

# SPECIAL USE PERMIT MINOR MODIFICATION APPLICATION



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

Parcel Identifier Number (PIN): 9798-04-72-5824

Date: 9-23-18

## Section A: Project Information

Project Name: Tri-City Medical Building

Property Address: 5002 Barbee Chapel Road

Zip Code: 27514

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

Existing Zoning District: R-5-C

Project Description: Construction of a new medical office building with parking deck

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

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

Name: Tri-City, Inc. - Barry Embler

Address: 1227 Rockingham Road

City: Rockingham

State: NC

Zip Code: 28379

Phone: (910) 997-2544

Email: bembler@tricityinc.net

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:

*Barry Embler*

Date:

9-23-18

### Owner/Contract Purchaser Information:

☒ Owner

☐ Contract Purchaser

Name: Tri-City, Inc. - Barry Embler

Address: 1227 Rockingham Road

City: Rockingham

State: NC

Zip Code: 28379

Phone: 910-997-2544

Email: bembler@tricityinc.net

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:

*Barry Embler*

Date:

9-23-18



**SPECIAL USE PERMIT MINOR MODIFICATION APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

This application is for minor modifications to an existing Special Use Permit as defined by Subsection 4.5.4(b)(1-7) of the Land Use Management Ordinance. The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

<input type="checkbox"/>	<b>Application fee</b> ( <a href="#">refer to fee schedule</a> )	Amount Paid \$ <input type="text"/>
<input type="checkbox"/>	<b>Digital Files</b> - provide digital files of all plans and documents	
<input type="checkbox"/>	<b>Written Narrative</b> describing the proposal	
<input type="checkbox"/>	<b>Statement of Justification</b>	
<input type="checkbox"/>	<b>Copy of recorded Special Use Permit</b>	
<input type="checkbox"/>	<b>Approved plans and proposed changes to approved plans</b>	
<input type="checkbox"/>	<b>Reduced Site Plan Set</b> (reduced to 8.5"x11")	



September 23, 2018

Mr. Ben Hitchings  
Planning Director  
Town of Chapel Hill  
405 Martin Luther King, Jr Blvd  
Chapel Hill NC 27514

Subject: Tri-City Medical building, 5002 Barbee Chapel Road, Special Use Permit: Construction Start Time Extension Request Permit # 14-070; PIN 9798-04-72-5824

Dear Mr. Hitchings

On December 2, 2016 a sister company of Tri-City, Inc., Tri-City Investments 2, LLC, closed on the purchase of the property located at 5002 Barbee Chapel Road. A Special Use Permit and a Meadowmont Master Land Use Plan Modification was granted by the Town of Chapel Hill on November 23, 2015 to develop a business office of up to 60,000 square feet. The approved Special Use Permit required that construction begin by November 23, 2017. In November 2017, the Planning Director approved a 12-month time limit extension to start construction until November 23, 2018.

Tri-City, Inc. is respectfully requesting a 24-month extension of the required construction start date until November 23, 2020. Tri-City has continued to make good faith and diligent efforts toward completion of the project by closing on the property and working with architects, land planners, civil engineers and consultants in the design of the site and building and retaining the services of Jones Lang LaSalle Brokerage, Inc. to assist with marketing and soliciting prospective tenants for the building and to assist with the construction budgeting and management.

To date, Tri-City has incurred the following project costs for this development:

Land Purchase -12-2-2016	\$ 2,207,275.62
Fee paid to Meadowmont Development to increase the Floor Area allocation for from 19,200 to 60,000 SF	600,000.00
Permitting Costs	25,887.00
Building Demolishing Costs	37,329.56
Architectural and Design Fees	67,097.67
Land Planning and Civil Engineering	90,110.61
Financing Costs	
Loan Origination Fee	12,000.00
Interest Cost Jan. 12-2/2016 - 8/31-2018	130,044.44
Property Tax (2017 and 2018)	43,090.24
Property Maintenance and Association Fee	9,924.00
<b>Total Cost Incurred to date</b>	<b>\$ 3,222,759.14</b>

Tri-City, Inc.  
1227 Rockingham Road, Rockingham, NC 28379  
(P) 910-997-2544 – (F) 910-997-4042

The project's current conceptual design and site plans have been prepared to comply with the requirements of the Special Use Permit. Tri-City, Inc. plans to develop a signature building while keeping the proposed design within the existing context, scale and landscape form of the current environment. The site plan does maintain the existing 75 ft. buffer along NC HWY 54 while engaging and providing for the anticipated transportation needs for the rail transit system (reserving a 50-foot easement), bicycle pedestrian, and the public.

