked about parking demands on site and shared parking opportunities with other nearby developments. Would like the developer to explore shared parking.
- Would like more park and less parking.
- Likes the idea of a mural on the S Columbia wing
- Would like to see views from the Historic Town Hall viewpoint.
- Consider including the Northside community in the mural and park
- Can the Pritchard house be converted to affordable housing?
- Would support the land swap.

*RESPONSE: The hotel anticipates using other downtown parking decks for overflow parking and anticipates participating in the Town's proposed new program for sharing parking in Town-owned decks. The current design has removed most of the surface parking spaces accessed from W Rosemary and has put all the dedicated hotel parking under and behind the building.*

Hongbin Gu

- Asked about parking entrances and vehicular access
- Asked about the use and function of the Columbia wing
- A blank wall will not activate the Columbia Street frontage but likes the mural idea here. Would like to get public input here.
- Would like an evaluation of the property swap



*RESPONSE: The hotel program includes a one-way driveway entering from W Rosemary and exiting onto S Columbia or into the parking deck. The Columbia wing will be guest rooms as well as the underground parking. The surface drive behind the Historic Town Hall building will be limited use, for emergency and authorized vehicles only, and exiting in a right-out only fashion onto Columbia Street.*

Michael Parker

- Asked about room count and expressed serious concerns about traffic flow at Columbia Street and the already congested Columbia/Rosemary intersection. Asked if a turn lane into the project may be necessary.
- Likes the overall design
- Likes the relationship to the Historic Town Hall
- Noted if the Historic Town Hall becomes a museum or visitor center that handicap parking would be needed.
- Columbia frontage mural would not activate that street.
- He likes the mural idea but would like to see a way to make that wall more permeable.
- Would support the land swap.

*RESPONSE: A few parking spaces have been retained along the entry drive to allow for handicap parking and unloading. A TIA has been completed and supports the proposed circulation without any off-site street improvements. A turn lane into the new project was not required or recommended. The space on Columbia Street between the sidewalk and the building will be semi park-like though narrow. It is anticipated that this is the location where public art will be installed, and there will be plantings to the extent allowed by NC DOT.*

Rachel Shaevitz

- Asked about cost of rooms per night
- Recommended we get staff input from the new Urban designer on staff, Brian Peterson
- Likes mural on Columbia façade
- Likes massing and stepdown, and the view from the Historic Town Hall and park
- Would like more park and less parking. Not concerned about parking in this day of Uber and Lyft
- Would support the land swap.

*RESPONSE: The design team and developer have had multiple conversations with the Town Urban Designer, Brian Peterson, and will continue to work with him on strategies to make this project a true asset to the Town's goals for development.*

Mayor Hemminger

- Has concerns about vehicle access and would prefer the entrance on Columbia vs Rosemary St
- Asked about SF and information about the Pritchard house - sees that house as an affordable housing opportunity. The Town should evaluate that house and property.
- Asked if the developer would be willing to demolish the existing house.

Ed Small - yes.

- Likes the masonry facade example shown
- Like mural idea. Can we make it an "All Are Welcome Here" gateway mural?
- Add greenspace to Columbia façade
- Like the minimal curb cuts
- Likes the park and that the developer would provide this space.
- Would support keeping the parking just north of that park to act as loading and ADA parking. Would support keeping 5 or so spaces in this area.
- Likes the rooftop experience facing downtown
- Likes that the redevelopment would provide opportunities for the Historic Town Hall
- Would like to review traffic flow, but feels the hotel creates vibrancy and less traffic than some other uses would
- Would support a property swap

*RESPONSE: The hotel program includes a one-way driveway entering from W Rosemary and exiting onto S Columbia (limited traffic allowed) or into the parking deck. Three parking spaces have been retained along the entry drive to allow for handicap parking and public use, two spaces in front of the hotel for guest arrivals, plus one space along the exit drive which will be specifically signed for Town service vehicles.*

Public Comment:

Matt Gladdek

- There is currently no green space downtown.
- Likes enhancement of opportunities for the Historic Town Hall.
- Would like more park, less parking.

Mr Mallett - 209 Pritchard

- Thinks the house on Pritchard needs to be demolished, as well as the building on the corner.
- Thinks there should be a turn lane into the driveway.
- Thinks parking at the project is inadequate.

# Rosemary/Columbia Hotel

## 110 West Rosemary Street

### CONDITIONAL ZONING APPLICATION

CHAPEL HILL, NORTH CAROLINA

#### CONTRACT PURCHASER / CLIENT:

SMART OLYMPIA CAROLINA LLC  
20400 CHAGRIN BOULEVARD, SUITE 705  
SHAKER HEIGHTS, OH 44122  
216-533-0500  
CONTACT: ED SMALL

#### APPLICANT / CONSULTANT:

LANDSCAPE ARCHITECT / LAND PLANNER:  
CJT, PA  
111 WEST MAIN STREET  
DURHAM, NC 27701  
919-682-0368  
CONTACT: WENDI RAMSDEN

#### RESOURCE CONSERVATION NOTES

STREAM BUFFERS:  
THERE ARE NO MAPPED STREAMS ON SITE.

FLOODPLAIN PROTECTION:  
THE SITE IS NOT IN AN AREA AFFECTED BY A MAPPED FLOODPLAIN  
ACCORDING TO FIRM MAP 3710978800K EFFECTIVE 11-17-17.

STEEP SLOPE PROTECTION:  
THERE ARE 2,173 SF OF STEEP SLOPES ON SITE - ALL ARE CONSTRUCTED (NOT  
NATURAL ) SLOPES

WETLANDS:  
THERE ARE NO MAPPED WETLANDS ONSITE.

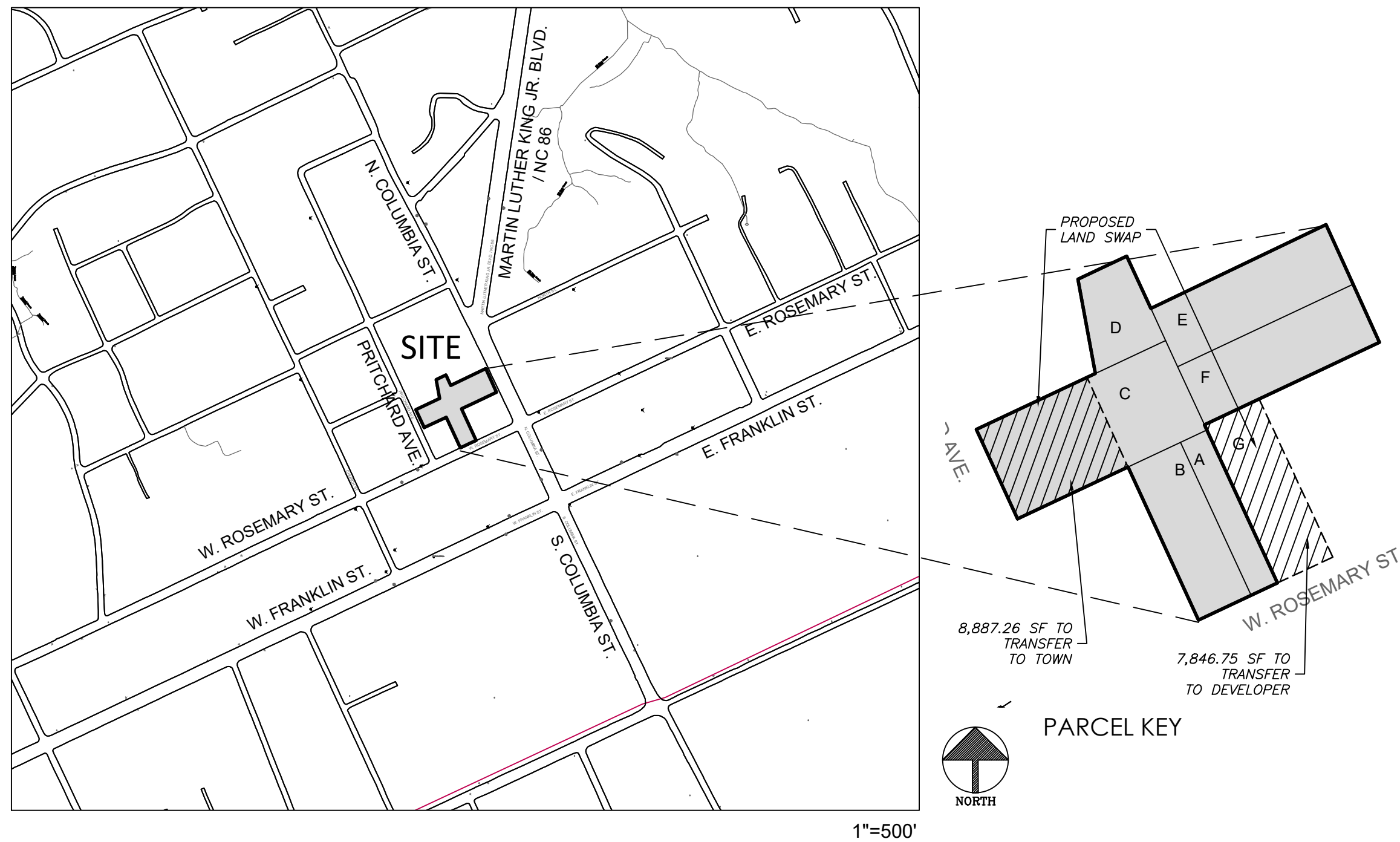
#### PROJECT NOTES

BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY BALLANTINE ASSOCIATES, PA  
DATED AUGUST 26, 2019

SURROUNDING SITE AND PROPERTY INFORMATION PER CHAPEL HILL GIS

#### TOWN OF CHAPEL HILL NOTES

- A FIRE FLOW REPORT SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A ZCP.
- P.E. CERTIFICATION: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY PHASE, THE APPLICANT SHALL PROVIDE A CERTIFICATION, SIGNED AND SEALED BY A NORTH CAROLINA-LICENSED PROFESSIONAL ENGINEER, THAT THE STORMWATER MANAGEMENT FACILITY IS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.
- AS-BUILT PLANS: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE CERTIFIED AS-BUILT PLANS FOR BUILDING FOOTPRINTS, PARKING LOTS, STREET IMPROVEMENTS, STORM DRAINAGE SYSTEMS AND STORMWATER MANAGEMENT STRUCTURES, AND ALL OTHER IMPERVIOUS SURFACES, AND A TALLY OF THE CONSTRUCTED IMPERVIOUS AREA. THE AS-BUILT PLANS SHOULD BE IN DXF BINARY FORMAT USING STATE PLANE COORDINATES AND NAVD 88.



#### PROJECT DATA:

PARCEL A:	108 WEST ROSEMARY STREET
ADDRESS	9788-37-0680
PIN	KW RC PROPERTIES LLC
OWNER	3,624.9 SF
ACREAGE	TC-2
ZONING	
PARCEL B:	114 WEST ROSEMARY STREET
ADDRESS	9788-37-0549
PIN	KW RC PROPERTIES LLC
OWNER	7,249.8 SF
ACREAGE	TC-2
ZONING	
PARCEL C:	208 PRITCHARD AVENUE
ADDRESS	9788-27-9667
PIN	KW RC PROPERTIES LLC
OWNER	15,262.3 SF
ACREAGE	8,887.26 SF / 0.204 AC
PROPOSED ACREAGE:	R-3
ZONING	
PARCEL D:	N/A (NO STREET FRONTAGE)
ADDRESS	9788-27-9700
PIN	KW RC PROPERTIES LLC
OWNER	4,527.3 SF
ACREAGE	R-3
ZONING	
PARCEL E:	205 NORTH COLUMBIA STREET
ADDRESS	9788-37-0721
PIN	KW RC PROPERTIES LLC
OWNER	9,320.0 SF
ACREAGE	OI-1
ZONING	
PARCEL F:	205 NORTH COLUMBIA STREET
ADDRESS	9788-37-0647
PIN	KW RC PROPERTIES LLC
OWNER	9,166.9 SF
ACREAGE	TC-2
ZONING	
PARCEL G:	110 WEST ROSEMARY STREET
ADDRESS	9788-37-0535
PIN	TOWN OF CHAPEL HILL
OWNER	7,846.75 SF
ACREAGE	TC-2
ZONING	
TOTAL SURVEYED AREA:	56,997.96 SF / 1.31 AC
PARCELS A THRU F UNDER CONTRACT TO DEVELOPER:	49,151.20
PROPOSED POST DEVELOPMENT LAND OWNED BY PROJECT DEVELOPER:	48,110.70 SF / 1.10 AC
LAND USE:	VACANT COMMERCIAL, CONVERTED RESIDENCES, ONE SINGLE FAMILY RESIDENTIAL
EXISTING	HOTEL
PROPOSED	
ZONING:	OI REZONE TO TC-2 - CZD
PROPOSED	R-3 REZONE TO TC-2 - CZD
ALLOWABLE FAR FOR PROPOSED ZONE:	1.97 MAX.
EXISTING BUILDINGS:	- 1,250 SF ONE STORY BRICK BUILDING TO BE REMOVED - 1,689 SF TWO STORY WOOD FRAME HOUSE TO BE REMOVED 2,939 SF TOTAL SQUARE FOOTAGE TO BE REMOVED
PROPOSED BUILDINGS:	1,800 SF BUILDING TO REMAIN, TO BE DEEDED TO TOWN (LOCATED ON PARCEL C)
HOTEL	+/- 25,300 SF FOOTPRINT (+/- 88,000 SF TOTAL) 125-140 ROOMS
BUILDING HEIGHT:	5 STORIES PLUS LOWER LEVEL ACCESSED FROM NORTH DRIVEWAY
VEHICULAR PARKING:	
REQUIRED	N/A (TOWN CENTER DISTRICT)
MAXIMUM	126 [0.9 PER LODGING UNIT - 140 X 0.9 = 126]
PROPOSED	APPROX 70 SPACES ON-SITE
BICYCLE PARKING:	
REQUIRED	9 (1 PER 15 LODGING UNITS 140 / 15 = 9)
PROPOSED	10 SPACES (5 LOOPS) 4 LOOPS IN PROTECTED PARKING DECK, 1 LOOP AT LOBBY ENTRY
PROJECT AREA:	74,134 SF / 1.70 AC INCLUDES TOWN LAND TO BE DEVELOPED
LOCATION	TOTAL AREA    DISTURBANCE    PRE-DEV IMPERVIOUS    POST-DEV IMPERVIOUS
PROJECT AREA	74,134 SF    62,350 SF    50,164 SF    53,727 SF
FINAL HOTEL SITE	48,111 SF    47,440 SF    26,114 SF    39,249 SF
POCKET PARK PARCEL	8,180 SF    7,966 SF    5,184 SF    5,054 SF

#### LIST OF SHEETS:

CZ-0.0	COVER SHEET
CZ-0.1	AREA MAP
CZ-1.0	EXISTING CONDITIONS PLAN
CZ-1.1	NOTES
CZ-1.2	CONSTRUCTION MANAGEMENT PLAN
CZ-1.3	LANDSCAPE PROTECTION PLAN
CZ-2.0	SITE PLAN
CZ-3.0	GRADING & STORMWATER PLAN
CZ-5.0	UTILITY PLAN
CZ-6.0	LIGHTING PLAN
CZ-7.0	LANDSCAPE PLAN
CZ-8.0	SITE DETAILS
AS101	EXTERIOR ELEVATIONS AND BUILDING ENVELOPE
AS102	EXTERIOR ELEVATIONS AND BUILDING ENVELOPE
AS103	EXTERIOR ELEVATIONS AND BUILDING ENVELOPE

CJTPA

111 West Main Street  
Durham, N.C. 27701  
p 919.682.0368  
f 919.688.5646  
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NC BOARD OF EXAMINERS FOR  
ENGINEERS AND SURVEYORS  
LIC # C-1209

NC BOARD OF  
LANDSCAPE ARCHITECTS  
LIC # C-104

#### Project:

Rosemary/  
Columbia  
Hotel

110 W. Rosemary St.  
Orange County,  
North Carolina

PIN:  
9788-37-0680  
9788-37-0549  
9788-27-9667  
9788-27-9700  
9788-37-0721  
9788-37-0647



PRELIMINARY-DO NOT  
USE FOR CONSTRUCTION

Job Number: 1963

Drawn	WLR, MTC
Checked	WLR
Date	9-24-2020
Revisions	TOWN REVIEW REVISIONS 3-3-2021 TOWN REVIEW REVISIONS 4-28-2021

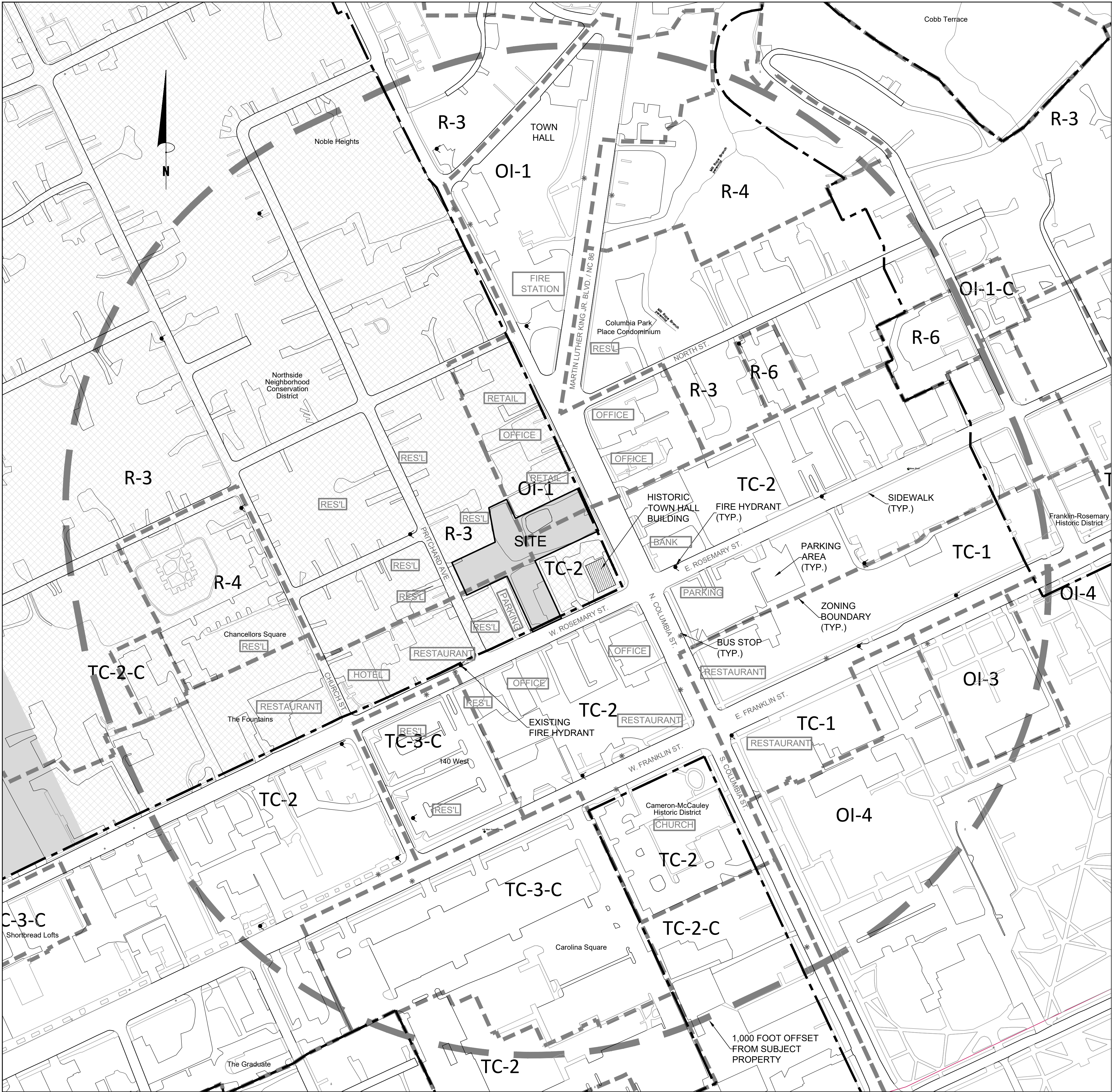
Conditional Zoning

Sheet Title:

COVER  
SHEET

Sheet Number  
CZ-0.0



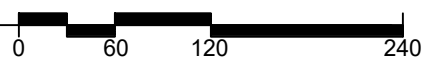


755

LEGEND

FIRE HYDRANT	
ZONING BOUNDARY	
EXISTING ZONING	
NCD BOUNDARY	
NORTHSIDE NEIGHBORHOOD	
LAND USE	

1  
CZ-0.1  
AREA MAP  
1" = 120'-0"



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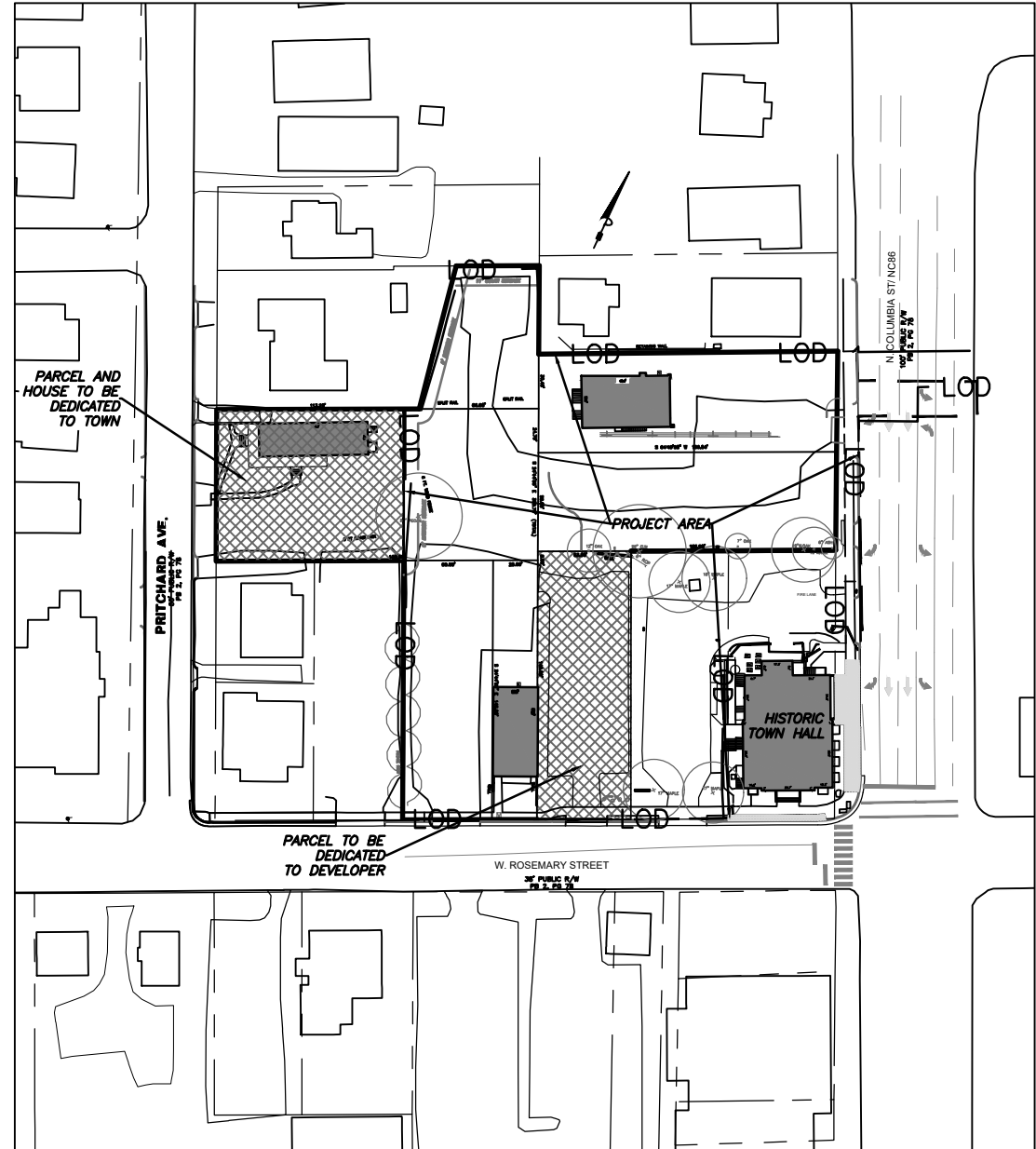
Sheet Title:

AREA MAP

Sheet Number

CZ-0.1





PROJECT DATA:

TOTAL PROJECT AREA:	62,706 SF / 1.44 AC
AREA OVER 25% SLOPE:	2,173 SF / 0.050 AC
AREA 15-25% SLOPE:	0 SF
AREA UNDER 15% SLOPE:	60,533 SF

NOTE: STEEP SLOPES ON SITE ARE MAN MADE AND WERE CREATED DURING INITIAL PARKING LOT CONSTRUCTION

LEGEND

Water Valve	Symbol
Yard Inlet	Symbol
Curb Inlet/Catch Basin	Symbol
Mail Box	Symbol
Traffic Signal Box	Symbol
Electric Transformer	Symbol
Electric Junction Box	Symbol
Gas Meter	Symbol
Sanitary Sewer Manhole	Symbol
Storm Sewer Manhole	Symbol
Telephone Manhole	Symbol
Electric Manhole	Symbol
Sign	Symbol
Telephone Pedestal	Symbol
Fire Hydrant	Symbol
Fire Department Connection	Symbol
Post Indicator Valve	Symbol
Water Manhole	Symbol
Water Meter	Symbol
Hot Box	Symbol
Utility Pole	Symbol
Guy Wire	Symbol
Light Pole	Symbol
Sewer Cleanout	Symbol
Flared End Section	Symbol
Gas Valve	Symbol
Existing Iron Pipe (3/4" unless noted)	Symbol
1/2" Rebar	Symbol
1/2" Iron Pipe Set	Symbol
Existing PK Nail	Symbol
PK Nail Set	Symbol
Computed Point	Symbol
Concrete Monument	Symbol
Tree Line	Symbol
Fence	Symbol
Underground Electric	Symbol
Underground Telephone	Symbol
Gas Line	Symbol
Water Line	Symbol
Overhead Utilities	Symbol
Storm Sewer	Symbol
Sanitary Sewer	Symbol
Guard Rail	Symbol

**CJT PA.**

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Conditional Zoning

Sheet Title:

**EXISTING  
CONDITIONS**

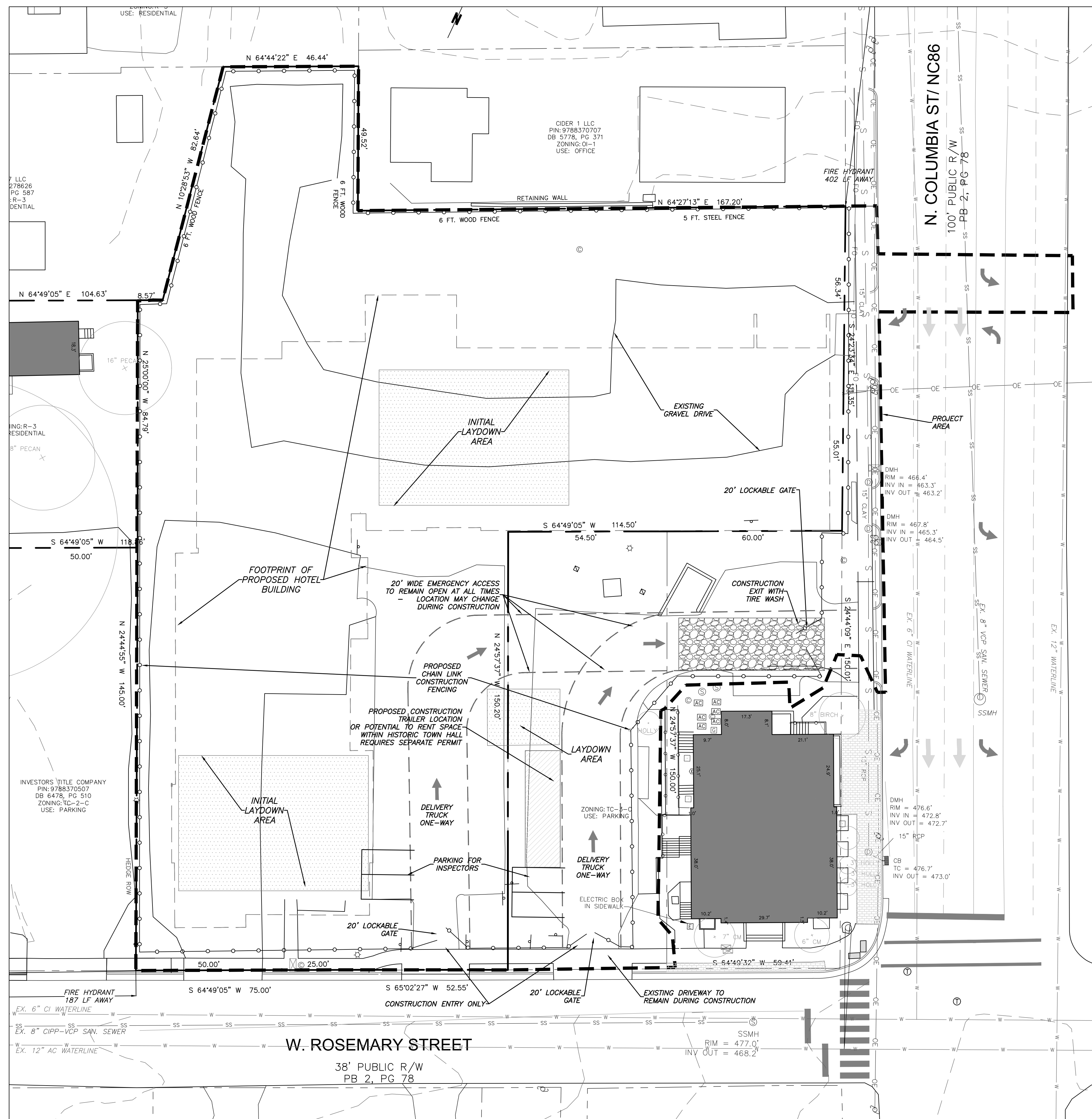
Sheet Number  
**CZ-1.0**



CZ-1 1

**FIRE NOTES** \* FIRE NOTES ABOVE WILL BE ADDRESSED DURING ZCP AND/OR BUILDING PERMIT PLANS





# 1 CONSTRUCTION MANAGEMENT PLAN

CZ-1.2 1" = 20'

0 10 20 40

## CONSTRUCTION STAGING NOTES

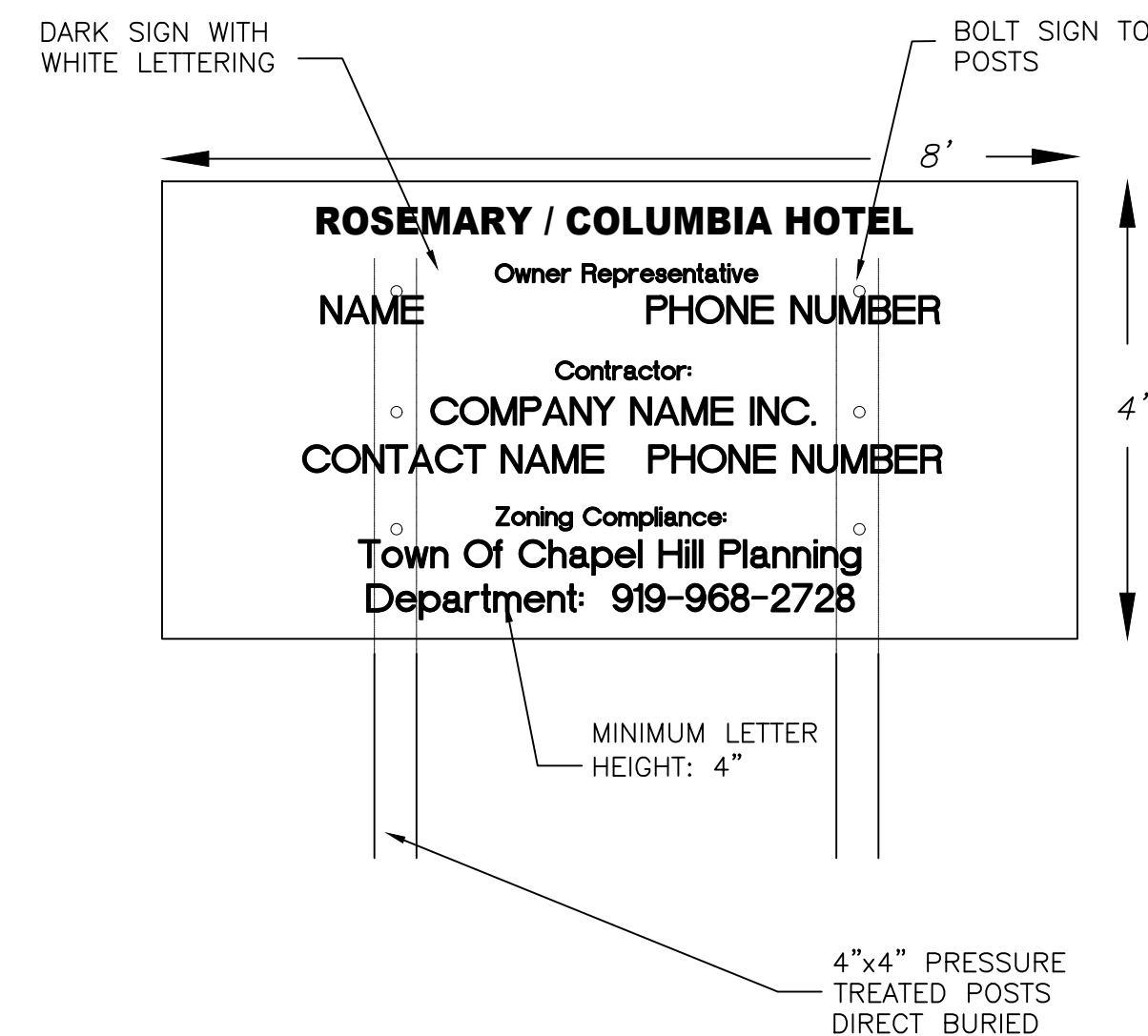
- EXISTING GRAVEL PARKING IS TO BE LEFT INTACT FOR CONSTRUCTION WORKERS UNTIL WORK IS DONE IN EACH AREA AND GRAVEL NEEDS TO BE REMOVED.
- NO CONSTRUCTION PARKING WILL BE ALLOWED ON ADJACENT RESIDENTIAL STREETS.
- HOURS OF CONSTRUCTION ARE MONDAY TO FRIDAY 7 AM TO 6 PM, AND SATURDAY AS NEEDED BETWEEN 8 AM AND 6 PM. THERE WILL BE NO CONSTRUCTION ON SUNDAYS. THE TOWN OF CHAPEL HILL NOISE ORDINANCE MUST BE COMPLIED WITH. THE TOWN ORDINANCE SPECIFICS CONSTRUCTION OPERATIONS ARE LIMITED TO 7 AM TO 9 PM WEEKDAYS, AND 8 AM TO 9 PM WEEKENDS. ANY ROCK REMOVAL WORK NEEDS TO BE COORDINATED WITH TOWN ADMINISTRATION, AND NEIGHBORS NOTIFIED IN ADVANCE.
- PROVIDE ON-SITE PARKING FOR INSPECTORS AT EACH BUILDING FOR THE DURATION OF THE CONSTRUCTION PROJECT.

## FIRE PROTECTION NOTES

- CONTRACTOR SHALL MAINTAIN A FIRE WATCH DURING THE CONSTRUCTION OR DEMOLITION OF "HOT WORK" THAT MAY SUBJECT MATERIALS TO SPONTANEOUS COMBUSTION. THE FIRE WATCH SHALL CONSIST OF AT LEAST ONE PERSON WITH A MEANS OF COMMUNICATING AN ALARM TO 911, SHALL HAVE A WRITTEN ADDRESS POSTED IN A CONSPICUOUS LOCATION, AND SHALL MAINTAIN CONSTANT PATROLS.
- ALL CONSTRUCTION AND DEMOLITION SHALL COMPLY WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC (FIRE CODE).
- ANY PERMANENT OR TEMPORARY GATES ACROSS FIRE ACCESS DRIVES SHALL BE A MINIMUM WIDTH OF 20', EITHER SWINGING OR SLIDING TYPE, HAVE AN EMERGENCY MEANS OF OPERATION, AND SHALL BE OPERABLE BY EITHER FORCIBLE ENTRY OR KEYED, CAPABLE OF BEING OPERATED BY ONE PERSON, AND SHALL BE INSTALLED AND MAINTAINED ACCORDING TO UL 325 AND ASTM F 2200 NC FPC 2012.

