



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

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

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

Wednesday, January 13, 2021 7:00 PM

Virtual Meeting

Virtual Meeting Notification

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

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

https://us02web.zoom.us/webinar/register/WN_kr1c1_KdQreB5EvPg6FSgQ

After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 886 8876 0980

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

OPENING

ROLL CALL

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

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

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

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

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

1. Approve all Consent Agenda Items. [\[21-0010\]](#)

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

2. Approve a Request for Limited Review of a Special Use Permit Modification at Signature Health, 1602 E. Franklin Street. [\[21-0011\]](#)

By adopting the resolution, the Council limits the scope of the review of a Special Use Permit Modification for Signature Health to limit advisory board review to the Planning Commission.

3. Approve a Request for Limited Review of a Special Use Permit Modification at Murray Hill at Meadowmont, 201-213 Meadowmont Lane. [\[21-0012\]](#)

By adopting the resolution, the Council limits the scope of the review of a Special Use Permit Modification for Murray Hill at Meadowmont to limit advisory board review to the Planning Commission.

4. Defer Consideration for Conditional Zoning - Phi Gamma Delta at 108 W. Cameron Avenue from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to March 10, 2021. [\[21-0013\]](#)

By adopting the resolution, the Council defers consideration of the proposed conditional zoning district application for Phi Gamma Delta at 108 W. Cameron Avenue to March 10, 2021.

5. Designate a Voting Delegate to Vote on the Proposed NC League of Municipalities Legislative Goals. [\[21-0014\]](#)

By adopting the resolution, the Council designates Council Member Allen Buansi to serve as the Council's voting delegate for the proposed NC League of Municipalities legislative goals.

- 6.** Amend the 2020-21 Council Calendar. [\[21-0015\]](#)

By adopting the resolution, the Council amends the 2020-21 Council calendar to schedule a special meetings for a closed session and cancels the Assembly of Governments meeting.

INFORMATION

- 7.** Receive Upcoming Public Hearing Items and Petition Status List. [\[21-0016\]](#)

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

- 8.** Update on the Historic District Design Standards [\[21-0017\]](#)

By accepting the update, the Council receives information on the Historic District Design Guidelines Rewrite Project that is anticipated to conclude in February 2021.

DISCUSSION

- 9.** Orange County Health Department COVID-19 Vaccination Planning and Implementation. (no attachment) [\[21-0018\]](#)

PRESENTER: Quintana Stewart, Orange County Health Director

The purpose of this item is for the Orange County Health Department provide a COVID-19 Vaccination Planning and Implementation update.

- 10.** COVID-19 Update - UNC's Spring Semester Planning. (no attachment) [\[21-0019\]](#)

PRESENTER: Darrell Jeter, Director of Emergency Management and Planning

The purpose of this item is for the University of North Carolina at Chapel Hill staff to provide an update on plans for the spring semester.

- 11.** Consider Amending Chapter 10 of the Town Code to Add a Non-Discrimination Ordinance. [\[21-0020\]](#)

RECOMMENDATION: That the Council enact an ordinance amending Chapter 10 of the Town Code to add a new "Article IX: Anti-discrimination in Places of Public Accommodations and in Employment."

- 12.** OWASA's Long-Range Water Supply Plan Update. [\[21-0021\]](#)

PRESENTER: Todd Taylor, Executive Director

RECOMMENDATION: That the Council receive information about OWASA's Long-Range Water Supply Plan and provide feedback.

CONCEPT PLAN REVIEW(S)

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

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

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

- 13.** Concept Plan Review: 150 East Rosemary
Redevelopment.

[21-0022]

PRESENTER: Corey Liles, Principal Planner

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

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

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



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 1., **File #:** [21-0010], **Version:** 1

Meeting Date: 1/13/2021

Approve all Consent Agenda Items.

Staff:

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

Department:

Communications and Public Affairs

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



Recommendation(s):

That the Council adopt the various resolutions and ordinances.

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



Attachments:

- Resolution

**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES
(2021-01-13/R-1)**

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

2. Approve a Request for Limited Review of a Special Use Permit Modification at Signature Health, 1602 E. Franklin Street. (R-2)
3. Approve a Request for Limited Review of a Special Use Permit Modification at Murray Hill at Meadowmont, 201-213 Meadowmont Lane. (R-3)
4. Defer Consideration for Conditional Zoning - Phi Gamma Delta at 108 W. Cameron Avenue from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to March 10, 2021. (R-4)
5. Designate a Voting Delegate to Vote on the Proposed NC League of Municipalities Legislative Goals. (R-5)
6. Amend the 2020-21 Council Calendar. (R-6)

This the 13th day of January, 2021.

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

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



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 2., **File #:** [21-0011], **Version:** 1

Meeting Date: 1/13/2021

Approve a Request for Limited Review of a Special Use Permit Modification at Signature Health, 1602 E. Franklin Street.

See Staff Report on next page.

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

By adopting the resolution, the Council limits the scope of the review of a Special Use Permit Modification for Signature Health to limit advisory board review to the Planning Commission.



APPROVE A REQUEST FOR LIMITED REVIEW OF A SPECIAL USE PERMIT MODIFICATION AT SIGNATURE HEALTH, 1602 E. FRANKLIN STREET


STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Colleen Willger, Planning Director

Judy Johnson, Assistant Director

Anya Grahn, Senior Planner

| | | |
|--|--|---|
| PROPERTY ADDRESS 1602 E. Franklin Street | DATE January 13, 2021 | APPLICANT Chuck Trimble, The Way Maker Group, on behalf of Signature Health |
| STAFF RECOMMENDATION That the Council adopt the resolution limiting the scope of the review of a Special Use Permit Modification to limit advisory board review to the Planning Commission. No changes except for the construction start and end dates are proposed to the Special Use Permit Modification approved by Town Council on October 25, 2017. | | |
| PROCESS Town council approved a Special Use Permit Modification for this project on October 25, 2017. The SUP Modification required construction to begin by October 25, 2019 (two years from the date of approval) and to be completed by October 25, 2021 (four years from the date of approval), otherwise the approval shall expire and the permit shall be void. At the December 9, 2020 Council meeting, Signature Health petitioned the Council for a limited review of their proposed Special Use Permit Modification application to extend the dates for starting and completing construction. The Town Council may make specific modification of the regulations if they find that the public purposes are satisfied to an equivalent or greater degree. Any modification of regulations shall be explicitly indicated in the Special Use Permit or modification of Special Use Permit. The Council may limit the scope of the review of the proposed Special Use Permit Modification application if they choose. Planning Commission shall review the Special Use Permit Modification and forward a recommendation to Council prior to Council action. | DECISION POINTS The attached resolution would limit the scope of the Special Use Permit Modification as described and limit advisory board review to the Planning Commission. Except for changes to the construction start and end dates, no other modifications are proposed to the Special Use Permit Modification approved by the Council on October 25, 2017. | LOCATION  |
| ATTACHMENTS | <ol style="list-style-type: none"> 1. Resolution 2. Petition from Signature Health, dated December 4, 2020 3. October 25, 2017 Special Use Permit | |

A RESOLUTION LIMITING THE SCOPE OF THE MODIFICATION TO THE SPECIAL USE PERMIT MODIFICATION APPLICATION FOR SIGNATURE HEALTH, 1602 E. FRANKLIN STREET (2021-01-13/R-2)

WHEREAS, Chuck Trimble, The Way Maker Group, on behalf of Signature Health, applicant for the project, has petitioned the Council of the Town of Chapel Hill regarding a proposed modification to the Special Use Permit Modification application for Signature Health, 1602 E. Franklin Street; and

WHEREAS, the Special Use Permit Modification required construction to begin by October 25, 2019 (two years from the date of approval) and to be completed by October 25, 2021 (four years from the date of approval); and

WHEREAS, the applicant does not propose any additional modifications to the Special Use Permit Modification approved by the Town Council on October 25, 2017, other than the modification to the construction start and end dates; and

WHEREAS, the applicant has requested that the Council limit advisory board review to the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council limit the scope of the Public Hearing for the Special Use Permit Modification and the review to the items referenced above.

This the 13th day of January, 2021.



December 4, 2020

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

Re: Limited Scope Modification Request for Signature Healthcare SUP

Dear Mayor Hemminger and Chapel Hill Town Council,

On behalf of Signature Healthcare, we would like to request a Limited Scope Modification Request for the start date of the project. The project which consist of a 9,600 square foot addition and renovation to Signature Healthcare Property at 1602 East Franklin Street. As a result of the COVID Conditions for Healthcare we were not able to start the project within the timeframe that had been approved. We have resubmitted the drawings to Building Inspection for approval and are ready to start as soon as approval has been granted.

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

Sincerely

Chuck Trimble
President



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FILED Mark Chilton
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$.00

NH

Prepared by: Kay Pearlstein, Chapel Hill Planning Department

Return to:
Town of Chapel Hill
Planning Dept.
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514



TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL, NC 27514
(919) 968-2728

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT MODIFICATION

KNOW ALL MEN BY THESE PRESENTS, that the undersigned applicant, Ballentine Associates for Signature Health Care of Chapel Hill, having applied to the Town of Chapel Hill for a Special Use Permit Modification of the existing Special Use Permit approved by the Chapel Hill Town Council on November 17, 1978 (recorded in Deed Book 307 Page 553 at the Orange County Register of Deeds office) said Special Use Permit Modification approval was granted by the Town of Chapel Hill on October 25, 2017; if developed according to the Site Plan dated May 17, 2017, and the terms of said approval being as follows:

NAME OF PROJECT: Signature Health Care

DESCRIPTION OF PREMISE

LOCATION: 1602 East Franklin Street

ORANGE COUNTY PARCEL IDENTIFIER NUMBER: 9799-14-1643

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 244,251 square feet

MAXIMUM FLOOR AREA: 49,646 square feet

NUMBER OF BEDROOMS: 108 beds

IMPERVIOUS SURFACE: 113,336 square feet

SPECIAL TERMS AND CONDITIONS

Approves the application for Signature Health Care Development according to the Site Plan dated May 17, 2017 (on file in the Chapel Hill Planning Department), with the following modification of regulations:

- Modification of Section 5.9.7 of the Land Use Management Ordinance to increase Off-Street Parking space requirements by 28 spaces to allow a maximum of 82 vehicular parking spaces.

This finding is based on the determination that not all of the 104 parking spaces allowed by the original 1978 Special Use Permit were constructed (25 spaces left unconstructed), and the proposed building addition for expanded rehabilitation services will require additional employee and visitor parking. The community will be better served with the expansion of medical services at this location. Three additional spaces are proposed with the expansion of facilities. The Land Use Management Ordinance allows a maximum of one vehicle parking space per two beds for a Group Care Home or a maximum of 54 spaces.



- Modification of Section 5.9.7 of the Land Use Management Ordinance to decrease the bicycle parking space requirement to allow a minimum of 11 bicycle spaces.

This finding is based on the determination that the facility offers recovery-care and rehabilitation services. The reduction in spaces would provide bicycle parking for approximately 25 percent of the 43 employees. Two Class I spaces would be required and nine spaces as Class II. An interior shower is available to cyclists at the facility. The LUMO allows a minimum of four bicycle parking spaces or one space per four beds.

Stipulations Specific to the Signature Health Care of Chapel Hill Expansion

1. Construction Deadline: That construction begin by October 25, 2019 (two years from the date of approval) to be completed by October 25, 2021 (four years from the date of approval).
2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

| Use: Group Care Facility | |
|---------------------------------------|---|
| Gross Land Area | 244,251 square feet |
| Total Floor Area Allowed | 49,646 square feet |
| Maximum Vehicular Parking Spaces | 82 spaces |
| Minimum Bicycle Parking Spaces | 11 Spaces: 20% Class I and 80% Class II |
| Total Impervious Surface Area Allowed | 113,336 square feet |
| Total number beds | 108 beds |
| Land Disturbance | 85,000 square feet |

Access

3. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to Americans with Disabilities Act and associated codes and standards.
4. Performance Bond: Prior to beginning construction, the developer shall submit a performance bond to the Town to cover 125 percent of the cost of the infrastructure improvements in the public right-of-way.
5. Driveway Sidewalk: A five-foot wide concrete sidewalk shall be constructed along the east side of the driveway and along the southern property line connecting the new sidewalk with the existing sidewalk. If space allows, the sidewalk shall be constructed around the five parking spaces adjacent to the building to prevent walking behind vehicles.
6. Driveway Permit: Prior to beginning work on the North Carolina Department of Transportation (NCDOT) right-of-way, the developer shall obtain an approved driveway permit and/or encroachment agreement(s). As a condition of the permit, the permittee shall be responsible for the design and construction of the 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.
7. Three Party Encroachment Agreement: Prior to work within the East Franklin Street right-of-way, including the sidewalk connection to the existing public sidewalk and the proposed landscaping within the East Franklin Street right-of-way, a three-party encroachment agreement will need to be submitted for approval to NCDOT. The Town of Chapel Hill will be the third party.
8. Future Pedestrian Connection: The property owner shall consider a pedestrian connection between Couch Road and through the Signature Health Care property once adjacent redevelopment begins on Couch Road.

Architecture

9. Storage Trailers: Two existing 40-foot by 8-foot trailers on the western edge of the existing parking lot shall be removed from the site prior to issuance of a Certificate of Occupancy.
10. Storage Sheds: Two storage 12-foot by 36-foot sheds shall be installed behind the six-space parking bay at the southern end of the site with sidewalks to access the sheds and subject to Community Design Commission approval.



Solid Waste and Recycling

11. Dumpster Capacity: That the developer monitor existing solid waste facilities for adequate capacity post construction and if additional facilities are needed, that new concrete dumpster pads and refuse/recycling enclosure shall be outside the critical root zone of rare and specimen trees.

Environment

12. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide an Energy Management Plan for Town approval. The plan shall incorporate a "20 percent more energy efficient" feature to outperform the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) energy efficiency standard in place at the time of approval.

In addition, we recommend that the Developer consider the use of the following:

- Graywater use from stormwater retention system;
- Existing pond for additional stormwater detention and/or increase capacity of new underground storm filter detention system to handle some of the existing stormwater runoff; and
- Solar Power Voltaics for the addition so that it might meet the AIA 2030 Challenge carbon reduction target.

STANDARD STIPULATIONS

Transportation

13. 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 must be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
14. Street Closure Plan: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager approval, for any work requiring street, sidewalk, or lane closures.
15. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer must provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction.
16. Bicycle Parking: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for the bicycle parking spaces that comply with Town parking standards. The bicycle parking design must comply with the spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines, and the Class I and Class II bicycle parking standards required by the Town Design Manual.
17. Parking Lot Standards: Prior to issuance of a Certificate of Occupancy, the developer shall construct the parking lot and drive aisles to Town standards for pavement design and dimensions.
18. Vehicular Charging Stations: Prior to issuance of a Certificate of Occupancy the Developer shall dedicate two electric car charging spaces and lay the conduit for future electric car station expansion during the parking lot reconfiguration.
19. Sight Distance Triangles: The developer must provide sight distance triangles that meet AASHTO standards on the landscape plan prior to issuance of a Zoning Compliance Permit. Landscaping must be removed within the sight distance triangle for clear and unobstructed line of sight for vehicles.

Transportation Management Plan

20. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, we recommend the developer submits an updated Transportation Management Plan subject to Town Manager approval, including conducting an initial survey of employees' interest for purchasing electric vehicles.

Landscape and Architecture

21. Invasive Exotic Vegetation: Prior to the issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan, known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC)¹, and provide notes indicating removal of any identified exotic species from the landscape buffer areas, prior to planting.
22. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include which trees will be removed and which will be preserved, critical root zones of all rare and specimen trees, and clearly indicate names and species.

¹<http://www.se-eppc.org/weeds.cfm>



23. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. Tree protection fencing shall be provided around construction limits, construction parking' and materials staging/storage areas. Town standard landscaping protection notes, shall be included on the plans, subject to Town Manager approval.
24. 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. The Plan shall include canopy trees that are proposed to shade any surface parking areas.
25. Tree Canopy: That the final plans shall exhibit 40 percent canopy coverage through a combination of retained and replanted trees.
26. Demolition Plan: Prior to beginning building demolition, the developer must submit a Demolition Plan showing how materials will be recycled.
27. Steep Slopes: Prior to issuance of a Zoning Compliance Permit, the Developer shall include a map indicating how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to Town Manager review and approval.
28. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan for this site and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) off-site spillage of light.
29. Community Design Commission Approval: The Developer shall obtain Community Design Commission approval of building elevations prior to issuance of a Zoning Compliance Permit.
30. Alternative Buffer: The Developer shall obtain Community Design Commission approval of Alternative Buffers prior to issuance of a Zoning Compliance Permit.

Stormwater Management

31. Stormwater Management Plan: This project must comply with the Section 5.4 Stormwater Management/ of the Land Use Management Ordinance.
32. 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 and offsite roadways daily, make any necessary repairs or adjustments to the devices, remove deposition of wet or dry silt on adjacent roadways and maintain inspection logs documenting the daily inspections and any necessary repairs.
33. Phasing Plan: 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 shall detail 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 are complete, with a note to this effect on the final plans and plats.
34. Erosion Control Bond: If one acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with *Section 5-97.1 Bonds* of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities.
35. Silt Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
36. 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.
37. 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.
38. On-Site/Adjacent Stormwater Features: Prior to issuance of a Zoning Compliance Permit the final plans shall locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans. 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.



39. 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.

Water, Sewer, and Other Utilities

40. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy, other local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The property owner 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.
41. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit for Town Manager review and approval site plans and 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 beneath awnings; demonstrating compliance with Town standards; and sealed by a Professional Engineer.
42. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer shall provide for the underground installation of all public utilities as specified by Section 5.12.2 in the Land Use Management Ordinance.
43. Water/Sewer Line Construction: All public water and sewer plans shall be approved by OWASA and constructed according to their 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. Final plans shall be approved by OWASA and the Town Manager prior to issuance of a Zoning Compliance Permit.
44. Recordation of Documents: Prior to issuance of a Zoning Compliance Permit, easement plats and documentation as required by OWASA and the Town Manager shall be recorded if necessary.

Fire Safety

45. Firefighting Access during Construction: As required by NC Fire Code (Section 1410.1 Required Access), 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.
46. Fire Flow Report: That 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.
47. Automatic Sprinkler System: The developer shall install automatic sprinkler systems in accordance with Town Code and NC Fire Code.
48. 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. That fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
49. 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.
50. Fire Hydrant Accessibility: All structures must be located within 500 feet of a fire hydrant. The developer must maintain a 50-foot maximum distance between fire hydrants and Fire Department Connections, in a clearly visible and accessible location on the street side of buildings.

Solid Waste Management and Recycling

51. 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. 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.



52. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled. All haulers of construction waste must be properly licensed. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered.
53. Recycling Service: The developer shall contact Orange County Solid Waste Management to establish commercial recycling and cardboard collection services.

State and Federal Approvals

54. 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.
55. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT.

Miscellaneous

56. Temporary Construction Access Agreements: Prior to issuance of a Zoning Compliance Permit, the developer shall provide construction agreements with adjacent property owners where necessary, subject to Town Manager approval. If the abutting property is to be used as part of construction access, the developer shall provide documentation of permission from the owner of said property.
57. 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.
58. Traffic and Pedestrian Control Plan: That 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 five 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.
59. Construction Sign Required: Prior to the commencement of any land disturbing activities, 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. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (§5.14.3(g) of Land Use Management Ordinance). The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager.
60. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
61. Detailed Plan Review and Approval: Prior to issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved. Such plans shall conform to plans approved by the Council and demonstrate compliance with all applicable regulations and standards of the Land Use Management Ordinance and Design Manual.
62. Town Manager Review and Approval: Plans, plats, and associated detailed requirements as set forth in the stipulations of this resolution and incorporated into the Special Use Permit shall be reviewed and approved by the Town Manager, or his designee, as well as outside agencies, such as NCDOT, OWASA, and Duke Energy, where indicated.
63. As-Built Plans: Prior to 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. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. The developer shall also contact the Town's Engineering and Design Services Division for address assignment of each unit.
64. Vested Right: This Special Use Modification Permit constitutes a site specific development plan establishing a vested right as provided by North Carolina General Statutes Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.
65. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.




66. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

67. Relationship to Existing Special Use Permit: Except as modified herein, the provisions of the original Special Use Permit, recorded in book 307, page 553, shall remain in effect.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for Signature Health Care of Chapel Hill Expansion at 1602 East Franklin Street.

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

ATTEST



Town Clerk

Town of Chapel Hill

BY


 Ben Hitchings, Director
 Planning and Development Services
 Benjamin G.


ACCEPTED BY OWNER:

 CCP CHAPEL HILL 0806 LP,
 a Delaware limited partnership

 By: CCP Holdings GP1 LLC,
 a Delaware limited liability company
 its general partner

By:

Name:

Michael L. Costa

Executive Vice President, Finance

Its:

Attest:


 Jan Eckhardt

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

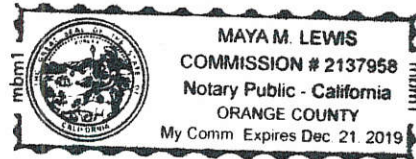
COUNTY OF ORANGE

STATE OF CALIFORNIA

On 5/29/18, 2018, Michael L. Costa personally appeared before me, Notary Public, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

my hand and official seal.

Signature



(Seal)

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

 WITNESS
 ORANGE COUNTY

NORTH CAROLINA

I, Christina M. Strauch, a Notary Public in and for said County and State do hereby certify that

Benjamin G.

Ben Hitchings, Director, Planning and Development Services, of the Town of Chapel Hill, and SABRINA M. OLIVER, Deputy Town Clerk,

duly sworn says each for herself that she knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is

the corporate seal of the Town of Chapel Hill, Benjamin G., Ben Hitchings, Director, Planning and Development Services of said Town of Chapel Hill,

and SABRINA M. OLIVER, Deputy Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the

Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 26th day of March, 20 18.

Christine M. Strauch

Notary Public

Christina M. Strauch

My commission expires: 4/16/18



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., **File #:** [21-0012], **Version:** 1

Meeting Date: 1/13/2021

Approve a Request for Limited Review of a Special Use Permit Modification at Murray Hill at Meadowmont, 201-213 Meadowmont Lane.

See Staff Report on next page.

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

By adopting the resolution, the Council limits the scope of the review of a Special Use Permit Modification for Murray Hill at Meadowmont to limit advisory board review to the Planning Commission.



**APPROVE A REQUEST FOR LIMITED REVIEW OF A SPECIAL USE PERMIT
MODIFICATION AT MURRAY HILL AT MEADOWMONT, 201-213
MEADOWMONT LANE**

STAFF REPORT

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

| | | |
|--|---------------------------------|---|
| PROPERTY ADDRESS 201-213 Meadowmont Lane | DATE January 13, 2021 | APPLICANT Ben Perry, East West Partners |
| <p>STAFF RECOMMENDATION</p> <p>That the Council adopt the resolution limiting the scope of the review of a Special Use Permit Modification to limit advisory board review to the Planning Commission. No changes except for the construction start and end dates are proposed to the Special Use Permit approved by Town Council on April 26, 2010.</p> | | |
| <p>PROCESS</p> <p>The Special Use Permit (SUP) required construction to begin by December 31, 2014 to be completed by December 31, 2015 (dates extended by the Permit Extension Act of 2009). Construction on the townhomes has begun with seven out of the 15 units built and occupied. The Town Manager has previously approved a one-year administrative extension to the construction completion date. The petitioner has indicated that the market conditions have been a factor in the construction completion.</p> <p>The Special Use Permit requires an affordable housing payment-in-lieu of \$191,250 (3% annual inflation rate until paid). To date, the applicant has paid \$109,766.24 (about half of the original total) as per a phased agreement.</p> <p>At the December 9, 2020 Council meeting, East West Partners petitioned the Council for a limited review of their proposed Special Use Permit Modification application. The Council may limit the scope of their review of the proposed Special Use Permit Modification application if they choose.</p> <p>Staff anticipates that the applicant will bring forward a Concept Plan and a formal application for Council's consideration later this spring.</p> | | <p>DECISION POINTS</p> <p>The attached resolution would limit the scope of the Special Use Permit Modification as described and limit advisory board review to the Planning Commission.</p> <p>No modifications are proposed to the SUP approved by the Council on April 26, 2010.</p> |
| <p>ATTACHMENTS</p> <ol style="list-style-type: none"> 1. Resolution 2. Petition from East West Partners, dated December 3, 2020 3. April 26, 2010 Special Use Permit 4. Minor Change to Special Use Permit dated April 8, 2019 | | <p>LOCATION</p> |

A RESOLUTION LIMITING THE SCOPE OF THE MODIFICATION TO THE SPECIAL USE PERMIT APPLICATION FOR MURRAY HILL AT MEADOWMONT, 201-213 MEADOWMONT LANE (2021-01-13/R-3)

WHEREAS, Ben Perry, on behalf of East West Partners, has petitioned the Council of the Town of Chapel Hill regarding Murray Hill at Meadowmont, 201-213 Meadowmont Lane regarding a proposed modification to the Special Use Permit application; and

WHEREAS, the Special Use Permit required construction to begin by December 31, 2014 (extended by the Permit Extension Act of 2009) to be completed by December 31, 2015; and

WHEREAS, the applicant does not propose any additional modifications to the Special Use Permit approved by the Town Council on April 26, 2010, other than the modification to the construction completion date; and

WHEREAS, the applicant has requested that the Council limit the scope of the review.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council limit the scope of the Public Hearing for the Special Use Permit Modification and their review to the items referenced above.

This the 13th day of January, 2021.

east west partners

December 3, 2020

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

Re: Limited Scope Modification Request for Murray Hill SUP

Dear Mayor Hemminger and Chapel Hill Town Council,

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

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

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

Best Regards,



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

1450 environ way
chapel hill, nc 27517
919-929-0660 919-967-0959 (fax)
www.ewp-nc.com

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KMK

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FILED Mark Chilton
 Register of Deeds, Orange Co., NC
 Recording Fee: \$26.00
 NC Real Estate TX: \$.00



BML

Prepared by: Gene Poveromo, Chapel Hill Planning Department

Return to: Leigh Vancil
 PO Box 51579
 Durham, NC 27717



TOWN OF CHAPEL HILL
 405 MARTIN LUTHER KING JR. BLVD.
 CHAPEL HILL, NC 27514
 (919) 968-2728

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s), Meadowmont Development Company, having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, was granted by the Town of Chapel Hill on April 26, 2010 the terms of which are as follows:

NAME OF PROJECT: Murray Hill at Meadowmont

NAME OF DEVELOPER: Meadowmont Development Company.

DESCRIPTION OF PREMISE

LOCATION: Northwest corner of Meadowmont Lane and Sprunt Street

ORANGE COUNTY PARCEL IDENTIFIER NUMBER: 9798-75-3407 *MW*

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan with cover sheet dated November 5, 2009, revised November 13, 2009 (on file in the Chapel Hill Planning Department), with the following modifications of regulations:

1. Modification of Subsection 5.9.6 to modify the parking lot screening requirements.

That public purposes would be satisfied to an equivalent or greater degree because 30 of the 34 parking spaces are underground and would not be visible from adjacent properties and streets.

2. Modification of Subsection 5.9.6 to reduce width of the landscape strip at the entry drives to as narrow as 3.5 feet.

That public purposes would be satisfied to an equivalent or greater degree because the buildings themselves partially screen the pavement. Further, the walkways from the public sidewalk to the building front entrances contribute to the overall function of the site more than having full width plantings in these particular locations.

3. Modification of Subsection 5.9.6 to modify the parking lot landscaping standards to reduce the planting strip width between the building and the parking lot to as narrow as 3.5 feet.

That public purposes would be satisfied to an equivalent or greater degree because the proposed walkways provide for pedestrian separation from traffic and a visual transition at the building edge for the subject 35-foot lengths along the buildings' internal edges.



Stipulations Specific to the Development

1. Construction Deadline: That construction begin by December 31, 2014* and be completed by December 31, 2015.**
*extended by the Permit Extension Act of 2009, and by section 4.5.5 of the Land Use Management Ordinance
**extended by the Permit Extension Act of 2009

2. Land Use Intensity: This Special Use Permit authorizes residential use with:

| | |
|------------------------------------|---|
| Gross Land Area | 55,975 s.f. (1.17 acres) |
| Dwelling Units | 15 |
| Total Maximum Floor Area Allowed | 66,000 sq. ft. |
| Maximum Impervious Surface Area | 36,000 sq. ft. |
| Minimum Vehicular Parking Spaces | 34 spaces |
| Minimum Handicapped Parking Spaces | 2 spaces |
| Bicycle Parking Spaces | 15-30 underground spaces and 2 above ground bicycle racks. |

3. Impervious Surface Calculations: That the developer provides calculations confirming Meadowmont's overall compliance with land use intensity ratios and impervious surface limits, subject to Town Manager review and approval prior to issuance of a Zoning Compliance Permit.
4. Subdivision Plat: The developer shall submit a subdivision plat, showing the property being subdivided into four lots as proposed, for Town Manager approval and for recordation in the county register of deeds office. A copy of the recorded plat shall be provided prior to the issuance of a Zoning Compliance Permit.
5. Schools Adequate Public Facilities Ordinance: That the developer provides the necessary Certificate of Adequacy of Public Schools prior to the issuance of a Zoning Compliance Permit.
6. Notification to Prospective Buyers: That the developer shall: a) provide documents such as deeds or plats, to be recorded in the Orange/Durham County Register of Deeds Office, which, at the time of property sale for each dwelling unit, alert prospective buyers of the site's close proximity to the easement reserved as a future transit corridor; and b) include the proximity in unit pre-sales and sales discussions.
7. Transit Corridor Signage: The developer shall also install signage at the edge of the transit corridor easement stating the anticipated use of the corridor for transit. There shall be a minimum of at least three signs posted, one at each end of this property's corridor easement boundary and one at the midpoint. The signage plan must be reviewed for approval by the Town Manager prior to issuance of a Zoning Compliance Permit and the signs installed prior to pre-sales and sales of any residential unit and prior to issuance of a Certificate of Occupancy.
8. Noise Mitigation Design/Construction: That the proposed multi-family units shall be designed and constructed to mitigate noise levels associated with the future transit corridor.
9. Public Art: That the developer shall provide 2 art pieces which may also serve as seating, to be generally located in the landscaped area to the west of the buildings. A detailed plan, illustrating the proposed artwork and showing the locations, shall be coordinated with the Town's Office of Public Arts and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The artwork shall be installed prior to issuance of a Certificate of Occupancy.
10. Affordable Housing/Performance Plan and Agreement:
That prior to issuance of a Zoning Compliance Permit, the applicant must submit an Affordable Housing Plan to be incorporated into an Affordable Housing Performance Agreement to be executed by the developer and the Town Manager (or designee) will contain the following information.
- A. General information about the nature and scope of the covered development.
- (1) 15% the market rate units is 2.25 units (15 x 15%)
 - (2) The applicant will provide a payment of \$191,250 to fulfill the affordable housing requirement for 2.25 affordable units. ($\$85,000 \times 2.25 = \$191,250$)
 - a. The \$85,000 baseline shall be established on the SUP approval date, to be inflated by 3% per year until such time as payment is made to the Town.
 - b. The payment shall be made to the Town's Affordable Housing Fund.
 - c. Payment must be received prior to issuance of a Zoning Compliance Permit.
 - (3) The applicant will establish an Affordable Housing Transfer Fee.
 - (a) Funds collected from a transfer fee (not to exceed 1%) associated with the initial sale of market rate properties in Murray Hill are to be placed into a reserve fund to be administered by the Community Home Trust for affordable housing.
 - (b) Funds collected from a transfer fee (not to exceed 1%) associated with the second and all subsequent sales of market rate properties in Murray Hill are to be placed into a reserve fund to be administered to the Town for affordable housing.
 - (c) The Affordable Housing Performance Agreement will govern how the transfer fee mechanism and reserve funds will function, and require an annual report by June 30 be provided to the Town Manager detailing the use of the Transfer Fee Fund.
- B. Any and all other information that the Town Manager may require that is needed to demonstrate compliance with the Council's Affordable Housing Policies.



