

RESOLUTION A

(Approving the Special Use Permit Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR 11SIXTY5 WEAVER DAIRY ROAD (PROJECT #17-112) (2018-06-13/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit application, proposed by Comprop LLC, for property located at 1165 Weaver Dairy Road and identified as Orange County Property Identifier Number 9880-35-0595, if developed according to the Site Plan dated November 30, 2017 and last revised February 22, 2018 and the conditions listed below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Land Use Management Ordinance;
3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

MODIFICATIONS TO REGULATIONS

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

Section 5.6.6 Buffer Modification: To modify the western property line buffer from the required minimum 10 foot Type "B" buffer to a buffer 7 feet in width with reduced planting quantities.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the reduced buffer is adjacent to an existing buffer and as both properties are commercial uses, pedestrian and vehicle connections between the two properties is anticipated.

Section 5.6.6 Buffer Modification: To modify the northern property line buffer from the required minimum 30 foot Type "C" buffer to a buffer varying between 11 feet and 25 feet in width with reduced planting quantities. A reduction of 50 percent of tree plantings is requested.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the reduced buffer will be planted with all required shrubs while still providing separation from the street.

Section 5.6.6 Buffer Modification: To modify the eastern property line buffer with reduced planting quantities as the area is encumbered with a utility easement. A reduction of 65 percent of the tree plantings is requested with all the shrubs to be installed.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the reduced buffer will be planted with all required shrubs while still providing separation from the adjoining commercial property.

Section 5.3.2 Steep Slopes: To modify the maximum 25 percent disturbance of the areas with slopes exceeding 25 percent. Proposing to disturb 5,735 sq. ft., the entire area of steep slopes.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff believes the steep slopes on this site are man-made and are not necessary to protect water bodies, to protect plant and animal habitats, or to preserve the natural beauty and economic value of the Town's wooded hillsides.

STIPULATIONS SPECIFIC TO 11SIXTY5

1. Construction Deadline: That construction begin by June 13, 2020 (two years from the date of approval) to be completed by June 13, 2022 (four years from the date of approval). [LUMO 4.5.5]

2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Commercial/Office	
Number of Buildings	1
Gross Land Area	86,412 sq. ft.
Maximum Floor Area	48,624 sq. ft.
Total Impervious Surface	58,219 sq. ft.
Maximum Land Disturbance	83,200 sq. ft.
Maximum Parking Spaces	232 spaces
Minimum Bicycle Parking Spaces	24 spaces

3. Electric Vehicle Charging: Three parking spaces within the parking deck shall be dedicated for electric vehicle charging spaces with stations installed.

Transportation

4. Traffic Signal Timing: That prior to issuance of a Zoning Compliance Permit, the developer shall provide a \$2,000 payment to the Town for retiming signals in proximity to the site.
5. Pedestrian Crosswalk: That the existing crosswalk on Weaver Dairy Road, just east of the site, be upgraded with signage and LED lighting prior to issuance of a Certificate of Occupancy.
6. Pedestrian Warning Signage: That prior to issuance of a Certificate of Occupancy, pedestrian warning signage be installed at the site driveway on Weaver Dairy Road.
7. Bicycle Parking: That a minimum of four bicycle parking spaces be located near the front entrance.
8. Bicycle Parking Signage: That signage be located at the bicycle parking spaces located near the front entrance informing users of additional bicycle parking in the garage.

9. Electric Vehicle Conduit: That conduit be installed, serving a minimum of 20 percent of the vehicle parking spaces, for future electric vehicle charging stations prior to issuance of a Certificate of Occupancy.
10. Vehicle Charging Signage: That signage be placed, prior to issuance of Certificate of Occupancy, directing users to parking with electric vehicle charging stations.
11. Pedestrian Passage through Garage: That efforts be taken to ensure pedestrian safety through the parking garage.
12. Bicycle Wayfinding Signage: That prior to issuance of a Certificate of Occupancy, bicycle wayfinding signage be installed directing cyclist to bicycle parking located at the rear of the building.

Miscellaneous

13. Stormwater Structures: No stormwater management structures are permitted in the rights-of-way or building setbacks. This includes the outlet structure and stabilization, any underdrains, side slopes, and the downgradient toe of french drains. Further, the discharge must be in a sheet flow condition.
14. Parking Deck Lighting: That the parking deck lighting be shielded as much as possible from the exterior.
15. Parking Deck: That all four elevations of the parking deck be designed with architectural cladding.
16. Shade Trees: That shade trees be provided on the plaza facing Weaver Dairy Road.

TOWN OF CHAPEL HILL – SPECIAL USE PERMIT STANDARD STIPULATIONS

The following standard stipulations are supplemental to site-specific conditions as set by Town Council-approved resolution. Unless modified by the site-specific conditions, these standards apply to all development permitted by Special Use Permits.

Access

17. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

Transportation

18. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, it will be necessary to submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]
19. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 4.5.2]
20. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design. [Town Code 5.9.5]
21. Parking Lot Landscape and Screening: That the parking lot landscape design shall adhere to the standards of Ordinance. [LUMO 5.9.6]
22. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and N.C. Department of Transportation prior to a Zoning Compliance Permit.
23. Driveway Permit: It will be necessary to obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fees, and any necessary performance and indemnity bonds.
24. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.
25. Off-Site Construction Easements: Prior to any land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]

26. Site Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]
27. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
28. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, the developer shall repair all damage for work in the public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. [Town Code 6.10]
29. Street Closure Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager and NCDOT approval, for any work requiring street, sidewalk, or lane closure. [Town Code 21.7.1]
30. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager and NCDOT. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]
31. North Carolina Department of Transportation Approvals: Plans for improvements to State-maintained roads shall be approved by NCDOT prior to issuance of a Zoning Compliance Permit for the development.

Landscaping and Building Elevations

32. Invasive Exotic Vegetation: That prior to issuance of a Zoning Compliance Permit, the applicant shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal from the landscape buffer areas prior to planting. [Town Design Manual]
33. Minimum Landscape Caliper Size: That prior to issuance of the Certificate of Occupancy, all proposed landscape materials shall be planted with a minimum as identified in the Town Design Manual. [Town Design Manual]
34. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval from the Community Design Commission shall be required for any proposed alternate buffer. [LUMO 5.6.8]
35. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species, and indicate which trees will be removed and which will remain. [LUMO 5.7.3]
36. 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 and a

detail of the tree protection fence. Tree protection fencing shall be provided around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]

37. 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 approvals. [LUMO 4.5.3]
38. Tree Canopy: That a minimum of tree canopy coverage be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with LUMO Section 5.7.2 shall be included. [LUMO 5.7.2]
39. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
40. Demolition Plan: Prior to beginning any proposed demolition activity, it will be necessary to obtain demolition permits from both Planning and Inspections. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit may be acquired from Planning prior to proceeding with a demolition permit application to Inspections.
41. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution; and 2) off-site spillage of light. [LUMO 8.5.5]
42. Community Design Commission Approval: That the developer obtain Community Design Commission approval of building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.4.6] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission.

Environment

43. Stormwater Management Plan: Development projects must comply with the *Section 5.4 Stormwater Management* of the Land Use Management Ordinance. [LUMO 5.4]
44. Phasing Plan: If phasing of the project is proposed, that prior to issuance of a Zoning Compliance Permit, the property owner 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 which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases are complete, with a note to this effect on the final plans and plats. [LUMO 4.9.2]
45. 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. [LUMO 4.5.2]

46. Silt Control: That the developer take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent roadways. [LUMO 4.5.2, Town Code Chapter 5]
47. Erosion Control Inspections: That, in addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and maintain inspection logs documenting the daily inspections and any necessary repairs. [LUMO 4.5.2]
48. 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. [LUMO 4.5.2]
49. As-Built Plans: That prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [LUMO 4.9.2]
50. On-Site/Adjacent Stormwater Features: That the final plans locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [LUMO 4.9.2]
51. 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. [LUMO 4.9.2]
52. Energy Efficiency: That the Final Plans incorporate a "20 percent more energy efficient" feature relative to the energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of building permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the Applicant when incorporating the "20 percent more energy efficient" feature into the final plans.
53. Energy Management Plan: That the final plan application include an Energy Management Plan. 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; d) include on-going energy management practices, and e) that the property owner reports to the Town of Chapel Hill both the expected energy consumption as part of a model prior to issuance of a Zoning Compliance Permit and the actual energy consumption as per to sealed engineering calculations at the time construction is completed.

Water, Sewer, and Other Utilities

54. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, and 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. [LUMO 4.5.3]
55. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan, providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]
56. Relocation of Overhead Utilities Underground: Prior to a Certificate of Occupancy, the developer will install underground all public utilities that are currently located overhead on the site except for 3 phase or greater electric lines. [LUMO 5.12.2]
57. Water/Sewer Line Construction: That all public water and sewer plans 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. Prior to issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager. [LUMO 5.12.1]
58. OWASA Approval: That prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12.1]

Fire Safety

59. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Code prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]
60. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
61. Hydrants Active: The developer shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13. [NC Fire Protection Code Section 507.5.6]
62. Fire Hydrant and FDC Locations: The Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department

Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC Fire Protection Code Section 507.5.6]

63. 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. [NC Fire Code, Section 1410.1]
64. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]
65. Heavy-Duty Paving: Prior to issuance of a Certificate of Occupancy, the developer shall, in designated areas, provide heavy duty paving designed and built to withstand fire apparatus weighing at least 75,000 pounds. [Town Design Manual]
66. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC Fire Code, Sections 503.3, D103.6, D103.6.1, D103.2]

Solid Waste Management and Recycling

67. 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. Prior to issuance of a Zoning Compliance Permit, the developer shall provide documentation of an agreement for solid waste collection by a private provider. [Orange County Solid Waste]
68. 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. [Orange County Solid Waste]

State and Federal Approvals

69. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]

70. North Carolina Department of Transportation Approvals: That prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

Miscellaneous

71. Offsite Construction Easements: That prior to any land disturbance on abutting properties the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
72. 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. [LUMO 4.5.2, TOWN CODE 17-42]
73. Traffic and Pedestrian Control Plan: The developer shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the developer must apply to the Town Manager for a lane or street closure permit. [LUMO 4.5.2, TOWN CODE 17-42]
74. Construction Sign Required: The developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (§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. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.3]
75. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public Schools or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]
76. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [TOWN CODE, Article 9]
77. Detailed Plans: That prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]

78. Certificates of Occupancy: That no Certificates of Occupancy shall 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, no Certificates of Occupancy shall be issued for a phase until all required public improvements for that phase are complete; and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase; and that a note to this effect shall be placed on the final plats.

79. Traffic Signs: That the property owners shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.

80. New Street Names and Numbers: That the name of the development and its streets and house/building numbers be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

81. As-Built Plans: That prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.
[LUMO 4.9.2]

82. 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 the Chapel Hill Land Use Management Ordinance.

83. 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.

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

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit for 1165 Weaver Dairy Road.

This the 13th day of June, 2018.