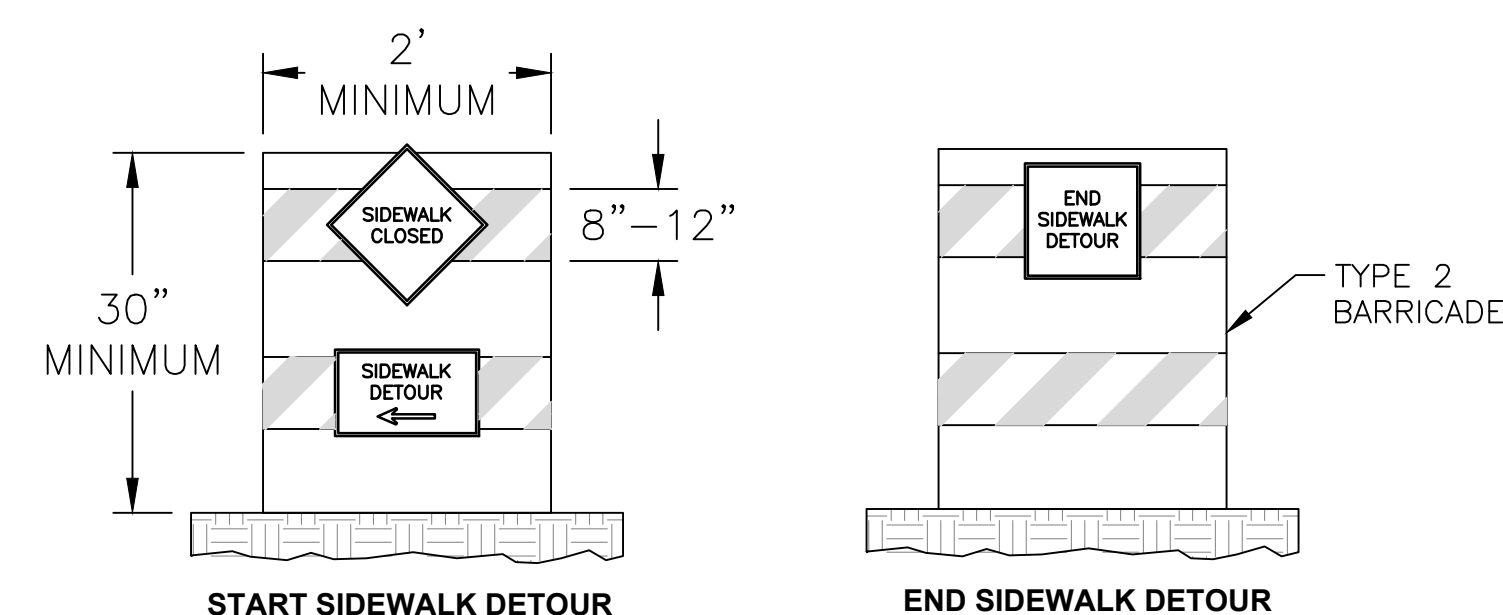
## TRAFFIC/PEDESTRIAN CONTROL NOTES

- SIGNS SHOWN ON THIS PLAN ARE REQUIRED DURING THE CONSTRUCTION OF THIS PROJECT.
- CONSTRUCTION WILL REQUIRING TEMPORARY LANE CLOSURES ON PUBLIC STREETS NEED TOWN APPROVAL. TEMPORARY LANE CLOSURES ARE ONLY ALLOWED DURING DAYLIGHT HOURS.
- ALL WORK ZONE SIGNAGE SHALL COMPLY WITH APPLICABLE M.U.T.C.D. STANDARDS AND DETAILS.
- PRIOR TO ANY TRAFFIC LANE CLOSURES, IT WILL BE NECESSARY TO CONTACT ERNIE ROGERS AT 919-968-2833, OF THE CHAPEL HILL ENGINEERING DIVISION, AT LEAST 5 WORKING DAYS BEFORE THE PROPOSED WORK TO APPLY FOR A LANE CLOSURE PERMIT.
- SIGNS AND TEMPORARY BARRICADES AS SHOWN BELOW WILL BE PLACED TO DIRECT PEDESTRIANS WHEN SIDEWALKS ARE IN THE CONSTRUCTION AREAS.



## 2 CONSTRUCTION SIGN

CZ-1.2 NOT TO SCALE



## 3 SIDEWALK CLOSURE SIGNAGE

CZ-1.2 NOT TO SCALE



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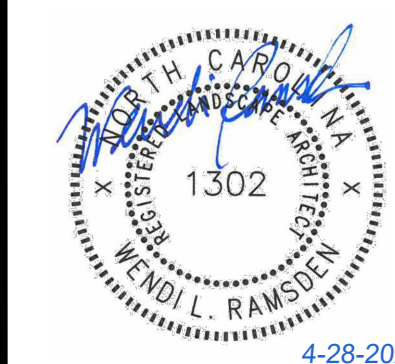
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Conditional Zoning

Sheet Title:

CONSTRUCTION  
MANAGEMENT  
PLAN

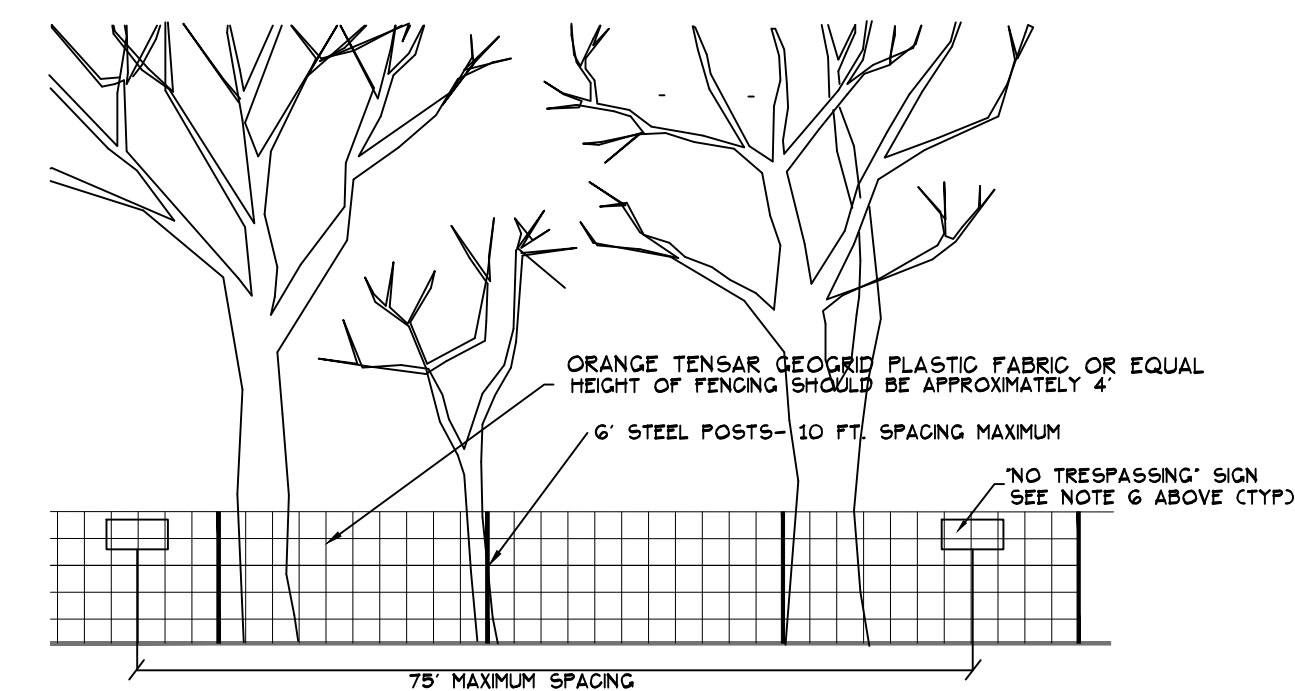
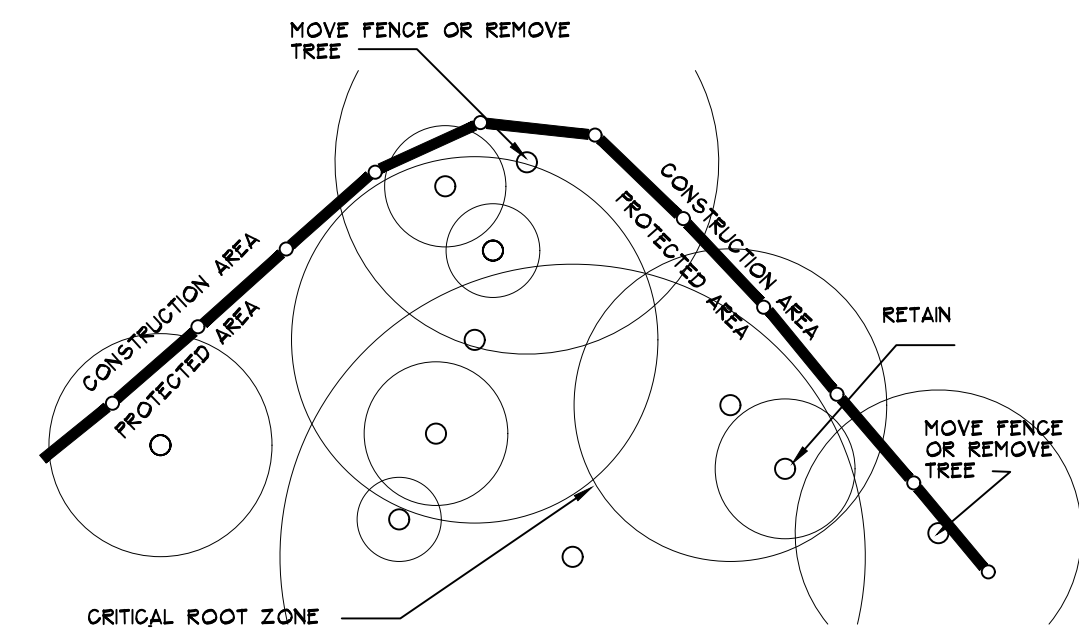
Sheet Number

CZ-1.2





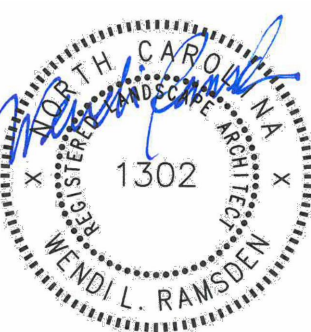
- | LEGEND                                 |  |
|--|--|
| Water Valve                            |  |
| Yard Inlet                             |  |
| Curb Inlet/Catch Basin                 |  |
| Mail Box                               |  |
| Traffic Signal Box                     |  |
| Electric Transformer                   |  |
| Electric Junction Box                  |  |
| Gas Meter                              |  |
| Sanitary Sewer Manhole                 |  |
| Storm Sewer Manhole                    |  |
| Telephone Manhole                      |  |
| Electric Manhole                       |  |
| Sign                                   |  |
| Telephone Pedestal                     |  |
| Fire Hydrant                           |  |
| Fire Department Connection             |  |
| Past Indicator Valve                   |  |
| Water Manhole                          |  |
| Water Meter                            |  |
| Hot Box                                |  |
| Utility Pole                           |  |
| Guy Wire                               |  |
| Light Pole                             |  |
| Sewer Cleanout                         |  |
| Flared End Section                     |  |
| Gas Valve                              |  |
| Existing Iron Pipe (3/4" unless noted) |  |
| 1/2" Rebar                             |  |
| 1/2" Iron Pipe Set                     |  |
| Existing PK Nail                       |  |
| PK Nail Set                            |  |
| Computed Point                         |  |
| Concrete Monument                      |  |
| Tree Line                              |  |
| Fence                                  |  |
| Underground Electric                   |  |
| Underground Telephone                  |  |
| Gas Line                               |  |
| Water Line                             |  |
| Overhead Utilities                     |  |
| Storm Sewer                            |  |
| Sanitary Sewer                         |  |
| Guard Rail                             |  |



1. MOVE FENCE OR REMOVE TREE IF MORE THAN 20% OF A TREE'S CRITICAL ROOT AREA IS UNPROTECTED.
2. TREES TO BE REMOVED WITHIN THE TREE PROTECTION AREA (BECAUSE >20% OF ROOT ZONE IS DISTURBED) WILL BE FELLED TOWARD THE CLEARED CONSTRUCTION AREA.
3. ROOT PRUNING TREES TO REMAIN, WHERE CONSTRUCTION ACTIVITIES WILL SEVER ROOTS.
4. ANY TREE ROOTS EXPOSED BY CONSTRUCTION SHALL BE SEVERED CLEANLY WITH A PRUNING TOOL.
5. THE SOIL WITHIN THE CRITICAL ROOT ZONES OF EXISTING TREES WILL NOT BE DRIVEN ON OR OTHERWISE DISTURBED DURING THE INSTALLATION OF LANDSCAPING.
6. DO NOT DISPOSE OF ANY CHEMICALS OR REMOVE SOIL OUTSIDE THE LIMITS OF WORK.
7. WHEN INSTALLING NEW LANDSCAPE PLANTS, DO NOT DRIVE EQUIPMENT UPON OR DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.
8. SIGNAGE MUST BE PLACED ON TREE PROTECTION FENCING WITH A MAXIMUM SPACING OF 75' ON CENTER, TO READ "TREE PROTECTION AREAS - NO TRESPASSING WITHIN FENCE".

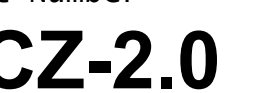
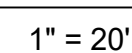
## 2 TREE PROTECTION FENCING

### 3 TREE COVERAGE CALCULATION

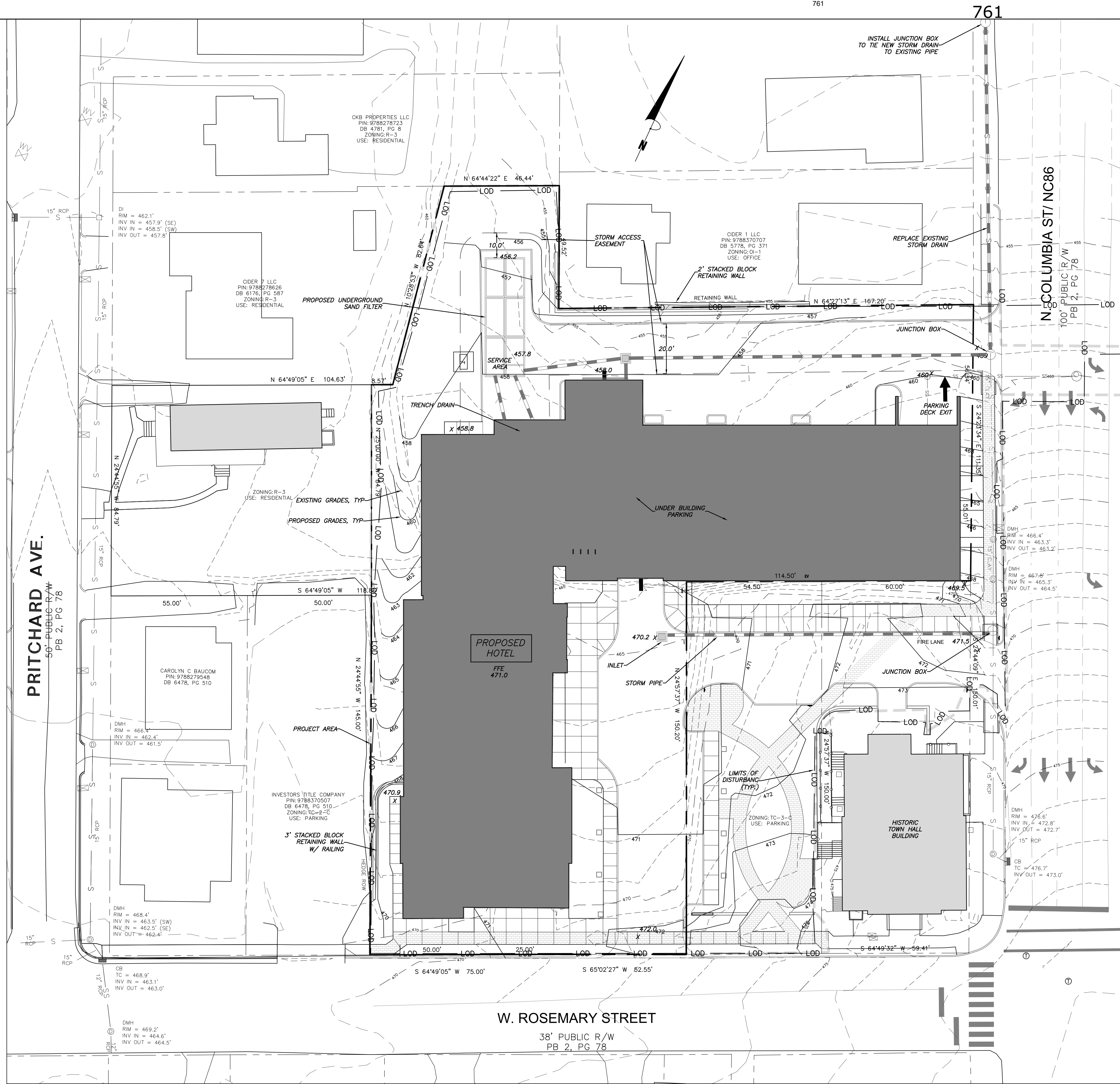


### CZ-1.3







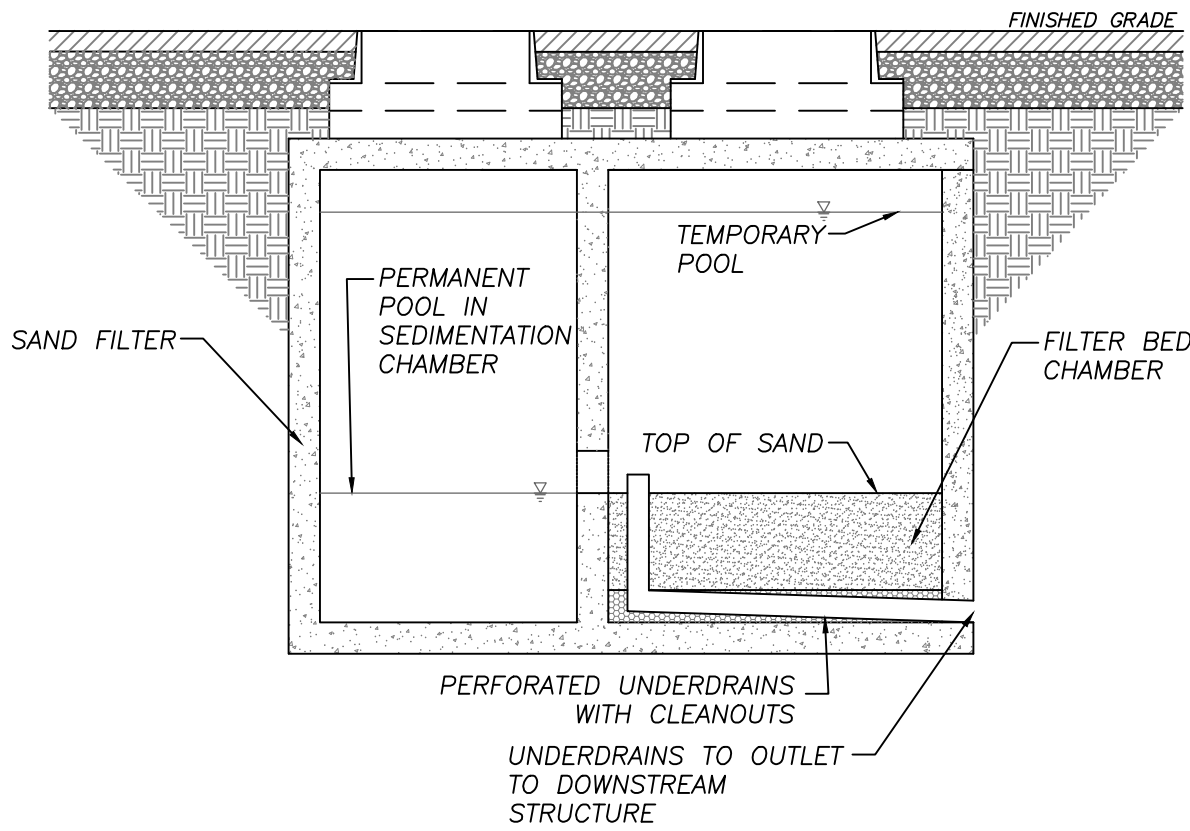


GRADING NOTES

1. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL AND NCDOT STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL".
4. CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
5. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
6. SOIL UNDER BUILDING PAD, PAVED AREAS AND WITHIN SLOPES GREATER THAN 3:1 (H:V) SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. THESE SOILS SHALL BE COMPACTED AS SPECIFIED UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ANY UNDERCUT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO QUANTIFIED BY THE GEOTECHNICAL ENGINEER.
7. ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR WET LAWN AREAS, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.
8. ALL SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM 1.8% CROSS SLOPE IN THE DIRECTION SHOWN ON THE PLAN.
9. CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
10. CURB INLETS: PROVIDE PRE-CAST CURB INLET HOODS AND COVERS STATING, "DUMP NO WASTE! DRAINS TO JORDAN LAKE", IN ACCORDANCE WITH THE SPECIFICATIONS OF THE TOWN STANDARD DETAIL SD-5A, FOR ALL NEW CURB INLETS FOR PRIVATE, TOWN AND STATE RIGHTS-OF-WAY.
11. BW (BOTTOM OF WALL) ELEVATION IS FINISH GRADE, NOT THE FOOTING. REFERENCE RETAINING WALL PLANS/DETAILS FOR DEPTH OF FOOTING.
12. ANY DISTURBANCE WITHIN THE FORESTED "NO LAND DISTURBANCE AREA" WILL REQUIRE AN UPDATE TO THE JORDAN ACCOUNTING TOOL.