When the project was approved by the Town Council, we did not receive any opposition from the public and instead the comments received were in favor of cleaning up this highly visible and prominent site located at the gateway of the entrance into Chapel Hill. We have since demolished the condemned buildings and maintained the site and have received positive feedback from neighboring residents.

We have had to continue to modify our design plans to address the feedback and demands of our prospective tenants. We are having to spend more time than anticipated engineering the design and cost to be more in-line with market without sacrificing quality or design criteria, such as LEED certification. Our delay has been a result of not securing a pre-leasing commitment from an anchor tenant so that we can modify and finalize the design plan to meet their requirements. We have made presentations to several prospective office and medical tenants and will continue to aggressively pursue this.

Tri-City, Inc. has developed over 10 million square feet of retail and medical/office space and currently owns properties in twenty states. Two of our properties (The Lowe's Home Improvement store and the UNC Center for Rehabilitation Care) are in Chapel Hill.

With this application, Tri-City, Inc. is requesting an extension of the Construction start date within the approved Special Use Permit for the Barbee Chapel Road Site with no modifications to the other conditions of the Special Use Permit.

We hope you will find this enough to grant our request. Please contact us if you need further clarification, explanation or additional information.

Thank you in advance for your consideration to this request.

Sincerely yours

A handwritten signature in black ink, appearing to read 'Neil Robinette', with a stylized, flowing script.

Neil Robinette  
Chief Executive Officer



**TOWN OF CHAPEL HILL**  
**Planning and Development Services**

405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514-5705

*phone* (919) 969-5062 *fax* (919) 969-2014  
[www.townofchapelhill.org](http://www.townofchapelhill.org)

December 1, 2017

Daniel A. Jewell, PA  
Coulter Jewell Thames, PA  
111 West Main Street  
Durham, NC 27701

Subject: Tri-City Medical Building, 5002 Barbee Chapel Road, Special Use Permit: Construction  
Start Time Limit Extension, Permit #14-070; PIN 9798-04-72-5824

Dear Mr. Jewell,

Town staff has reviewed your request (attached) for an extension of the construction start time for Tri-City Medical Building. I have reviewed the request in accordance with Section 4.5.5(b) of the Chapel Hill Land Use Management Ordinance and have determined that the permit has proceeded with due diligence, good faith, and conditions have not changed enough as to warrant reconsideration and require Town Council re-approval.

The approved Special Use Permit (attached) required that construction begin by November 23, 2017. In approving your request, I hereby grant a twelve (12) month extension of the construction start date, to the new start date of November 23, 2018 in accordance with Section 4.5.5(b) of the Chapel Hill Land Use Management Ordinance. Further extension of the construction start date would require consideration by the Council.

Should you have any questions, please contact Judy Johnson at [jjohnson@townofchapelhill.org](mailto:jjohnson@townofchapelhill.org) or by calling 919-969-5078.

Sincerely,

Ben Hitchings  
Planning Director

Prepared by: Judy Johnson, Chapel Hill Planning Department



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

DURHAM COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS that the undersigned developer, Tri-City, Inc., having applied to the Town of Chapel Hill for a Special Use Permit, was granted by the Town of Chapel Hill on November 23, 2015, the terms of which are as follows:

NAME OF PROJECT: Tri-City Medical Building  
NAME OF DEVELOPER: Tri-City, Inc.

