



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [22-0351], **Version:** 1

Meeting Date: 4/27/2022

Open the Legislative Hearing: Conditional Zoning Application for 101 E. Rosemary Street.

See Summary Report on next page.

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

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Without objection, the 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. Recommendation of the 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. Consider enacting the ordinance to approve the Conditional Zoning application on May 18, 2022

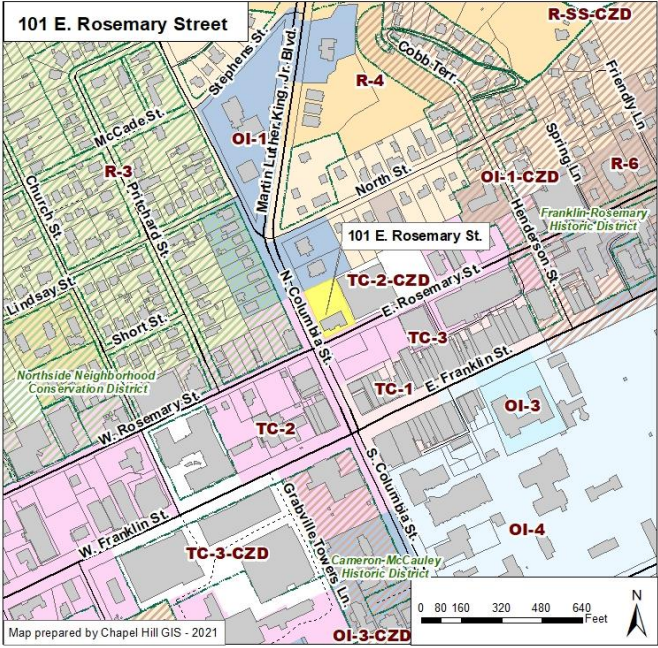
RECOMMENDATION: That the Council open the legislative hearing and receive comments on the proposed Conditional Rezoning. That the Council then make a motion to schedule approving the proposed Conditional Rezoning application for May 18, 2022.



OPEN A LEGISLATIVE HEARING FOR A CONDITIONAL ZONING – 101 E. ROSEMARY STREET

SUMMARY REPORT

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

PROPERTY ADDRESS 101 E. Rosemary Street	MEETING DATE(S) April 27, 2022	APPLICANT George Retschle, Ballentine Associates on behalf Rosemary Chapel Hill Apartments LLC
STAFF RECOMMENDATION Staff recommends that the Council 1) open the legislative hearing 2) receive comment on the Conditional Zoning Ordinance, and 3) recess the hearing to May 18, 2022. Please see the attached Advisory Board recommendations.		
ZONING Existing: Town Center-2 (TC-2) Proposed: Town Center-3-Conditional Zoning District (TC-3-CZD)	DECISION POINTS The applicant is requesting the following modifications to regulations: <ul style="list-style-type: none">• Increase the maximum setback height from 44 feet to 90 feet.	
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 LOCATION 	
PROJECT OVERVIEW This project proposes to demolish the existing vacant former PNC Bank building located at the intersection of Columbia Street and Rosemary Street, and construct a new, seven-story apartment building with approximately 150 dwelling units. The building will also include resident amenities and a commercial space on the ground floor. The applicant proposes providing no parking on site as part of this application. The applicant proposes to meet the parking need by entering into contractual parking arrangements with other owners in the downtown area, which could include the Town of Chapel Hill. A limited scope Transportation Impact Analysis was completed for the project and included the following recommendations: <ul style="list-style-type: none">• Reverse the internal driveway one-way pattern to allow ingress on N. Columbia Street and egress on E. Rosemary Street.• Move the service vehicle loading zone further east along the northern building frontage.	ATTACHMENTS 1. Technical Report 2. Project Fact Sheet 3. Draft Resolution A, Resolution of Reasonableness and Consistency 4. Draft Ordinance A (Approving the Application) 5. Draft Resolution B (Denying the Application) 6. Advisory Board Recommendations 7. Applicant Materials	



TECHNICAL REPORT

PROJECT OVERVIEW

The application proposes applying a Town Center-3-Conditional Zoning District (TC-3-CZD) to the site to accommodate a seven-story apartment building with approximately 150 dwelling units. Currently on-site there is a vacant two-story building, formerly occupied by PNC Bank, and a surface parking lot. 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 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 0.64-acre site with the existing two-story building and surface parking lot.
- The subject site fronts on and has access to E. Rosemary Street, which is a collector street maintained by the Town, and N. Columbia Street, which is an arterial street maintained by North Carolina Department of Transportation (NCDOT).
- The properties to the west and on the opposite side of E. Rosemary Street to the south are zoned Town Center-2 (TC-2).
- The property to the east is zoned Town Center-2-CZD and is the site of the Town's municipal parking deck currently under construction.
- Property to the north is zoned Office/Institutional-1 (OI-1) and consists of office uses.
- There is no Resource Conservation District or floodplain on the site. The site slopes downward from south to north and contains minimal vegetation.

PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans. A -CZD suffix would be added to the zoning

district designation to incorporate the approved conditions. The applicant has proposed a Town Center-3-Conditional Zoning District (TC-3-CZD) district for the site.

The intent of the Town Center-3 (TC-3) 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; and to encourage further residential development in the central area of Chapel Hill.”¹

The applicant has proposed modifications as summarized in the Modifications to Regulations section below.

PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 3.8.2(g)(2): Dimensional Regulations:** The dimensional regulations in Town Center-3 (TC-3) zoning districts limit building height at the setback line to 44 feet.

Staff Comment: The proposed modification request is to increase the 44 feet setback height limit up to a maximum of 90 feet on all four elevations.

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.

KEY CONSIDERATIONS

1. Planning Commission: At the April 5, 2022 meeting, the Planning Commission recommended approval of Ordinance A with the following conditions:

- a. Any parking agreement is financially market-driven

Staff Response: Within the Town Center zoning district, there is no required parking minimums. We believe that it will be necessary for the applicant to develop a parking strategy as part of the Final Plan application. The parking strategy should identify how parking needs will be addressed into the future.

- b. The applicant is not required to pay for parking space rental

Staff Response: We believe that it will be necessary for the applicant to develop a parking strategy as part of the Final Plan application. The parking strategy should identify how parking needs will be addressed into the future.

- c. Bicycle lanes to be included along E. Rosemary Street frontage

Staff Response: As with the other projects recently approved along E. Rosemary Street, bicycle lanes have not been included due to the limited

¹ LUMO Section 3.3.1

right-of-way width.

- d. Commercial space to be located at corner of E. Rosemary Street and Columbia Street.

Staff Response: Applicant continues to explore the viability of commercial space

2. Community Design Commission: At the March 10, 2022, the Community Design Commission recommended denial of the application. The Community Design Commission recommended that if the Council deny the application, the applicant be allowed immediate submittal of a new application for the site (without the required twelve-month period). The Commission members noted the following concerns:
 - a. Lack of active uses along the streets and need for more overall engagement of building with the streets
 - b. Suitability of landscape treatment in a more urban environment
 - c. Quality of the courtyard
 - d. Functionality of the service access

If the Council chooses to approve the proposal, the Community Design Commission recommended adding the following condition:

That the Community Design Commission shall review and approve streetscape plans including street-level hardscaping and furniture.

Staff Response: LUMO Section 8.5.5(s) and (t) give the CDC the authority to review, but not approve, design elements. The applicant has not consented to giving CDC final review authority on the street-level hardscape and furniture. The 2005 [Design Manual](#)² provide standards for lighting, materials, and furniture.

3. Transportation and Connectivity Advisory Board: At the March 22, 2022 meeting, the Transportation and Connectivity Advisory Board recommended approval of the application with the following comments:

- a. Prominent placement of the cycle center on Rosemary Street

Staff Response: The current plans reflect this condition.

- b. Opposes concept of additional payment-in-lieu for residents to use the Town parking deck

Staff Response: We believe that it will be necessary for the applicant to develop a parking strategy as part of the Final Plan application. The parking strategy should identify how parking needs will be addressed into the future.

4. Environmental Stewardship Advisory Board: At the February 8, 2022 meeting, the Environmental Stewardship Advisory Board recommended approval of the application with the following special considerations:

- a. Rainwater capture and reuse for non-potable uses

² <https://www.townofchapelhill.org/home/showdocument?id=2645>

Staff Response: The applicant has explored rainwater capture and due to additional storage needs has determined that rainwater capture is not a viable option. The applicant is pursuing other green building efforts.

- b. Only native and non-invasive species in the courtyard

Staff Response: The Town encourages the use of diverse plantings of native and well-adapted non-native species in all landscape projects. The Design Manual prohibits species listed on the [Invasive Plant Atlas of the United States](#)³ and includes lists with recommended native species to be included.

- c. Incorporate greywater-ready plumbing

Staff Response: The applicant has explored greywater-ready plumbing but due to cost has determined that greywater-ready plumbing is not a viable option. The applicant is pursuing other green building efforts.

- 5. Housing Advisory Board: At the March 10, 2022 meeting, the Housing Advisory Board recommended approval with the following conditions:

- a. That the project dedicate 15 percent (22) of the units as affordable for the following affordability mix:
 - i. 12 units at 80% AMI
 - ii. 6 units at 60% AMI
 - iii. 2 units at 50% AMI
 - iv. 2 units at 30% AMI

Staff Response: The applicant is proposing 10 percent of the units to be available at 60 percent AMI and 1 percent at 30 percent AMI. Conditional Zoning applications providing rental units can voluntarily offer affordable housing opportunities. The Town's [affordable housing policy](#)⁴, not the Inclusionary Zoning Ordinance would apply since this is a rezoning application.

- b. That the affordable units have an affordability period of 30 years

Staff Response: The applicant has proposed a ten (10) year affordability period.

- c. That the developer explores accepting housing choice vouchers.

Staff Response: The applicant has not agreed with this condition.



³ <https://www.invasiveplantatlas.org/distribution.html>

⁴ https://townhall.townofchapelhill.org/agendas/2009/01/26/4g/2009-01-26_r7.htm

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)⁵, the standards of the [Land Use Management Ordinance](#)⁶, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)⁷ and believes the 150 E. Rosemary Street proposal complies with several themes of the 2020 Comprehensive Plan:

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

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input 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 Multifamily is one of the appropriate Primary uses. 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.
- **BUILDING HEIGHT.** The FLUM calls for 4 stories at the street setback and up to 8 stories allowed on the south side of E. Rosemary Street. (The FLUM suggest a story height of approximately 12 feet.)
- **ENVIRONMENTAL.** The Downtown Focus Area also suggest creating urban pocket 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 E. Rosemary Street. There are existing sidewalks on both sides of the street. A future Bus Rapid Transit station is located adjacent to the site.

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:

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

⁶ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

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

- The proposed rezoning aligns with the character envisioned by the FLUM. The Town Center-3-Conditional Zoning District (TC-3-CZD) district would allow all of the uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes falls within the 'Multifamily' 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 7-story building.

FINDINGS OF FACT

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

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

Staff provides below an evaluation of this application based on the three findings. Further information may be presented for the Council's consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

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

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

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

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

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

Arguments in Support: The applicant's Statement of Justification states that the proposal addresses the need for housing in downtown in addition to the office and lab space planned as part of the East Rosemary Redevelopment project.

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 in response to changing conditions in downtown Chapel Hill area and in the jurisdiction generally.

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

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

- A creative place to live, work, and play because of Chapel Hill's arts and culture (*Goal: A Place for Everyone.2*)
- A range of housing options for current and future residents (*Goal: A Place for Everyone.3*)
- A welcoming and friendly community that provides people with access to opportunities (*Goal: A Place for Everyone.4*)
- A community of high civic engagement and participation (*Goal: A Place for Everyone.5*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal: Community Prosperity and Engagement.1*)
- Foster success of local businesses (*Goal: Community Prosperity and Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Getting Around.1*)
- A connected community that links neighborhoods, businesses and schools through the provision of greenways, sidewalks, bike facilities and public transportation (*Goal: Getting Around.2*)
- Connect to a comprehensive regional transportation system (*Goal: Getting Around.3*)
- Make an adaptable transportation system to support both dense and suburban development (*Goal: Getting Around.4*)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Goal: Getting Around.6*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Getting Around.8*)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential and cultural development and activity (*Goal: Good Places, New Spaces.2*)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (*Goal: Good Places, New Spaces.3*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Good Places, New Spaces.4*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal: Good Places, New Spaces.5*)
- A community that welcomes and supports change and creativity (*Goal: Good Places, New Spaces.6*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Good Places, New Spaces.7*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal: Good Places, New Spaces.8*)
- Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (*Goal: Town and Gown Collaboration.1*)
- The University and Town will collaborate to improve downtown parking options that support business, cultural, and academic purposes (*Goal: Town and Gown Collaboration.3*)

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


Project Details

Site Description	
Project Name	101 E. Rosemary – Link Apartments
Address	101 E. Rosemary Street
Property Size (NLA)	27,844 sq. ft. (0.61 acres)
Existing	Parking lot and vacant one-story building
Orange County Parcel Identifier Numbers	9788-37-2791
Existing Zoning	Town Center-2 (TC-2)
Proposed Zoning	Town Center-3-Conditional Zoning District (TC-3-CZD)


Site Development Standards

Topic	Comment	Status
Development Intensity		
Use/Density (Sec. 3.7)	Existing Use: 25 space parking lot and vacant one-story building (formerly PNC Bank) Proposed Use: Seven-story multifamily apartments	✓
Dimensional Standards (Sec. 3.8)	Primary height: 44 ft. (modification requested for 90 ft.) Core height: 120 ft. Setbacks: 0 ft. in Town Center zoning districts	M
Floor area (Sec. 3.8)	Maximum: 122,512 sq. ft. Proposed: 119,471 sq. ft.	✓
Landscape		
Buffers (Sec. 5.6.2)	N/A in Town Center zoning districts	✓
Tree Canopy (Sec. 5.7)	N/A in Town Center zoning districts	✓
Landscape Standards (Sec. 5.9.6)	N/A in Town Center zoning districts	✓
Environment		
Resource Conservation District (Sec. 3.6)	N/A	✓
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	✓
Steep Slopes (Sec. 5.3.2)	N/A	✓
Stormwater Management (Sec. 5.4)	Meet or exceed LUMO 5.4 standards	✓

Land Disturbance	32,500 sq. ft.	
Impervious Surface	N/A in Town Center zoning districts	
Solid Waste & Recycling	Private trash and recycling pickup proposed	
Jordan Riparian Buffer (Sec. 5.18)	N/A	
Access & Circulation		
Road Improvements (Sec. 5.8)	Improvements to be completed in accordance with TIA findings, including: <ul style="list-style-type: none"> - Reverse the internal driveway one-way pattern to allow ingress on N. Columbia Street and egress on E. Rosemary Street. - Move the service vehicle loading zone further east along the northern building frontage. 	
Vehicular Access (Sec. 5.8)	One-way driveway entrance on N. Columbia Street and one exit-only driveway on E. Rosemary Street	
Bicycle Improvements (Sec. 5.8)	N/A	
Pedestrian Improvements (Sec. 5.8)	Streetscape improvements along E. Rosemary Street frontage including brick pavers and street trees	
Traffic Impact Analysis (Sec. 5.9)	TIA completed	
Vehicular Parking (Sec. 5.9)	N/A	
Transit (Sec. 5.8)	N/A	
Bicycle Parking (Sec. 5.9)	<i>Required:</i> 38 spaces <i>Proposed:</i> 38 spaces	
Electric Vehicle Parking	N/A	
Parking Lot Standards (Sec. 5.9)	N/A	
Technical		
Fire	Built to Town Standards	
Schools Adequate Public Facilities (Sec. 5.16)	N/A	
Inclusionary Zoning Ordinance (Sec. 3.10)	N/A	
Recreation Area (Sec. 5.5)	N/A	
Lighting Plan (Sec. 5.11)	Built to Town Standards; not to exceed 0.3 footcandles at property line	

Homeowners Association (Sec. 4.6)	N/A	
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Project Summary Legend

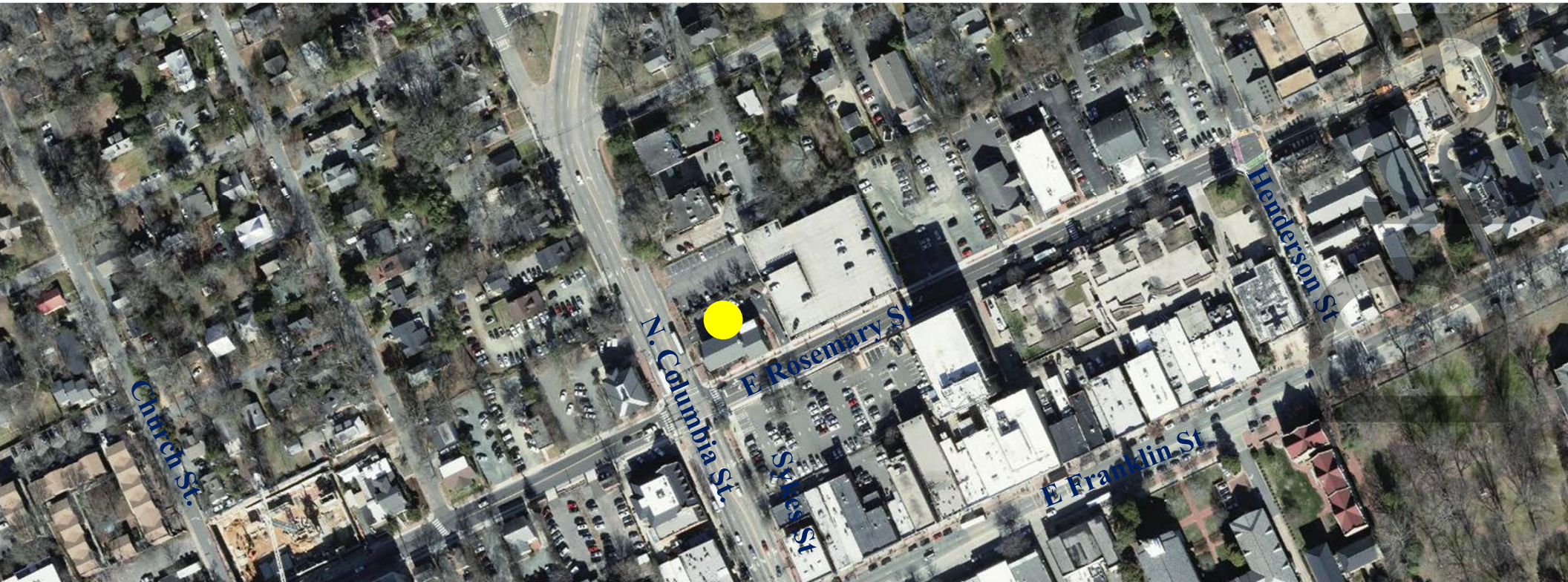
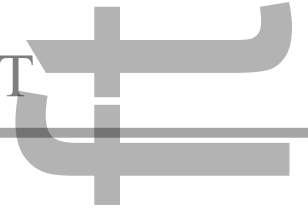
Symbol	Meaning
	Meets Requirements
M	Seeking Modification
FP	Required at Final Plan
NA	Not Applicable



TOWN COUNCIL

04.27.2022

CONDITIONAL ZONING— 101 E ROSEMARY STREET





PROCESS

Staff Review



Advisory
Boards and
Commissions
Review



Open
Legislative
Hearing
04/27/2022



Council Action
05/18/2022



RECOMMENDATION

- ☐ Open the Legislative Hearing
- ☐ Receive comments
- ☐ Continue the hearing to May 18, 2022



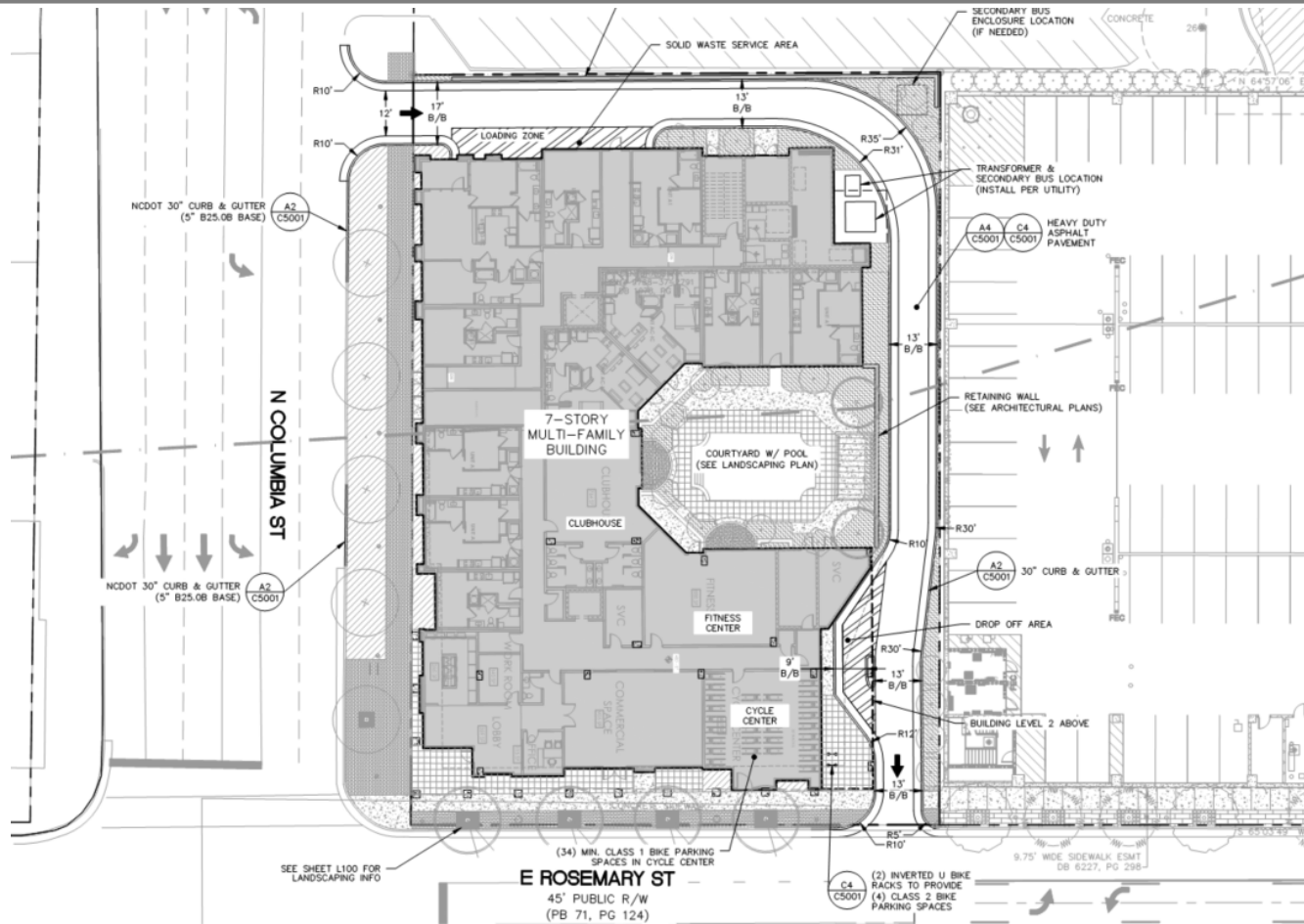


PROJECT SUMMARY

- ☐ 0.64 acre site
- ☐ Conditional Zoning
- ☐ Currently TC-2
- ☐ Proposing TC-3-CZD
- ☐ Former PNC Bank and surface parking
- ☐ Construct seven-story apartment building with 150 units
- ☐ No parking proposed



SITE PLAN



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PROPOSED MODIFICATIONS

Requesting modification to regulations for:

LUMO 3.8.2(g)(2): Dimensional Regulations

- Allowed: **44 foot** setback height limit
- Proposed: **90 foot** setback height on all four elevations



RECOMMENDATION

- ☐ Open the Legislative Hearing
- ☐ Receive comments
- ☐ Continue the hearing to May 18, 2022



RESOLUTION A

(Resolution of Reasonableness and Consistency)

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 101 E. ROSEMARY STREET TO TOWN CENTER-3-CONDITIONAL ZONING (TC-3-CZ) IS REASONABLE AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (PROJECT #21-056) (2022-X-X/R-X)

WHEREAS, Ballentine Associates has filed an application for Conditional Zoning Atlas Amendment on behalf of Rosemary Chapel Hill Apartments LLC to rezone a 0.61 acre parcel located at 101 E. Rosemary Street and identified as Orange County Parcel Identifier Number 9788-37-2791 to Town Center-3-Conditional Zoning (TC-3-CZ) to allow a multifamily residential building; and

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

WHEREAS, the Planning Commission reviewed the application on April 5, 2022 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 on behalf of Ballentine Associates 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 creative place to live, work, and play because of Chapel Hill's arts and culture (*Goal: A Place for Everyone.2*)
- A range of housing options for current and future residents (*Goal: A Place for Everyone.3*)
- A welcoming and friendly community that provides people with access to opportunities (*Goal: A Place for Everyone.4*)
- A community of high civic engagement and participation (*Goal: A Place for Everyone.5*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal: Community Prosperity and Engagement.1*)
- Foster success of local businesses (*Goal: Community Prosperity and Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Getting Around.1*)
- A connected community that links neighborhoods, businesses and schools through the provision of greenways, sidewalks, bike facilities and public transportation (*Goal: Getting Around.2*)
- Connect to a comprehensive regional transportation system (*Goal: Getting Around.3*)
- Make an adaptable transportation system to support both dense and suburban development (*Goal: Getting Around.4*)
- A transportation system that accommodates transportation needs and demands

while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Goal: Getting Around.6*)

- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Getting Around.8*)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential and cultural development and activity (*Goal: Good Places, New Spaces.2*)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (*Goal: Good Places, New Spaces.3*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Good Places, New Spaces.4*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal: Good Places, New Spaces.5*)
- A community that welcomes and supports change and creativity (*Goal: Good Places, New Spaces.6*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Good Places, New Spaces.7*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal: Good Places, New Spaces.8*)
- Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (*Goal: Town and Gown Collaboration.1*)
- The University and Town will collaborate to improve downtown parking options that support business, cultural, and academic purposes (*Goal: Town and Gown Collaboration.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 Comprehensive Plan.

This the ____ day of _____, 2022.

ORDINANCE A

(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 101 E. ROSEMARY STREET TO TOWN CENTER-3-CONDITIONAL ZONING DISTRICT (TC-3-CZD) (PROJECT #21-056)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Ballentine Associates, on behalf of Rosemary Chapel Hill Apartments LLC to rezone a 0.61-acre parcel located at 101 E. Rosemary Street on property identified as Orange County Property Identifier Number 9788-37-2791, to allow a multifamily development, 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 creative place to live, work, and play because of Chapel Hill's arts and culture (*Goal: A Place for Everyone.2*)
- A range of housing options for current and future residents (*Goal: A Place for Everyone.3*)
- A welcoming and friendly community that provides people with access to opportunities (*Goal: A Place for Everyone.4*)
- A community of high civic engagement and participation (*Goal: A Place for Everyone.5*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal: Community Prosperity and Engagement.1*)
- Foster success of local businesses (*Goal: Community Prosperity and Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Getting Around.1*)
- A connected community that links neighborhoods, businesses and schools through the provision of greenways, sidewalks, bike facilities and public transportation (*Goal: Getting Around.2*)
- Connect to a comprehensive regional transportation system (*Goal: Getting Around.3*)
- Make an adaptable transportation system to support both dense and suburban development (*Goal: Getting Around.4*)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Goal: Getting Around.6*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Getting Around.8*)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential and cultural development and activity (*Goal: Good Places, New Spaces.2*)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (*Goal: Good Places, New Spaces.3*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Good Places, New Spaces.4*)
- A range of neighborhood types that addresses residential, commercial, social, and

cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal: Good Places, New Spaces.5*)

- A community that welcomes and supports change and creativity (*Goal: Good Places, New Spaces.6*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Good Places, New Spaces.7*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal: Good Places, New Spaces.8*)
- Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (*Goal: Town and Gown Collaboration.1*)
- The University and Town will collaborate to improve downtown parking options that support business, cultural, and academic purposes (*Goal: Town and Gown Collaboration.3*)

WHEREAS, the application, if rezoned to Town Center-3-Conditional Zoning District (TC-3-CZD) according to the rezoning plan dated February 15, 2022, 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 modification to regulations satisfies public purposes to an equivalent or greater degree:

Section 3.8.2(g)(2): Dimensional Regulations: Modify the allowed setback building height to 90 feet.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the increased height will allow additional residential units to meet the housing needs of downtown.

CONDITIONAL USES

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that it finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Town Center-3-Conditional Zoning (TC-3-CZ).

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) 9788-37-2791, described below, shall be rezoned to Town Center-3-Conditional Zoning District (TC-3-CZD):

[METES AND BOUNDS DESCRIPTION TO BE INSERTED]

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 _____ (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Land Use: Business, Office-type and Research Activities	
Gross Land Area	30,628 sq. ft. (0.70 acres)
Maximum Floor Area	119,471 sq. ft.
Maximum Land Disturbance	32,500 sq. ft. (including off-site)
Maximum Parking Spaces	0 spaces
Minimum Bicycle Parking Spaces	38 spaces

3. Streetscape Improvements: Prior to issuance of a Zoning Final Inspection, the E. Rosemary Street frontage shall be improved as indicated in the streetscape plan, including brick pavers and street trees.
4. Road Improvements: Prior to issuance of a Zoning Final Inspection, road improvements and changes to the proposed plans shall be made in accordance with the Transportation Impact Analysis, including:
 - a) Reverse the internal driveway one-way pattern to allow ingress on N. Columbia Street and egress on E. Rosemary Street.
 - b) Move the service vehicle loading zone further east along the northern building frontage.
5. Parking Strategy Plan: Prior to issuance of a Zoning Compliance Permit, it will be necessary for the developer to provide a parking strategy plan. The plan shall identify how parking needs will be addressed into the future.
6. Erosion Control Permit: The developer shall provide a copy of the approved erosion and sediment control permit from Orange County prior to receiving Zoning Compliance Permit. During construction phase, additional erosion and sediment controls will be required if the proposed measures do not contain the sediment. Sediments leaving the site is a violation of Town's Erosion and Sediment Control Ordinance. {TOWN CODE CHAPTER 5}
7. Performance Bond: Prior to commencing construction activity for improvements in public right-of-way, the developer shall provide a performance bond to the Town to ensure that improvements are in accordance to Town's standards. {TOWN CODE 17}

8. Encroachment Agreement: Prior to issuance of a Zoning Compliance Permit, the developer shall provide an encroachment agreement for the connection to a storm drain in the North Carolina Department of Transportation public right-of-way along Columbia Street.

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD CONDITIONS

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

9. 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

10. 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]
11. 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 described in the Town Design Manual. [LUMO 4.5.2]
12. 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]
13. 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]
14. 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).
15. 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.

16. 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.
17. 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]
18. 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]
19. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
20. 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]
21. 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]
22. 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

23. 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]
24. 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]
25. 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]

26. 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]
27. 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]
28. 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]
29. 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.
30. 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).
31. Lighting Plan Review: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
32. 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

33. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance.
34. Phasing Plan: If phasing of the project is proposed, then, prior to issuance of a Zoning Compliance Permit, the developer shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. 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 may not begin until all public improvements in

previous phases have been completed, with a note to this effect on the final plans and plats. [LUMO 4.5.3]

35. 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]
36. 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]
37. 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]
38. 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]
39. 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]
40. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town Design Manual Chapter 10]
41. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the developer when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
42. 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

43. 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.
44. 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

45. 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]
46. 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]
47. 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]
48. 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]
49. 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]
50. 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

51. 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]

52. 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]
53. 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]
54. 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.
55. 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]
56. 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.
57. 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]
58. 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]

59. 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.
60. 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]
61. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
62. 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]
63. 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]
64. 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]
65. 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]
66. 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]
67. 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]
68. 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.
69. 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.

70. 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]
71. 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.
72. 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]
73. 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]
74. 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

75. 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]
76. 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]

77. 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

78. 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]
79. 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

80. 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]
81. 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]
82. 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]

83. 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]
84. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
85. 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]
86. 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.
87. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
88. 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.
89. 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]
90. Vested Right: This Special Use Permit or Special Use Permit Modification constitutes a site specific development plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance. During the period of vesting this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
91. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
92. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

93. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER ORDAINED that the Council hereby approves the application for Conditional Zoning for 101 E. Rosemary Street.

This the ____ day of _____, 2022.

RESOLUTION B

(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 101 E. ROSEMARY STREET TO TOWN CENTER-3-CONDITIONAL ZONING (TC-3-CZ) (PROJECT #21-056) (2022-X-X/R-X)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Ballentine Associates on behalf of Grubb Properties, to rezone a 0.61 acre parcel located at located at 101 E. Rosemary Street and identified as Orange County Parcel Identifier Number 9788-37-2791, if rezoned to Town Center-3-Conditional Zoning (TC-3-CZ) according to the rezoning plan dated February 15, 2022, 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 101 E. Rosemary Street to Town Center-3-Conditional Zoning (TC-3-CZ).

This the ____ day of _____, 2022.

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 101 E. ROSEMARY STREET

April 5, 2022

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

Motion: Neal Bench moved, and Elizabeth Losos seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency and Reasonableness).

Vote: 7 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Jonathan Mitchell, John Rees, Stephen Whitlow

Nays:

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

Motion: Jonathan Mitchell moved, and Neal Bench seconded a motion to recommend that the Council approve the Conditional Rezoning, with the following condition:

- Provide sidewalks with at least an 8' clear zone on both street frontages

Special Considerations for the Town Council:

- Let the parking be market-driven., and let the applicant determine the number of parking spaces they wish to reserve in the new Town parking deck.
- Install bicycle lanes on Rosemary Street
- Consider having the applicant swap the commercial space with the lobby and service areas in the floor plan, as it may provide further activation of that prominent corner

Vote: 7 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Jonathan Mitchell, John Rees, Stephen Whitlow

Prepared by: Michael Everhart, Chair
Judy Johnson, Assistant Director

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 101 E. ROSEMARY ST.

February 8, 2022

Recommendation to Council: Approval ☐ Approval with Special Considerations ☒
Denial ☐

Motion: Tom Henkel moved and Bruce Sinclair seconded a motion to recommend that the Council approve the conditional zoning district for the 101 E Rosemary Street development application, with the following special considerations:

Vote: 7-1

Aye: Chair Maripat Metcalf, Vice-chair Adrienne Tucker, E. Thomas Henkel, Marirosa Molina, Bruce Sinclair, Noah Upchurch, and Lucy Vanderkamp

Nay: Julie McClintock

Member McClintock cited the following reasons for voting against: (1) the project does not meet the Town's need for housing and (2) the stormwater control measures do not go far enough.

Special Considerations:

- Rainwater capture and reuse for non-potable uses
- Only native and non-invasive species in courtyard
- Incorporate greywater-ready plumbing

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

HOUSING ADVISORY BOARD

The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION 101 EAST ROSEMARY STREET CONDITIONAL ZONING APPLICATION 101 E. ROSEMARY STREET

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: A motion was made by Morande, seconded by Mercer, that the 101 E. Rosemary Street Conditional Zoning Application be recommended for approval by the Town council, with the following conditions:

- That the project dedicates 15% (22) of the units as affordable with the following affordability mix:
 - 12 units at 80% AMI
 - 6 units at 60% AMI
 - 2 unit at 50% AMI
 - 2 units at 30% AMI
- That the affordable units have an affordability period of 30 years
- That the developer explores accepting housing choice vouchers.