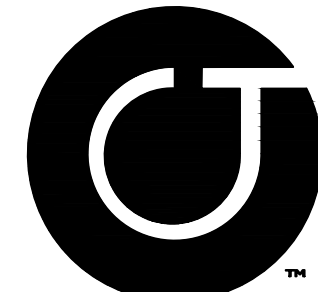
STORMWATER NOTES

1. ALL STORM DRAINAGE PIPES SHOWN ARE TO BE CLASS III REINFORCED CONCRETE (RCP) UNLESS NOTED OTHERWISE.
2. ALL STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL AND NCDOT STANDARDS.
3. ALL CONCRETE SHALL MEET A MINIMUM 3000 PSI COMPRESSIVE STRENGTH.
4. ALL PIPE IN STORM DRAIN STRUCTURES SHALL BE STRUCK EVEN WITH INSIDE WALL.
5. ALL PIPE JOINTS SHALL BE MADE WITH PREFORMED JOINT SEALER, WHICH CONFORMS TO AASHTO SPECIFICATION M-198 FOR TYPE B FLEXIBLE PLASTIC GASKETS UNLESS OTHERWISE NOTED.
6. THE INTERIOR SURFACES OF ALL STORM DRAINAGE STRUCTURES SHALL BE POINTED AND SMOOTHED TO AN ACCEPTABLE STANDARD USING MORTAR MIXED TO MANUFACTURER'S SPECIFICATIONS.
7. ALL BACKFILL SHALL BE NON-PLASTIC IN NATURE, FREE FROM ROOTS, VEGETATION MATTER, WASTE CONSTRUCTION MATERIAL OR OTHER OBJECTIONABLE MATERIAL. SAID MATERIAL SHALL BE CAPABLE OF BEING COMPACTED BY MECHANICAL MEANS AND SHALL HAVE NO TENDENCY TO FLOW OR BEHAVE IN A PLASTIC MANNER UNDER THE TAMPING BLOWS OR PROOF ROLLING.
8. MATERIALS DEEMED BY THE OWNER'S REPRESENTATIVE AS UNSUITABLE FOR BACKFILL PURPOSES SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL.
9. BACKFILLING OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PIPE IS LAID. THE FILL AROUND THE PIPE SHALL BE THOROUGHLY COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY OBTAINABLE WITH THE STANDARD PROCTOR TEST. THE TOP EIGHT (8) INCHES SHALL BE COMPACTED TO 100% STANDARD PROCTOR.
10. UNDER NO CIRCUMSTANCES SHALL WATER BE ALLOWED TO RISE IN UNBACKFILLED TRENCHES AFTER PIPE HAS BEEN PLACED.
11. RISER STRUCTURES WITH MULTIPLE BARREL SECTIONS SHALL HAVE GASKETTED JOINTS, AND EACH SECTION SHALL BE BOLTED TO ADJACENT SECTIONS WITH STAINLESS STEEL STRAPS.
- 12.



2 SCHEMATIC UNDERGROUND SAND FILTER  
CZ-3.0 N.T.S.

1 GRADING AND STORMWATER PLAN  
CZ-3.0 1" = 20'



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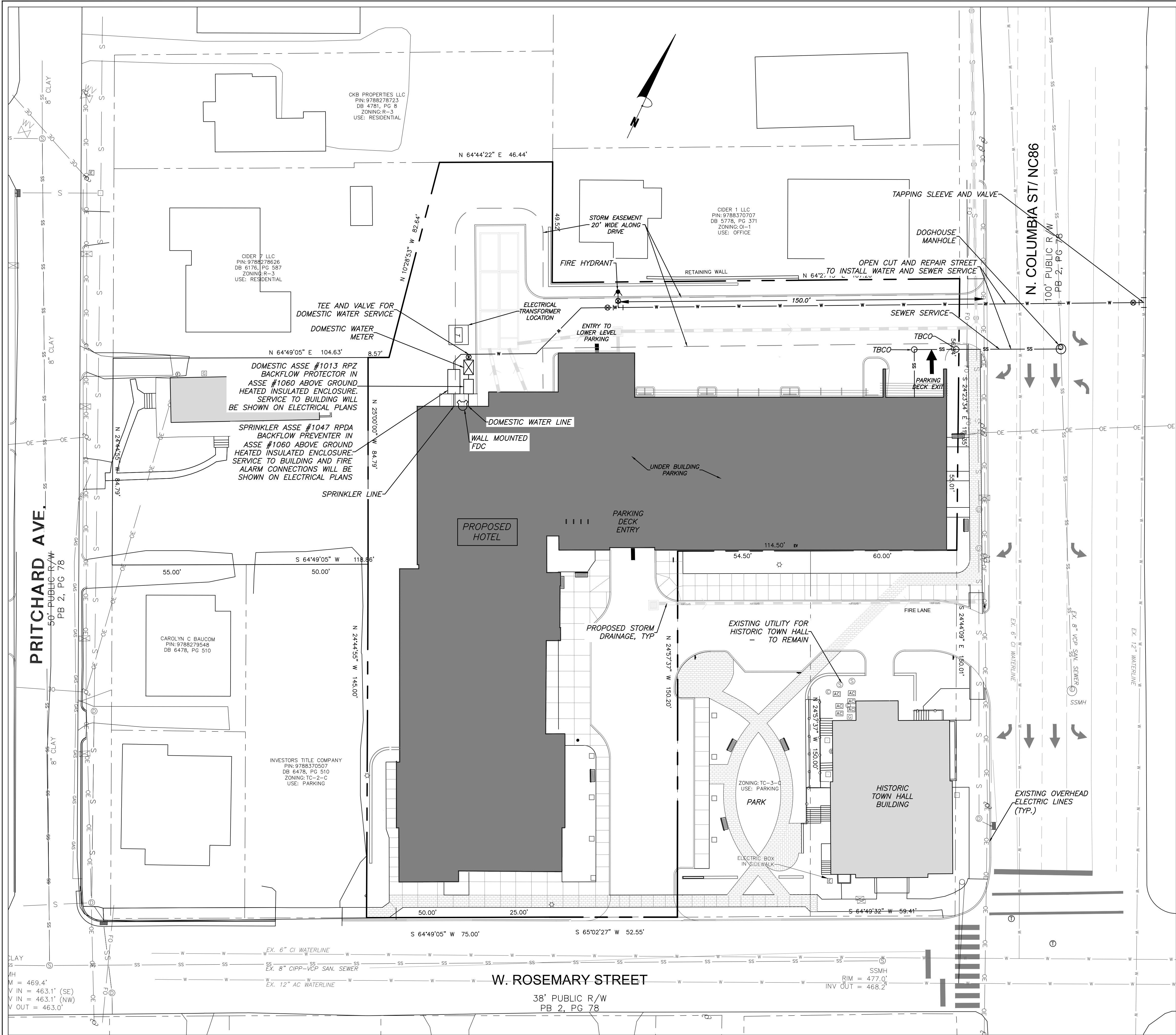
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GRADING AND  
STORMWATER  
PLAN

Sheet Number

CZ-3.0





UTILITY NOTES

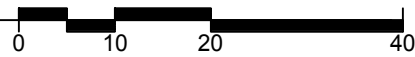
1. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICE INDEPENDENT OF "NORTH CAROLINA ONE CALL".
2. ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY OWASA.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL AND OWASA STANDARDS AND SPECIFICATIONS.
4. ALL EXISTING UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. ACTUAL LOCATION AND DEPTH SHALL BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION.
5. BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY TOWN OR N.C.D.O.T. STREET OR HIGHWAY RIGHT-OF-WAY THE FOLLOWING PROCEDURES SHOULD BE UNDERTAKEN; TOWN RIGHT-OF-WAY: CONTACT LOCAL AUTHORITIES' TRAFFIC ENGINEERING DEPT. FOR INFORMATION ON DETOURS, OPEN CUTTING OF STREETS OR FOR ANY CONSTRUCTION WITHIN RIGHT-OF-WAY. N.C.D.O.T. RIGHT-OF-WAY: CONTACT PROJECT ENGINEERS AND OBTAIN ALL PERMITS AND ENCROACHMENTS (KEEP COPIES ON CONSTRUCTION SITE, ALSO CONTACT N.C.D.O.T. DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER).
6. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST. PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADING CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
7. POWER, TELEPHONE, AND GAS SERVICES TO BUILDINGS SHALL BE UNDERGROUND. ACCESS AND SERVICE ROUTES TO BE COORDINATED WITH THE PUBLIC UTILITIES, CONTRACTOR AND THE OWNER.
8. RESURFACING OF STREET DUE TO UTILITY CUTS SHALL BE REQUIRED AT THE DIRECTION OF ENGINEERING. (MINIMUM 50' TO EITHER SIDE OF UTILITY CUTS).
9. PROVIDE 10-FT OF HORIZONTAL SEPARATION BETWEEN PROPOSED NEW WATER AND SEWER MAINS

SANITARY SEWER:

1. BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL UNITS WITH FINAL FLOOR ELEVATIONS OF BUILDINGS LESS THAN 1'-0" ABOVE UPSTREAM MANHOLE.
2. MINIMUM COVER OF 5 FEET IN TRAFFIC AREAS TO BE PROVIDED FOR ALL COLLECTOR LINES 4 INCHES AND LARGER. IF LESS THAN 5 FEET, DUCTILE IRON PIPE SHALL BE REQUIRED.
3. MINIMUM SLOPE FOR 4 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 2.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.
4. MINIMUM SLOPE FOR 6 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 1.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.

WATER:

1. WATERLINES WILL BE 3' OFF CURB AND GUTTER UNLESS SHOWN OTHERWISE.
2. LAY WATER MAINS AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SANITARY SEWERS. IF LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT SEPARATION, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER PIPE EITHER IN A SEPARATE TRENCH OR IN THE SAME TRENCH ON A BENCH OF UNDISTURBED EARTH.
3. WHEN A PROPOSED WATER MAIN CROSSES OVER A PROPOSED OR EXISTING SANITARY SEWER, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER. IF LOCAL CONDITIONS PREVENT AN 18" VERTICAL SEPARATION, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER FOR A DISTANCE OF 10 FEET ON EACH SIDE TO THE POINT OF CROSSING WITH FERROUS PIPE HAVING WATER MAIN QUALITY JOINTS.
4. WHEN A PROPOSED WATER MAIN CROSSES UNDER A PROPOSED OR EXISTING SANITARY SEWER, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER OF FERROUS MATERIALS WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. CENTER THE SECTION OF WATER PIPE AT THE POINT OF CROSSING.
5. MAINTAIN A MINIMUM COVER OF 36" AND MAXIMUM COVER OF 42" BELOW FINISHED GRADE OVER ALL PIPES UNLESS OTHERWISE DIRECTED OR SHOWN ON THE PLANS. DUE TO THE HEIGHTS OF VALVES, INCREASE THE COVER DEPTHS ADJACENT TO THE VALVES OR VARIED AT POINTS OF TIE-IN TO EXISTING LINES.
6. ALL FDC(S) AND HYDRANT(S) SHALL BE SIAMESE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
7. A FIRE SPRINKLER SYSTEM WILL BE REQUIRED FOR THE HOTEL.
8. A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO INSTALL ANY NEW UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE/COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17.



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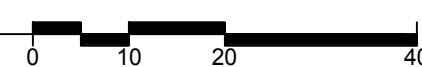
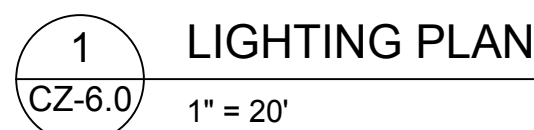
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UTILITY  
PLAN

Sheet Number

CZ-5.0





LIGHTING CONDUIT

LIGHTING CONDUIT SHALL MEET THE FOLLOWING GUIDELINES.

1. CONDUIT DESIGN MUST BE APPROVED BY DUKE ENERGY PRIOR TO INSTALLATION. CHANGING THE CONDUIT LAYOUT CAN CAUSE CONDUCTOR LENGTH TO EXCEED ACCEPTABLE VOLTAGE LEVEL WHICH WILL AFFECT THE LIGHT'S ABILITY TO OPERATE.
2. ALL CONDUITS ARE TO BE 2" SCHEDULE 40 GRAY ELECTRICAL PVC.
3. ALL JOINTS ARE TO BE GLUED.
4. ALL ENDS ARE TO BE MARKED WITH SCRAP CONDUIT OR A BOARD (PAINTING THE GROUND WITH MARKING PAINT IS NOT ACCEPTABLE). IT IS STRONGLY SUGGESTED THAT THE ENDS SHOULD BE IDENTIFIED BY GPS COORDINATES.
5. ALL ENDS ARE TO BE CAPPED TO PREVENT ENTRY OF DEBRIS.
6. ALL CONDUITS MORE THAN 30' IN LENGTH SHALL HAVE A STRING INSTALLED.
7. TO COMPLY WITH NESC; ALL CONDUIT ARE TO BE INSTALLED AT A MINIMUM DEPTH OF 30" FROM FINISH GRADE TO TOP OF CONDUIT. CONDUITS THAT CAN NOT MEET THIS CRITERIA MUST BE ENCASED IN 3" MINIMUM CONCRETE ENVELOPE. (FLOWABLE FILL IS ACCEPTABLE IN PLACE OF CONCRETE).
8. IF CONCRETE ENCASED CONDUIT IS REQUIRED AT ANY POINT, IT MUST BE ENCASED IN CONCRETE UNTIL PIPE IS BACK DOWN TO REQUIRED DEPTH.
9. PEDESTAL AREAS WHERE MULTIPLE CONDUIT ENDS TERMINATE ARE TO HAVE THE CONDUIT ENDS WITHIN 12" OF EACH OTHER.
10. DIRECT BURIED LIGHT POLE AREAS ARE TO HAVE CONDUITS TERMINATE 36" APART AND 12" BACK OF POLE LOCATION.
11. CONDUITS SERVING LIGHTS ON CONCRETE REVEALS ARE TO BE CONTINUOUS FROM REVEAL TO REVEAL.

LIGHTING NOTES

1. MEASURES SHALL BE PROVIDED TO PREVENT LIGHT SPILLOVER ONTO ADJACENT PROPERTIES AND GLARE TOWARD MOTOR VEHICLE OPERATORS. EXTERIOR LIGHTS SHALL BE SHIELDED SO THEY DO NOT CAST DIRECT LIGHT BEYOND THE PROPERTY LINE.
2. PROVIDE 2" PVC CONDUIT UNDER PAVEMENT, UNDER HEAVILY LANDSCAPED AREAS AS NECESSARY, AND AS DETERMINED BY DUKE ENERGY TO PROVIDE ACCESS TO ALL LIGHT FIXTURES. COORDINATE WITH DUKE ENERGY TO FINALIZE CONDUIT LOCATIONS AND LENGTHS.

SPECIAL COORDINATION NOTES:

1. CONTRACTOR IS TO COORDINATE LIGHT POLE AND CONDUIT LOCATIONS WITH DUKE ENERGY PRIOR TO INSTALLATION OF WALLS AND PAVING.
2. ABOVE GROUND PEDESTALS AND LIGHT POLES WILL BE PROVIDED AND INSTALLED BY DUKE ENERGY.
3. CONTRACTOR IS TO REFER TO DUKE ENERGY SPECIFICATIONS FOR CONDUIT INSTALLATION.
4. CONDUIT IS TO BE FURNISHED AND INSTALLED BY CONTRACTOR.