DESCRIPTION OF PREMISE

LOCATION: 5002 Barbee Chapel Road  
DURHAM COUNTY PARCEL IDENTIFIER NUMBER: 9798-04-72-5824

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 101,800 s.f.  
FLOOR AREA: 60,000 s.f.  
PARKING SPACES: 240 Vehicular parking spaces  
52 Bicycle parking spaces

Development according to the site plan dated October 31, 2014 and last revised March 27, 2015, on file in the Chapel Hill Planning Department:

Stipulations Specific to the Development

- 1. Construction Deadline: That construction begin by November 23, 2017, and to be completed by November 23, 2019.
- 2. Land Use Intensity: This Special Use Permit authorizes the following:

Use: Business, Office-type, Clinic	
Gross Land Area	101,800 square feet
Total Floor Area Allowed	60,000 square feet
Maximum Vehicle Parking Spaces	240 spaces
Minimum Bicycle Parking Spaces	52 spaces
Impervious Surface	43,560 square feet
Land Disturbance	87,100 square feet

3. 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.

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.

4. Performance Bond: Prior to commencing construction activity for required improvements in the public right-of-way, a performance bond shall be provided to the Town to ensure that improvements are in accordance with Town standards.

#### Access

5. Cross-Access Easement: That a vehicular and pedestrian cross-access easement for ingress and egress to and through the site from the adjoining property to the west shall be recorded with Durham County prior to issuance of a Certificate of Occupancy. The proposed easement documents shall be reviewed and approved by the Town Manager prior to recordation.
6. Low Vision Design Features: Pedestrian facilities incorporating low vision design features shall be installed with the final design to be reviewed and approved by the Town Manager and NCDOT where applicable.

#### Transportation

7. Public Right-of-Way Dedication Plat: That prior to the issuance of a Certificate of Occupancy, the developer shall submit a recorded right-of-way dedication plat for all required road improvements associated with the development. That the plat shall be reviewed and approved by the Town Manager and NCDOT prior to recordation.
8. Barbee Chapel Road Improvements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the following improvements to the site's Barbee Chapel Road frontage:
  - a. Construct five-foot wide concrete sidewalk;
  - b. Construct five-foot wide paved and striped bicycle lane;
  - c. Install curb and gutter;
  - d. Install three-foot wide utility easement;
  - e. Construct a four-foot wide concrete median from NC 54 to just north of the existing service station driveway;
  - f. Construct an exclusive northbound left turn lane into the site, with a minimum of 125 feet of full wide storage and appropriate taper on Barbee Chapel Road.
9. Barbee Chapel Road and Marriott Way: The intersection of Barbee Chapel Road and Marriott Way is proposed to be restricted to right-turns only when exiting from Marriott Way. The restricted access design is subject to review and approval by NCDOT and the Town of Chapel Hill prior to issuance of a Zoning Compliance Permit.
10. Traffic Signal Payment-in-lieu: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a \$2,000 payment to the Town for retiming traffic signals in proximity to the site.
11. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, it will be necessary to 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.
12. Street Closure Plan: That 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.
13. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, it will be necessary to 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.
14. Heavy Duty Structural Support: Prior to issuance of a Zoning Compliance Permit, the developer shall provide documentation that, if underground stormwater detention is proposed beneath parking areas or drive aisles, the pavement is designed to structurally support the live loads of fire trucks and garbage trucks.
15. Bicycle Parking: That 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.
16. 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.
17. 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.
18. NC 54/I-40 Corridor Study and Durham-Orange Light Rail Project: That the owner shall acknowledge that this property may be the site of future transportation related improvements as described, now or in the future, in the NC 54/I-40 Corridor Study and the Durham-Orange Light Rail Project.
19. Future Transit Corridor: Prior to issuance of a Zoning Compliance Permit, a final plat shall include dedication of a 50 foot wide easement reserved for a future transit corridor encompassing the C2 Option, as identified by the Durham-Orange Light Rail Corridor project. Upon completion of the light rail system using the C2A alternative, this easement may be abandoned.

20. Low Vision Design Features: Pedestrian facilities should incorporate low vision design features.

Landscape and Architecture

21. Landscape Bufferyards: That the developer shall provide the following bufferyards:

Location	Required Buffer
East – Barbee Chapel Road	50 foot
North – NC 54	75 foot with selective thinning (as modified by the Master Land Use Plan)
West – Marriott Hotel	10 foot Type B
South – Single-family and Finley Forest Complex	8 foot Alternative

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.

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 and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, 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. 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.

26. Community Design Commission Approval: That the applicant obtain Community Design Commission approval of building elevations and lighting, including the location and screening of all HVAC/Air Handling Units for this project, prior to issuance of a Zoning Compliance Permit. That prior to issuance of a Zoning Compliance Permit the 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.