11. Ownership and Responsibilities of Common Areas: All property owners owning land within the area of the Meadowmont Master Land Use Plan approval, excluding governmental bodies, shall be represented in the owners' association created for the maintenance and regulation of the private (residential, office, park, landscape, and commercial) areas including privately maintained streets and alleys. This owners' association shall have maintenance responsibilities for commonly owned development elements which affect the entire development including the stormwater management facilities.

In addition, a separate owners' association shall be created for the maintenance and regulation of the Murray Hill development, including the vehicular access, parking, and circulation areas; landscaped areas; and private sidewalks. All property owners in this development, excluding governmental bodies, shall be represented in the owners' association. The responsibilities of this entity shall include the ownership and maintenance of private green spaces, private parks, and private stormwater retention and detention facilities. This owners' association may be required to participate in maintenance responsibilities for commonly owned development elements which affect the entire development, including the stormwater management facilities.

Owners' association documents must be reviewed and approved by the Town Manager, and the approved documents recorded in the county Register of Deeds Office, prior to issuance of a Zoning Compliance Permit. These documents must be cross-referenced on the final plat(s). Prior to issuance of a Zoning Compliance Permit, the developer must submit a copy of the recorded documents to the Town Manager.

These entities shall also be responsible for any "add-on fees" charged by Duke Energy for special street lighting. These entities shall have the ability to place a lien on property for nonpayment of dues or fees.

12. Declaration of Condominiums: That the Declaration of Condominium document shall be reviewed and approved by the Town Manager prior to recordation at the Register of Deeds Office. A recorded copy of the document shall be submitted to the Town prior to issuance of a Certificate of Occupancy for any unit.

Access and Transportation

13. Pedestrian Access: That the developer shall provide sidewalks in the following locations:

- retain public sidewalk along both street frontages; and
- install sidewalk from the public sidewalk to the buildings' front entrances and to the underground garage entrances.

The developer shall also provide:

- raised crosswalks, with contrasting materials and/or colors, across the two driveways entrances on Meadowmont Lane;
- advanced pedestrian warning signs on both sides of Meadowmont Lane at the Murray Hill entrance(s); and
- a pedestrian path through the landscaped area to the west of the buildings.

14. Vehicular Access: That two driveways onto Meadowmont Lane shall be provided, with the location and design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
15. Parking Lot and Drive Aisle Dimensions: Prior to issuance of a Certificate of Occupancy, the developer shall construct the parking lots and drive aisles to Town standards for dimensions and pavement design, except as modified with approval from the Town Manager.
16. Sight Distance Triangles: Prior to issuance of a Zoning Compliance Permit, the developer shall provide standard Town of Chapel Hill sight distance triangles, and provide easements if necessary, at the proposed driveway near the intersection of Sprunt Street and Meadowmont Lane.
17. Median Cut in Meadowmont Lane: That a left turn lane and median cut in Meadowmont Lane be provided, with the design to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
18. Street Repair and the Routing of New Sanitary Sewer Mains: Proposed water and sanitary sewer lines shall be installed along the route that would minimize the need for pavement repairs and work zone traffic control within the public streets. If water and sanitary sewer and/or other utilities are extended under Barbee Chapel Road and Meadowmont Lane, it will be necessary to repair the trench and to provide an asphalt overlay to either the crown of the street on Barbee Chapel Road or to the median on Meadowmont Lane.
19. Traffic Signage: It will be necessary to include the necessary traffic signage in the appropriate locations as part of the detailed construction plans to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
20. Payment-In-Lieu for Traffic Signal Timing Adjustment: That prior to issuance of a Zoning Compliance Permit, the applicant shall provide a payment-in-lieu of \$1,000 for adjusting the traffic signal timing for signals at the intersection of Meadowmont Lane and Sprunt Street.
21. Cross Access Easements: That the developer shall dedicate vehicular and pedestrian cross access easements between the four lots to allow for access to and between buildings, parking areas, driveways, and outdoor areas. The recorded documents shall be provided prior to issuance of a Zoning Compliance Permit.
22. Accessibility Requirements: The developer shall provide the minimum required handicapped parking spaces and design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans With Disabilities Act standards, North Carolina Accessibility Code, and Town standard. Code requirements include standards for the number, size and



spacing of handicapped spaces, travel distance from parking spaces to buildings, ramp and sidewalk slope, cross-walk striping and other considerations.

23. Vehicular Parking: That the developer shall provide a minimum of 34 parking spaces built to Town standard according to Town Design Manual guidelines, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
24. Bicycle Parking: That the developer shall provide dimensioned details for 15-30 bicycle parking spaces, within the underground garages, that comply with Town parking standards in place at the time of approval, the spring 2002 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. In addition, the developer shall provide two bicycle racks at ground level.

Landscaping and Elevations

25. Landscape Protection: That a detailed Landscape Protection Plan, clearly indicating which significant tree stands, rare and specimen trees shall be removed and which shall be preserved. The plan shall include critical root zones of all rare and specimen trees, and clearly delineate significant tree stands. The plan shall also include detail of tree protection fencing, including woven wire fencing of at least 6 feet in height between the tree preservation areas and construction areas, construction parking, and materials staging/storage areas. The Plan shall also include Town standard landscaping protection notes, subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
26. Landscape Screening and Shading: That the landscaping shall adhere to the standards for Section 5.9.6 (a-d) of the Land Use Management Ordinance, except as modified by the Town Council in the approval of this Special Use Permit.
27. Landscape Plan and Landscape Maintenance Plan: That the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, and a Landscape Maintenance Plan, subject to Town Manager approval prior to issuance of a Zoning Compliance Permit. The landscape plan shall indicate the size, type, and location of all proposed plantings as well as the limits of land disturbance and tree protection fencing. The Plan shall include evergreen trees between the residential units and the transit corridor.
28. Canopy Tree Planting Plan: That the developer provide a tree canopy replacement plan, with the tree type and number to provide, at trees' maturity, the equivalent of 25,000 square feet of canopy coverage. Of the agreed upon number of trees to be planted, if re-planting entirely on-site is not practicable, some of the trees shall be planted on nearby Meadowmont common area or public property. Replacement tree locations, species, size, and spacing shall be provided on a detailed planting plan to be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
29. Street Tree Replacement: That if any street trees are damaged during construction and/or sanitary sewer installation, they will be replaced in accordance with the street tree planting plan standards for Meadowmont prior to issuance of a Certificate of Occupancy.
30. Building Elevation Approval: That the Community Design Commission shall approve building elevations including the location and screening of all HVAC/Air Handling Units for this project, prior to issuance of a Zoning Compliance Permit.
31. Lighting Plan Approval: That the Community Design Commission shall approve a lighting plan for this site and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) offsite spillage of light, prior to issuance of a Zoning Compliance Permit.

Environment

32. Stormwater Outlet Improvements: That the developer shall improve the stormwater outlet structures at Meadowmont Stormwater Pond 5, with detailed final plans to be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
33. Stormwater Runoff: This project must comply with the stormwater management requirements of the Land Use Management Ordinance to provide for 85 percent total suspended solids removal from the increased impervious area, retention for 2-5 days of the increased volume of stormwater runoff from the 2-year, 24-hour storm, and control of the stormwater runoff rate for the 1-year, 2-year, and 25-year storms.
34. Stormwater Easements: All stormwater detention, treatment and conveyance facilities located on and below the ground shall be wholly contained within an easement entitled: "Reserved Stormwater Facility Easement Hereby Dedicated" and shall be reserved from any development which would obstruct or constrict the effective management, control, and conveyance of stormwater from or across the property, other than the approved design and operation functions. A copy of the final plat or easement exhibit, signed and sealed by a North Carolina-registered Land Surveyor and recorded at the County Register of Deeds Office, and containing the following notes shall be submitted prior to issuance of the Certificate of Occupancy.
 - All engineered stormwater management control, treatment, and conveyance structures on and below the ground shall be wholly located within an easement entitled: "Reserved Stormwater Facility Easement Hereby Dedicated" and shall be reserved from any development which would obstruct or constrict the effective management, control, and conveyance of stormwater from or across the property, other than the approved design and operation functions. A suitable maintenance access (minimum 20' wide) to accommodate heavy equipment from the nearest public right-of-way to the Reserved Stormwater Facility Easement must be provided and shown on the plans.
 - The "Reserved Stormwater Facility Easement(s)" and the facilities it/they protect are considered to be private, with the sole responsibility of the owner to provide for all required maintenance and operations as approved by the Town Manager.
 - The Reserved Stormwater Facility Easement and the Operations and Maintenance Plan are binding on the owner, heirs, successors, and assigns.



35. Stormwater Performance Bond: If one (1) acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. This financial guarantee is intended to cover the costs of restoration of failed or failing soil erosion and sedimentation controls, and/or to remedy damages resulting from land-disturbing activities, should the responsible party or parties fail to provide prompt and effective remedies acceptable to the Town.
36. Curb Inlet Marking: In lieu of stenciling, all new Town and State right-of-way and private curb inlet hoods/covers installed within the Chapel Hill Planning Jurisdiction shall be pre-cast stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-5A.
37. Stormwater Maintenance Plan: Prior to issuance of a Certificate of Occupancy (CO), a Stormwater Operations and Maintenance Plan, signed by the owner(s) and recorded at the County Register of Deeds Office, shall be provided for the proposed stormwater management facilities and submitted to the Stormwater Management Engineer for approval. A schedule of inspection and maintenance tasks shall be included. The plan and schedule shall be detailed, clear, and concise such that property owners/occupants fully understand these requirements (what, when, where, and how).
38. As-Built Plans: That prior to the issuance of the first Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, stormwater drainage/conveyance systems and stormwater management structures, and all other impervious surfaces. The as-built plans shall be in DXF binary format using State plane coordinates and NAVD 88.
39. Stormwater Management Structures Location: No stormwater management structures are permitted in the rights-of-way or building setbacks.
40. Stormwater Management Facility Certification: A certification, signed and sealed by a North Carolina-licensed Professional Engineer, that the stormwater management facility(ies) is (are) constructed in accordance with the approved plans and specifications shall be provided prior to a Certificate of Occupancy.
41. Soil Stabilization: All disturbed areas shall be stabilized with vegetation or permanent ground cover within 21 calendar days of completion of any grading work.
42. Silt Control: That the applicant takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.

During the construction phase, additional erosion and sediment controls may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance.

43. Erosion Control: That a detailed soil erosion and sedimentation control plan for the site and the off-site utility work, including provision for monitoring and maintenance of facilities and modifications of the plan if necessary, be approved by the Orange County Erosion Control Division and its counterpart division in Durham County, if appropriate, and documentation of the approval(s) be submitted to the Town Manager prior to issuance of a Zoning Compliance Permit.
44. Energy Management Plan: That the final plan application include an Energy Management Plan (EMP) to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, biofuels, and 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 ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) that the property owner reports to the Town of Chapel Hill the actual energy efficiency achieved with the plan, as implemented, during the period ending one year after occupancy.

The EMP shall also be formatted to Town standards, shall include the USGBC credit checklist, and shall include pre-construction energy models to demonstrate the anticipated energy efficiency as compared to base building.
45. Energy Efficiency: That the final plans shall incorporate a "20 percent more energy efficient" feature relative to the 2004 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "so percent more energy efficient" feature into the final plans.
46. LEED Certifiable Construction: The developer shall provide evidence from a USGBC LEED for Homes certified consultant that the developer has provided a minimum of 60 LEED for Homes Final Rating credits, to be reviewed by the Town Manager after the project is certified under the LEED for Homes rating system.

Stipulations Related to Water, Sewer, and Other Utilities

47. Utility/Lighting Plan Approval: That the final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy Company, Time Warner Cable, Public Service Company, AT & T, and the Town Manager before issuance of a Zoning Compliance Permit. The property owner shall be responsible for assuring that these utilities are extended to serve the development.
48. Lighting Plan: That prior to issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including submission of a lighting plan, demonstrating compliance with Town standards, sealed by a Professional Engineer.



49. Sewer Line Construction: That sanitary sewer shall be extended to this site. That all plans be approved by OWASA and constructed according to its standards. Where sewer lines are located beneath streets, 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. Final plans shall be approved by OWASA and the Town Manager prior to issuance of a Zoning Compliance Permit.
50. Power Lines: That the two electrical transformers be approved by Duke Power and that the power lines be buried at the closest proximity possible to the transformers. All proposed or relocated utility lines other than 3-phase electric power distribution lines shall be located underground.
51. OWASA Approval: That documentation, as required by OWASA and the Town Manager, shall be recorded prior to issuance of a Zoning Compliance Permit.

State and Federal Approvals

52. State or Federal Approvals: That any required State or federal permits or encroachment agreements 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.

Fire Safety

53. Firefighting Equipment Access: That Final Plans shall clearly indicate emergency fire access for the Town's firefighting equipment to within 150 feet of all exterior points of the proposed buildings. This access shall be unobstructed, constructed of an all-weather surface, and shall be designed to carry the imposed load of the Town's firefighting equipment (75,000 lbs). Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
54. Fire Apparatus Access and Road Design: That Final Plans shall include the following note, "Any and all roads, driveways or dedicated fire lanes used for fire department access shall be all-weather and designed to support to carry the imposed load of fire apparatus weighing 75,000 lbs. Fire access roads shall have a minimum width of 20 feet with overhead clearance of 13 ft. 6 in." Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

That the Final Plan application shall include designs of all turn radii, bridges, and depressions within roadways to be accessible by the largest fire apparatus operated by the Town of Chapel Hill. That Final Plans shall also include details for signage, bollards, and/or pavement markings used to prevent parking that would hinder fire apparatus access. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

55. Fire Hydrant and FDC Locations: That 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 Meadowmont Lane 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.
56. Fire Apparatus Access and Service During Construction: That Final Plans shall include the following note, "When fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction, except when approved alternate means of fire protection are provided." Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
57. Fire Flow Report: That the Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. Fire flow shall meet the required flow 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.
58. Automatic Sprinkler System: That prior to issuance of Certificate of Occupancy, the applicant shall install automatic fire sprinkler systems in each building and parking garage area in accordance with NC Building and Fire Codes and Town Code, with plans subject to Town Manager review and approval prior to issuance of a Zoning Compliance Permit.
59. Fire Hydrant Accessibility: That all structures must be located within 500 feet of a fire hydrant. That the applicant shall maintain a 100-foot maximum distance between fire hydrants and fire department connections, in a clearly visible and accessible location on the street side of buildings, subject to Town Manager review and approval prior to issuance of a Zoning Compliance Permit.

Solid Waste Management and Recycling

60. Solid Waste Management Plan: That 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 prior to issuance of a Zoning Compliance Permit. The Plan shall also specify public pickup of solid waste and recyclable materials other than cardboard.
61. Final Plan Notes: That the applicant shall place the following notes on Final Plans prior to issuance of a Zoning Compliance Permit:
 - a. That the applicant hold demolition and pre-construction conferences with Orange County Solid Waste staff.
 - b. Any gate design shall include gate retainers.
 - c. The user shall be responsible for opening gates to the dumpster area on collection days of any material(s) to be collected from this location.
 - d. By Orange County Ordinance, clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled.
 - e. By Orange County Ordinance, all haulers of construction waste shall be properly licensed.
 - f. Prior to any construction activity on the site the applicant shall hold a pre-demolition/pre-construction conference with the County's Solid Waste staff. This may be the same meeting held with other development officials.



- g. If any vehicles are parked in the refuse or recyclables collection vehicle access area, the containers will not receive service until the next scheduled collection day.

Miscellaneous

62. Name and Addressing: Prior to issuance of a Zoning Compliance Permit the name of the development and the building numbers shall be reviewed for approval by the Engineering Design and Services Division.
63. Construction Management Plan: That a Construction Management Plan, 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) list hours of construction activities and indicate how the project construction will comply with the Town's Noise Ordinance.
64. Traffic and Pedestrian Control Plan: That the applicant 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 applicant must apply to the Town Manager for a lane or street closure permit.
65. Construction Sign Required: That the applicant 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. (§5.14.3(g) of LUMO). The sign shall be non-illuminated, and shall consist of light letters on a dark background. A detail of the sign shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
66. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
67. Detailed Plans: That 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 before issuance of a Zoning Compliance Permit, and that such plans conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Land Use Management Ordinance and the Design Manual.
68. Certificate of Occupancy: That a Certificate of Occupancy shall not be issued until all required public improvements are complete; and that a note to this effect shall be placed on the final plats. If the Town Manager approves a phasing plan, occupancy shall not occur for a phase until all required public improvements for that phase are complete; and no construction for any phase shall begin until all public improvements required in previous phases are completed to a point adjacent to the new phase; and that a note to this effect shall be placed on the final plats.
69. As-Built Plans: That prior to occupancy, the applicant shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.
70. Traffic Signs: That the property owners shall be responsible for placement and maintenance of temporary regulatory signs prior to occupancy.
71. Vested Right: This Special Use Permit constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and Appendix A of the Chapel Hill Land Use Management Ordinance.
72. Continued Validity: That continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
73. Non-Severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

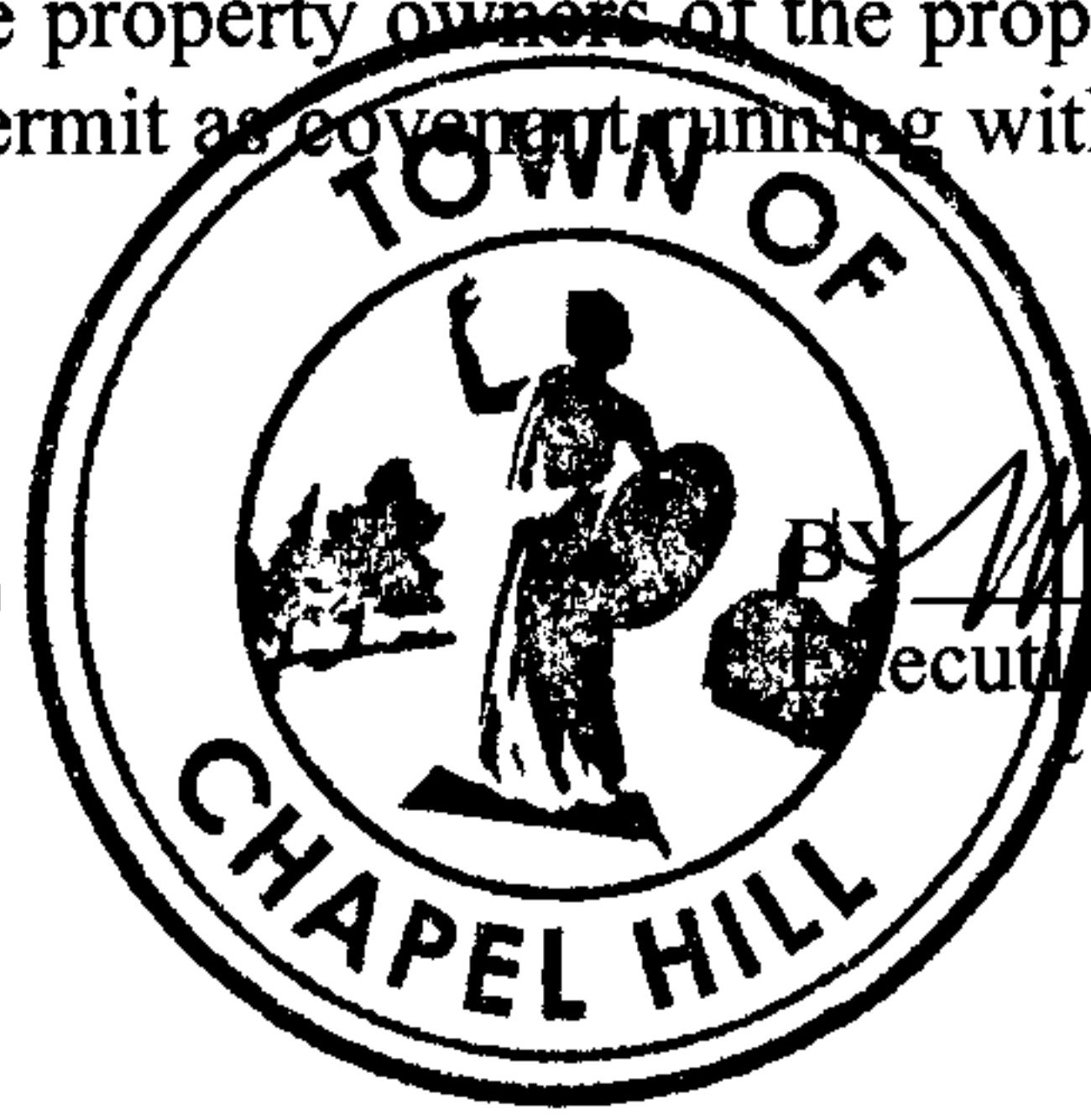
ORANGE COUNTY

NORTH CAROLINA

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

ATTEST

Amy T. Harvey, Acting
Town Clerk



The Town of Chapel Hill

Mary Jane Nirdlinger
Executive Director of Planning and Sustainability

PDK

ACCEPTED

MEADOWMONT DEVELOPMENT COMPANY, a North Carolina Joint Venture

By: East West Meadowmont Venture L.L.C.,
a North Carolina limited liability company, Joint Venturer

By: East West Partners Management Company, Inc.,
a North Carolina corporation, Manager

By: Rogers L. Perry
Name: PRESIDENT
Title:

By: PMF PROPERTIES, LLC,
a North Carolina limited liability company, Joint Venturer

By: J. McNeely DuBose
J. McNeely DuBose, Manager

ORANGE COUNTY

NORTH CAROLINA

I, Christina M. Strauch, a Notary Public in and for said County and State do hereby certify that

Mary Jane Nirdlinger, Executive Director of Planning and Sustainability of the Town of Chapel Hill, and

Amy T. Harvey, Acting Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that

Mary Jane Nirdlinger, Executive Director of Planning and Sustainability of said Town of Chapel Hill, and

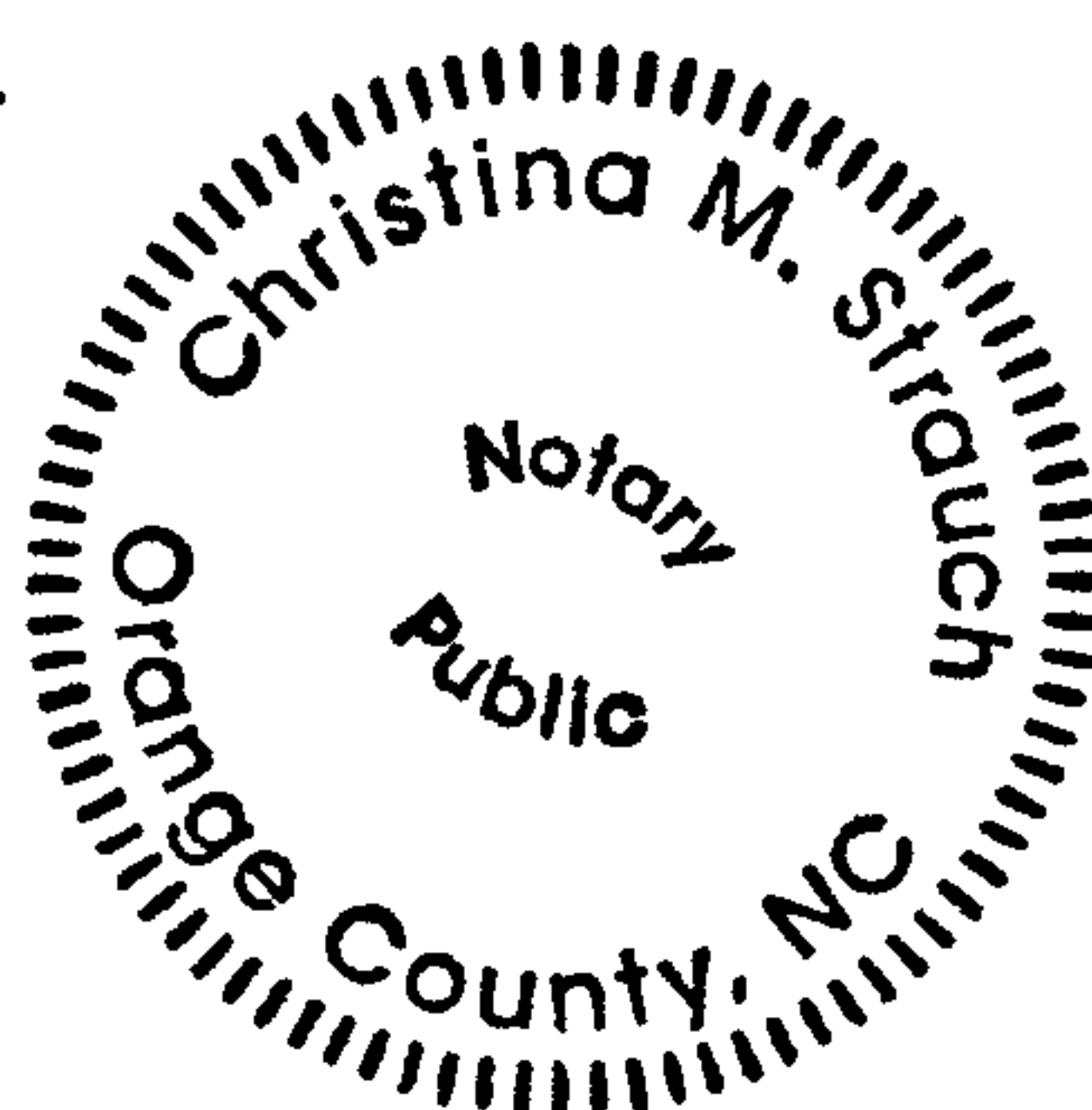
Amy T. Harvey, Acting Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the

14th day of October, 2014.

Christina M. Strauch

Notary Public

My commission expires: April 16, 2018



STATE OF NORTH CAROLINA

COUNTY OF ~~ORANGE~~ Durham

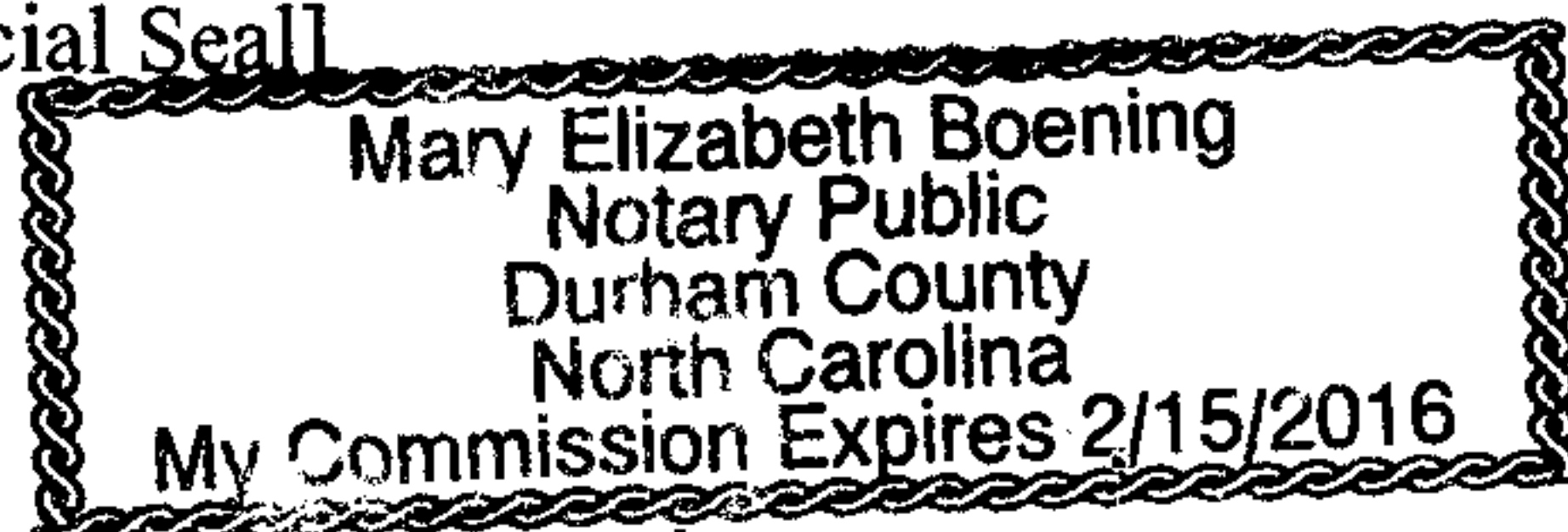
I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated: Doreen L. Perry

Date: 12/22/14

Mary Elizabeth Boening
Notary Public

Print Name: Mary Elizabeth BoeningMy commission expires: 2/15/16

[Official Seal]



STATE OF NORTH CAROLINA

COUNTY OF Durham

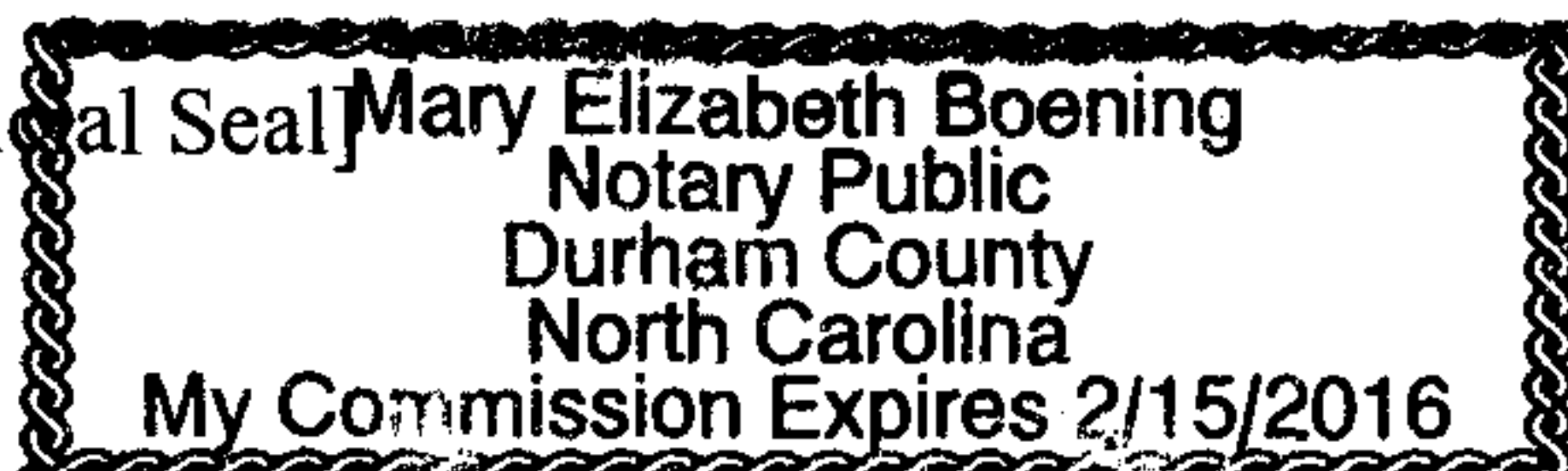
I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated: J. McNeely DuBose

Date: 12/24/14

Mary Elizabeth Boening
Notary Public

Print Name: Mary Elizabeth BoeningMy commission expires: 2/15/16

[Official Seal]





TOWN OF CHAPEL HILL
 Planning & Development
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 969-5066
www.townofchapelhill.org

April 8, 2019

Ben Perry, Finance Director
 East West Partners
 1450 Environ Way
 Chapel Hill, NC 27517

Subject: Minor Change to Special Use Permit – Phasing of affordable housing payment-in-lieu for Murray Hill at Meadowmont, Meadowmont Lane. (PIN 9798-75-3407)

Dear Ben:

I am writing in response to your request for a minor change to the Special Use Permit for the Murray Hill at Meadowmont development, approved by the Town Council April 10, 2010. After careful review of this proposal in light of the Town requirements, I determine that this is a minor change that complies with the Town's standards. Therefore I hereby approve the minor change for a phased payment-in-lieu.