Vote: 6-0

Ayes: Sue Hunter (Chair), Robert Dowling, Alice Jacoby, Rex Mercer,
Brandon Morande, Dustin Mills

Nays:

Prepared by: Emily Holt, Staff

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 FOR CONDITIONAL ZONING APPLICATION FOR 101 EAST ROSEMARY

March 22, 2022

Recommendation: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: Hageman moved, seconded by Kjemtrup-Lovelace, to recommend approval with the following comments:

- TCAB supports the prominent placement of the cycle center on Rosemary Street.
- TCAB opposes the concept of an additional payment-in-lieu for residents to use the Town parking deck.

Vote: 8 – 0

Yeas: 7 - Chair Heather Brutz, Brian Hageman, Vice-Chair Nikki Abija, Mary Breeden, Katie Huge, Susanne Kjemtrup-Lovelace, Alvaro Villagran, and Denise Matthews

Nays:

Prepared by: Josh Mayo, Transportation Planner I

COMMUNITY DESIGN COMMISSION

The charge of the Community Design Commission is to assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR CONDITIONAL ZONING PERMIT AT 101 E ROSEMARY ST

March 10, 2022

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

Motion: Ted Hoskins moved and Susana Dancy seconded a motion to recommend that Council deny this application, but allow immediate submittal of a new application for the site.

Vote: 5-0

Yeas: Susana Dancy Ted Hoskins Scott Levitan Susan Lyons Megan Patnaik	Nays: None
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Recommendation: **Approval** ☐ **Approval with Conditions** ☒ **Denial** ☐

Motion: Ted Hoskins moved and Scott Levitan seconded a motion to recommend that if Council does approve this application, they do so with the following conditions:

1. That the CDC shall review and approve streetscape plans including street-level hardscaping and furniture.

Vote: 5-0

Yeas: Susana Dancy Ted Hoskins Scott Levitan Susan Lyons Megan Patnaik	Nays: None
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Prepared by: Corey Liles, Planning Manager

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): 9788372791

Date: 5 Jan 2022

Section A: Project Information

Project Name: Link Apartments Rosemary

Property Address: 101 E Rosemary St

Zip Code: 27514

Use Groups (A, B, and/or C): A

Existing Zoning District: TC-2

Project Description:

Demolition of existing 2-story bank and construction of 7-story multi-family building

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

Applicant Information (to whom correspondence will be mailed):

Name: Ballentine Associates attn. George Retschle

Address: 221 Providence Rd

City: Chapel Hill


State: NC

Zip Code: 27514

Phone: 919-929-0481

Email: georger@bapa.eng.pro

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

Signature: 

Date: 5 Jan 2022

Owner/Contract Purchaser Information:

☒ **Owner**

☐ **Contract Purchaser**

Name: Grubb Properties, LLC

Address: 117 Edinburgh South Drive, Suite 110

City: Cary


State: NC

Zip Code: 27511

Phone: 919-388-5774

Email: jdye@grubbproperties.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: 5 Jan 2022

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=	27,844	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=	2,784	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	0	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	30,628	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)	34,288
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)	27,878	ALL	25,700	25,700
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	91.0%	ALL	83.9%	83.9%
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	+/- 9000	all	1	1
Number of Floors	2	all	7	7
Recreational Space	0	0	5,442	5,442

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	N/A	115,647	115,647
Total Square Footage of All Units	N/A	N/A	85,036	85,036
Total Square Footage of Affordable Units	N/A	N/A	N/A	N/A
Total Residential Density	N/A	N/A	N/A	N/A
Number of Dwelling Units	N/A	N/A	151	151
Number of Affordable Dwelling Units	N/A	N/A	N/A	N/A
Number of Single Bedroom Units	N/A	N/A	138	138
Number of Two Bedroom Units	N/A	N/A	13	13
Number of Three Bedroom Units	N/A	N/A	N/A	N/A

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

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	9000	731			
Restaurant	N/A	N/A	# of Seats		
Government	N/A	N/A			
Institutional	N/A	N/A			
Medical	N/A	N/A			
Office	N/A	N/A			
Hotel	N/A	N/A	# of Rooms		
Industrial	N/A	N/A			
Place of Worship	N/A	N/A	# of Seats		
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	0	15	12
	Interior (neighboring property lines)	0	36	17
	Solar (northern property line)	0	133	17
Height (maximum)	Primary	44	35	90
	Secondary	90	35	90
Streets	Frontages	N/A	N/A	N/A
	Widths	N/A	N/A	N/A



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
E Rosemary St	45	35	3	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
N Columbia Street	95	60	6	<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
E Rosemary St	5	Concrete	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
N Columbia St	5	Brick	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	0	0	0
Handicap Spaces	0	0	0
Total Spaces	0	0	0
Loading Spaces	1	0	1
Bicycle Spaces	38	N/A	38
Surface Type	N/A		

Section H: Landscape Buffers

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



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section I: Land Use Intensity

Existing Zoning District: TC-2

Proposed Zoning Change (if any): TC-2 CZ

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-CZ	1.97	0.12	N/A	N/A	N/A	60,337	5,442
TOTAL							
RCD Streamside	N/A	0.01					N/A
RCD Managed	N/A	0.019					N/A
RCD Upland	N/A	N/A					N/A

Section J: Utility Service

Check all that apply:

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



**CONDITIONAL ZONING APPLICATION
SUBMITTAL REQUIREMENTS**
TOWN OF CHAPEL HILL
Planning Department

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at planning@townofchapelhill.org.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	34,366.20
X	Pre-application meeting –with appropriate staff		
X	Digital Files – provide digital files of all plans and documents		
X	Recorded Plat or Deed of Property		
X	Project Fact Sheet		
N/A	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
N/A	Description of Public Art Proposal , if applicable		
X	Statement of Justification		
X	Response to Community Design Commission and Town Council Concept Plan comments , if applicable		
X	Affordable Housing Proposal , if applicable		
X	Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	\$862.00
X	Written Narrative describing the proposal, including proposed land uses and proposed conditions		
N/A	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
X	Reduced Site Plan Set (reduced to 8.5" x 11")		

Stormwater Impact Statement (1 copy to be submitted)

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm



**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)



Project Narrative

Grubb Properties proposes to construct an apartment building under the company's Link Apartments® brand with approximately 150 units. The apartment building will be constructed on the site of the existing vacant PNC Building located at 101 E. Rosemary Street. The 0.64-acre site is located in downtown Chapel Hill adjacent to the Town's planned municipal parking deck project at 125 E. Rosemary Street on the east, commercial buildings are located directly north of the site, the former Town Hall building is located across Columbia Street to the west, and a surface parking lot owned by the Town is across Rosemary Street to the south.

The apartment building will be designed to accommodate the existing grade from Rosemary Street down to the north with a building being height of 7 stories.

In order to activate the street frontage on E. Rosemary, the plan includes a ground-floor Commercial Space, Leasing Center, and Cycle Center facing Rosemary Street together with a Clubhouse, Fitness Center and internal Courtyard with a pool. The plan includes no onsite parking, the intent being the project's parking would be served in the Town's municipal parking deck project at 125 E. Rosemary Street.

Stormwater management for the project will be handled through a slight reduction of impervious cover on the previously-paved site to maintain pre-development peak flows.

Statement of Justification

This is a statement of justification to support the request for Conditional Zoning for 101 East Rosemary Street. In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

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

Below is the applicant's evaluation of this application based on these three findings.

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

Response: We do not believe there is 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.

Response: We believe that the conditions have changed in the following respect: In recent years downtown Chapel Hill has undergone a loss of jobs and businesses which has adversely affected the

CHARLOTTE 4601 Park Road, Charlotte, NC 28209 **T.** 704 372 5616 **F.** 704 372 9882

CARY 117 Edinburgh S Drive, Cary, NC 27511 **T.** 919 461 3950 **F.** 919 461 3939

WINSTON-SALEM 500 W 5th Street, Winston-Salem, NC 27101 **T.** 336 923 7650 **F.** 336 777 0624

ATLANTA 47 Perimeter Center East, Atlanta, GA 30346 **T.** 770 604 3387 **F.** 770 604 3959

grubbproperties.com

economic vitality of Chapel Hill. As part of the continued redevelopment and revitalization of East Rosemary Street, this project addresses the need to bring essential housing to downtown in addition to the office and lab space planned for this area. This is consistent with the Future Land Use Map (FLUM) adopted by the Town.

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

Response: The proposed rezoning would contribute to the following elements of the Comprehensive Plan:

Theme 1: A Place for Everyone

Grubb Properties seeks to provide a modern design with a balance between simplicity and sophistication. Grubb Properties approaches Link Apartments® and urban living in a manner that creates and enhances connections to the community. Our residences are designed for first-time renters and urban professionals who appreciate and enjoy close proximity to major employment centers such as hospitals and universities as well as entertainment offerings.

- A creative place to live, work, and play because of Chapel Hill's arts and culture (PFE.2)
- A range of housing options for current and future residents (PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (PFE.4)
- A community of high civic engagement and participation (PFE.5)

Theme 2: Community Prosperity and Engagement

Grubb Properties seeks to enhance Chapel Hill's tax base and address the critical need for additional housing by providing essential housing through our Link Apartments® brand. Increased density and consumer spending power will also help to support local businesses.

- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1)
- Foster success of local businesses (CPE.2)
- Promote a safe, vibrant, and connected (physical and person) community (CPE.3)

Theme 3: Getting Around

Grubb Properties builds Link Apartments® in urban areas near employers, universities, retail, restaurants and greenways. We build active communities, emphasizing walkable design and connectivity, with easy access to alternative modes of transportation. Grubb Properties is a leader in transit-oriented design, seeking out locations near major transit hubs or greenways to limit the need for parking, and/or creating shared parking models between the residential and commercial components of developments. This allows for increased density with less environmental impact.

- 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 (GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (GA.2)
- Connect to a comprehensive regional transportation system (GA.3)

- Make an adaptable transportation system to support both dense and suburban development (GA.4)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (GA.6)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (GA.8)

Theme 4: Good Places, New Spaces

Link Apartments® communities are also designed with an eye toward environmental stewardship. We seek to incorporate the use of sustainable materials wherever possible. Our efficient floorplans limit wasted space and allow for more compact mechanical, electrical, and plumbing systems. This decreases construction and maintenance costs and results in less wasted energy and lower utility bills. All Link Apartments® buildings are National Green Building Standard certified. We measure build energy, water, waste, and emissions within our control, and are identifying long-term reduction targets. This helps us create value for our residents by building a more affordable apartment product.

- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (GPNS.2)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (GPNS.4)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (GPNS.5)
- A community that welcomes and supports change and creativity (GPNS.6)
- Open and accessible common spaces for community gathering, cultural uses, and community development (GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (GPNS.8)

Theme 6: Town and Gown Collaboration

Grubb Properties designs our Link Apartments® brand based on the local character of each neighborhood in which we invest. We seek to cultivate authentic, healthy relationships with and between our residents, allowing them to create their own unique sense of community in each project we build. Our long-term resident program caps rent increases for residents of 5+ years. As of January 2021, 341 residents - more than 8% of our portfolio - were participating in the program. This helps foster and promote a feeling of ownership and camaraderie for our residents.

- Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (TGC.1)
- The University and Town will collaborate to improve downtown parking options that support business, cultural, and academic purposes (TGC.3)

Response to Community Design Commission and Town Council Concept Plan

The proposed elevations and site plan attached in this application have been updated in response to the comments received from the Community Design Commission and Town Council. A commercial flex space has been added on the ground floor and will activate the street level by providing a coffee and/or art space for both residents and the public to use.

Affordable Housing Proposal

The United States is facing one the biggest housing crises ever seen, and much of that shortfall is in the moderately priced rental housing segment. This gap in essential housing is caused by both a demand issue, resulting from a long-lasting shift in demographics, and a constraint in supply caused by the rapidly rising costs to build housing. At Grubb, we define Essential Housing as product for households earning more than 60% of an area's median income (AMI), putting them above the cutoff for a public housing subsidy, but less than 140% of that AMI, putting them below the threshold to afford luxury housing. Essential housing should serve about 41 million households in the United States, offering working professionals an affordable, quality housing option in urban markets. Grubb's Link Apartments® brand strategically focuses on providing Essential Housing to serve the broadest range of this "missing middle" as possible through intelligent design and resident amenities to provide a lower cost, urban infill living opportunity. Our Link Apartments® brand has six highly efficient floor plans ranging from 360-1150 square feet and offer tailored amenity programs carefully curated toward young professional values and experiences. Link Apartments® brand provides housing for an underserved demographic, young professionals 24-35 years old earning 60%-140% of area median income.

Statement of Compliance with Town Design Guidelines

The project will be built in compliance with the Town's Design Guidelines.

The apartment building will be architecturally integrated with E. Rosemary Street with the commercial space, leasing office, and cycle center activating the street front. The project does not include onsite parking therefore lessening the environmental impact while allowing for higher density.

Landscape buffers will be designed using the Town's design manual and will include year-round landscape plant material, site furnishings, and special lighting.

Stormwater management facilities, water, sewer, and other utilities will be provided in accordance with the applicable guidelines, standards, and regulations.

Energy Management Plan

Link Apartments® communities utilize an integrative design process, ensuring that the building's energy performance exceeds minimum code standards, by partnering with third-party energy consultants and certifying our properties under the National Green Building Standard (NGBS) program.

In support of and in addition to NGBS requirements, our design includes the following: electric vehicle chargers, ongoing building performance benchmarking, ongoing energy efficiency commissioning and capital improvements, ENERGY Star® appliances and LED lighting, highest grade insulation installation, and duct/blower door testing. Where feasible, on-site renewable energy generation is also considered.

More info on NGBS: <https://www.ngbs.com/the-ngbs-green-promise>

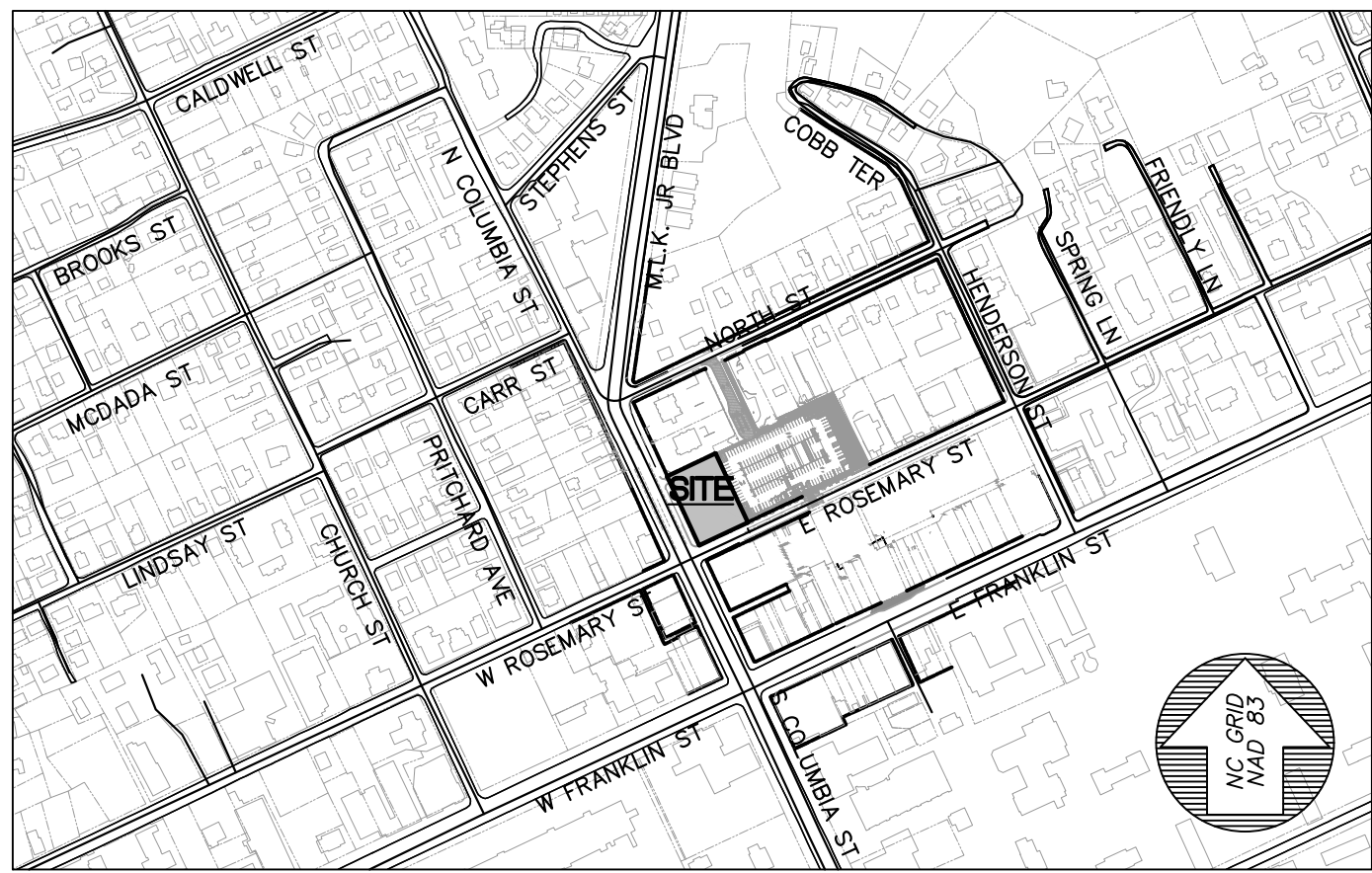
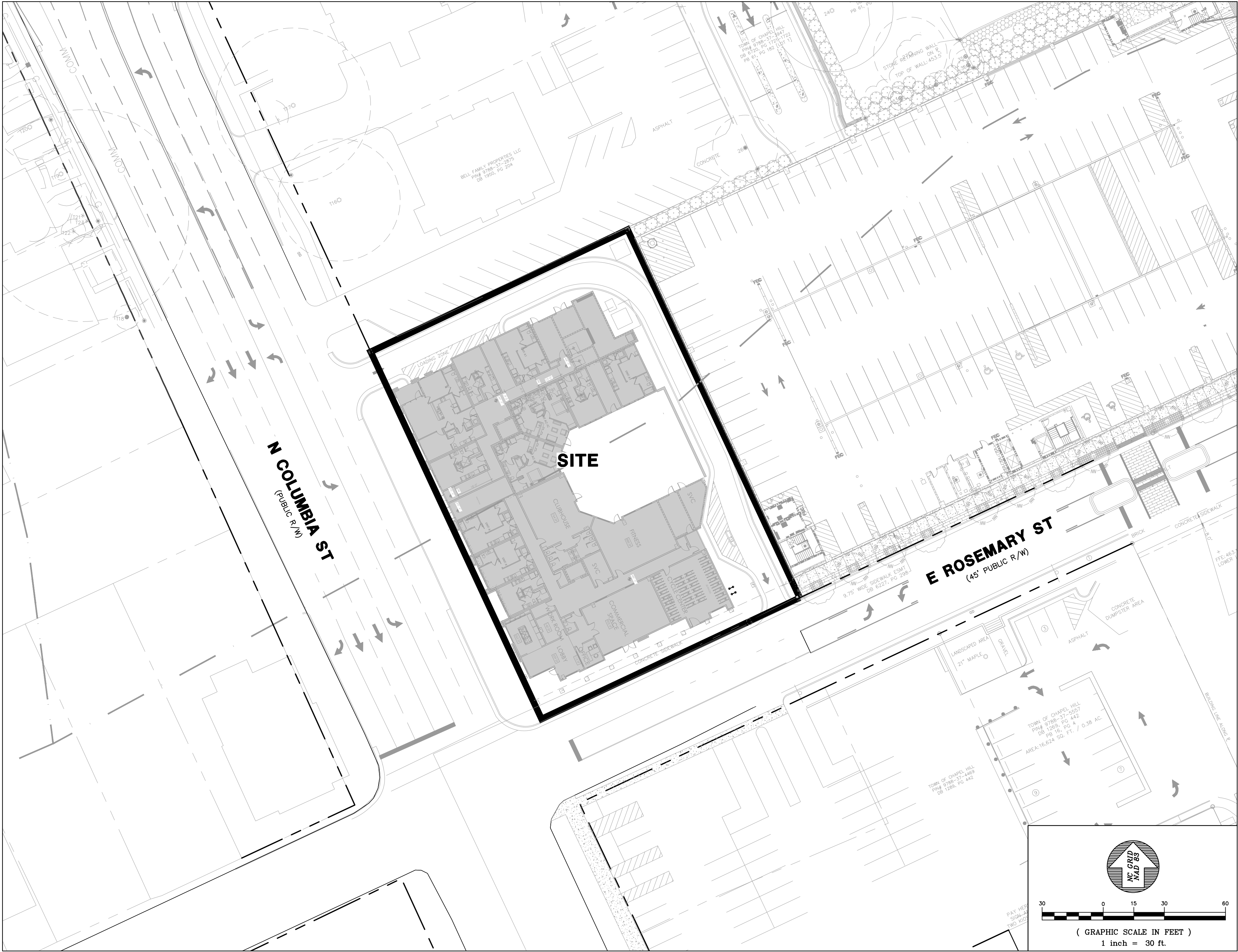
This project's specific NGBS and energy efficiency implementations will be provide as project design progresses.

Modifications of Regulations

The project site lies within the TC-2 zoning district and the applicant requests a rezoning to TC-3 CZD. Chapel Hill Land Use Management Ordinance Table 3.8-1: Dimensional Matrix lists the maximum building height (setback) and maximum building height (core) in the TC-3 zoning district as 44 and 120 feet, respectively. The building has been designed with a maximum core height of just under 90 feet, which is well below the 120-foot maximum allowed in the zoning district. However, due to the compact nature of this site, compliance with the maximum setback height limitation is not feasible. Accordingly, the applicant requests that the Town Council approve a modification of regulations to increase the maximum setback height to 90 feet.

CONDITIONAL ZONING PLANS
FOR
LINK ROSEMARY

101 E. ROSEMARY STREET
CHAPEL HILL, NORTH CAROLINA



VICINITY MAP
SCALE: 1"=500'

DRAWING LIST		
SHEET	DRAWING TITLE	LATEST ISSUE DATE
G0001	COVER	14 FEB 22
C0001	AREA MAP	14 FEB 22
C0101	EXISTING CONDITIONS & STEEP SLOPE PLAN	14 FEB 22
C0201	DEMO PLAN	14 FEB 22
C1001	SITE PLAN	14 FEB 22
C1002	SOLID WASTE PLAN	14 FEB 22
C1101	UTILITY PLAN	14 FEB 22
C1201	GRADING & DRAINAGE PLAN	14 FEB 22
C5001	SITE DETAILS	14 FEB 22
L100	LANDSCAPING PLAN	14 FEB 22
A1.01-A1.07	ARCHITECTURAL PLANS	29 NOV 21
A4.01-A4.02	ARCHITECTURAL ELEVATIONS	29 NOV 21

ARCHITECTURE / LANDSCAPE ARCHITECTURE:
I-B+M
ARCHITECTURE
1435 WEST MOREHEAD STREET, SUITE 160
CHARLOTTE, NC 28208
(704) 334-1716

DEVELOPER:
GRUBB PROPERTIES
People who care. Places that matter.
113 EDINBURGH SOUTH DR., SUITE 120
CARY, NC 27511
(919) 398-5772

SITE PLANNING / CIVIL ENGINEERING:
BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929-0481 (919) 489-4789

REVIEW DRAWING
NOT FOR CONSTRUCTION

BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
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29 JULY 21	1	1
30 SEPT 21	2	2
29 NOV 21	3	3
14 FEB 22	4	4

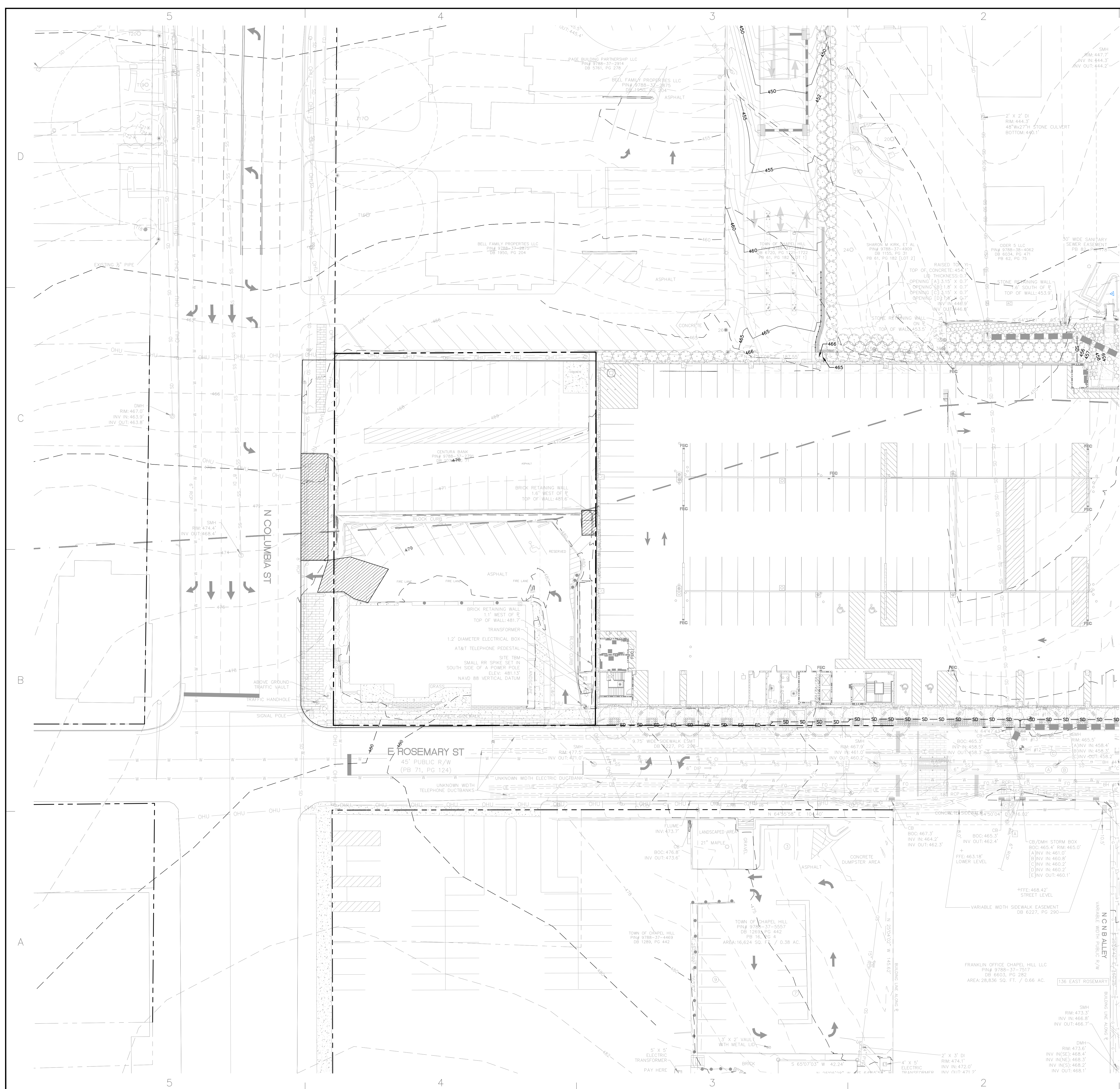
OWNER INFORMATION
GRUBB PROPERTIES, INC.
1117 EDINBURGH SOUTH DR.
SUITE 110
CARY, NC 27511
OWNERS REPRESENTATIVE:
JOE DYE
(919) 398-5774
FAX (919) 461-3939
EMAIL joe.dye@grubbproperties.com

DATE	ISSUED	CONDITIONAL ZONING SUBMITTAL #1	CONDITIONAL ZONING SUBMITTAL #2	CONDITIONAL ZONING SUBMITTAL #3	CONDITIONAL ZONING SUBMITTAL #4
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14 FEB 22					

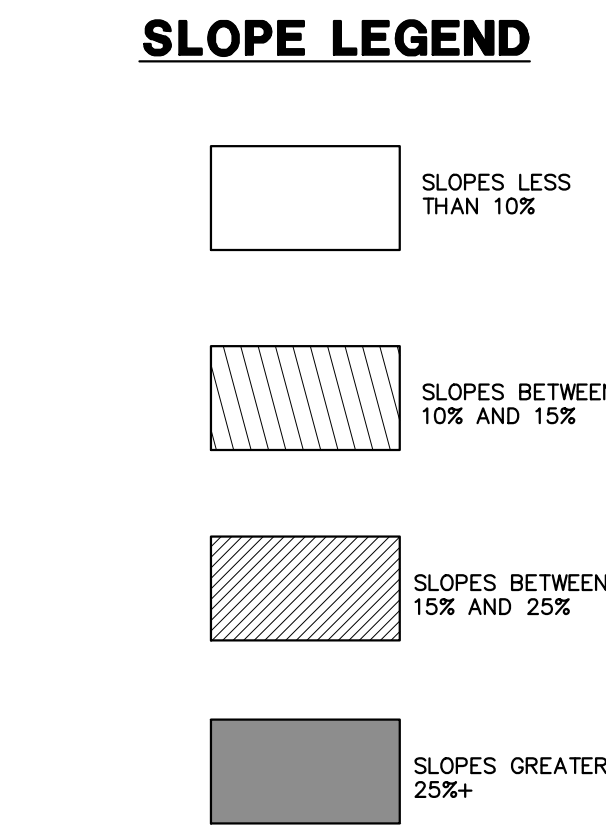
LINK ROSEMARY
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA
CONDITIONAL ZONING DRAWINGS

JOB #: 119016.04
DATE: NOV 2021
SCALE: AS NOTED
DRAWN BY: N.R.P.
REVIEWED BY: G.J.R.

SHEET
G0001

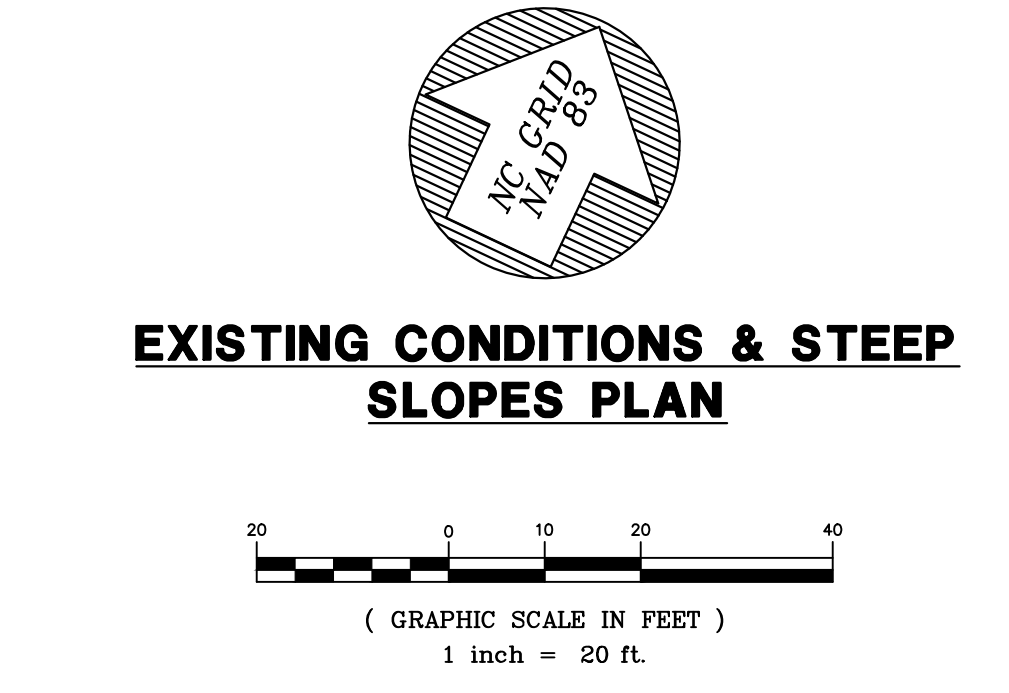


- NOTES**
- EXISTING CONDITIONS SHOWN ARE BASED UPON SITE SURVEYS PERFORMED BY BALLENTINE ASSOCIATES, KCI ASSOCIATES AND ORANGE COUNTY GIS DATA.
 - THE PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP 3710978800K.
 - CONTRACTOR SHALL HAVE NORTH CAROLINA ONE CALL (1-800-632-4949). LOCATE ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL VERIFY THE DEPTH AND LOCATION OF ALL EXISTING UTILITIES AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.
 - THIS PLAN IS DIAGRAMMATIC AND REPRESENTS THE APPROXIMATE LOCATION OF UTILITIES UNLESS SPECIFICALLY DIMENSIONED. THE CONTRACTOR SHALL COORDINATE THE ACTUAL LOCATION OF UTILITIES TO AVOID CONFLICTS AND MEET MINIMUM SIZE, SLOPE, AND CODE REQUIREMENTS.
 - SEE AREA MAP, C0001, FOR NEAREST CHAPEL HILL TRANSIT ROUTES.



DRAWING LEGEND

SYMBOL/ABB	REVISION	DESCRIPTION
[Symbol]	EXISTING	PROPERTY LINE
[Symbol]	EXISTING	RIGHT-OF-WAY LINE
[Symbol]	EXISTING	ADJOINER PROPERTY LINE
[Symbol]	EXISTING	STORM DRAIN LINE
[Symbol]	EXISTING	WATER LINE
[Symbol]	EXISTING	SANITARY SEWER LINE
[Symbol]	EXISTING	UNDERGROUND ELECTRIC LINE
[Symbol]	EXISTING	OVERHEAD ELECTRIC LINE
[Symbol]	EXISTING	GAS LINE
[Symbol]	EXISTING	FIBER OPTIC LINE
[Symbol]	EXISTING	LIMITS OF DISTURBANCE
[Symbol]	EXISTING	TREE LINE
[Symbol]	EXISTING	MAJOR CONTOUR
[Symbol]	EXISTING	MINOR CONTOUR
[Symbol]	EXISTING	SOIL BOUNDARY
[Symbol]	EXISTING	APPLYING-URBAN LAND COMPLEX
[Symbol]	EXISTING	URBAN LAND
[Symbol]	EXISTING	BORHOLE
[Symbol]	EXISTING	EXISTING IRON PIPE
[Symbol]	EXISTING	SIGN
[Symbol]	EXISTING	CATCH BASIN
[Symbol]	EXISTING	DROP INLET
[Symbol]	EXISTING	WATER VALVE
[Symbol]	EXISTING	FIRE HYDRANT
[Symbol]	EXISTING	SANITARY SEWER MANHOLE
[Symbol]	EXISTING	SANITARY SEWER CLEANOUT
[Symbol]	EXISTING	POWER POLE
[Symbol]	EXISTING	LIGHT POLE
[Symbol]	EXISTING	ELECTRIC BOX
[Symbol]	EXISTING	HVAC UNIT
[Symbol]	EXISTING	GAS METER
[Symbol]	EXISTING	GAS VALVE
[Symbol]	EXISTING	TELEPHONE VAULT
[Symbol]	EXISTING	FIBER OPTIC MARKER
[Symbol]	EXISTING	DECIDUOUS TREE
[Symbol]	EXISTING	CONIFEROUS TREE
[Symbol]	EXISTING	CONCRETE SIDEWALK
[Symbol]	EXISTING	BRICK SIDEWALK



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227 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481

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OWNERS REPRESENTATIVE:
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EMAIL: jodye@ballentine.com

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CHAPEL HILL, NORTH CAROLINA

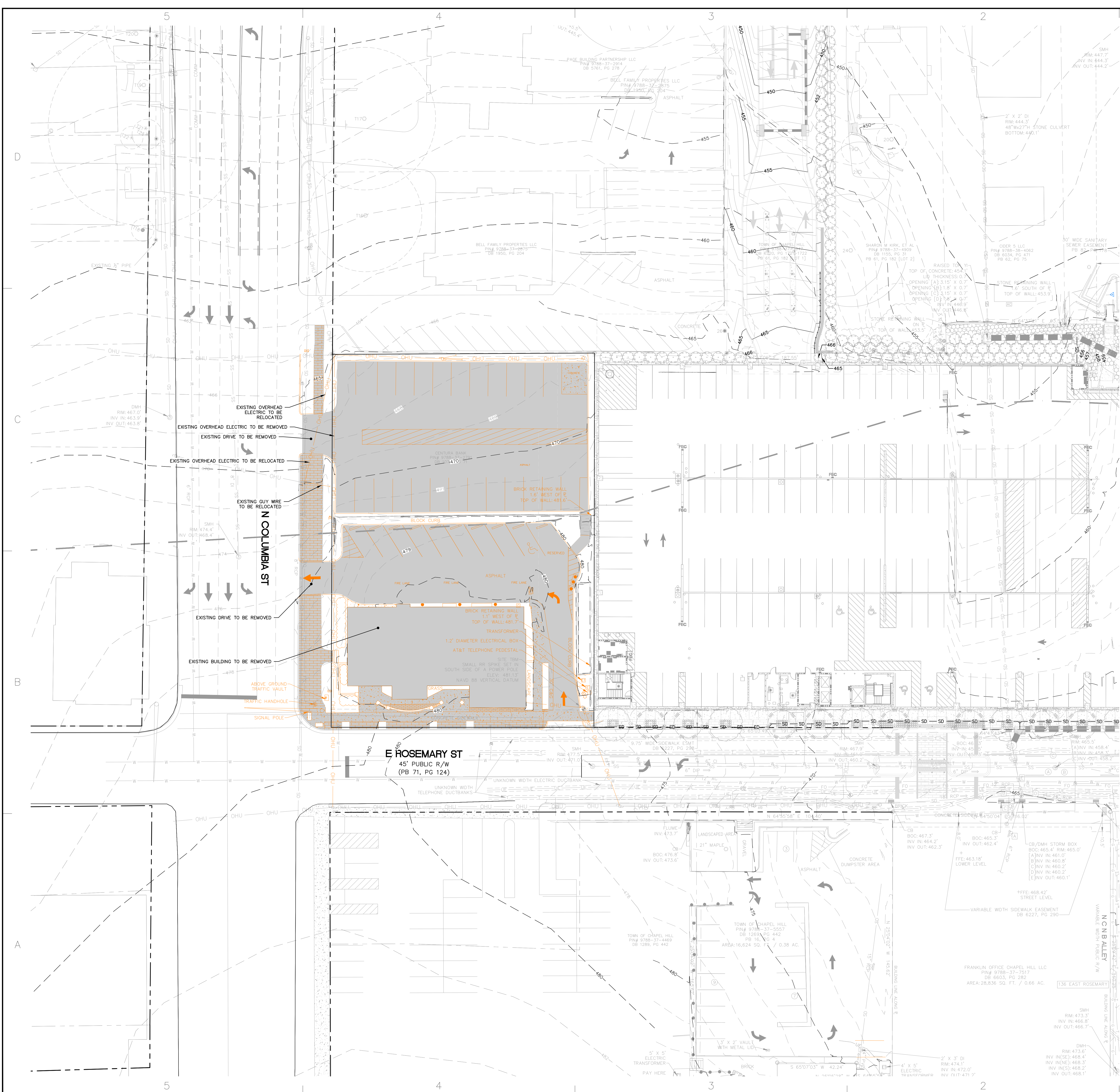
CONDITIONAL ZONING DRAWINGS

ISSUED

DATE	ISSUED	CONDITIONAL ZONING SUBMITTAL #1	CONDITIONAL ZONING SUBMITTAL #2	CONDITIONAL ZONING SUBMITTAL #3	CONDITIONAL ZONING SUBMITTAL #4
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SHEET
C0101

JOB #: 119016.04
DATE: NOV 2021
SCALE: AS NOTED
DRAWN BY: N.R.P.
REVIEWED BY: G.J.R.

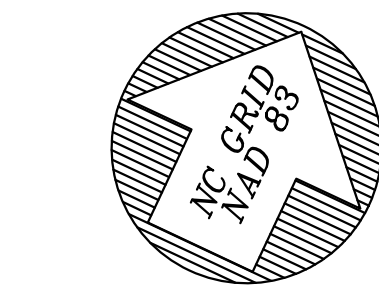


CONSTRUCTION MANAGEMENT NOTES:

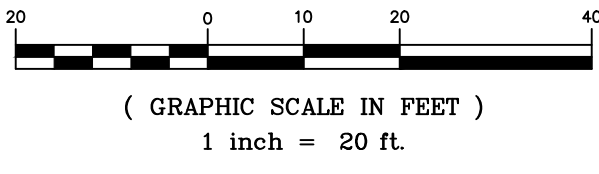
1. PER LUMO SECTION 11-40, CONSTRUCTION HOURS SHALL BE LIMITED TO 7:00 AM TO 9:00 PM ON WEEKDAYS AND 8:00 AM TO 9:00 PM ON WEEKENDS.
2. CONSTRUCTION TRAFFIC SHALL NOT PARK ON PUBLIC STREETS AND SHALL NOT USE NEIGHBORHOOD STREETS.
3. REFER TO CONSTRUCTION MANAGEMENT PLAN FOR LAYOUT OF ALL CONSTRUCTION MEASURES TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

SYMBOL/ABBREVIATION

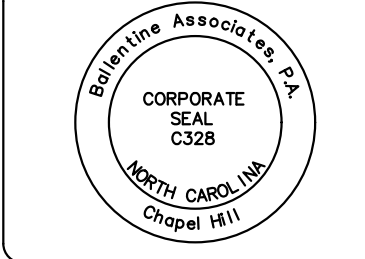
EXISTING	DEMO	DESCRIPTION
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		SANITARY SEWER CLEANOUT
		FIRE HYDRANT
		WATER VALVE
		WATER METER
		MAIL BOXES
		GAS METER
		FENCE LINE
		TELEPHONE CABLEING LINE
		OVERHEAD ELECTRIC LINE
		UNDERGROUND ELECTRIC LINE
		WATER LINE
		GAS LINE
		SANITARY SEWER LINE
		STORM DRAIN PIPE
		PROPERTY LINE
		ADJOINER PROPERTY LINE
		TREE LINE
		MAJOR CONTOUR
		MINOR CONTOUR
		EXISTING BUILDINGS AND PAVEMENTS
		SOIL BOUNDARY
		APPLYING URBAN LAND COMPLEX
		WEDDOWEE SANDY LOAM



DEMOLITION PLAN



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DATE

REVISIONS

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OWNER INFORMATION
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SUITE 110
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EMAIL joe.dye@dbbb.com

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CONDITIONAL ZONING SUBMITTAL #1
CONDITIONAL ZONING SUBMITTAL #2
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CONDITIONAL ZONING SUBMITTAL #4

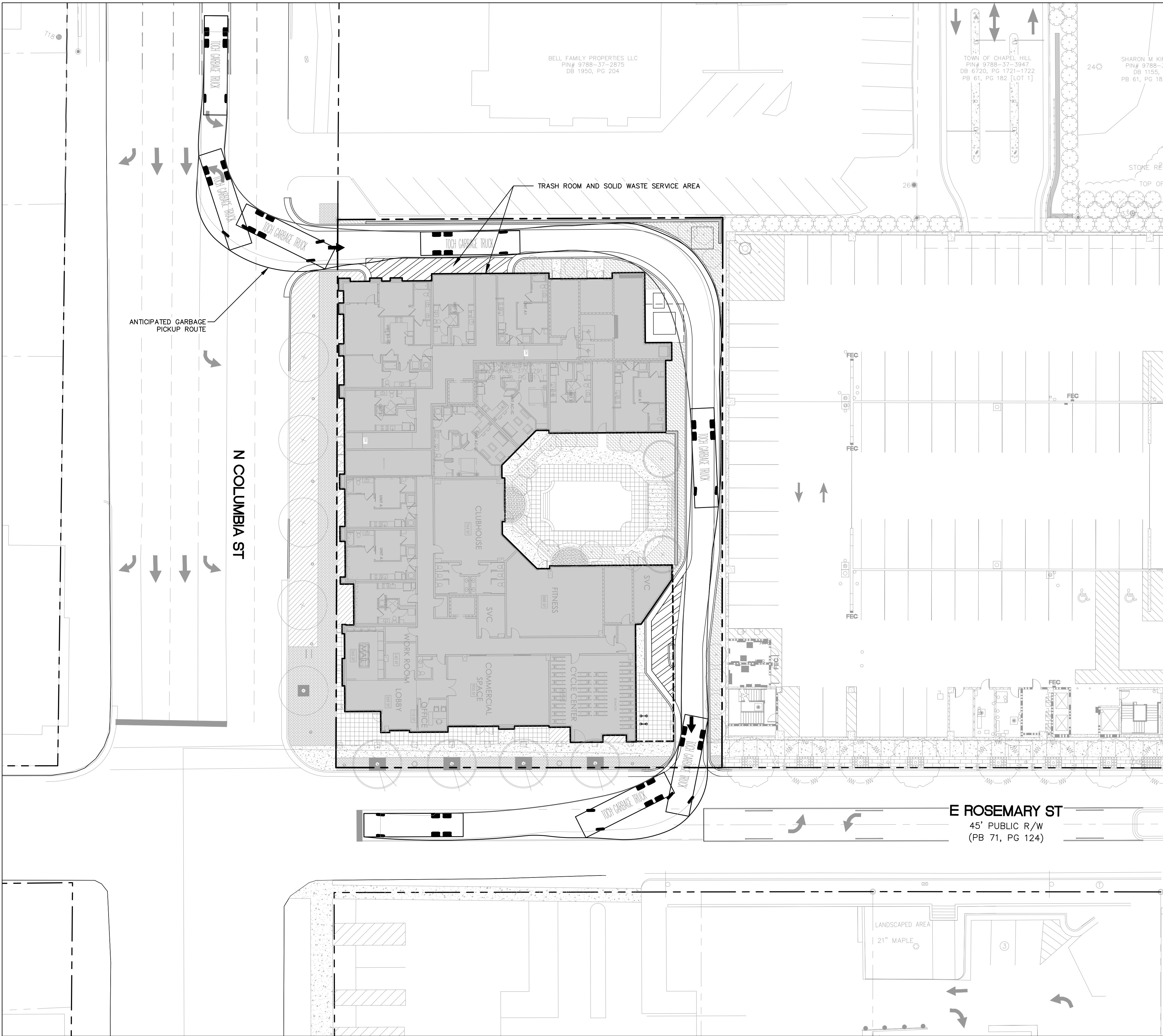
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CONDITIONAL ZONING DRAWINGS

JOB #: 119016.04
DATE: NOV 2021
SCALE: AS NOTED
DRAWN BY: N.R.P.
REVIEWED BY: G.J.R.

SHEET

C0201



Vehicle Tracking v18.00 - Pool

Vehicle Tracking Vehicle Details Ref:

Vehicle Name: GARBAGE TRUCK
Type: Refuse vehicle
Category: (Unspecified)
Classification: (Unspecified)
Source: CCC & HEIL PRODUCTS
Description: 36 X 8.5
Notes:
Unit 1 Name: GARBAGE TRUCK



GARBAGE TRUCK
Overall Length 36.000ft
Overall Width 8.500ft
Overall Body Height 12.359ft
Min Body Ground Clearance 1.048ft
Track Width 8.500ft
Lock-to-lock time 7.00s
Curb to Curb Turning Radius 33.500ft

Every Effort Has Been Made To Ensure The Accuracy Of This Information
Please Check Data From Your Own Sources

SOLID WASTE MANAGEMENT PLAN

PROJECT NARRATIVE

THE FOLLOWING IS A NARRATIVE OF HOW SOLID WASTE, MIXED RECYCLABLES, AND CORRUGATED CARDBOARD WILL BE HANDLED FOR THE 101 E ROSEMARY ST. DEVELOPMENT ON E ROSEMARY ST AND N COLUMBIA ST. IN CHAPEL HILL. IT IS THE INTENT OF THE PROJECT DEVELOPER/APPLICANT TO UTILIZE THE SERVICES OF A PRIVATE COMPANY FOR THE COLLECTION OF THE STORED SOLID WASTE, MIXED RECYCLABLES, AND CORRUGATED CARDBOARD PURSUANT TO THIS OUTLINE. IN DOING SO, THE PROJECT DEVELOPER/APPLICANT UNDERSTANDS AND AGREES THAT THEY ARE WAIVING THEIR RIGHTS TO HAVE ORANGE COUNTY COMMUNITY RECYCLING COLLECT MIXED RECYCLABLES AND THAT THE PROJECT WILL NOT RECEIVE PUBLIC RECYCLING COLLECTION AT ANY TIME NOW OR IN THE FUTURE UNLESS A RECYCLING CENTER IS CONSTRUCTED TO ORANGE COUNTY SPECIFICATIONS OR CONTINGENCY FOR SUCH A CENTER IS INCLUDED ON THE DEVELOPMENT PLANS. FURTHER, THE PROJECT DEVELOPER/APPLICANT UNDERSTANDS THAT THE FEES FOR PUBLIC RECYCLING AND WASTE MANAGEMENT WILL NOT BE WAIVED. IN ADDITION, PRIOR TO PLAN APPROVAL, THE PROJECT DEVELOPER/APPLICANT SHALL PROVIDE A COPY OF A LETTER FROM THE INTENDED PRIVATE GARBAGE, MIXED RECYCLABLE AND CORRUGATED CARDBOARD COLLECTOR ACKNOWLEDGING THAT THEY HAVE REVIEWED THE PROJECT PLANS AND AGREE TO THE PRESCRIBED METHODS FOR STORAGE AND COLLECTION OF THESE MATERIALS AS STATED HEREIN.

REFUSE SUMMARY

- GARBAGE RECEPTACLES WILL BE LOCATED WITHIN THE BUILDING INSIDE A DESIGNATED TRASH ROOM AND WILL BE MONITORED AND COLLECTED AS NEEDED BY MANAGEMENT PERSONNEL. RESIDENTS ARE RESPONSIBLE FOR DEPOSITING THEIR TRASH INTO THE RECEPTACLES. CORRUGATED CARDBOARD AND MIXED RECYCLABLES SHALL NOT BE PLACED IN THE GARBAGE RECEPTACLES. GARBAGE AND RECYCLING RECEPTACLES WILL BE MARKED WITH APPROPRIATE SYMBOLS.
- THE RECEPTACLES WILL BE LOCATED IN THE TRASH ROOM ON THE BASEMENT LEVEL OF THE BUILDING. MANAGEMENT PERSONNEL SHALL BE RESPONSIBLE FOR MANAGING THE ROOM AS NEEDED.
- ON TRASH COLLECTION DAY, MANAGEMENT PERSONNEL SHALL ENSURE THAT THE RECEPTACLES ARE ACCESSIBLE TO THE PRIVATE COLLECTION VENDOR.
- INITIALLY WE ANTICIPATE TRASH PICK-UP TO OCCUR AT LEAST ONCE PER WEEK. MANAGEMENT PERSONNEL WILL MONITOR TRASH VOLUMES AND ADJUST PICK-UP SCHEDULE(S) AS NEEDED.
- GARBAGE COLLECTION AND HAUL OFF WILL BE PERFORMED BY A PRIVATE VENDOR, HIRED BY MANAGEMENT.

RECYCLING SUMMARY

- THE TRASH ROOM SHALL BE UTILIZED TO ACCOMMODATE 90 GALLON ROLL CARTS. THE ROLL CARTS WILL BE USED TO STORE ALL COMMINGLED RECYCLING, INCLUDING CORRUGATED CARDBOARD. RESIDENTS ARE RESPONSIBLE FOR DEPOSITING THEIR RECYCLABLES THE 90 GALLON ROLL CARTS.
- TRASH SHALL NOT BE PLACED IN THE RECYCLING ROLL CARTS AND SIGNS STATING THIS WILL BE PLACED ON THE CARTS.
- INITIALLY WE ANTICIPATE COMMINGLED RECYCLING PICK-UP TO OCCUR AT LEAST TWICE PER WEEK. MANAGEMENT PERSONNEL WILL MONITOR COMMINGLED RECYCLING VOLUMES AND ADJUST PICK-UP SCHEDULE(S) AS NEEDED.
- RECYCLING COLLECTION AND HAUL OFF WILL BE PERFORMED BY A PRIVATE VENDOR, HIRED BY MANAGEMENT.

CARDBOARD

- AS NOTED ABOVE, CORRUGATED CARDBOARD WILL BE COMMINGLED WITH OTHER RECYCLABLES AND PLACED INTO THE 90 GALLON ROLL CARTS.
- RESIDENTS WILL BE RESPONSIBLE FOR DELIVERING BROKEN DOWN CORRUGATED CARDBOARD BOXES AND OTHER CARDBOARD TO THE ROLL CARTS.
- INITIALLY WE ANTICIPATE RECYCLING PICK-UP TO OCCUR AT LEAST TWICE PER WEEK. MANAGEMENT PERSONNEL WILL MONITOR CARDBOARD VOLUMES AND ADJUST PICK-UP SCHEDULE(S) AS NEEDED.

PUBLIC RECYCLING WAIVER

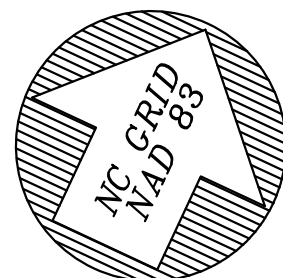
- APPLICANT ELECTS TO PROVIDE RECYCLING SERVICES TO RESIDENTS/TENANTS OF THIS PROPERTY IN LIEU OF BUILDING A RECYCLING STATION CONSTRUCTED TO ORANGE COUNTY SPECIFICATIONS. THE SITE WILL NOT RECEIVE PUBLIC RECYCLING COLLECTION NOW OR IN THE FUTURE UNLESS SUCH A STATION IS INCLUDED ON THE DEVELOPMENT PLANS.
- APPLICANT MUST REQUIRE AT THE LEAST THE SAME LEVEL OF SERVICE (CURRENT OR FUTURE) TO ITS RESIDENTS AS THAT PROVIDED BY ORANGE COUNTY.
- COUNTY FEES FOR RECYCLING AND WASTE MANAGEMENT ASSOCIATED WITH THIS PROJECT/PROPERTY WILL NOT BE WAIVED.
- APPLICANT AGREES TO ENTER INTO A SERVICE AGREEMENT WITH A PRIVATE SOLID WASTE/RECYCLING COLLECTION CONTRACTOR THAT IS ACCEPTABLE TO ORANGE COUNTY. FURTHER, THE AGREEMENT SHALL PROVIDE FOR THE COLLECTION AND RECYCLING OF CORRUGATED CARDBOARD IN ADDITION TO THE OTHER CO-MINGLED RECYCLABLES AND AN EXECUTED COPY OF THE AGREEMENT SHALL BE PROVIDED TO AND APPROVED BY ORANGE COUNTY PRIOR TO APPROVAL OF FINAL CONSTRUCTION PLANS FOR THE PROPERTY/PROJECT.

CONSTRUCTION WASTE NOTES

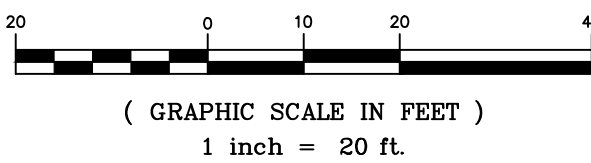
- ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER SHALL BE ASSESSED PRIOR TO THE ISSUANCE OF A DEMOLITION PERMIT TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DECONSTRUCTION AND/OR THE REUSE OF SALVAGEABLE MATERIALS.
- PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
- PURSUANT TO THE COUNTY'S RRMO, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE (WHICH INCLUDES ANY REGULATED RECYCLABLE MATERIALS) SHALL BE LICENSED BY ORANGE COUNTY.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
- 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.

DRAWING LEGEND

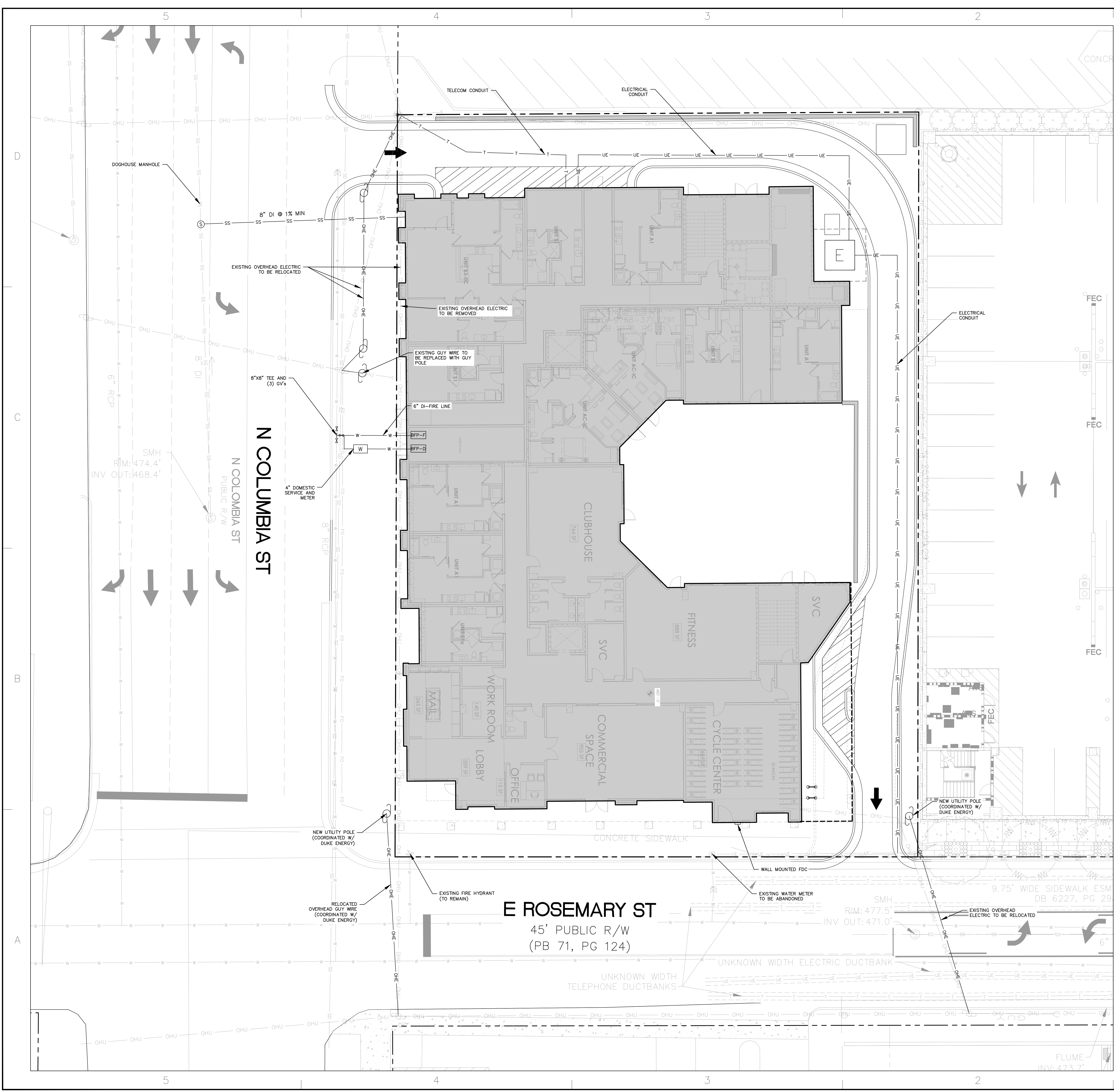
SYMBOL/ABBREVIATION	EXISTING	PROPOSED	DESCRIPTION
---	---	---	PROPERTY LINE / RIGHT-OF-WAY
---	---	---	SETBACK / BTZ LINE
---	---	---	GARBAGE TRUCK



SOLID WASTE MANAGEMENT PLAN



REVIEW DRAWING
NOT FOR CONSTRUCTION



- UTILITY PLAN NOTES**
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
 2. THE LOCATION OF THE EXISTING UTILITIES SHOWN SHALL BE CONSIDERED APPROXIMATE. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION (PRIVATE AND PUBLIC) AND PROTECT ALL EXISTING UTILITIES DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.
 3. ROAD CROSSINGS FOR UTILITY CONNECTIONS ARE REQUIRED TO BE BY TRENCHLESS METHOD.

DRAWING LEGEND

SYMBOL/ABBREVIATION	EXISTING	PROPOSED	DESCRIPTION
⊙	⊙	⊙	CATCH BASIN
⊙	⊙	⊙	SANITARY SEWER MANHOLE
⊙	⊙	⊙	WATER VALVE MANHOLE
⊙	⊙	⊙	SEWER CLEANOUT
⊙	⊙	⊙	BACK FLOW PREVENTER - FIRE/SPRINKLER
⊙	⊙	⊙	BACK FLOW PREVENTER - DOMESTIC
⊙	⊙	⊙	BACK FLOW PREVENTER - IRRIGATION
⊙	⊙	⊙	45' - BEND PIPE
⊙	⊙	⊙	90' - BEND PIPE
⊙	⊙	⊙	TEE- BEND PIPE
⊙	⊙	⊙	REDUCER
⊙	⊙	⊙	FIRE HYDRANT
⊙	⊙	⊙	WATER VALVE
⊙	⊙	⊙	GATE VALVE IN MANHOLE
⊙	⊙	⊙	WATER METER VAULT
⊙	⊙	⊙	RPDA DETECTOR METER
⊙	⊙	⊙	POWER POLE
⊙	⊙	⊙	ELECTRIC TRANSFORMER
⊙	⊙	⊙	WATER LINE
⊙	⊙	⊙	SANITARY SEWER LINE
⊙	⊙	⊙	FORCE MAIN
⊙	⊙	⊙	FIBER-OPTIC LINE
⊙	⊙	⊙	TELECOMMUNICATIONS LINE
⊙	⊙	⊙	OVERHEAD ELECTRIC LINE
⊙	⊙	⊙	GAS LINE LINE
⊙	⊙	⊙	ROOF DRAIN

UTILITY PLAN

(GRAPHIC SCALE IN FEET)
1 inch = 10 ft.

**REVIEW DRAWING
NOT FOR CONSTRUCTION**

BALENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 529 - 0481

LINK ROSEMARY
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA

CONDITIONAL ZONING DRAWINGS

DATE

REVISIONS

NUM

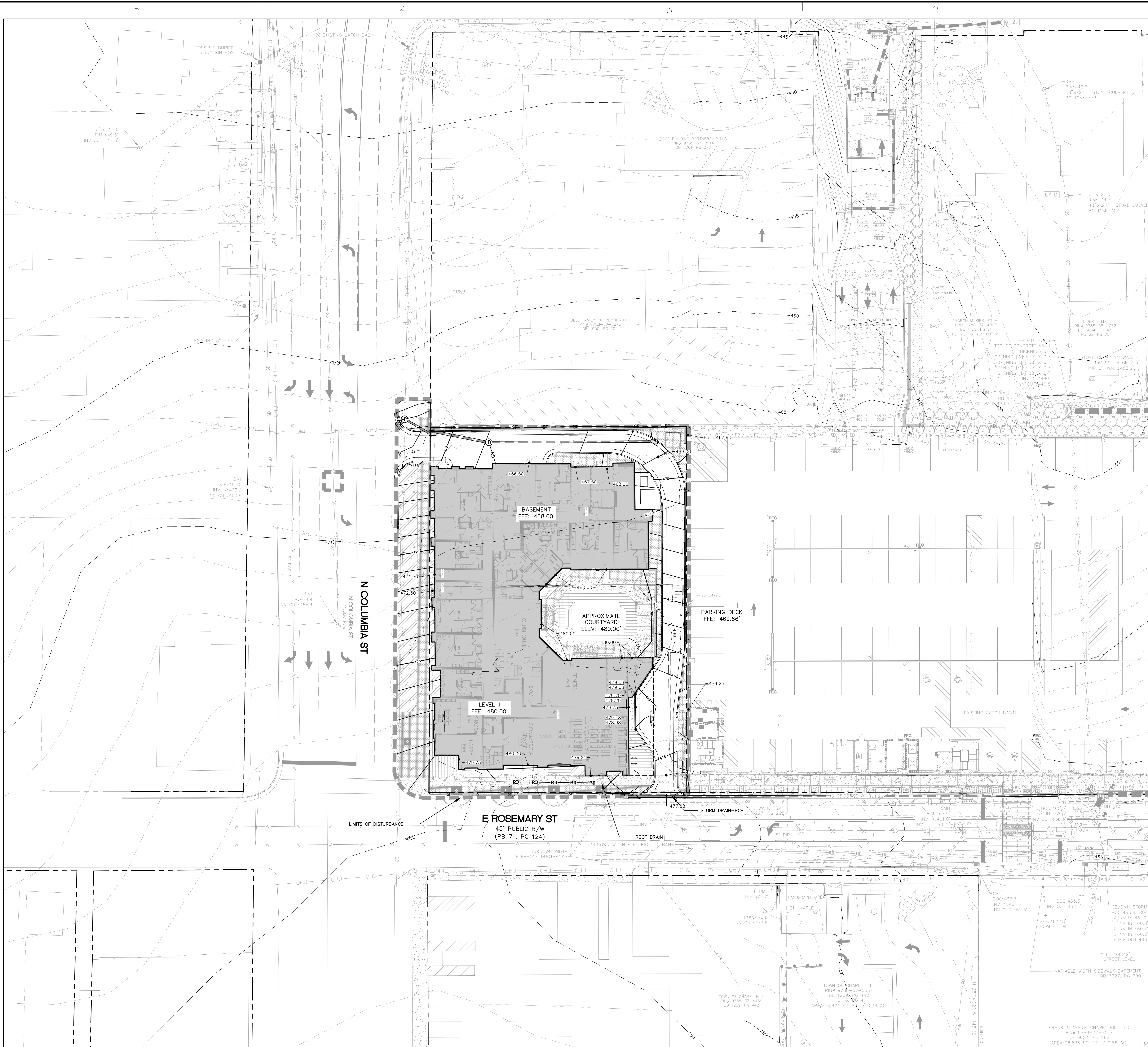
OWNER INFORMATION
DB/BB PROPERTIES, INC.
117 EDINBURGH SOUTH DR.
SUITE 110
CARY, NC 27511
OWNERS REPRESENTATIVE:
JOE DYE
(919) 388-5774
FAX (919) 461-3939
EMAIL: jodye@dbbb.com

ISSUED

DATE	DESCRIPTION
29 JULY 21	CONDITIONAL ZONING SUBMITTAL #1
30 SEPT 21	CONDITIONAL ZONING SUBMITTAL #2
29 NOV 21	CONDITIONAL ZONING SUBMITTAL #3
14 FEB 22	CONDITIONAL ZONING SUBMITTAL #4

JOB #: 119016.04
DATE: NOV 2021
SCALE: AS NOTED
DRAWN BY: N.R.P.
REVIEWED BY: G.J.R.

SHEET
C1101

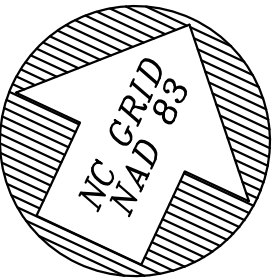


GRADING AND STORM DRAINAGE NOTES

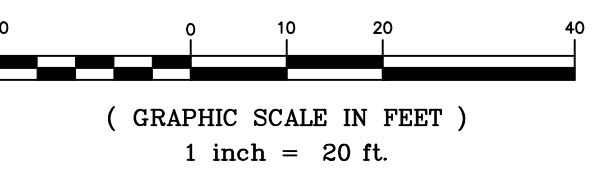
- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE NCDD, NCDOT AND TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
- 2. CONTRACTOR SHALL HAVE NORTH CAROLINA ONE CALL (1-800-652-4949). LOCATE ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL VERIFY THE DEPTH AND LOCATION OF ALL EXISTING UTILITIES AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.
- 3. ALL STORM DRAINAGE PIPING WITH INSIDE DIAMETER OF 15 INCHES AND LARGER SHALL BE GLASS W/ RCP.
- 4. THIS PLAN IS DIAGRAMMATIC AND REPRESENTS THE APPROXIMATE LOCATION OF UTILITIES UNLESS SPECIFICALLY DIMENSIONED. THE CONTRACTOR SHALL COORDINATE THE ACTUAL LOCATION OF UTILITIES TO AVOID CONFLICTS AND MEET MINIMUM SIZE, SLOPE, AND CODE REQUIREMENTS.
- 5. ALL SIDEWALKS SHALL BE CONSTRUCTED SUCH THAT THE LONGITUDINAL SLOPE DOES NOT EXCEED 5% AND THE CROSS-SLOPE DOES NOT EXCEED 2% IF THERE ARE ANY DISCREPANCIES, NOTIFY THE ENGINEER.
- 6. TOTAL DISTURBED AREA = 0.73 ACRES. SEE IMPERVIOUS BREAKDOWN IN "SITE DATA" TABLE ON SHEET C1001.
- 7. ALL ELEVATIONS ARE REFERENCED TO NAVD 88 DATUM.
- 8. ALL STORM DRAINAGE STRUCTURES SHALL MEET NCDOT STANDARDS AND SPECIFICATIONS, UNLESS NOTED OTHERWISE.

DRAWING LEGEND

SYMBOL/ABBREVIATION	EXISTING	NEW	DESCRIPTION
CB/C1			CATCH BASIN/CURB INLET
DMH			STORM DRAINAGE MANHOLE
24" RCP			STORM DRAINAGE PIPE
XXX			CONTOUR
+388.8			SPOT ELEVATION
411.60			SPOT ELEVATION AT CURB
411.60			EASEMENT LINE
SF			SILT FENCE
			LIMITS OF DISTURBANCE



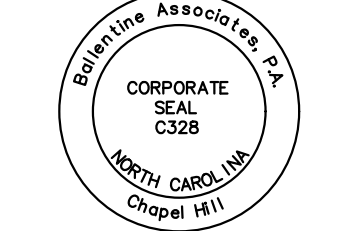
GRADING & DRAINAGE PLAN



REVIEW DRAWING
NOT FOR CONSTRUCTION

BALENTINE
ASSOCIATES, P.A.

227 PROVIDENCE ROAD,
CHAPEL HILL, N.C. 27514
(919) 929 - 0481



DATE	REVISIONS

DATE	ISSUED

OWNER INFORMATION
DEBB PROPERTIES, INC.
117 CONNORVILLE SOUTH DR.
SUITE 110
CARY, NC 27511
OWNERS REPRESENTATIVE:
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FAX (919) 461-3939
EMAIL joe.dye@debbproperties.com

DATE	ISSUED
29 JULY 21	CONDITIONAL ZONING SUBMITTAL #1
30 SEPT 21	CONDITIONAL ZONING SUBMITTAL #2
29 NOV 21	CONDITIONAL ZONING SUBMITTAL #3
14 FEB 22	CONDITIONAL ZONING SUBMITTAL #4

LINK ROSEMARY
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA

CONDITIONAL ZONING DRAWINGS

JOB #: 119016.04
DATE: NOV 2021
SCALE: AS NOTED
DRAWN BY: N.R.P.
REVIEWED BY: G.J.R.

SHEET
C1201

C4 HEAVY DUTY ASPHALT PAVEMENT
C5001 N.T.S.

C2 CLASS II BIKE RACK
C5001 SCALE: N.T.S.

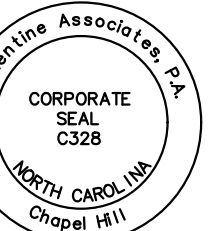
A4 12' ASPHALT DRIVE
C5001 N.T.S.

NCDOT CONCRETE CURB & GUTTER
SCALE: N.T.S.

SITE DETAILS
1 **REVIEW DRAWING**
NOT FOR CONSTRUCTION

**BALLENTINE
ASSOCIATES, P.A.**
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481 (919) 489 - 4769

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OWNER INFORMATION
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BUYERS REPRESENTATIVE:
JANE DYE
(919) 388-5774
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MAIL jdyer@rubbproperties.com

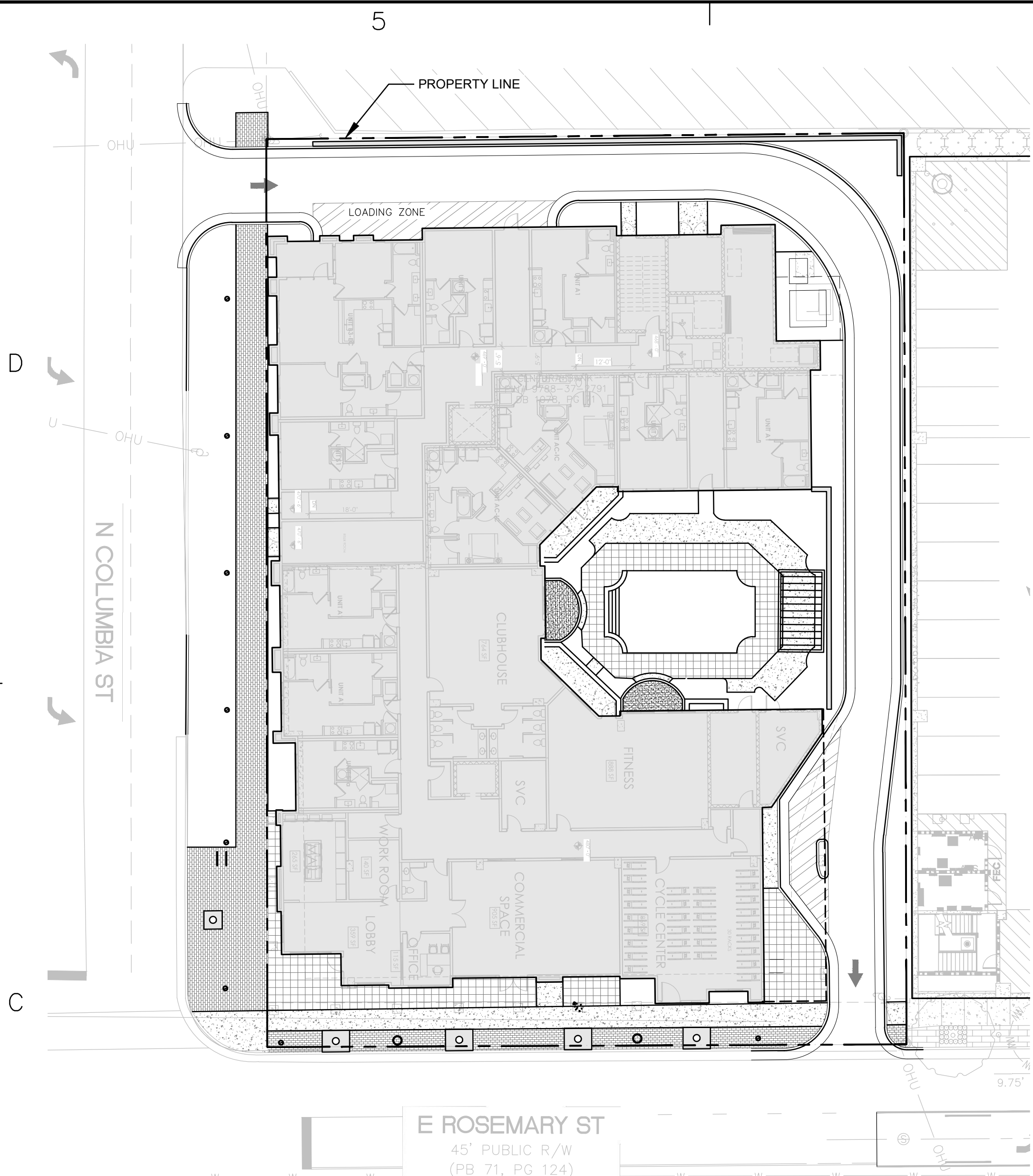
CONDITIONAL ZONING SUBMITTAL #1	29 JULY 21
CONDITIONAL ZONING SUBMITTAL #2	30 SEPT 21
CONDITIONAL ZONING SUBMITTAL #3	29 NOV 21
CONDITIONAL ZONING SUBMITTAL #4	14 FEB 22

LINK ROSEMARY
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA

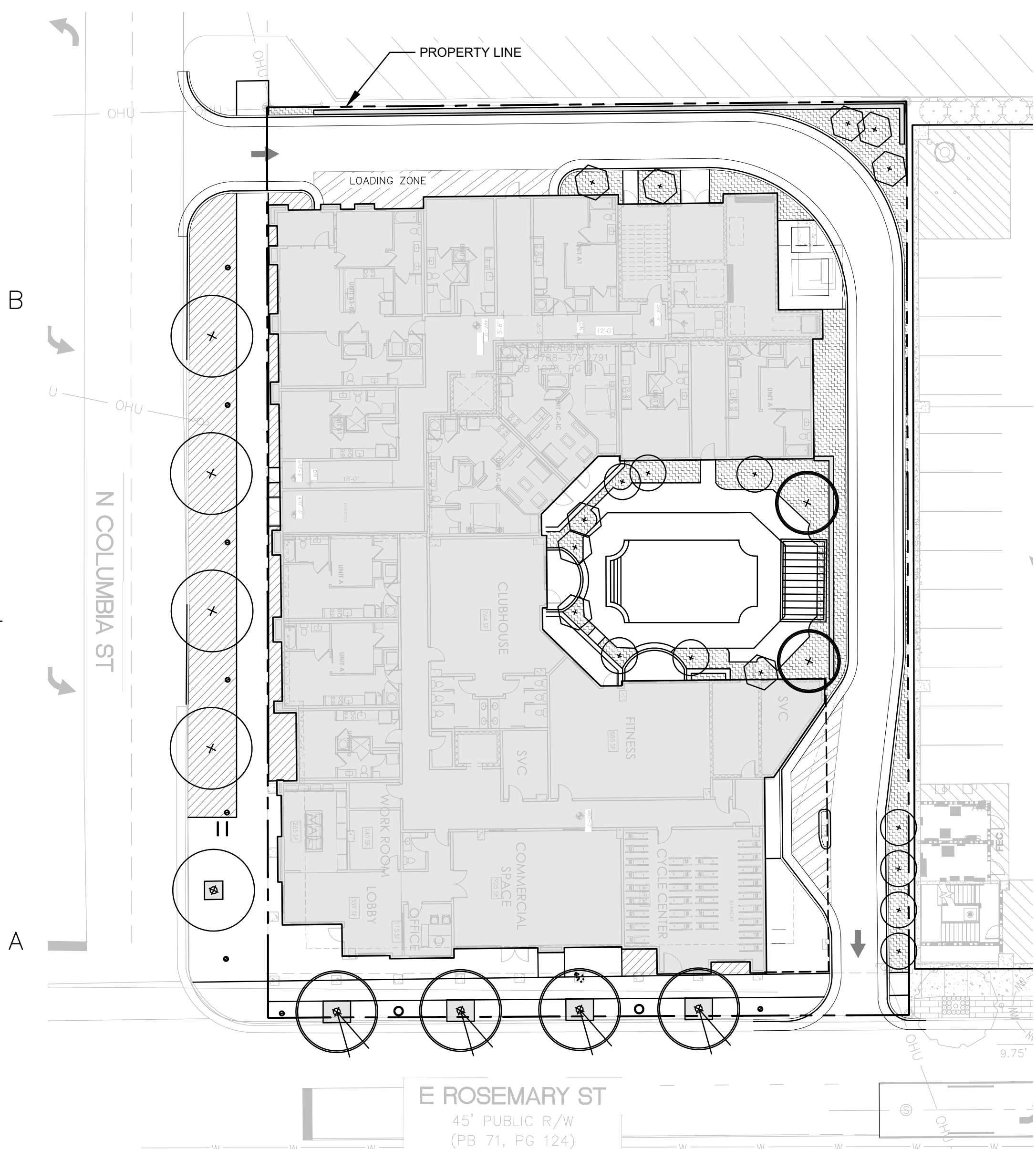
CONDITIONAL ZONING DRAWINGS

B #: 119016.04
TE: NOV 2021
ALE: AS NOTED
AWN BY: N.R.P.
VIEWED BY: G.J.R.

SHEET
5001



1 MATERIALS PLAN
1" = 20'



2 PLANTING PLAN
1" = 20'

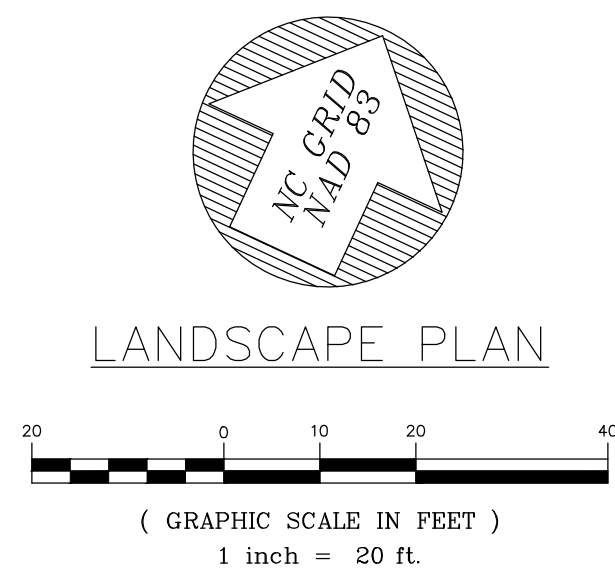
MATERIALS LEGEND

- CONCRETE
- RED BRICK PAVERS, TO MATCH EXISTING AND COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- BRICK UNIT PAVERS
- CONCRETE UNIT PAVERS, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- BIKE RACK, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- TRASH RECEPTACLE, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- TREE GRATE, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- OVERHEAD STRUCTURE - COURTYARD
- SEAT WALL
- PEDESTRIAN POLE LIGHT, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS

PLANTING LEGEND

- SHUMARD OAK
- BLACK GUM
- SERVICEBERRY
- CELESTIAL DOGWOOD
- REDBUD
- UNDERSTORY PLANTING MIX - STREETSCAPE
 - YALPON HOLLY
 - OAKLEAF HYDRANGEA
 - MEXICAN FEATHER GRASS
 - KARL FOERSTER REED GRASS
 - SHENANDOAH SWITCHGRASS
 - CATMINT
 - WHITE GAURA
 - THREADLEAF COREOPSIS
 - SIBERIAN IRIS
 - ROSY SEDGE
 - TEXAS SEDGE
- UNDERSTORY PLANTING MIX - COURTYARD
 - LOROPETALUM
 - FORMOSA AZALEA
 - SETSUGUEKIA CAMELLIA
 - NORTHERN SEA OATS
 - AUTUMN MOOR GRASS
 - FOAM FLOWER
 - ASTILBE
 - WOODLAND PHLOX
 - WHITE GAURA
 - THREADLEAF COREOPSIS
 - SOUTHERN SHIELD FERN
 - AUTUMN FERN
 - PENNSYLVANIA SEDGE
 - BLUE GREEN SEDGE

- LANDSCAPE AND PLANTING NOTES**
- MINIMUM TREE SIZE AT PLANTING IS 2" CALIPER (FOR SINGLE STEM TREES).
 - ALL MULTI-STEM PLANTS MUST BE TREE FORM, MAXIMUM 3" TO 5" TRUNKS, AND MINIMUM 8' TALL.
 - ALL NEW PLANTING AREAS (GRASS/TURF, SOD, PLANTS, TREES, SHRUBS, GROUNDCOVER, ETC.) SHALL BE FINE GRADED PRIOR TO INSTALLATION. FINE GRADING SHALL CONSIST OF UNCOMPACTED SOIL THAT IS HAND RAKED, SMOOTH, AND FREE OF DEBRIS (NO STONES, ROOTS, OR ANY OTHER MATERIAL GREATER THAN 1" IN SIZE).
 - TILL SOIL TO A DEPTH OF 24" FOR TREES AND SHRUBS AND 6" FOR GRASS/TURF. AMEND THE TOP 24" OF SOIL FOR TREES AND SHRUBS AND TOP 6" OF SOIL FOR GRASS/TURF TO MEET TOPSOIL/PLANTING MIX STANDARDS AS REQUIRED BY SPECIFICATIONS.
 - CONTRACTOR IS REQUIRED TO PERFORM SOIL TESTS TO DETERMINE SOIL NUTRIENT REQUIREMENTS FOR ALL GRASS/TURF, SOD, PLANT, TREE, SHRUB, AND GROUNDCOVER AREAS. CONTRACTOR TO SUBMIT SOIL TEST TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO MOBILIZATION.
 - IN ADDITION TO THE SOIL MIXTURE, CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND INSTALLING SOIL AMENDMENTS, AS INDICATED BY SOIL TESTS, AS WELL AS, AN ADEQUATE DRAINAGE SYSTEM FOR PLANTING BEDS. CONTRACTOR IS RESPONSIBLE FOR PROVIDING AN ENVIRONMENT SUITABLE FOR THE GROWTH OF HEALTHY PLANT MATERIAL. THE LANDSCAPE ARCHITECT MAY REQUIRE ADDITIONAL SOIL AMENDMENTS AND EXCAVATION OF EXISTING SOIL DURING ONSITE OBSERVATIONS PRIOR TO OR AFTER CONSTRUCTION. REFER TO PLANTING DETAILS FOR INFORMATION ON PLANTING BED PREPARATIONS. ALL PLANTING BEDS WILL BE PROBED BY THE LANDSCAPE ARCHITECT TO DETERMINE DEPTH AND SOIL QUALITY FOLLOWING INSTALLATION.
 - ALL PLANTING BEDS AND SOD/TURF/SEEDED AREAS TO RECEIVE AN AMENDED SOIL MIXTURE. SOIL MIX SHALL BE COMPOSED OF 75% EXISTING SOIL, 15% ORGANIC MATERIAL, AND 10% SAND. SUPPLEMENT SOIL MIX WITH NITROGEN CONCENTRATION AS DETERMINED BY SOIL TEST RESULTS.
 - SITE LIGHT POLES GREATER THAN 15' TALL MUST BE A MINIMUM OF 30' AWAY FROM ALL TREES. SITE LIGHT POLES LESS THAN 15' TALL MUST BE A MINIMUM OF 15' AWAY FROM ALL TREES.
 - ENSURE ALL TREES ARE A MINIMUM OF 15' FROM ALL UNDERGROUND UTILITIES (GAS, WATER, PHONE, AND ELECTRICAL LINES). CONTACT LANDSCAPE ARCHITECT IF FIELD MODIFICATIONS ARE REQUIRED.
 - NOTIFY LANDSCAPE ARCHITECT OF ANY SITE CONDITIONS WHICH MAY NECESSITATE MODIFICATIONS TO THE APPROVED PLANS. LANDSCAPE ARCHITECT SHALL, IF NECESSARY, MAKE "IN-FIELD MODIFICATIONS".
 - ALL DISTURBED AREAS SHALL BE LANDSCAPED (GRASS/TURF, SOD, PLANTS, TREES, SHRUBS, GROUNDCOVER, ETC.). ALL AREAS NOT DESIGNATED AS PLANTING BEDS OR SOD ARE TO BE SEEDED WITH GRASS SEED UNTIL A PERMANENT STAND OF GRASS IS ESTABLISHED PER THE SPECIFICATIONS.
 - CONTRACTOR IS RESPONSIBLE FOR INSPECTION OF EXISTING CONDITIONS AND PROMPTLY REPORTING ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
 - CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR.
 - LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES, SIGNS, UNDERGROUND UTILITIES, OR ANY OTHER SITE FEATURES, CONTACT LANDSCAPE ARCHITECT BEFORE PLANTING.
 - CONTRACTOR VERIFIES THAT ALL PLANT MATERIAL IS AVAILABLE AS SPECIFIED WHEN BID/PROPOSAL IS SUBMITTED AND SAID MATERIAL AS SPECIFIED IS ALSO AVAILABLE AT TIME OF INSTALLATION. NO SUBSTITUTIONS DUE TO PLANT AVAILABILITY WILL BE APPROVED.
 - PLANT SCHEDULE WAS PREPARED FOR ESTIMATING PURPOSES. CONTRACTOR SHALL MAKE OWN QUANTITY TAKEOFFS USING PLANS TO DETERMINE FINAL QUANTITIES. PROMPTLY REPORT ANY DISCREPANCIES WHICH MAY AFFECT BIDDING. GRAPHIC REPRESENTATION OF PLANTS SHALL SUPERCEDE QUANTITIES LISTED IN THE PLANT SCHEDULE.
 - ROOT TYPE MAY BE FREELY SUBSTITUTED FOR BALLED AND BURLAPPED OR CONTAINER GROWN PLANTS (UNLESS NOTED AS SPECIMEN TREES ON PLANT SCHEDULE). ALL OTHER SPECIFICATIONS ARE TO REMAIN UNCHANGED (HEIGHT, WIDTH, ETC.).
 - FOR ALL TREES, SHRUBS, GROUNDCOVERS AND SOD - CONTRACTOR TO APPLY A PRE-EMERGENT HERBICIDE, 'PREEN' OR EQUAL TO ALL PLANT BED AREAS AND PROVIDE DOCUMENTATION OF QUANTITY AND PRODUCT USED TO LANDSCAPE ARCHITECT PRIOR TO FINAL PROJECT APPROVAL.
 - FOR ALL SEEDED GRASS/TURF - REMOVE WEEDS BEFORE SEEDING. WHERE WEEDS ARE PRESENT, APPLY SELECTIVE HERBICIDES TO ELIMINATE ALL WEEDS. DO NOT USE PRE-EMERGENCE HERBICIDES.
 - CONTRACTOR IS TO PROVIDE OWNER AN ESTABLISHED, HEALTHY, UNIFORM, CLOSE STAND OF GRASS, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY 10 SQ FT AREA AND BARE SPOTS ARE NOT TO EXCEED 5 BY 5 INCHES.
 - ALL PLANT MATERIAL MUST BE PLANTED IN CORRELATION WITH THE APPROPRIATE GROWING SEASON OF INDIVIDUAL PLANT REQUIREMENTS. SOME PERENNIALS MAY REQUIRE A SPRING PLANTING IN ORDER TO SURVIVE A FULL WINTER DORMANCY.
 - ALL PLANT MATERIAL AND WORKMANSHIP TO BE GUARANTEED FOR ONE YEAR FROM THE DATE OF ACCEPTANCE BY THE OWNER. REPLACEMENT PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS DOCUMENT AND SPECIFICATIONS. THE CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEFECTS RESULTING FROM NEGLIGENCE BY THE OWNER, ABUSE OR DAMAGE BY OTHERS.
 - ALL STRAPPING AND TOP 2/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM ROOT BALL PRIOR TO BACKFILLING THE PLANTING PIT. REMOVE TOP 1/3 OF THE BURLAP FROM ROOT BALL.



LANDSCAPE PLAN
REVIEW DRAWING
1 NOT FOR CONSTRUCTION

BALENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481
(919) 469 - 4785

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BALENTINE ASSOCIATES, P.A.
CORPORATE SEAL
C328
NORTH CAROLINA
CHAPEL HILL

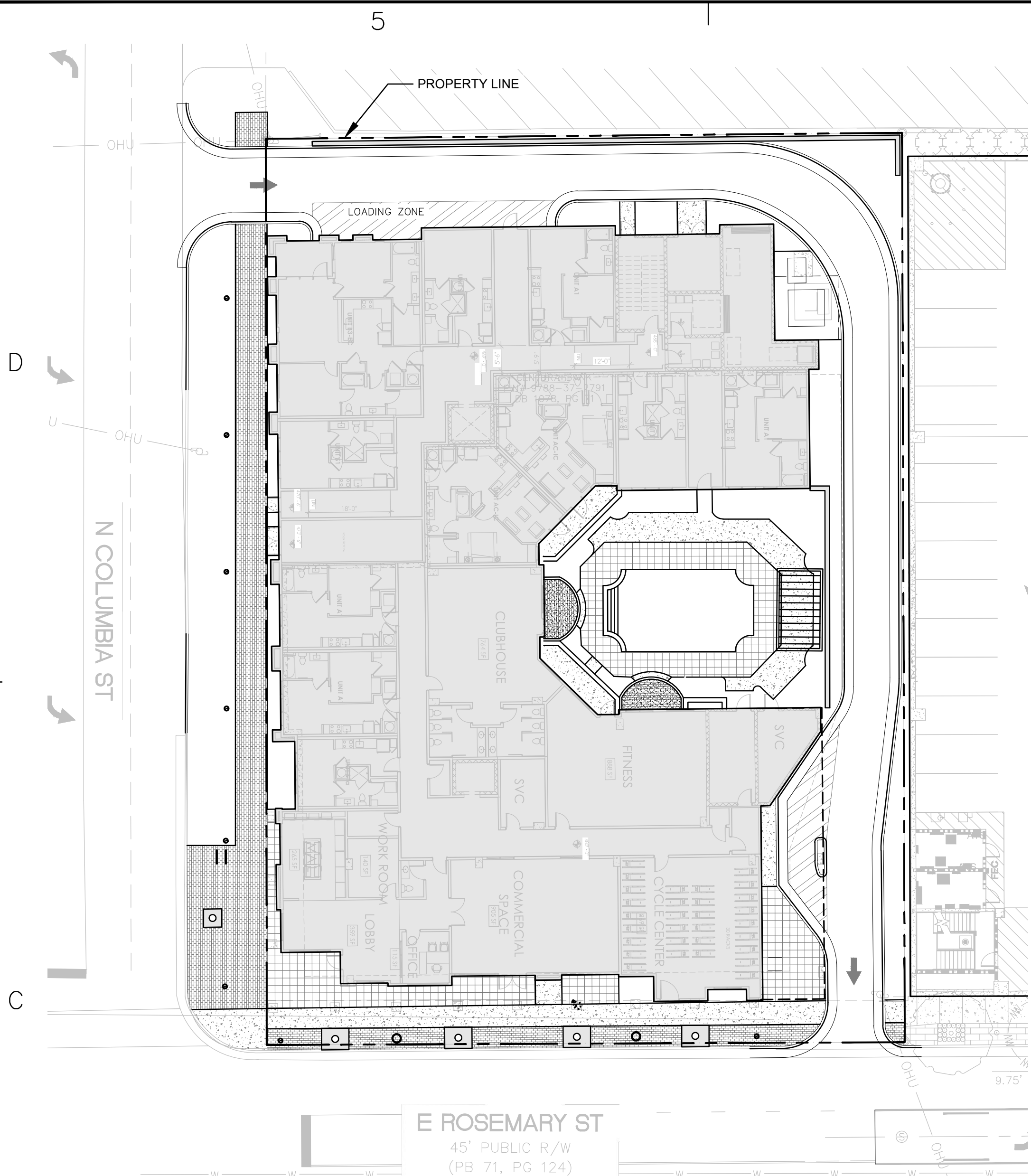
DATE: 29 JULY 21
ISSUED: CONDITIONAL ZONING SUBMITTAL

101 E. ROSEMARY STREET
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA

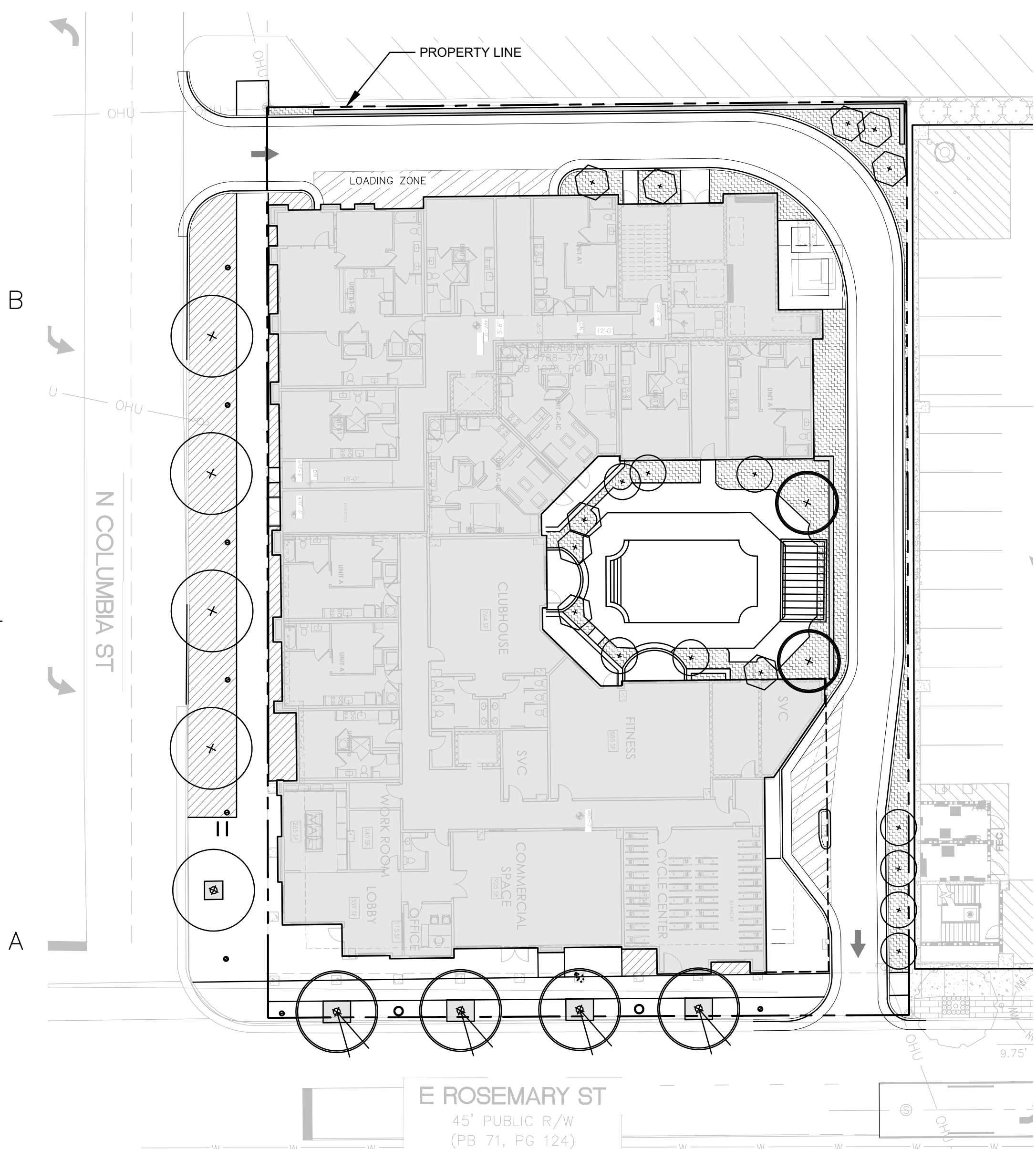
CONDITIONAL ZONING DRAWINGS

JOB #: 119016.04
DATE: JULY 2021
SCALE: AS NOTED
DRAWN BY: TM, MC
REVIEWED BY: MC

SHEET
L100



1 MATERIALS PLAN
1" = 20'



2 PLANTING PLAN
1" = 20'

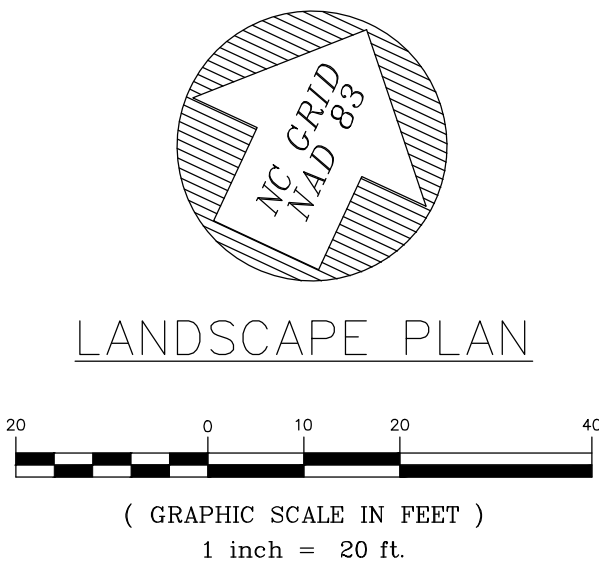
MATERIALS LEGEND

- CONCRETE
- RED BRICK PAVERS, TO MATCH EXISTING AND COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
- BRICK UNIT PAVERS
- CONCRETE UNIT PAVERS, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS
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- OVERHEAD STRUCTURE - COURTYARD
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- PEDESTRIAN POLE LIGHT, TO COMPLY WITH TOWN OF CHAPEL HILL DESIGN STANDARDS

PLANTING LEGEND

- SHUMARD OAK
- BLACK GUM
- SERVICEBERRY
- CELESTIAL DOGWOOD
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 - LOROPETALUM
 - FORMOSA AZALEA
 - SETSUGUEKIA CAMELLIA
 - NORTHERN SEA OATS
 - AUTUMN MOOR GRASS
 - FOAM FLOWER
 - ASTILBE
 - WOODLAND PHLOX
 - WHITE GAURA
 - THREADLEAF COREOPSIS
 - SOUTHERN SHIELD FERN
 - AUTUMN FERN
 - PENNSYLVANIA SEDGE
 - BLUE GREEN SEDGE

- LANDSCAPE AND PLANTING NOTES**
- MINIMUM TREE SIZE AT PLANTING IS 2" CALIPER (FOR SINGLE STEM TREES).
 - ALL MULTI-STEM PLANTS MUST BE TREE FORM, MAXIMUM 3" TO 5" TRUNKS, AND MINIMUM 8' TALL.
 - ALL NEW PLANTING AREAS (GRASS/TURF, SOD, PLANTS, TREES, SHRUBS, GROUNDCOVER, ETC.) SHALL BE FINE GRADED PRIOR TO INSTALLATION. FINE GRADING SHALL CONSIST OF UNCOMPACTED SOIL THAT IS HAND RAKED, SMOOTH, AND FREE OF DEBRIS (NO STONES, ROOTS, OR ANY OTHER MATERIAL GREATER THAN 1" IN SIZE).
 - TILL SOIL TO A DEPTH OF 24" FOR TREES AND SHRUBS AND 6" FOR GRASS/TURF. AMEND THE TOP 24" OF SOIL FOR TREES AND SHRUBS AND TOP 6" OF SOIL FOR GRASS/TURF TO MEET TOPSOIL/PLANTING MIX STANDARDS AS REQUIRED BY SPECIFICATIONS.
 - CONTRACTOR IS REQUIRED TO PERFORM SOIL TESTS TO DETERMINE SOIL NUTRIENT REQUIREMENTS FOR ALL GRASS/TURF, SOD, PLANT, TREE, SHRUB, AND GROUNDCOVER AREAS. CONTRACTOR TO SUBMIT SOIL TEST TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO MOBILIZATION.
 - IN ADDITION TO THE SOIL MIXTURE, CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND INSTALLING SOIL AMENDMENTS, AS INDICATED BY SOIL TESTS, AS WELL AS, AN ADEQUATE DRAINAGE SYSTEM FOR PLANTING BEDS. CONTRACTOR IS RESPONSIBLE FOR PROVIDING AN ENVIRONMENT SUITABLE FOR THE GROWTH OF HEALTHY PLANT MATERIAL. THE LANDSCAPE ARCHITECT MAY REQUIRE ADDITIONAL SOIL AMENDMENTS AND EXCAVATION OF EXISTING SOIL DURING ONSITE OBSERVATIONS PRIOR TO OR AFTER CONSTRUCTION. REFER TO PLANTING DETAILS FOR INFORMATION ON PLANTING BED PREPARATIONS. ALL PLANTING BEDS WILL BE PROBED BY THE LANDSCAPE ARCHITECT TO DETERMINE DEPTH AND SOIL QUALITY FOLLOWING INSTALLATION.
 - ALL PLANTING BEDS AND SOD/TURF/SEEDED AREAS TO RECEIVE AN AMENDED SOIL MIXTURE. SOIL MIX SHALL BE COMPOSED OF 75% EXISTING SOIL, 15% ORGANIC MATERIAL, AND 10% SAND. SUPPLEMENT SOIL MIX WITH NITROGEN CONCENTRATION AS DETERMINED BY SOIL TEST RESULTS.
 - SITE LIGHT POLES GREATER THAN 15' TALL MUST BE A MINIMUM OF 30' AWAY FROM ALL TREES. SITE LIGHT POLES LESS THAN 15' TALL MUST BE A MINIMUM OF 15' AWAY FROM ALL TREES.
 - ENSURE ALL TREES ARE A MINIMUM OF 15' FROM ALL UNDERGROUND UTILITIES (GAS, WATER, PHONE, AND ELECTRICAL LINES). CONTACT LANDSCAPE ARCHITECT IF FIELD MODIFICATIONS ARE REQUIRED.
 - NOTIFY LANDSCAPE ARCHITECT OF ANY SITE CONDITIONS WHICH MAY NECESSITATE MODIFICATIONS TO THE APPROVED PLANS. LANDSCAPE ARCHITECT SHALL, IF NECESSARY, MAKE "IN-FIELD MODIFICATIONS".
 - ALL DISTURBED AREAS SHALL BE LANDSCAPED (GRASS/TURF, SOD, PLANTS, TREES, SHRUBS, GROUNDCOVER, ETC.). ALL AREAS NOT DESIGNATED AS PLANTING BEDS OR SOD ARE TO BE SEEDED WITH GRASS SEED UNTIL A PERMANENT STAND OF GRASS IS ESTABLISHED PER THE SPECIFICATIONS.
 - CONTRACTOR IS RESPONSIBLE FOR INSPECTION OF EXISTING CONDITIONS AND PROMPTLY REPORTING ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
 - CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR.
 - LARGE MATURING TREES MAY NOT BE PLANTED WHERE OVERHEAD DISTRIBUTION OR TRANSMISSION LINES EXIST. IF TREES CONFLICT WITH POWER LINES, SIGNS, UNDERGROUND UTILITIES, OR ANY OTHER SITE FEATURES, CONTACT LANDSCAPE ARCHITECT BEFORE PLANTING.
 - CONTRACTOR VERIFIES THAT ALL PLANT MATERIAL IS AVAILABLE AS SPECIFIED WHEN BID/PROPOSAL IS SUBMITTED AND SAID MATERIAL AS SPECIFIED IS ALSO AVAILABLE AT TIME OF INSTALLATION. NO SUBSTITUTIONS DUE TO PLANT AVAILABILITY WILL BE APPROVED.
 - PLANT SCHEDULE WAS PREPARED FOR ESTIMATING PURPOSES. CONTRACTOR SHALL MAKE OWN QUANTITY TAKEOFFS USING PLANS TO DETERMINE FINAL QUANTITIES. PROMPTLY REPORT ANY DISCREPANCIES WHICH MAY AFFECT BIDDING. GRAPHIC REPRESENTATION OF PLANTS SHALL SUPERCEDE QUANTITIES LISTED IN THE PLANT SCHEDULE.
 - ROOT TYPE MAY BE FREELY SUBSTITUTED FOR BALLED AND BURLAPPED OR CONTAINER GROWN PLANTS (UNLESS NOTED AS SPECIMEN TREES ON PLANT SCHEDULE). ALL OTHER SPECIFICATIONS ARE TO REMAIN UNCHANGED (HEIGHT, WIDTH, ETC.).
 - FOR ALL TREES, SHRUBS, GROUNDCOVERS AND SOD - CONTRACTOR TO APPLY A PRE-EMERGENT HERBICIDE, 'PREEN' OR EQUAL TO ALL PLANT BED AREAS AND PROVIDE DOCUMENTATION OF QUANTITY AND PRODUCT USED TO LANDSCAPE ARCHITECT PRIOR TO FINAL PROJECT APPROVAL.
 - FOR ALL SEEDED GRASS/TURF - REMOVE WEEDS BEFORE SEEDING. WHERE WEEDS ARE PRESENT, APPLY SELECTIVE HERBICIDES TO ELIMINATE ALL WEEDS. DO NOT USE PRE-EMERGENCE HERBICIDES.
 - CONTRACTOR IS TO PROVIDE OWNER AN ESTABLISHED, HEALTHY, UNIFORM, CLOSE STAND OF GRASS, FREE OF WEEDS AND SURFACE IRREGULARITIES, WITH COVERAGE EXCEEDING 90% OVER ANY 10 SQ FT AREA AND BARE SPOTS ARE NOT TO EXCEED 5 BY 5 INCHES.
 - ALL PLANT MATERIAL MUST BE PLANTED IN CORRELATION WITH THE APPROPRIATE GROWING SEASON OF INDIVIDUAL PLANT REQUIREMENTS. SOME PERENNIALS MAY REQUIRE A SPRING PLANTING IN ORDER TO SURVIVE A FULL WINTER DORMANCY.
 - ALL PLANT MATERIAL AND WORKMANSHIP TO BE GUARANTEED FOR ONE YEAR FROM THE DATE OF ACCEPTANCE BY THE OWNER. REPLACEMENT PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS DOCUMENT AND SPECIFICATIONS. THE CONTRACTOR WILL NOT BE RESPONSIBLE FOR DEFECTS RESULTING FROM NEGLIGENCE BY THE OWNER, ABUSE OR DAMAGE BY OTHERS.
 - ALL STRAPPING AND TOP 2/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM ROOT BALL PRIOR TO BACKFILLING THE PLANTING PIT. REMOVE TOP 1/3 OF THE BURLAP FROM ROOT BALL.



LANDSCAPE PLAN

REVIEW DRAWING
1 NOT FOR CONSTRUCTION

BALENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0461
(919) 469 - 4785

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BALENTINE ASSOCIATES, P.A.
CORPORATE SEAL
C328
NORTH CAROLINA
Chapel Hill

DATE: _____
REVISIONS: _____
NUM: _____

OWNER INFORMATION
DB/BB PROPERTIES, INC.
117 CONBROUGH SOUTH DRIVE
SUITE 110
CARY, NC 27511
OWNERS REPRESENTATIVE:
JOE DYE
(919) 388-5774
FAX (919) 461-3939
EMAIL: jody@dbproperties.com

DATE: 29 JULY 21
ISSUED: _____
CONDITIONAL ZONING SUBMITTAL: _____

101 E. ROSEMARY STREET
101 E. ROSEMARY ST
CHAPEL HILL, NORTH CAROLINA

CONDITIONAL ZONING DRAWINGS

JOB #: 119016.04
DATE: JULY 2021
SCALE: AS NOTED
DRAWN BY: TM, MC
REVIEWED BY: MC

SHEET
L100

SCHEMATIC DESIGN

LINK APARTMENTS
ROSEMARY

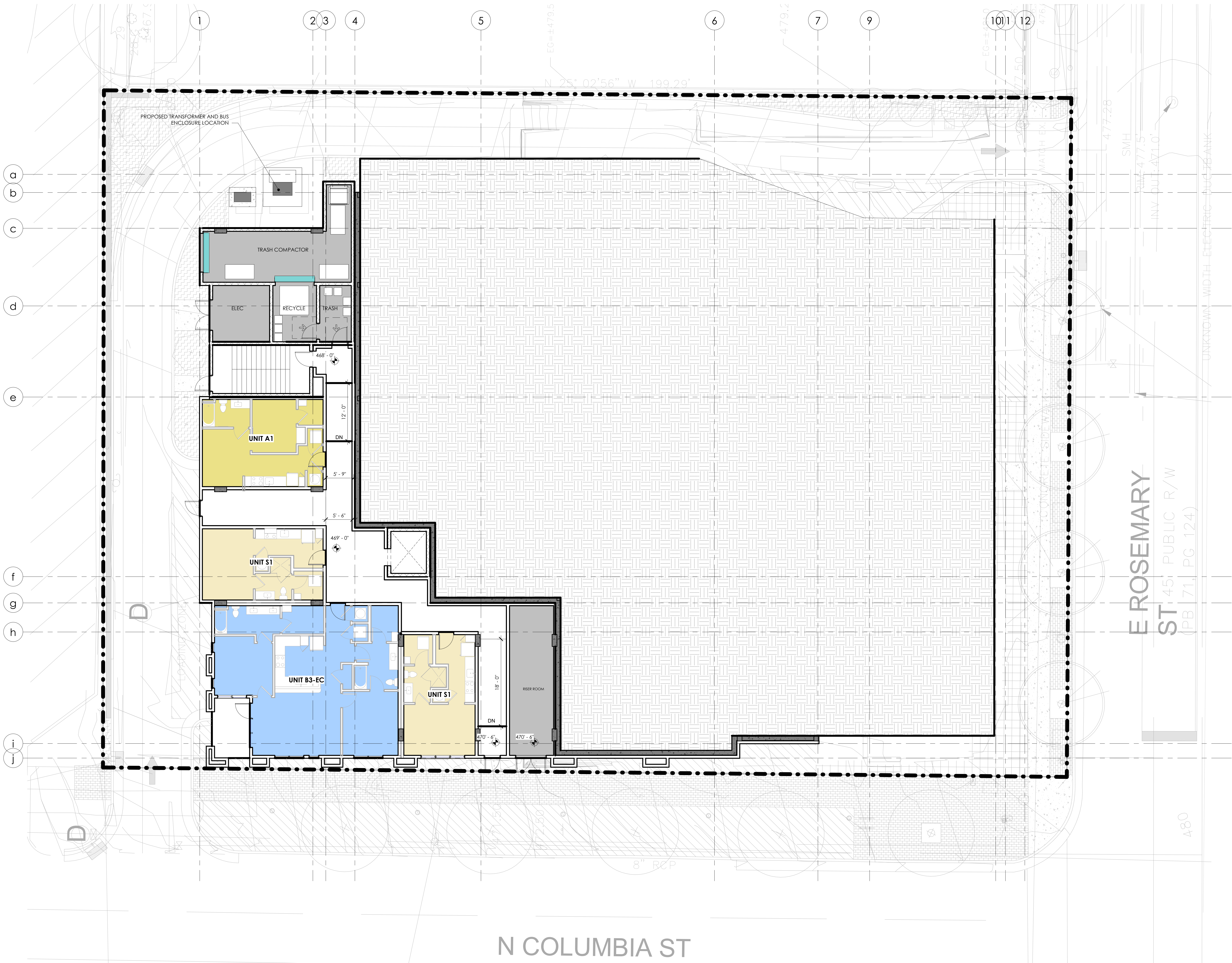


LOCATION / CHAPEL HILL, NC
PROJECT # / 21GRU230
DATE / 09.21.2021
DRAWN / PT

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Revisions		
No.	Description	Date

OVERALL PLAN -
BASEMENT LEVEL



LEVEL B1 (T.O.S.)
SCALE: 1/8" = 1'-0"

A1.00



Revisions		
No.	Description	Date





BB+M

ARCHITECTURE


BEACHAM BUNCE + MANLEY ARCHITECTURE
PLLC


1435 WEST MOREHEAD STREET
SUITE 160
CHARLOTTE, NC 28208
704.334.1716

WWW.BBM-ARCH.COM

SCHEMATIC DESIGN

LINK APARTMENTS
ROSEMARY





LOCATION / CHAPEL HILL, NC
PROJECT # / 21GRU230
DATE / 09.21.2021
DRAWN / Author

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Revisions		
No.	Description	Date

OVERALL PLAN - LEVEL
3-5

A1.03

2/15/2022 1:35:17 PM C:\Users\hchoe\Documents\Revit Local Files\Link Rosemary_CENTRAL (R2021)_hchoe@bbm-arch.com.rvt



Revisions		
No.	Description	Date





Revisions		
No.	Description	Date





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [22-0352], **Version:** 1

Meeting Date: 4/27/2022

Concept Plan Review: 828 MLK, 828 Martin Luther King Jr. Blvd.

See the Staff Report on the next page.

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

PRESENTER: Elysa Smigielski, Senior Planner

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Advisory Boards
- d. Comments from the Town's Urban Designer
- e. Comments from the public
- f. Comments and questions from the Mayor and Town Council
- g. Motion to adopt a resolution transmitting Council comments to the applicant.

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



CONCEPT PLAN REVIEW: 828 MLK (Project #22-010)

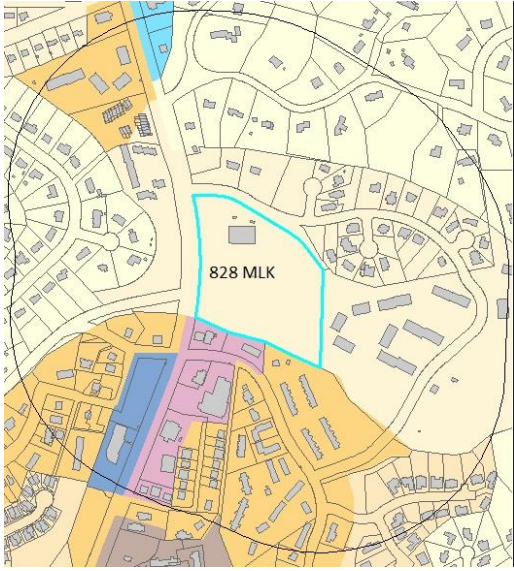
SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Colleen Willger, Director

Judy Johnson, Assistant Director

Elysa Smigielski, Senior Planner

PROPERTY ADDRESS 828 Martin Luther King Jr. Blvd	MEETING DATE April 27, 2022	APPLICANT McAdams, on behalf of the Town of Chapel Hill and Belmont-Sayre
STAFF RECOMMENDATION That the Council adopt the attached resolution transmitting comments to the applicant regarding the proposed development.		
PROCESS <ul style="list-style-type: none"> Comments from the Community Design Commission, Stormwater Management Utility Advisory Board, Housing Advisory Board, and Town's Urban Designer are attached. Because this review is a Concept Plan submittal, statements by individual Council members this evening do not represent an official position or commitment on the part of a Council member with respect to the position he or she may take when and if the Council considers a formal application. A concept plan for this site was reviewed on April 12, 2022 by the Housing Advisory Board, April 14, 2022 by the Stormwater Management Utility Advisory Board; and April 26, 2022 by the Community Design Commission. 	DECISION POINTS <ul style="list-style-type: none"> A Conditional Zoning review is typically required for the formal application. Alternatively, the applicant could request a Development Agreement. The applicant has been advised to discuss their preferred process with Council tonight. 	
PROJECT OVERVIEW <p>The approximately 10-acre site is located southeast of the intersection of Martin Luther King Jr. Blvd. and Bolinwood Drive. The property currently houses the Town of Chapel Hill Police Department. The site is currently zoned Residential-2 (R-2).</p> <p>The Town has conducted multiple studies on the environmental conditions of the property since the initial discovery of coal ash combustion products (CCPs) in 2013¹.</p> <p>The Council executed a non-binding memorandum of understanding (MOU) with developer Belmont Sayre and to move forward with a site concept on March 23, 2022.</p> <p>The applicant proposes to construct approximately 80,000 sq. ft. of commercial office space for the Town's Municipal Service Center (MSC) as well as approximately 200 mixed-income dwelling units and structured parking with approximately 450 spaces.</p> <p>Two points of access to the property are proposed with one access point to Martin Luther King Jr. Blvd. and one to Bolinwood Drive. Redevelopment and remediation of the property are proposed to occur through the North Carolina Brownfields program. There is Resource Conservation District associated with the Bolin Creek and the buffer area is proposed to remain largely undisturbed.</p>	PROJECT LOCATION 	

¹ Please visit the Town's project page for a complete site history and relevant reports:

<https://www.townofchapelhill.org/residents/community-sustainability/coal-ash-disposal-site-remediation-project>


ATTACHMENTS	<ol style="list-style-type: none">1. Long-Range Plans Evaluation2. Draft Staff Presentation3. Draft Applicant Presentation (<i>to be added</i>)4. Resolution A5. Advisory Board Comments (<i>Stormwater Management Utility Advisory Board and Community Design Commission to be shared under separate cover</i>)6. Urban Designer Comments7. Applicant Materials
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LONG-RANGE PLANS EVALUATION

828 MARTIN LUTHER KING JR BLVD.

The following report provides an evaluation by Planning Staff of the Concept Plan site, based on long-range planning considerations.

PROPERTY ADDRESS 828 Martin Luther King Jr. Blvd.	CURRENT ZONING DISTRICT R-2								
EXISTING LAND USE Institutional	PROPOSED LAND USE Mixed-Use								
SURROUNDING PROPERTIES – EXISTING LAND USES Residential (North, East & West), Commercial/Residential (South)									
FUTURE LAND USE MAP (FLUM) FOCUS AREA S MLK Jr Blvd	FLUM SUB-AREA Sub-Area B								
OTHER APPLICABLE ADOPTED PLANS <table border="0"> <tr> <td><input checked="" type="checkbox"/> Mobility and Connectivity Plan</td> <td><input checked="" type="checkbox"/> Cultural Arts Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/> Parks Comprehensive Plan</td> <td><input checked="" type="checkbox"/> Stormwater Management Master Plan</td> </tr> <tr> <td><input checked="" type="checkbox"/> Greenways Master Plan</td> <td><input type="checkbox"/> West Rosemary Street Development Guide</td> </tr> <tr> <td><input checked="" type="checkbox"/> Chapel Hill Bike Plan</td> <td><input type="checkbox"/> Central West Small Area Plan</td> </tr> </table>		<input checked="" type="checkbox"/> Mobility and Connectivity Plan	<input checked="" type="checkbox"/> Cultural Arts Plan	<input checked="" type="checkbox"/> Parks Comprehensive Plan	<input checked="" type="checkbox"/> Stormwater Management Master Plan	<input checked="" type="checkbox"/> Greenways Master Plan	<input type="checkbox"/> West Rosemary Street Development Guide	<input checked="" type="checkbox"/> Chapel Hill Bike Plan	<input type="checkbox"/> Central West Small Area Plan
<input checked="" type="checkbox"/> Mobility and Connectivity Plan	<input checked="" type="checkbox"/> Cultural Arts Plan								
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<input checked="" type="checkbox"/> Greenways Master Plan	<input type="checkbox"/> West Rosemary Street Development Guide								
<input checked="" type="checkbox"/> Chapel Hill Bike Plan	<input type="checkbox"/> Central West Small Area Plan								
SUMMARY OF PLAN CONSIDERATIONS AFFECTING ASPEN HEIGHTS SITE Map excerpts on following pages demonstrate the Plan Considerations listed below. The location of 828 MLK is marked with the  symbol.									
<u>Future Land Use Map (FLUM)</u> The Future Land Use Map was adopted on December 9, 2020. <ul style="list-style-type: none"> • Multifamily Residential, Shops & Offices and Parks/Green spaces are listed as <i>Primary (predominate) Uses</i> for Sub-Area B of the S MLK Jr Blvd Focus Area. Commercial/Office, Townhouses and Institutional/University/Civic facilities are listed as <i>Secondary Uses</i> (allowed, but not predominate). • The site's frontage on Martin Luther King Jr. Blvd. is defined as an <i>Activated Street Frontage</i>. This designation means that buildings and civic space should engage with the street, with no off-street parking located in between the building and street. • Appropriate Height along an <i>Activated Street Frontage</i> in Sub-Area B is <i>Up to 6 stories (or approximately 72 ft. of building height if assuming a 12-foot story height)</i> of Core Height. 									
<u>Mobility and Connectivity Plan</u> <ul style="list-style-type: none"> • The site is located at the intersection of Martin Luther King Jr. Blvd. and Bolinwood Drive. There are existing sidewalks and sharrows along Martin Luther King Jr. Blvd. • Future <i>Bus Rapid Transit</i> stations are located at site frontage. The applicant should coordinate with Chapel Hill Transit for the latest information on BRT design, station locations and any potential connections. 									

Parks Comprehensive Plan

- The site is located just outside of the Neighborhood Park Service Radius of Umstead Park but within the radius of a proposed new neighborhood park, and within the Community Park Service Radius of the Community Center Park.

Greenways Master Plan

- The Bolin Creek Greenway is located on the southern boundary.

Chapel Hill Bike Plan

- Mapping of future bike facilities in the Bike Plan is superseded by the Mobility and Connectivity Plan. The Bike Plan provides some additional detail on facility design.

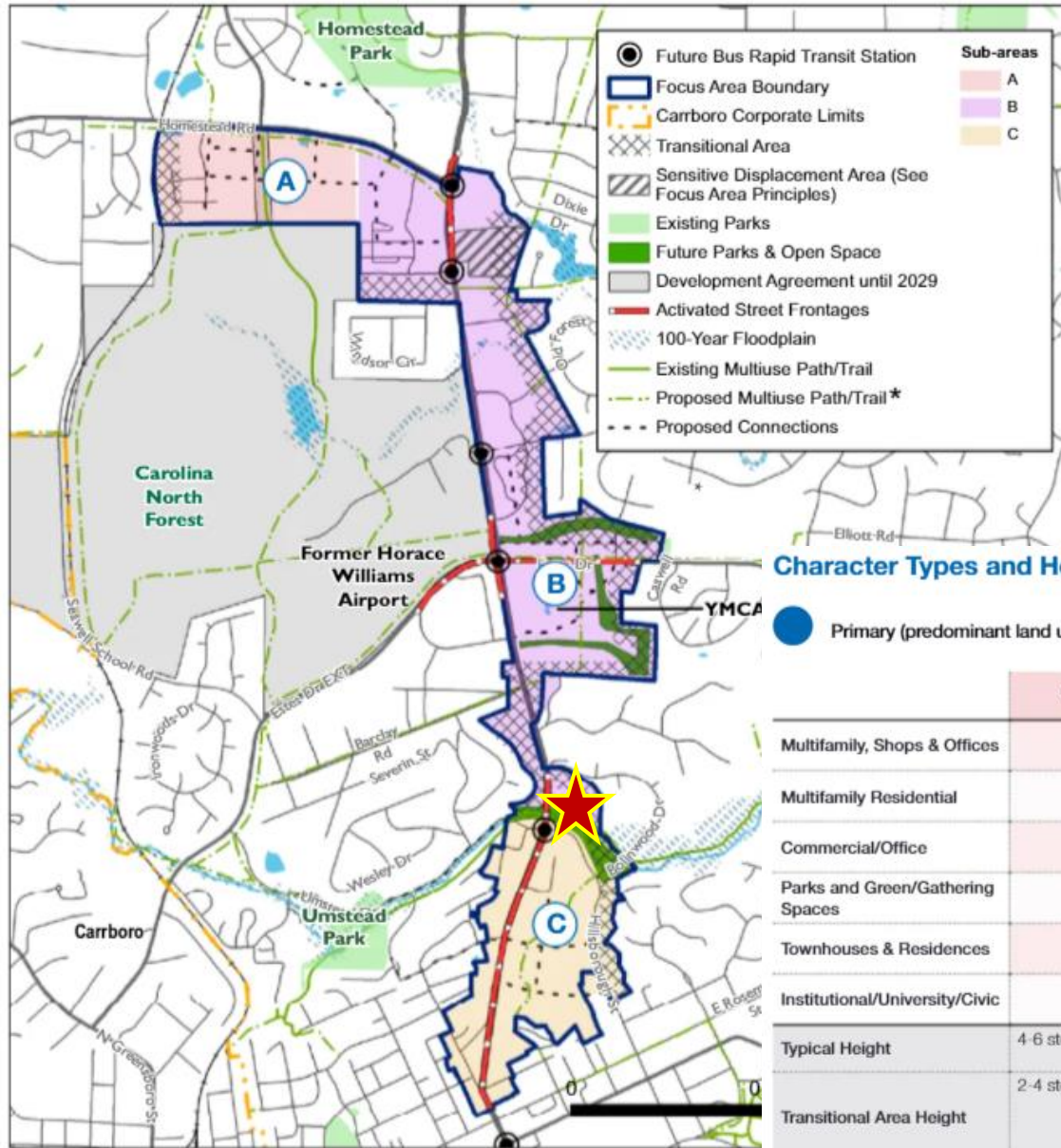
Cultural Arts Plan

- The Cultural Arts Plan identifies locations that are opportunities for integrating public art. The frontage of the site on MLK Jr Blvd is identified as an *Entranceway or Major Cross-Connector*.
- The applicant should **coordinate with Chapel Hill Community Arts & Culture** for more information on appropriate landscape and artistic treatments in this corridor.

Stormwater Management Master Plan

- The site is located in the Middle Bolin Creek Subwatershed (BL4). The applicant should **coordinate with Chapel Hill's Stormwater Management Division** to understand relevant stormwater considerations.

828 Martin Luther King Jr. Blvd.
Future Land Use Map (Excerpt)

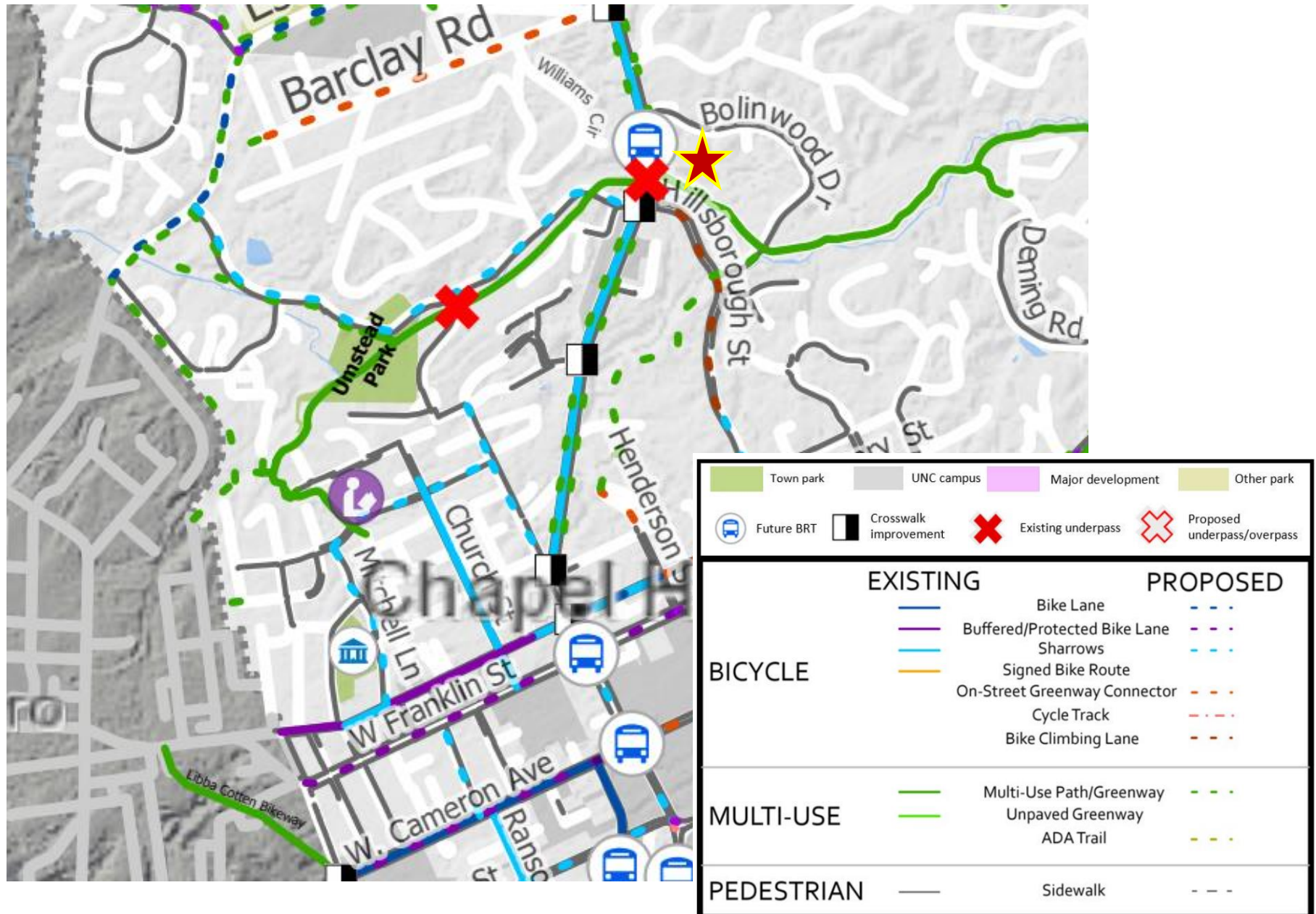


Character Types and Height in 2050: South MLK Boulevard

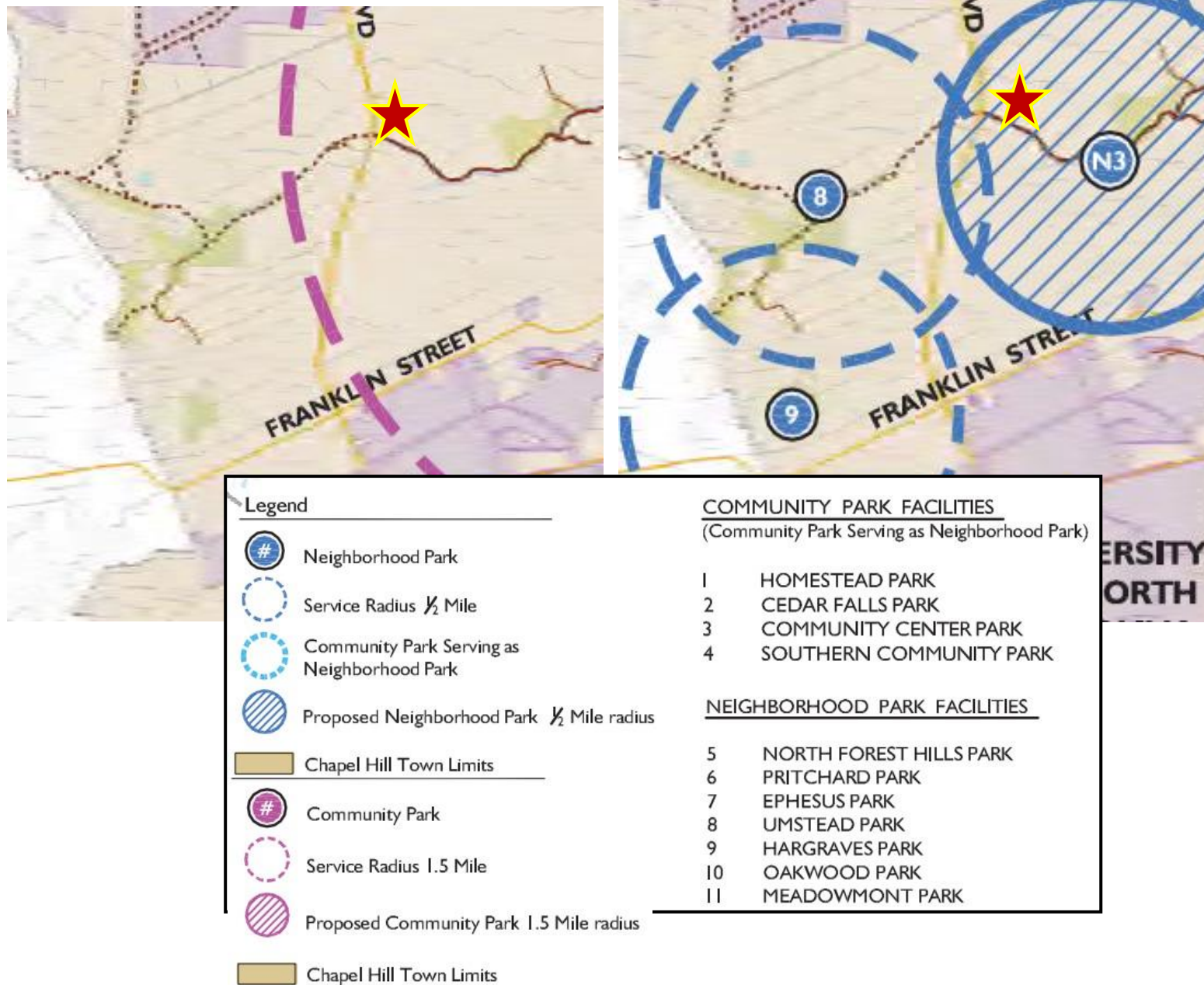
● Primary (predominant land uses) ● Secondary (appropriate, but not predominant) ⊖ Discouraged

	Sub-Area A	Sub-Area B	Sub-Area C
Multifamily, Shops & Offices	●	●	●
Multifamily Residential	●	●	●
Commercial/Office	⊖	●	●
Parks and Green/Gathering Spaces	●	●	●
Townhouses & Residences	●	●	●
Institutional/University/Civic	●	●	●
Typical Height	4-6 stories	4-6 stories	4-6 stories
Transitional Area Height	2-4 stories	2-4 stories	2-4 stories (Adjacent to lower scale residential uses, step backs or other transitional methods are necessary to ensure harmonious transitions)
Activated Street Frontage Height	N/A	6 stories	8 stories, 4 stories at the front setback line

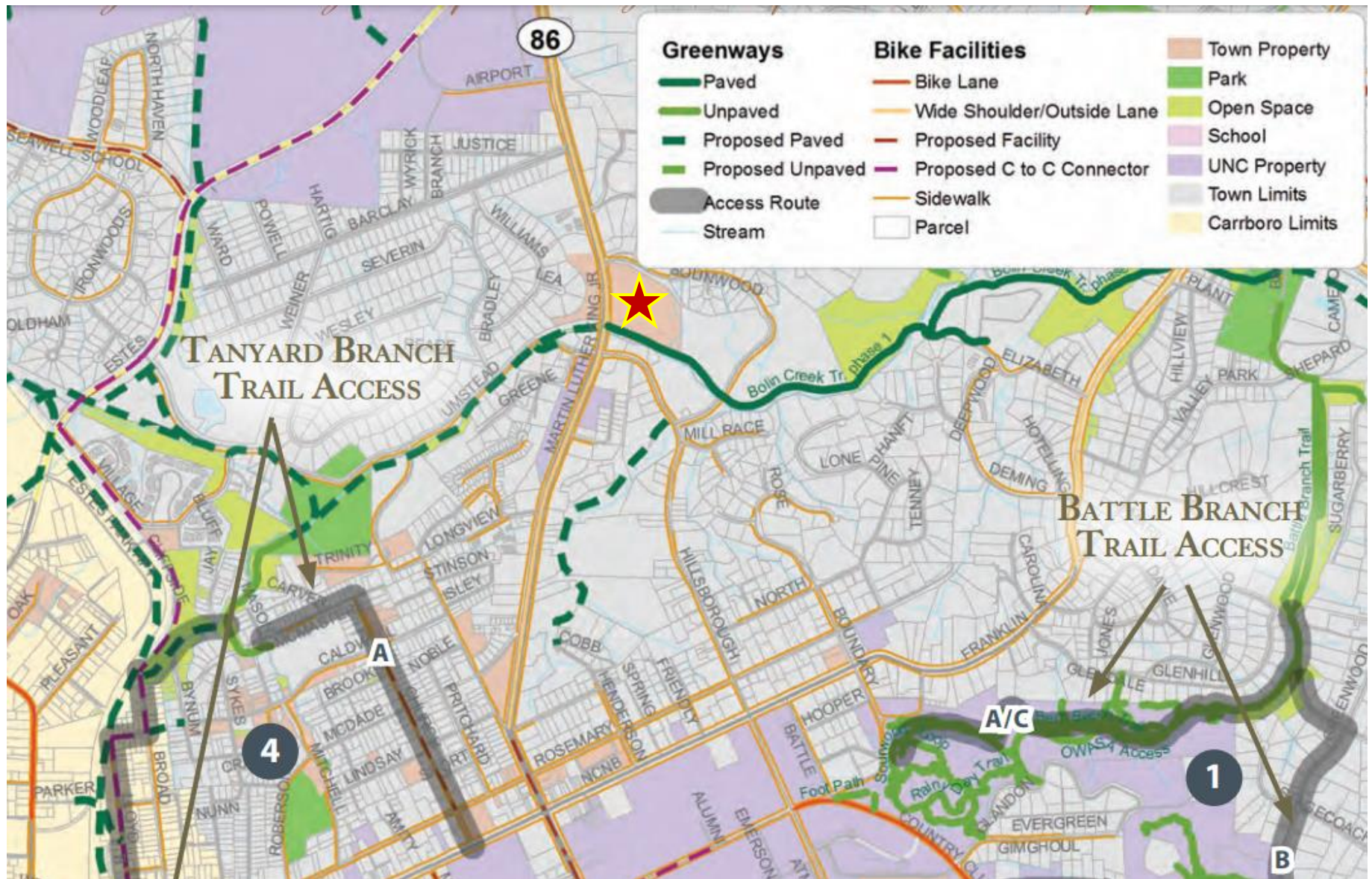
828 Martin Luther King Jr. Blvd.
Mobility & Connectivity Plan (Excerpt)



828 Martin Luther King Jr. Blvd.
Parks Comprehensive Plan (Excerpt)



828 Martin Luther King Jr. Blvd.
Greenways Master Plan (Excerpt)



828 Martin Luther King Jr. Blvd.
Cultural Arts Plan (Excerpt)



Legend

Opportunities for Integrating Public Art into Town Master Plans & Action Plans

- Gateway
- Node of Intersecting Plans
- Shared Improvement Corridor
- Entranceway or Major Cross-Connector

Future Non-Street Pedestrian and Transit Facilities

- Future Nature Trail
- Proposed Paved Greenway
- TTA Rail Corridor (Adopted 9-14-05)

Town Public Art: Existing or Funded

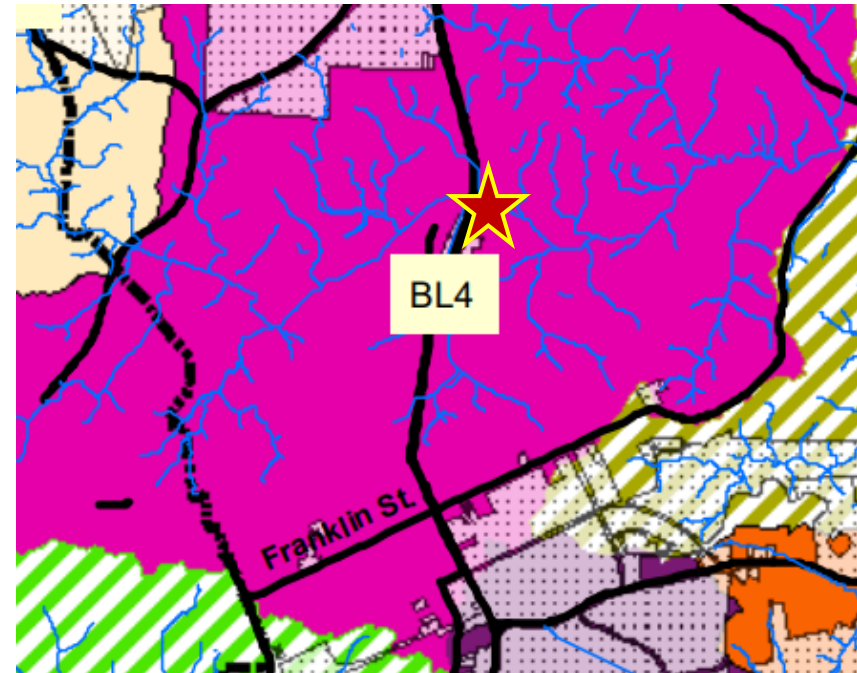
- Existing Public Art
- Funded & Planned Public Art

Public Lands & Town Boundaries

- Town Owned Land
- UNC Owned Land
- Chapel Hill Town Limits
- Chapel Hill Urban Services Boundary



Stormwater Management Master Plan (Excerpt)





COUNCIL MEETING

CONCEPT PLAN

828 MLK

April 27, 2022



Chapel Hill Planning | 405 Martin Luther King Jr. Blvd. | townofchapelhill.org



RECOMMENDATION

- ❑ Adopt a Resolution, transmitting comments to the Applicant regarding the proposed development (*R-X*)





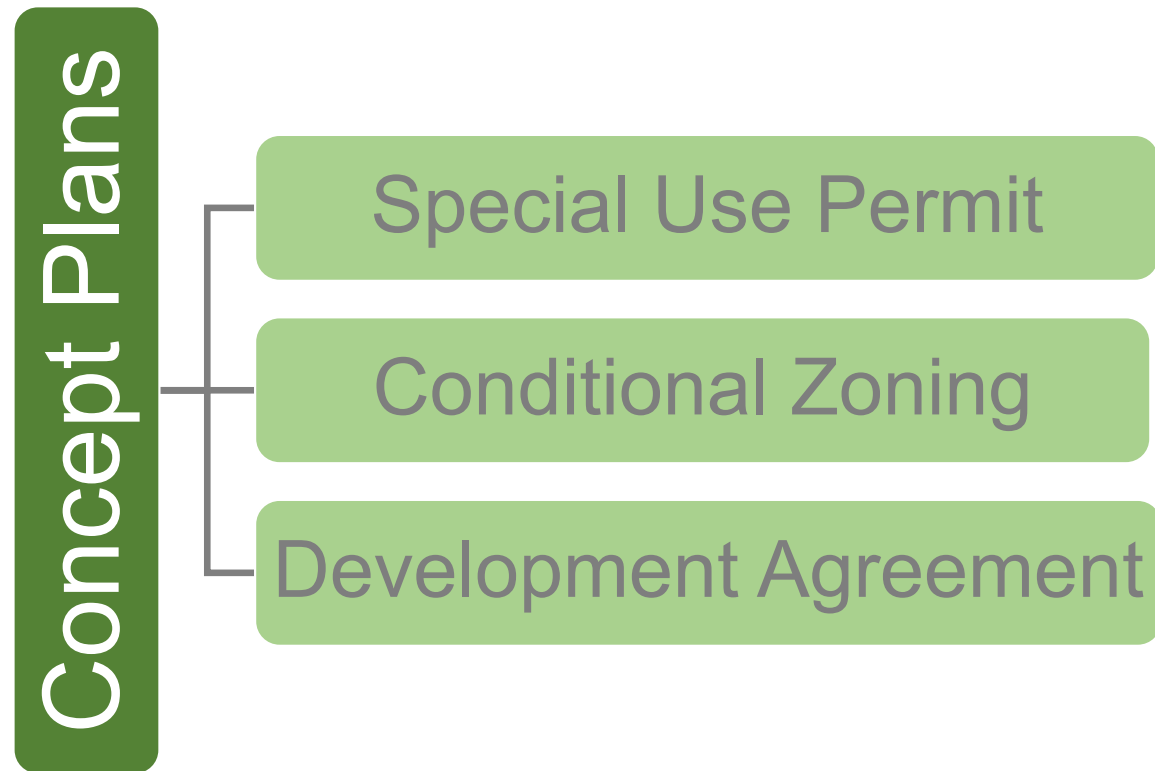
CONCEPT PLANS

- ☐ No Decision; Feedback Only
- ☐ Applicant provides a rough sketch
- ☐ Staff does not conduct a formal review
- ☐ Advisory Board preliminary feedback





PROCESS OVERVIEW

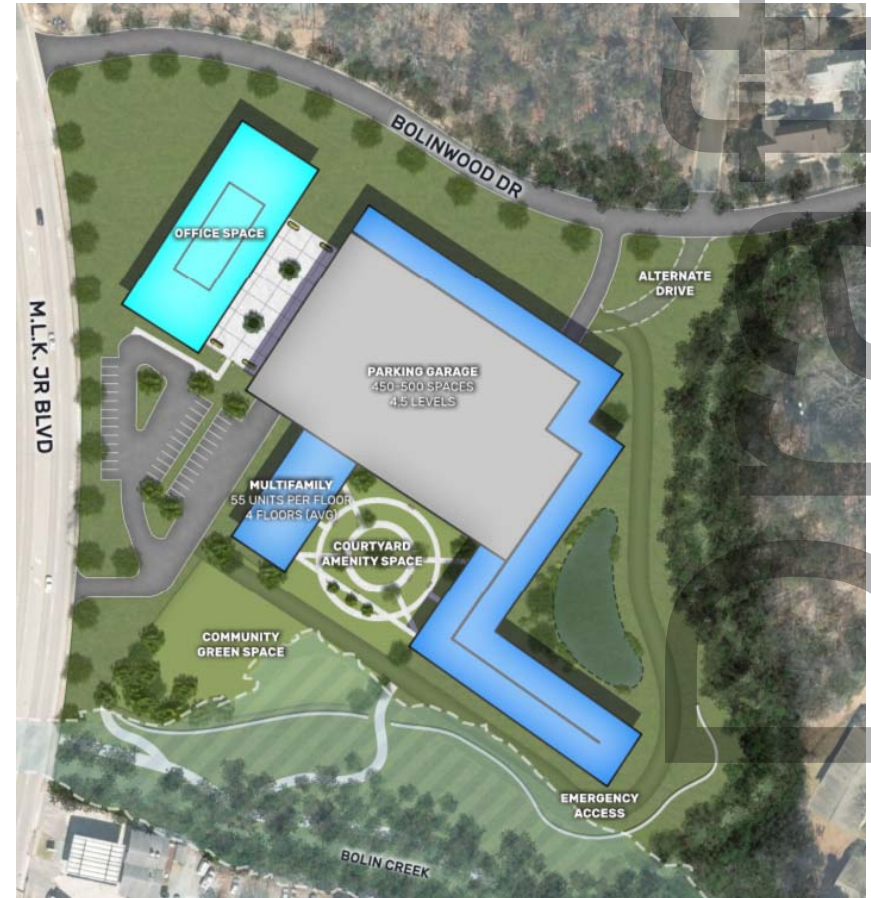


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PROJECT SUMMARY

- ☐ Existing Zoning R-2
- ☐ 80,000 sq. ft. office
- ☐ 200 dwelling units
- ☐ 450 shared parking spaces
- ☐ 10-acre site





COMMENTS

- ☐ Community Design Commission
To be added

Advisory Board
To be added

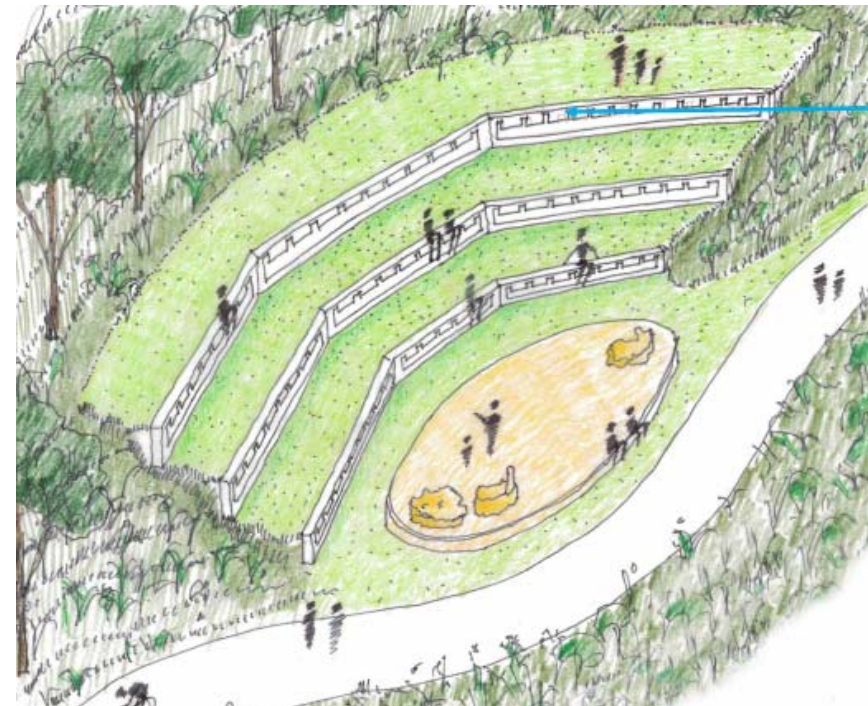
- ☐ Housing Advisory Board
- Reaching lower AMI levels (less than 60%)
 - Good location for affordable housing
 - Acceptance of rental vouchers

- ☐ Stormwater Management Utility

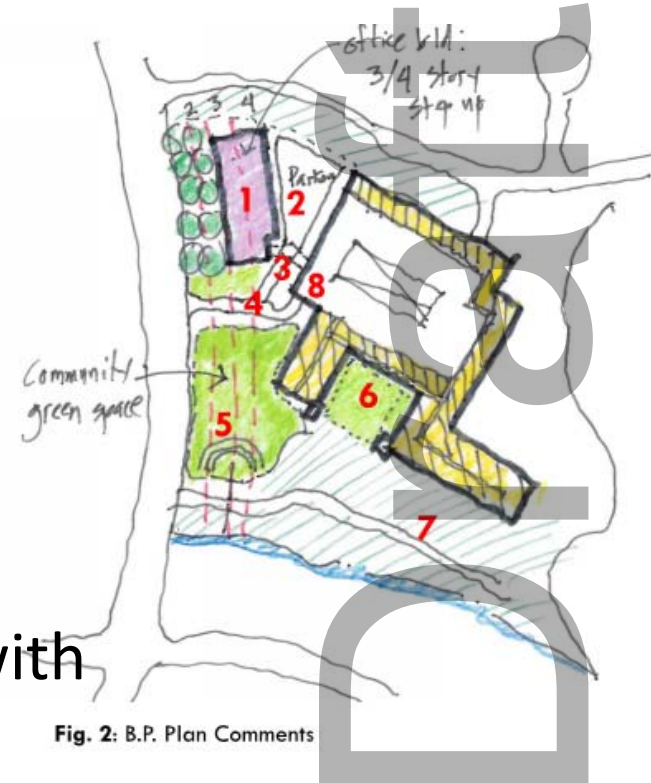
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URBAN DESIGN REVIEW

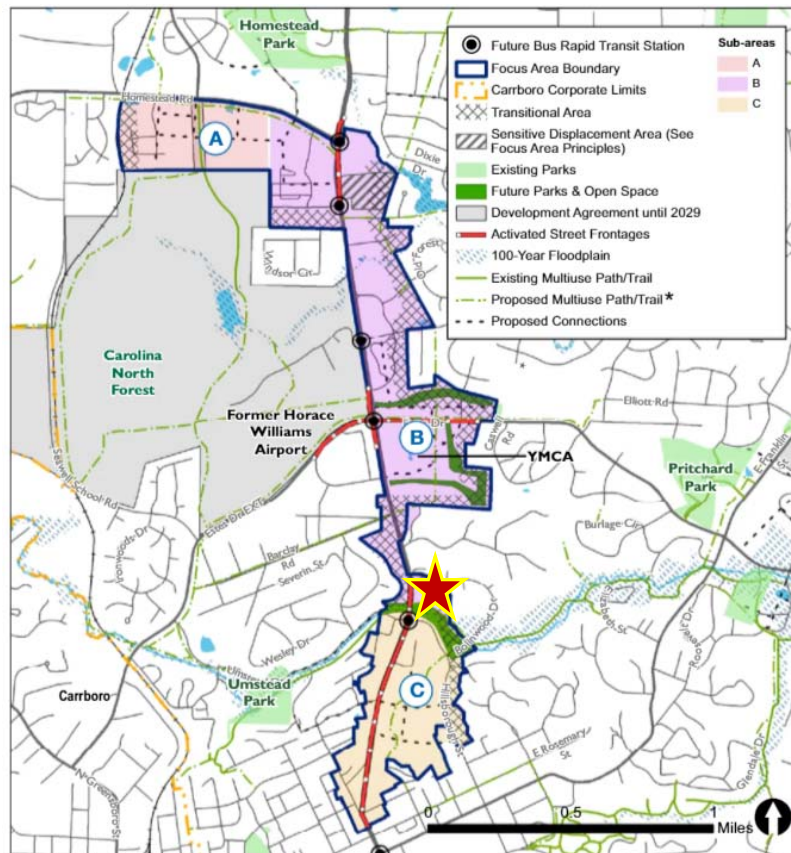


1. Rotate office building
2. Parking court
3. Community Green space
4. Courtyard
5. Slope to creek with retaining walls





LONG RANGE EVALUATION



Character Types and Height in 2050: South MLK Boulevard

● Primary (predominant land uses) ● Secondary (appropriate, but not predominant) ⊖ Discouraged

	Sub-Area A	Sub-Area B	Sub-Area C
Multifamily, Shops & Offices	●	●	●
Multifamily Residential	●	●	●
Commercial/Office	⊖	●	●
Parks and Green/Gathering Spaces	●	●	●
Townhouses & Residences	●	●	●
Institutional/University/Civic	●	●	●
Typical Height	4-6 stories	4-6 stories	4-6 stories
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Activated Street Frontage Height	N/A	6 stories	8 stories, 4 stories at the front setback line



RECOMMENDATION

- ❑ Adopt a Resolution, transmitting comments to the Applicant regarding the proposed development *(R-X)*





828 MLK Jr. Blvd – Concept Plan

Town Council - April 27, 2022

Kenneth Reiter| Belmont Sayre



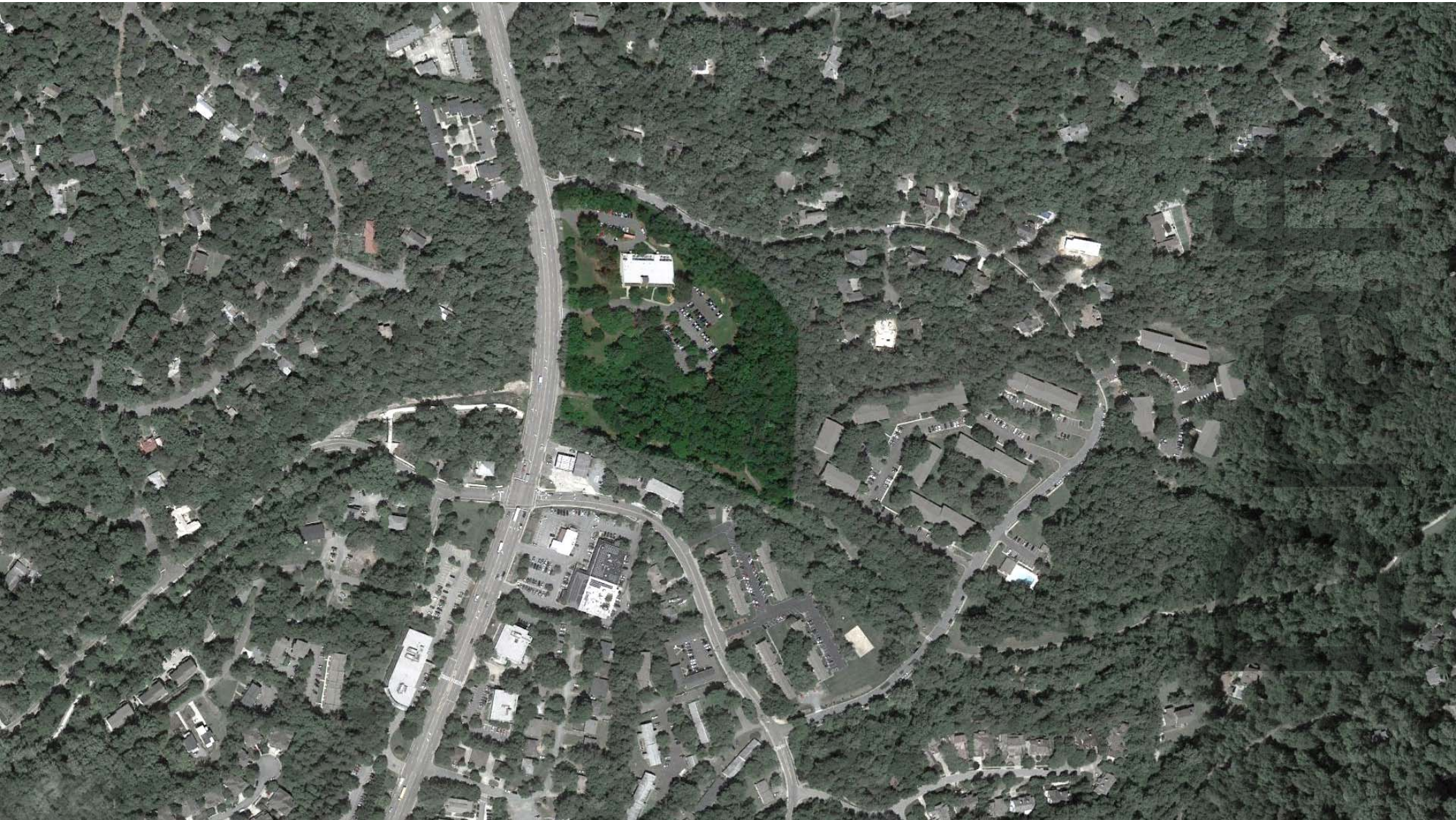
Project Overview

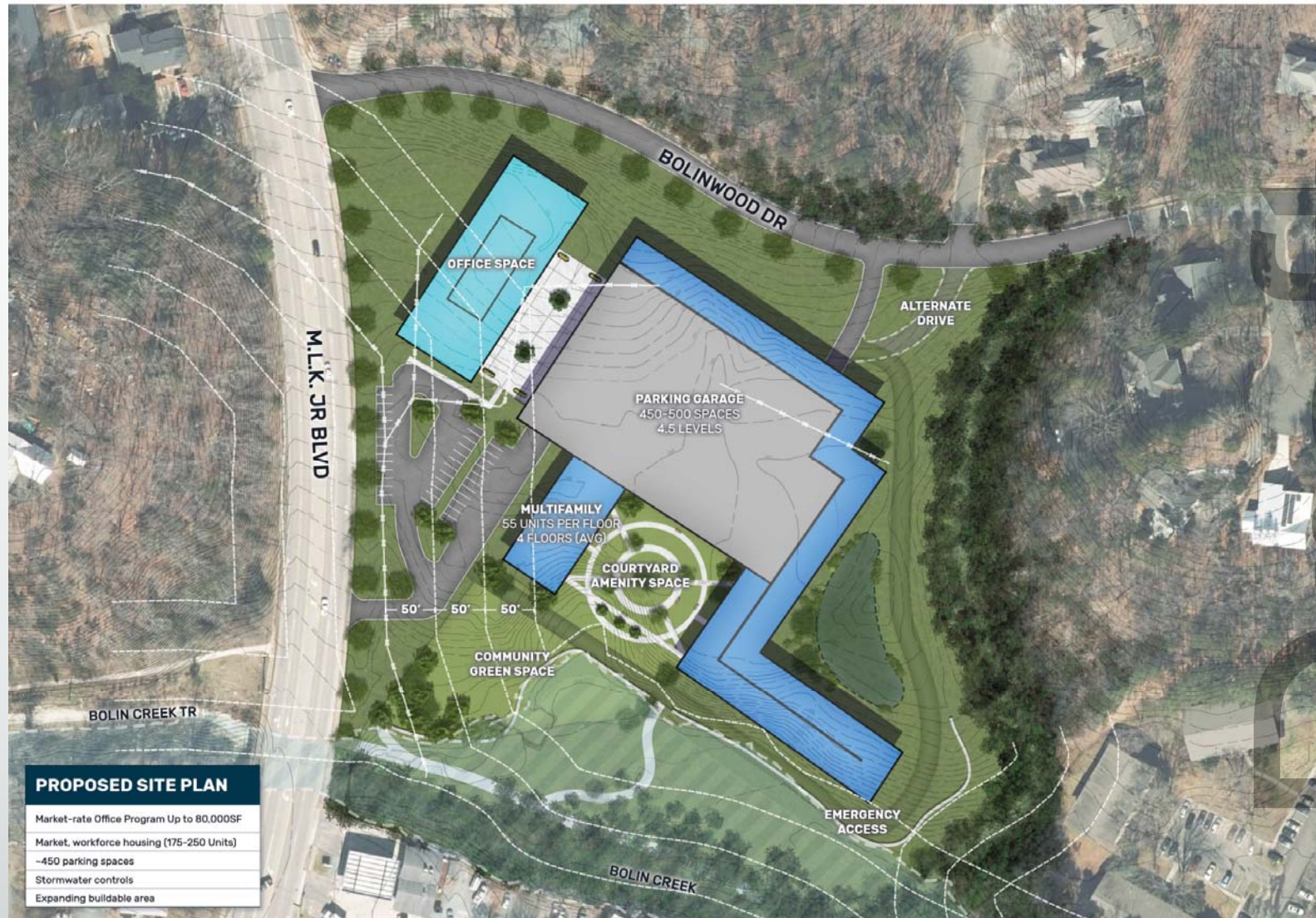
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Project Overview

- Background
 - A public-private partnership, including residential development, is likely the best approach for maximizing public benefits and reducing costs
- Timeline
 - Where we are in the process
- Concept Plan
 - Municipal Service Center, including a new police HQ and other services
 - Apartments with commitment to an affordable, inclusionary housing component
 - Shared parking and Bolin Creek greenway improvements
- Recommendation & Discussion
 - Guiding principles – our principles
- Next Steps





Background

Draft

Background - Overall Project

- This Town-owned property represents an opportunity to develop a mixed-use project including the MSC and housing with an affordable component and other amenities. It is a desirable location serviced by mass transit and near Bolin Creek trail system
- The Town's engineering and planning consultants have determined that the MSC and a private development component, preferably apartments, are feasible at the 10.9-acre site, subject to further review, CZP and other approvals.
- The Town's environmental consultants and DEQ have concluded the site can be safely redeveloped for a variety of uses, including residential, subject to a DEQ Brownfields Agreement and remedial safeguards.
- The property cannot be left as-is. Even if redevelopment does not occur, the Town would still need to make it safe and implement costly remedial measures
- A public-private partnership helps to offset remediation costs and bring beneficial community development

Background - Residential Development

- Based on recent study, there is a significant need for housing, including an affordable component, and a portion of the demand can be fulfilled by this site. And both partners prefer that the project contain a residential component as stated in the MOU.
- The MOU is a preliminary step in the overall process, before entitlements are secured. Neither the MOU or EDA obligate the Town or DEQ to approve any uses at this time
- The Town's consultants have completed detailed assessments of the property. The Town will enter into a BFA with DEQ that will provide the requirements for safe redevelopment, which can included multi-family residential, if otherwise approved by the Town
- DEQ supports affordable housing development at Brownfield sites. Brownfields, as is the case with the 828 MLK Blvd, Jr. property, are often located in desirable, infill locations where affordable housing is often critically lacking.



Timeline

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Project Timeline



*Bond financing approval would be sought to coincide with completion of BFA and CZP

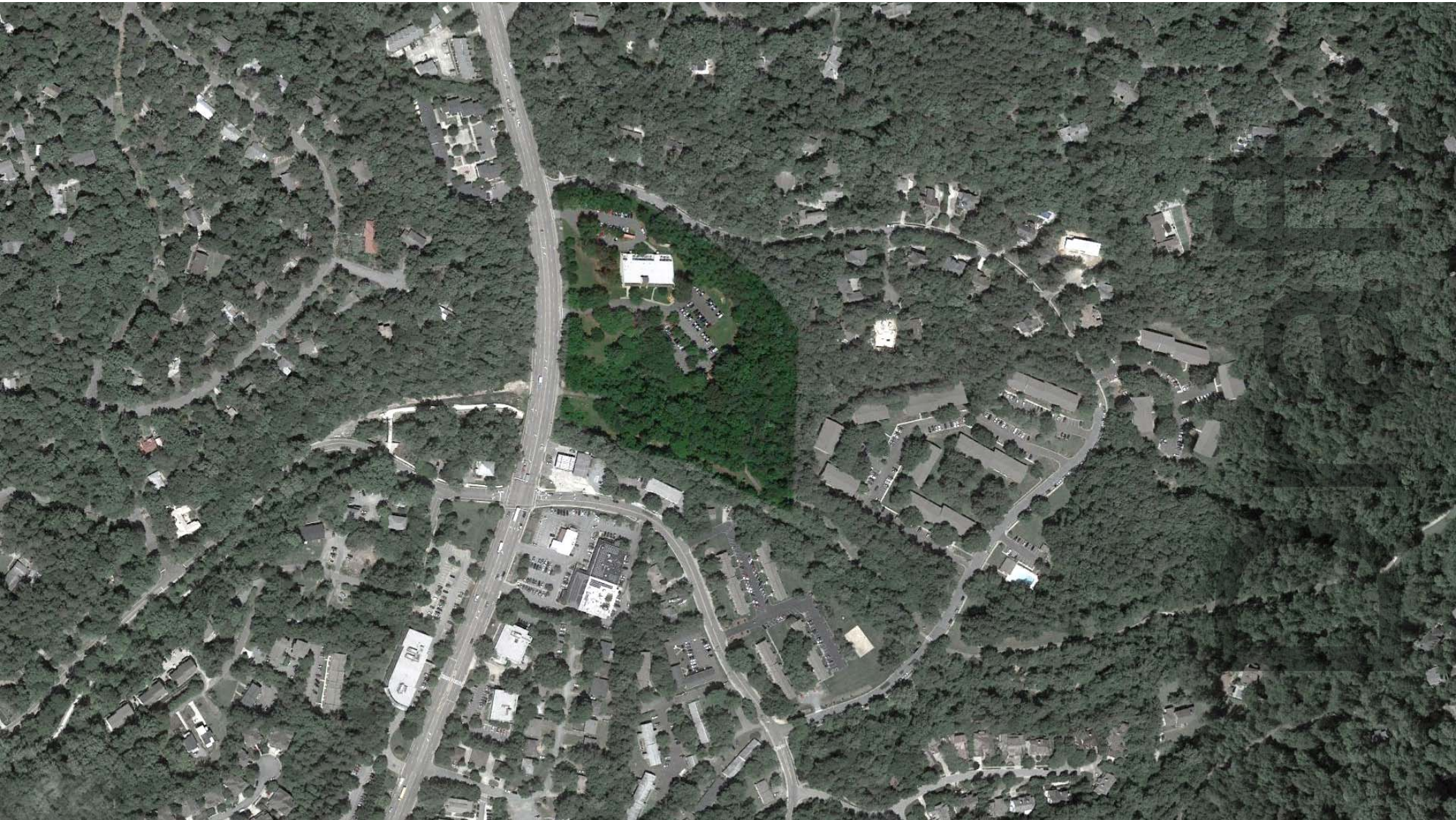
**Demolition of existing site improvements would begin after ZCP and police relocation, estimated Q1/Q2 of 2024

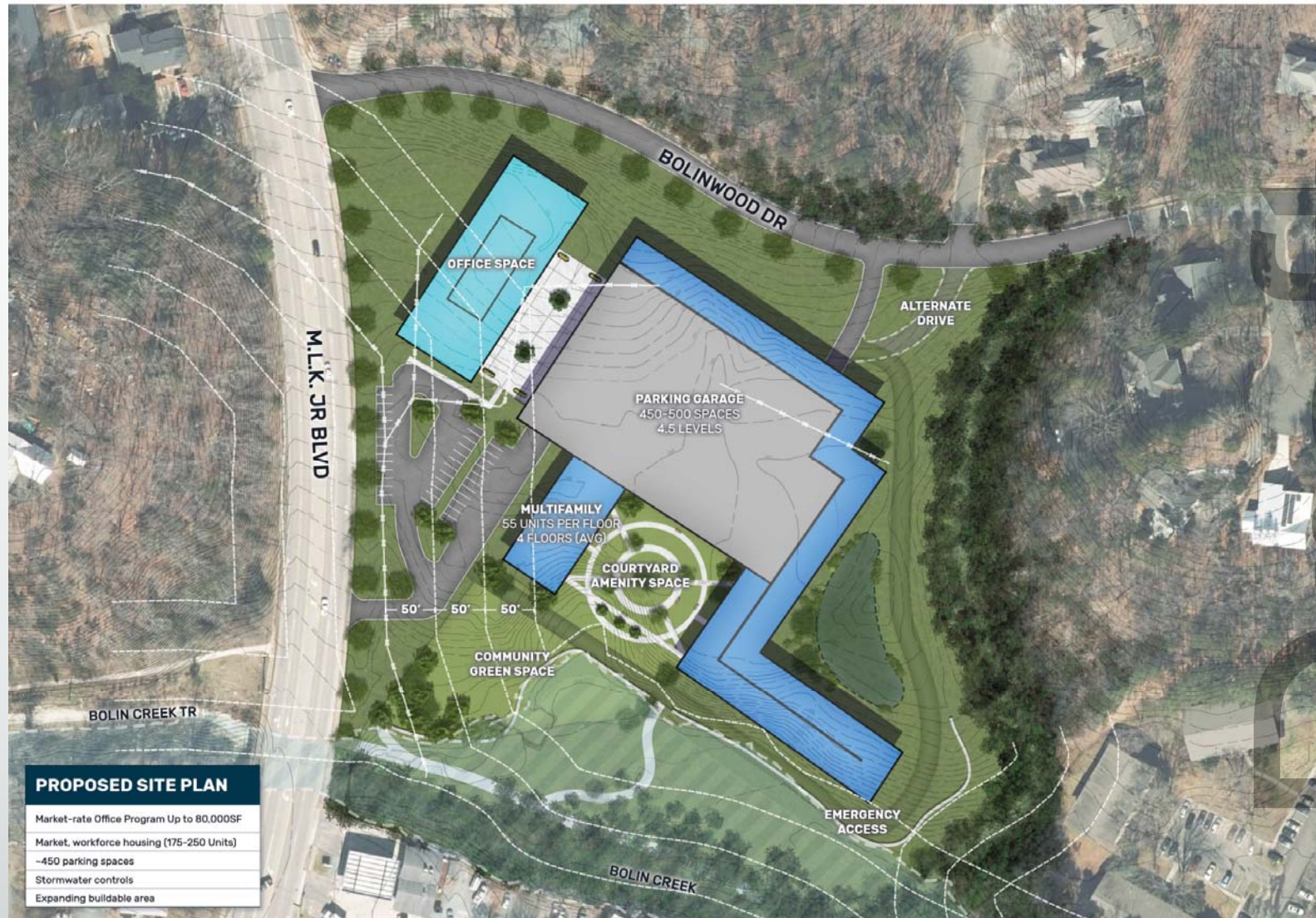
Estimated occupancy +/- 2 years from demolition.

Concept Plan

Draft









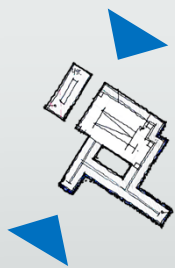
FOR ILLUSTRATIVE
PURPOSES ONLY

828 MLK JR. BOULEVARD
4 STORY OFFICE BUILDING ALONG MLK JR. BOULEVARD



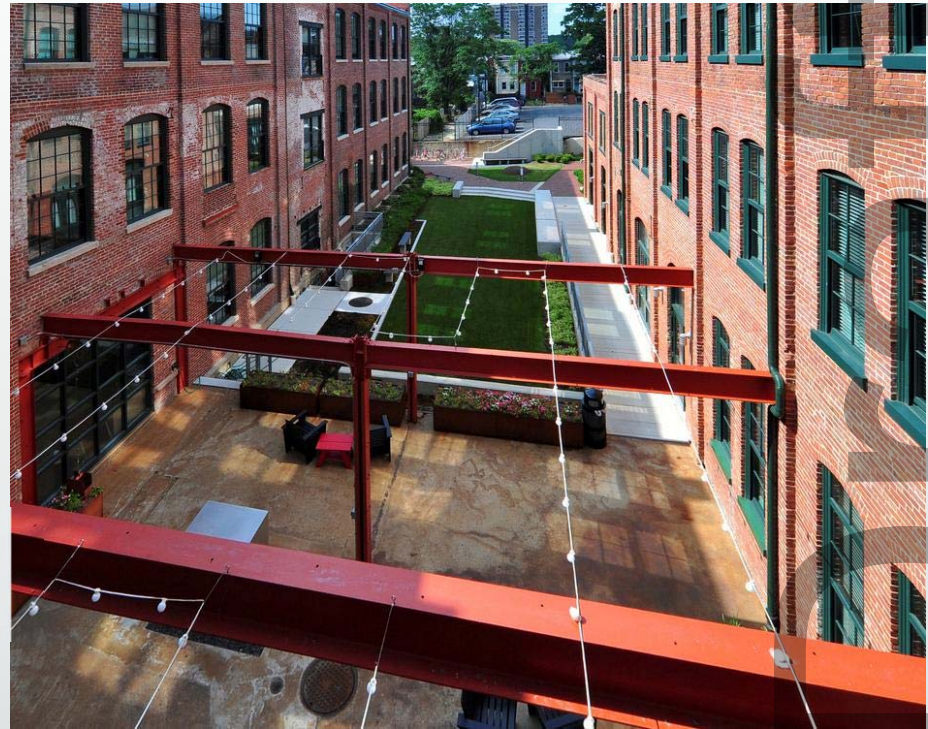
Belmont Sayre





FOR ILLUSTRATIVE
PURPOSES ONLY

828 MLK JR. BOULEVARD
GREENSPACE, COURTYARDS & TRAILS

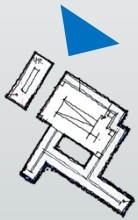




828 MLK JR. BOULEVARD
3-STORY RESIDENTIAL TOWARDS BOLINWOOD DRIVE



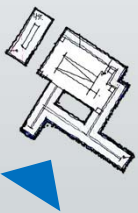
FOR ILLUSTRATIVE
 PURPOSES ONLY



Belmont Sayre

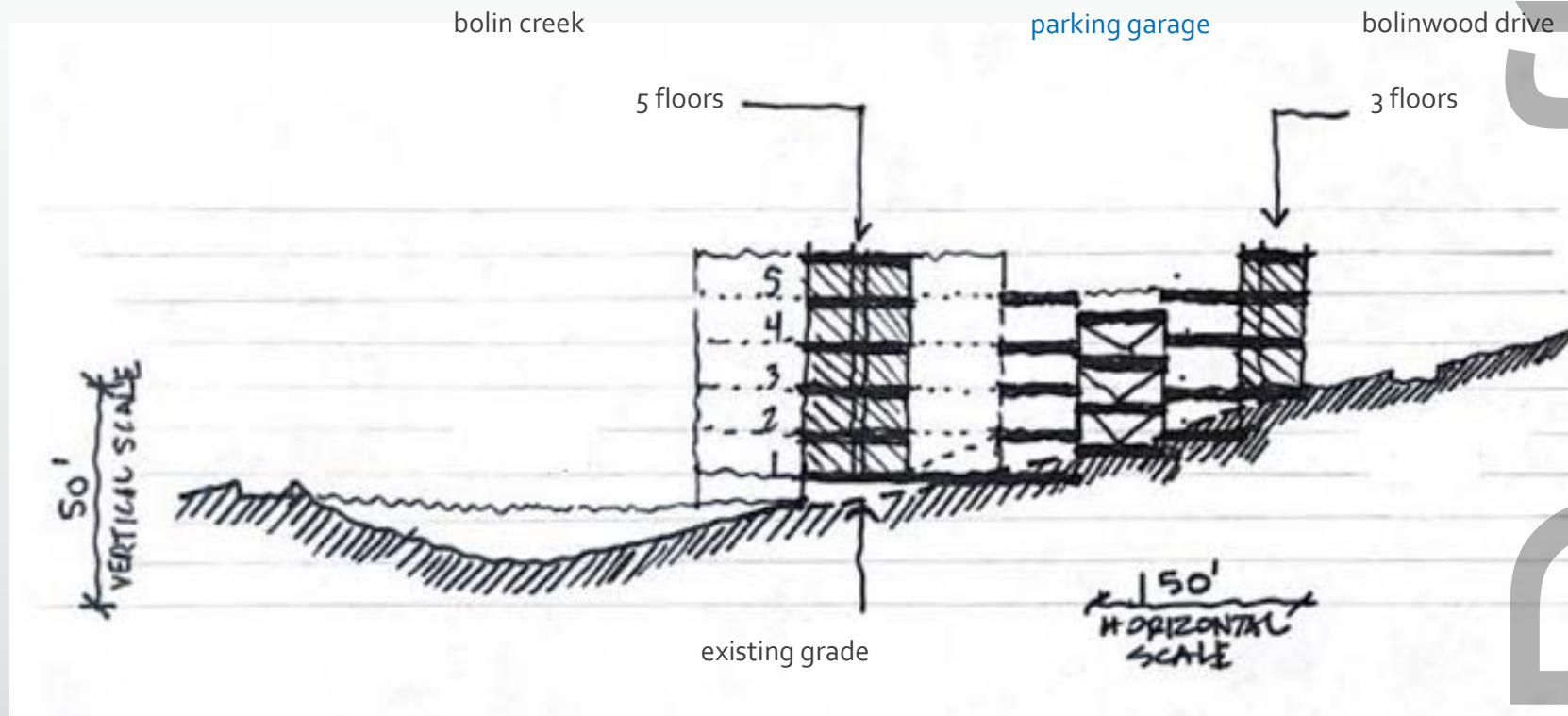


828 MLK JR. BOULEVARD

MULTI-STORY RESIDENTIAL TOWARDS BOLIN CREEK

**FOR ILLUSTRATIVE
PURPOSES ONLY**

828 MLK JR. BOULEVARD
PROPOSED SITE SECTION



Recommendation & Discussion



Key Issues for Council Negotiation

Before the EDA is executed, several key issues need to be negotiated by Council.

- Affordable Housing Component
- Density
- Community Greenspace
- Public Spaces
- Connections to Bolin Creek Trail
 - Retaining Wall (enhanced design for “amphitheater” programmable space)
 - Floodplain, stream RCD impacts, NCFMP
- Sustainability Goals
- Brownfields Redevelopment
 - DEQ will provide guidance on requirements for site safety and redevelopment under a BFA
- LUMO Modification Request(s)

Guiding Principles – HAB (as presented April 12, 2022)

(Town/Developer responses in **BOLD**)

- 15% of Units at 60% of AMI
 - Prefer on-site units vs payments in lieu
 - Physically indistinguishable
 - 30-year period
 - Vouchers and other programs
 - Partnership with other organizations
 - Non-full-time student housing
 - Promote access to housing for individuals with criminal and credit challenges
- **20% of Units at 80-120% of AMI**
 - **On-site units**
 - **Physically indistinguishable**
 - **30-year period**
 - **Explore vouchers and other programs including partnership with SECU foundation to provide an interest free construction loan for the affordable units, funding for projects targeting public employees, and collaboration with organizations to address specific populations or challenges**

Guiding Principles - Stormwater (as presented April 14, 2022)

- Unlike typical the site, this “wants” to be more impervious and minimize infiltration of stormwater through the existing coal ash.
- Proposed stormwater facilities will mitigate existing untreated impervious area as well as the increase.
- Site stabilization / mitigation measures will also permanently address risk of physical erosion of the slope and ash being washed into the creek.
- Standard detention and treatment requirements will be addressed. The methods to reach those goals will be in collaboration with SMUAB, DEQ -Brownfields and NCFMP.

Guiding Principles – SMUAB (as presented April 14, 2022)

Stormwater Requirements

(Town/Developer responses in **BOLD**)

- Achieve 85% TSS removal for the first inch of runoff using stormwater control measures
- Limit runoff volume for the post developed 2-year 24-hour event to predevelopment volume or less
- Limit post development peak flows leaving the site for the 1-year, 2-year, and 25-year event to predevelopment rates or less
- **Utilize primary stormwater control measures such as surface and underground SCMs to meet TSS requirements and to attenuate discharge rates for the required storms to predevelopment levels**
- **Utilize stormwater capture and retention control(s) such as rainwater cistern(s) to reduce offsite volume release to existing conditions.**

Guiding Principles – SMUAB (as presented April 14, 2022)

Floodway, Floodplain & RCD

(Town/Developer responses in **BOLD**)

- RCD- Three feet above 100-year floodplain elevation.
- Limited use, as is necessary, within the first 50 feet of the stream bank.
- Limited development 50-100 feet from the stream bank.
- Avoid driveways and roads within the RCD.
- Elevate utilities above RCD elevation.
- Capture and treat impervious surfaces prior to entering the RCD.
- Eliminate floodway encroachments unless a no-rise study is completed.
- Minimize floodplain encroachments to result in less than 1 fps increase in velocity and less than 0.50 feet of elevation increase in the base flood.
- **Limit development within 50 feet of the streambank to at grade and minimal grading greenway connections**
- **Limit use from 50-100 feet from the stream bank to open space, trails, and recreation**
- **All formal lawns and planting areas 100 feet or greater from the stream bank**
- **Propose all buildings and insurable structures outside of both floodplain and RCD**
- **If necessary, provide hydraulic modelling to show no increase in base flood elevations**

Guiding Principles – CDC (as presented April 26, 2022)

(Town/Developer responses in **BOLD**)

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.

- **Create mixed-use density near existing infrastructure and transit**
- **Provide new MSC with Police operations**
- **Address environmental conditions**
- **Provide needed affordable housing**
- **Create great public greenspace and community space**

Next Steps



Draft

Project Timeline



April 12th - Housing Advisory Board
April 14th - Stormwater Management Utility Advisory Board
April 26th - Community Design Commission
April 27th - Town Council
May 16th - Public Information Meeting with NCDEQ

Appendix

Draft

Background - Acronyms

- Memorandum of Understanding (MOU)
- Economic Development Agreement (EDA)
- Brownfields Agreement (BFA)
- Conditional Zoning Permit (CZP)
- Zoning Compliance Permit (ZCP)
- Municipal Service Center (MSC)
- North Carolina Department of Environmental Quality (DEQ)
- Resource Conservation District (RCD)
- North Carolina Floodplain Mapping Program (NCFMP)

The Project

- **Demolition** of the existing police station building, after temporary offsite relocation of the police department operations
- **Construction** of a retaining wall and any other environmental remedial measures required pursuant to a brownfields agreement and management plan, stormwater management design and construction, and other site-wide redevelopment tasks
- **Subdivision** of the Property into one or more Town-owned parcels for the MSC and Bolin Creek Trail right-of-way, and one or more privately-owned parcels for the private development component by Belmont Sayre

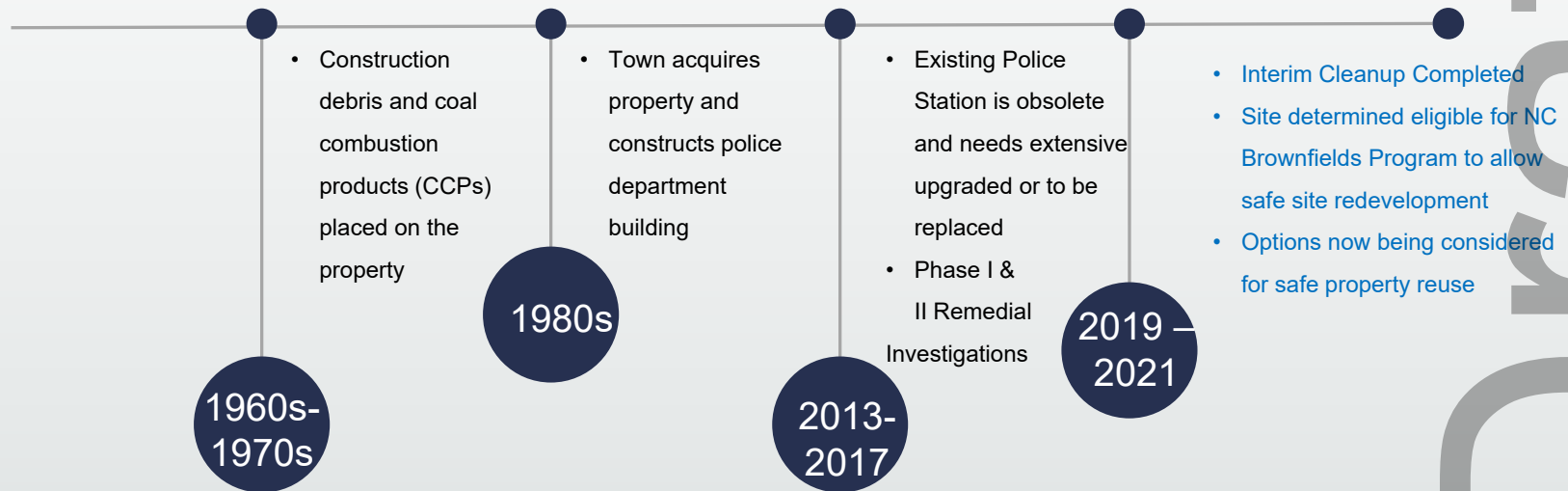
The Project

- **Sale** of the parcel(s) designated for private development from the Town to Belmont Sayre
- **Construction** of the new MSC
- **Construction** of the private development component that may include residential (preferred), offices, retail or a mix of uses
- **Construction** of a parking deck that would serve both the MSC and the private development (owned by Belmont Sayre) with spaces leased to Town for exclusive use

Municipal Services Center

- The Town would fund all costs associated with the development of the MSC
- The Town would also pay Belmont Sayre a management fee based on a to-be determined percentage of the total hard costs in exchange for Belmont's services related to the design and construction of the MSC
- Certain costs of common site development, including brownfields remediation and risk mitigation, will be apportioned between the parties in a manner to be set forth in the EDA.
 - The parties will account for the Town's environmental and other costs incurred to date that will aid in redevelopment of the Property
- Belmont Sayre as the developer will take the lead in seeking a CZP and BFA, with the Town's development staff, its environmental consultants and counsel providing support

Historical Timeline

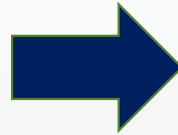


33

Brownfields Agreement (BFA)

- Both parties will be signatories to the brownfields agreement, provided the Project includes a private development component.
 - The Town would be the sole signatory to the agreement in the event that development is solely for the MSC.
- The brownfields agreement must allow for the following future land uses: (a) commercial, including the MSC, (b) a private development component, (c) structured parking, and (d) continued recreational use of the Bolin Creek Trail.
- Belmont Sayre will prepare the required Environmental Management Plan (EMP) for site redevelopment with support from Town staff and Town environmental consultants

MOU



EDA

Completed: March 2022

- Nonbinding Agreement
 - Basic business terms
 - Project Concept
 - Framework for Land Ownership
 - Financial Framework based on assumptions

Target: May/June 2022

- Binding Agreement
 - Defined business terms
 - Land Sale Price
 - Cost sharing agreement
 - Outstanding key issues addressed

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR 828 MLK (PROJECT #22-010) (2022-04-27/R-9)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for 828 MLK, further identified by Orange County PIN 9789-41-3949; and

WHEREAS, the Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission, Housing Advisory Board, Stormwater Management Utility Advisory Board, the Town's Urban Designer, hear public comments, and offer suggestions to the applicant; and

WHEREAS, the Council has heard presentations from the applicant and members of the public; and

WHEREAS, statements by individual Council members this evening are not an official position or commitment on the part of a Council member with respect to the position he or she may take when and if a formal application for development is subsequently submitted to the Council for formal consideration; and

WHEREAS, the Council has discussed the proposal, with Council members offering reactions and suggestions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmits comments to the applicant regarding this proposal, as expressed by Council members during discussions on April 27, 2022 and reflected in minutes of that meeting.

This the 27th day of April, 2022.

HOUSING ADVISORY BOARD
SUMMARY OF A CONCEPT PLAN REVIEW:
828 MARTIN LUTHER KING BOULEVARD MUNICIPAL SERVICES BUILDING
APRIL 12, 2022

Key points made by members of the Housing Advisory Board during its review of the concept plan include:

- Interest in reaching a lower Area Median Income (AMI), ideally less than 60% AMI, even if this means providing fewer units that are designated as affordable.
- Agreement that the location of this property is great for affordable housing given its proximity to downtown employment opportunities and on the Bus Rapid Transit corridor.
- Strong encouragement for the project to accept rental vouchers to help serve households at 60% AMI or below .

Members of the public expressed concerns about developing on a site contaminated with coal ash, and the placement of affordable housing on the site.

Submitted by: Sue Hunter, Chair

Drafted by: Emily Holt, Staff Liaison

Stormwater Management Utility Advisory Board and
Community Design Commission comments to be forwarded prior to
April 27, 2022 meeting date

828 MLK Blvd.

Plan Comments/Notes

Prepared by: Brian Peterson, AIA, Urban Designer, TOCH

From 3-11-22 meeting with the applicant team, notes prepared 3-14-22

A design review meeting was held with the applicant team to discuss their current site plan (see attached Fig. 1). In advance, I had prepared a sketch (see attached Fig. 2) with some suggested modifications and design comments which served as a point of discussion for the meeting.

1. In order to enhance its street presence, consider rotating the office building to be parallel to the MLK street frontage. This can help break down the mass of the building complex. The building could be 3 stories along the street frontage, and step up to 4 toward the rear. The front of the building could have a more urban landscape, perhaps with a double row of trees. Applicant team was open to looking at this idea.
2. Consider placing any surface parking in a "parking court" between the office building and the parking structure. Additional surface parking could be provided as parallel parking along the entrance drive, which should be designed with an urban streetscape character. This would free up more of the front part of the site to utilize as green space.
3. Also discussed the possibility of utilizing the site's level changes to provide an upper level terrace space to connect the parking garage and the 2nd floor of the office building, which could be where the main lobby would be for the main public facilities in the building.
4. If there is to be a parking lot area in front of the building, it could be small, and designed to look and function as a plaza-like space for occasional events, such as food trucks.
5. The community green space was discussed: the space is envisioned to feature mostly passive use, with the possibility of having occasional events and small gatherings. One possible gathering space could be a small stepped amphitheater-type space, for which I prepared a sketch (Fig. 3). The stepped walls could potentially be constructed with some of the ornamental concrete "fins" salvaged from the existing police building. This salvage concept will need to be studied both in terms of feasibility and cost as the design of the project progresses. The amphitheater space is seen as not so much as a place for large gatherings or performances but for small informal events. The idea would be to make the community green space a series of connected places leading up from the Bolin Creek trail to the new municipal building.
6. Consider creating a courtyard on the south façade of the multifamily building, opening out to face the creek side natural corridor. The applicant noted that this idea was already being considered.
7. Slope down to creek/retaining walls: retaining walls could be done in various ways. One possibility suggested was to consider using a system of large blocks that look like stones with integral planters, similar to that utilized to the west, along the Bolin Creek trail and Tanyard Branch. In general the design of landscape, engineering features, and site details along the creek side of the property should be selected with a goal of integration and enhancing the character of the trail.
8. Exposed sides of parking garage: should be designed with architectural screening, to integrate with the architectural character of the other buildings.

828 MLK Blvd.

Site Concept Option

Prepared by: Brian Peterson, AIA

Urban Designer, T.O.C.H

03-14-22

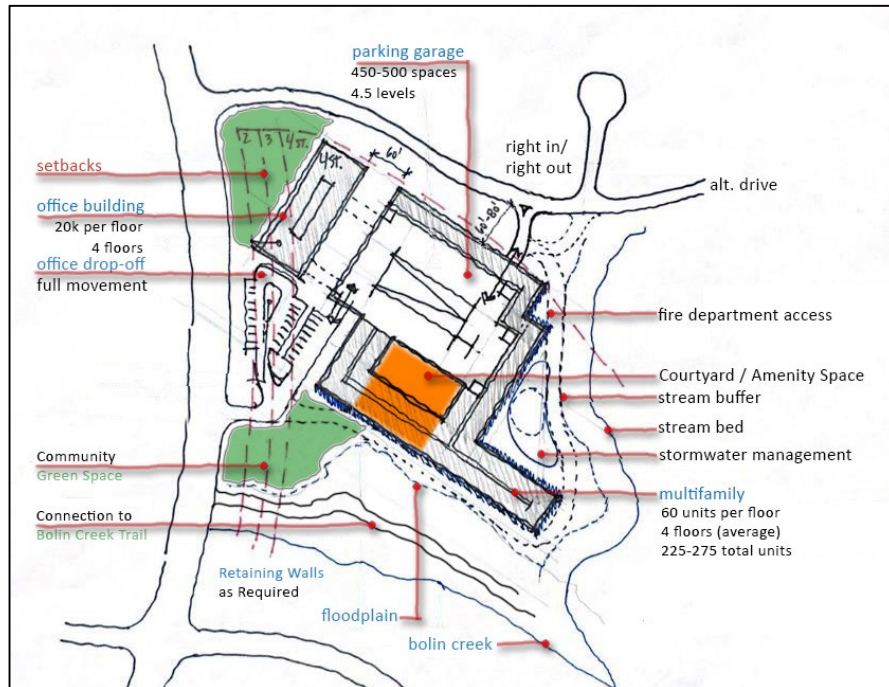


Fig. 1: Reviewed Site Plan Concept

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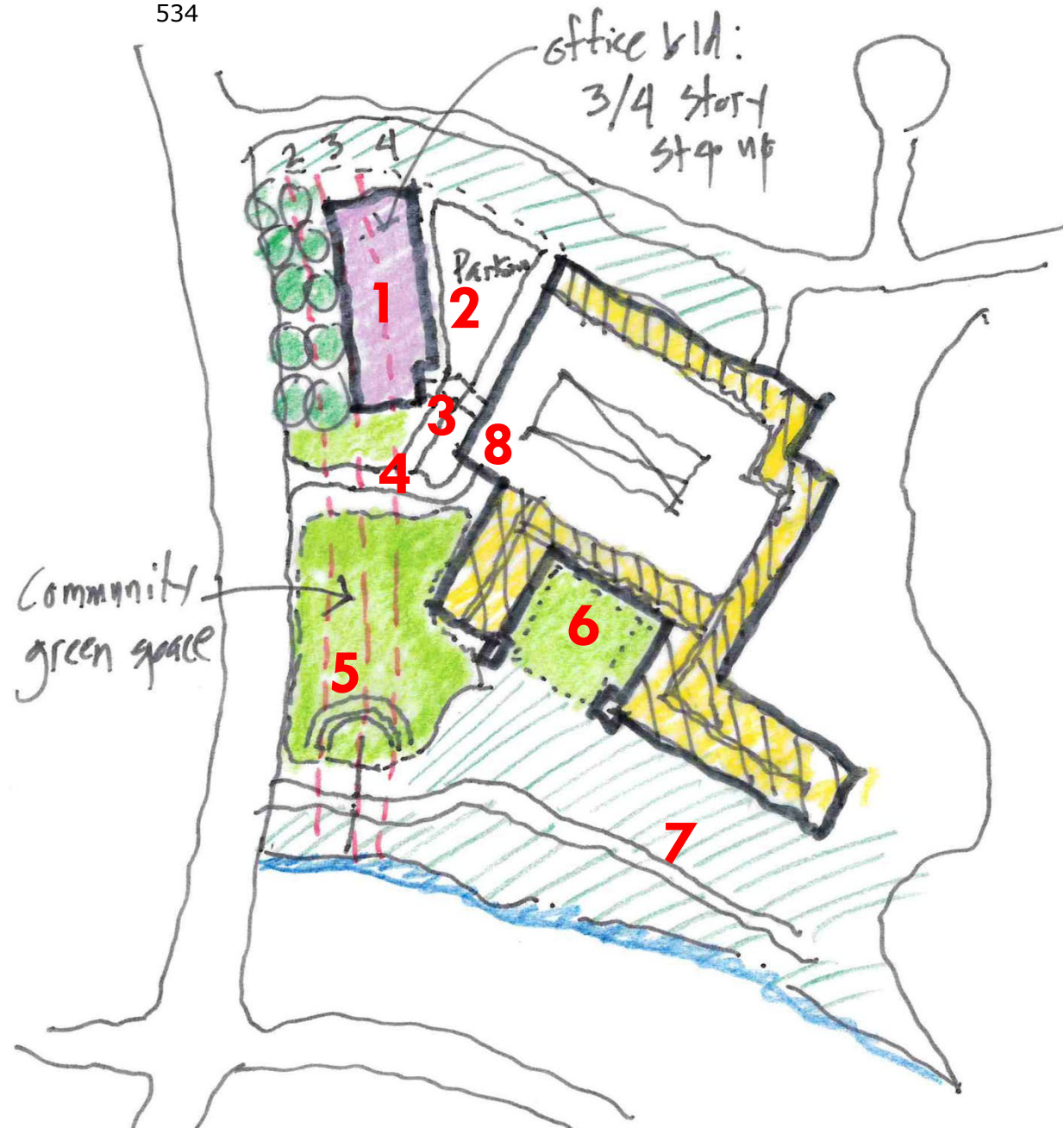
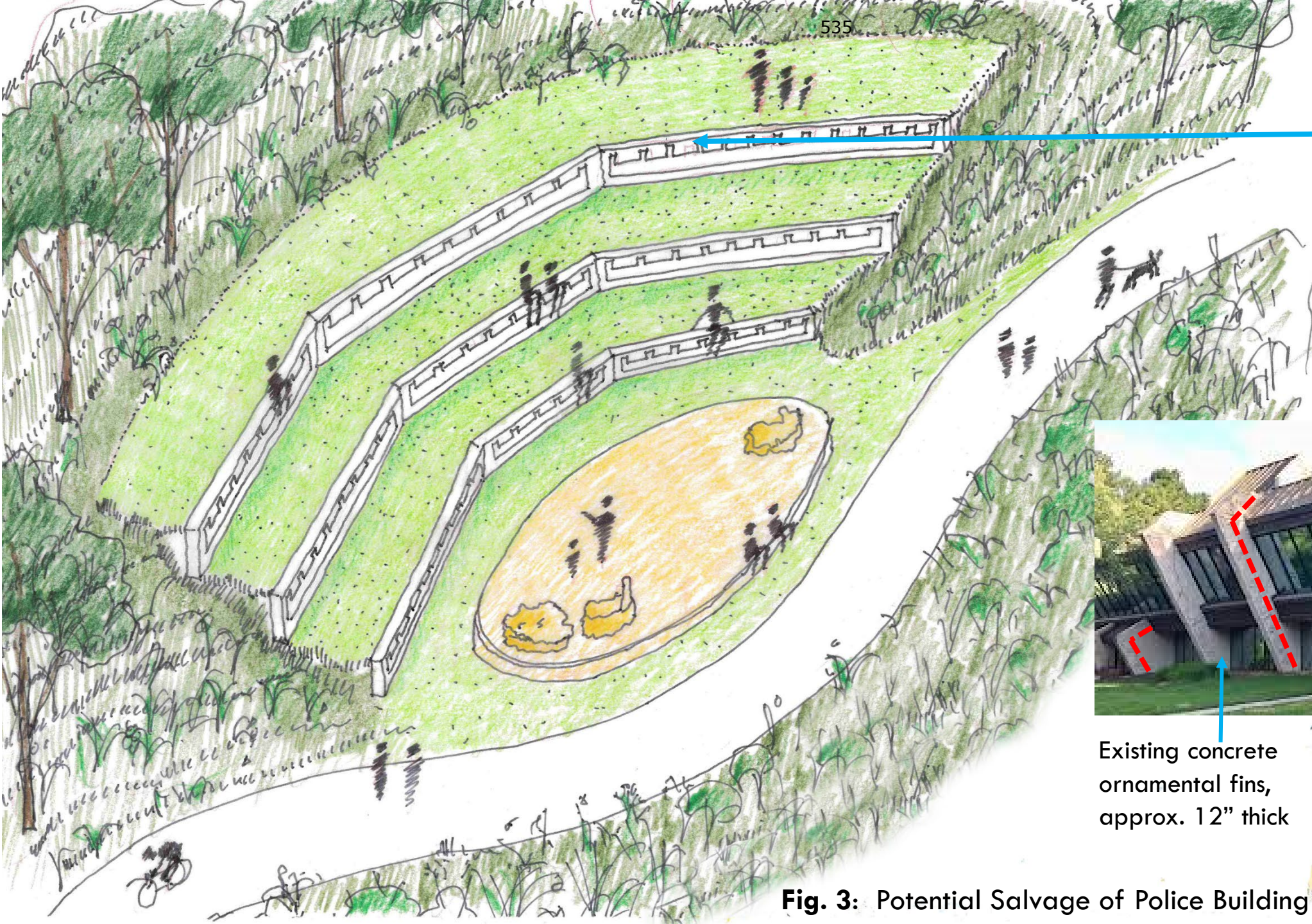
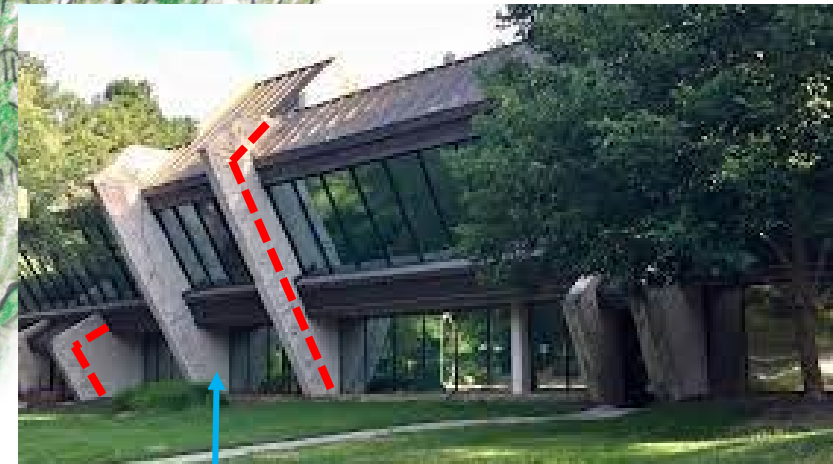


Fig. 2: B.P. Plan Comments



Potential Re-Use: utilize panels as retaining walls (or as facing on poured-in-place foundation walls) to create an outdoor amphitheater/gathering area. *Note: the feasibility and cost of this salvage will need to be studied as part of the design process*



Existing concrete ornamental fins, approx. 12" thick

Fig. 3: Potential Salvage of Police Building Concrete Ornamental Fins

Concept Plans are intended to be an opportunity for the Town Council and some Boards and Commissions, and the community to review and consider major development proposals and their potential benefits and impacts. Applicants propose a Concept Plan with the expectation of receiving feedback on their development idea.

The following are questions that the Council may ask of an applicant during the discussion of a Concept Plan. The attached application addresses the topics below. Please contact our staff if you have any questions or if we can provide additional information (planning@townofchapelhill.org)

1. Would this project demonstrate compliance with the Comprehensive Plan?
 - a. Compliance with:
 - Small Area Plan
 - Overlay Zone / NCD
 - Study Area:
 - Land Use Plan
2. Would the proposed project comply with the Land Use map?
3. Would the proposed project require a rezoning?
4. What is the proposed zoning district?
5. Would the proposed project require modifications to the existing regulations?
6. If there is a residential component to the project, does the applicant propose to address affordable housing?
 - Has the applicant presented its Concept Plan to the Housing Advisory Board (this is a voluntary step in the process)?
 - Has the applicant met with appropriate Town staff to discuss affordable housing policy, expectations and options?
 - Is the project for ownership or rental?
7. Are there existing conditions that impact the site design (i.e. environmental features such as RCD, slopes, erosion and sedimentation, retention of trees and tree stands, stormwater drainage patterns, significant views into and out of the site)
8. Has the applicant addressed traffic impacts? Traffic and circulation issues?
9. How is the application compatible with the surrounding neighborhood and/or district?
10. Has the applicant discussed the project with adjacent neighbors?



CONCEPT PLAN APPLICATION

Parcel Identifier Number (PIN): 9789413949

Date: 03/22/2022

Section A: Project Information

Project Name: 828 MLK Blvd

Property Address: 828 Martin Luther King Jr Blvd

Zip Code: 27514

Use Groups (A, B, and/or C): A and B

Existing Zoning District: R-2

Project Description: Office and Multifamily

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

Applicant Information (to whom correspondence will be mailed)

Name: McAdams on behalf of Town of Chapel Hill & Belmont-Sayer

Address: 2905 Meridian Parkway

City: Durham

State: NC

Zip Code: 27713

Phone: 919-361-5000

Email: hardesty@mcadamsco.com

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

Signature: _____

Date: _____

Owner/Contract Purchaser Information:

☒ Owner

☐ Contract Purchaser

Name: Town of Chapel Hill

Address: 405 Martin Luther King Jr Blvd

City: Chapel Hill

State: NC

Zip Code: 27514

Phone: _____

Email: lselmer@townofchapelhill.org

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

Signature: _____

Date: _____

Maurice Jones

4-21-22


Concept Plan Project Fact Sheet

Site Description	
Project Name	828 MLK Blvd
Address	828 Martin Luther King Jr Blvd
Property Description	The southeast quadrant of the MLK Jr Blvd and Bolinwood Dr intersection
Existing Land Use	Chapel Hill Police Department
Proposed Land Use	Office and multifamily
Orange County Parcel Identifier Numbers	9789413949
Existing Zoning	R-2
Proposed Zoning	TBD (OI or NC)
Application Process	CZP
Comprehensive Plan Elements	See Consistency Statements
Overlay Districts	No overlay districts

Topic	Requirement	Proposal	Status
Use/Density (Sec. 3.7)	LUMO	Office (4 floors, 80k sq ft); Apartments (175-250 units); parking deck	
Dimensional Standards (Sec. 3.8)	LUMO	Potential modifications MLK and Bolinwood street setback, otherwise meet code requirements.	
Floor area (Sec. 3.8)	LUMO	TBD	
Modifications to Regulations (Sec. 4.5.6)		TBD; Potential modification to MLK & Bolinwood street setback, RCD encroachment, and floodplain impact	
Adequate Public Schools (Sec. 5.16)	LUMO	Comply with LUMO	
Inclusionary Zoning (Sec. 3.10)	15% required for for-sale products None required for rental products	See affordable housing proposal	
Landscape			
Buffer – North (Sec. 5.6.2)	20-ft Type C	20-ft Type C (may request modification)	
Buffer – East (Sec. 5.6.2)	10-ft Type B	10-ft Type B	
Buffer – South (Sec. 5.6.2)	30-ft Type D	30-ft Type D	
Buffer – West (Sec. 5.6.2)	30-ft Type D	TBD (may request modification)	

Tree Canopy (Sec. 5.7)	30%	30%	
Landscape Standards (Sec. 5.9.6)	LUMO	Meet code requirements	
Environment			
Resource Conservation District (Sec. 3.6)	LUMO	RCD based on floodplain and piped stream. RCD is to be left undisturbed to maximum extent practicable, but encroachment may be requested in some instances.	
Erosion Control (Sec. 5.3.1)	LUMO		
Steep Slopes (Sec. 5.3.2)	LUMO	See concept plan set	
Stormwater Management (Sec. 5.4)	LUMO	Still being reviewed; Above ground, wet pond	
Land Disturbance	LUMO	TBD	
Impervious Surface (Sec. 3.8)	70% maximum (+/- 25% existing)	70% maximum (+/- 50% with current concept)	
Solid Waste & Recycling	Solid waste management plan	Plans provided at later date; meet code requirements	
Jordan Riparian Buffer (Sec. 5.18)	LUMO	No Jordan Buffer on site	
Access and Circulation			
Road Improvements (Sec. 5.8)	Based on traffic analysis	Based on traffic analysis	
Vehicular Access (Sec. 5.8)	LUMO/Design Manual	Site access from MLK Jr Blvd and Bolinwood Dr	
Bicycle Improvements (Sec. 5.8)	TBD	TBD	
Pedestrian Improvements (Sec. 5.8)	TBD	TBD/ connection to Bolin Creek Trail direct or via MLK Blvd sidewalk	
Traffic Impact Analysis (Sec. 5.9)	Required by LUMO	provide room for and connection to future BRT stop location	
Vehicular Parking (Sec. 5.9)	LUMO	~450 spaces (deck parking)	
Transit (Sec. 5.8)	Transit and future BRT stop along MLK and Hillsborough St	Future BRT Stop	
Bicycle Parking (Sec. 5.9)	LUMO	36 for office and +/- 63 for residential	
Parking Lot Standards (Sec. 5.9)	LUMO/ Design Manual	Meet code requirements	
Technical			

Fire	LUMO/Design Manual	Meet code requirements	
Site Improvements	LUMO/Design Manual	LUMO/Design Manual	
Schools Adequate Public Facilities (Sec. 5.16)	Based on use	Based on use. To be confirmed with CZP	
Recreation Area (Sec. 5.5)	+/- 5% (determined by zoning district)	+/- 5%	
Lighting Plan (Sec. 5.11)	LUMO	To be developed with CZP	
Homeowners Association (Sec. 4.6)	LUMO	TBD	

Symbol	Meaning	Symbol	Meaning
	Meets Standard	M	Modification necessary
NA	Not Applicable	UNK	Not known at this time

Checklist

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning and Sustainability at (919)968-2728 or at planning@townofchapelhill.org.

	Application fee (refer to fee schedule)	Amount Paid \$	<input type="text"/>
	Pre-application meeting – with appropriate staff		
	Digital Files - provide digital files of all plans and documents		
	Concept Project Fact Sheet		
	Statement of Compliance with Design Guidelines (1 copies)		
	Statement of Compliance with Comprehensive Plan (1 copies)		
	Affordable Housing Proposal, if applicable (Rezoning Policy or Inclusionary Ordinance)		
	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
	Mailing fee for above mailing list	Amount Paid \$	<input type="text"/>
	Developer's Program – brief written statement explaining how the existing conditions impact the site design. Including but not limited to:		
	<ul style="list-style-type: none"> • Natural features of site • Access, circulation, and mitigation of traffic impacts • Arrangement and orientation of buildings • Natural vegetation and landscaping • Impact on neighboring properties • Erosion, sedimentation, and stormwater 		
	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals		
	Reduced Site Plan Set (reduced to 8.5"x11")		

Plan Sets (1 copies to be submitted no larger than 24"x36")

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

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks and buffers
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable

Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names.
- f) 1,000' notification boundary

Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Proposed Site Plan

- a) Existing building locations
- b) General location of proposed structures
- c) Parking areas
- d) Open spaces and landscaped areas
- e) Access points and circulation patterns for all modes of transportation
- f) Approximate locations of trails, pedestrian and bicycle connections, transit amenities, and parking areas
- g) Approximate location of major site elements including buildings, open areas, natural features including stream buffers, wetlands, tree stands, and steep slopes
- h) Proposed land uses and approximate location

DEVELOPER'S PROGRAM

Overview

The proposed mixed-use development is located at the intersection of Martin Luther King Jr. Blvd. and Bolinwood Drive. The approximate 10-acre development proposes a mix of land uses: commercial and residential and associated parking, along with public greenspace and a connection to Bolin Creek Trail. As currently envisioned, the concept plan will meet the Town's Central West Small Area Plan which calls for "residential, commercial, retail, and/or institutional" at this important area along Martin Luther King Jr. Blvd.

This project provides much-needed public services through the construction of a new Municipal Service Center (MSC), complimentary transit-oriented residential development, and architecturally appropriate buildings (scale, character, articulation, etc.).

The proposed development will be a vibrant, transit-oriented mixed-use development, comprised of multifamily residential and commercial/institutional development. The combination of uses is intended to serve public and private users with public gathering areas and connectivity to surrounding greenspaces. It will also be centered around transit-oriented design and will be designed in recognition of the proposed Bus Rapid Transit (BRT) system for Martin Luther King Jr. Blvd corridor. Public spaces will be a key component of the new development, as well as accessible bicycle and pedestrian amenities to connect to Bolin Creek Trail. Finally, and importantly, an affordable housing component will be integral to the overall development.

The development proposes approximately 80,000 square feet of office space that will consist of the Town's MSC, between 175 and 250 dwelling units, and associated parking. The exact number and type of the dwelling units is still under consideration. Deck parking is proposed with 450 to 500 spaces to be shared by the Town and private development.

Priorities

The 828 MLK project presents an opportunity for the Town to connect two critical projects: the remediation of the police station property and the need for a new Municipal Services Center. Safety and environmental stewardship are our highest priority to manage the coal combustion products (CCP) impacting the site. We will be following all federal and state requirements to provide a framework for the property redevelopment and protection of human health and the environment. This includes guarding against risks of contamination of the land, air, groundwater, and Bolin Creek.

The redevelopment of the property is proposed to occur through the NC Brownfields program. Both the Town and the Developer are proposed as cosigners to the agreement that will detail permanent land use restrictions to maintain long term public health and

safety.

We believe the site has significant potential value for the Town given its proximity to downtown Chapel Hill, proximity to the university, its location along the future BRT line, and considering the overall growth as a world-class center for research and development. With input from the community and Town, this project creates an economically viable reuse considering the environmental condition. The property's redevelopment, despite the environmental impairment, is viable and can create jobs, public benefits, sustained tax revenue, and catalytic investment in the surrounding community.

General Site Layout and Building Orientation

The property is approximately 10 acres, located on the east side of Martin Luther King, Jr. Blvd. and Bolinwood Drive intersection. The new MSC building will be located along MLK Jr Blvd, having an important presence along the streetscape and most visible to the public, while the multifamily will be on the east side of the parcel, interior to the site. Green space is located on the south side of the site to provide a connection to Bolin Creek Trail and provide distance between buildings and the floodplain.

Site Access and Circulation

The proposed development creates a mixed-use community that will connect and integrate with the existing fabric of the neighborhood. The development frontage at Martin Luther King Jr. Blvd. is proposed to be a compelling street edge along the high frequency transit corridor, including a prominent architectural message from the design of the MSC. The development plan reflects the latest plans from the design and construction consultant working on the transit corridor design that locates a BRT Station along the property frontage.

Vehicular access is proposed along Martin Luther King Jr. Blvd. for the commercial uses, and access along Bolinwood Drive is proposed for residential uses. Further details related to access, circulation and parking will be developed as part of the subsequent submittals. Additionally, as pedestrian and bicycle interactions are and will continue to be prevalent, we anticipate the need to incorporate bike lanes, sidewalks, and other connections, including connections to Bolin Creek as part of the proposed redevelopment of the site.

Project Principles

By working together with the Town of Chapel Hill as a team to redevelop the property, we will have an enormous impact on the community's future. We believe that redeveloping the property into an aesthetically-pleasing, mixed-use project will help the Town attract and grow retail, office, and residential uses in the neighborhoods surrounding the property. The ability to transform the site into an anchor of activity is essential to the overall attractiveness and financial strength of the entire Martin Luther King Boulevard

corridor.

There are many examples of redevelopment of urban in-fill, environmentally challenged sites across the United States. Through our development team's extensive experience and Town's continued support, we will focus our approach on the following principles:

- Appropriate reuse program, density, and market readiness,
- Superior public spaces to counter the associated stigma of site, and
- Capitalize on viable redevelopment scenario and creative public private financial structures.

Natural Features, Environment and Landscaping

In addition to the environmental matters of the site, there are physical challenges to the overall site development, such as steep slopes and floodplain, that have been considered as we developed the concept plan. The project will comply with all stormwater and sedimentation/erosion control requirements utilizing a variety of protection measures authorized by the Town. The concept plan indicates a preliminary strategy for addressing stormwater in relation to the overall project features.

March 31, 2022

Judy Johnson
Town of Chapel Hill Planning Department
405 Martin Luther King Jr Boulevard
Chapel Hill, North Carolina 27514

RE: 828 MLK Statements of Compliance with the Comprehensive Plan and Design Guidelines

STATEMENT OF COMPLIANCE WITH THE COMPREHENSIVE PLAN

The 828 MLK Concept Plan is submitted on behalf of The Town of Chapel Hill and Belmont Sayre's public-private partnership. The submittal is proposed in accordance with the CH2020 Comprehensive Plan, the South MLK Boulevard focus area on the Town's Future Land Use Map, and the Central West Small Area Plan. The proposed plan addresses the following themes with their corresponding goals: A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places, New Spaces, Nurturing our Community, and Town and Gown Collaboration. Additionally, it provides the mix of uses called for in both the Future Land Use map and Central West Small Area Plan.

THEME 1: A PLACE FOR EVERYONE

One of the goals of Theme 1 is to provide a range of housing options for current and future residents. This property is currently occupied by Town of Chapel Hill Police Headquarters, which will be demolished and relocated back at the subject property in a new, expanded Municipal Services Center (MSC) office. The Chapel Hill Future Land Use Map places the subject property within the South MLK Boulevard Corridor Sub Area B, which specifically calls for multifamily, shops, offices, and green space as the primary land uses. This project proposes all of these uses except for shops. Approximately 200 multi-family units, 80,000 square feet of office space for the MSC, associated parking, and open green space connecting to the Bolin Creek Trail is proposed. This plan addresses the long-standing need to provide a new Police Headquarters and other expanded town services, contributes to the range of housing options for current and future residents in Chapel Hill and provides a welcoming space for community gathering. As shown on the concept plan, the site has been designed with deck parking and has situated the buildings towards the northern side of the parcel to provide courtyard and lawn space that opens and provides access to the greenway.

THEME 2: COMMUNITY PROSPERITY AND ENGAGEMENT

Goals of Theme 2 include promoting a safe, vibrant, and connected community as well as fostering success of local businesses. The project will provide approximately 80,000 square feet of new office space for the MSC that may also be occupied by local businesses and is easily accessible given the prime location along MKL Jr Blvd. Additionally, the project is located along the future BRT route with a station located either on or adjacent to the property. This will

allow residents of the community to be easily connected to other nearby business and for residents outside of the community to easily access the MSC office, green space, and Bolin Creek Trail. Located near a major highway and primary road system, the project is well positioned with a direct and strong connection to the surrounding overall context. These connections will assist in making the project a dynamic and thriving place.

THEME 3: GETTING AROUND

This project will take part in creating a comprehensive transportation system in the Chapel Hill area that links neighborhoods through a variety of systems. The site is located along the future BRT route and will have nearby stops, there is a multiuse path proposed along MLK Jr Blvd per the Chapel Hill Mobility and Connectivity Plan, and the site will provide deck parking for those who are not in close proximity to nearby bus stations or connecting multi-use paths. Additionally, the site is located along the Bolin Creek Greenway which connects to a number of parks and University Place (to be developed as a new vibrant mixed-use community). Summarized, there are opportunities to access and leave the site by different modes of transportation, accommodating the needs and demands of the Town while promoting sustainable transportation solutions. A future Traffic Impact Analysis (TIA) will inform the team of additional improvements needed to ensure a development design that minimizes traffic impacts and does not subtract from the quality of life of existing neighbors and future residents.

THEME 4: GOOD PLACES, NEW SPACES

The proposed development is consistent with the various plans in place that were created with thought and community engagement to promote new, vibrant communities in Chapel Hill. Not only does the project fulfill the future land use designation of the site but creates a place that strengthens the community with new housing options, the MSC office space, community gathering space, and accessibility to the natural environment. The amenity area provides recreation opportunities and an easy connection to natural wooded areas.

THEME 5: NURTURING OUR COMMUNITY

The development will keep buildings and hardscape out of the floodplain areas adjacent to Bolin Creek and has planned for green space directly adjacent to the floodplain. The proposal also supports the Chapel Hill Climate Action Plan with the buildout of a multiuse path on the MLK Jr Blvd frontage and promotion of the BRT Route and stations. Providing connectivity and access to trails will promote active transportation via walking and biking to reduce vehicle use and emissions, therefore reducing carbon footprint and improving air quality. Likewise, convenience to the BRT will encourage alternative modes of transportation. Additionally, the developer commits to LEED ND and Gold standard for individual buildings and will coordinate all activities with Town of Chapel Hill to meet or exceed Town sustainability guidelines.

Importantly, the project will also safely, sustainably and permanently address the legacy coal ash filling which occurred in the 1960s and 1970s before the present police headquarters was built in 1980. This will be conducted under close supervision by the NC Department of Environmental Quality pursuant to a redevelopment Brownfields Agreement.

THEME 6: TOWN AND GOWN COLLABORATION

By contributing to the range of housing options in the Central West area, a wider range of people will have the opportunity to live near the University and University Hospital, promoting access for residents to health care centers as noted in the goals of Theme 6 in the Comprehensive Plan. The project also contributes to various methods of transportation such as multiuse paths and BRT that may be used by students, faculty, and the greater community. The new MSC, located at the property, is a key component to provide for public safety and the basic services needed to help the town and university thrive and to provide for community needs and continued prosperity.

STATEMENT OF COMPLIANCE WITH DESIGN GUIDELINES

The 828 MLK Development will be built in compliance with the Town's Design Guidelines.

The architecture will be carefully designed with high-quality materials, contemporary design, and will have thoughtful transitions to properties along the subject site's boundaries. Parking will be provided in the deck for multifamily units and will be shared with office parking.

Landscape buffers will be designed in accordance with the Town's design manual and with the use of best practices to provide appropriate transitions between the building and streetscapes and adjacent land uses. Buffer modifications may be requested in order to create a more vibrant streetscape along MLK Jr Blvd, subject to review by CDC and Council.

Vehicular connectivity will be provided from MLK Jr Blvd and Bolinwood Dr, and internal roadways or drives will avoid dead-ends. Pedestrian connections will be provided to both fronting streets, the multi-use path along MLK, and connect to the Bolin Creek Trail. Fire access shall be provided in accordance with code requirements.

Stormwater management facilities, water, sewer, and other utilities will be provided in accordance with the applicable guidelines, standards, and regulations.

Sincerely,

MCADAMS



Jessie Hardesty
Planner II, Planning + Design

STATEMENT REGARDING AFFORDABLE HOUSING PROGRAM

Development planning will fully consider Chapel Hill's Comprehensive Plan and the town's long-standing commitment to support and promote affordable, inclusionary housing. The 828 MLK Blvd site presents a unique opportunity to further these objectives at a town-owned property, taking full advantage of the site setting, and location along the future BRT route and Bolin Creek Trail.

The project will include an affordable/workforce/attainable housing component that addresses particular housing needs within the Town. As part of the community engagement and planning process with the Town, we will develop a housing strategy that aligns with the community's needs and affordable housing objectives.

828 MARTIN LUTHER KING JR BLVD

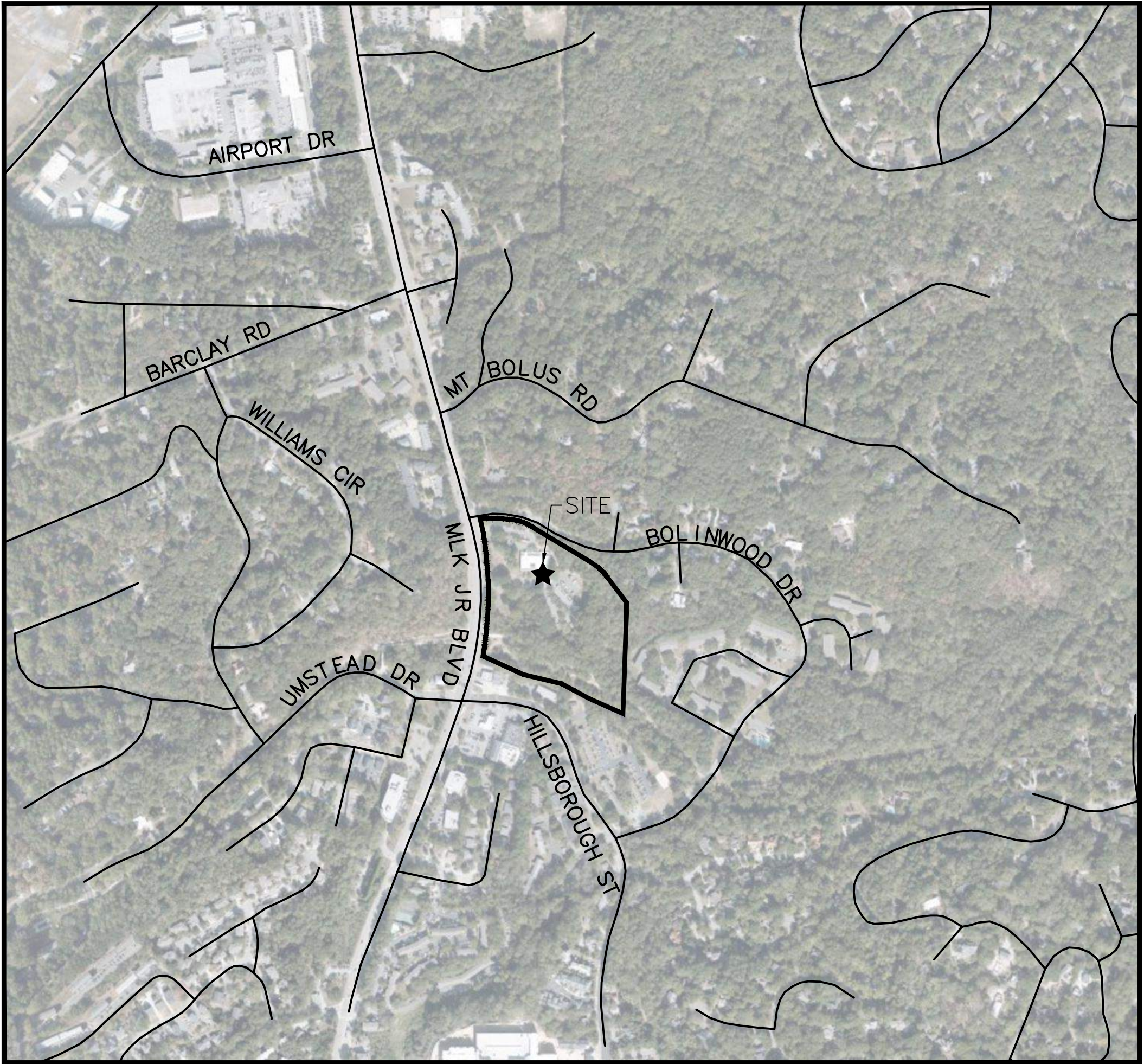
BOLINWOOD DRIVE
CHAPEL HILL, NC 27514

CONCEPT PLANS

PROJECT NUMBER: SPEC-17116
DATE: APRIL 1, 2022

Sheet List Table

C0.01	AREA MAP
C1.00	EXISTING CONDITIONS
C1.01	EXISTING VEGETATION
C1.02	STEEP SLOPES PLAN
C2.00	ARCHITECTURAL SITE PLAN



VICINITY MAP
1" = 500'





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SPENCER CHRISTIANSEN, PE
PROJECT MANAGER
christiansen@mcadamsco.com
PHONE: 919. 287. 0722

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TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
MORRISVILLE, NORTH CAROLINA 27560

PHONE: 919.968.2743

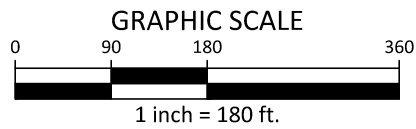
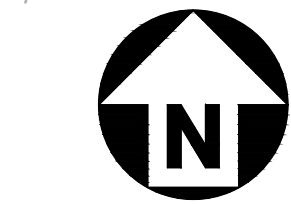
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REVISIONS

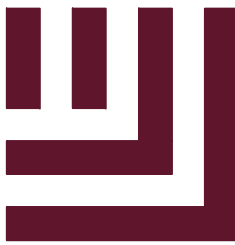
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**CONCEPT PLANS
FOR:**
828 MARTIN LUTHER KING JR BLVD

BOLINWOOD DRIVE
CHAPEL HILL, NC 27514
PROJECT NUMBER: SPEC-17116



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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**828 MARTIN LUTHER KING JR BLVD
CONCEPT PLANS
BOLINWOOD DRIVE
CHAPEL HILL, NC 27514**

REVISIONS

NO.	DATE
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PLAN INFORMATION

PROJECT NO.	SPEC-17116
FILENAME	SPEC17116-AM1
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	1" = 180'
DATE	04.01.2022

SHEET

AREA MAP

C0.01



LEGEND			
◎	SANITARY SEWER CLEANOUT	□	MAIL BOX
⊕	WATER VALVE	—	SIGN
⊕	WATER METER	⊕	WELL
⊕	FIRE HYDRANT	⊕	WATER MANHOLE
⊕	LIGHT POLE	SD	STORM DRAIN PIPE
⊕	POWER POLE	OU	OVERHEAD UTILITY LINES
⊕	CURB INLET	W	WATER LINE
		SS	SANITARY SEWER LINE
		T	TELEPHONE LINE
		G	GAS LINE
		UE	UNDERGROUND ELECTRIC
		UT	UNDERGROUND TELEPHONE
		—X—X—	FENCE LINE
		---	UPLAND RCD ELEVATION

SOIL TYPE CLASSIFICATION	
---	SOIL CLASSIFICATION LINE
Aa:	ALTAVISTA FINE SANDY LOAM, 0 TO 3 PERCENT SLOPES
AuC:	APPLING-URBAN LAND COMPLEX, 2 TO 10 PERCENT SLOPES
Ch:	CHEWACLA LOAM
TaE:	TATUM SILT LOAM, 15 TO 25 PERCENT SLOPES
Ur:	URBAN LAND
WmE:	WEDOWEE SANDY LOAM, 15 TO 25 PERCENT SLOPES



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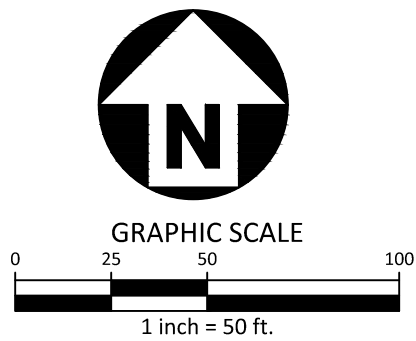
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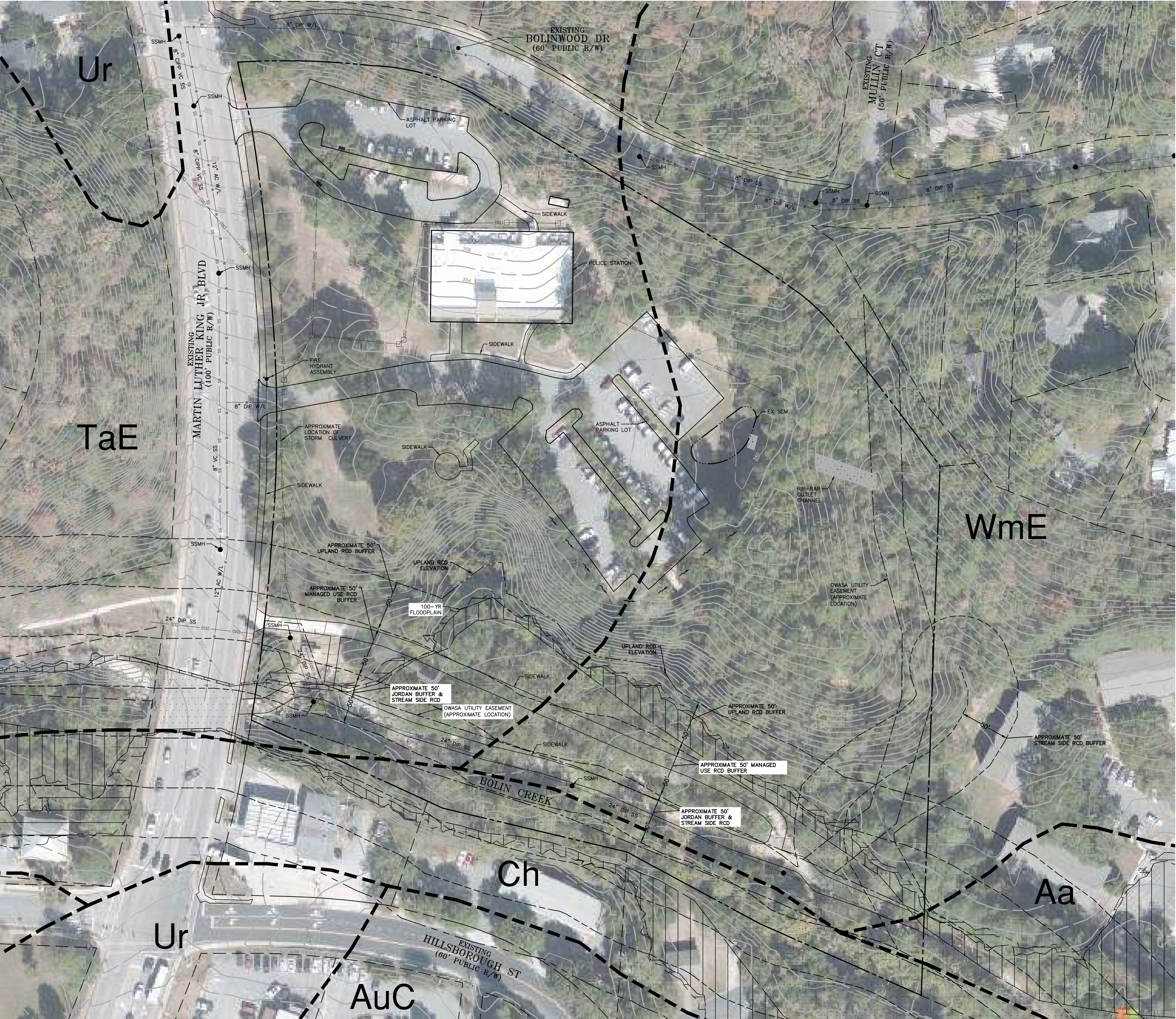
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CHAPEL HILL, NC 27514

REVISIONS		
NO.	DATE	
1	04.19.2022	CONCEPT PLANS
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PLAN INFORMATION		
PROJECT NO.	SPEC-17116	
FILENAME	SPEC17116-XC1-STREAM	
CHECKED BY	SJC	
DRAWN BY	WHM	
SCALE	1" = 50'	
DATE	04.01.2022	
SHEET		
EXISTING CONDITIONS		





LEGEND			
◎	SANITARY SEWER CLEANOUT	□	MAIL BOX
⊕	WATER VALVE	—	SIGN
⊗	WATER METER	⊙	WELL
⊕	FIRE HYDRANT	⊙	WATER MANHOLE
☆	LIGHT POLE	SD	STORM DRAIN PIPE
⊕	POWER POLE	OU	OVERHEAD UTILITY LINES
■	CURB INLET	W	WATER LINE
		SS	SANITARY SEWER LINE
		T	TELEPHONE LINE
		G	GAS LINE
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		UT	UNDERGROUND TELEPHONE
		—X—X—	FENCE LINE
		---	UPLAND RCD ELEVATION

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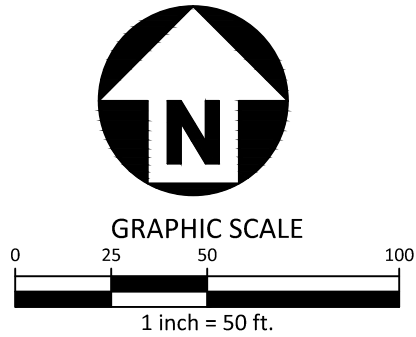


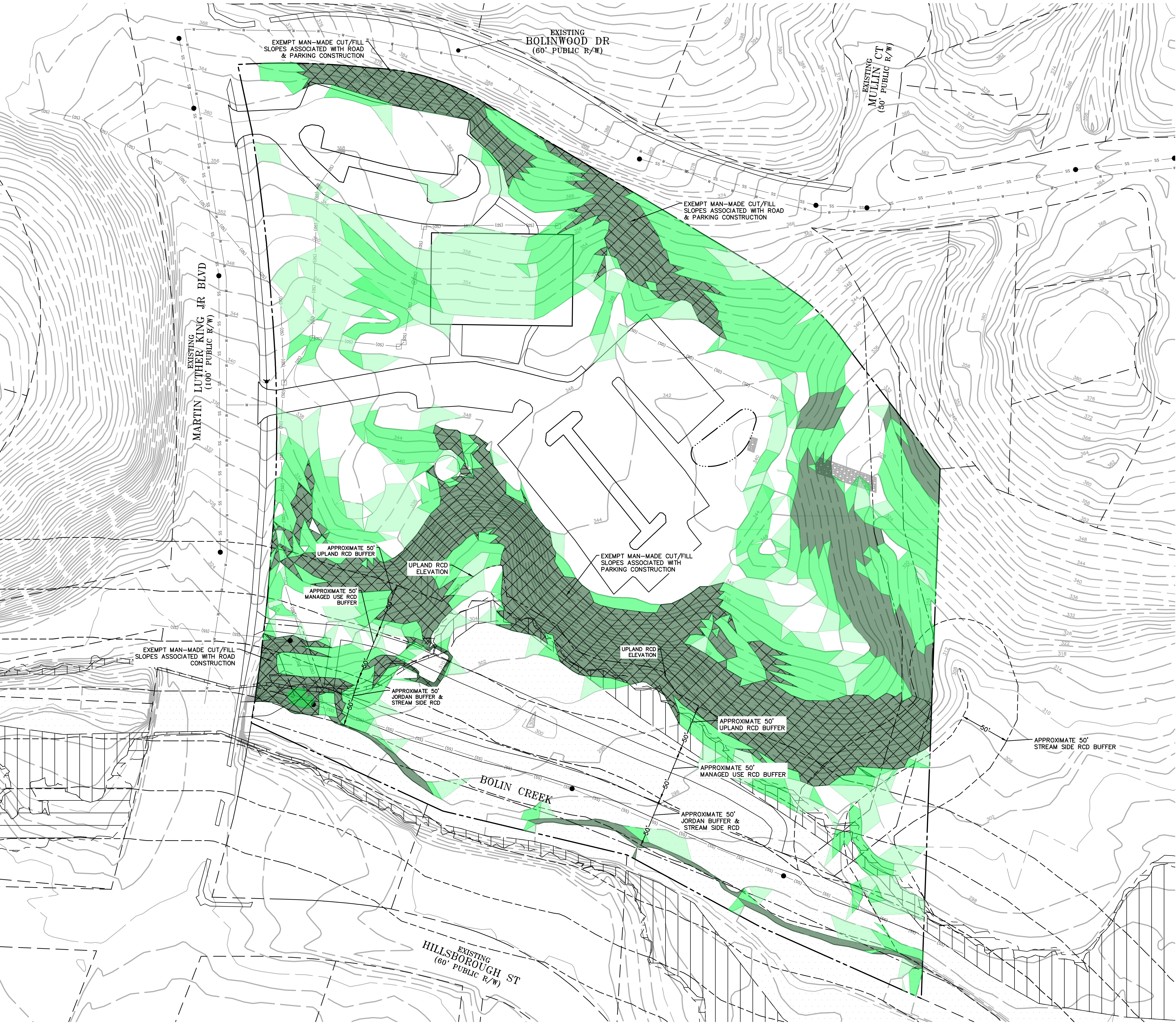
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PLAN INFORMATION	
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DRAWN BY	WHM
SCALE	1" = 50'
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SHEET	
EXISTING VEGETATION	





STEEP SLOPE LEGEND

- SLOPES 0% - 10%
- SLOPES 10% - 15% (1.26 AC) (54,711 SF)
- SLOPES 15% - 25% (2.07 AC) (89,952 SF)
- SLOPES >25% (2.17 AC) (94,673 SF)
- MANMADE SLOPES >25% (1.66 AC) (72,454 SF)

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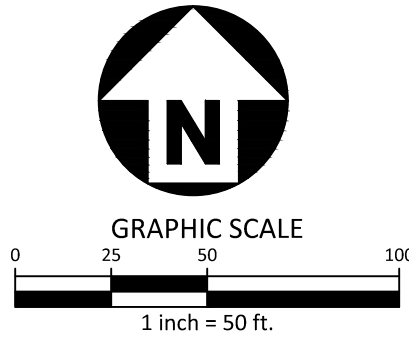
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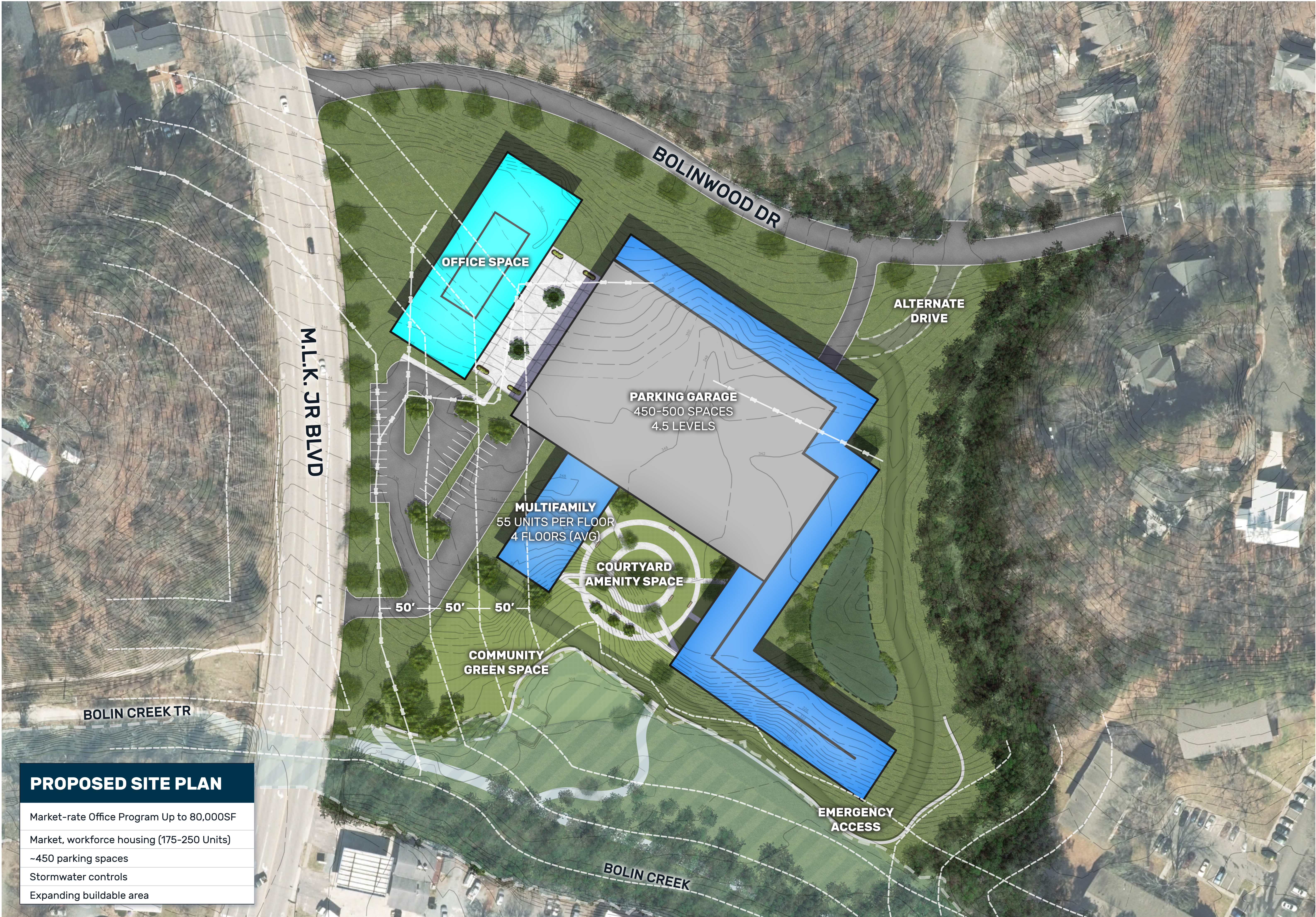
PROJECT NO.	SPEC-17116
FILENAME	SPEC17116-SS1
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	1" = 50'
DATE	04.01.2022

SHEET

STEEP SLOPES PLAN

C1.02





PROPOSED SITE PLAN

Market-rate Office Program Up to 80,000SF
Market, workforce housing (175-250 Units)
~450 parking spaces
Stormwater controls
Expanding buildable area