27. NC 54 Buffer: That prior to the issuance of a Zoning Compliance Permit, the Community Design Commission shall approve the proposed NC 54 landscape buffer. The CDC shall consider the building elevations and views through the buffer as part of the buffer approval.

28. Alternative Buffer: That prior to the issuance of Zoning Compliance Permit, the Community Design Commission approve any proposed alternate buffer. The approval shall determine that any alternate buffer will provide the same degree of visual and noise obstruction as the required buffer.

Environment

29. Energy Management Plan: That prior to issuance of a Zoning Compliance Permit, the developer shall provide an Energy Management Plan (EMP) 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. The property owner shall provide, by the Certificate of Occupancy date, a letter sealed by a licensed professional engineer showing the anticipated energy performance of the buildings, as designed and built, satisfies the “20 percent more energy efficient” expectation.

Stormwater Management

30. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance.

31. Jordan Watershed Stormwater Management for New Development: That if the total disturbed area exceeds 0.5 acres, this project must comply with Section 5.19 Jordan Watershed Stormwater Management for New Development of the Land Use Management Ordinance to provide the required reductions in nitrogen and phosphorus loads for new development and redevelopment projects.

32. Silt Control: That the applicant takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.

33. Jordan Surety: That if the total disturbed area exceeds 0.5 acres, prior to issuance of a Certificate of Occupancy, the owner shall post a maintenance bond or other surety instrument satisfactory to the Town Manager, in an amount equal to one hundred twenty-five (125) percent of the construction cost of each stormwater management facility to assure maintenance, repair, or reconstruction necessary for adequate performance of the stormwater management facility, or establish a stormwater maintenance (sinking fund) budget and escrow account in accordance with the requirements of Section 5.19 of the Land Use Management Ordinance.

34. Erosion Control Bond: If one (1) acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. 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.

35. Erosion Control: The developer shall provide a copy of the approved erosion and sediment control permit from Durham County Erosion Control Division prior to receiving a Zoning Compliance Permit. During the construction phase, additional erosion and sediment controls may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance.
36. 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.
37. 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.
38. 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.
39. Phasing Plan: That 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.
40. 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.
41. P.E. Certification: That prior to the issuance of a Certificate of Occupancy for any phase, the developer shall provide a certification, signed and sealed by a North Carolina-licensed Professional Engineer, that the stormwater management facilities are constructed in accordance with the approved plans and specifications.
42. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy.
43. Potential Light Rail Conflict: The developer will demonstrate where an alternate stormwater treatment facility might be provided if future transportation improvement projects reduce or eliminate the capacity of the approved stormwater treatment system to meet the stormwater management requirements. It is understood that in this eventuality there might also be a possibility of a shared Stormwater treatment facility with adjacent property owner(s).

#### Water, Sewer, and Other Utilities

44. Utility/Lighting Plan Approval: That the final utility/lighting plan shall be approved by Orange Water and Sewer Authority, 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.
45. Lighting Plan: That prior to issuance of a Zoning Compliance Permit, the developer 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, providing for adequate lighting on public sidewalks, including driveway crossings, and beneath awnings, demonstrating compliance with Town standards, sealed by a Professional Engineer, for Town Manager approval.
46. Street Lighting: That the applicant/developer work with the Duke Energy to design and install AASHTO standard street lighting along all public streets on the side of the development. The design and construction details are subject to approval by the Town Manager and N.C. Department of Transportation. The developer is responsible for the design and initial construction cost of the street lighting. The Town is responsible for future operating cost of the street lighting.
47. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, it will be necessary to provide for the underground installation of all public utilities as specified by Section 5.12.2 in the Land Use Management Ordinance.
48. 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. That prior to issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager.
49. OWASA Approval: That 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

50. Fire Sprinklers: That the applicant shall install sprinklers under the North Carolina Fire Code prior to a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems.
51. Hydrants Active: That the applicant 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.

52. Fire Hydrant and FDC Locations: That 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.
53. Firefighting Access during Construction: That 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.
54. 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.
55. Heavy-Duty Paving: That prior to issuance of a Certificate of Occupancy the developer shall provide heavy duty paving designed and built to withstand fire apparatus weighing at least 75,000 pounds.
56. Fire Lane: Prior to issuance of a Certificate of Occupancy, the 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.