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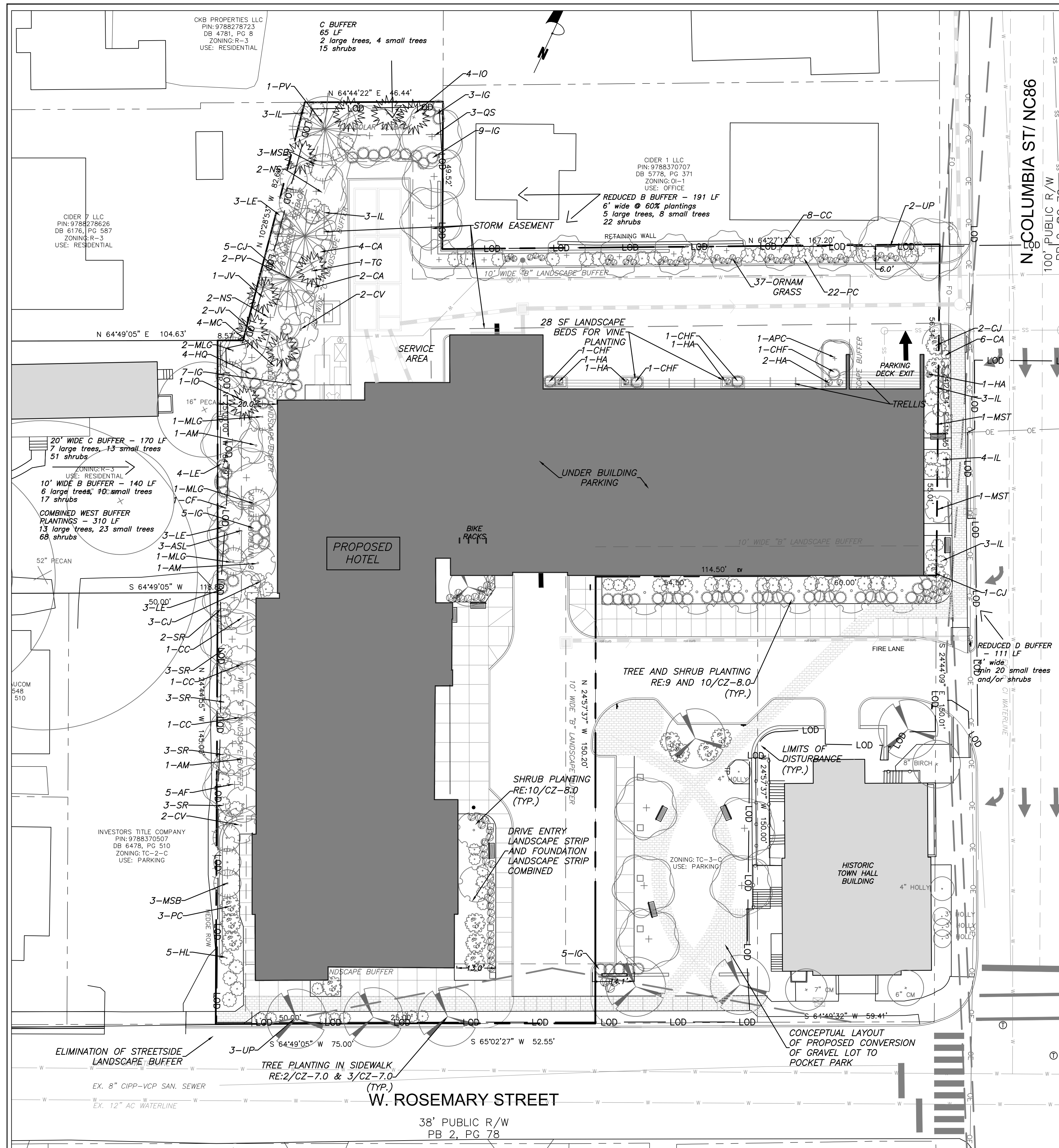
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## LIGHTING PLAN

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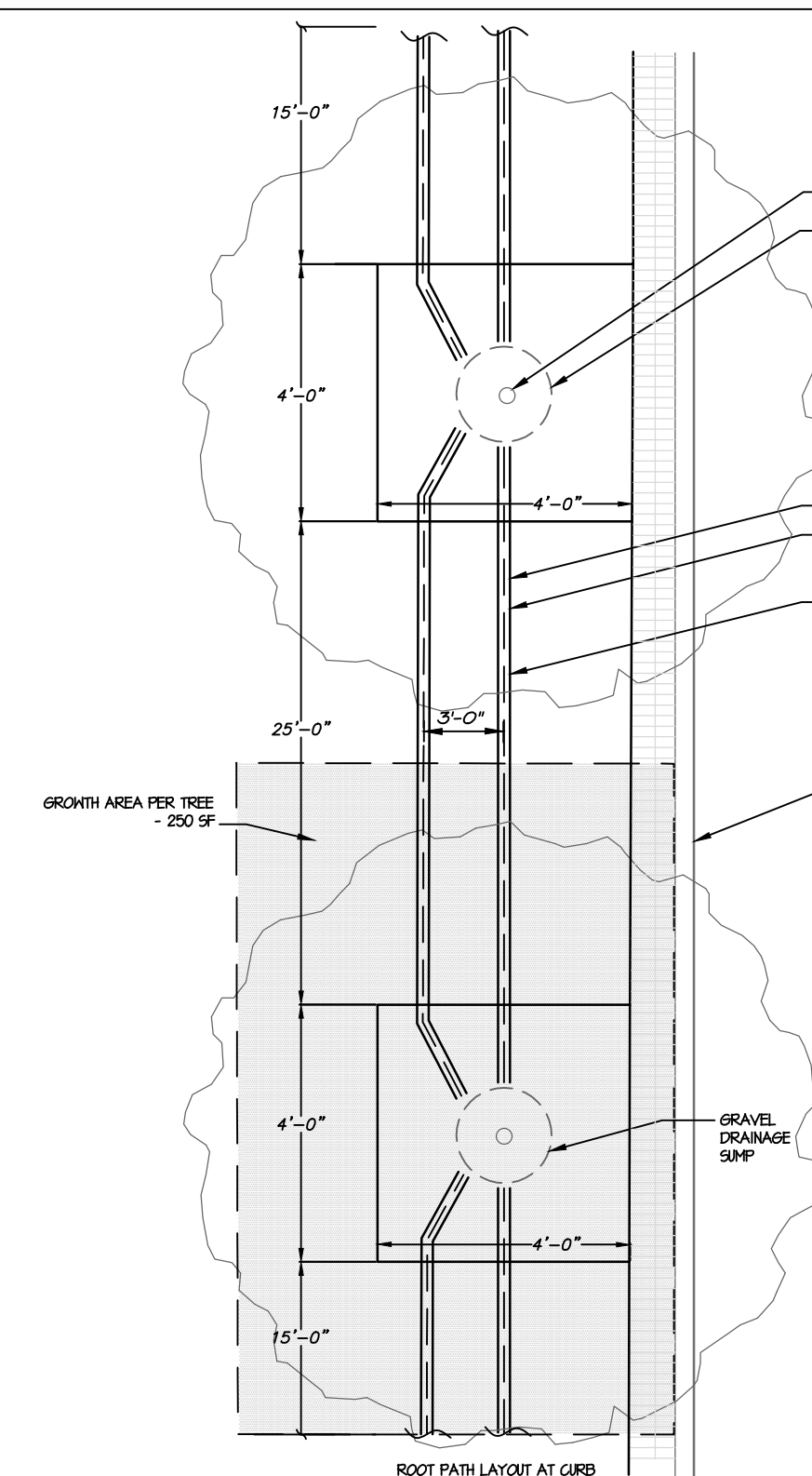
**CZ-6.0**





## 2 TREE PIT WITH ROOT PATH SYSTEM

CZ-7.0



QTY	EVGN	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	REMARKS
<b>CANOPY TREES</b>							
5	N	AF	Acer freemanii	Freeman Maple	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
1	N	APC	Acer platanoides 'Columnare'	Columnar Norway Maple	2.5" CAL.		SINGLE TRUNK & LEADER
3	N	ASL	Acer saccharum 'Legacy'	Legacy Sugar Maple	2.5" CAL.		AS SHOWN SINGLE TRUNK & LEADER
3	N	NS	Nyssa sylvatica	Black gum	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
3	Y	PV	Pinus virginiana	Virginia Pine	2" cal.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
3	N	QS	Quercus shumardii	Shumard Oak	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
5	N	UP	Ulmus americana 'Princeton'	Princeton American Elm	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
23							
<b>UNDERSTORY TREES</b>							
3	N	AM	Amerlanche arborea	Serviceberry	1" cal.	8' HT.	AS SHOWN MULTI-TRUNK
11	N	CC	Cercis canadensis 'Hearts of Gold'	Hearts of Gold Redbud	1" cal.	8' HT.	AS SHOWN SINGLE TRUNK & LEADER
1	N	CF	Cornus florida	Dogwood	1" cal.	8' HT.	AS SHOWN
4	N	CV	Chionanthus virginiana	Fringetree	1" cal.	8' HT.	AS SHOWN
5	Y	IO	Ilex opaca	American Holly	1" cal.	6' HT.	8' O.C. SINGLE TRUNK & LEADER
3	Y	JV	Juniperus virginiana	Eastern Redcedar	8" HT.	AS SHOWN	FULL AND MATCHING
4	N	MC	Myrica cerifera	Eastern Waxmyrtle	8" HT.	AS SHOWN	FULL
5	Y	MLG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	1.5" cal.	8' ht.	10' O.C. FULL AND MATCHING
6	Y	MSB	Magnolia virginiana	Sweetbay Magnolia	1.5" cal.	8' ht.	AS SHOWN FULL
2	N	MST	Magnolia stellata 'Royal Star'	Royal Star Magnolia	5" ht		FULL
1	Y	TGG	Thuja x Green Giant	Green Giant Arborvitae	1.5" cal.	8' ht.	10' O.C. FULL
45							
<b>SHRUBS</b>							
11	N	CA	Callicarpa americana	American Beautyberry	24" ht.		5' o.c. FULL AND MATCHING
4	Y	CHF	Cephalotaxus harringtonia 'Fastigiata'	Upright Plum Yew	36" ht.		AS SHOWN FULL AND MATCHING
11	Y	CJ	Camellia x 'Taylor's Perfection'	Taylor's Perfection Camellia	24" ht		5' o.c. FULL AND MATCHING
6	N	HA	Hydrangea anomala ssp. Petiolaris	Climbing Hydrangea	3 gal		AS SHOWN
5	N	HL	Hydrangea paniculata 'Jane'	Little Lime Hardy Hydrangea	24"		4' o.c. FULL AND MATCHING
4	Y	HQ	Hydrangea quercifolia	Oakleaf Hydrangea	24" ht		5' o.c. FULL AND MATCHING
24	Y	IG	Ilex glabra	Inkberry Holly	15" HT.		36" O.C. FULL AND MATCHING
16	Y	IL	Illicium parvifolia	Anise	24" ht		4' o.c. FULL AND MATCHING
13	Y	LE	Loropetalum chinense 'Emerald'	Emerald Loropetalum	15" HT.		36" O.C. FULL AND MATCHING
25	Y	PC	Prunus caroliniana 'Otto Luyken'	Otto Luyken	18" HT.		36" O.C. FULL AND MATCHING
14	Y	SR	Sarcococca rustica	Sweetbox	18" HT.		36" O.C. FULL AND MATCHING
0	N	WS	Weigela 'Florida Variegata'	Variegated Weigela	18" HT.		36" O.C. FULL AND MATCHING
133							

## PLANT LIST



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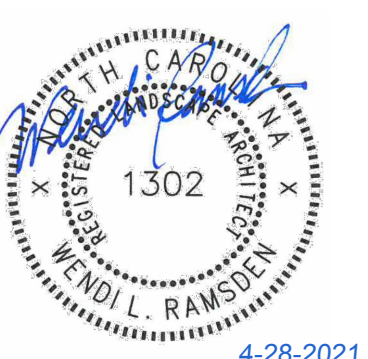
NC BOARD OF  
LANDSCAPE ARCHITECTS  
LIC # C-104

Project:

Rosemary/  
Columbia  
Hotel

110 W. Rosemary St.  
Orange County,  
North Carolina

PIN:  
9788-37-0680  
9788-37-0549  
9788-27-9667  
9788-27-9700  
9788-37-0721  
9788-37-0647



PRELIMINARY-DO NOT  
USE FOR CONSTRUCTION

Job Number: 1963

Drawn: WLR, MTC  
Checked: WLR  
Date: 9-24-2020  
Revisions: TOWN REVIEW REVISIONS  
3-3-2021  
TOWN REVIEW REVISIONS  
4-28-2021

conditional zoning

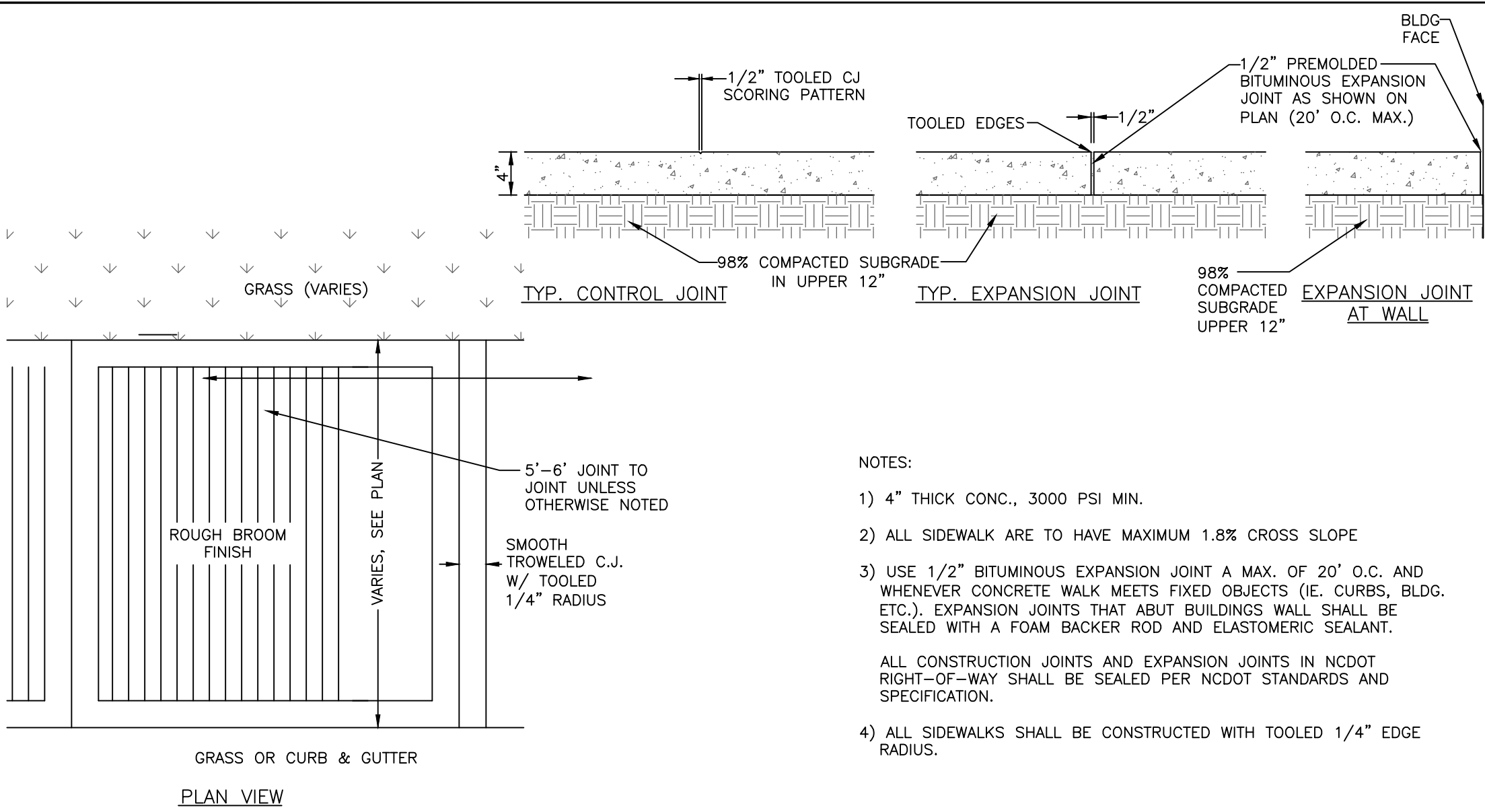
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LANDSCAPE  
PLAN

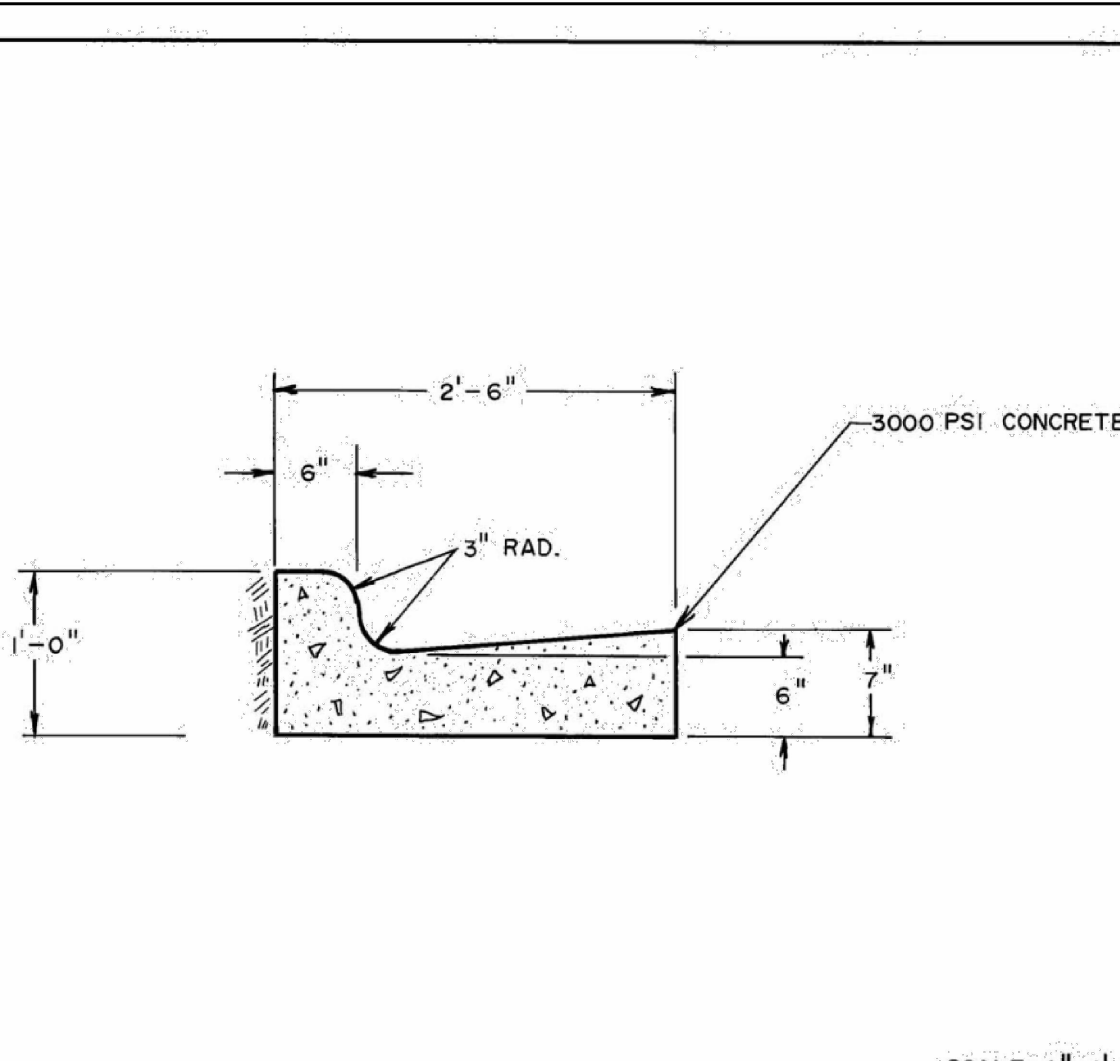
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CZ-7.0



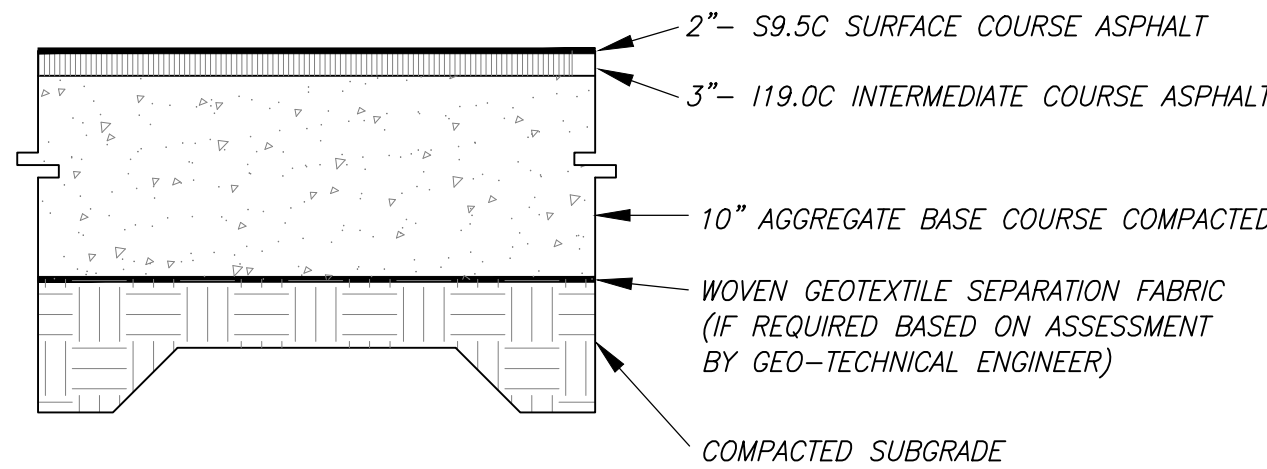


1 CONCRETE SIDEWALK  
CZ-8.0 no scale



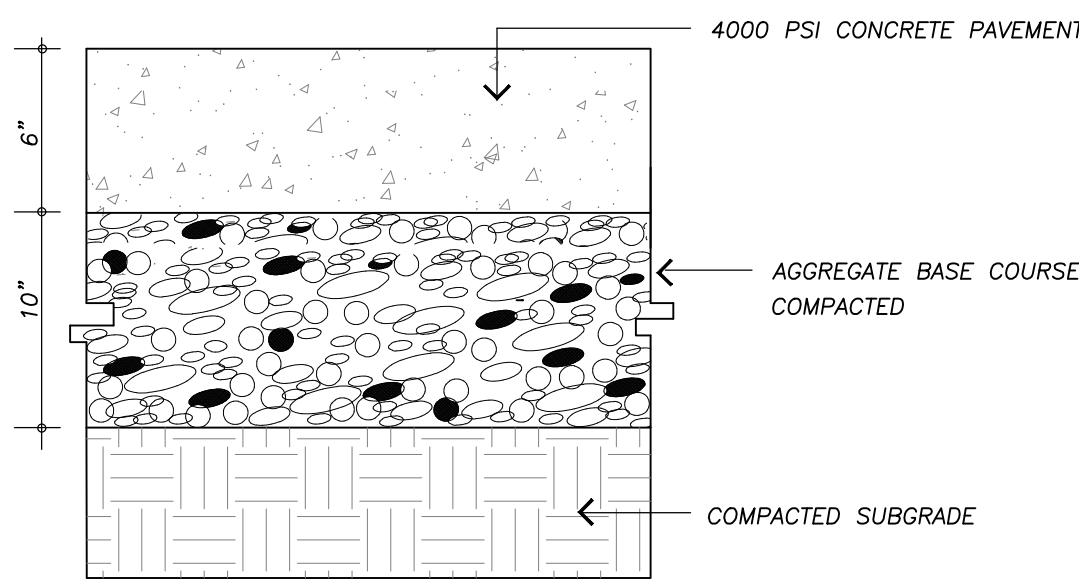
TITLE CURB & GUTTER SECTION  
REVISIONS  
NO DATE BY  
DET.NO. ST-2

2 CURB AND GUTTER  
CZ-8.0 no scale



FINAL PAVEMENT SECTION IS PROVIDED BY GEO-TECHNICAL ENGINEER BASED SITE SPECIFIC GEO-TECHNICAL REPORT

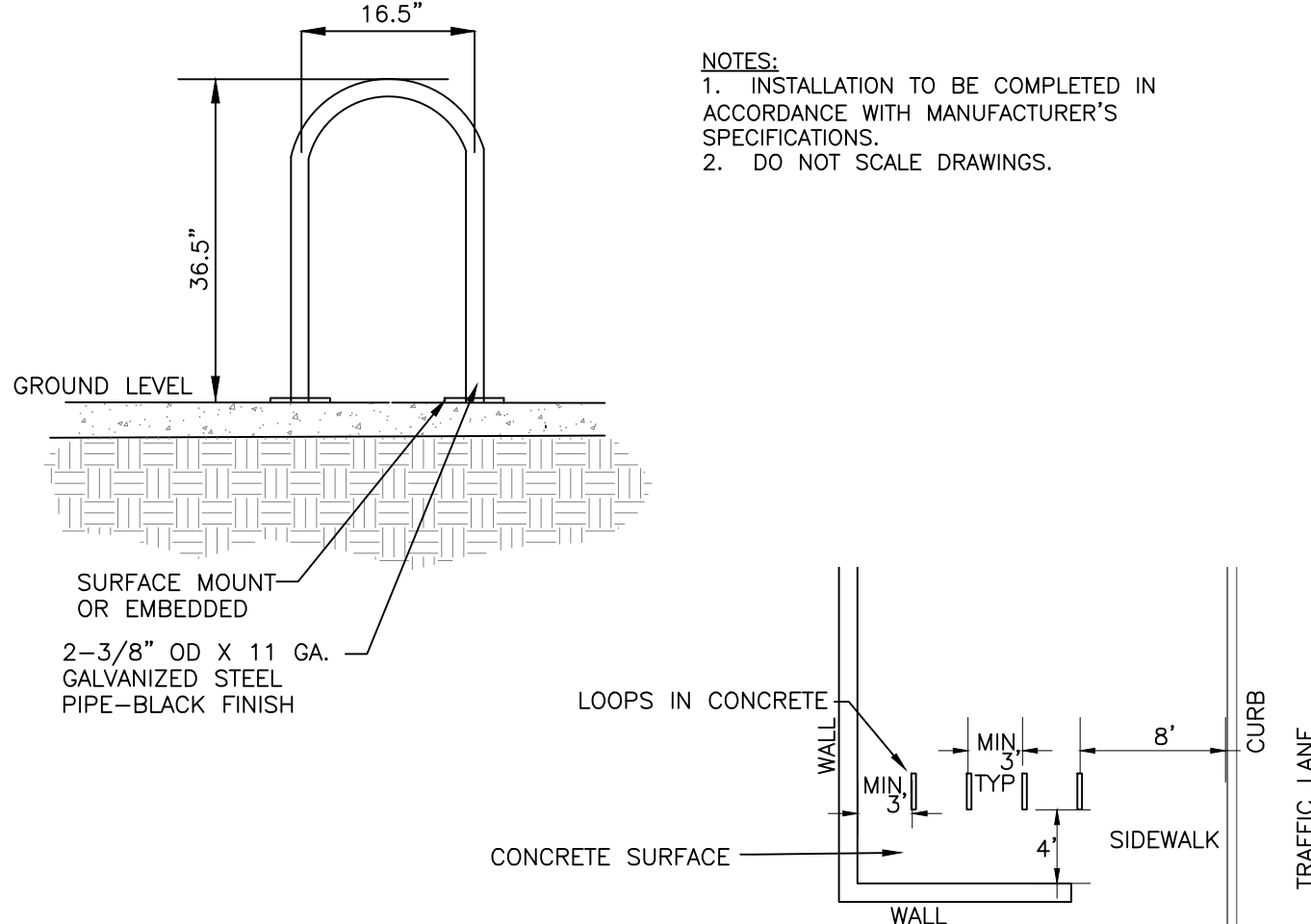
3 HEAVY DUTY ASPHALT PAVING  
CZ-8.0 no scale



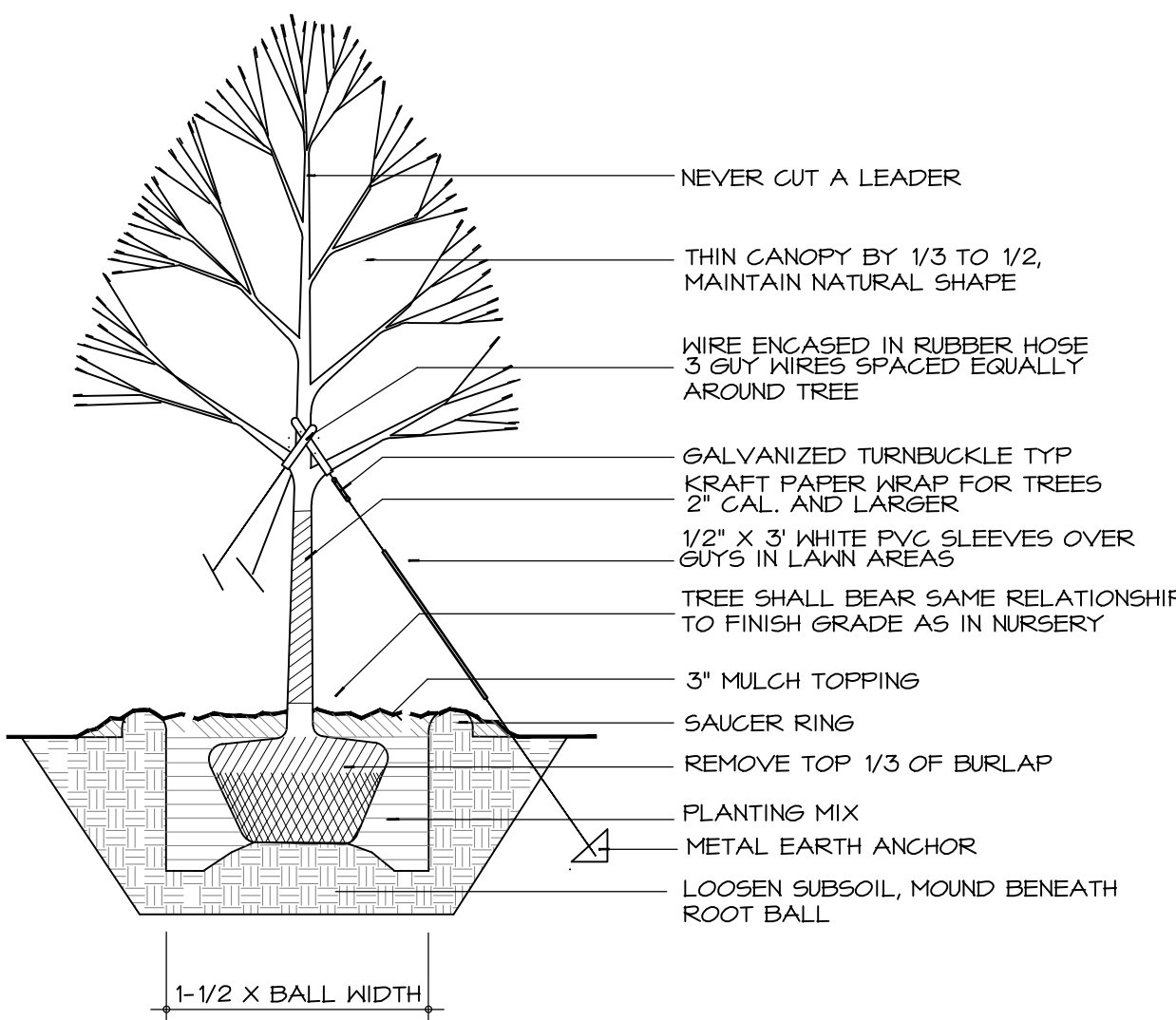
- NOTES:
1. ALL CONCRETE TO 4000 PSI, PROPERLY AIR ENTRAINED FOR EXTERIOR GRADE CONCRETE MIXES.
  2. C&G BASE AND SOIL SUBGRADE TO BE COMPACTED TO 98% OF THE ASTM D-698 STD. PROCTOR MOD IN ACCORDANCE WITH THE REPORT BY THE GEOTECHNICAL ENGINEER AND PROFOLOLLED AND APPROVED BY GEOTECHNICAL PERSONNEL.
  3. CONTRACTOR SHALL INSTALL CONTRACTION AND EXPANSION JOINTS AS NECESSARY TO MINIMIZE CRACKING. CONTRACTION JOINTS SHALL BE SPACED AT 10' MAXIMUM EACH WAY WITH ACTUAL PATTERN BASED ON FIELD CONDITIONS. JOINTS SHALL BE TOOLED OR SAW CUT TO A MINIMUM DEPTH OF 2". EXPANSION JOINTS SHALL BE INSTALLED BETWEEN PAVEMENT AND ANY RIGID OBJECTS AND SPACED AS SPECIFIED IN LATEST VERSION OF ACI STANDARDS.
  4. ALL PAVEMENT CONSTRUCTION SHALL BE IN ACCORDANCE WITH LATEST VERSION OF ACI STANDARDS AND THE REPORT BY THE GEOTECHNICAL ENGINEER.

4 NOT USED  
CZ-8.0 no scale

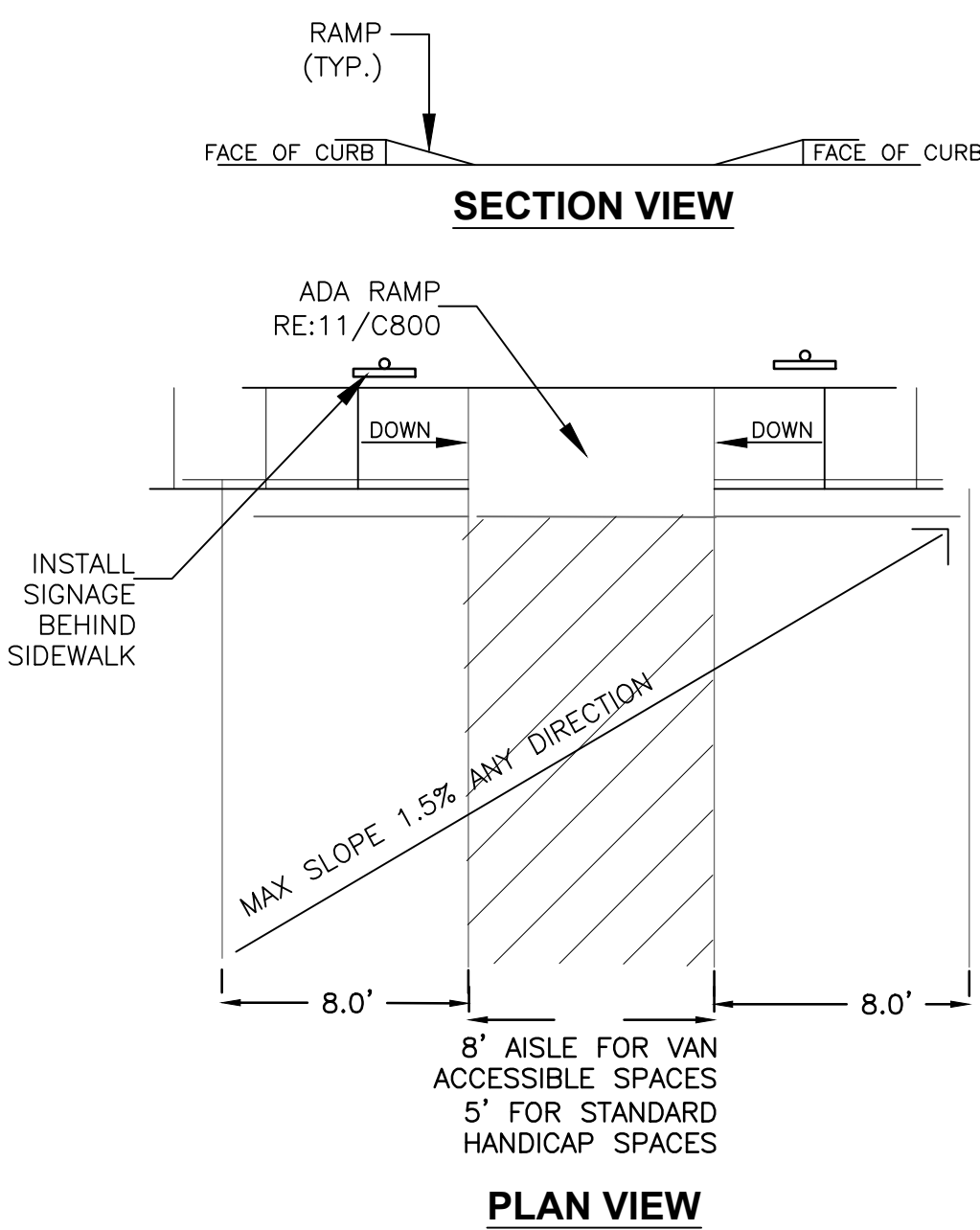
5 HEAVY DUTY CONCRETE PAVING (NORTH SERVICE DRIVEWAY)  
CZ-8.0 no scale



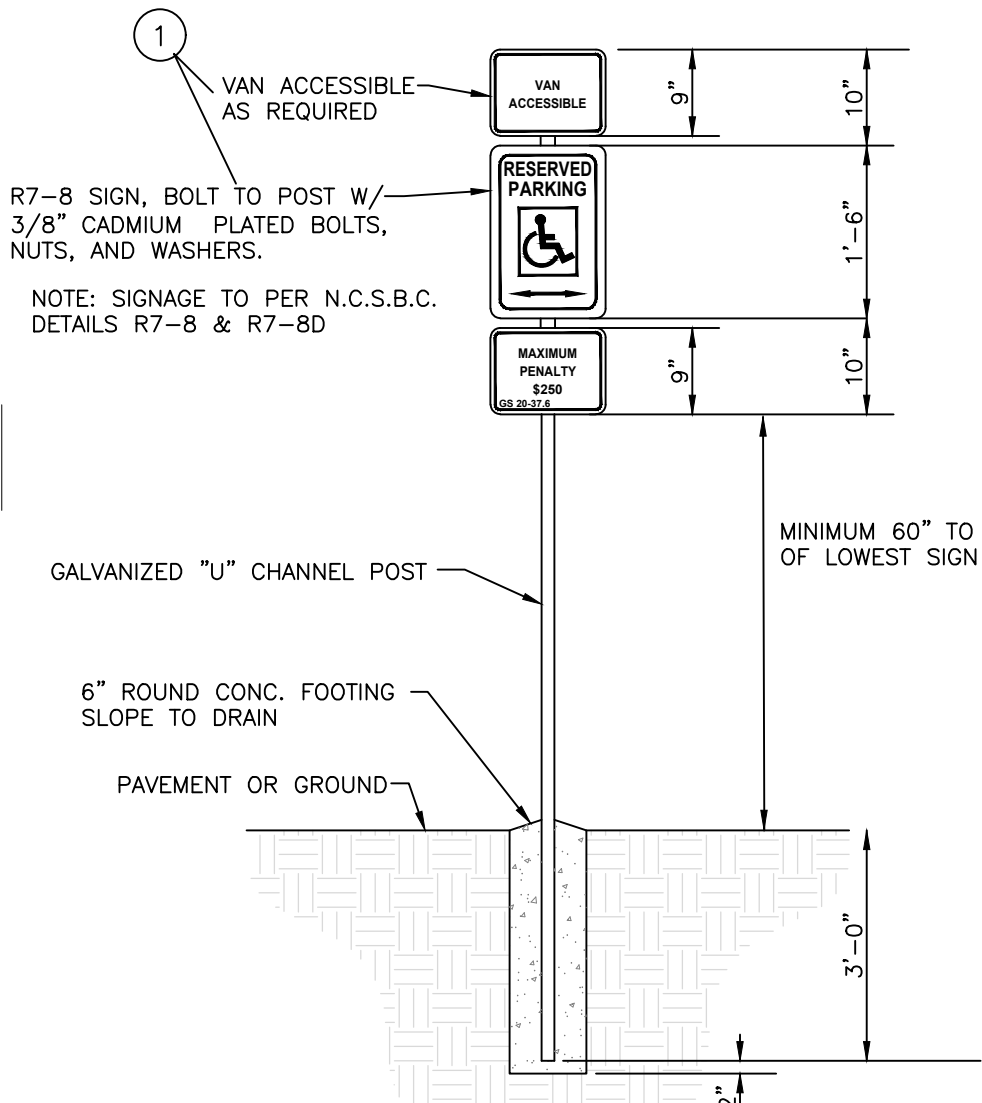
6 BICYCLE RACK  
CZ-8.0 no scale



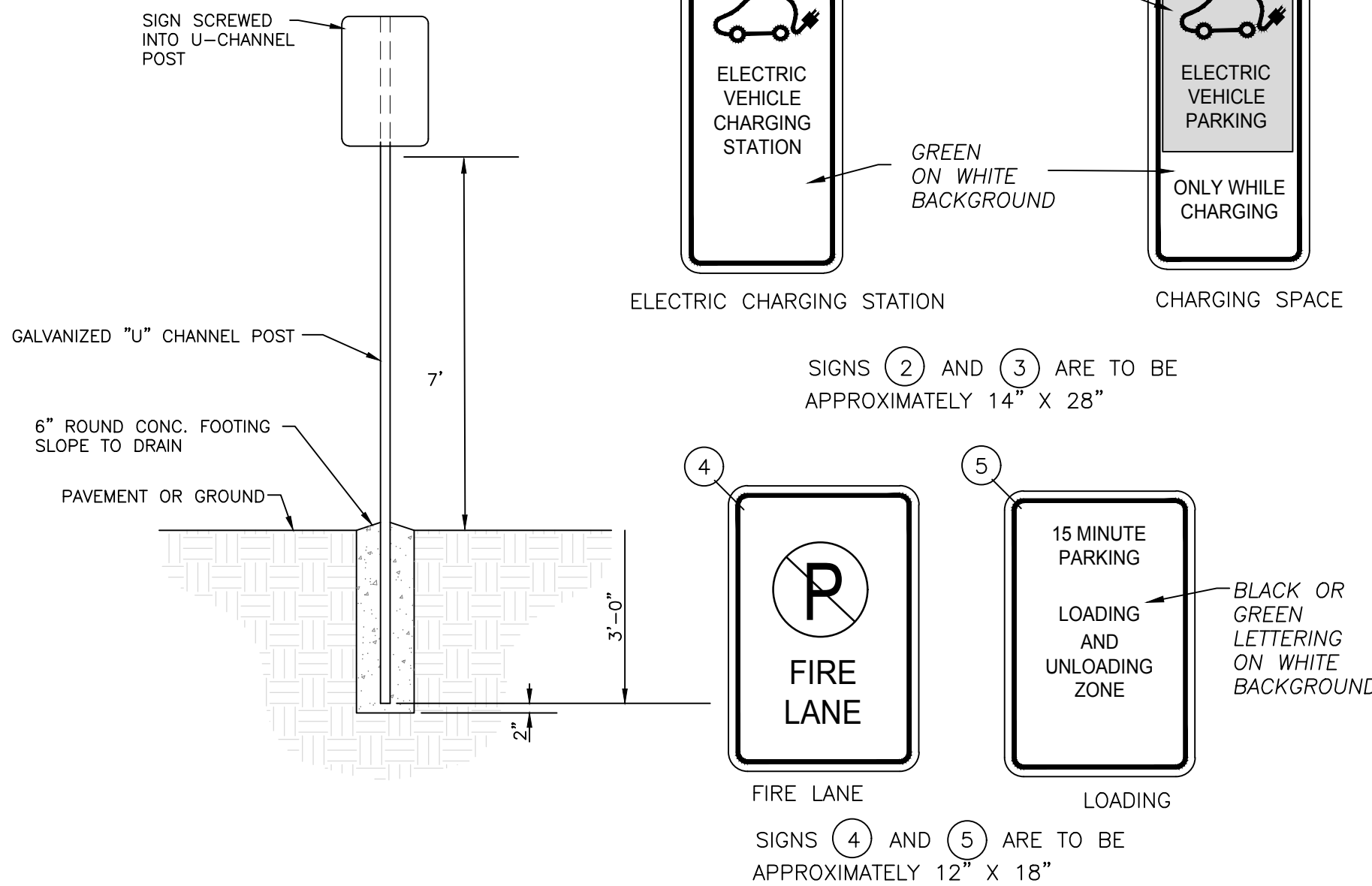
9 TREE PLANTING  
CZ-8.0 no scale



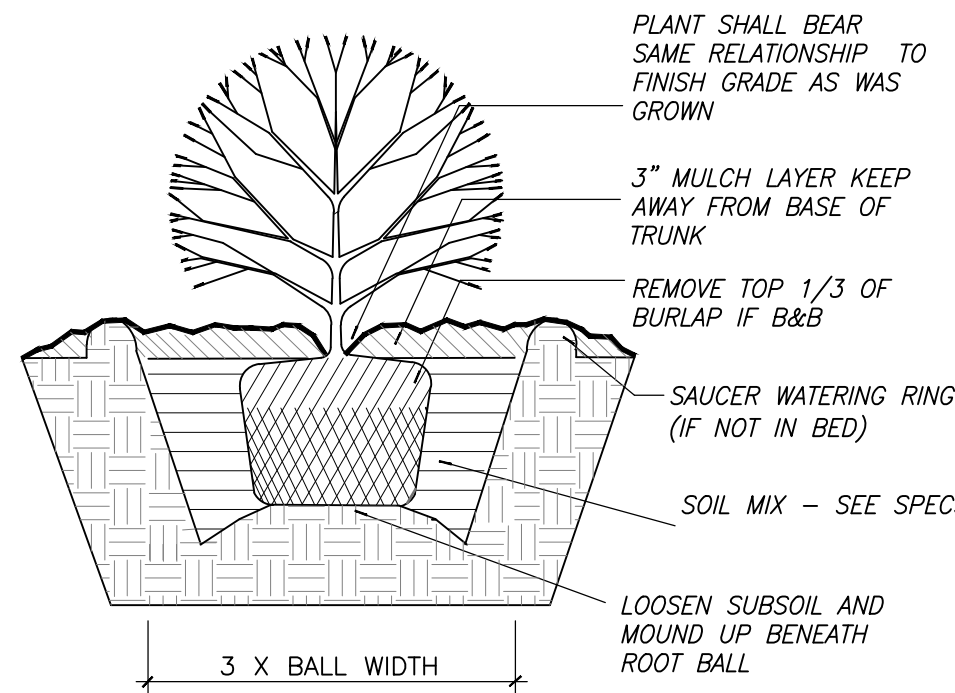
7 ADA PARKING  
CZ-8.0 no scale



- GENERAL NOTES:
1. REGARDLESS OF AGE, ALL ACCESSIBLE SPACES SHALL BE IDENTIFIED BY ABOVE-GROUND SIGNS/STYMBOLS.
  2. NEW SPACES SHALL NOT USE GROUND-PAINTED SYMBOLS.
  3. ACCESSIBLE SPACES ARE REQUIRED TO BE STRIPED OFF ONLY; BLUE COLORING IS NOT NECESSARY NOR REQUIRED.
  4. STRIPING IS WHITE ON DARK PAVEMENT; BLACK ON LIGHT PAVEMENT. (N.C.D.O.T.)



8 PARKING AREA SIGNAGE  
CZ-8.0 no scale



10 SHRUB PLANTING  
CZ-8.0 no scale



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Conditional zoning

Sheet Title:

SITE DETAILS

Sheet Number

CZ-8.0





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-DURHAM  
-GREENVILLE  
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-ASHEVILLE

ROSEMARY /  
COLUMBIA HOTEL

GENERAL NOTE:

IN TC2 WITHIN NCD THE PRIMARY HEIGHT IS 40' ABOVE MEAN FINISH GRADE WITH A SECONDARY HEIGHT OF 50' EXCEPT WHERE ADJACENT TO "R" ZONING WHERE THE PRIMARY BUILDING HEIGHT IS 30'.

THIS PROJECT PROPOSES TO BE WITHIN THE REQUIRED SOLAR OVERLAY OTHER THAN THE 5TH FLOOR AND PORTIONS OF THE 4TH FLOOR AS ILLUSTRATED BELOW.

WEST ROSEMARY STREET DESIGN GUIDELINES

THE PROJECT PROPOSES TO MEET THE GUIDELINES OF THE WEST ROSEMARY STREET DEVELOPMENT GUIDE IN THE FOLLOWING MANNER:

PUBLIC REALM:

1. PROVIDING SUFFICIENT SPACE FOR PEDESTRIANS ALONG ROSEMARY ST.
2. PROVIDING IMPROVED AND CONTINUOUS SIDEWALKS ALONG ROSEMARY ST.
3. EXISTING ROSEMARY ST LIGHTING IS ALREADY IN PLACE. ADDITIONAL LIGHTING WILL BE PROVIDED ON THE BUILDING FACADE TO CREATE A SAFE AND WELCOMING PEDESTRIAN EXPERIENCE.
4. INFRASTRUCTURE WILL BE SCREENED TO MINIMIZE VISIBILITY FROM THE PUBLIC.
5. GUIDELINES RECOMMEND THE FOLLOWING FROM BACK OF CURB ON ROSEMARY ST. 5' LANDSCAPE BUFFER, 10' PEDESTRIAN ZONE, AND 5' SUPPLEMENTAL ZONE. PROJECT PROPOSES SUBSTANTIAL COMPLIANCE WITH THIS RECOMMENDATION OTHER THAN A PORTION OF THE BUILDING WHICH ENCROACHES INTO THE 5' SUPPLEMENTAL ZONE.
6. ALL OPERATIONS DELIVERIES AND LOADING AREAS WILL BE MANAGED VIA BACK OF HOUSE PROGRAM.
7. THE PROJECT PROPOSES TO REDUCE THE NUMBER OF EXISTING CURB CUTS.

RIGHT OF WAY:

1. PARKING IS PROPOSED TO BE STRUCTURED AND WILL BE SCREENED TO MINIMIZE VISIBILITY FROM THE PUBLIC RIGHT OF WAY.

BUILDING DESIGN:

1. ALL BUILDING ENTRIES ARE PROVIDED OFF OF PUBLIC STREETS OR PUBLIC AREAS.
2. PEDESTRIAN SCALE SIGNAGE AND AMENITIES WILL BE CONSIDERED AND ENCOURAGED.
3. VERTICAL BAYS, VARIETY IN THE UPPER CORNICE HEIGHTS AND VISUAL BREAKS IN THE FACADE WILL BE CONSIDERED.
4. WHERE POSSIBLE, UTILITY SERVICES WILL BE LOCATED BELOW GROUND OR IN THE REAR OF THE SITE TO MINIMIZE VISIBILITY FROM THE PUBLIC RIGHT OF WAY.
5. THE PROJECT PROPOSES DEFINING AND ENCOURAGING PEDESTRIAN ACTIVITY ALONG THE GROUND FLOOR OF THE BUILDING.
6. THE PROJECT PROPOSES TO ACCENTUATE VISIBLE CORNERS TO CELEBRATE KEY BUILDING CORNERS.
7. ALL GLAZING AT GROUND LEVEL RETAIL, SERVICE, AND TRADE USES THAT FACE A PUBLIC SPACE WILL HAVE CLEAR GLASS ON AT LEAST 60% OF THEIR FACADE BETWEEN 3 FEET AND 8 FEET ABOVE GRADE.
8. THE USE OF CANOPIES WILL BE UTILIZED NEAR RETAIL SPACES.
9. PERPENDICULAR SIGNAGE AND PLANTERS AND OR LANDSCAPING WILL BE USED ALONG PUBLIC SPACES THAT ARE NEAR RETAIL.
10. THE USE OF DIFFERENT PAVING TYPES WILL BE UTILIZED TO DELINEATE PUBLIC VS SEMI-PRIVATE SPACES.
11. GROUND LEVEL GLAZING AROUND PUBLIC SPACES WITH BE CLEAR OR SPANDREL.
12. ALTHOUGH THE PROJECT DOES PROPOSE TO EXCEED THE HEIGHT LIMITS OUTLINED IN THE GUIDELINES AND THE ORDINANCE, THE BUILDING DOES NOT EXTEND TO THE SETBACK LINE WHERE ADJACENT TO A RESIDENTIAL USE. THIS ALLOWS FOR THE PROJECT TO MEET AND EXCEED THE REQUIRED LANDSCAPE BUFFERS ADJACENT TO RESIDENTIAL USE. THE PROJECT ALSO PROPOSES TO ELIMINATE THE NW CORNER OF THE TOP FLOOR TO ASSIST IN MINIMIZING MASSING ADJACENT TO RESIDENTIAL USES.
13. THE PROJECT PROPOSES TO MEET ALL BUFFERS NOTED IN THE GUIDELINES AND REQUIRED BY ORDINANCE OTHER THAN THE NORTH BUFFER WHERE THE PROPERTY IS ADJACENT TO A LAW OFFICE ZONED O-1. BASED ON PAST EXPERIENCE WITH PROJECTS IN TOWN AND UPON EXAMINATION OF SIMILAR DOWNTOWN (URBAN) CONDITIONS, THE PROJECT CONTENDS THAT AN ALTERNATE BUFFER AT THIS LOCATION SHOULD BE CONSIDERED AS TWO COMMERCIAL PROPERTIES ARE ADJACENT TO EACH OTHER. AT THIS LOCATION, POTENTIAL NUISANCES (NOISE, DUST, ODOR, GLARE OF LIGHTS) ARE MITIGATED THROUGH LANDSCAPING AND BUILDING PROGRAM ORIENTATION.
14. AT THE COLUMBIA ST FRONTAGE, THE PROJECT PROPOSES AN ALTERNATE MINIMIZED BUFFER TO THE REQUIRED 30' WIDE "D" LANDSCAPE BUFFER TO ALLOW FOR THE BUILDING TO ENGAGE THE STREETSCAPE IN A SIMILAR MANNER (ALBET NOT PROGRAMMED SPACE) TO WHAT IS BEING PROVIDED ON ROSEMARY ST.
15. AS ILLUSTRATED IN THE SOLAR ELEVATION STUDIES, THE PROJECT PROPOSES TO MEET ALL REQUIRED SOLAR SETBACKS DEFINED WITHIN THE GUIDELINES AND ORDINANCE OTHER THAN THE EXCEPTION OF THE BUILDING HEIGHT ENCROACHMENT OF THE 5TH AND PARTIAL 4TH FLOOR.

CHAPEL HILL LAND USE MANAGEMENT ORDINANCE

3.8.3 EXCEPTIONS TO SETBACK AND HEIGHT REGULATIONS.

(B) THE FOLLOWING FEATURES MAY PROJECT ABOVE THE BUILDING ENVELOPE DEFINED BY THE MAXIMUM HEIGHT LIMITATIONS AND ADDITIONAL SETBACK REQUIREMENTS CONTAINED IN RULES FOR INTERPRETATION OF TABLE 3.8-1, COLUMNS (F) AND (G), BELOW, PROVIDED THE TOWN MANAGER DETERMINES THAT SUCH FEATURES DO NOT SIGNIFICANTLY IMPAIR THE DEGREE OF SOLAR ACCESS PROVIDED ADJACENT PROPERTIES THROUGH APPLICATION OF THE APPROPRIATE SOLAR SETBACK REQUIREMENTS:

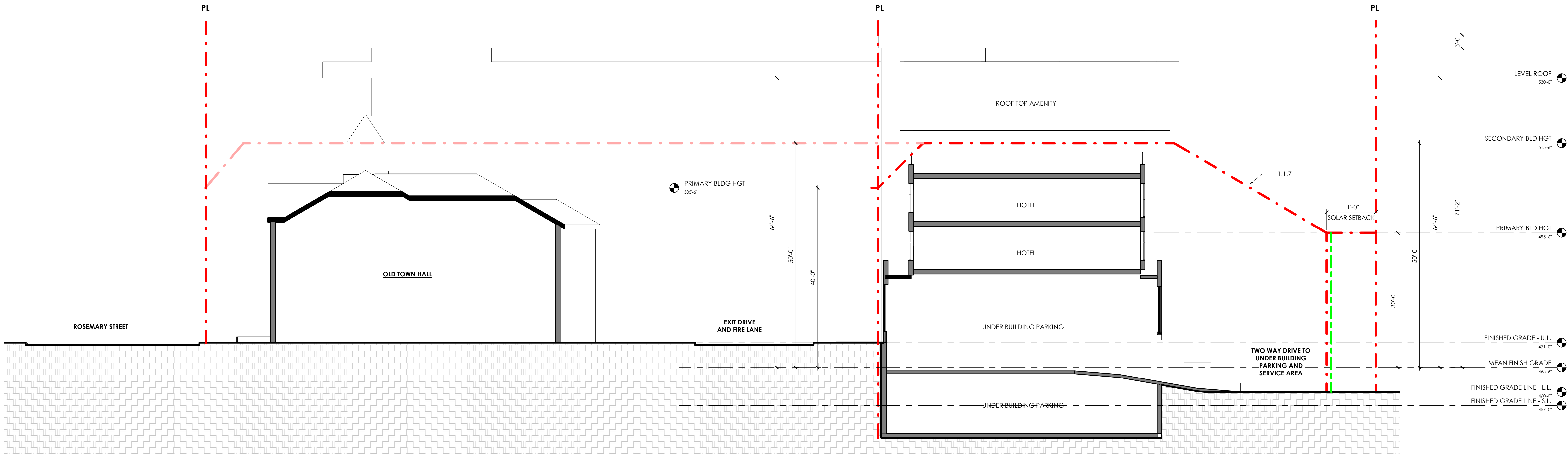
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DRAWING LEGEND

PROPERTY LINE (PL) & SETBACKS / SOLAR SETBACKS  
(DIMENSIONAL MATRIX RESTRICTIONS)



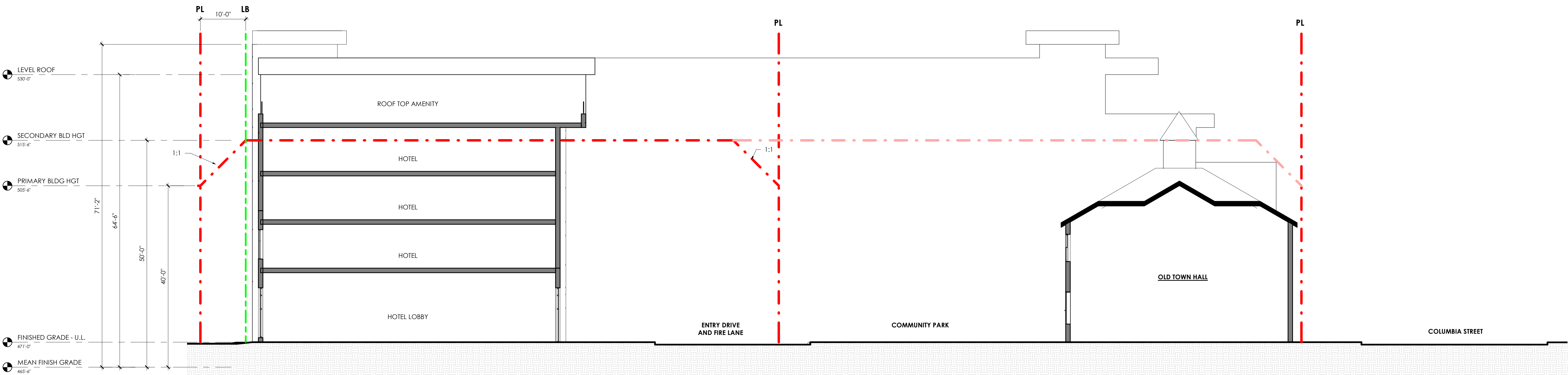
LANDSCAPE BUFFER (LB)



EAST ELEVATION - COLUMBIA WING

3/32" = 1'-0"

2



SOUTH ELEVATION - ROSEMARY WING

3/32" = 1'-0"

1

SHEET NAME:  
EXTERIOR ELEVATIONS &  
BUILDING ENVELOPE

ISSUE DATE: 03/02/2021

SHEET NUMBER

AS101



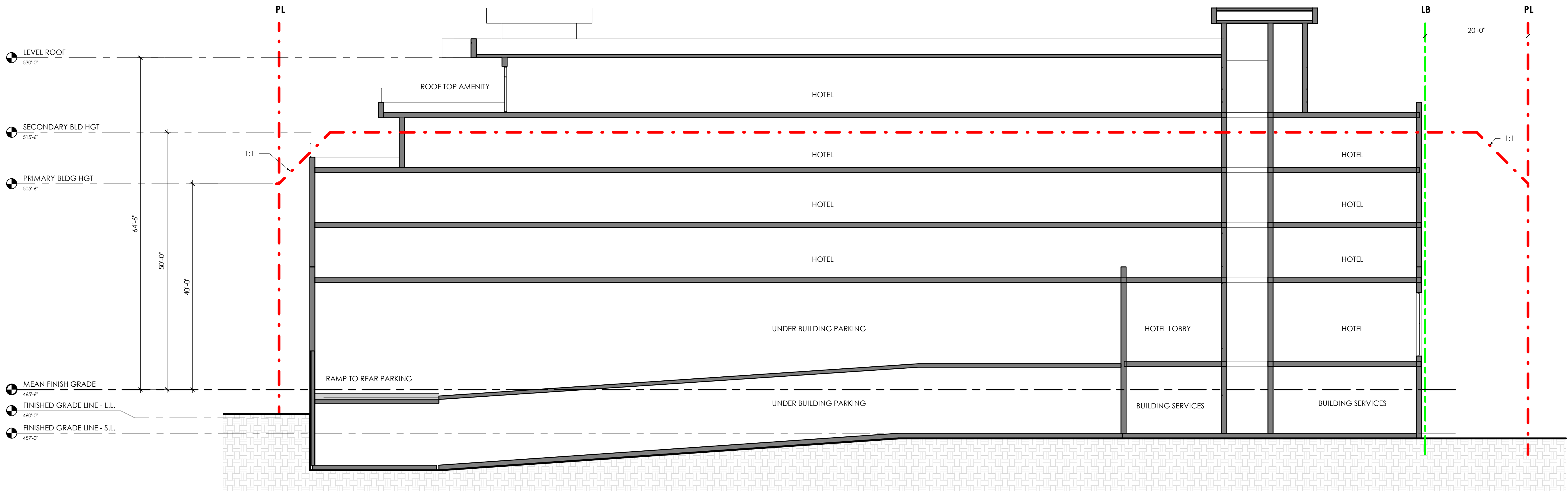
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-DURHAM  
-GREENVILLE  
-PITTSBORO  
-ASHEVILLE

ROSEMARY /  
COLUMBIA HOTEL



WEST ELEVATION - ROSEMARY WING ②  
3/32" = 1'-0"



NORTH ELEVATION - COLUMBIA WING ①  
3/32" = 1'-0"

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CHAPEL HILL LAND USE MANAGEMENT ORDINANCE

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DRAWING LEGEND

PROPERTY LINE (PL) & SETBACKS / SOLAR SETBACKS  
(DIMENSIONAL MATRIX RESTRICTIONS)



LANDSCAPE BUFFER (LB)



SHEET NAME:  
EXTERIOR ELEVATIONS &  
BUILDING ENVELOPE

ISSUE DATE: 03/02/2021

SHEET NUMBER

AS102





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THIS PROJECT PROPOSES TO BE WITHIN THE REQUIRED SOLAR OVERLAY OTHER THAN THE 5TH FLOOR AND PORTIONS OF THE 4TH FLOOR AS ILLUSTRATED BELOW.

WEST ROSEMARY STREET DESIGN GUIDELINES

THE PROJECT PROPOSES TO MEET THE GUIDELINES OF THE WEST ROSEMARY STREET DEVELOPMENT GUIDE IN THE FOLLOWING MANNER:

PUBLIC REALM:

1. PROVIDING SUFFICIENT SPACE FOR PEDESTRIANS ALONG ROSEMARY ST.
2. PROVIDING IMPROVED AND CONTINUOUS SIDEWALKS ALONG ROSEMARY ST.
3. EXISTING ROSEMARY ST LIGHTING IS ALREADY IN PLACE. ADDITIONAL LIGHTING WILL BE PROVIDED ON THE BUILDING FACADE TO CREATE A SAFE AND WELCOMING PEDESTRIAN EXPERIENCE.
4. INFRASTRUCTURE WILL BE SCREENED TO MINIMIZE VISIBILITY FROM THE PUBLIC.
5. GUIDELINES RECOMMEND THE FOLLOWING FROM BACK OF CURB ON ROSEMARY ST. 5' LANDSCAPE BUFFER, 10' PEDESTRIAN ZONE, AND 5' SUPPLEMENTAL ZONE. PROJECT PROPOSES SUBSTANTIAL COMPLIANCE WITH THIS RECOMMENDATION OTHER THAN A PORTION OF THE BUILDING WHICH ENCLOSES INTO THE 5' SUPPLEMENTAL ZONE.
6. ALL OPERATIONS DELIVERIES AND LOADING AREAS WILL BE MANAGED VIA BACK OF HOUSE PROGRAM.
7. THE PROJECT PROPOSES TO REDUCE THE NUMBER OF EXISTING CURB CUTS.

RIGHT OF WAY:

1. PARKING IS PROPOSED TO BE STRUCTURED AND WILL BE SCREENED TO MINIMIZE VISIBILITY FROM THE PUBLIC RIGHT OF WAY.

BUILDING DESIGN:

1. ALL BUILDING ENTRIES ARE PROVIDED OFF OF PUBLIC STREETS OR PUBLIC AREAS.
2. PEDESTRIAN SCALE SIGNAGE AND AMENITIES WILL BE CONSIDERED AND ENCOURAGED.
3. VERTICAL BAYS, VARIETY IN THE UPPER CORNICE HEIGHTS AND VISUAL BREAKS IN THE FACADE WILL BE CONSIDERED.
4. WHERE POSSIBLE, UTILITY SERVICES WILL BE LOCATED BELOW GROUND OR IN THE REAR OF THE SITE TO MINIMIZE VISIBILITY FROM THE PUBLIC RIGHT OF WAY.
5. THE PROJECT PROPOSES DEFINING AND ENCOURAGING PEDESTRIAN ACTIVITY ALONG THE GROUND FLOOR OF THE BUILDING.
6. THE PROJECT PROPOSES TO ACCENTUATE VISIBLE CORNERS TO CELEBRATE KEY BUILDING CORNERS.
7. ALL GLAZING AT GROUND LEVEL RETAIL, SERVICE, AND TRADE USES THAT FACE A PUBLIC SPACE WILL HAVE CLEAR GLASS ON AT LEAST 60% OF THEIR FACADE BETWEEN 3 FEET AND 8 FEET ABOVE GRADE.
8. THE USE OF CANOPIES WILL BE UTILIZED NEAR RETAIL SPACES.
9. PERPENDICULAR SIGNAGE AND PLANTERS AND OR LANDSCAPING WILL BE USED ALONG PUBLIC SPACES THAT ARE NEAR RETAIL.
10. THE USE OF DIFFERENT PAVING TYPES WILL BE UTILIZED TO DELINEATE PUBLIC VS SEMI-PRIVATE SPACES.
11. GROUND LEVEL GLAZING AROUND PUBLIC SPACES WITH BE CLEAR OR SPANDREL.
12. ALTHOUGH THE PROJECT DOES PROPOSE TO EXCEED THE HEIGHT LIMITS OUTLINED IN THE GUIDELINES AND THE ORDINANCE, THE BUILDING DOES NOT EXTEND TO THE SETBACK LINE WHERE ADJACENT TO A RESIDENTIAL USE. THIS ALLOWS FOR THE PROJECT TO MEET AND EXCEED THE REQUIRED LANDSCAPE BUFFERS ADJACENT TO RESIDENTIAL USE. THE PROJECT ALSO PROPOSES TO ELIMINATE THE NW CORNER OF THE TOP FLOOR TO ASSIST IN MINIMIZING MASSING ADJACENT TO RESIDENTIAL USES.
13. THE PROJECT PROPOSES TO MEET ALL BUFFERS NOTED IN THE GUIDELINES AND REQUIRED BY ORDINANCE OTHER THAN THE NORTH BUFFER WHERE THE PROPERTY IS ADJACENT TO A LAW OFFICE ZONED O-1. BASED ON PAST EXPERIENCE WITH PROJECTS IN TOWN AND UPON EXAMINATION OF SIMILAR DOWNTOWN (URBAN) CONDITIONS, THE PROJECT CONTENDS THAT AN ALTERNATE BUFFER AT THIS LOCATION SHOULD BE CONSIDERED AS TWO COMMERCIAL PROPERTIES ARE ADJACENT TO EACH OTHER. AT THIS LOCATION, POTENTIAL NUISANCES (NOISE, DUST, ODOR, GLARE OF LIGHTS) ARE MITIGATED THROUGH LANDSCAPING AND BUILDING PROGRAM ORIENTATION.
14. AT THE COLUMBIA ST FRONTAGE, THE PROJECT PROPOSES AN ALTERNATE MINIMIZED BUFFER TO THE REQUIRED 30' WIDE "D" LANDSCAPE BUFFER TO ALLOW FOR THE BUILDING TO ENGAGE THE STREETScape IN A SIMILAR MANNER (ALBET NOT PROGRAMMED SPACE) TO WHAT IS BEING PROVIDED ON ROSEMARY ST.
15. AS ILLUSTRATED IN THE SOLAR ELEVATION STUDIES, THE PROJECT PROPOSES TO MEET ALL REQUIRED SOLAR SETBACKS DEFINED WITHIN THE GUIDELINES AND ORDINANCE OTHER THAN THE EXCEPTION OF THE BUILDING HEIGHT ENCROACHMENT OF THE 5TH AND PARTIAL 4TH FLOOR.

CHAPEL HILL LAND USE MANAGEMENT ORDINANCE

3.8.3 EXCEPTIONS TO SETBACK AND HEIGHT REGULATIONS.

(B)THE FOLLOWING FEATURES MAY PROJECT ABOVE THE BUILDING ENVELOPE DEFINED BY THE MAXIMUM HEIGHT LIMITATIONS AND ADDITIONAL SETBACK REQUIREMENTS CONTAINED IN RULES FOR INTERPRETATION OF TABLE 3.8-1, COLUMNS (F) AND (G), BELOW, PROVIDED THE TOWN MANAGER DETERMINES THAT SUCH FEATURES DO NOT SIGNIFICANTLY IMPAIR THE DEGREE OF SOLAR ACCESS PROVIDED ADJACENT PROPERTIES THROUGH APPLICATION OF THE APPROPRIATE SOLAR SETBACK REQUIREMENTS:

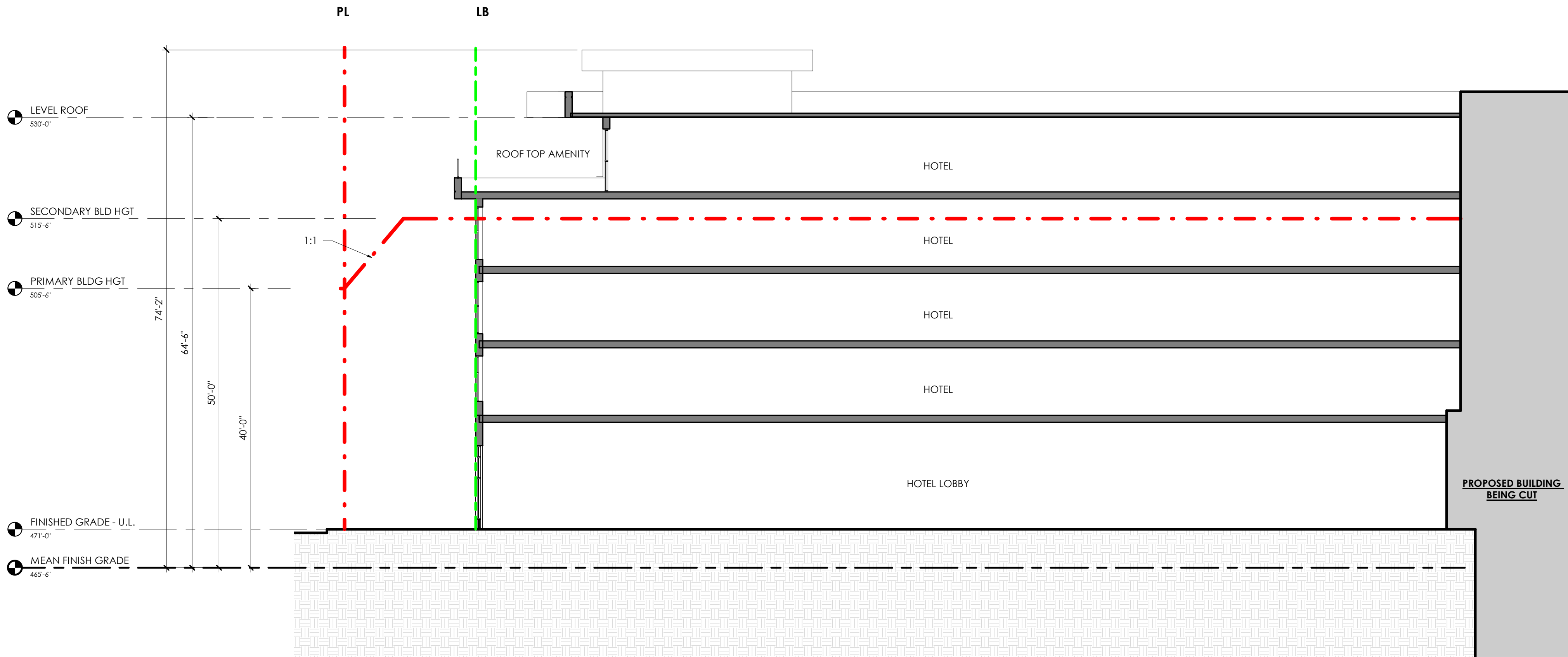
(1)CHIMNEYS, ACCESSORY RADIO OR TELEVISION ANTENNAS, FLAGPOLES, MONUMENTS, CUPOLAS, PARAPETS, DORMERS, CLOCK TOWERS OR DECORATIVE TOWERS WITH A FOOTPRINT NOT EXCEEDING TWENTY (20) PERCENT OF THE PRINCIPAL BUILDING, PROVIDED THE PROJECTION OF SUCH STRUCTURES ABOVE THE BUILDING ENVELOPE DOES NOT EXCEED FIFTEEN (15) PERCENT OF THE MAXIMUM HEIGHT LIMITATION THAT DEFINES THE PORTION OF THE BUILDING ENVELOPE PENETRATED BY SUCH STRUCTURES;

DRAWING LEGEND

PROPERTY LINE (PL) & SETBACKS / SOLAR SETBACKS  
(DIMENSIONAL MATRIX RESTRICTIONS)

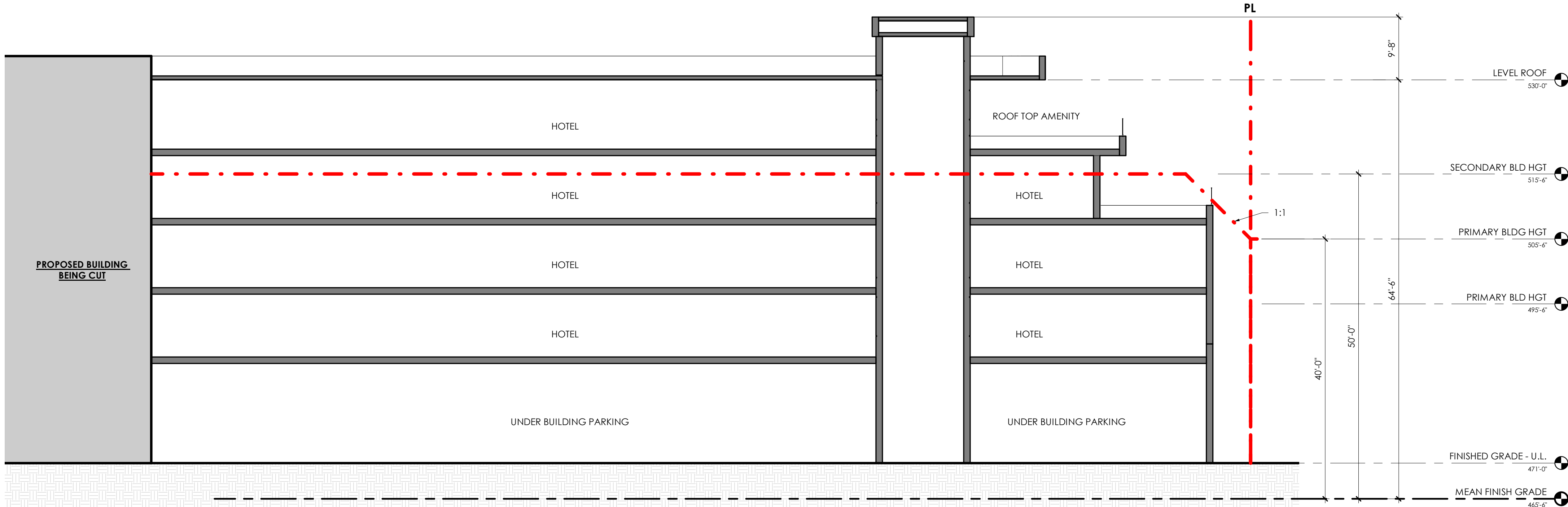


LANDSCAPE BUFFER (LB)



EAST ELEVATION - ROSEMARY WING 2

3/32" = 1'-0"



SOUTH ELEVATION - COLUMBIA WING 1

3/32" = 1'-0"

SHEET NAME:  
EXTERIOR ELEVATIONS &  
BUILDING ENVELOPE

ISSUE DATE: 03/02/2021

SHEET NUMBER

AS103