The Land Use Management Ordinance provides guidance for minor changes to Special Use Permits that may be approved administratively. Under the regulations in the Land Use Management Ordinance, Town staff is authorized to make minor changes to Special Use Permit approvals according to Section 4.5.4 of the Land Use Management Ordinance.

After review of the attached application materials, the request is considered a minor change to the approved Special Use Permits as the request *does not propose*:

- a change to the Special Use Permit boundaries;
- a change of use;
- an increase in floor area;
- an increase in parking;
- substantial changes to principal or accessory structures;
- structural alterations significantly affecting size, form, style ornamentation and appearance of accessory structures;
- substantial changes in pedestrian, bicycle or vehicular access or circulation; or
- substantial changes to landscaping.

The Special Use Permit granted in 2010 requires that affordable housing payment-in-lieu be made prior to Certificate of Occupancy issuance. The applicant's payment phasing plan proposes payment prior to Certificate of Occupancy issuance of current units under construction, for an initial payment of \$109,766.24. This will satisfy payment for 7 out of 15 proposed units. This payment shall be made prior to Certificate of Occupancy issuance to buildings currently under

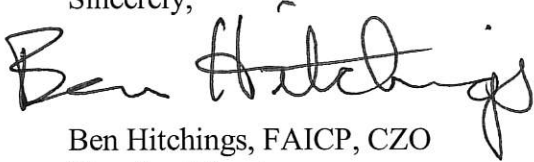
construction. The remainder of the payments will be made prior to Certificate of Occupancy issuance for the respective amount of affordable housing payment in lieu required for the two remaining buildings, phased accordingly.

Further, I find that the requested change to the approved Special Use Permit does not change the substance or intent of the Permit. I think that it is also reasonable to conclude that the requested change would not require evidentiary support in addition to that presented at the Public Hearing for the original Special Use Permit.

Submittal of a revised Zoning Compliance Permit application package will not be necessary. Note that this approval does not supersede any additional requirements or stipulations of payments-in-lieu thereof that are required by the approved Special Use Permit.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hitchings". The signature is fluid and cursive, with the first name "Ben" written in a larger, more prominent script than the last name "Hitchings".

Ben Hitchings, FAICP, CZO
Planning Director

cc: Judy Johnson, Operations Manager
Loryn Clark, Executive Director, Housing and Community
Emily Holt, Housing and Community

Attachment:
Minor Change Request

east west partners

January 24, 2019

Ms. Loryn Clark
Town of Chapel Hill
405 Martin Luther King Blvd.
Chapel Hill, NC 27514

Re: Murray Hill at Meadowmont -- Minor Modification Request

Dear Loryn,

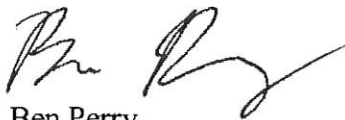
Per our recent discussions regarding the affordable housing payment in lieu for Murray Hill at Meadowmont, we humbly request a minor modification to the Special Use Permit to reflect the change of phasing for the development.

When first approved, we expected all 15 townhomes to be built in one continuous phase. As a result of market conditions, we have ended up phasing the project by building. We have completed the first building, containing 4 units, and are under construction with the second building, containing 3 units. As such, we would like to request a modification to the payment timing for the affordable housing payment in lieu to reflect this phasing.

Our request is as follows. With the annual inflation, the current full payment would be \$235,213.37. We would appreciate your consideration to allow us to pay for the units built and under construction at this time, for a current payment of \$109,766.24. We would also like to request that the remaining payments be phased by building, with a payment of \$62,723.56 for each of the remaining two buildings due prior to those buildings receiving a certificate of occupancy. We understand that these remaining amounts will continue to inflate by 3% each year on April 26th.

Thank you for your consideration of this request for modification to the SUP.

Best Regards,



Ben Perry
Finance Director

1450 environ way
chapel hill, nc 27517
919-929-0660 919-967-0959 (fax)
www.ewp-nc.com



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., **File #:** [21-0013], **Version:** 1

Meeting Date: 1/13/2021

Defer Consideration for Conditional Zoning - Phi Gamma Delta at 108 W. Cameron Avenue from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to March 10, 2021.

Staff:

Colleen Willger, Director
Judy Johnson, Assistant Director
Anya Grahn, Senior Planner

Department:

Planning

Overview: The Town Council held and closed a public hearing on December 9, 2020 to discuss the Conditional Zoning District application for the Phi Gamma Delta fraternity at 108 W. Cameron. On December 18, 2020, the applicant requested that this item be continued from the January 13, 2021 meeting to March 10, 2021. Staff is recommending that Council defer consideration to March 10, 2021, as requested by the applicant.



Recommendation(s):

That the Council adopt the resolution deferring consideration of the proposed conditional zoning district application to March 10, 2021.



Attachments:

- Resolution

A RESOLUTION DEFERRING CONSIDERATION OF THE ABANDONMENT OF THE 108 WEST CAMERON AVENUE SITE FROM THE EXISTING PHI GAMMA DELTA SPECIAL USE PERMIT AND AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) TO MARCH 10, 2021 (2021-01-13/R-4)

WHEREAS, on December 9, 2020, the Council opened the public hearing for 108 West Cameron Avenue Abandonment of the existing Special Use Permit and Conditional Zoning District application, closed the public hearing, received written public comment for 24 hours following the closed public hearing, and made a motion to schedule consideration of the item at the Council Meeting on January 13, 2021; and

WHEREAS, on December 18, 2020, the applicant requested that the item be continued to March 10, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council defers consideration of the 108 West Cameron Avenue Conditional Zoning District application, to 7:00 PM on Wednesday, March 10, 2021.

This the 13th day of January, 2021.

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

By adopting the resolution, the Council defers consideration of the proposed conditional zoning district application for Phi Gamma Delta at 108 W. Cameron Avenue to March 10, 2021.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., **File #:** [21-0014], **Version:** 1

Meeting Date: 1/13/2021

Designate a Voting Delegate to Vote on the Proposed NC League of Municipalities Legislative Goals.

Staff:

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

Department:

Communications and Public Affairs

Overview: The North Carolina League of Municipalities' Legislative Policy Committee compiled and refined the submitted goals, the NCLM Board of Directors reviewed, approved and now submits 17 proposed advocacy goals for each municipality's consideration.



Recommendation(s):

That the Council designate a voting delegate to vote on the proposed NC League of Municipalities legislative goals.



Attachments:

- Resolution
- NCLM Request for Voting Delegate

A RESOLUTION DESIGNATING A VOTING DELEGATE TO VOTE ON THE PROPOSED NC LEAGUE OF MUNICIPALITIES LEGISLATIVE GOALS (2021-01-13/R-5)

WHEREAS, the Legislative Policy Committee compiled and refined the submitted goals, the NCLM Board of Directors has reviewed, approved and now submits [17 proposed advocacy goals for your consideration](https://protect-us.mimecast.com/s/0-NRCZ6NLsQWjXTQzwIE?domain=lnks.gd) [<https://protect-us.mimecast.com/s/0-NRCZ6NLsQWjXTQzwIE?domain=lnks.gd>](https://protect-us.mimecast.com/s/0-NRCZ6NLsQWjXTQzwIE?domain=lnks.gd) [<https://protect-us.mimecast.com/s/aqkYC1wPymUqQZLI9o6?domain=lnks.gd>](https://protect-us.mimecast.com/s/aqkYC1wPymUqQZLI9o6?domain=lnks.gd) and

WHEREAS, each municipality will cast a single vote by selecting 10 of the 17 [proposed advocacy goals](https://protect-us.mimecast.com/s/ohunC2kQ0nC8Dm0H5idOV?domain=lnks.gd) [<https://protect-us.mimecast.com/s/ohunC2kQ0nC8Dm0H5idOV?domain=lnks.gd>](https://protect-us.mimecast.com/s/ohunC2kQ0nC8Dm0H5idOV?domain=lnks.gd).; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council designates Council Member Allen Buansi to serve as the Council's voting delegate to vote on the proposed NC League of Municipalities legislative goals.

This the 13th day of January, 2021.

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

By adopting the resolution, the Council designates Council Member Allen Buansi to serve as the Council's voting delegate for the proposed NC League of Municipalities legislative goals.

Amy Harvey

From: Jennifer Robinson, NCLM President <president@mail.nclm.org>
Sent: Monday, January 04, 2021 3:47 PM
To: Amy Harvey
Subject: REMINDER | Designate Voting Delegate and Vote on Proposed Municipal Advocacy Goals

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

Having trouble viewing this email? View it as a Web page.



January 4, 2021

Dear NCLM Members,

Happy New Year! I am pleased to share with you that the League's legislative policy goals planning process is almost complete. All that remains is for member cities and towns to review the proposed goals and cast their votes—we need your help and participation in this last, and most important, step in the process.

Thank you for the work you have already completed; we have received over 450 ideas from 165 individuals representing 114 municipalities. After the dedicated work by the Legislative Policy Committee to compile and refine the submitted goals, the NCLM Board of Directors has reviewed, approved and now submits [17 proposed advocacy goals for your consideration](#).

Your job now is to review and vote on the proposed goals so that cities and towns have a focused state and federal advocacy agenda for the 2021-2022 legislative biennium, which begins in January at the N.C. General Assembly.

Each municipality will cast a single vote by selecting 10 of the 17 [proposed advocacy goals](#). To vote, your municipality must:

1. **Designate a single Voting Delegate who will cast the municipality's vote by January 14, 2021.** If your municipality has not yet designated its Voting Delegate, please do so using this form. Official voting instructions and the ballot will be sent directly to the Voting Delegate.

2. **Review, discuss and determine which of the proposed advocacy goals your municipality supports.** Each municipality may select 10 of the 17 [proposed goals](#).
3. **Submit the online ballot by January 15, 2021.** The Voting Delegate will receive voting instructions and the online ballot directly.

Thank you for your continued participation in this legislative goal planning process, which is so critical to our advocacy efforts. Establishing these Municipal Advocacy Goals with wide participation by all cities and towns allows our organization to speak with confidence and sincerity as we pursue each with state and federal policymakers. It truly allows us to live up to our motto, "Working as one, advancing all."



Jennifer Robinson, NCLM President

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This email was sent to aharvey@townofchapelhill.org using GovDelivery Communications Cloud, on behalf of: North Carolina League of Municipalities · 434 Fayetteville Street, Suite 1900, Raleigh, NC 27601 · Phone: (919) 715-4000





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., **File #:** [21-0015], **Version:** 1

Meeting Date: 1/13/2021

Amend the 2020-21 Council Calendar.

Staff:

Sabrina Oliver, Director
Amy Harvey, Deputy Town Clerk

Department:

Communications and Public Affairs

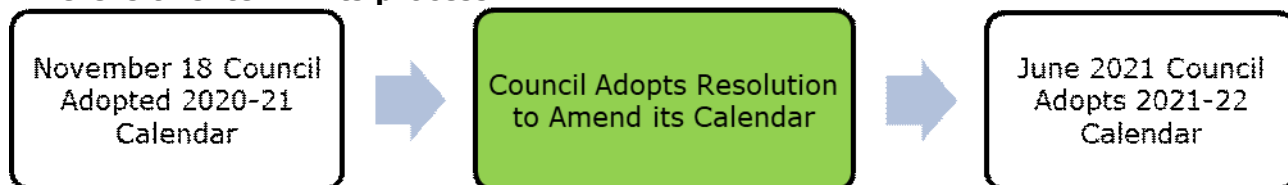
Overview: The Council adopted its 2020-21 meeting calendar on November 18, 2020. This action amends the Council calendar to incorporate a Special Meeting for a closed session regarding a personnel matter and cancels the Assembly of Governments.



Recommendation(s):

That the Council adopt a resolution amending the 2020-21 Council calendar to incorporate various scheduling changes.

Where is this item in its process?



Attachments:

- Resolution
- Proposed Chapel Hill Town Council 2020-21 Meeting Calendar

A RESOLUTION AMENDING THE COUNCIL'S 2020-21 MEETING CALENDAR (2021-01-13/R-6)

WHEREAS, on November 18, 2020 the Council adopted its 2020-21 meeting calendar; and

WHEREAS, the Town Council is responsible for conducting an ongoing performance evaluation process for the position of Town Manager; and

WHEREAS, the Assembly of Governments January 26, 2020 meeting is cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends its 2020-21 meeting calendar to add the following special meeting:

- January 20, 2021 for a closed session to discuss a personnel matter at 7:00 p.m. online, see the Town's Calendar for details.

BE IT FURTHER RESOLVED that the Council amends its 2020-21 meeting calendar to remove the following meeting:

- January 26, 2020 Assembly of Governments meeting

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

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

This the 13th day of January, 2020.

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

By adopting the resolution, the Council amends the 2020-21 Council calendar to schedule a special meetings for a closed session and cancels the Assembly of Governments meeting.

Adopted Chapel Hill Town Council
2020 Meeting Calendar

2020 Calendar

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

| 2021 Meeting Calendar | | | | | | | | | | | | | | | | | | | | |
|-----------------------|----|----|----|----|----|----|----------|----|----|----|----|----|----|-------|----|----|----|----|----|----|
| JANUARY | | | | | | | FEBRUARY | | | | | | | MARCH | | | | | | |
| S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| | | | | | 1 | 2 | | 1 | 2 | 3 | 4 | 5 | 6 | | 1 | 2 | 3 | 4 | 5 | 6 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 | 28 | | | | | | | 28 | 29 | 30 | 31 | | | |
| 31 | | | | | | | | | | | | | | | | | | | | |
| APRIL | | | | | | | MAY | | | | | | | JUNE | | | | | | |
| S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| | | | | 1 | 2 | 3 | | | | | | | 1 | | | 1 | 2 | 3 | 4 | 5 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 25 | 26 | 27 | 28 | 29 | 30 | | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 27 | 28 | 29 | 30 | | | |
| | | | | | | | 30 | 31 | | | | | | | | | | | | |

| | | | | | |
|-----------|--------------------------------------|-----------|--|-----------|--|
| 18 | Regular Meetings 7 pm @ Town Hall | 7 | Council Work Sessions 6:30 pm @ Library | 9 | Other Meetings *Check web calendar for time/location |
| 34 | Total Number of Meetings | 12 | Town Holidays | 10 | CCES Meetings* |

List of Meetings by Date

July 2020

- 29-W-Special Meeting, 7 pm, Virtual Meeting

August 2020¹

- 19-W-Special Meeting, 7 pm, Virtual Meeting
- 26-W-Special Meeting², 7 pm, Virtual Meeting

September 2020

- 9-W-Regular Meeting, Virtual Meeting
- 16-W-Work Session
- 30-W-Regular Meeting

October 2020

- 7-W-Regular Meeting
- 21-W-Work Session
- 28-W-Regular Meeting

November 2020

- 4-W-Regular Meeting
- 18-W-Regular Meeting

December 2020

- 2-W-Work Session
- 9-W-Regular Meeting

January 2021

- 6-W-Work Session
- 13-W-Regular Meeting
- 20-W-Special Meeting, 7 pm
- ~~26-T-Assembly of Governments~~
- 27-W-Regular Meeting
- TBD- Legislative Breakfast

February 2021

- 5-F-Council Retreat
- 6-Sa-Council Retreat
- 17-W-Work Session
- 24-W-Regular Meeting

March 2021

- 10-W-Regular Meeting
- 17-W-Work Session
- 24-W-Regular Meeting

April 2021

- 7-W-Regular Meeting
- 14-W-Work Session
- 21-W-Regular Meeting

May 2021

- 5-W-Regular Meeting
- 12-W-Budget Work Session
- 19-W-Regular Meeting
- 26-W-Budget Work Session
(*Tentative*)

June 2021

- 2-W-Budget Work Session
(*Tentative*)
- 9-Regular Meeting
- 23-Regular Meeting

Amendments as of Jan 13, 2021.

*Council Committee on Economic Sustainability

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

¹ Unless otherwise noted, Council Regular meetings start at 7:00 p.m. and Council Work Sessions start at 6:30 p.m. both are held virtually, see web calendar (<https://www.townofchapelhill.org/government/newsroom/calendar>) for details. When Council returns to physical meetings Council Regular meetings are held in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514)
² It is anticipated that the Council will go into closed session, as authorized by North Carolina General Statute Section 143-318.11(a)(6) to discuss a personnel matter.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., **File #:** [21-0016], **Version:** 1

Meeting Date: 1/13/2021

Receive Upcoming Public Hearing Items and Petition Status List.

Staff:

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

Department:

Communications and Public Affairs



Recommendation(s):

That the Council accept the reports as presented.

Background:

Two pages on our website have been created to track:

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

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

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

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



Attachments:

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

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

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

SCHEDULED PUBLIC HEARINGS

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

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

January 13

- Consider an Application for Conditional Rezoning - Phi Gamma Delta at 108 W. Cameron Avenue
- Concept Plan Review: East Rosemary Street Office Building

January 27

- Continue the Public Hearing: Conditional Zoning for S. Columbia Street Annex, 1150 S. Columbia Street - Proposed Change from Residential-2 (R-2) to Mixed Use - Village (MU-V)
- Consider a Request to Close a Portion of an Unmaintained and Unimproved Public Right-of-Way on Monroe Street
- Continue the Public Hearing: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD) (Project #19-065).

February 24

- Consider a Land Use Management Ordinance Text Amendment for Townhomes in the Blue Hill District

STATUS OF PETITIONS TO COUNCIL

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

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

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|--------------------|---|---|--|
| 12/09/2020 | Signature Health | Request for Limited Scope SUP Modification. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | The Council will consider taking action on this request at their 01/13/21 meeting. |
| 12/09/2020 | East West Partners | Request for Murray Hill Limited Scope SUP Modification. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | The Council will consider taking action on this request at their 01/13/21 meeting. |
| 11/04/2020 | Barbara Driscoll | Request for a Leave the Leaves Campaign. | Public Works Lance Norris , Public Works Director Phone: 919-969-5100 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 | Staff is preparing information to respond to this request. |

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|---|--|---|--|
| 11/04/2020 | Residents in the area of Mason Farm Rd., Whitehead Circle, and Purefoy Rd | Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100 | Staff is preparing information to respond to this request. |
| 10/28/2020 | Residents of Dixie Drive | Request to Rename Dixie Drive. | Public Works Lance Norris , Public Works Director Phone: 919-969-5100 | Staff is evaluating this request in accordance with the Town's policy for renaming existing residential streets. |
| 10/28/2020 | Stormwater Management Utility Advisory Board | Recommendations Regarding the Development Review Process. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100 | Staff is preparing information to respond to this request. |
| 06/10/2020 | Community Design Commission | Request to Create a Downtown Design District. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 05/20/2020 | Parks, Greenways, and Recreation Commission | Request to Designate all 36.2 Acres of the American Legion Property for Use as a Community Park. | Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 | This request will be incorporated into the public engagement process for the future use of the site. |

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|------------------|---|---|--|
| 05/20/2020 | Elaine McVey | Request to Amend the Land Use Management Ordinance Related to Deer Fencing. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 02/26/2020 | Lillian Pierce | Request to Abandon Bicycle/Pedestrian Easement at 205 Huntington Way. | Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff has reviewed this request and will follow up with options for taking action. |
| 02/26/2020 | Carlisle Willard | Request Regarding Proposed Anti-Corruption Resolution. | Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 | Staff is preparing information to respond to this request. |
| 02/19/2020 | Steve Moore | Request Regarding Cemetery Needs. | Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757 | Staff is in contact with the petitioner and is working to respond to the items raised in the petition. |

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

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|---|--|--|--|
| 09/11/2019 | East Franklin Neighborhood Steering Committee & Neighbors | Request Regarding Neighborhood Preservation. | Police Chris Blue , Police Chief Phone: 919-968-2766 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 06/26/2019 | Julie McClintock | Request Regarding the Blue Hill Form Based Code. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 06/26/2019 | Community Design Commission | Request for Modifications to the Concept Plan Review Process. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | The Council most recently discussed this at their 09/16/2020 work session. Staff is piloting new ways to present Concept Plans to boards, using Town projects as subjects. |
| 04/24/2019 | Board of Adjustment | Request Regarding Neighborhood Conservation District Ordinances. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 04/17/2019 | Amy Ryan for Planning Commission | Commission Regarding Site Plan Review Process. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|----------------------------------|--|---|---|
| 02/13/2019 | Citizens | Request Regarding Coal Use and Coal Ash. | Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 | The Town plans to fund interim remedial measures based on recommendations from the human health and ecological risk assessment performed at the coal ash site. The Town continues to monitor NC Division of Air Quality's review of the power plant permit. |
| 09/19/2018 | Julie McClintock of CHALT | Regarding Land Use Intensification. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100 | The Town's Resiliency Map is part of the map series for the Future Land Use Map. On 06/12/19, the Council received a presentation on the Town's Stormwater program. Staff is preparing information to respond to the additional requests in this petition. |
| 06/27/2018 | Susanne Kjemtrup / Brian Hageman | Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Referred to the Future Land Use Map and Land Use Management Ordinance rewrite process, which began in Fall 2017 and is expected to be completed in 2020. |
| 06/13/2018 | Ondrea Austin | CHALT's Request to Revise the Tree Ordinance. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Staff is preparing information to respond to this request. |
| 06/13/2018 | Mayor pro tem Jessica Anderson | Request to Amend Bus Advertising Policy. | Transit Brian Litchfield , Transit Director Phone: 919-969-4908 | At their 01/22/19 meeting, the Chapel Hill Transit Public Transit Committee considered the draft nonpublic forum transit advertising policy in order to provide feedback to the Chapel Hill Town Council on the option of amending the policy. |

| Meeting Date | Petitioner | Petition Request | Departments Responsible | Petition Status |
|--------------|---|--|---|---|
| 06/13/2018 | Mayor Pam Hemminger | Regarding Reviewing Policies, Procedures, and Practices for Development. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process. |
| 03/14/2018 | Council Members Anderson, Gu, and Schaevitz | Request Regarding Addressing Blue Hill District Community Interests. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 | Council enacted ordinance amendments pertaining to stormwater management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council will consider amendments for townhomes at their 02/24/21 meeting. |
| 11/07/2016 | Mayor Hemminger | Regarding Parking and Transit Needs in Downtown Area. | Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Police Chris Blue , Police Chief Phone: 919-968-2766 Public Works Lance Norris , Public Works Director Phone: 919-969-5100 | Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships. |

Last modified on 1/7/2021 3:15:06 AM



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., **File #:** [21-0017], **Version:** 1

Meeting Date: 1/13/2021

Update on the Historic District Design Guidelines.

See Staff Memorandum on next page.

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

By accepting the update, the Council receives information on the Historic District Design Guidelines Rewrite Project that is anticipated to conclude in February 2021.



STAFF MEMORANDUM

UPDATE ON HISTORIC DISTRICT DESIGN STANDARDS

January 13, 2021

Prepared by:

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Colleen Willger, Planning Director

Judy Johnson, Assistant Director

Anyah Grahn, Senior Planner

PURPOSE

This memorandum provides an update on the Historic District Design Guidelines Rewrite Project that is anticipated to conclude in February 2021. No Council action is required.

BACKGROUND & PROJECT OVERVIEW

The Historic District Commission (HDC) adopted the current [Design Guidelines for Chapel Hill Historic Districts](#)¹ in 2002. The Design Guidelines provide a sound basis for consistent and predictable review of applications. The guidelines ensure that alterations are compatible with the historic character of Chapel Hill's three (3) local historic districts:

- Franklin-Rosemary
- Cameron-McCauley
- Gimghoul.

The HDC applies the Design Guidelines and the review criteria outlined in [Land Use Management Ordinance \(LUMO\) 3.6.2\(e\)\(4\)](#)² to their Certificate of Appropriateness (COA) review process. COAs are required for exterior alterations to buildings, sites, and structures in the local historic districts. The HDC does not review interior alterations, routine maintenance, or minor repairs to the building's exterior that do not change its appearance and materials.

In summer 2019, the State Historic Preservation Office (SHPO) awarded the Town a Certified Local Government (CLG) grant of \$10,000 to revise the Historic District Design Guidelines. The Town allocated another \$15,000 to the project for a total of \$25,000. Due to the COVID-19 pandemic, the SHPO has extended the August 2020 completion deadline to February 15, 2021. The HDC anticipates adopting the revisions in late January or early February.

TIMELINE FOR COMPLETING THE PROJECT

| Date | Action |
|--|---|
| November 12, 2019 | HDC appoints three members to serve on HDC subcommittee |
| February 2020 | Planning Department contracted with consultant Heather Slane of HMW Preservation |
| February 17, 2020 | HDC Committee Meeting |
| February 17, 2020 | Public Information Meeting |
| March – June 2020 | Draft revisions shared with HDC Committee and community members online and via email for individual reviews and feedback |
| July 29, 2020 | HDC Committee Meeting – Virtual |
| August 19, 2020 | HDC Committee Meeting – Virtual |
| September 9, 2020 | HDC Committee Meeting – Virtual |
| September 20, 2020 | Town Council Meeting – Virtual |
| September 30, 2020 | HDC Committee Meeting – Virtual |
| October 21, 2020 | HDC Committee Meeting – Virtual |
| November 11, 2020 | HDC Committee Meeting – Virtual |
| December 16, 2020 | HDC Committee Meeting – Virtual |
| December 21, 2020 | Last day for HDC members and public to provide edits on the draft Design Guidelines |
| Mid-January 2021 | Final formatted Design Guidelines available online for community review |
| January 13, 2021 | Update to Town Council |
| January 19, 2021 | Historic District Open House - Virtual |
| Late January/ Early February 2021 | HDC review and final adoption of the Design Guidelines |
| February 15, 2021 | The Town's contract with the SHPO requires that the project be completed by this date. (The HDC could choose to adopt the Design Guidelines after this date.) |

¹ <https://www.townofchapelhill.org/home/showdocument?id=2405>

² https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART3ZODIUSDIST_3.6OVDI

Meeting materials and copies of the draft design guideline revisions are available on the project's webpage: <https://chplan.us/HDGuidelineRevisions>.

SUMMARY OF DESIGN GUIDELINE REVISIONS

Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall "adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition." As part of the revisions to the 2002 Design Guidelines, staff has worked to adapt the Design Guidelines to design standards that comply with the Chapter 160D changes. Following the HDC's adoption of the new Design Standards, staff will return to the Town Council to amend the review criteria in [LUMO 3.6.2\(e\)\(4\)](#) to better align with the new Design Standards.

Notable changes to the local Design Standards:

- Expanded Design Guidelines address new construction and new additions, including new garages and accessory buildings
- New sections on foundations for historic buildings, disaster preparedness and planning, and separating windows and doors into two sections
- Improved introductions to each section provide more insight into common preservation practices, including guidance on maintaining historic materials
- Character essays describe the distinct character and uniqueness of each local historic district

PUBLIC OUTREACH

The new Design Standards will reflect the input of the HDC, Town staff, and community members. To provide additional public engagement opportunities on this project during the virtual environment, staff provided:

1. **Project Webpage.** Proposed revisions to the Design Guideline, project schedules, meeting dates and materials, and other resources are available on the Town's project [webpage](#).³
2. **StoryMap.** In July, staff launched a [StoryMap](#)⁴, an interactive webpage that allows viewers to learn more about the Design Guidelines project, historic preservation, and the town's local and National Register Historic Districts.
3. **Virtual Design Guidelines Committee Meetings.** From July through December, the committee met virtually via Zoom. These meetings were open to the public, and recorded videos are available on the project [webpage](#).⁵
4. **Temporary Signs.** Staff posted ten (10) signs around the historic districts to increase public awareness of this project and encourage public participation.
5. **Virtual Open House.** Staff had held an initial kick-off meeting for this project on February 17, 2020 prior to the pandemic. Staff anticipates holding a second virtual open house for additional public comment on [January 19, 2021](#).⁶
6. **Historic District Commission Meetings.** Staff will review the project with the HDC and recommend adopting the new Design Standards on January 21 and January 28, 2021.