#### Solid Waste Management and Recycling

57. Solid Waste Management Plan: That 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.
58. 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.

#### State and Federal Approvals

59. State or Federal Approvals: That 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.
60. 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

61. 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, provide documentation of permission from the owner of said property.
62. 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) indicate how the project construction will comply with the Town's Noise Ordinance.
63. 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 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.
64. Construction Sign Required: That 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. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager.
65. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
66. 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.

- 67. As-Built Plans: That 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.
- 68. 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.
- 69. 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.
- 70. Non-Severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

\*\*\*\*\*

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

ATTEST

  
Town Clerk



BY   
The Town of Chapel Hill  
Executive Director of Planning & Sustainability PDK

ACCEPTED

\_\_\_\_\_  
Owner (Seal)

\_\_\_\_\_  
Owner (Seal)

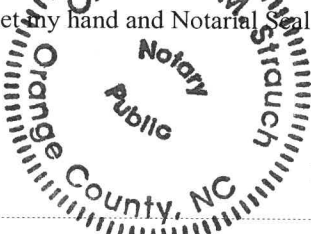
ATTEST

\_\_\_\_\_  
Neal Robinette, CEO Tri-City, Inc.

BY \_\_\_\_\_

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 Sabrina M. Oliver, 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, that Mary Jane Nirdlinger, Executive Director of Planning and Sustainability of said Town of Chapel Hill, and Sabrina M. Oliver, 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 22<sup>nd</sup> day of March, 20 16.



Christina M. Strauch  
Notary Public

My commission expires: April 16, 2018

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

WITNESS my Hand and Notarial Seal, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

THIS \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, personally come before me, \_\_\_\_\_, a Notary Public of Durham County, North Carolina, \_\_\_\_\_ who being by me duly sworn, says that he knows the common seal of the \_\_\_\_\_, and is acquainted with \_\_\_\_\_, who is President of said corporation and (s)he, \_\_\_\_\_, who is Secretary of said corporation, and saw the President sign the foregoing instrument and (s)he, the said \_\_\_\_\_, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

WITNESS my hand and Notarial Seal, this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

(Not valid until fully executed and recorded)

2. PROJECT IS LOCATED WITHIN THE MEADOWLAND DEVELOPMENT
3. THE APPROVED MEADOWLAND MASTER SITE PLAN ALLOCATES 19,200SF OF BUILDING AREA FOR THE PROPOSED PARCEL - A MINOR MODIFICATION TO THE MEADOWLAND MASTER SITE PLAN IS REQUIRED TO INCREASE BUILDING AREA FROM 19,200SF TO 60,000SF (40,800SF INCREASE IN BUILDING AREA)(PROPOSED FAR=0.6)
4. A 75' TYPE "D" LANDSCAPE BUFFER IS REQUIRED ALONG THE NC-HIGHWAY 54 FRONTAGE PER THE APPROVED MEADOWLAND MASTER LAND USE PLAN.
5. A 50' TYPE "D" LANDSCAPE BUFFER IS REQUIRED ALONG THE SHARBLE CHAPEL ROAD FRONTAGE PER THE APPROVED MEADOWLAND MASTER LAND USE PLAN.
6. PARKING FOR THE PROPOSED MEDICAL OFFICE BUILDING WILL BE WITHIN A 3-LEVEL PARKING DECK UNDER THE PROPOSED OFFICE AREA.
  - A. SPACES PER 225SF OFFICE AREA
  - 60,000SF / 225SF = 267SPACES
  - 10X ALLOWABLE PARKING REDUCTION=27 SPACES
  - PROPOSED NUMBER OF SPACES=240
  - BELIEVED TO BE TO THE PARCEL AS PART OF THE MEADOWLAND DEVELOPMENT (42,700 SPACES)
7. A BUFFER MODIFICATION IS REQUIRED TO ALLOW SELECTIVE THINNING OF EXISTING TREES AND SHRUBS WITHIN THE EXISTING PERSIMMON BUFFER AREAS.
8. THERE IS AN EXISTING RESOURCE CONSERVATION DISTRICT (RSD) AREA ON THE PARCEL THAT HAS BEEN RECORDED IN DE 155.
9. THE PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE PER FEMA FIRM PANEL# 37079800K DATED 2/2/2007.