³ <https://chplan.us/HDGuidelineRevisions>

⁴ <https://chplan.us/20Of3gc>

⁵ <https://chplan.us/HDGuidelineRevisions>

⁶ <https://www.townofchapelhill.org/Home/Components/Calendar/Event/18310/15>



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., **File #:** [21-0020], **Version:** 1

Meeting Date: 1/13/2021

Consider Amending Chapter 10 of the Town Code to Add a Non-Discrimination Ordinance.

Staff:

Maurice Jones, Town Manager
Ann Anderson, Town Attorney

Department:

Town Manager's Office
Town Attorney's Office

Overview: The Town Council has resolved to enact protections against discrimination that reflect the community's shared values of equality, inclusion, and fair access, and to preserve the health, safety, and welfare of people without regard to certain actual or perceived status or characteristics.



Recommendation(s):

That the Council enact an ordinance amending Chapter 10 of the Town Code to add a new "Article IX: Anti-discrimination in Places of Public Accommodations and in Employment."

Fiscal Impact/Resources: None known or immediate.



Attachments:

- Ordinance
- Proposed Ordinance Language

AN ORDINANCE AMENDING CHAPTER 10 OF THE CHAPEL HILL TOWN CODE TO PROHIBIT DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATIONS AND IN EMPLOYMENT (2021-01-13/O-1)

WHEREAS, on March 23, 2016, S.L. 2016-3 (commonly known as "House Bill 2") established new statewide standards for what constitutes discriminatory practice in employment and public accommodations; omitted sexual orientation, gender identity and expression, and other categories from the statewide list of categories protected from discrimination; and appeared to preempt local governments from offering these protections to their residents; and

WHEREAS, on March 30, 2017, S.L. 2017-4 repealed S.L. 2016-3 and, in Section 3 of the act, preempted local governments from enacting or amending ordinances regulating private employment practices or regulating public accommodations; and

WHEREAS, Section 3 of S.L. 2017-4 expired on December 1, 2020; and

WHEREAS, the Town Council has resolved to enact protections against discrimination that reflect the community's shared values of equality, inclusion, and fair access, and to preserve the health, safety, and welfare of people without regard to certain actual or perceived status or characteristics.

NOW, THEREFORE, BE IT ORDAINED by the Chapel Hill Town Council that:

Section 1. The Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended by adding to Chapter 10 a new "Article IX: Anti-discrimination in Places of Public Accommodations and in Employment," which shall read as shown in the attached language.

Section 2. These provisions shall supersede other provisions of the Town Code in conflict.

Section 3. This ordinance shall become effective _____.

This the 13th day of January, 2021.

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

RECOMMENDATION: That the Council enact an ordinance amending Chapter 10 of the Town Code to add a new "Article IX: Anti-discrimination in Places of Public Accommodations and in Employment."

Chapter 10 – Licenses and Business Regulations

Article IX: Anti-discrimination in Places of Public Accommodations and in Employment

Sec. 10-243. Definitions.

The following definitions apply to this Article:

(1) "Employer" includes any person employing one or more persons within the Town of Chapel Hill and any person acting in the interest of an employer, directly or indirectly.

(2) "Gender identity" or "gender expression" means having or being perceived as having gender-related identity, expression, appearance, or behavior, whether or not that identity, expression, appearance, or behavior is different from that traditionally associated with the sex assigned to that individual at birth.

(3) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, unincorporated organizations, fiduciaries, and other organized groups of persons.

(4) "Place of public accommodation" includes, but is not limited to, any place, facility, store, other establishment, hotel, or motel, which supplies goods, services, or accommodations on the premises to the public or which solicits or accepts the patronage or trade of any person.

(5) "Pregnancy" includes, but is not limited to, pregnancy, childbirth, or any medical condition related to pregnancy or childbirth.

Sec. 10-244. Discrimination in places of public accommodations prohibited.

It shall be unlawful for any person in a place of public accommodation to deny the full enjoyment of the accommodations, advantages, facilities or privileges thereof on the basis of race, ethnicity, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, national ancestry, marital status, familial status, pregnancy, veteran status, religion, religious belief or non-belief, age, or disability.

Sec. 10-245. Discrimination in employment prohibited.

It shall be unlawful for any employer, because of the race, ethnicity, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, national ancestry, marital status, familial status, pregnancy, veteran status, religion, religious belief or non-belief, age, or disability of any person, to refuse to hire or otherwise discriminate against that person with respect to hire, tenure, conditions, or privileges of employment, or any matter directly or indirectly related to employment.

Sec. 10-246. Penalties and Enforcement.

In addition to or in lieu of other remedies available by law, any person violating any provisions of this Article may be subject to an enforcement action brought by the Town under G.S. 160A-175(d) and (e) for an appropriate equitable remedy, including but not limited to a mandatory or prohibitory injunction commanding the defendant to correct the conduct prohibited under this Article. This Article is not intended to limit the remedies available to any person under state or federal law.

Sec. 10-247. Consistency.

This Article shall be construed and applied consistent with other law.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [21-0021], **Version:** 1

Meeting Date: 1/13/2021

OWASA's Long-Range Water Supply Plan Update.

See next page for OWASA's Long-Range Water Supply Plan.

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

PRESENTER: Todd Taylor, Executive Director

RECOMMENDATION: That the Council receive information about OWASA's Long-Range Water Supply Plan and provide feedback.



Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

January 6, 2021

Mr. David Andrews
Carrboro Town Manager
301 W. Main St.
Carrboro, NC 27510

Mr. Maurice Jones
Chapel Hill Town Manager
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Subject: OWASA's Long-Range Water Supply Plan Update

Dear Mr. Andrews and Mr. Jones:

We are looking forward to presenting information about our Long-Range Water Supply Plan and receiving feedback from your Councilmembers at the Town Council meetings on January 12 and 13, 2021. This letter and attachments are intended to serve as the information for your agenda package. If you have any questions about this information, please contact Ruth Rouse, Planning and Development Manager, at rrouse@owasa.org.

OWASA is committed to supplying reliable and high-quality water to our growing community and economy for years to come. The planning, permitting, and partnerships required in water supply development can take decades to develop and secure. That is why OWASA is planning for the water needs of our community two generations ahead.

In coordination with local planners, OWASA recently updated our 50-year forecast for water demands in the Chapel Hill-Carrboro community, as well as our projected water supply with current resources in a changing climate. These analyses show that OWASA has enough water under most circumstances for the next few decades.

We do have one vulnerability: the watershed that fills Cane Creek Reservoir, which stores most of the community's water, is relatively small and the reservoir is slow to refill. University Lake has a relatively large watershed for its size, but it offers significantly less water storage than Cane Creek Reservoir and by itself does not meet the community's needs. Thus, when we experience an extended drought or back-to-back droughts in the future, we risk low water supplies, particularly in light of increased climate variability.

Over the past six years, OWASA staff have met with local government planners, UNC, and developers, obtained input from OWASA Board members and neighboring utilities, and reviewed existing plans and documents to identify demand management, reuse, and supply alternatives that could potentially meet our long-term needs through 2070.

We considered the relative environmental, financial, and societal impacts in our evaluation of each alternative. Alternatives that are not currently legal, do not substantially close the gap between projected demands and supply, or are simply not cost effective were removed from



OWASA's Long-Range Water Supply Plan Update

January 6, 2021

Page 2

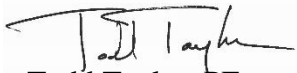
further evaluation. Conservation by residents and customers across the service area in recent years has greatly reduced our average daily water use. This means that our future water supply needs cannot be met through additional day-to-day conservation measures.

Based on our analysis, a suite of alternatives that improve our access to treated drinking water from Jordan Lake show the most promise in meeting our long-term water needs. Some of these alternatives also provide an additional facility for water treatment (beyond our own Jones Ferry Road Water Treatment Plant), which further increases drinking water supply resiliency but would require significant capital investment. Some also have the potential to improve economies of scale of water treatment and transmission expenses by working with our regional partners. These alternatives for accessing water from Jordan Lake will be further reviewed by OWASA before a preferred alternative is selected in fiscal year 2022.

With our initial analysis completed, we are currently inviting feedback and questions from the community before making the decision to move forward with a more in-depth analysis of the most viable options.

More information on our Long-Range Water Supply Planning efforts can be found in the attached information and on our website at <https://www.owasa.org/plans/owasa-long-range-water-supply-plan/>.

Sincerely,



Todd Taylor, PE
Executive Director

c: Ms. Bonnie Hammersley, Orange County Manager
OWASA Board of Directors
Ruth Rouse, Planning and Development Manager

Attachments:

- 1: Information on OWASA's Long-Range Water Supply Plan
- 2: Draft Presentation on OWASA's Long-Range Water Supply Plan

Information on OWASA's Long-Range Water Supply Plan

January 6, 2021

Executive Summary

OWASA is committed to supplying reliable and high-quality water to our growing community and economy for years to come. The planning, permitting, and partnerships required in water supply development can take decades to develop and secure. That is why OWASA is planning for the water needs of our community two generations ahead.

In coordination with local planners, OWASA recently updated our 50-year forecast for water demands in the Chapel Hill-Carrboro community, as well as our projected water supply with current resources in a changing climate. These analyses show that OWASA has enough water under most circumstances for the next few decades.

We do have one vulnerability: the watershed that fills the Cane Creek Reservoir, which stores most of the community's water, is relatively small and the reservoir is slow to refill. University Lake has a relatively large watershed for its size, but it offers significantly less water storage than Cane Creek Reservoir and by itself does not meet the community's needs. Thus, when we experience an extended drought or back-to-back droughts in the future, we risk low water supplies, particularly in light of increasing climate variability.

Over the past six years, OWASA staff met with local government planners, UNC Chapel Hill (UNC), and developers, obtained input from Board members and neighboring utilities, and reviewed existing plans and documents to identify demand management, reuse, and supply alternatives to meet our long-term needs through 2070.

We considered the relative environmental, financial, and societal impacts in our evaluation of each alternative. Alternatives that are not currently legal, do not substantially close the gap between projected demands and supply, or are simply not cost-effective were removed from further evaluation. Conservation by residents and customers across the service area in recent years has greatly reduced our average daily water use. This means that our future water supply needs cannot be met through additional day-to-day conservation measures.

Based on our analysis, a suite of alternatives that improve our access to treated drinking water from Jordan Lake show the most promise in meeting our long-term needs. Some of these alternatives also provide an additional facility for water treatment (beyond our own Jones Ferry Road Water Treatment Plant), which further increases drinking water supply resiliency but would require significant capital investment. Some also have the potential to improve economies of scale of water treatment and transmission expenses by working with our regional partners. These alternatives for accessing water from Jordan Lake will be further reviewed by OWASA before a preferred alternative is selected in fiscal year (FY) 2022.

What is OWASA's Long-Range Water Supply Plan?

OWASA's Long-Range Water Supply Plan (LRWSP) is an evaluation of our 50-year water needs (through 2070) and alternatives to meet those needs to ensure we have enough water for our community two generations from now.

Why do we need to look out 50 years?

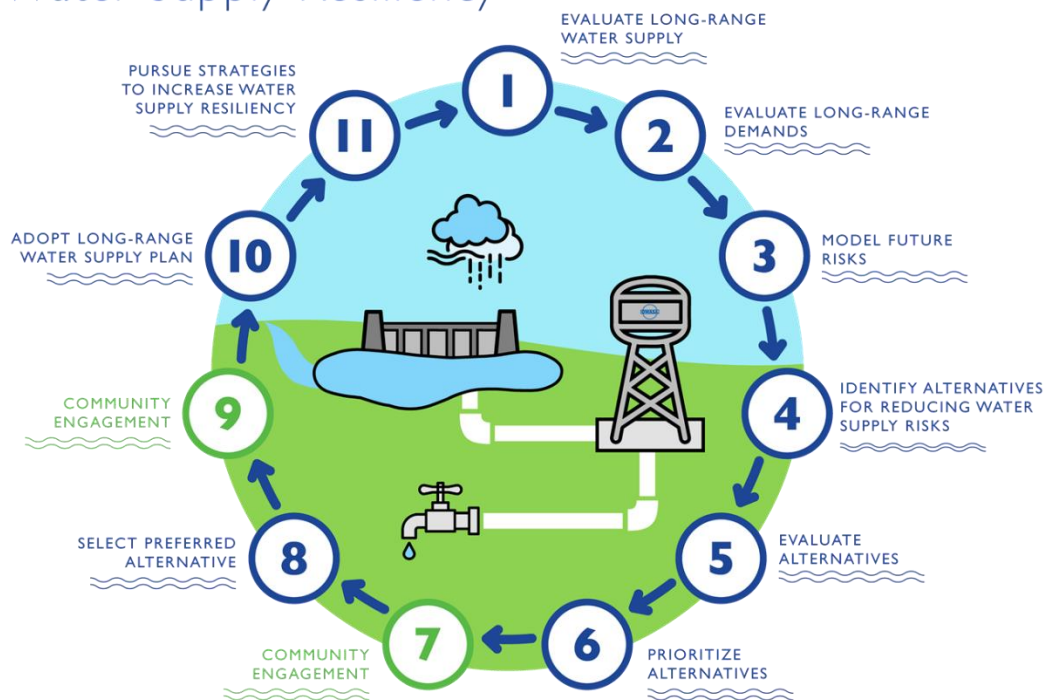
The planning, permitting, and partnerships required to develop new water supplies can take decades to develop and secure. Thus, it is common practice for water utilities to plan for water needs 30-50 years into the future, and even longer.

What are the key steps to develop the Long-Range Water Supply Plan?

Figure 1 illustrates the key steps to develop the LRWSP. Water supply planning is an ongoing process. The remainder of this document includes headers which are numbered according to the processes included in Figure 1.

Figure 1: Long-Range Water Supply Planning Process

Ensuring Long-Range Water Supply Resiliency

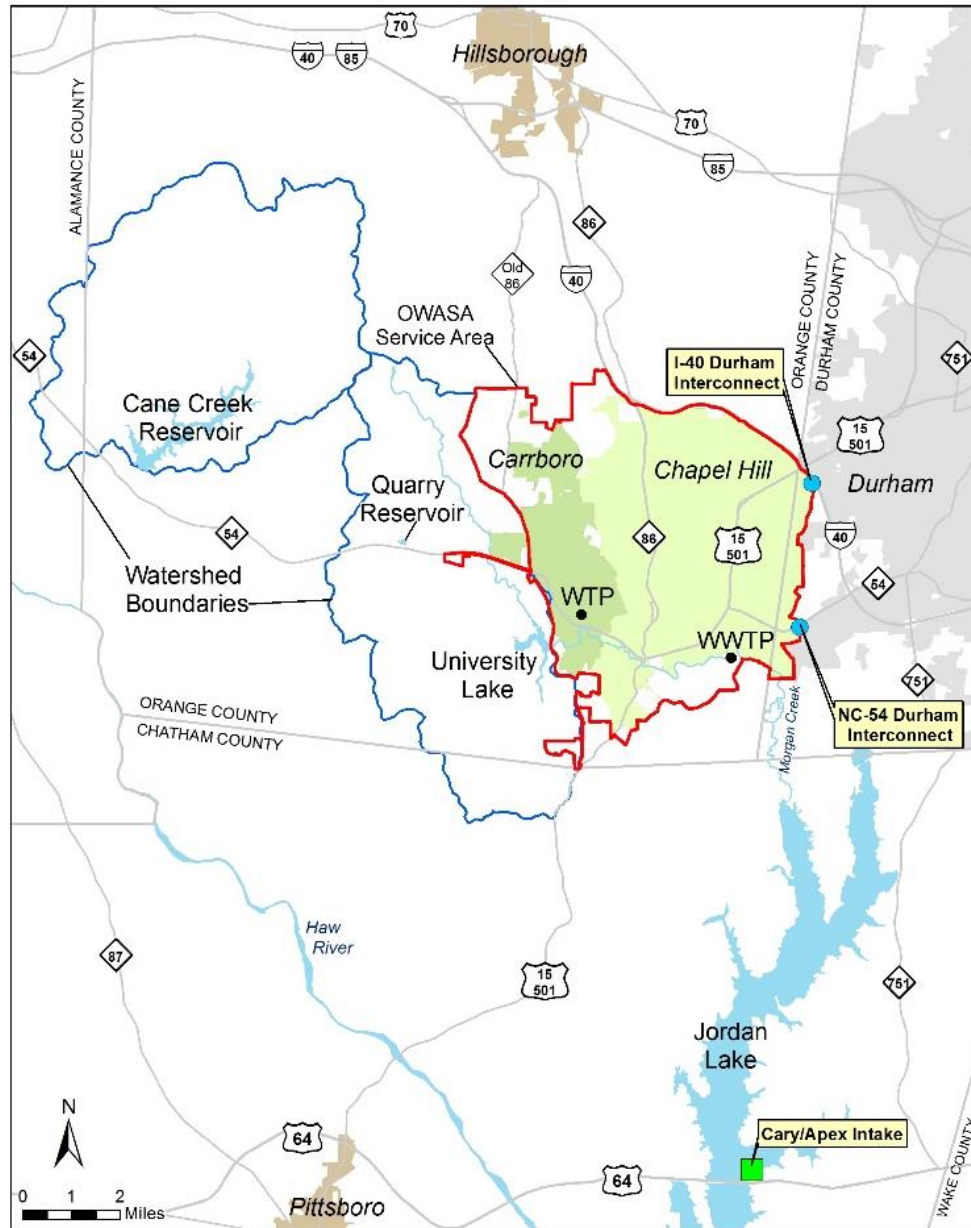


1. Evaluate Long-Range Water Supply

Where does OWASA currently get its water?

OWASA has three locally managed water supply sources including Cane Creek Reservoir, University Lake, and its Quarry Reservoir as illustrated in Figure 2. OWASA also has an allocation of 5 percent of Jordan Lake's water supply pool which we can access through our mutual aid agreements with the Town of Cary and City of Durham.

Figure 2: OWASA's Water Supply Sources



How much water do we currently have?

OWASA's three local reservoirs can provide approximately 10.5 million gallons per day (mgd) of water over the course of a year, assuming the drought-of-record. There are plans to expand our Quarry Reservoir, and when that expansion is completed in approximately 2035, we will have about 12.6 mgd of water. We expect that our allocation from Jordan Lake can reliably provide approximately 5 mgd, but we do not have the infrastructure in place to access that water on a permanent basis and have no guaranteed access to it.

2. Evaluate Long-Range Water Demands

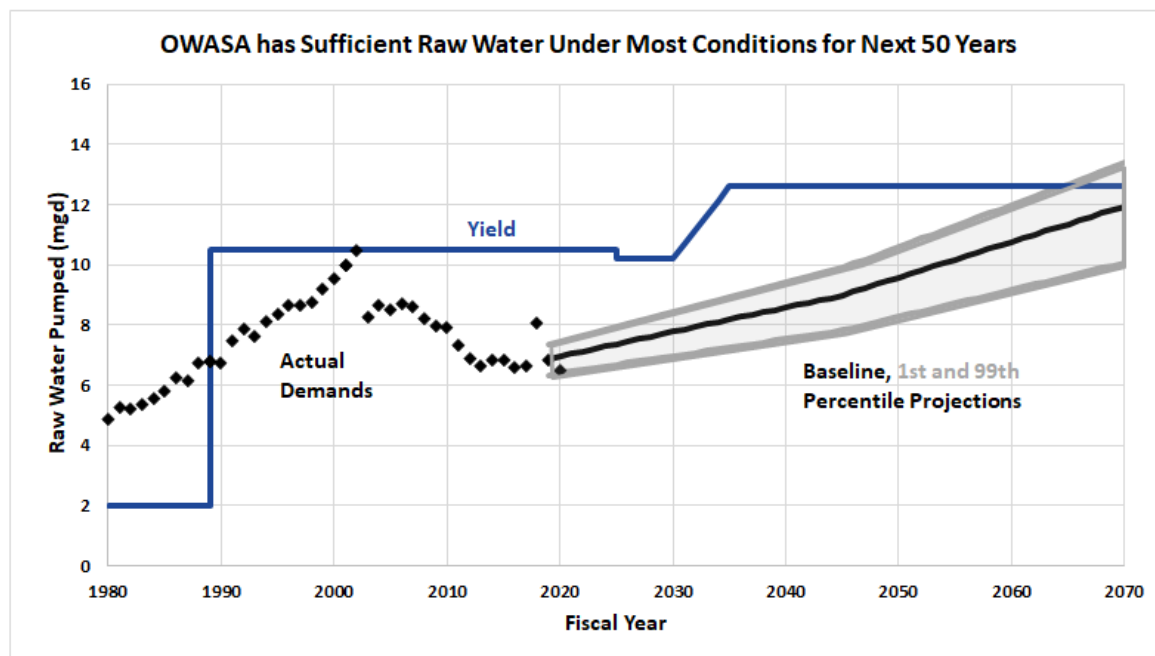
How much water do we currently use?

We currently use about 7 mgd of water on an annual average basis.

How much water will we need in the future?

Figure 3 illustrates the amount of water we can obtain from our existing water supplies and planned Quarry Reservoir expansion along with our 50-year estimated water demands.

Figure 3: The Yield of OWASA's Water Supplies and Long-Term Water Demands



3. Model Future Risks

How did OWASA develop its water demand projections?

OWASA based its water demand projections on regional growth projections that were finalized in 2018 for the regional Metropolitan Transportation Plan, in which the Towns of Carrboro and Chapel Hill and Orange County participated. The transportation planning effort also included information obtained from UNC about its expected growth. This regional transportation planning

effort used a model to estimate the number of new single family and multi-family dwelling units and non-residential square footage for 2045 and build-out conditions based on land use plans provided by the local governments. OWASA then applied water use factors estimated from billing data for each residential dwelling unit and each square foot of non-residential space. We assumed that build-out will occur in 2070. We tested this assumption, and it appeared reasonable assuming a linear rate of growth. More details on the methods used to develop the water demands can be found in this [report](#).

OWASA recognizes that estimating water demands in 50 years has much uncertainty. Growth could occur faster or slower than anticipated, different types of growth could occur than anticipated (new large water user could move to area), our service area boundary could change, and water demands could change depending on behaviors and technology. Climate change could also impact the rate of growth (will people relocate from coastal areas to the Triangle) and water use (will we use more water as temperatures rise). Thus we included an uncertainty analysis in our demand projections as illustrated by the grey shading in Figure 3 (more information is [here](#)).

Is there also uncertainty in our yield estimates?

Yes. The following factors contribute to uncertainty in the yield estimates:

- Streamflow records – the stream flow records available to estimate the yield of our reservoirs have measurement errors and limited spatial and temporal extent. They may not be representative of long-term historical flows.
- Estimates in storage volume – potential errors in storage volume include (1) the accuracy of the original survey data, and (2) the rate of sedimentation into the reservoir
- Climate change – climate change will impact flows into our reservoirs and evaporation rates. The majority of climate change models indicate that the southeast will receive approximately the same or more rainfall on an average basis, but we will have more frequent high flow events. Some of those models also indicate there will be more intense droughts. More intense droughts and different types of droughts will impact our estimated yield.

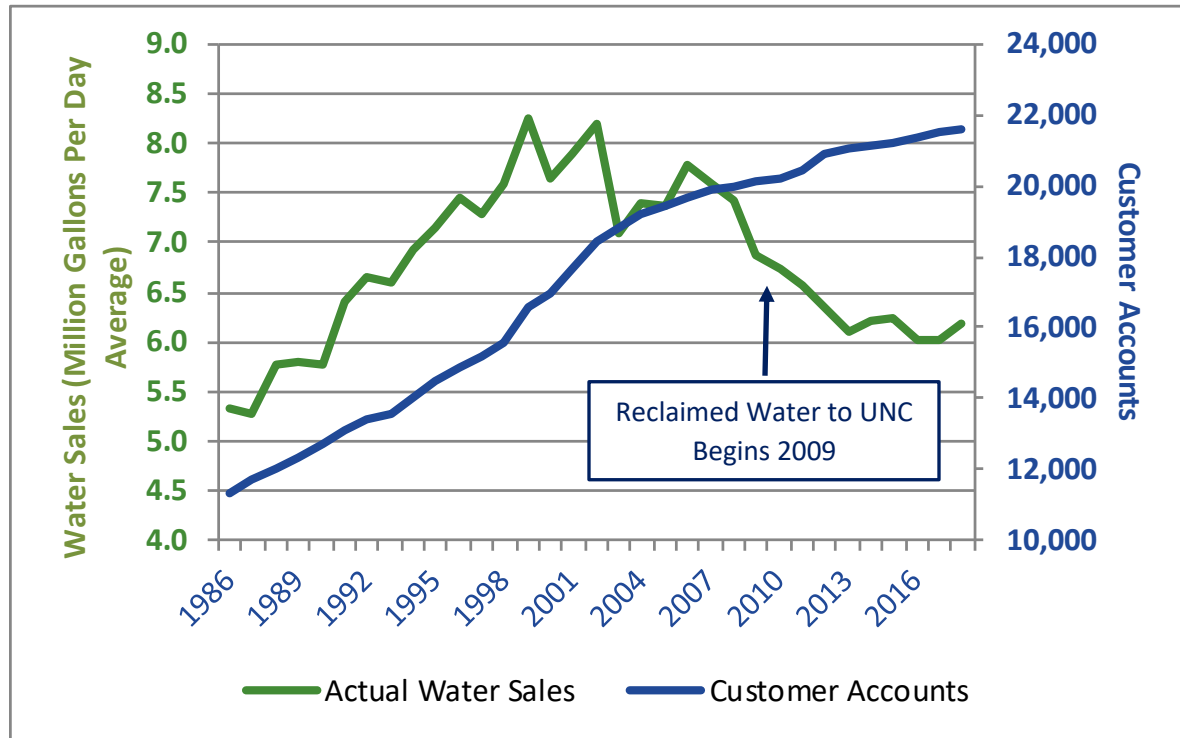
Because of the difficulty in estimating uncertainty around climate change and the cost to develop an analysis similar to the one completed for the demand projections, OWASA opted not to perform a similar analysis for yield. However, our consultant did perform a sensitivity analysis around the inputs and noted that changing inflows to the reservoir have the highest impact on our estimated yield. Based on the sensitivity runs performed, OWASA's estimate yield after the expanded Quarry Reservoir is online could vary between 11.5 and 15 mgd (baseline estimated yield is 12.6 mgd).

What role does water conservation and water recycling and reuse play in our water needs?

Water conservation and recycling water have played a very important role in OWASA's service area resulting in reduced drinking water demands and energy use. As illustrated in Figure 4, we are using the same amount of water that we were using in the early 1990s despite an increase of about 70 percent in customer accounts. Following the droughts of 2001-02 and 2007-08, our

customers conserved water and have continued to save water. In addition, UNC partnered with us to develop a reclaimed water system that allows them to use highly treated wastewater to meet non-drinking water needs such as for cooling buildings and irrigation. Our reclaimed water system now meets over 10 percent of the community's water needs. OWASA also developed a system to recycle water within its Jones Ferry Road Water Treatment Plant (WTP), which saves approximately 7 percent of our drinking water.

Figure 4: OWASA Water Sales and Customer Accounts



Our water demand projections assume that our customers will continue to look for ways to save water. We assume that conservation practices will continue to result in demands decreasing by 5 to 10 percent per account (factors varied depending on whether new/existing development and whether residential or commercial development) over the next 25 years.

Why do we need additional supplies or demand management strategies?

As seen in Figure 3, we will have plenty of water under most circumstances. However, it is imperative to the resiliency of our community that we plan for an unclear future given the uncertainty in our demand projections, the uncertainty in the model used to estimate the reliable yield of our reservoirs, and the uncertainty of a changing climate. We also need to be prepared to reliably meet demands should we have a major operational emergency at one of our water supplies.

While we have plenty of water under most circumstance, Cane Creek Reservoir is vulnerable to extended drought or back-to-back droughts. It was designed to maximize storage, which is generally good and provides us a higher yield. However, it has a relatively small drainage area

for its storage volume and can take a long time to refill. University Lake refills quickly, but it does not hold enough water to meet our daily needs. Thus, the small watershed area of Cane Creek Reservoir leaves our water supply susceptible for a period of time after a drought.

Having options to meet future needs helps ensure the reliability and resiliency of our water. Running out of water is not an option.

4. Identify Alternatives for Reducing Water Supply Risks

What are supply and demand management strategies?

Supply-side options are strategies which increase the total reliable yield of our water supply system. In other words, they would raise the blue line shown in Figure 3. Demand-side management options are strategies which reduce raw water demands from existing and/or new development or lower the black line shown in Figure 3.

How did OWASA identify which supplies and demand management strategies to evaluate?

We met with local government planners and UNC, obtained input from Board members and neighboring utilities, and reviewed existing plans and documents to identify potential alternatives to meet our long-term needs through 2070. Through this process we selected demand management (increased water efficiency and conservation) and reuse strategies, as well as supply strategies to evaluate in further detail.

5. Evaluate Alternatives

What supplies and demand management strategies did OWASA consider?

OWASA evaluated nine supply alternatives which can be grouped into three major categories:

1. Jordan Lake alternatives (4 alternatives)
2. Quarry Reservoir (2 alternatives)
3. Indirect and direct potable reuse (3 alternatives)

Each of these alternatives are summarized below along with OWASA staff recommendation for next steps in its consideration.

The four Jordan Lake alternatives are summarized below:

- **Alternative 1 – Full Partner in New Intake and Water Treatment Plant (WTP) on Western Side of Jordan Lake** – OWASA would partner with the Western Intake Partners (currently City of Durham, Town of Pittsboro, and Chatham County) on a new water supply intake, water treatment plant, and major transmission infrastructure on the western side of Jordan Lake.
 - **Recommendation:** Continue to evaluate alternative
- **Alternative 2 – Continue with Mutual Aid Agreements** – This is our existing baseline condition. Under this alternative, OWASA would access its Jordan Lake allocation using

its mutual aid agreements with the Town of Cary and City of Durham. This alternative does not guarantee access to our allocation.

- **Recommendation:** Baseline condition; maintain for the time being
- **Alternative 3 – Develop New Agreement with Towns of Cary and Apex to Guarantee Access to Jordan Lake Water** – The Towns of Cary and Apex jointly own the only water supply intake on Jordan Lake and share a water treatment plant. Under this alternative, OWASA would develop a new agreement with the Towns to guarantee withdrawal and treatment of a certain amount of water on an annual basis.
 - **Recommendation:** Alternative not feasible at this time
- **Alternative 4 – Develop Agreement with Western Intake Partners to Guarantee Access to Jordan Lake Water** – OWASA would develop an agreement with the Western Intake Partners to guarantee capacity in the proposed intake and water treatment plant on the western side of Jordan Lake. This agreement would guarantee a certain amount of water on an annual basis in return for payment from OWASA.
 - **Recommendation:** Continue to evaluate

Two Quarry Reservoir supply alternatives were evaluated:

- **Alternative 5 – Shallow Quarry** – access with existing pumping infrastructure. This is the alternative selected in the 2010 LRWSP and considered the future baseline alternative. The yield from the expanded Quarry Reservoir is included on Figure 3.
 - **Recommendation:** Baseline condition; included in our capital improvements program
- **Alternative 6 – Deep Quarry** – deeper quarry depths would be accessed with new pumping infrastructure when the expanded Quarry Reservoir is online.
 - **Recommendation:** Eliminate from further consideration due to high capital cost and does not address vulnerability of small Cane Creek Reservoir watershed

OWASA evaluated the use of reclaimed water (highly treated wastewater) for drinking (potable) water uses. As used in our LRWSP, indirect potable reuse involves mixing reclaimed water in an environmental buffer prior to being treated at the Jones Ferry Road WTP; direct potable reuse involves further treating the reclaimed water at the Mason Farm Wastewater Treatment Plant (WWTP) and then pumping it directly into our water distribution system. Potable reuse alternatives evaluated are summarized below:

- **Alternative 7a: Indirect Potable Reuse with Pretreatment Mixing Basin near Quarry Reservoir** – This alternative was developed to meet the requirements of a general statute which allows for indirect potable reuse mixed at specified ratios with another source water in an engineered pretreatment mixing basin. Reclaimed water from the Mason Farm WWTP would be pumped to a new pretreatment mixing basin near the Quarry Reservoir. This water would be mixed with water from Cane Creek Reservoir in accordance with the statute.

- **Recommendation:** Eliminate from further evaluation since very high capital and life cycle costs
- **Alternative 7b: Indirect Potable Reuse with Return to Quarry Reservoir** – This alternative is similar to Alternative 7a, but water from the Mason Farm WWTP would be pumped to the Quarry Reservoir rather than a new pretreatment mixing basin.
 - **Recommendation:** Eliminate from further evaluation since very high capital and life cycle costs
- **Alternative 8: Indirect Potable Reuse with Return to University Lake** – Reclaimed water from the Mason Farm WWTP is returned to University Lake.
 - **Recommendation:** Eliminate from further evaluation since it is not legal
- **Alternative 9: Direct Potable Reuse** – Under this alternative, additional treatment would be constructed at the Mason Farm WWTP and treated water would then be pumped directly to our distribution system. Two methods of treating the reclaimed water were identified: (1) use of carbon (generally preferred since typically lower capital and operating/maintenance costs) and (2) reverse osmosis – may be required to removed total dissolved solids.
 - **Recommendation:** Eliminate from further evaluation since it is not legal

OWASA considered four main demand management alternatives based on research and stakeholder engagement with the Towns and UNC Chapel Hill. Three of these alternatives involve the use of reclaimed water and one is a series of programmatic demand management strategies that collectively had the potential to reduce water demand to a degree that could delay the need for additional supply.

- **Alternative 10: Reclaimed Water to UNC Cogeneration Facility** – This alternative involves the installation, operation and maintenance of new infrastructure that would enable UNC to use RCW instead of drinking water at its Cogeneration Facility.
 - **Recommendation:** Eliminate from further evaluation due to very high capital cost per gallon of water saved and UNC concerns about quality requirements
- **Alternative 11: Expanded Reclaimed Water Use at UNC Main Campus** – This alternative involves expanding the use of reclaimed water on UNC's campus to meet certain non-drinking water demands in new buildings envisioned in the University's recently updated Master Plan.
 - **Recommendation:** Eliminate from further evaluation due to high life cycle cost per gallon of water saved
- **Alternative 12: Onsite Wastewater Treatment and Reuse** – This alternative evaluated the use of reclaimed water systems to meet non-drinking water needs at the building or major development scale.
 - **Recommendation:** Eliminated from evaluation due to high capital and life cycle costs per gallon of water saved
- **Alternative 13: Programmatic Demand Management Strategies** – Four alternatives were evaluated:

- **Alternative 13a: Unit Submetering and WaterSense Installation** – Multi-family development is projected to be a significant area of water use growth in our service area. Sub-metering will help to ensure that the users of water within those developments are aware of the amount of water they use. This strategy was coupled with a requirement for developers to use high efficiency WaterSense fixtures. The impact was assumed to be relatively minor because most new developments are installing submeters without a requirement.
 - **Recommendation:** Eliminate from including as long-range water supply option because of minor impact on water use; consider as part of Water Conservation Plan
- **Alternative 13b: Water Efficiency Design Assistance and Conservation-Oriented System Development Fee** – Under this alternative, OWASA would provide individualized design review assistance for new development. This service would be complemented with a system development fee that further incentivizes efficiency beyond our current fee structure. Rather than a regulatory requirement, this alternative would act more as a customer service enhancement to encourage more efficient development.
 - **Recommendation:** Eliminate from including as long-range water supply option because of minor impact on water use; consider as part of Water Conservation Plan
- **Alternative 13c: On-bill Financing for Water Efficient Fixtures** – Older homes may have inefficient water fixtures, which became a requirement in 1994. Under this alternative, OWASA would loan a customer money to replace older fixtures, and the loan is paid back through an on-bill financing program.
 - **Recommendation:** Eliminate from further evaluation due to minor impact on water use and high cost per gallon of water saved
- **Alternative 13d: Minimize Need for System Flushing for Water Quality Purposes** – OWASA flushes its water lines to maintain high levels of water quality. There are some locations in the system where low water flow results in “stale” water (dead end lines) that require more frequent flushing. Under this alternative, OWASA would loop lines to remove dead end areas.
 - **Recommendation:** Eliminate from further evaluation due to high capital cost

6. Prioritize Alternatives

What option(s) are recommended for further evaluation?

We evaluated each of the alternatives against the three pillars of sustainability: social performance, environmental performance, and financial performance and more detailed information on the alternatives analysis is found [here](#). The section immediately above also briefly identifies whether OWASA plans to continue evaluating an alternative, and if not, why it is recommended to eliminate from further consideration.

OWASA has not yet selected a preferred alternative and will consider feedback from the community before it makes its final selection in FY22. The Jordan Lake alternatives are the most cost-effective alternatives that will meet our long-term needs. OWASA plans to develop guiding principles to evaluate the Jordan Lake alternatives against one another and perform additional analyses. Community feedback will be incorporated into the guiding principles and into the selection of a preferred alternative.

OWASA plans to evaluate the cost-effective demand management strategies in a Water Conservation Plan that will be included as an appendix or companion document to the LRWSP.

What are OWASA's next steps? (Steps 7 through 11)

OWASA's next steps are as follows:

- Engage the community to obtain feedback on work completed to date and proposed path forward (in process).
- Develop guiding principles to evaluate the Jordan Lake alternatives against based on feedback from the community. The public is invited to participate in this process through OWASA Board meetings.
- Develop a Water Conservation Plan to be included as an appendix to the LRWSP.
- Perform evaluation of Jordan Lake alternatives.
- Draft LRWSP and select the preferred alternative.
- Engage the community to obtain feedback on the preferred alternative and draft LRWSP
- Adopt the LRWSP including the Water Conservation Plan.
- Pursue selected alternative(s) and conservation strategies to increase our water supply resiliency.

DRAFT

Long-Range Water Supply Plan: Information to Elected Boards

Ruth Rouse, Planning and Development Manager

January 2021



Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

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Purpose of Evening

- Provide information on work completed to-date on OWASA's Long-Range Water Supply Plan
- Receive questions and feedback on that work
- Receive feedback on proposed path forward



University Lake

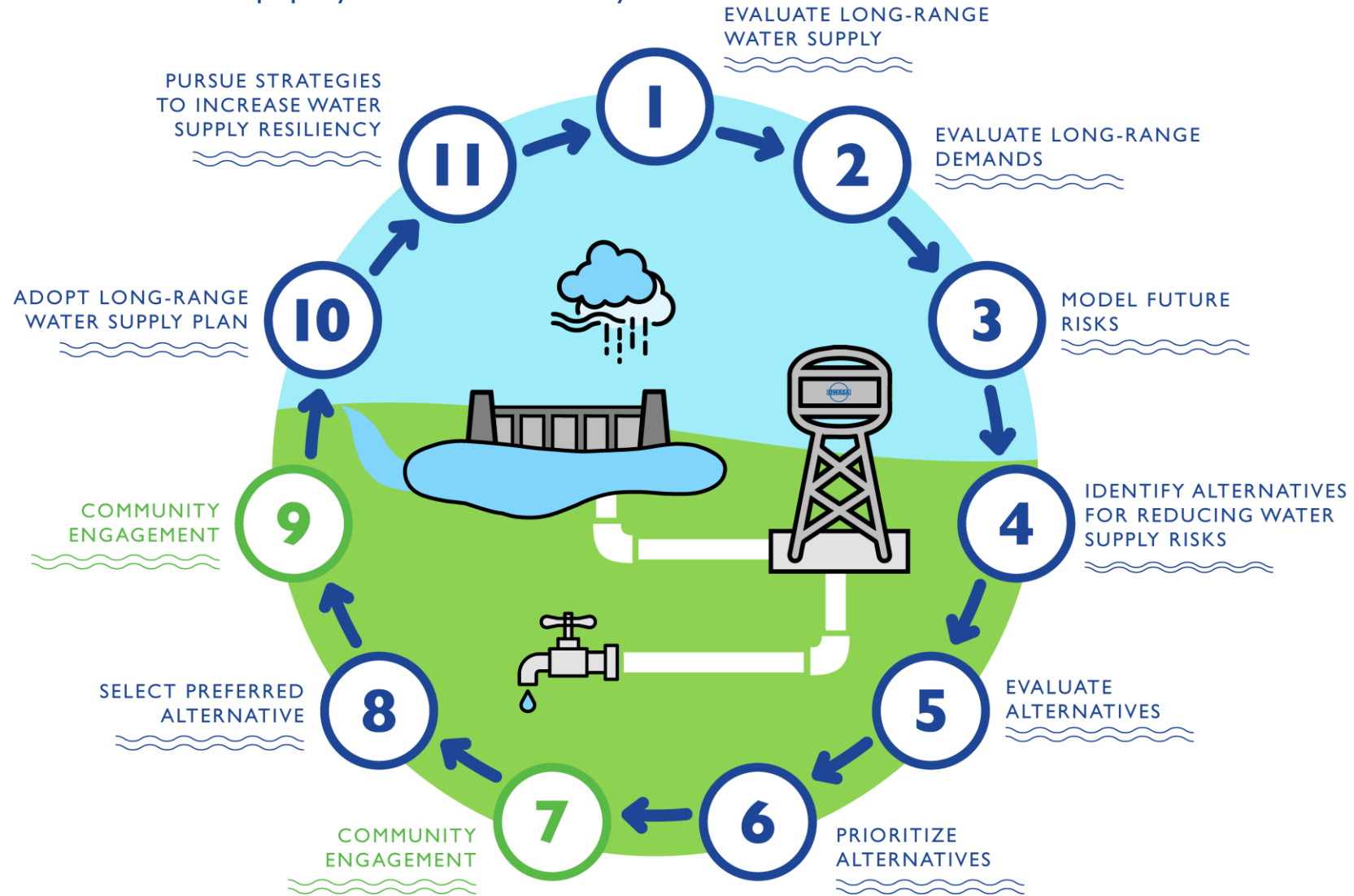
Key Messages

- We have a low risk of running out of water.
- Our largest vulnerability is in extended drought.
- Jordan Lake alternatives appear to be most cost-effective option for increasing resiliency.



Intake on Cane Creek Reservoir

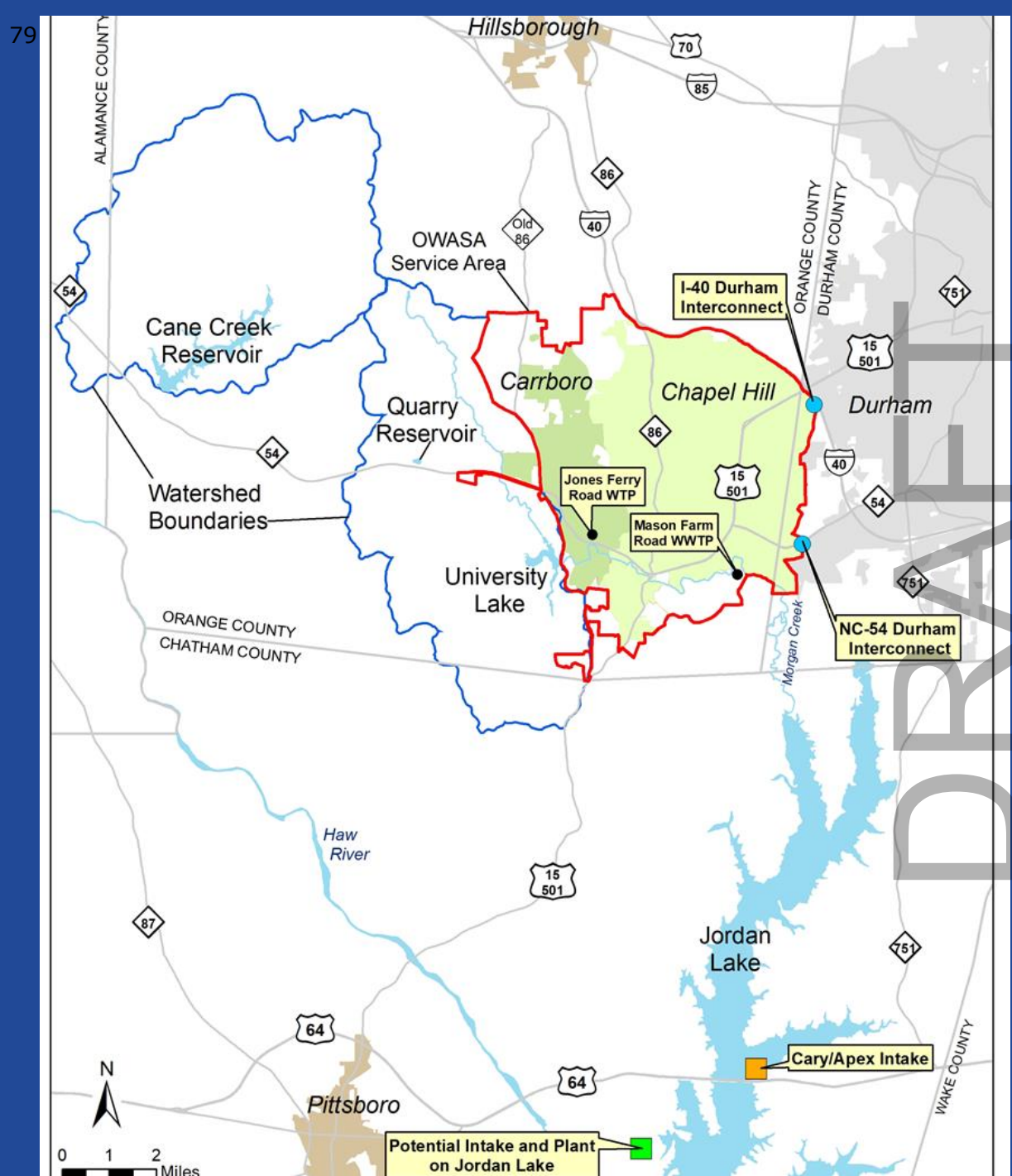
Ensuring Long-Range Water Supply Resiliency



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OWASA's Water Supplies

- Local Water Supplies
 - Cane Creek Reservoir
 - University Lake
 - Quarry Reservoir
- Jordan Lake

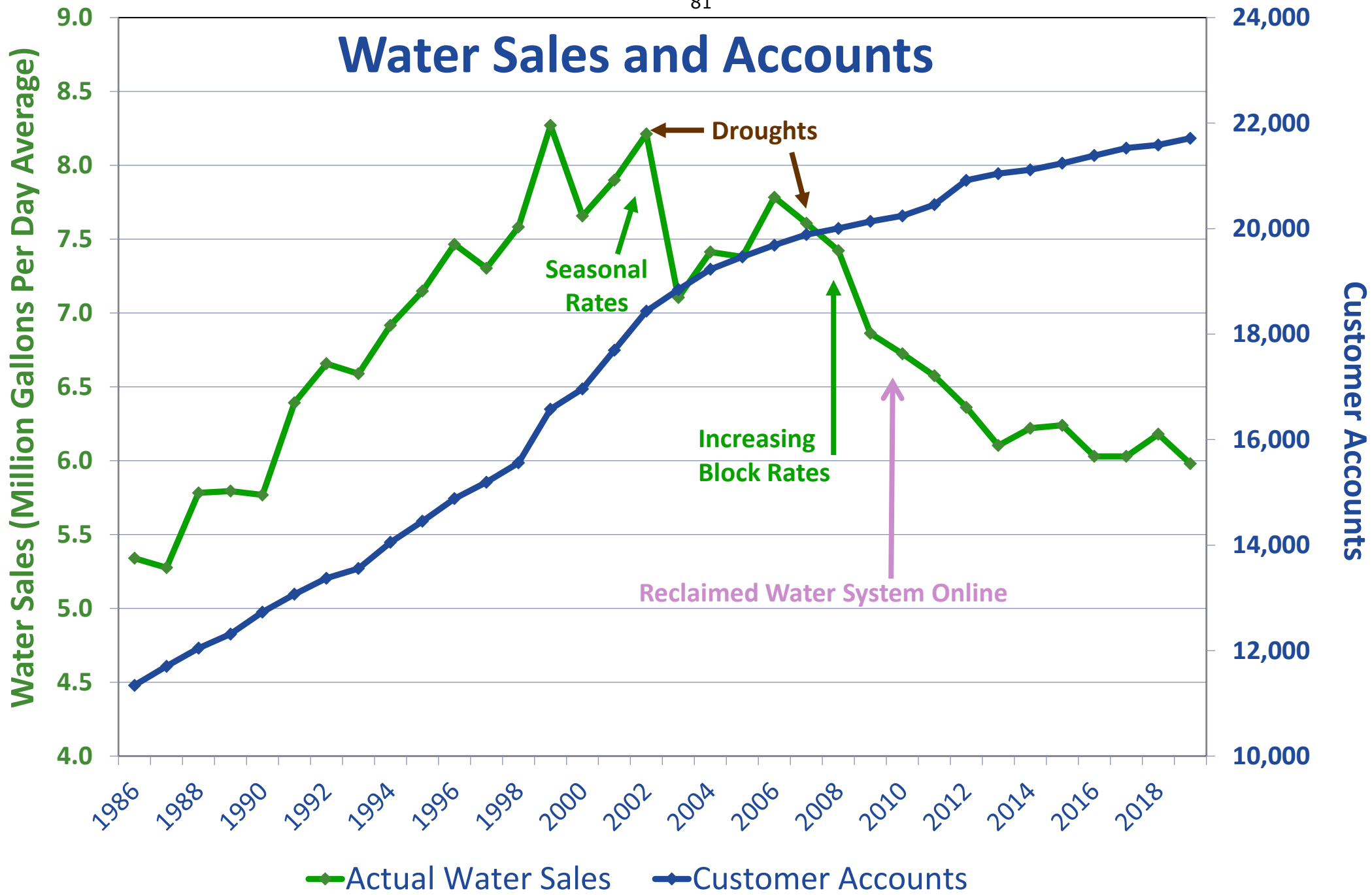


Jordan Lake

- Federal, multi-purpose reservoir
 - Flood control
 - Water supply
 - Downstream water quality
 - Recreation
- OWASA has had an allocation since 1988.
- Practice has been to only use Jordan Lake during water shortage
- We have no guaranteed access to Jordan Lake.

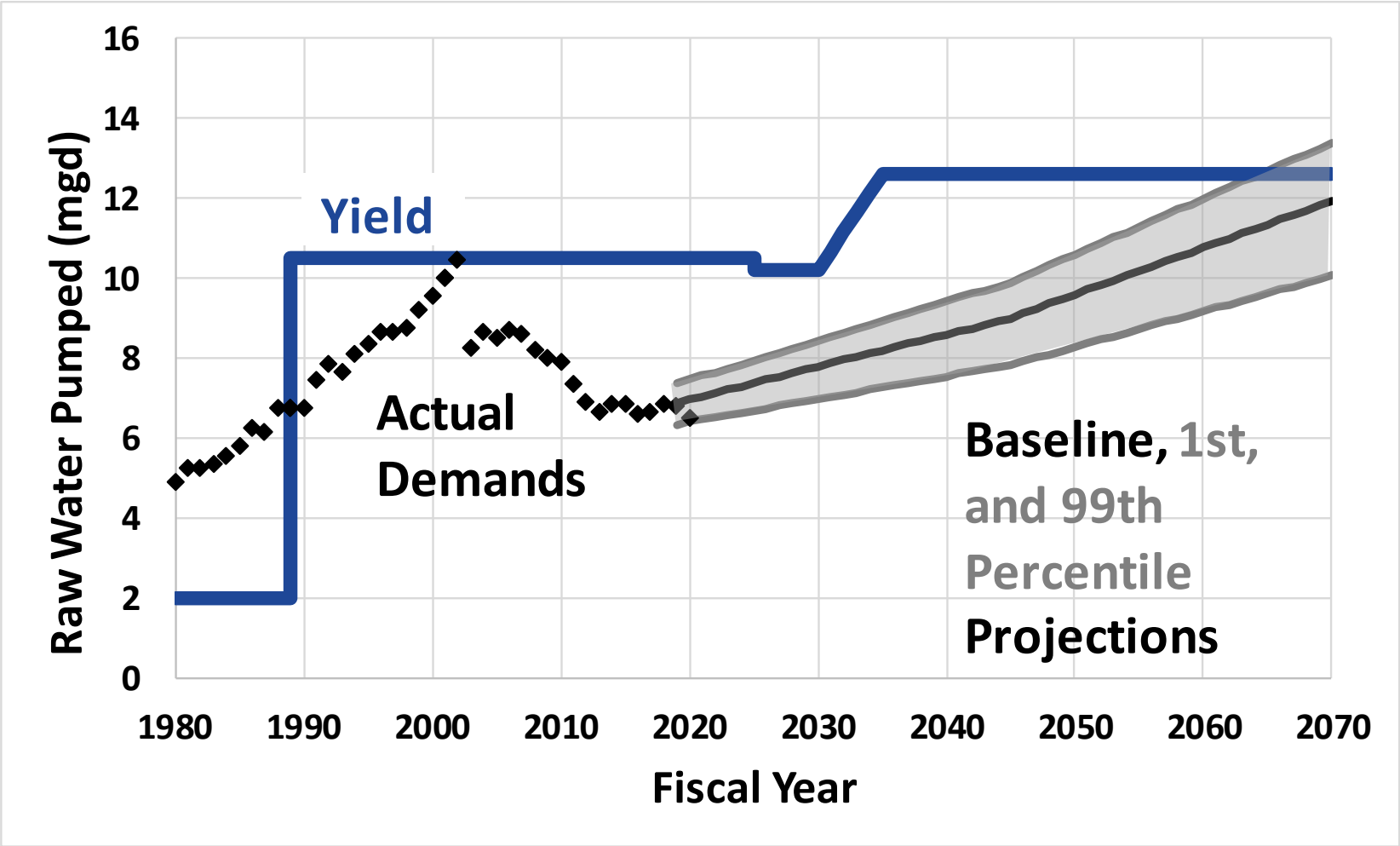


Jordan Lake



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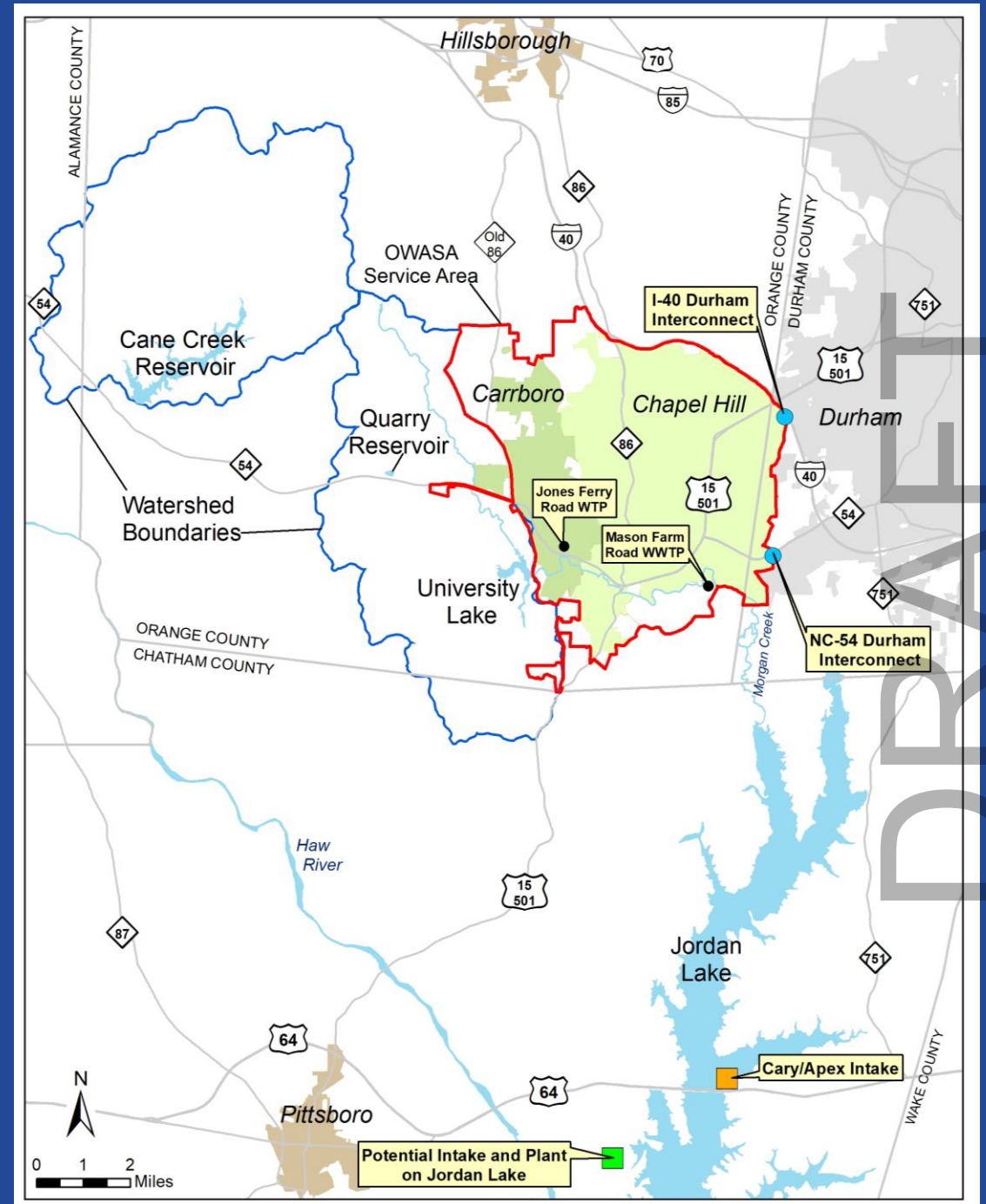
Our Water Supply Meets Demands Under Most Conditions



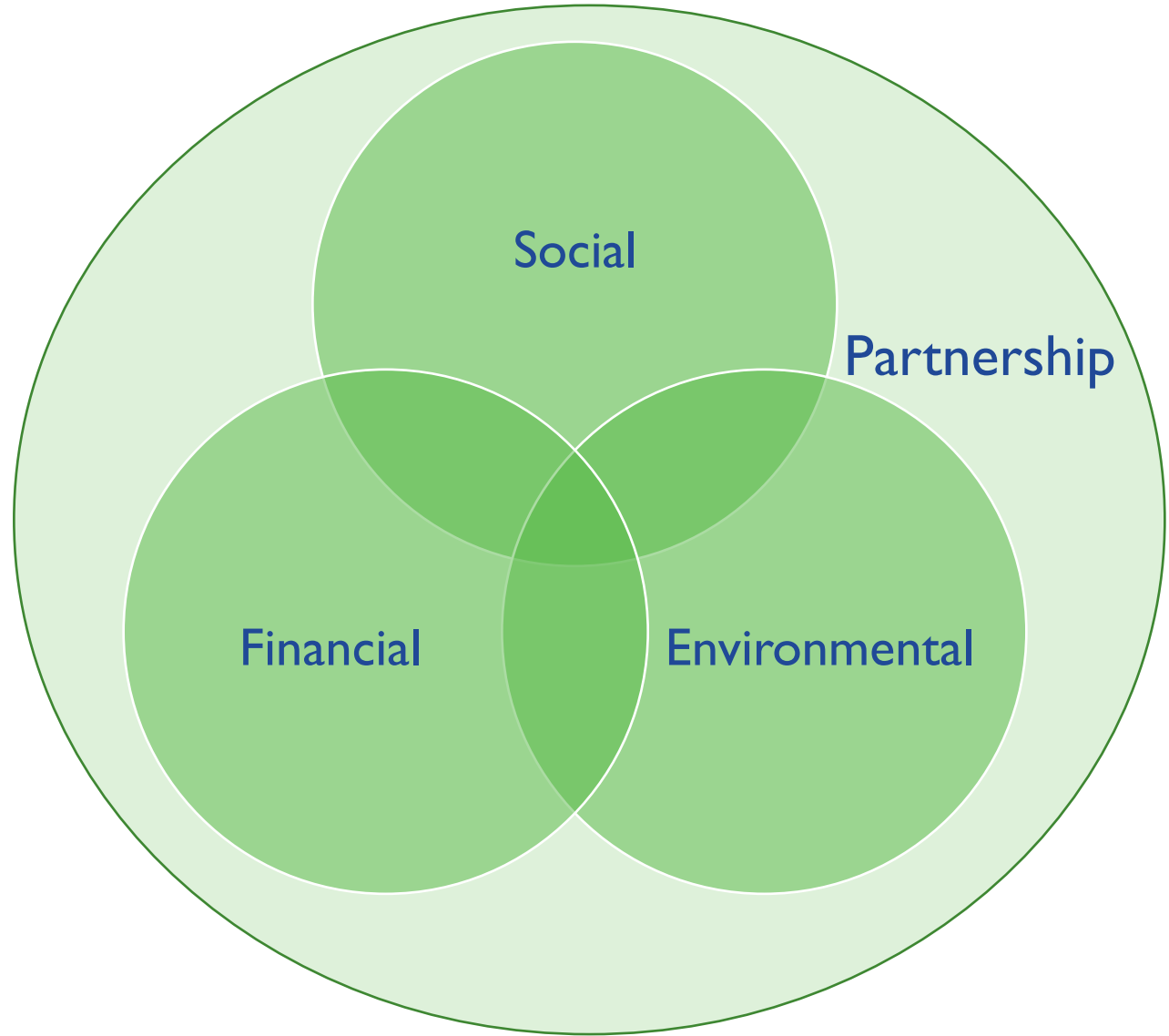
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Our Water Supply Risk is Low

- Our predecessors set us up well
 - Supply
 - Conservation
- Cane Creek Reservoir has small watershed relative to its storage
- Long refill times following drought
- Our main vulnerability is extended drought



Sustainability Principles



DRAFT

Identifying Alternatives to Evaluate



Preliminary Alternatives Analysis



Demand
Management
Alternatives

Quarry
Reservoir
Alternatives

Supply
Alternative

Potable Reuse
Alternatives


Supply
Alternative

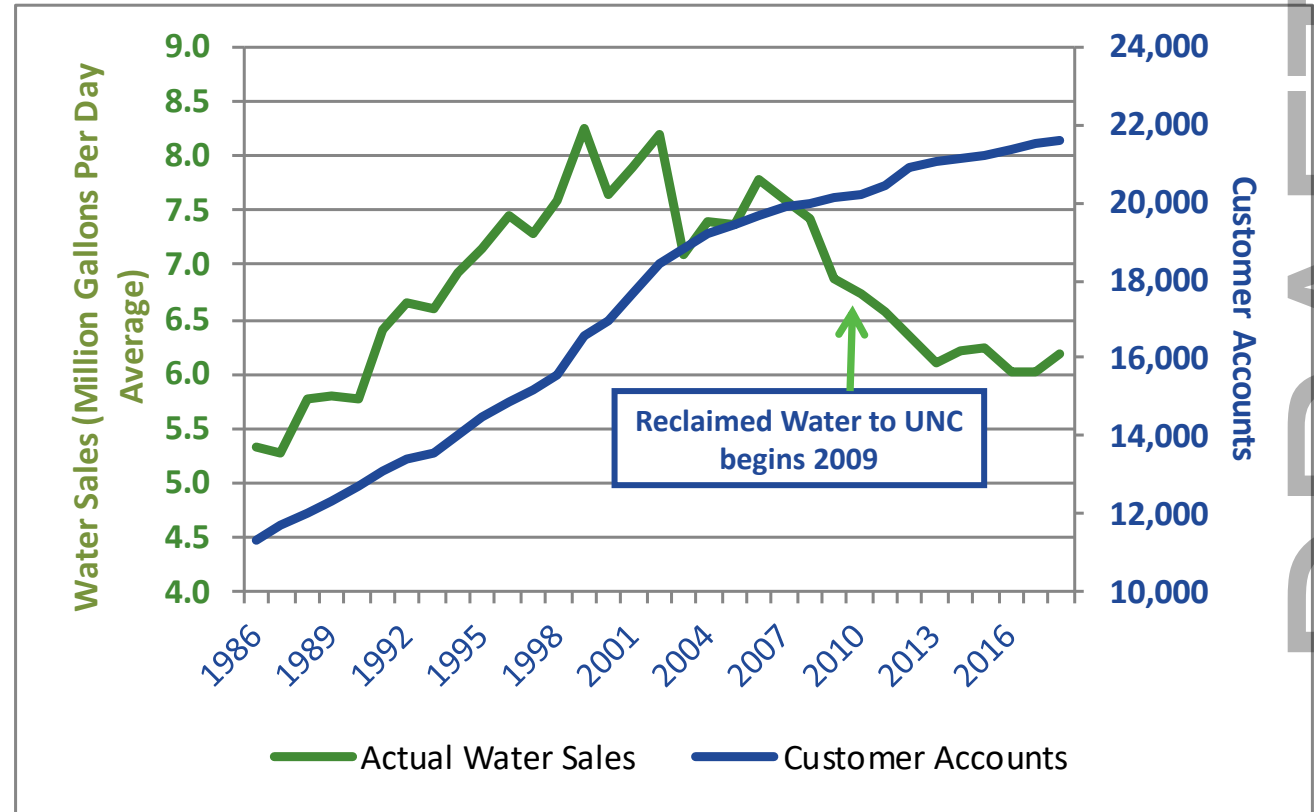
Jordan Lake
Alternatives

Supply
Alternative

DRAFT

Demand Management Alternatives

- Do not meet long-term demands 
- Cost-effective strategies will be considered in Water Conservation Plan as Appendix to LRWSP



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Supply Options

- Deep Quarry 
 - Does not diversity water supply
 - High capital cost
- Potable Reuse 
 - Options not legal or have questionable permitting process
 - High capital cost
- Jordan Lake
 - Meets long-term needs and diversifies our water supply
 - Lower capital costs
 - Several potential ways to use Jordan Lake

DRAFT

Where are we headed?

- Report to Board of Directors on community engagement - March
- Develop guiding principles to evaluate Jordan Lake alternatives – May/June
- Continue to evaluate Jordan Lake - FY22
 - Mutual aid agreements
 - Full partner in new intake and plant on western side of Jordan Lake
 - New agreement with Western Intake Partners to guarantee access to our Jordan Lake allocation
- Select draft preferred alternative - FY22
- Engage the community
- Develop final Long-Range Water Supply Plan with preferred alternative

DRAFT

Questions and Discussion

- Does the Council or community have any questions on our long-range water supply planning process?
- What feedback would you like shared with the OWASA Board of Directors regarding future evaluation of Jordan Lake water supply alternatives?
- Other?

Ruth Rouse/ rrouse@owasa.org





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [21-0022], **Version:** 1

Meeting Date: 1/13/2021

Concept Plan Review: 150 East Rosemary Redevelopment.

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: Corey Liles, Principal Planner

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

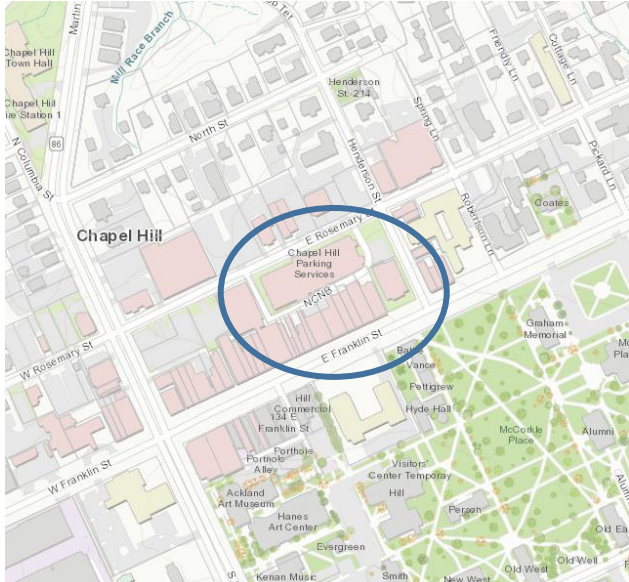
RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.



CONCEPT PLAN REVIEW: 150 EAST ROSEMARY STREET (Project #20-086)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES
Colleen Willger, Director
Judy Johnson, Assistant Director
Corey Liles, Principal Planner


| | | |
|--|--|---|
| PROPERTY ADDRESS 150 East Rosemary Street | MEETING DATE January 13, 2021 | APPLICANT Dillon Smith, Ballentine Associates, on behalf of Grubb Management, LLC |
| STAFF RECOMMENDATION That the Council adopt the attached resolution transmitting comments to the applicant for future development of 150 East Rosemary Street. | | |
| PROCESS <ul style="list-style-type: none"> The Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission and Historic District Commission, hear public comments, and offer suggestions to the applicant. Because this review is a Concept Plan submittal, statements by individual Council members this evening are not representing an official position or commitment on the part of a Council member with respect to the position he or she may take when and if the Council considers a formal application. The Community Design Commission reviewed a concept plan for this site on January 4, 2021. The Historic District Commission conducted a courtesy review of the concept plan for this site on December 8, 2020. | DECISION POINTS <ul style="list-style-type: none"> A Special Use Permit (SUP) or Conditional Zoning application will typically be required with the submission of a 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 The project includes demolition of the existing 309-space Wallace parking deck and construction of approximately 250,000 sq. ft. of office/lab space. The building is proposed to be six to eight stories tall with up to two levels of parking structure at or below street grade. A community green space is proposed at the southwest corner of East Rosemary and Henderson Streets. The property is zoned Town Center-2 (TC-2) and is approximately 1.5 acres. The existing parking garage was built over 25 years ago. A property exchange between the property owner and the Town of Chapel Hill is underway. | PROJECT LOCATION  | |
| ATTACHMENTS | <ol style="list-style-type: none"> 1. Concept Plan Report 2. Draft Staff Presentation 3. Resolution 4. Advisory Board Summary Comments 5. Applicant Materials | |

CONCEPT PLAN REPORT



150 East Rosemary Street Redevelopment

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

| | |
|---|---|
| PROPERTY ADDRESS 150 East Rosemary Street | CURRENT ZONING DISTRICT Town Center 2 (TC-2) |
| EXISTING LAND USE Parking Deck | PROPOSED LAND USE Business, Office-Type / Research Activities |
| SURROUNDING PROPERTIES – EXISTING LAND USES Mix of Commercial, Office, and Institutional uses surrounding all sides of property | |
| FUTURE LAND USE MAP (FLUM) FOCUS AREA Downtown | FLUM SUB-AREA Sub-Area E |
| OTHER APPLICABLE ADOPTED PLANS <div> <input checked="" type="checkbox"/> Mobility and Connectivity Plan <input checked="" type="checkbox"/> Cultural Arts Plan </div> <div> <input checked="" type="checkbox"/> Parks Comprehensive Plan <input checked="" type="checkbox"/> Stormwater Management Master Plan </div> <div> <input checked="" type="checkbox"/> Greenways Master Plan <input type="checkbox"/> West Rosemary Street Development Guide </div> <div> <input checked="" type="checkbox"/> Chapel Hill Bike Plan <input type="checkbox"/> Central West Small Area Plan </div> | |
| SUMMARY OF PLAN CONSIDERATIONS AFFECTING 150 EAST ROSEMARY REDEVELOPMENT SITE See map excerpts demonstrating the Plan Considerations listed below. The 150 E. Rosemary Street Redevelopment location is marked with the  symbol. | |
| <u>Future Land Use Map (FLUM)</u> The Future Land Use Map was adopted on December 9, 2020. It supersedes the 2020 Land Use Plan. <ul style="list-style-type: none"> Commercial/Office is listed as one of the <i>Primary (predominate) Uses</i> for Sub-Area E of Downtown. Other <i>Primary Uses</i> include Multifamily Residential, Mixed Use projects (Multifamily, Shops & Offices), and Parks and Green/Gathering Spaces. Institutional/Civil facilities are listed as a <i>Secondary Use</i> (allowed, but not predominate). Appropriate Height in Sub-Area E is <i>Up to 4 stories</i> at the front setback with an <i>8 story Core Height</i> allowed along the south side of East Rosemary Street. The site's frontage on East Rosemary Street is defined as an <i>Activated Street Frontage</i>. This definition means that buildings and civic space should engage with the street, with no off-street parking located in between. | |
| <u>Mobility and Connectivity Plan</u> <ul style="list-style-type: none"> The site is located along East Rosemary Street between North Columbia Street and Henderson Street. These roads have existing sidewalks. The Mobility Plan proposes bike lanes along this section of East Rosemary Street. A future <i>Bus Rapid Transit (BRT)</i> station is located within ¼ mile of the site. The applicant should coordinate with Chapel Hill Transit for the latest information on BRT design, station locations and any potential connections. | |
| <u>Parks Comprehensive Plan</u> <ul style="list-style-type: none"> The site falls in the Community Park Service Radius of the Community Center Park. No additional Neighborhood Parks or Community Parks are proposed in this area. | |

Greenways Master Plan

- There are no proposed greenway facilities impacting this site.

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 design of facilities such as the proposed bike lanes.

Cultural Arts Plan

- The Cultural Arts Plan identifies locations that are opportunities for integrating public art. The site location is identified as a *Node of Intersecting Plans*. Nearby are other identified public art opportunities as well as existing public art.
- The applicant should **coordinate with Chapel Hill Community Arts & Culture** for more information on appropriate landscape and artistic treatments in this location.

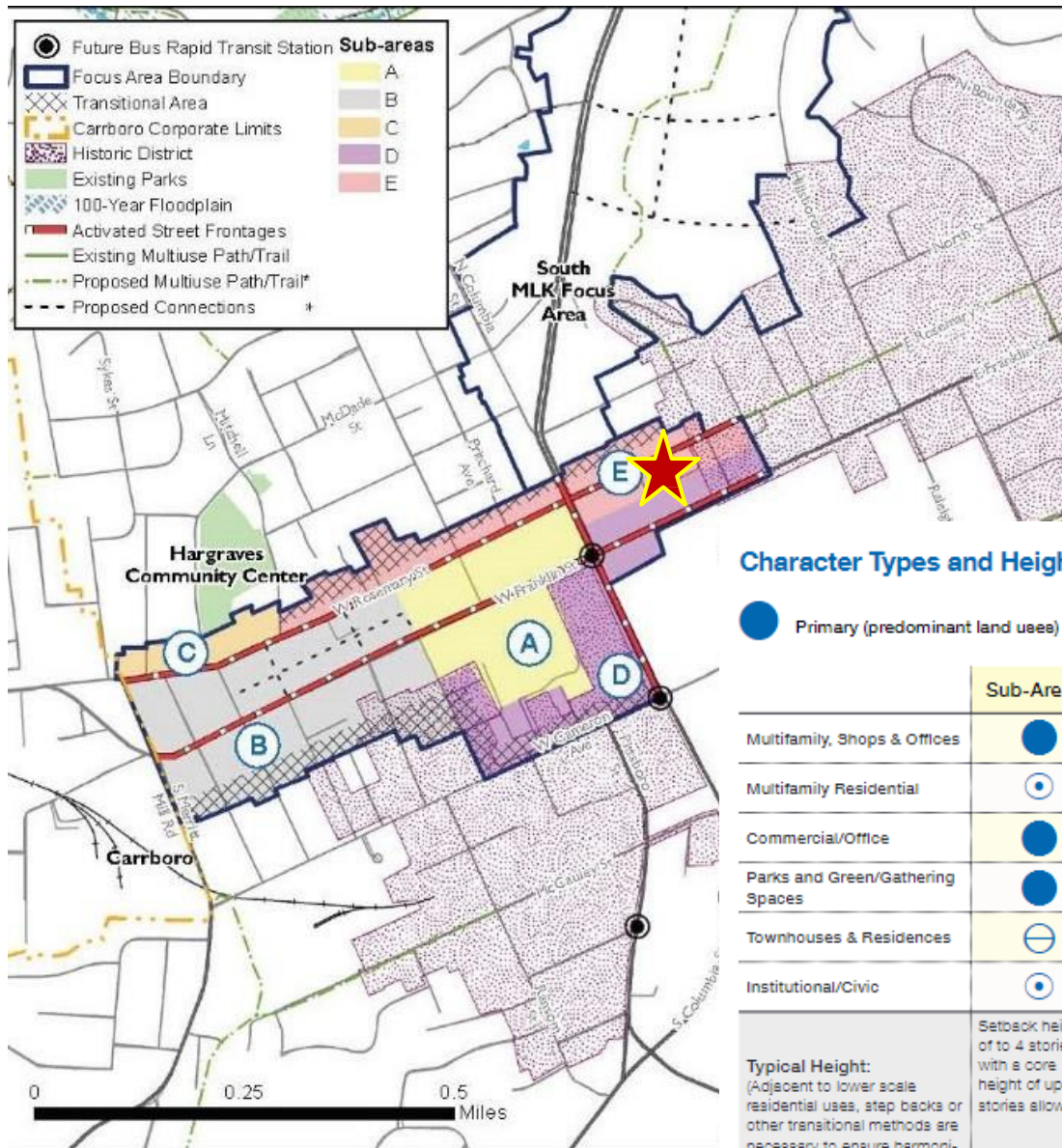
Stormwater Management Master Plan

- 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.

CONCEPT PLAN REPORT

150 East Rosemary Redevelopment

Future Land Use Map Focus Area (Excerpt)



Character Types and Height in 2050: Downtown

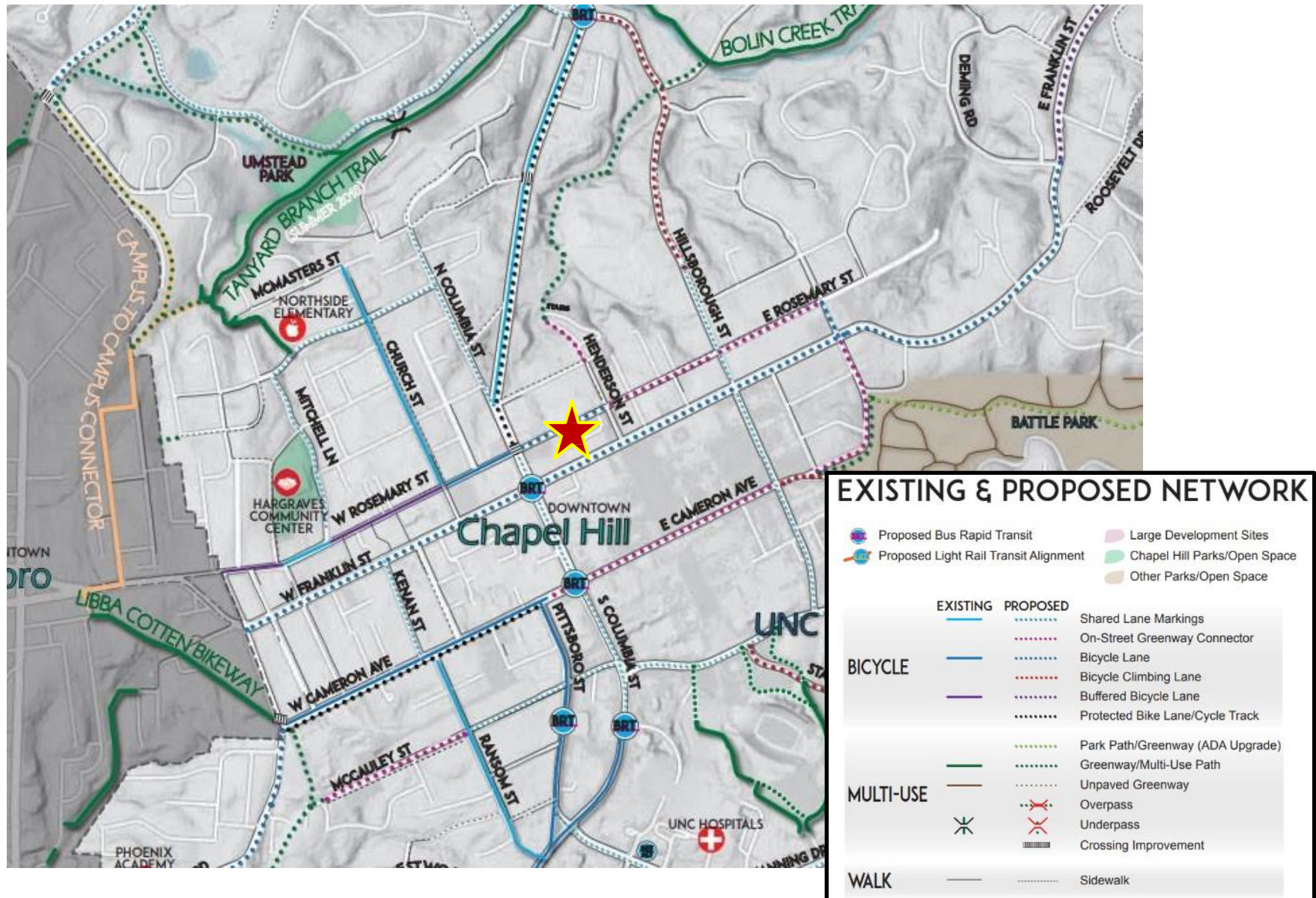
● Primary (predominant land uses) ○ Secondary (appropriate, but not predominant) ⊖ Discouraged

| | Sub-Area A | Sub-Area B | Sub-Area C | Sub-Area D | Sub-Area E |
|--|---|--|------------------------|---|--|
| Multifamily, Shops & Offices | ● | ● | ● | ● | ● |
| Multifamily Residential | ○ | ○ | ● | ○ | ● |
| Commercial/Office | ● | ● | ○ | ● | ● |
| Parks and Green/Gathering Spaces | ● | ● | ● | ● | ● |
| Townhouses & Residences | ⊖ | ⊖ | ⊖ | ○ | ⊖ |
| Institutional/Civic | ○ | ○ | ○ | ○ | ○ |
| Typical Height: (Adjacent to lower scale residential uses, step backs or other transitional methods are necessary to ensure harmonious transitions.) | Setback height of to 4 stories, with a core height of up to 6 stories allowed | Setback height of up to 3 stories with a core height of up to 8 stories allowed. No more than approximately 4 stories allowed in the transitional area | No more than 4 stories | Core height of up to 6 stories, with a setback height of 3 stories. No more than 4 stories allowed in the transitional area | Up to 4 stories at the front setback. Core height of 8 stories allowed on the south side of E Rosemary and 6 stories on the north side of E Rosemary and along West Rosemary. No more than approximately 4 stories allowed in the transitional area. |

CONCEPT PLAN REPORT

150 East Rosemary Redevelopment

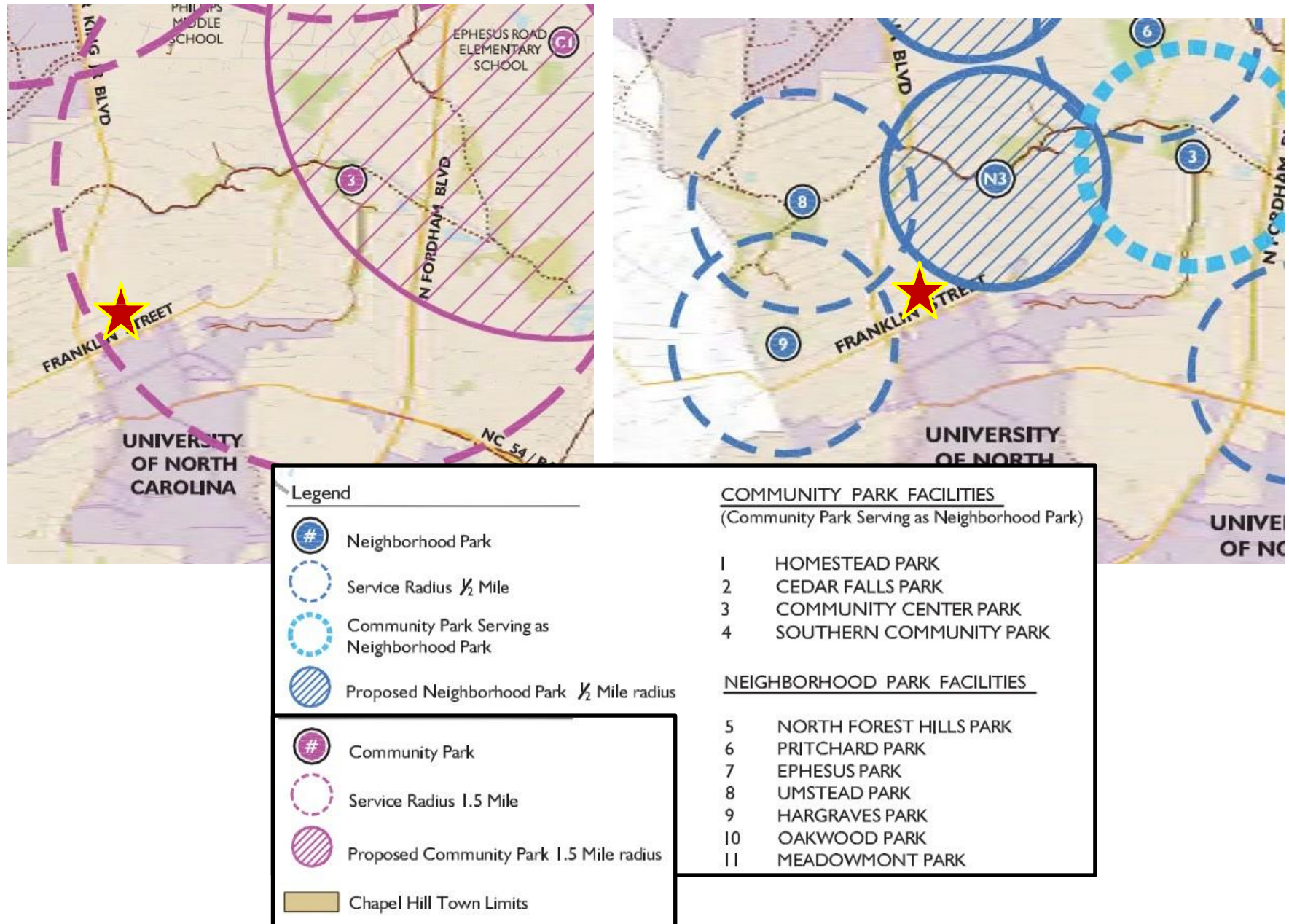
Mobility Plan (Excerpt)



CONCEPT PLAN REPORT

150 East Rosemary Redevelopment

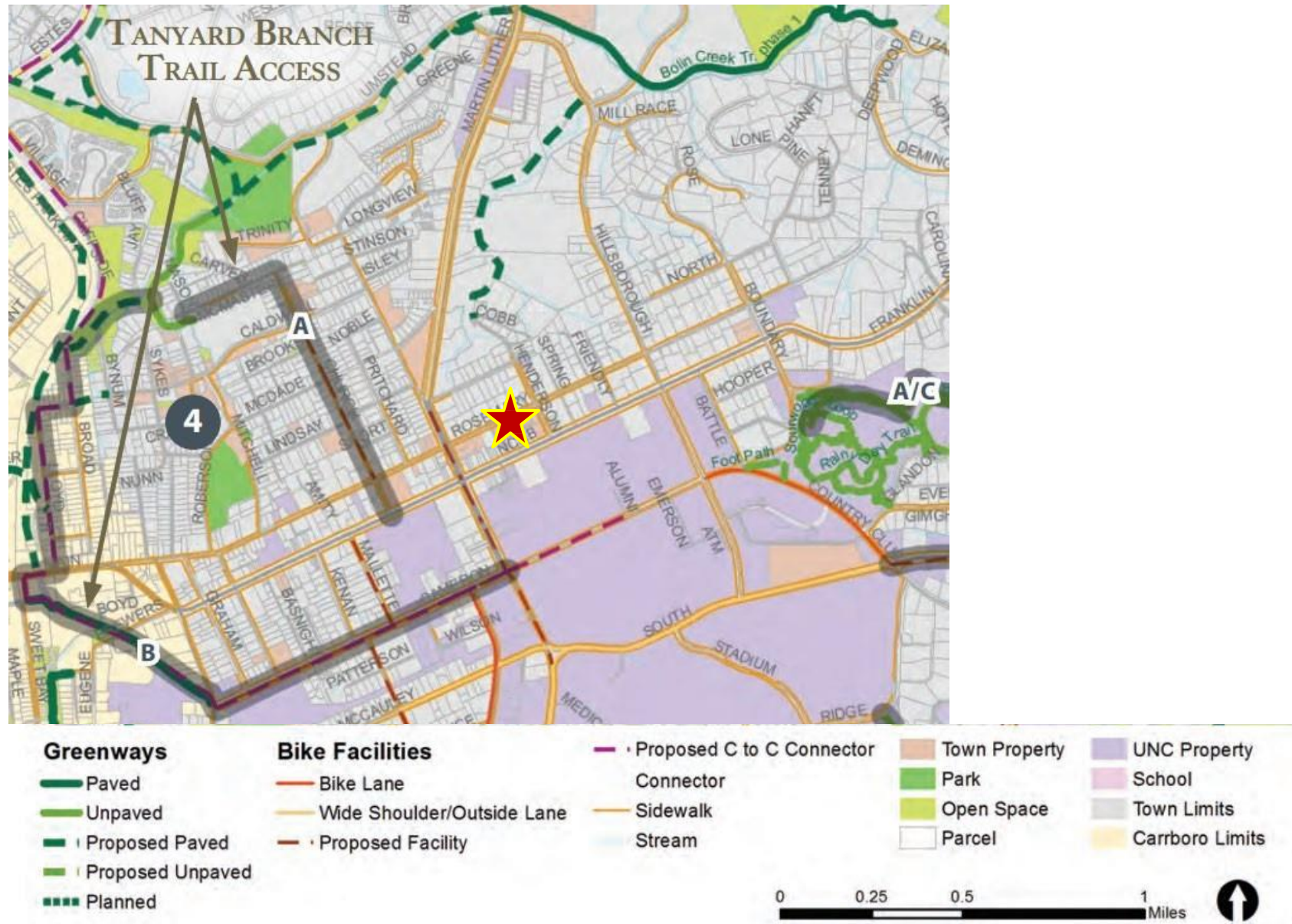
Parks Comprehensive Plan (Excerpts –Community and Neighborhood Parks)



CONCEPT PLAN REPORT

150 East Rosemary Redevelopment

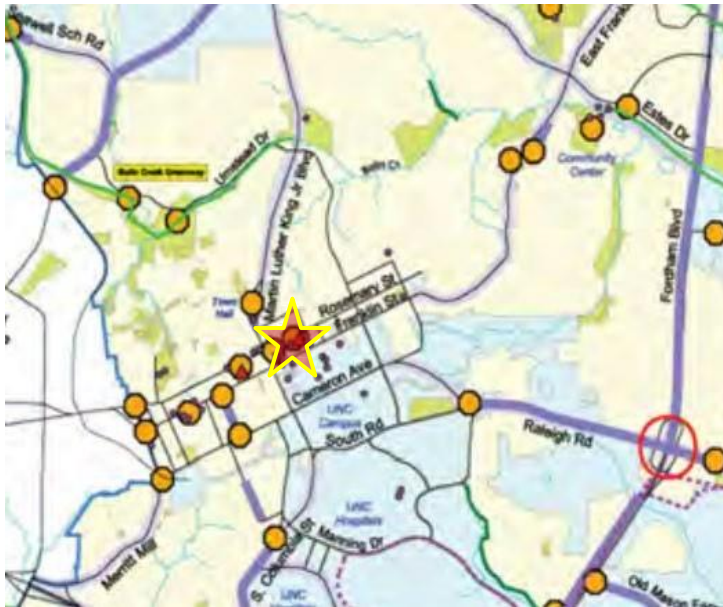
Greenways Master Plan (Excerpt)



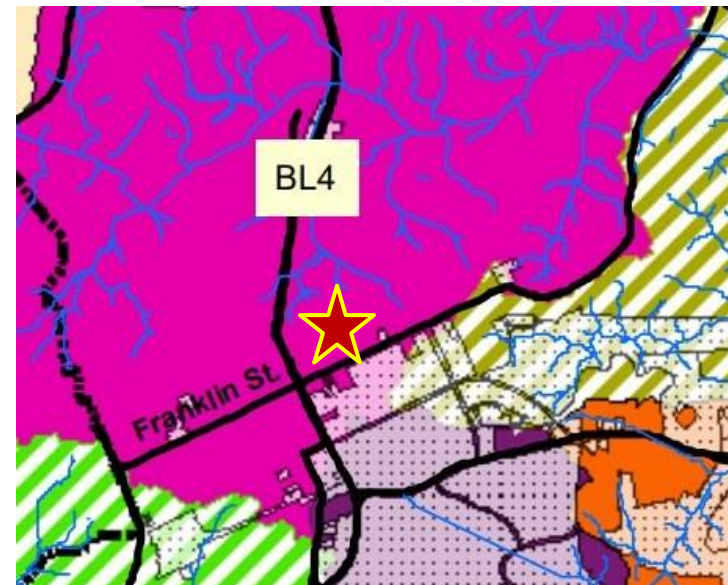
CONCEPT PLAN REPORT

150 East Rosemary Redevelopment

Cultural Arts Plan (Excerpt)



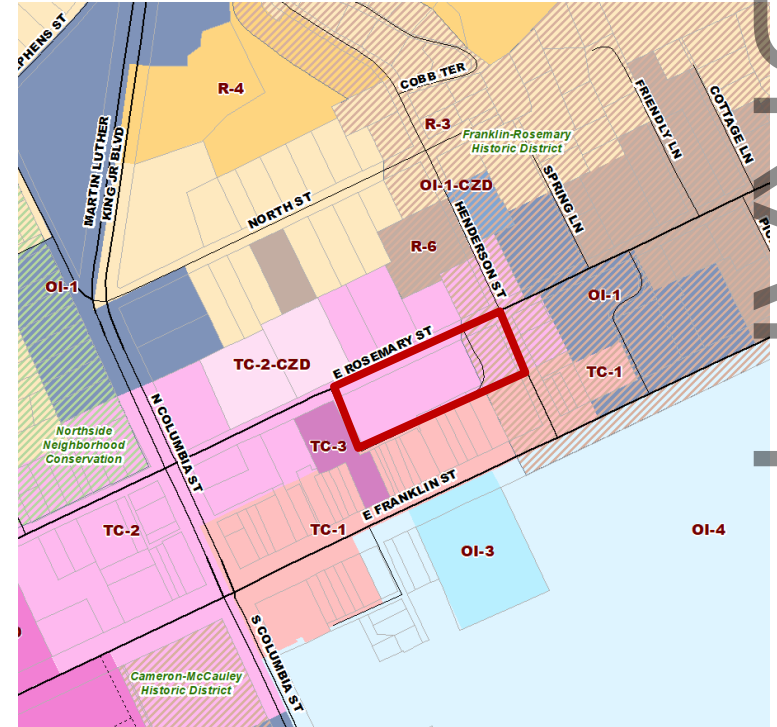
Stormwater Management Master Plan (Excerpt)

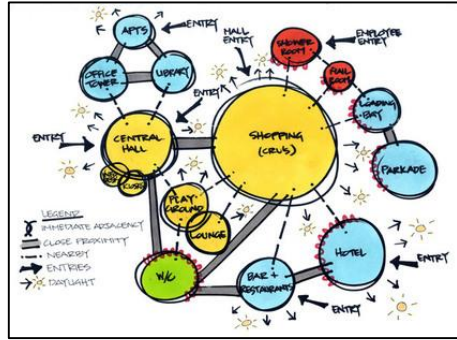




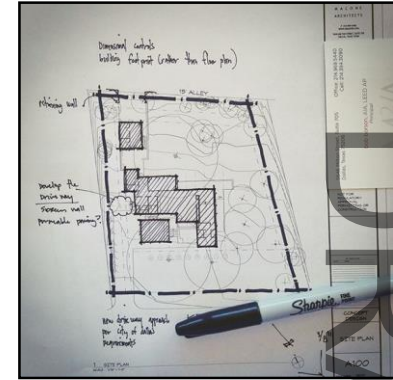
150 E Rosemary St Concept Plan

Town Council
January 13, 2021

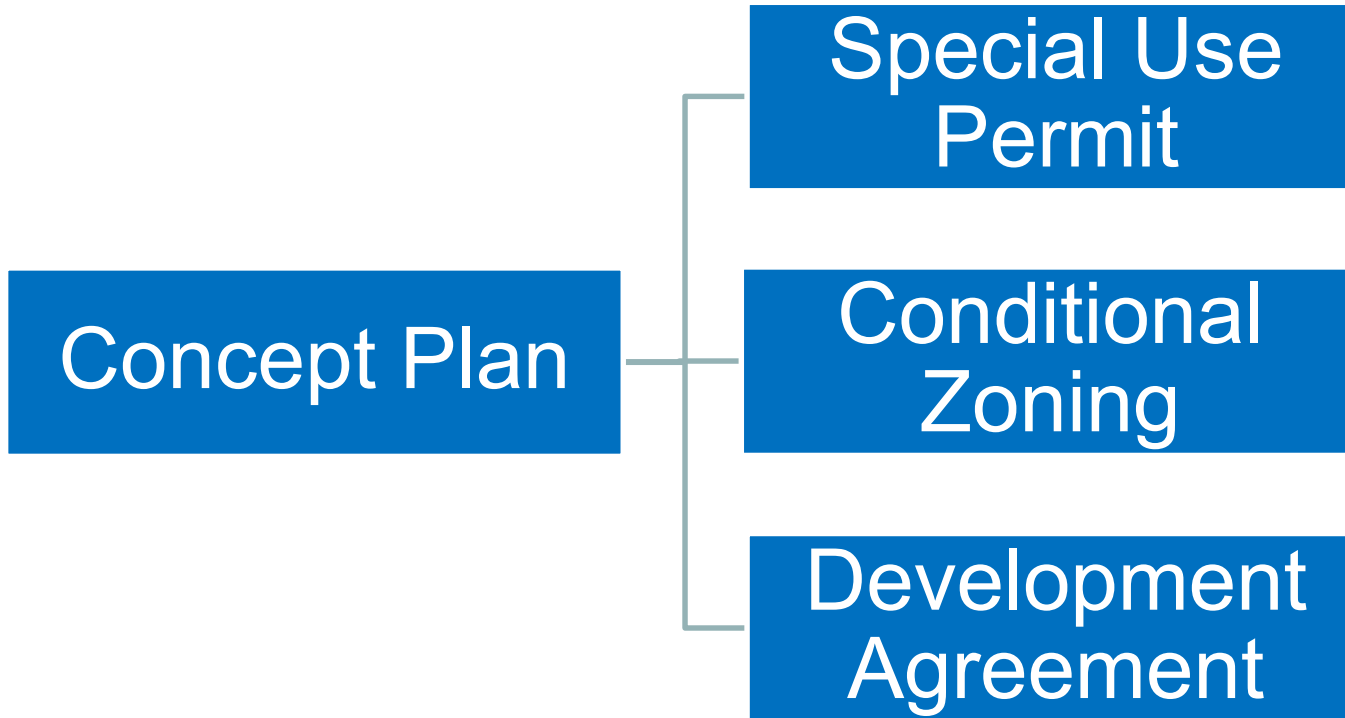




Concept Plans



- **No Decision; Feedback Only**
 - Applicant presents rough initial sketch
 - Staff does not conduct formal review of concept
 - Instead forwards sketch for preliminary feedback



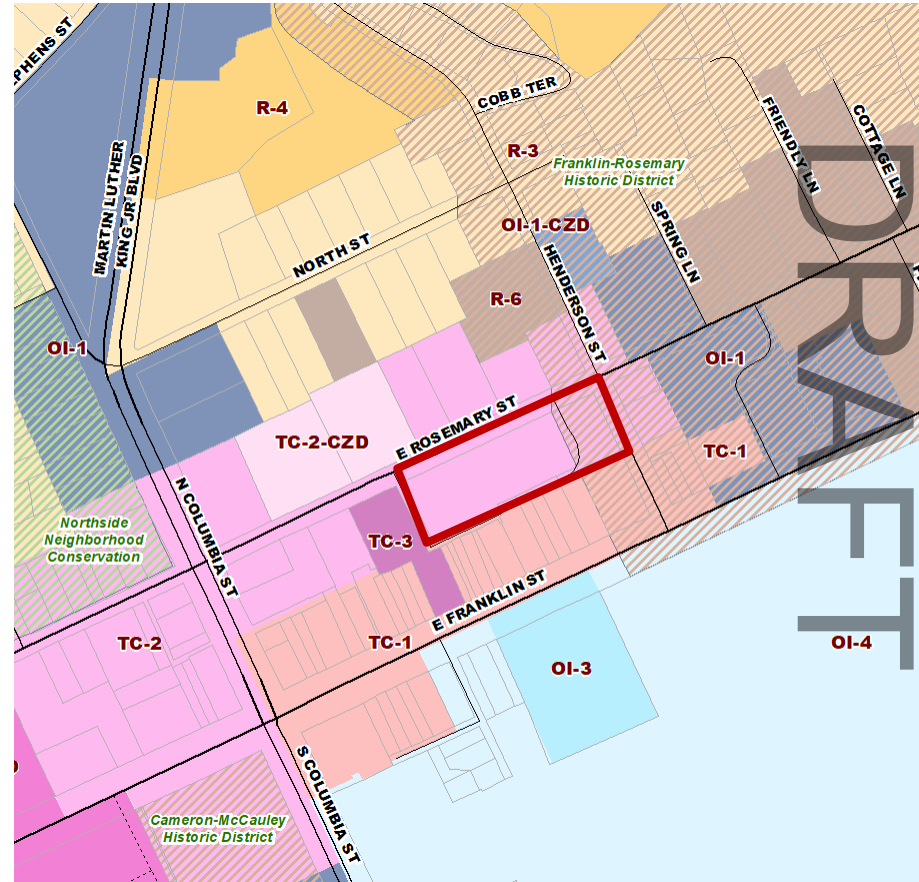
DRAFT

- Adopt a resolution transmitting comments to the Applicant regarding the proposed development (*R-#*)

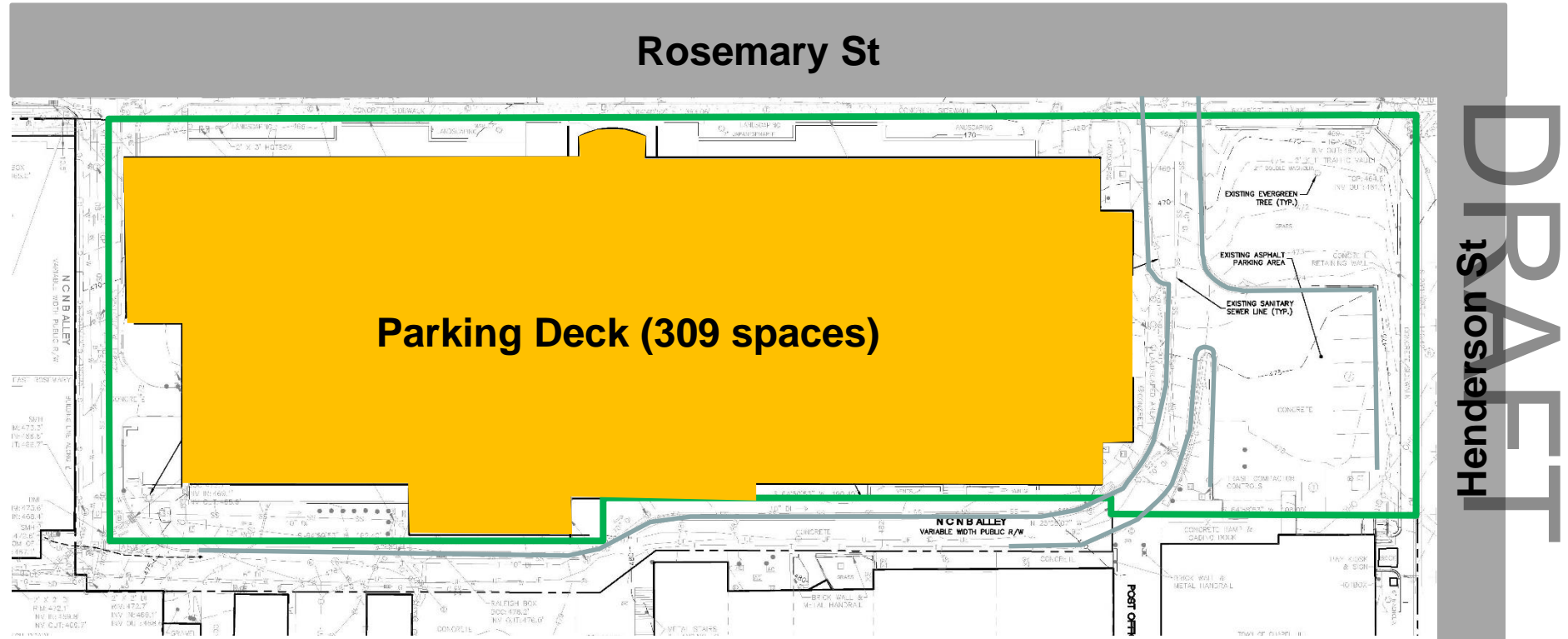
DRAFT

150 E. Rosemary St – Project Summary

- Existing: 309-space parking deck – to be demolished
- Existing Zoning: TC-2
- Proposed: 250,000 sq ft of office/lab space
- 6-8 stories
- New structured parking at or below street grade
- Town Green

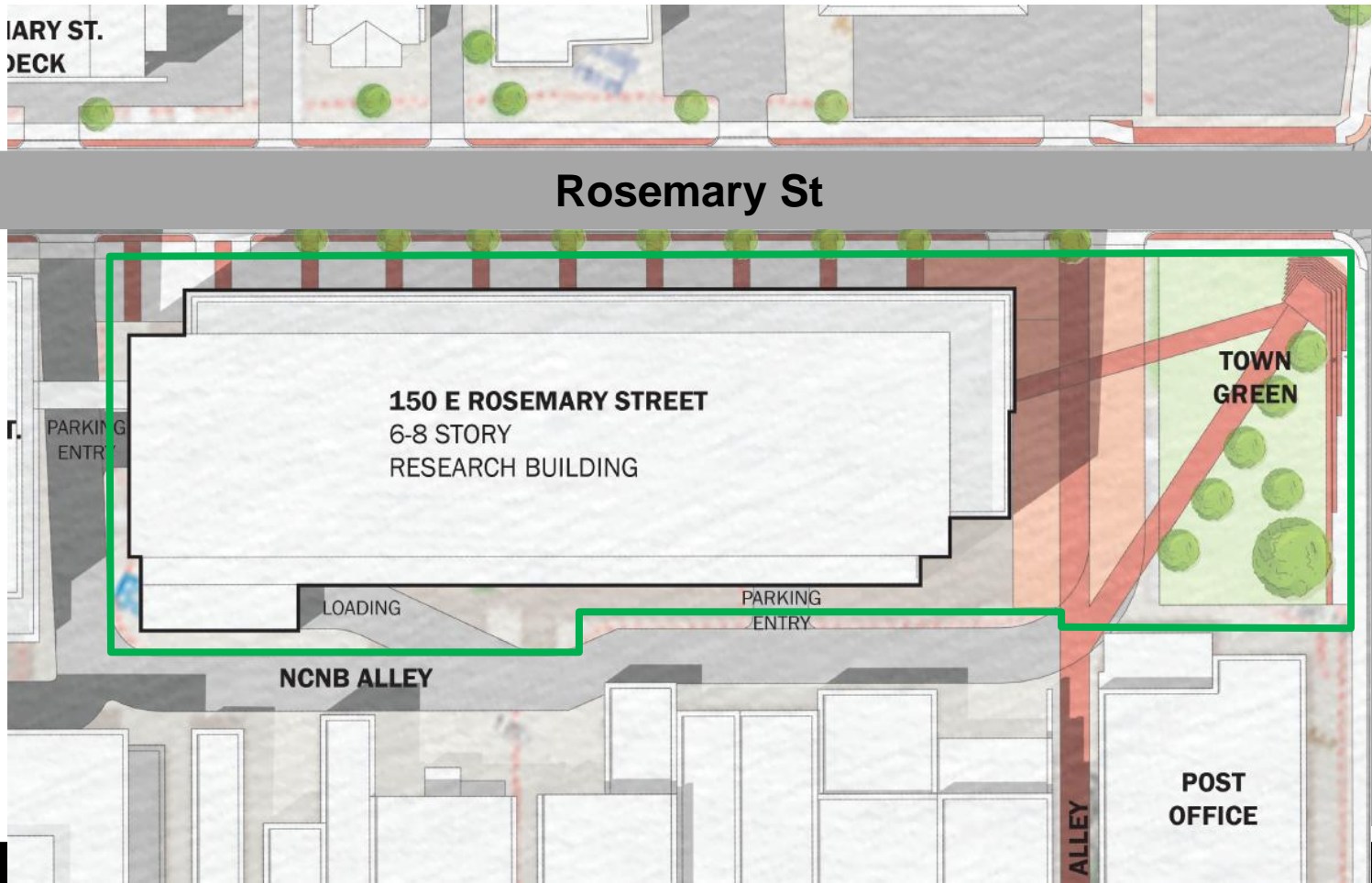


150 E. Rosemary St – Existing Conditions



150 E. Rosemary St – Concept Plan

1.06



Rosemary St

150 E ROSEMARY STREET
6-8 STORY
RESEARCH BUILDING

TOWN
GREEN

NCNB ALLEY

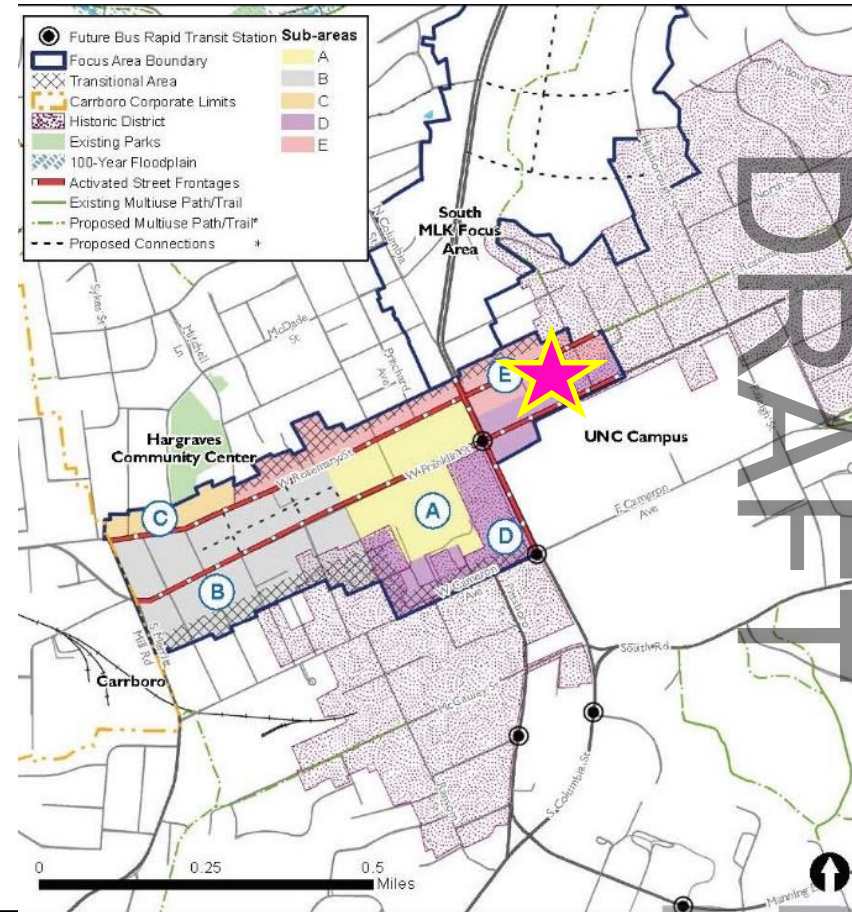
POST
OFFICE

Henderson St

DRAFT

- Future Land Use Map

- Downtown Focus Area, Sub-Area E
- Primary Uses include Commercial/Office
- Typical Height: 4 stories at street, up to 8 stories at core
- Activated Street Frontage along Rosemary St



- Mobility & Connectivity Plan
 - BRT station within ¼ mile
 - Bike lanes proposed along Rosemary St
 - Existing sidewalks



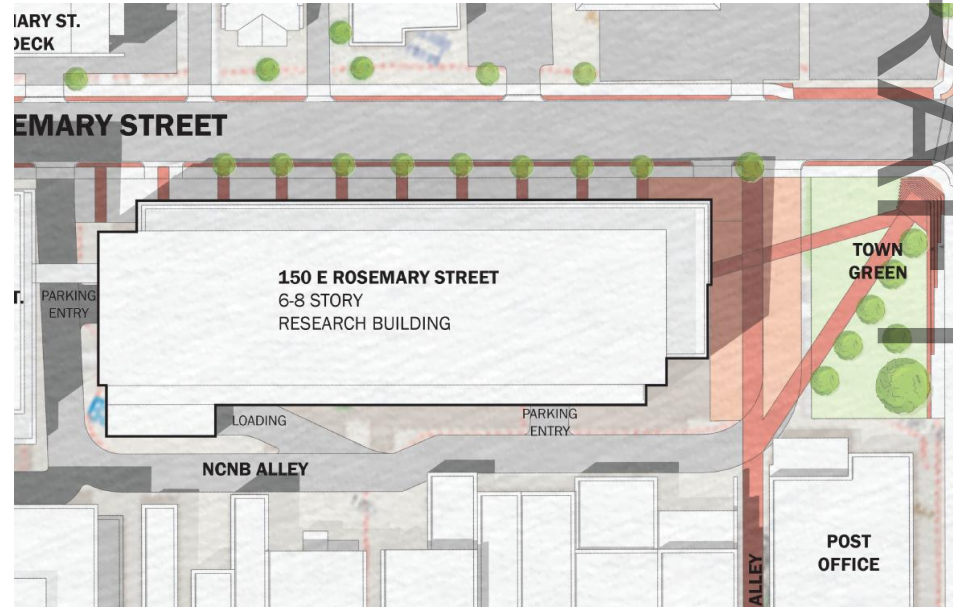
- Greenways Master Plan
 - No greenway facilities proposed in the area
- Parks Comprehensive Plan
 - No new parks proposed in this area
- Cultural Arts Plan
 - Site is a potential opportunity for integrating public art

DRAFT

- Historic District Commission –
December 8, 2020
- Community Design Commission –
January 4, 2021

DRAFT

- Adopt a resolution transmitting comments to the Applicant regarding the proposed development (*R-#*)



**A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR
150 EAST ROSEMARY REDEVELOPMENT, 150 E. ROSEMARY ST. (PROJECT #20-086)
(2021-01-13/R-7)**

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for 150 East Rosemary Redevelopment, PIN 9788-37-9717; and

WHEREAS, the Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission and Historic District Commission, 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 January 13, 2021 and reflected in minutes of that meeting.

This the 13th day of January, 2021.

SUMMARY OF A CONCEPT PLAN REVIEW
150 E. ROSEMARY STREET
HISTORIC DISTRICT COMMISSION
December 8, 2020

The Historic District Commission (HDC) conducted a concept review for 150 E. Rosemary Street on December 8, 2020. The project proposed demolition of the Wallace Deck in order to construct a new six to eight-story office building as well as green space. Key points made by members of the Commission about the concept plan include:

- Commissioner Murphy appreciated the architectural expression. Given the site's proximity to the local historic district immediately to the east and south and the design of the buildings on the opposite side of Rosemary Street, he recommended the use of traditional red brick. He found that the eight-story proposal was overpowering to the commercial buildings along Franklin Street and would dwarf the Post Office. He found the seven-story building to be less imposing. He liked the idea of opening up the corner of Rosemary and Henderson Streets as it was a dead pedestrian corner due to the height of the existing retaining walls.
- Commissioner Gurlitz echoed Murphy's sentiments. He loved the existing magnolia tree that was proposed to be removed in the parklet, but he thought new plantings could be provided. He was supportive of a building six or seven stories in height. He supported the design that called for a four-story masonry block base to connect with nearby brick structures. He thought red brick or terracotta could be utilized to compliment neighboring buildings. He was also supportive of the four-story element at the façade as it would be sympathetic to the Chapel Hill streetscape and recommended the design team explore the three-story element option further. Gurlitz also suggested that the applicant find a way to display the research-oriented use of the building as a kind of museum that would make it friendly to walk past.
- Commissioner McCormick also expressed concerns about an eight-story building overwhelming the Post Office. She was also supportive of a four-story masonry element that would reflect existing buildings on Franklin Street. She thought different materials above the fourth story would help differentiate the building and a lighter material, such as glass, may help the building from overwhelming the Post Office.
- Commissioner Van de Velde agreed that seven stories was the best height as it allowed the rear elevation to be articulated further and add interest to the Franklin Street streetscape. She also supported the use of terra cotta, but thought it might not need to be the same color as the terra cotta proposed for the parking deck at 125 E. Rosemary Street. She disagreed with Gurlitz and thought the magnolia tree should be preserved and suggested that pathways need not be straight. She thought the design needed to relate to both the bank building and the adjacent historic districts.
- Commissioner Stiefbold agreed with the other commissioners that the scale of the building should be limited to six to seven stories. She encouraged the developer to incorporate design

elements at the streetscape and sidewalk levels of the building to be more pedestrian friendly. She asked the design team to think about who would be using the green space. She expressed concern about the largeness of the building compared to the small-scale and pedestrian-oriented development of downtown and noted that, in order to adequately assess how the scale of the various building designs will be experienced, the design team should provide renderings showing the building elevation from additional vantage points, including the view from the north side of Rosemary St directly opposite the proposed building.

- Chair Schwartz noted that the memorandum of understanding the Town signed with Grubb properties stipulates that the developer will build on the site of the Wallace Deck an office building comprising **six stories totaling approximately 200,000 sf** and that it therefore seems ill-advised to pursue designs in excess of six stories. Schwartz found that even six stories may even be too high to blend harmoniously with the scale of the surrounding historic buildings but allowed that a creative use of massing and materials could make it work. Schwartz offered the example of Shortbread Lofts looming over the adjacent low-rise West Franklin commercial buildings as an example of what to avoid. Schwartz noted that the recently adopted West Rosemary Design Guidelines codifies the community's vision of how downtown commercial areas adjacent to older residential neighborhoods should redevelop and suggested that the redevelopment of the Wallace deck site should be consistent with that vision. He asked the design team to consider creative ways to break up the mass, including constructing the project as multiple smaller buildings rather than as one large building, so as not to dwarf any of the adjacent commercial buildings and to provide additional pedestrian circulation paths through the site. He found that additional vegetation and canopy trees would help contribute to the character of the historic district.

Submitted by: David Schwartz, Chair-Historic District Commission.

Attached: Letter to Town Council from Commissioner Angela Stiefbold and [West Rosemary Street Design Guidelines](#)¹

¹ http://chapelhill.granicus.com/MetaViewer.php?view_id=7&clip_id=3137&meta_id=164400

Historic District Relationship and Considerations Regarding the Design of the Office Building Project Proposed at 150 E. Rosemary Street.

Angela Stiefbold, Historic District Commission Member

April 2020

We should be concerned about the impact the proposal for 150 E. Rosemary Street has on Chapel Hill's historic resources. It is a large project that will have a significant impact on the streetscape. Many residents, students, alumni, and visitors love downtown Chapel Hill because of its pedestrian-oriented human scale and the historic character of its streetscape.

The corner of the site at the southwest corner of E. Rosemary Street and Henderson Street is within the Chapel Hill town-designated local historic district, a place the community intends for the HDC to approve the design of any future development to be congruous with existing historic buildings, such as the historic Post Office and the storefronts on Henderson Street.

While not included in the local historic district or under local regulation, the storefronts along East Franklin Street, just south of the proposed building, are part of the 2015 expansion of the historic district listed on the National Register of Historic Places. State and national preservation authorities and many local residents have recognized that these buildings are an important part of Chapel Hill's history. What happens adjacent to them can have an impact on them.

Design of the open space proposed for the corner of E. Rosemary and Henderson Street should comply with the Design Guidelines for the Chapel Hill Historic Districts and is subject to review by the Historic District Commission. While the proposed building itself is not required to go through this process, it would be a show of good faith and a desire to integrate with and preserve the historic character of Chapel Hill's downtown for the entire design to take into consideration the Design Guidelines for the Chapel Hill Historic Districts.

The proposed building and open space should be compatible with the existing historic scale and materials of the district. The building should not be so large as to overpower the adjacent structures and spaces. It should have a relationship to the streetscape that is encouraging of human-scale, pedestrian interactions. Window and door openings should be placed in a manner and be of a proportion, shape, scale, and pattern that is compatible with the surrounding historic district.

Materials used in the building and in site features in the open space should be compatible with those commonly used in the historic district, particularly the commercial portion of the historic district. Common wall materials for the district are primarily brick, with some stone and painted wood architectural features. Site features are also generally brick, wooden, or black painted metal, and pathways are primarily brick pavers or Chapel Hill gravel. Signs should be of a scale, material and location that is congruous with historic features.

If grade changes are made to the open space site, they should both encourage a positive relationship to the streetscape and to the Post Office Building, as well as the proposed new construction. Mature trees should be preserved to the greatest extent possible.

Determination should be made as to whether there is a possibility of significant archaeological features on the site, and if so, steps should be taken to document and protect them during the construction process.

The sections of the Design Guidelines for the Chapel Hill Historic Districts that should be closely reviewed and considered as this project is designed included: Setting; Site Features & Plantings; Archaeology; Public Right-Of-Way; Walls & Fences; Walkways, Driveways & Offstreet Parking; Signage; and New Construction. Consultation with the Historic District Commission or a subcommittee of the commission on an advisory basis at the early stage of design is recommended.

CONCEPT PLAN COMMENTS
150 East Rosemary
COMMUNITY DESIGN COMMISSION

January 4th, 2021

The Community Design Commission conducted a Concept Plan review for 150 East Rosemary Street at a meeting on January 4th, 2021. The project proposes approx. 250,000sf of office and research/lab space for business and institutional tenants.

**Key points made by members of the Commission about the concept plan are listed below.*

- Multiple commissioners voiced support of creating an enhanced pedestrian experience along the alley adjacent to the backside of the project. Failure to address would result in this being the weak link for this project. Enhancing the alley could be a tremendous positive.
- Multiple commissioners voiced support of a modernist approach to building design. A member noted the historic district guidelines encourage this approach.
- Multiple commissioners expressed confidence in the design team's ability to develop a plan that is modernist and that fits within the area's historic context.
- Multiple commissioners voiced support of a 6-7 story structure.
- Multiple commissioners highlighted the need to create a dynamic pedestrian and streetscape experience. Members stressed the importance of prioritizing pedestrians in this design.
- Multiple commissioners recommended pedestrian planning take into account the importance of the Rathskeller Alley as a north/south connection.
- Multiple commissioners voiced concern regarding stormwater requirements.
- Multiple commissioners voiced support of creating a strong entrance and providing vertical breaks in the Rosemary street façade.
- Multiple commissioners voiced support of bringing the town green down to the sidewalk and street level should take priority over saving the magnolia tree. One commissioner voiced support for saving the pencil mural and the magnolia, as well as minimizing grading down the lot.
- Two commissioners were supportive of the developer's statement regarding integrating the architectural features with the adjacent redevelopment projects. In particular, it is important to integrate the building to the proposed deck and the

CONCEPT PLAN COMMENTS
150 East Rosemary
COMMUNITY DESIGN COMMISSION

renovation of the NCNB building. This building will be the transformative use in the area.

- Two commissioners voiced support of finding a way to create more friction for vehicular traffic on Rosemary St. The West Rosemary Street improvements could be a model for East Rosemary Street. On-street parking could be added.
- One commissioner suggested the building design should take into account the views of church spires downtown and the 100 block of Franklin Street, and relate to UNC campus building design.
- One commissioner applauded the developer's visual modelling of the effects of the proposed building on the surrounding areas and encouraged continued use of this modelling as the design progresses.
- One commissioner stated it is important to be sensitive to effects on the local historic district and the Franklin Street National Register historic district.
- One commissioner voiced support for public art integration.
- One commissioner noted there is a potential greenway connection at the end of Cobb Terrace which could be part of an area pedestrian plan.
- One commissioner expressed concern with the potential visibility of wet lab and other mechanical equipment on the roof of the building, and felt this needed special design care
- One commissioner voiced support of a potential 8 story structure, but noted it would have to be done brilliantly.
- One commissioner voiced concern over the location of the ground level parking entrance on Rosemary St., as related to the number of curb cuts.
- One commissioner felt the automobile access on the east side would take away the connection of the building to the public space on the corner.
- One commissioner suggested creating a pedestrian access plan for the site and the adjacent properties including the new parking deck across Rosemary St.
- One commissioner liked using glass on the north side of the building because the light is good there.

CONCEPT PLAN COMMENTS
150 East Rosemary
COMMUNITY DESIGN COMMISSION

- One commissioner noted that there is only right-of-way for part of the alley, and that coordinating with the various Franklin Street property owners is critical.



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

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): 9788-37-9717

Date: 20 Nov 20

Section A: Project Information

Project Name: 150 E Rosemary Redevelopment

Property Address: 150 E. Rosemary Street Zip Code: 27514

Use Groups (A, B, and/or C): B Existing Zoning District: TC - 2

Project Description: Demolition of existing 309 space parking deck and construction of new ±250,000 SF office/lab building, 6 to 8 stories tall with up to 2 levels of parking structure at or below street grade. Community green space at E. Rosemary St and Henderson St.

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

Applicant Information (to whom correspondence will be mailed)

Name: Ballentine Associates, attn: Dillon Smith

Address: 221 Providence Road

City: Chapel Hill State: NC Zip Code: 27514

Phone: 919-929-0481 x 111 Email: dillons@bapa.eng.pro

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: *Dillon W. Smith*

Date: 20 Nov 20

Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Grubb Management, LLC c/o 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 his knowledge and belief, all information supplied with this application is true and accurate.

Signature: *JDye*

Date: 20 Nov 20



Concept Plan Project Fact Sheet

| Site Description | |
|---|---|
| Project Name | 150 E Rosemary Redevelopment |
| Address | 150 E Rosemary St |
| Property Description | Demolition of existing 309 space parking deck and construction of new ±250,000 SF office/lab building, 6 to 8 stories tall with up to 2 levels of parking structure at or below street grade. |
| Existing Land Use | Parking deck |
| Proposed Land Use | Business, office-type; Research activities |
| Orange County Parcel Identifier Numbers | 9788-37-9717 |
| Existing Zoning | TC-2 |
| Proposed Zoning | TC-3 CZ |
| Application Process | Conditional Zoning |
| Comprehensive Plan Elements | A Place for Everyone, Community Prosperity & Engagement, Good Places, New Spaces, Town and Gown Collaboration |
| Overlay Districts | Franklin Rosemary Historic District |

| Topic | Requirement | Proposal | Status |
|---|---|---|----------|
| Use/Density (Sec. 3.7) | Allowed as principal or accessory use | proposed as principal use | |
| Dimensional Standards (Sec. 3.8) | Lot size & density n/a, frontage 12', lot width 15', bldg ht setback 44', bldg ht core 120', setbacks 0, impervious n/a, FAR 4.00 | frontage 1,117', lot width 461', bldg ht setback 44'-60', bldg ht core 90'-115', FAR 3.51 | M |
| Floor area (Sec. 3.8) | FAR 4.00 max | 3.51 | |
| Modifications to Regulations (Sec. 4.5.6) | n/a | n/a | n/a |
| Adequate Public Schools (Sec. 5.16) | n/a | n/a | n/a |
| Inclusionary Zoning (Sec. 3.10) | n/a | n/a | n/a |
| Landscape | | | |
| Buffer – North (Sec. 5.6.2) | n/a | n/a | n/a |
| Buffer – East (Sec. 5.6.2) | n/a | n/a | n/a |
| Buffer – South (Sec. 5.6.2) | 10' B | 10' B | |
| Buffer – West (Sec. 5.6.2) | n/a | n/a | n/a |



| | | | |
|--|--|---|-----|
| Tree Canopy (Sec. 5.7) | n/a | n/a | n/a |
| Landscape Standards (Sec. 5.9.6) | n/a | n/a | n/a |
| Environment | | | |
| Resource Conservation District (Sec. 3.6) | n/a | n/a | n/a |
| Erosion Control (Sec. 5.3.1) | comply with regs | will comply with regs | ✓ |
| Steep Slopes (Sec. 5.3.2) | n/a | n/a | n/a |
| Stormwater Management (Sec. 5.4) | 85% TSS for new impervious, 2-year volume control, 1,2,25-year peak flow control | all will be met through reduction of impervious cover | ✓ |
| Land Disturbance | no limit | ±70,000 sf (on and off-site) | ✓ |
| Impervious Surface (Sec. 3.8) | no limit | reduction proposed | ✓ |
| Solid Waste & Recycling | recycle demo materials | will recycle what can be recycled | ✓ |
| Jordan Riparian Buffer (Sec. 5.18) | n/a | n/a | n/a |
| Access and Circulation | | | |
| Road Improvements (Sec. 5.8) | n/a | n/a | n/a |
| Vehicular Access (Sec. 5.8) | Access to public street | adequate access | ✓ |
| Bicycle Improvements (Sec. 5.8) | n/a | n/a | n/a |
| Pedestrian Improvements (Sec. 5.8) | provide safe pedestrian access | safe pedestrian access will be provided | ✓ |
| Traffic Impact Analysis (Sec. 5.9) | pay Town's TIA fee | fee will be paid | ✓ |
| Vehicular Parking (Sec. 5.9) | no min, 1/375 sf office floor area max & 1/250 sf research activities floor area max | 100-200 spaces | ✓ |
| Transit (Sec. 5.8) | n/a | n/a | n/a |
| Bicycle Parking (Sec. 5.9) | 4 min + 2/2,500 sf office floor area & 2/4,000 sf research activities floor area | 149-214 spaces | ✓ |
| Parking Lot Standards (Sec. 5.9) | n/a | parking deck | n/a |
| Technical | | | |



| | | | |
|--|--|-------------|-----|
| | | | |
| | | | |
| Fire | dry standpipe, aerial apparatus access to one full side of structure | will comply | |
| Site Improvements | n/a | n/a | n/a |
| Schools Adequate Public Facilities (Sec. 5.16) | n/a | n/a | n/a |
| Recreation Area (Sec. 5.5) | n/a | n/a | n/a |
| Lighting Plan (Sec. 5.11) | shielded fixtures, limited off-site spill | will comply | |
| Homeowners Association (Sec. 4.6) | n/a | n/a | n/a |

| 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.

| | | | |
|-----|--|----------------|--------|
| X | Application fee (refer to fee schedule) | Amount Paid \$ | 380.00 |
| X | Pre-application meeting – with appropriate staff (pending) | | |
| X | Digital Files - provide digital files of all plans and documents | | |
| X | Concept Project Fact Sheet | | |
| X | Statement of Compliance with Design Guidelines (1 copies) | | |
| X | Statement of Compliance with Comprehensive Plan (1 copies) | | |
| n/a | Affordable Housing Proposal, if applicable (Rezoning Policy or Inclusionary Ordinance) | | |
| 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 | Amount Paid \$ | 371.00 |
| X | 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 | | |
| n/a | Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals | | |
| X | 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

150 E Rosemary Redevelopment – Developer’s Program and Statement of Compliance

Developer’s Program

The 150 E Rosemary Redevelopment project will create up to 250,000 square feet of office and research/lab facilities space for business and institutional tenants. This project will be an integral component of the revitalization and redevelopment strategy for E Rosemary Street, creating space for hundreds of new jobs for office, technology, research, life sciences, etc. and opportunity for supporting jobs and businesses in the heart of downtown. The 150 E Rosemary Redevelopment project will also create a new community green space at the southwest corner of E Rosemary Street and Henderson Street, which will provide an inviting open space for the community to share. The development will also improve the streetscape along the frontage of the property with widened sidewalks and street tree planting extending to the corner of Henderson Street.

The new office/lab building will be located on the site of the existing Wallace parking deck. The Wallace parking deck parcel is 1.49 acres. The Town of Chapel Hill currently owns this property and will be exchanging this parcel with Grubb Properties for the land currently occupied by the ‘CVS’ parking deck combined with the surface parking lot immediately to the east. These two properties will create a combined parcel of approximately 1.6 acres and will be developed into the Rosemary Street parking deck, a new six-level parking deck that will park between 1,000 and 1,100 cars.

The existing Wallace parking deck is a three-level structure with 309 parking spaces and some ancillary office space currently used by the Town for Parking Management. The structure was built over 25 years ago and will require ongoing capital improvements to extend its service life. The new office/lab building will potentially provide up to two levels of parking structure at or below street grade and will park approximately 100-200 cars.

Statement of Compliance with Design Guidelines

The new office/lab building will be architecturally integrated with the 136 E Rosemary Street, 137 E Franklin Street and Rosemary Street Parking Deck projects proposed directly west and across E Rosemary Street. The project will include a community green space, year-round landscape plant material, site furnishings, and special lighting. The overall project will be transformative to E Rosemary Street creating a vibrant, safe, and attractive corridor that will help revitalize this important part of Downtown.

Statement of Compliance with Comprehensive Plan

This proposal meets several goals of the comprehensive plan, as follows:

Theme 1: A Place for Everyone

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (PFE.1).
- A welcoming and friendly community that provides all people with access to opportunities (PFE.4)

Theme 2: Community Prosperity and Engagement

- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1).
- Foster success of local businesses (CPE.2).

Theme 4: Good Places, New Spaces

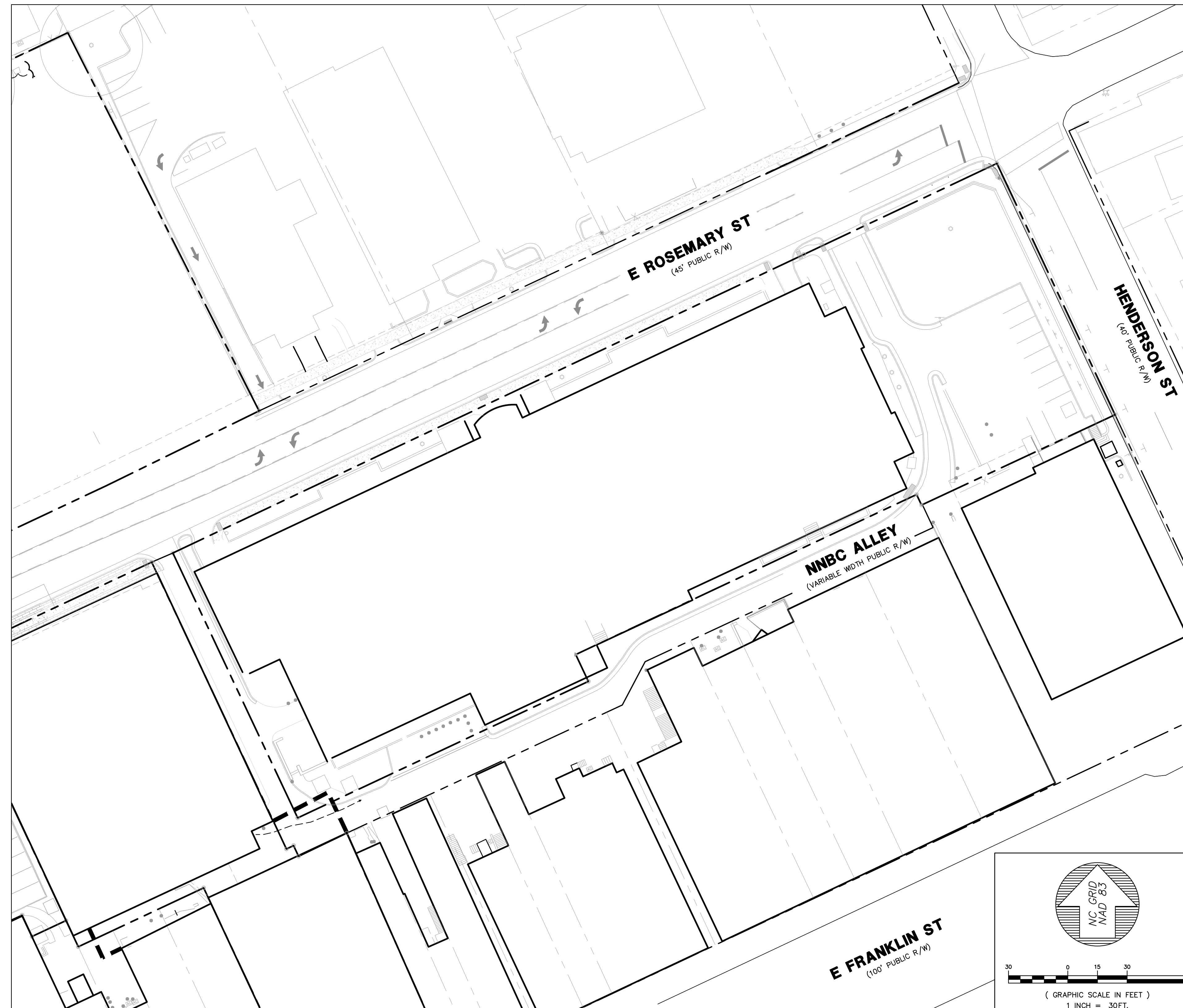
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential and cultural development and activity (GPNS.2).
- A community that welcomes and supports change and creativity (GPNS.6).
- Open and accessible common spaces for community gathering, cultural uses, and community development (GPNS.7)

Theme 6: Town and Gown Collaboration

- 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).



| <u>SHEET</u> | <u>DRAWING TITLE</u> | <u>LATEST ISSUE DATE</u> |
|--------------|--------------------------|------------------------------|
| G0001 | COVER SHEET | 20 NOV 20 |
| C0001 | AREA MAP | 20 NOV 20 |
| C0101 | EXISTING CONDITIONS PLAN | 20 NOV 20 |
| S-1 | ILLUSTRATIVE SITE PLAN | 20 NOV 20 |




| DATE | REVISIONS | NUM |
|-----------|---------------------------|--|
| | | OWNER INFORMATION |
| | | GRUBS PROPERTIES, INC. |
| | | 117 EDINBURGH SOUTH DR. |
| | | SUITE 110 |
| | | CARY, NC 27511 |
| | | OWNERS REPRESENTATIVE: |
| | | JOE DYE |
| | | (919) 388-5774 |
| | | FAX (919) 461-3939 |
| | | EMAIL joedye@grubsp.com |
| DATE | ISSUED | |
| 20 NOV 20 | CONCEPT PLAN SUBMITTAL #1 | |

**150 E. ROSEMARY REDEVELOPMENT
150 E. ROSEMARY ST.
CHAPEL HILL, NORTH CAROLINA**

| |
|---------------------|
| JOB #: 119016.03 |
| DATE: 20 NOV 20 |
| SCALE: AS NOTED |
| DRAWN BY: T.L.P. |
| REVIEWED BY: D.W.S. |











SHEET
G0001

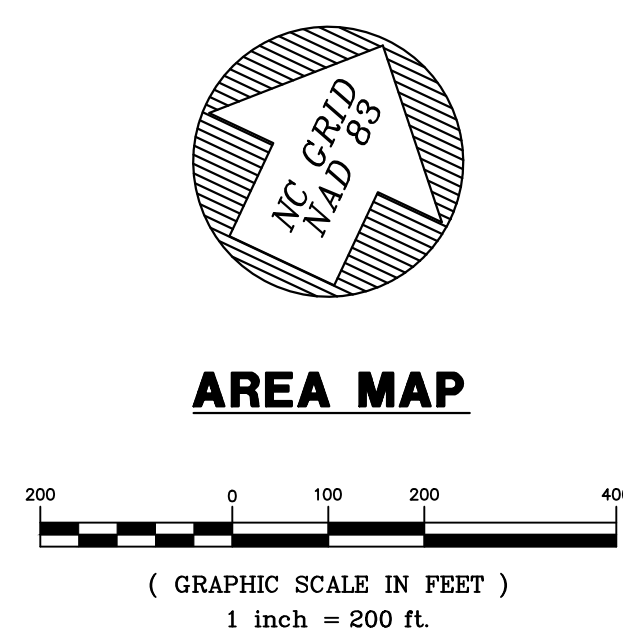
**PERKINS—
EASTMAN**

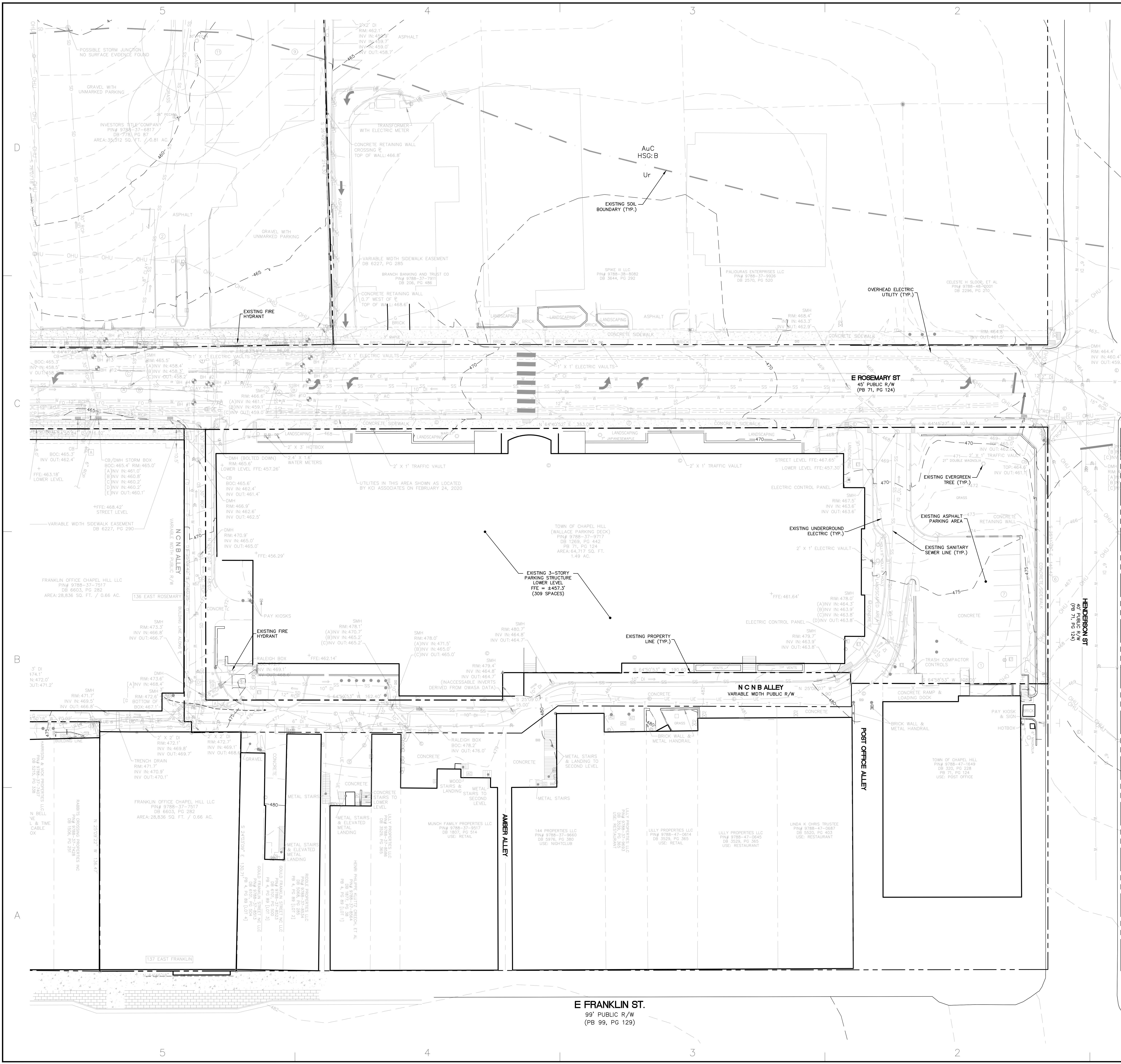
 **BALLENTINE
ASSOCIATES, P.A.**
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481 (919) 489 - 4789

**REVIEW DRAWING
NOT FOR CONSTRUCTION**

| ADJOINER PARCEL DATA | | | | |
|-----------------------------|--|--------------|---------------|-------------------------|
| LABEL # | OWNER(S) | PIN # | ZONING | CURRENT LAND USE |
| 2 | FRANKLIN OFFICE CHAPEL HILL LLC | 9788-37-7517 | TC-3 | OFFICE |
| 3 | TOWN OF CHAPEL HILL | 9788-37-5557 | TC-2 | PARKING LOT |
| 4 | TOWN OF CHAPEL HILL | 9788-37-4469 | TC-2 | PARKING LOT |
| 5 | CELESTE H. SLOOP | 9788-48-0001 | TC-2 | PARKING LOT |
| 6 | PALOURAS ENTERPRISES LLC | 9788-37-9926 | TC-2 | RESTAURANT |
| 7 | SPIKE III LLC | 9788-38-8082 | TC-2 | OFFICE |
| 8 | BRANCH BANKING AND TRUST CO. | 9788-37-7911 | TC-2 | BANK |
| 9 | INVESTORS TITLE COMPANY | 9788-37-6817 | TC-2-CZ | PARKING LOT |
| 10 | FRANKLIN OFFICE CHAPEL HILL LLC | 9788-37-4748 | TC-2-CZ | PARKING DECK |
| 11 | TOWN OF CHAPEL HILL | 9788-47-1649 | TC-1 | POST OFFICE |
| 12 | CHRIS LINDA K. TRUSTEE | 9788-47-0687 | TC-1 | RESTAURANT |
| 13 | LILLY PROPERTIES LLC | 9788-47-0645 | TC-1 | RESTAURANT |
| 14 | CAROLYN R COBB ETAL | 9788-47-0614 | TC-1 | RETAIL |
| 15 | LILLY NANCY COBB/ LILLY PROPERTIES LLC | 9788-37-9693 | TC-1 | RESTAURANT |
| 16 | 144 PROPERTIES LLC | 9788-37-9660 | TC-1 | NIGHTCLUB |
| 17 | MUNCH FAMILY PROPERTIES LLC | 9788-37-9517 | TC-1 | RETAIL |

| <u>SYMBOL</u> | <u>DESCRIPTION</u> |
|---|---|
|  | 1000' NOTIFICATION LINE |
|  | ZONING BOUNDARY |
|  | FRANKLIN-ROSEMARY HISTORIC DISTRICT |
|  | CAMERON-MCCAULEY HISTORIC DISTRICT |
|  | NORTHSIDE NEIGHBORHOOD CONSERVATION DISTRICT |
|  | CHAPEL HILL TRANSIT ROUTE |
|  | ZONING CLASSIFICATION |
|  | EXISTING FIRE HYDRANT |
|  | EXISTING BUS STOP |
|  | PROJECT SITE |

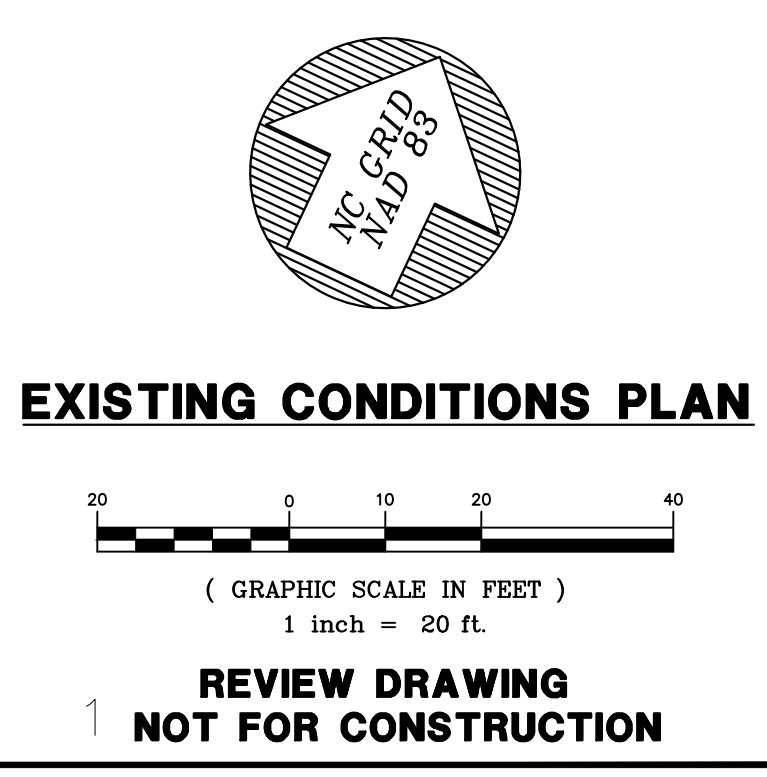




- NOTES**
- EXISTING CONDITIONS SHOWN ARE BASED UPON SITE SURVEYS PERFORMED BY BALLENTINE ASSOCIATES, KCI ASSOCIATES AND ORANGE COUNTY GIS DATA.
 - THE PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP 3710978800K.
 - CONTRACTOR SHALL HAVE NORTH CAROLINA ONE 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.
 - ALL STEEP SLOPES ARE EITHER LESS THAN 400 SQ FT OR ARE ASSOCIATED WITH ROADWAY, PARKING LOTS OR DRIVEWAYS WHICH ARE EXCLUDED FROM ANY SPECIAL CONSTRUCTION TECHNIQUES.
 - SEE AREA MAP, C0001, FOR NEAREST CHAPEL HILL TRANSIT ROUTES.

| BOREHOLES | | | |
|-----------|-------------------------|-----------|----------------------|
| BH # | DESCRIPTION | HUB ELEV. | TOP ELEV. OF UTILITY |
| #1 | 6" DIP WM | 465.83 | 459.87 |
| #2 | 2 1/2" WSGM | 466.23 | 464.28 |
| #3 | 36"X18" CONC. DUCT BANK | 466.29 | 465.22 |
| #4 | 6" CIPWM | 466.07 | 462.73 |
| #5 | 18"X18" DUCT BANK | 467.43 | 463.44 |
| #6 | 1" COPPER WATER | 467.15 | 464.34 |
| #7 | 36"X18" CONC. DUCT BANK | 467.11 | 464.91 |
| #7a | ELECTRILE | 466.98 | 464.78 |
| #8 | 3" WSGM | 467.34 | 465.16 |
| #9 | 6" CIPWM | 467.48 | 463.67 |
| #10 | 12" ACWM | 467.25 | 461.79 |
| #11 | 3" WSGM | 465.21 | 463.09 |
| #12 | 36"X18" CONC. DUCT BANK | 465.27 | 463.93 |
| #13 | 36"X18" CONC. DUCT BANK | 464.95 | 462.96 |

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



BALLENTINE ASSOCIATES, P.A.

221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514

(919) 929-0461

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REGISTERED PROFESSIONAL ENGINEER

NOT FOR CONSTRUCTION

DATE

REVISIONS

DATE

ISSUED

CONCEPT PLAN SUBMITTAL #1

OWNER INFORMATION

DRB8 PROPERTIES, INC.

117 EDENBURGH SOUTH DR.

SUITE 110

CARY, NC 27511

OWNERS REPRESENTATIVE:

JOE DYE

(919) 388-5774

FAX (919) 461-3939

EMAIL joedye@drb8properties.com

150 E. ROSEMARY REDEVELOPMENT

150 E. ROSEMARY ST.

CHAPEL HILL, NORTH CAROLINA

CONCEPT PLAN DRAWINGS

JOB # 119016.03

DATE: 20 NOV 20

SCALE: AS NOTED

DRAWN BY: T.L.P.

REVIEWED BY: D.W.S.

SHEET

C0101

**125 E ROSEMARY ST.
PARKING DECK**

132

E. ROSEMARY STREET

136 E ROSEMARY ST.

PARKING
ENTRY

150 E ROSEMARY STREET
6-8 STORY
RESEARCH BUILDING

LOADING

PARKING
ENTRY

**TOWN
GREEN**

NCNB ALLEY

136 E FRANKLIN ST.

**POST
OFFICE**

HENDERSON STREET

POST OFFICE ALLEY

**ILLUSTRATIVE
SITE PLAN
S - 1**