CHAPEL HOTEL ASSOCIATES, LLC  
DB 4080, PG 24  
PB: 152, PG 109  
R-5-C ZONING  
HOTEL PROPERTY



(NOT TO SCALE)

NC HIGHWAY 54  
EXISTING PUBLIC R/W  
WIDTH VARIES

PEARL LANE

### CONSTRUCTION MANAGEMENT NOTES:

1. ALL LARGE TRUCKS AS RELATED TO VEHICULAR CONSTRUCTION TRAFFIC SHALL ENTER/LEAVE THE SITE THROUGH THE TEMPORARY CONSTRUCTION ENTRANCE.
2. CONSTRUCTION WILL BE LIMITED TO BETWEEN 7:00AM AND 6:00PM THROUGHOUT FRIDAY TO COMPLY WITH THE TOWN OF CHAPEL HILL'S NOISE ORDINANCE.
3. THE CONTRACTOR SHALL PROVIDE WORK ZONE TRAFFIC CONTROL DEVICES
4. NO OPEN BURNING SHALL BE PERMITTED
5. THE APPLICANT SHALL POST A CONSTRUCTION SIGN ON THE DEVELOPMENT SITE THAT LISTS THE FOLLOWING:
  - PROPERTY OWNER'S REPRESENTATIVE & PHONE NUMBER
  - CONTRACTOR'S REPRESENTATIVE & PHONE NUMBER
  - TELEPHONE NUMBER FOR REGULATORY INFORMATION AT THE TIME OF BUILDING PERMIT
  - SIGN MAY BE A MAXIMUM OF 325F AND A MAXIMUM HEIGHT OF 8FT

IMPERVIOUS AREA SUMMARY				
SITE AREA = 101,800 SF (2.337AC)				
PROPOSED BUILDINGS	31,155 SF	0.72 ACRE(S)	30.6 % of TOTAL AREA	
PROPOSED PAVEMENT	10,355 SF	0.23 ACRE(S)	10.2 % of TOTAL AREA	
PROPOSED SIDEWALK	1,990 SF	0.05 ACRE(S)	2.0 % of TOTAL AREA	
TOTAL IMPERVIOUS AREA	43,500 SF	1.0 ACRE(S)	42.7 % of TOTAL AREA	
GREEN/OPEN SPACE	58,300 SF	1.3 ACRE(S)	57.3 % of TOTAL AREA	
EXISTING IMPERVIOUS AREA	4,797 SF	0.11 ACRE(S)	4.7 % of TOTAL AREA	
INCREASE IN IMPERVIOUS AREA	38,703 SF	0.89 ACRE(S)		
IMPERVIOUS AREA ALLOCATION TO PARCEL FROM MEADOWBANK DEVELOPMENT (PARCEL 6A)	43,560 SF	1.0 ACRE(S)	42.79 % of TOTAL AREA	



**TRIANGLE**  
SITE DESIGN

CONSULTANT:

Triangle Site Design, PLLC  
4006 Barrett Drive  
Suite 203  
Raleigh, NC 27609  
(919)553-6570  
mldower@trianglesitedesign.com  
NC LICENSE #P-0619

SEAL:

TRI-CITY MEDICAL BUILDING  
RALEIGH ROAD (NC HWY 54 &  
BARBEE CHAPEL ROAD)  
CHAPEL HILL, NORTH CAROLINA  
DURHAM COUNTY  
PARCEL # 9798-04-72-5824

OWNER/DEVELOPER:  
TRI-CITY, Inc.  
36 Richmond Plaza  
Rockingham, NC 28379  
(910) 997-2544  
Neil Robinette - CEO  
Barry Embler - CFO  
Tim Niewald - General Contractor  
(910) 639-5457  
tniewald@tricityinc.net

REVISIONS:	
3/27/15	Revised per Town review comments, traffic study & Master Plan Update

LAYOUT COORD:	MEL
PLANNING MGR.	MEL
DRAWING BY:	MEL
DATE:	10/31/14
JOB NUMBER:	004080
TITLE:	

## SITE PLAN

C1.0

COMMENTS: