

SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 969-5066 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799125797

Date: 05/13/2020

Section A: Project Information

Project Name: University Place
Property Address: 201 S. Estes Drive Zip Code: 27514
Use Groups (A, B, and/or C): A, B, C Existing Zoning District: CC
Project Description: Redevelopment of existing commercial mall

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

Applicant Information (to whom correspondence will be mailed):

Name: Jessie Hardesty
Address: 2905 Meridian Parkway
City: Durham State: NC Zip Code: 27713
Phone: 919-361-5000 Email: hardesty@mcadamsco.com

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

Signature: *Jessie Hardesty* Date: 05/13/2020

Owner/Contract Purchaser Information:

Owner

Contract Purchaser

Name: RRPV University Chapel Hill LP attn: Ashley Saulpaugh
Address: 127 W. Worthington Avenue Suite 290
City: Charlotte State: NC Zip Code: 28203
Phone: 704-377-6730 Email: asaulpaugh@ramrealestate.com

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

Signature: *[Signature]* Date: 5/13/20

Click [here](#) for application submittal instructions.



PROJECT FACT SHEET

TOWN OF CHAPEL HILL
Planning Department

Section A: Project Information

Use Type: (check/list all that apply)

Office/Institutional
 Residential
 Mixed-Use
 Other: _____
 Residential, Office/Institutional, Commercial,

Overlay District: (check all that apply)

Historic District
 Neighborhood Conservation District
 Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	1,718,403	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	171,840	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	1,890,243	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

Jordan Buffer
 Resource Conservation District
 100 Year Floodplain
 Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	TBD
Area of Land Disturbance within RCD	TBD
Area of Land Disturbance within Jordan Buffer	None

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	1,472,295 sf	TBD	1,417,682 sf	TBD
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	77.9%	TBD	75%	TBD
If located in Watershed Protection District, % of impervious surface on 7/1/1993	80.6%	TBD	-	-



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	6	u")	TBD	TBD
Number of Floors	2 (max)	2 (max)	1-7	1-7
Recreational Space	1033	TBD	TBD	TBD

Residential Space

Dimensional Unit (sq. ft.)	Existing (sq.ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)	0	0	TBD	TBD
Total Square Footage of All Units	0	0	TBD	TBD
Total Square Footage of Affordable Units	0	0	TBD	TBD
Total Residential Density	0	0	TBD	TBD
Number of Dwelling Units	0	0	TBD	TBD
Number of Affordable Dwelling Units	0	0	TBD	TBD
Number of Single Bedroom Units	0	0	TBD	TBD
Number of Two Bedroom Units	0	0	TBD	TBD
Number of Three Bedroom Units	0	0	TBD	TBD

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

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	376,845	TBD			
Restaurant	42,455	TBD	# of Seats		
Government	0	TBD			
Institutional	0	TBD			
Medical	0	TBD			
Office	0	TBD			
Hotel	0	TBD	# of rooms		
Industrial	0	TBD			
Place of Worship	0	TBD	# of Seats		
Other	0	TBD			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22	61.2	0-77 BTZ
	Interior (neighboring property lines)	8	53.8	0
	Solar (northern property line)	9	N/A	0
Height (maximum)	Primary	34	34	34/75
	Secondary	60	60	45/90
Streets	Frontages	N/A	N/A	N/A
	Widths	N/A	N/A	N/A



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

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Section F: Adjoining or Connecting Streets and Sidewalks

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

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
FORDHAM BLVD	VARIABLE	48'-72'	R-6	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
ESTES DRIVE	90'	65'	5	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW DRIVE	60'	33'	3	X Yes	X Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	TBD	TBD	TBD
Handicap Spaces	TBD	TBD	TBD
Total Spaces	TBD	TBD	TBD
Loading Spaces	TBD	TBD	TBD
Bicycle Spaces	TBD	TBD	TBD
Surface Type	ASPHALT		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
ESTES (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW (COLLECTOR)	20'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
FORDHAM (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
ADJACENT TO PIN 9799234058	20'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

See Design Standards for Streetscapes



Section I: Land Use Intensity

Existing Zoning District:
 Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
CC	.429	.046			.75	810,914	N/A
		see outdoor amenity space in Design Standards					
TOTAL							
RCD Streamside	.001	0.01					
RCD Managed	.019	0.019					
RCD Upland	.429						

Section J: Utility Service

Check all that apply:

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



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

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 969-5066 or at planning@townofchapelhill.org.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	80,000.00
X	Pre-application meeting –with appropriate staff		
X	Digital Files – provide digital files of all plans and documents		
X	Recorded Plat or Deed of Property		
X	Project Fact Sheet		
X	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
	Description of Public Art Proposal		
	Statement of Justification		
	Response to Community Design Commission and Town Council Concept Plan comments		
X	Affordable Housing Proposal, if applicable see master plan		
N/A	Provide existing Special Use Permit, if Modification		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	567.00
X	Written Narrative describing the proposal		
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
X	Reduced Site Plan Set (reduced to 8.5” x 11”)		

Stormwater Impact Statement (1 copy to be submitted)

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



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- r) 85% TSS removal for post-development stormwater runoff
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24" x 36")

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

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

Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

Area Map

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

Existing Conditions Plan

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



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Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection/silt fence location
- h) Pre-construction/demolition conference note
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable



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Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

Steep Slope Plan

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting detail

Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



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Construction Management Plan

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

- a) Description of how project will be 20% more energy efficient than ASHRAE standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

OL
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20181228000243170 DEED
Bk:RB6561 Pg:266
12/28/2018 02:22:41 PM 1/6

FILED Mark Chilton
Register of Deeds, Orange Co, NC
Recording Fee: \$26.00
NC Real Estate TX: \$103230.00

Handwritten initials

NORTH CAROLINA SPECIAL WARRANTY DEED

Parcel Identifier No. 9799-12-5797 *YKB*

Verified by Register of Deeds, Orange County, North Carolina on the ___ day of _____, 2018

By: _____

Mail after recording to: Kirk Palmer & Thigpen, P.A., 1300 Baxter Street, Suite 300, Charlotte, NC 28204

This instrument was prepared by: Bobby D. Hinson, Esq., Kirk Palmer & Thigpen, P.A.

Excise Tax: \$103,230.00

Brief description for the Index: 201 South Estes Drive, Chapel Hill, Orange County, North Carolina

THIS DEED is made as of December 27, 2018, by and between

GRANTOR

GRANTEE

MM/PG UNIVERSITY PROPERTIES LLC,
a Delaware limited liability company
c/o Madison Marquette
670 Water Street, SW
Washington, D.C. 20024

RRPV UNIVERSITY CHAPEL HILL LP,
a North Carolina limited partnership
c/o Ram Realty Advisors
4801 PGA Boulevard
Palm Beach Gardens, FL 33418

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

00154692.2

submitted electronically by "First American Title Insurance Company - Charlotte NCS" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Orange County Register of Deeds.



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

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

THIS PROPERTY DOES NOT INCLUDE THE GRANTOR'S PRINCIPAL RESIDENCE.

The Property was acquired by Grantor by instrument recorded in Deed Book RB6136, Page 429.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple, subject, however, to the encumbrances mentioned below and on EXHIBIT "B" attached hereto and incorporated herein by reference.

AND GRANTOR for itself and its successors in interest does by these presents expressly limit the covenants of this Deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming, by, through or under said Grantor and not otherwise, Grantor will forever warrant and defend the described real estate, except with respect to utilities physically located on the Property, ad valorem taxes for calendar year 2019 and any subsequent years, and any local, county, state or federal laws, ordinances or regulations relating to zoning, environment, subdivision, occupancy, use, construction or development of the Property.

(Remainder of Page Intentionally Left Blank)



IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed as of the day and year first above written.

GRANTOR:

MM/PG UNIVERSITY PROPERTIES LLC,
a Delaware limited liability company

By: [Signature]
Name: David Brauner
Title: Vice President

^{CB}
STATE OF District)
COUNTY OF of Columbia) SS.

I, Kathleen Brennan, a Notary Public of the County and State aforesaid, certify that David Brauner personally came before me this day and acknowledged that he/she is the Vice President of **MM/PG UNIVERSITY PROPERTIES LLC**, and that he/she, as Vice President, being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official stamp or seal this 14th day of December, 2018.



[Signature]
Notary Public
KATHLEEN BRENNAN: Kathleen Brennan
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires August 31, 2021

The foregoing certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ REGISTER OF DEEDS FOR ORANGE
COUNTY, NORTH CAROLINA

By _____ Deputy/Assistant-Register of Deeds



**EXHIBIT A
To Special Warranty Deed**

LEGAL DESCRIPTION

Lying and being in Orange County, North Carolina, and more particularly described as follows:

Beginning at a right of way monument located at the intersection on the western edge of the right of way of U.S. 15-501 Bypass and the northeastern edge of the right of way of Estes Drive, and running thence with said right of way of Estes Drive four (4) calls as follows: (1) North 81° 05' 29" West 94.80 feet to a right of way monument; (2) in a northwesterly direction along a curve to the right, having a radius of 592.27 feet, an arc distance of 270.20 feet and a chord bearing and distance of North 68° 00' 29" West 267.86 feet to a right of way monument; (3) North 54° 55' 29" West 1183.99 feet to a point; and, (4) in a northwesterly direction along a curve to the left, having a radius of 682.27 feet, an arc distance of 153.67 feet and a chord bearing and distance of North 61° 22' 38" West 153.34 feet to a point located in the northeastern edge of the right of way of Willow Drive; thence with said right of way of Willow Drive two (2) calls as follows: (1) in a northeasterly direction along a curve to the right, having a radius of 1476.95 feet, an arc distance of 1525.00 feet and a chord bearing and distance of North 49° 26' 10" East 1458.16 feet to a point; and (2) in an easterly direction along a curve to the right, having a radius of 1228.11 feet, an arc distance of 194.36 feet and a chord bearing and distance of North 83° 07' 19" East 194.16 feet to a point, having N.C. grid coordinates (NAD 1983) of N = 793,540.735 and E = 1,992,386.347; thence leaving said right of way of Willow Drive, South 05° 35' 31" West 607.53 feet to a point; thence South 84° 24' 29" East 350.00 feet to a point located in the western edge of the right of way of U.S. 15-501 Bypass; thence with said right of way of U.S. 15-501 Bypass three (3) calls as follows: (1) South 05° 35' 31" West 599.72 feet to a point; (2) South 07° 07' 31" West 282.98 feet to a point; and (3) South 08° 51' 31" West 257.07 feet to a point; thence leaving said right of way of U.S. 15-501 North 81° 08' 29" West 50.00 feet to a point; thence South 08° 51' 31" West 50.00 feet to a point; thence South 81° 08' 29" East 50.00 feet to a point located in the western edge of the right of way of U.S. 15-501 bypass; thence with said right of way of U.S. 15-501 Bypass South 08° 51' 31" West 20.75 feet to the point and place of Beginning, containing 39.405 acres, more or less, according to plat of survey entitled "Survey for University Mall for University Mall Properties, LLC", dated June 26, 1994 and last revised August 26, 1997, prepared by Stephen D. Puckett, Registered Land Surveyor.

[END OF LEGAL DESCRIPTION]



**EXHIBIT B
To Special Warranty Deed**

TITLE EXCEPTIONS

1. Taxes for the year 2019 and all subsequent years.
2. Terms and provisions of that certain unrecorded Lease executed by Madison University Mall LLC, a Delaware limited liability company to The Pantry, Inc., a Delaware corporation dated July 27, 2011, as evidenced by a Memorandum of which is recorded in Book 5201, Page 452, Orange County Registry.
3. Terms and provisions of that certain unrecorded Lease executed by Madison University Mall LLC, a Delaware limited liability company to Harris Teeter, Inc., a North Carolina corporation dated December 8, 2011, as evidenced by a Memorandum of which is recorded in Book 5291, Page 476, Orange County Registry.
4. Right(s) of way to Public Service Company of North Carolina, Incorporated, a North Carolina corporation, its successors and assigns recorded in Book 144, Page 378; and Shown on Plat Book 13, Page 134, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.
5. Terms and provisions of that certain unrecorded Lease executed by University Mall Properties, LLC, a North Carolina limited liability company to A Southern Season, Incorporated, a North Carolina corporation dated October 23, 2003, as evidenced by a Memorandum of which is recorded in Book 3243, Page 338; Assigned by Book 6206, Page 307, Orange County Registry.
6. Easement to Olin T. Binkley Memorial Baptist Church recorded in Book 4128, Page 128, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.
7. Special Use Permits recorded in Book 228, Page 1206; Modified by Book 237, Page 386; Book 240, Page 1718; Book 244, Page 263; Book 250, Page 1472; Book 262, Page 1081; Book 302, Page 68; Book 338, Page 354; Book 1071, Page 222, Book 1310, Page 485; and Book 2152, Page 167 and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018, Orange County Registry.
8. Power line Easement and easement to Public Service Company of North Carolina, right of way of Estes Drive, Willow Drive and US15-501 Bypass as shown on plat recorded in Book 13, Page 124, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.



9. Terms and provisions of that certain unrecorded Lease executed by MM/PG University Properties to Bartaco Chapel Hill, LLC dated as evidenced by a Memorandum of which is recorded in Book 6142, Page 379, Orange County Registry.

10. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Stephen D. Puckett on June 21, 2018: a) gas line; b) fence corner 0.1" west of line; c) fence corner 13.2' north of property line; d) fence corner 12.1' north of property line; d) 24' setback line; e) curb cut; f) phone pedestal & telephone manhole; g) wall; h) 10' setback; i) wood/board all; j) concrete steps extend 0.3' over line in several places, concrete pad and concrete sidewalk extend into adjoining property; k) recycling bins; l) water valve(s); m) telephone pole(s), light pole(s); n) trench drain, drop basins and drop inlet basins; o) reinforced concrete pipe; p) sanitary sewer manhole(s) and cleanout; q) transformer(s).

November 12, 2020

Judy Johnson and Jake Lowman
Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

As described in §6.18.2 of the LUMO, **Permitted Modifications of Regulations,**

“Where actions, designs, or solutions proposed by the development are not literally in accord with applicable planned development regulations, general regulations, or other regulations in this appendix, but the Town Council makes a finding in the particular case that the public purposes are satisfied to an equivalent or greater, the Town Council may make specific modification of the regulations in the particular case. Any modifications of regulations shall be explicitly indicated in the special use permit or modification of the special use permit.”

University Mall is an existing commercial mall that has been located on the subject parcel for over 40 years. Since the construction of this project, local, state, and federal regulations pertaining to the development of land have changed such that a high-intensity, high-density development could not be developed on the subject parcel. Since construction, University Place has become an integral part of the Town of Chapel Hill and redevelopment will create a gateway location developed as a high-density, high-intensity center in keeping with trends for the redevelopment of older commercial malls. University Place will create a vibrant mixed-use community including open spaces, and construction of public greenways and sidewalks. Constraints on this parcel include the existing developed areas of the parcel that do not conform with current LUMO standards, the presence of sensitive environmental features such as floodways and floodplains, and the extent of the Town’s Resource Conservation District.

Due to the peculiarities of the existing development and the LUMO, modifications to required standards are necessary to create a mixed-use center that meets the Town’s vision and intent for such developments. The requested modifications are the minimum necessary to allow the redevelopment of this parcel.

Sincerely,
MCADAMS



Jessie Hardesty
Planner, Planning + Design

October 29, 2020

Jake Lowman, Senior Planner
 Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

SETBACK MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the following minimum setbacks for development in the CC, Community Commercial, zoning district:

YARD	REQUIRED SETBACK
STREET SETBACK	22'
INTERIOR SETBACK	8'
SOLAR SETBACK	9'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required setbacks:

YARD	REQUIRED SETBACK
STREET SETBACK (WILLOW DRIVE)	0-20' BTZ
STREET SETBACK (FORDHAM BLVD)	0' min Max with parking: 77' Max without parking: 0-20'
INTERIOR SETBACK	0'
SOLAR SETBACK	0'

Please refer to Design Standards for details.

In creating a vibrant mixed-use community, an important design consideration is the relation of structures to the public realm. In place of standard setbacks, the above build-to-zones are requested along Willow Drive and Fordham Blvd. Given the nature of the mixed-use development with various uses abutting one another, a 0-ft interior setback is requested. Where large setbacks are required from public streets, the community can feel removed from the public travel ways which can negatively impact the development's ability to draw users and residents. The requested dimensional standards will allow proposed buildings to be closer to the street and engage the public realm, creating a mixed-use development that draws users and is an asset to the Town of Chapel Hill.

BUFFER MODIFICATION

The Land use Management Ordinance Article 5.6.6 sets forth the following required perimeter buffers for the redevelopment of University Place:

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	30' TYPE D
ESTES DRIVE	30' TYPE D
WILLOW DRIVE	20' TYPE D
ADJACENT TO PIN 9799234058	20' TYPE B

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required perimeter buffers. In place of buffers, streetscape configurations are described for each street below.

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	0' (NO BUFFER REQUIRED)
ESTES DRIVE	0' (NO BUFFER REQUIRED)
WILLOW DRIVE	0' (NO BUFFER REQUIRED)
ADJACENT TO PIN 9799234058	10' TYPE B

Please refer to Design Standards for details.

Similar to the requested modifications to the required setbacks, this modification will allow the proposed redevelopment of University Place to actively engage the public realm, which will contribute to the success and overall vibrancy of the center. If buffers were installed that met the minimum requirements of the LUMO, University Place would be separated from the surrounding public streets with dense vegetation. This arrangement is not conducive to the development of a high-density, high-intensity mixed-use development. In place of buffers, a streetscape alternative is proposed:

Willow Drive Streetscape:

- Sidewalk (min): 5' (Existing to remain)
- Planting strip (min): 3'
- Outdoor Amenity Space/Tree Planting Zone (min): 8' (preserve existing mature trees where possible)

- Tree Spacing (on center, avg): 40' (space proposed trees around and between existing mature trees as needed)
- Bike Lane (min): 4.5'

Fordham Boulevard Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

Estes Drive Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

TREE CANOPY COVERAGE MODIFICATION

The Land Use Management Ordinance Article 5.7.2 sets forth the following minimum tree canopy coverage requirements for the redevelopment of University Place:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	30%
COMMERCIAL	30%
OFFICE	30%
MIXED-USE	40%

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required tree canopy coverage:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	20%
COMMERCIAL	20%
OFFICE	20%
MIXED-USE	20%

Per §5.7.2.b of the Chapel Hill LUMO, “The town council may allow a modification to these regulations when public purposes are met and canopy removal supports other goals of the Town, including but not limited to:

- > Goals of the Comprehensive Plan
- > LEED or “green” building and low impact development, including solar access and “daylighting”
- > Affordable housing
- > Stormwater management
- > Community character of adjoining development, or established managed landscape, or established streetscapes

University Place is requesting the tree canopy coverage modification due to several factors related to redevelopment.

University Place is an existing non-residential development constructed prior to the current Land Use Management Ordinance. Tree canopy coverage requirements were not in place at the time of the original approval of University Place so meeting this requirement during the redevelopment of the parcel is problematic when the intention is to increase the density and intensity of the development. The requested reduction is a more reasonable tree canopy coverage requirement given the existing development on the parcel.

Additionally, University Place is envisioned as a mixed-use community with up to 600,000 square feet of non-residential uses, up to 300 residential dwelling units, and up to 150 hotel rooms. A development of this scope requires impervious surfaces that are not suitable for the planting of vegetation. The requested reduction is the minimum necessary to create a substantial tree canopy cover without limiting the ability to redevelop the site.

The redevelopment of University Place is in keeping with the goals of the Town of Chapel Hill Comprehensive Plan.

- > **A Place for Everyone:** University Place is, and will continue to be, a part of the fabric of Chapel Hill. The redevelopment and increased square footage for non-residential uses will create even more places and spaces for residents and visitors.
- > **Community Prosperity and Engagement:** University Place is an aging mall at a time when traditional malls all across the country are failing. The redevelopment of University Place will allow it to prosper into the future, which will ultimately contribute to the success and prosperity of Chapel Hill as a whole.
- > **Getting Around:** As part of the redevelopment, greenways, walking trails, and sidewalks will be constructed. Additionally, improvements to the transportation network will be constructed as required by the Traffic Impact Analysis. The requested special use permit will enhance the ability of pedestrians, bikes, and vehicles to move around Chapel Hill.
- > **Good Place, New Spaces:** The requested special use permit allows for a new mixed-use center where an aging commercial mall is located. The redeveloped University Place will be a ‘good space’ and will include new open spaces in areas that will add interest throughout the site and allow residents and visitors to gather and enjoy the outdoors while staying on site.
- > **Nurturing Our Community:** University Place was constructed prior to modern environmental regulations intended to protect and preserve natural resources, which means that stormwater treatment and impervious surfaces do not meet the modern standards for environmental protection. As part of the redevelopment, impervious surfaces will be removed from the site to provide some increased level of environmental protection.

BUILDING HEIGHT MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the building height maximums in the CC, Community Commercial zoning district:

BUILDING HEIGHT, SETBACK	34'
BUILDING HEIGHT, CORE	60'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the maximum permitted building height:

POD A and C	
BUILDING HEIGHT, SETBACK	75' (5 STORIES)
BUILDING HEIGHT, CORE	90' (7 STORIES)

POD D	
BUILDING HEIGHT, SETBACK	34' (3 STORIES)
BUILDING HEIGHT, CORE	45' (3 STORIES)

Please refer to Design Standards for details.

In an effort to reduce the building footprints on the parcel while still creating a high-density, high-intensity mixed-use center, University Place is requesting a modification to allow increased maximum building heights. This modification will allow for vertically mixed-use buildings that will create more interesting spaces and places while reducing building footprints to conserve the available land area. This modification will also give the development a sense of place and identity that will enhance the vibrancy and long-term viability of the project.

IMPERVIOUS SURFACE RATIO MODIFICATION

The Land Use Management Ordinance Article 3.8.2 limits the maximum impervious surface ratio in the CC, Community Commercial district to **70%** of the total lot area. As part of the approval of the requested special use permit, University Place is requesting a modification to allow a maximum impervious surface ratio of **75%**.

The current impervious surface maximums were not in place when University Place was constructed over 40 years ago. As such, approximately **78%** of the site is currently covered with impervious surfaces. As part of the redevelopment of this parcel, the applicant is proposing to remove some of the existing impervious surfaces and replace them with open spaces, landscaping, or other features. Removal of at least 3% of the existing impervious surface will result in over 55,000 square feet of land being converted to pervious surfaces while allowing the redevelopment of the proposed mixed-use center at the density and intensity envisioned by the associated special use permit master plan.

PARKING MODIFICATION

The Land Use Management Ordinance Article 5.9.7 sets forth minimum and maximum parking requirements for potential residential, commercial, and office uses on site. As part of the approval of the requested special use permit, University Place is requesting a modification to allow for a 30% reduction in parking for parking areas to be shared by multiple uses.

In effort to reduce impervious surface on the site while increasing the density of uses on the site, allowing for a parking reduction will serve to benefit the overall site design, intent of the site, and Town goals. Improved bicycle and pedestrian connectivity through added sidewalks, multi-use paths, and bike lanes allows for alternative modes of transportation to and from the site, benefiting both the environment and visitor experience.

In addition to shared parking for the project as a whole, the following modifications to parking requirements for specific uses are requested. An asterisk (*) in the chart below denotes the modifications to the LUMO.

Required by LUMO:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
	MIN.	MAX.	MIN.	SHORT/LONG TERM
RESIDENTIAL USES				
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.4/Unit	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	0.7/Unit	Min. 4; 1 per senior unit	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses:				
Business, general	1 per 300 SF	1 per 200 SF	Under 100,000 sq. ft. floor area: Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area for 1st 10,000 sq. ft.; then 1 additional space per 5,000 sq. ft.; Over 100,000 sq. ft. floor area: 1 space per 10,000 sq. ft. floor area	80% / 20%
Bank	1 per 250 SF	1 per 150 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Other Convenience Businesses	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Manufacturing, Light (accessory use only)	1 per 1,250 SF	1 per 9,000 SF	Min 4	80% / 20%
Movie Theater	1 per 5 seats	1 per 4 seats	Min 8; 1 per 50 seats	80% / 20%
Personal Services	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Assembly	1 per 4 persons	1 per 2.5 persons	Min 8; 1 per 40 seats	80% / 20%
Restaurant/Bar	1 per 110 SF	1 per 75 SF	Min 4; 2 additional spaces per every 1,000 sq. ft. of floor area	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses:				80% / 20%
Business, office type	1 per 350 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Clinic	1 per 225 SF	1 per 200 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Worship	1 per 5 seats	1 per 2 seats	Min 8; 1 per 50 seats	80% / 20%
Public Cultural Facility	1 per 500 SF	1 per 350 SF	Min 8; 2 additional spaces per every 5,000 sq. ft. of floor area	80% / 20%
Public Use Facility	1 per 350 SF	No max	Min 8; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
Research Activities	1 per 350 SF	1 per 225 SF	Min 4; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
School - Elementary/Middle	1 per staff member	1 per 1.25 staff members	Min 8; 1 per 10 students	80% / 20%
School - High School	1 per 4 students	1 per 3 students	Min 8; 1 per 10 students	80% / 20%
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

Proposed:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
	MIN.	MAX.	MIN.	SHORT/LONG TERM
RESIDENTIAL USES				
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.25/Unit*	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	1.0/Unit*	1 per 2 units*	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses, Except:	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	80% / 20%
Restaurant/Bar	1 per 150 SF*	1 per 75 SF*	1 per 2,500 SF*	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	50% / 50%*
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

*Denotes a modification from LUMO Standards.

SIGN MODIFICATION

The Land Use Management Ordinance Article 5.14 sets forth sign regulations for type, size, display, maximum number, and illumination. Modifications are requested to allow for a Gateway sign in addition to the commercial center signs permitted. Currently, the maximum number of commercial center signs per street frontage is one (1), and this request would allow for one additional sign on Fordham Blvd.

COMMERCIAL SIGN	LUMO REQUIREMENTS
HEIGHT	14'
WIDTH	10'
THICKNESS	12"
SIGN STRUCTURE PLUS DISPLAY SURFACE	144 SF
MAX # PER STREET FRONTAGE	1
ILLUMINATION	Permitted during business hours only

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the commercial sign regulations, applicable only to the gateway sign:

COMMERCIAL SIGN	PROPOSED MODIFICATIONS
HEIGHT	24'
WIDTH	12'
THICKNESS	24"
SIGN STRUCTURE PLUS DISPLAY SURFACE	288 SF
MAX # PER STREET FRONTAGE	2 (Fordham Blvd only)
ILLUMINATION	Permitted during business hours and non-business hours

Additionally, modifications are requested for outparcel ground signs.

GROUND SIGN	LUMO REQUIREMENTS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	150'
MAX # PER STREET FRONTAGE	1
MAX # PER LOT	1
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	No, unless signs are located on different street frontages

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the ground sign regulations:

GROUND SIGN	PROPOSED MODIFICATIONS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	100'
MAX # PER STREET FRONTAGE	No max; must have minimum 100' spacing
MAX # PER LOT	No max; must have minimum 100' spacing
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	Yes; must have minimum 100' spacing

The current approved unified sign plan allows for five (5) ground signs for outparcels (K&W, Harris Teeter, Fuel, SunTrust, and former Wells Fargo bank as the five) in addition to the three (3) commercial center signs, therefore the request is in line with what is currently permitted. These changes will ultimately be incorporated into a revised unified signage package to be submitted and approved before any of the signage modifications are permitted to be constructed.

November 12, 2020

Ms. Judy Johnson
Mr. Jake Lowman
Planning & Development Service
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, North Carolina 27514

**RE: University Place – Special Use Permit Modification
Resource Conservation District Modification Request
RAM-19000**

Ms. Johnson / Mr. Lowman,

On behalf of the owner, RRPV University Chapel Hill LP (dba - Ram Realty Advisors), and in conjunction with the submittal of the Special Use Permit (SUP) Modification application for the University Place project at 201 S. Estes Drive we are providing this Resource Conservation District (RCD) modification request. The proposed modification is to address accommodation of the changes to the already existing RCD impacts on the site as opposed to permitting new impacts to the RCD. The proposed encroachments associated with the pending SUP and eventual Zoning Compliance Permit (ZCP) applications show an overall reduction in the impacts to the RCD. Two exhibits are attached - one depicting the existing conditions and existing RCD impacts and the second showing the proposed redevelopment with the reduced RCD impacts.

Existing Conditions

The mall was developed in the 1970's prior to the implementation of the Town's resource conservation district overlay. The majority of the site then, and now, lies within the floodplain associated with Bolin Creek, located on the south side of S. Estes Drive and therefore within the RCD set at 3-feet above the 100-year floodplain elevation. University Place is not impacted by the typical 150-foot wide, 3-zone, RCD buffer measured from the top-of-bank of Bolin Creek. The existing buildings, sidewalks, parking and drive aisles, with the exception of the Harris Teeter and K&W buildings, all lie within the RCD based on floodplain. In recent years, as improvements have been made to University Place to attract new tenants and remain a viable asset for the owner and economic contributor to the Town the required flood proofing modifications have been completed where required by FEMA regulations and the Town's Flood Damage Prevention Ordinance.

The original mall total site impervious area 1,472,295 square feet (77.9%) of buildings, sidewalks, parking and drive aisles was constructed prior to the establishment of the RCD. The impervious area of the mall

within the RCD and floodplain is 1,300,267 sf. The comparison of this high existing impervious percentage and the proposed reduction in impervious area spelled out below provides a quantifiable measure of the improvement that will be provided by the redevelopment.

Proposed Condition

The redevelopment of University Place being requested with the SUP Modification will remove, relocate, or reconfigure the existing RCD encroachments. The total encroachment by buildings, sidewalks, parking and drive aisles will reduce the amount of impervious area in the RCD. The current concept plan for University Place proposes a total of 1,416,737 sf of impervious area (75%) for the entire site. An overall reduction of 55,558 sf or 1.27-acres represents a 3.8% reduction in overall impervious area. Of that total, the current concept plan proposes 1,247,810 sf is in the RCD. A reduction of 52,466 sf or 1.20-acres, representing a 4.0% reduction of impervious area in the RCD.

The Town's Land Use Management Ordinance, Section 3.6.3 is geared toward the protection of undeveloped RCD throughout the Town's jurisdiction. The existing improvements at University Place, constructed well before the implementation of the RCD, obviously does not reflect the requirements of the RCD ordinance. The redevelopment of University Place as proposed in the current SUP application is necessary to allow University Place to remain a valuable asset for both the Town and the owner. While the redevelopment cannot meet the specific requirements of Section 3.6.3 it can provide significant improvements to the current impacts in areas identified in the RCD ordinance.

LUMO Sec. 3.6.3.(i)(4) - Application of the resource conservation district to the reconstruction, rehabilitation renovation, or expansion of development existing within the regulatory floodplain and floodway.

- a. Within the regulatory floodplain, the reconstruction, rehabilitation, or renovation of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless the reconstruction, rehabilitation, or renovation complies with the requirements of the Federal Emergency Management Agency, or its successor agency, in place at the time of reconstruction, rehabilitation, or renovation*
- b. Within the regulatory floodplain, the expansion of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless:*
 - 1. The expansion is permitted by subsection (e) and meets the design standards of subsection (g) of this section; or*
 - 2. The expansion is permitted by a variance authorized by this article and approved by the board of adjustment*

The previous improvements that have been made at University Place fall within Section 3.6.3.(i)(4)a. above and have met the requirements of the LUMO, FEMA regulations and the Town's Flood Damage Prevention Ordinance. Future improvements, whether renovations or demolition & reconstruction of the existing buildings within the footprint of the existing building, will continue to be designed and constructed to meet these requirements.

New construction beyond the footprints of the existing mall building, or other buildings, fall under Section 3.6.3.(i)(4)b. The Use Table referenced in subsection (e) provides a list of uses permitted, prohibited, or permitted with a SUP or subdivision approval. The items in the table are adapted from the State's Use Table for uses within riparian stream buffers. The Town's ordinance extends the stream buffers adjacent to perennial streams to 150-feet compared to the State's 50-foot requirement. The application of the Use Table also extends within that 150-foot buffer. The existing buildings at University Place are 175-feet, (former SunTrust Bank branch building, now First Horizon Bank) to 425-feet (the main enclosed mall building) from the banks of Bolin Creek. While it is understandable that the Use Table would apply to the Town's extension of the stream buffer and potentially for RCD associated with floodplain on undeveloped property, the application to the expansion and improvement of an existing development would cause University Place to continue to diminish in value as an asset to the owner and the Town.

As such, we request a modification to the application of the RCD ordinance to University Place to allow the expansion of University Place within the existing floodplain and RCD associated with that floodplain for all proposed buildings, and other improvements. The proposed buildings and site improvements will be required to meet the requirements of the FEMA regulations and the Town's Flood Damage Prevention Ordinance. These requirements include the modelling of the floodplain of Bolin Creek to show that the improvements have no impact to, and create no increase to, the existing floodplain elevation. Furthermore, the redevelopment of University Place will reduce the impervious area within the floodplain and RCD. Therefore, the redevelopment will reduce nutrient run-off associated with impervious surfaces as well as the water quantity run-off from the site. These reductions are in keeping with the goals stated in the LUMO Section 3.6.3 for the establishment of the RCD.

Thank you for your consideration of the request for approval of an RCD Exemption for these necessary impacts.

Sincerely,

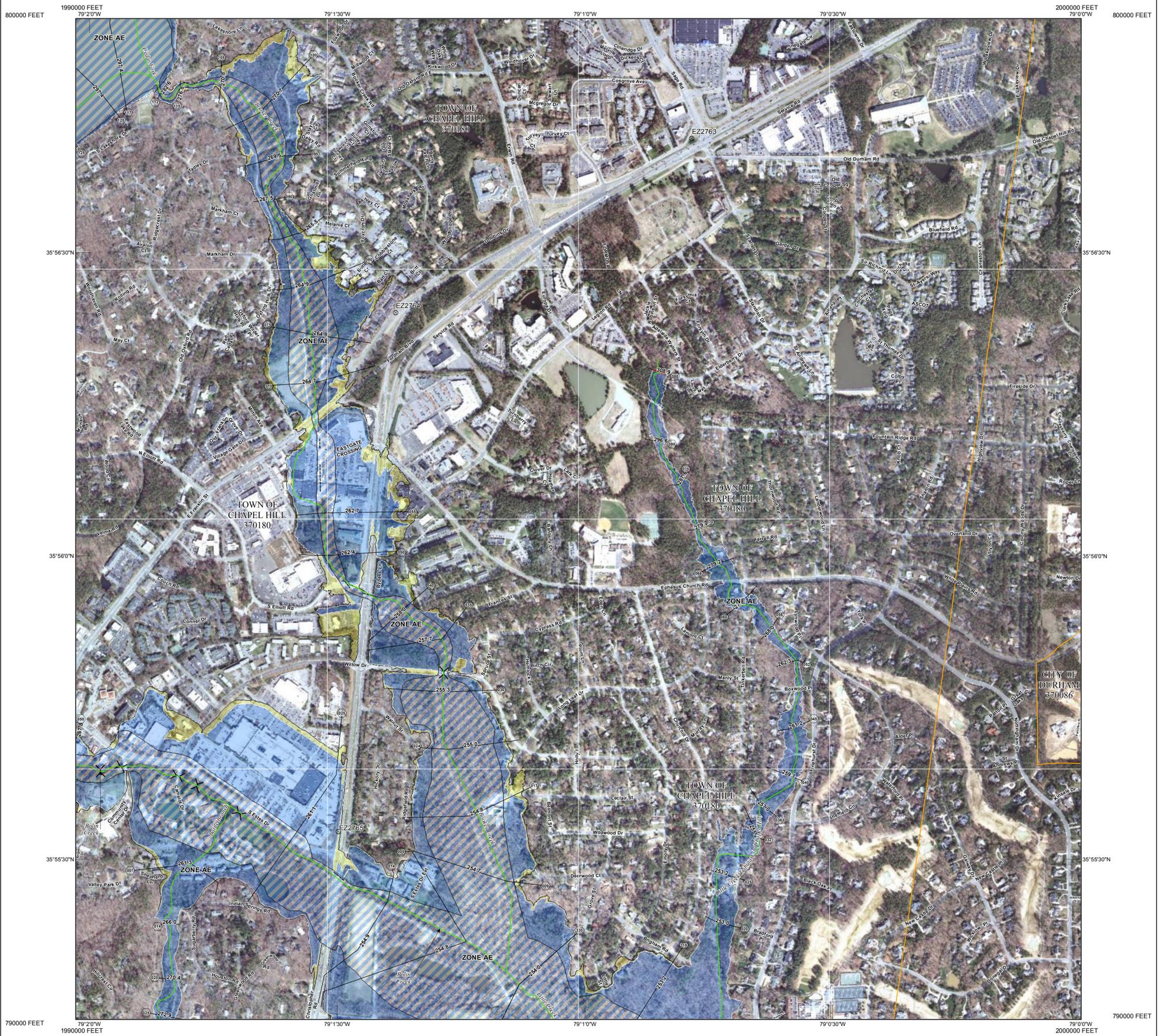
MCADAMS



William H. Derks, PE
VP – Land Development

WHD/ca

Enclosures



This digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of North Carolina and the Federal Emergency Management Agency (FEMA). The State of North Carolina has implemented a long term approach to floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map flood hazard areas at the local level. As a part of this effort, the State of North Carolina has joined in a Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTP://FRIS.NC.GOV/FRIS](http://FRIS.NC.GOV/FRIS)

- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE)
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
 - 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with Average Depth Less Than One Foot or With Drainage Areas of Less Than One Square Mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee See Notes Zone X
 - Areas Determined to be Outside the 0.2% Annual Chance Floodplain Zone X
- OTHER AREAS OF FLOOD HAZARD**
- OTHER AREAS**
- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer Accredited or Provisionally Accredited Levee, Dike, or Floodwall
 - Non-accredited Levee, Dike, or Floodwall
 - North Carolina Geodetic Survey bench mark
 - National Geodetic Survey bench mark
 - Contractor Est. NCFMP Survey bench mark
 - Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
 - Coastal Transect
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
 - Limit of Study
 - Jurisdiction Boundary
- OTHER FEATURES**

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products on the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. An accompanying Flood Insurance Study report, Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) revising portions of this panel, and digital versions of this FIRM may be available. Visit the North Carolina Floodplain Mapping Program website at <http://www.ncfloodmaps.com> or contact the FEMA Map Service Center.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Flood Insurance Study (FIS) means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations, flood hazard risk zones, and other flood data in a community issued by the North Carolina Floodplain Mapping Program (NCFMP). The Flood Insurance Study (FIS) is comprised of the following products used together: the Digital Flood Hazard Database, the Water Surface Elevation Raster, the digitally derived, autogenerated Flood Insurance Rate Map and the Flood Insurance Survey Report. A Flood Insurance Survey is a compilation and presentation of flood risk data for specific watercourses, lakes, and coastal flood hazard areas within a community. This report contains detailed flood elevation data, data tables and FIRM indices. When a flood study is completed for the NFIP, the digital information, reports and maps are assembled into an FIS. Information shown on this FIRM is provided in digital format by the NCFMP. Base map information shown on this FIRM was provided in digital format by the NCFMP. The source of this information can be determined from the metadata available in the digital FLOOD database and in the Technical Support Data Notebook (TSDN).

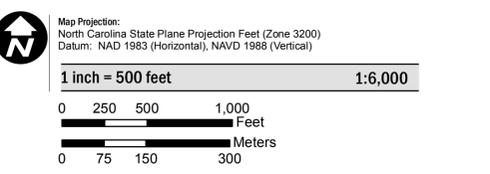
ACCREDITED LEEVE NOTES TO USERS: If an accredited levee note appears on this panel check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicates the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

PROVISIONALLY ACCREDITED LEEVE NOTES TO USERS: If a Provisionally Accredited Levee (PAL) note appears on this panel, check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

LIMIT OF MODERATE WAVE ACTION NOTES TO USERS: For some coastal flooding zones the AE Zone category has been divided by a Limit of Moderate Wave Action (LIMWA). The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA or between the shoreline and the LIMWA for areas where VE zones are not identified will be similar to, but less severe than those in the VE Zone.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) NOTE
 This map may include approximate boundaries of the CBRS for informational purposes only. Flood insurance is not available within CBRS areas for risk areas, property owners are encouraged to consider flood insurance and floodproofing or other protective measures. For more information see <http://www.fws.gov/cbra>, the FIS Report, or call the U.S. Fish and Wildlife Service Customer Service Center at 1-800-344-WILD.

SCALE



PANEL LOCATOR

Caswell				Person			
9920	9940	9960	9980	9990	0900	0910	
	9849	9859		9889	9899	0809	0819
9828	9848	9858	Orange	9888	9898	0808	0818
9827	9837	9847	9857	9867	9877	9887	9897
9826	9836	9846	9856	9866	9876	9886	9896
9825	9835	9845	9855	9865	9875	9885	9895
9824	9834	9844	9854	9864	9874	9884	9894
9823	9833	9843	9853	9863	9873	9883	9893
9822	9832	9842	9852	9862	9872	9882	9892
	9820	9841	9851	9861	9871	9881	9891
	9840	9850	9860	9870	9880	9890	0800
9729	9739	9749	9759	9769	9779	9789	9799
9728	9738	9748	9758	9768	9778	9788	9798
9727	9737		9767	9777	9787	9797	
	9746		9766	9776	9786	9796	

National Flood Insurance Program

North Carolina Floodplain Mapping Program
 NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP

NORTH CAROLINA
 PANEL 9799

Panel Contains:
 COMMUNITY
 CHAPEL HILL, TOWN OF
 DURHAM, CITY OF

CID	PANEL	SUFFIX
370180	9799	L
370086	9799	L

VERSION NUMBER
 2.3.3.2
 MAP NUMBER
 3710979900L
 MAP REVISED
 January 19, 2019

Orange Water and Sewer Authority Project Fact Sheet

Project Information							
Project: University Place			Parcel PIN No.: 9799125797				
Location: 201 S. Estes Drive			Tax Map No.:				
Project Owner: RAM Realty Advisors			Project Engineer: McAdams				
Contact Person: Ashley Saulpaugh			Contact Person: Bill Derks				
Address: 127 W. Worthington Ave. Suite 290 Charlotte, NC 28203			Address: 2905 Meridian Parkway Durham, NC 27713				
E-mail: asaulpaugh@ramrealestate.com			E-mail: derks@mcadamsco.com				
Telephone: 704-377-6730			Telephone: 919-361-5000				
Project Description							
<input type="checkbox"/> Residential	No. of Buildings: 13		Pool	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input type="checkbox"/> Commercial/Industrial	No. of Dwelling Units: 300		Clubhouse	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input checked="" type="checkbox"/> Mixed Use	No. of Commercial Units:		Elevator	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input checked="" type="checkbox"/> Other (describe project) 450,000 sf Commercial, 150,000 sf Office, 150 room Hotel							
Food Cooking, Preparation, or Serving Facility				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes provide detailed letter of explanation.							
Will there be a facility cooling system (i.e. Evaporative Cooling System)				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If Yes provide detailed letter of explanation.							
Project Water Demand and Wastewater Discharge							
Estimated Water Demand (gpd):							
Estimated Wastewater Discharge (gpd): 190,250 gpd (x 2.5 = 475,625 sf) includes extg. sf							
Un-metered Water returned to OWASA Sewer Collection System				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If Yes provide detailed letter of explanation + calculations of estimated discharges (avg. day).							
Estimated Wastewater Discharge from Un-metered Systems (gpd):							
Public Water and/or Sewer Line Extension Footage							
	Off-Site			On-Site			
Diameter (in.)	Water Line (ft.)	Sewer Line (ft.)	Water Line (ft.)	Sewer Line (ft.)			
2"		NA		NA			
4"		NA		NA			
6"		NA		NA			
8"							
12"							
16"							
Other							
Total (ft.)							
Certifications							
Owner Signature:				Date:			
Engineer Signature:				Date:			
OWASA Office Use							
Plan Review Fee			Construction Observation Fee				
	Ft.	Rate	Fee		Ft.	Rate	Fee
Water	x	=		Water	x	=	
Sewer	x	=		Sewer	x	=	
Total Plan Review and Construction Observation Fees:							
Calculated by				Received by			
Date Calculated				Date Received			

University Place Redevelopment - Estimated Sewer Flows
 Chapel Hill, North Carolina

RAM Realty Advisors
 Revised 11/12/2020

GENERAL OFFICE						
gsf	# employees	Daily flow		GPD		
150,000	1,500	25	gpd/person	37,500		
RETAIL						
gsf	# sf	Daily flow		GPD		
450,000	450	130	gpd/1,000 sf	58,500		
CINEMA						
gsf	# employees	Daily flow		GPD		
50,000	50	25	gpd/person	1,250		
HOTEL						
gsf	# rooms	Daily flow		GPD		
116,000	150	120	gpd/room	18,000		
RESIDENTIAL						
gsf	# units	Daily flow		GPD		
300,000	300	250	gpd/unit	75,000		
TOTAL PROGRAM						
gsf				GPD	peaking factor	Total GPD
1,066,000				190,250	2.5	475,625

November 11, 2020

Town of Chapel Hill
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

RE: **University Place (Permit #19-130)**
Estes Drive
Round 2 – SUP Submittal
RAM-19000

The following are the response comments for the above-mentioned project. Our response comments are in **bold**.

DEVELOPMENT SERVICES:

Jake Lowman 919. 969. 5082

1. Please include phasing plan in the special use permit application
Response: The exact phasing of the University Place development has not yet been determined and will be dependent on market parameters. A note has been added to the note sheet on the plan depicting that the project will be completed in phases which may include subphases.
1. Please include as much information as possible/ practical per block. Comment Revision: It seems that less information is provided per block with this iteration. Can you please explain why.
Response: More detailed information may be found in the Design Standards booklet submitted with the plan set.
2. Please include and incorporate the details of a Resource Conservation District Encroachment Request with the revised application in order to address RCD standards or requested modifications to those standards.
Response: An RCD modification request document has been included in this submittal.
3. Provide a full description of modifications to regulations. Provide LUMO Section references for all requested Modifications to regulations. Clearly state the LUMO requirement, the extent of the modification, and the justification for such modification in bulleted or tabular format for easy cross-reference.
Response: A modifications document has been included in this submittal.
4. Please be consistent in using terms relating to use as seen in the Land Use Management Ordinance.
Response: Language has been revised to remain consistent with language used in the Land Use Management Ordinance.

5. Statements suggest a max of 150 hotel rooms on site, but the alternate conversion plan shows max of 275 rooms in general notes section. It may be in your best interest to combine statements 4 and 6 on the cover sheet to justify the caps for hotels rooms.

Response: Note 4 and 6 have been combined. Note 4 has been revised to include the following statement "MAXIMUM OF 150 HOTEL ROOMS SHALL BE PERMITTED AND SHALL BE TRANSFERABLE BETWEEN PODS A & C. IN THE EVENT THAT LESS THAN 300 RESIDENTIAL UNITS ARE CONSTRUCTED AT THE PROPERTY, UNUSED RESIDENTIAL UNITS MAY BE CONVERTED TO ADDITIONAL HOTEL ROOMS AT A RATE OF ONE (1) ADDITIONAL HOTEL ROOM PER ONE (1) UNUSED RESIDENTIAL UNIT; HOWEVER, THE TOTAL NUMBER OF HOTEL ROOMS SHALL NOT EXCEED 275 ROOMS INCLUDING CONVERSIONS."

6. Can you provide more information on the potential subdivision of lots?

Response: At this time the plan remains as a pod-style layout. Subdivision of lots will be determined at the time of ZCP. Note 1 on the cover sheet details that the project may be subdivided into up to 14 parcels.

ENGINEERING:

Ingrid Norby 919. 969. 5097

7. General Notes: clarify number of total possible hotel rooms between comments 9 and 11.

Response: I believe this comment is referencing note 4 and 6, which have been combined to a single note clarifying maximum number of hotel rooms with and without the multifamily conversion.

8. General Notes: Validate source and math behind parking maximum in note 12.

Response: Note 12 referenced was not included in our second submittal.

9. General Notes: Validate source of a 20% reduction in required parking spaces in note 20.

Response: The note referenced is Note 13 in our second submittal, and now Note 12. Per conversations with staff, a 30% reduction in required parking is allowable for shared parking between uses on the site.

10. General Notes: Validate sources of notes 18 and 19.

Response: The note referenced was not included in our second submittal.

11. Recommend developing an emergency plan for potential residents during flooding events.

Response: Noted, thank you. This may be incorporated at the time of ZCP/building permit.

FIRE:

Chris Kearns 919. 969. 5080

Response: Per our discussions, the Fire comments (13 – 45 below) are noted and will be addressed/incorporated at the time of ZCP.

13. NCFPC Section 510. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
14. PRIVATE FIRE SERVICE MAINS [FIRE SPRINKLER LATERAL(S)]: Private fire service mains and appurtenances shall be installed in accordance with NFPA 24. 2018 NCFC Section 507
15. SPRINKLERS: Any building with more than 6000 sf of floor space is required to have a sprinkler system. Town Ordinance 7-56.
16. FDC/STANDPIPES;3313.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12192 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department vehicle access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairways. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. 2018 NCFC Section 313
17. CONSTRUCTION/DEMOLITION; All Construction and demolition conducted shall be in compliance of the current edition of the NC Fire Code. 2018 NCFC Chapter 33
18. FIRE WATCH; During construction and demolition where hot work, materials subject to spontaneous combustion, or other hazardous construction or demolition is occurring, the owner or their designee shall be responsible for maintaining a fire watch. The fire watch shall consist of at least one person with a means of communicating an alarm to 911, shall have a written address posted in a conspicuous location, and shall maintain constant patrols. 2018 NCFC Section 3304.5
19. FIRE COMMAND CENTER; 508.1 General. Where required by sections of this code and in all buildings classified as a high-rise buildings by the International Building Code, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.6. 2018 NCFC Section 508
20. FIRE DEPARTMENT CONNECTIONS, INSTALLATION; A working space of not less than 36" in width and depth and a working space of 78" in height shall be provided on all sides with the exception of wall mounted FDCs

unless otherwise approved by the fire code official. The FDCs where required must be physically protected by an approved barrier from impacts. 2018 NCFC Section 912

21. FIRE DEPARTMENT CONNECTIONS, LOCATIONS; Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NCFC and Town Ordinances; 7-38 for location. FDCs shall be installed on the street/address side of the building and within 100' of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping.
22. FIRE PROTECTION AND UTILITY PLAN; Shall include the fire flow report: for a hydrant within 500' of each building, provide the calculated gallons per minute of with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of NC and accompanied by a water supply flow test conducted within one year of the submittal. Reference Town Design Manual for required gallons per minute.
23. AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 is required to be installed in non-residential construction, as follows.
 - (1) In new non-residential structures if:
 - a. The building has more than 6,000 square feet of floor area;
 - b. Twenty (20) per cent or more of the total floor area is more than two hundred (200) feet of travel distance from the nearest access point for a fire truck; or
 - c. The building exceeds two (2) stories or twenty-four (24) feet in height from the average grade of the lot to the windows on the topmost occupied floor.
 - (2) In a structural addition to a non-residential building of more than six thousand (6,000) square feet where the cost of the addition exceeds fifty (50) per cent of the value of the building. Fire sprinklers are required in the addition.
 - (3) In a non-residential building of more than six thousand (6,000) square feet which is either renovated at a cost greater than fifty (50) per cent of value or which is damaged and rebuilt at a cost greater than fifty (50) per cent of value. In addition, all connections shall be located on the street side of each building, and activation of the sprinkler system shall activate both a local building alarm and a supervisory alarm at a twenty-four (24) hour certified and licensed alarm monitoring service. Town Ordinance 7-56
24. FIRE HYDRANTS; C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. C103.2 Average spacing. The average spacing between fire hydrants shall be in accordance with Table C102.1. Exception: The average spacing shall be permitted to be increased by 10 percent where existing fire hydrants provide all or a portion of the required number of fire hydrants. C103.3 Maximum spacing. The maximum spacing between fire hydrants shall be in accordance with Table C102.1. 2018 NCFC Appendix C
25. FIRE HYDRANTS; D103. Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). 2017 NCFC D 103

26. **WATER SUPPLY FOR FIRE PROTECTION:** When required. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. 2018 NCFC 3312
27. **KEY BOXES; 506.1** Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life- saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. 2018 NCFC 506.1
28. **ADDRESS IDENTIFICATION; 505.1** Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road front the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (153 mm) high with a minimum stroke width of 3/4 inch (20 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained. 2018 NCFC 505.1
29. **AERIAL FIRE APPARATUS ACCESS ROADS; D105.1** Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
D105.2 Width. Aerial fire apparatus access roads a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 ft (4572 mm) and a maximum of 30 feet (9144) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned or shall be approved by the fire code official.
D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official. 2018 NCFC Appendix D105
30. **DEVELOPMENTS; D104.1** Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.
D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 nr) shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet (11520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. 2018 NCFC Appendix D104

31. REMOTENESS; D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. 2018 NCFC D106.3
32. MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.1.1 or 903.3.1.2.
D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. 2018 NCFC Appendix D 106
33. FIRE LANES; Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. 2018 NCFC Section 503.3 and Appendix D D 103.6, D 1036.1, D 103.6.2
34. GATES AND BARRICADES; 03.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways; not including public streets, alleys, or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200. 2018 NCFC Section 503 and Appendix D103
35. FIRE APPARATUS ACCESS ROADS AUTHORITY; 503.2. Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. 2018 NCFC Section 503
36. MINIMUM SPECIFICATIONS; D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). 2018 NCFC Appendix D
37. GRADE AND APPROACH; 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

D 103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent as approved by the fire chief. 2018 NCFC Section 503 and Appendix D.

38. DEAD END ACCESS ROADS; D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) shall be provided with width and turnaround provisions in accordance with Table D 103.4 2018 NCFC Appendix D D103.4
39. FIRE APPARATUS ACCESS ROADS; 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3
 - 503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provide for every facility, building, or portion fo a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this seciton and shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - Exceptions:
 1. The fire code official is authorized to increase the dimension of 150 feet (45720 mm) where any of the following conditions occur:
 - 1.1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 the dimension shall increase to a minimum of 200 feet (60960 mm).
 - 1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.
 - 1.3. There are not more than two Group R-3 or Group U occupancies.
 2. The fire code official is authorized to modify or exempt fire apparatus access roads for solar photovoltaic power generation facilities. 2018 NCFC Section 503
40. WATER SUPPLY FOR FIRE PROTECTION: When required. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. 2018 NCFC 3312
41. TRAFFIC CALMING DEVICES. Traffic calming devices shall be prohibited unless approved by the fire code official. 2018 NCFC 503.4.1
42. OBSTRUCTION OF FIRE APPARATUS ACCESS ROADS. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum width and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times. 2018 NCFC 503.4
43. FIRE DEPARTMENT ACCESS/CONSTRUCTION: During construction, vehicle access for firefighting shall be provided. Temporary street signs shall be installed at each street intersection when construction allows the passage of vehicles. Signs shall be of an approved size, weather resistant, and maintained until replaced by permanent signs. 2018 NCFC Section 505.2

44. FIRE DEPARTMENT ACCESS/CONSTRUCTION: Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted. Emergency access designation for apparatus shall be provided. 2018 NCFC Section 503, Appendix D.
45. FIRE DEPARTMENT ACCESS: All turns, radii, bridges, and depressions within roadways shall be designed and constructed to be accessible by the largest fire apparatus operated by the Town of Chapel Hill. Technical information on this equipment is available from the Towns Fire Marshal. 2018 NCFC Section 503, Appendix D.

INSPECTIONS:
Travis Crabtree 919. 969. 5042

Response: Per our discussions, the Inspections comments (46 and 48-63 below) are noted and will be addressed/incorporated at the time of ZCP.

46. New addresses with street names will be needed to assist with first responder responses.
47. All new buildings will need to be raised to clear the flood plain.

Response: Per our discussions with Stormwater, buildings can be flood protected and do not have to be raised to clear the floodplain.

48. Provide finish floor elevation on the plan sheet and label the height of the flood panel gate. Flood panel gates must be at least 2 feet above the base flood elevation. The base flood elevation on the site must be shown on the plan sheet.
49. HVAC and electrical utilities installation are to be elevated 2 feet above Base Flood Elevation.
50. All public site elements must comply with NCBC 2018 Ch 11 and ICC A 117.1.
51. Building plans for High-rise, covered mall buildings, group A over 1000 occupants, and group R over 4 stories or 100 units and others must be reviewed by the NCDOT. Please submit plans to NCDOT engineering division. (919) 647-0000.
52. A fire sprinkler system will be required for this project per town ordinance 7-56.
53. Buildings to be demolished must be inspected by a NC accredited asbestos professional. Submit report with demo permit application.
54. Separate demo permit is required for each building.
55. A fire hydrant will be required within 100 feet of the fire department connection (FDC).
56. Temporary street or road signs are required at each street intersection when construction of new roads allows for the passage of vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. NC FPC 2018, section 505.2
57. Provide onsite parking for inspectors at each building for the duration of the construction project.
58. Provide a tire wash for trucks onsite before they hit the main roads.

59. Curb and gutter and at least the first lift of asphalt for the roads must be down ahead of construction.
60. A single electrical service shall be provided to serve the structure with the exception of the fire pump. Article 230.2 (A) 2017 edition of North Carolina Electric Code.
61. A separate submittal and permit will be required for the construction trailer.
62. A door from the exterior will be required to immediately access the fire sprinkler riser room.
63. A separate submittal and permit will be required for any signage on the building or ground mounted signs.

STORMWATER:

Mary Beth Meumann 919. 969. 7233

Response: Stormwater comments (65-74 below) are noted and will be addressed/incorporated at the time of ZCP.

64. Demolition and rebuilding in the RCD will require a variance/modification to the RCD regulation. (Stormwater)

Response: Per discussions with Ernest Odei-Larbi a variance is not required. An RCD modification request has been included with this submittal and a note is included on the Cover Sheet.

65. An elevation certificate FEMA Form 086-0-33 signed and sealed by a North Carolina- registered Professional Land Surveyor should be provided with the final plan application. Within seven (7) calendar days of establishment of the reference level elevation, a second elevation certificate certify the elevation of the reference level, in relation to NAVD 1988 shall be provided to the Stormwater Management Division. (Stormwater)
66. Flood certification form FEMA Form 086-0-34 should be provided with final plan application if applicable. (Stormwater)
67. The applicant must show that 1,2 and 25 year 24 hour storm event post development peak discharge living the site does not exceed the pre-development. (Stormwater)
68. Flood –resistant material with the capability of withstanding of withstanding direct and prolong contact(minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair should be used for improvement below the base flood elevation and up to two feet above base flood elevation. (Stormwater)
69. A flood study report using HEC-RAS showing a NO-RISE and NO ADVERSE IMPACT on neighboring properties should be provided. (Stormwater)
70. All electrical, heating, ventilation, plumbing, air conditioning equipment and other service equipment shall be located at least two feet above the base flood elevation. Anchoring to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including effect of buoyance, during flood condition for HVAC units and tanks located on the ground. (Stormwater)
71. All new and replacement water supply system/sanitary sewage system shall be designed to minimize or eliminate infiltration of floodwaters into the systems. (Stormwater)
72. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. (Stormwater)
73. Driveway and encroachment agreement is required from NCDOT for all proposed entrances to

- the site. (Stormwater)
74. Erosion control permit approval from Orange County Erosion Control is required for land disturbance greater than 20,000 sf. (Stormwater)

PARKS AND RECREATION:**Bill Webster 919. 969. 2891**

75. Provide a 12 ft wide multi-modal path along the property's frontage with Fordham Blvd. that would connect directly with the proposed multi-modal path along Estes Drive.

Response: A 10-ft wide multi-modal path with 1-ft of clear on each side is now shown along Fordham Blvd connecting to the path on Estes Drive.

76. The green space along Estes Drive is greatly appreciated. However, the eventual size and configuration should be dependent on what the space is meant to achieve. Will the space be primarily a seating and dining area such as Carr Mill in Carrboro or will it be a location for the farmers market? Or both? The use should be determined early and then the size and configuration determined before buildings, parking, and other uses are designed.

Response: Potential uses of the green space along Estes Drive are listed on the plan. This may for activities or spaces such as a small ice cream shop or similar vendor, seating areas, outdoor activities such as a farmers market, cornhole or similar may be utilized in the active green space. Additional green spaces have been identified.

LONG RANGE/TRANSPORTATION:**Jomar Pastorelle 919. 969. 5061**

77. Bicycle Facilities:
- The Mobility and Connectivity Plan proposes for bike lanes to be built on S. Estes Drive and on Willow Drive.
 - Bike lanes must be at least 4' width, preferably 5' width.

Response: A 4-foot bike lane will be provided on Willow Drive. A street cross section has been included on the plan per conversations with Planning and Transportation staff. We are waiting on an update to the TIA.

-In addition to the proposed 12' multi-use path on north side of S. Estes Drive, the Mobility and Connectivity Plan proposes a multi-use side path / greenway to be built on the west side of Fordham Boulevard / US 15-501. The multi-use side paths must be consistent. Please reference the Town's Design Manual, page 53, on examples of center line markings.

Response: A 10' multi-use path with 1' of clear on each side on Fordham Blvd is now illustrated on the plan. Details of the Design Manual will be addressed at the time of site plan.

-Please include the design of the bicycle parking facilities on your site plans. Reference the Town's Design Manual, page 50 - 51, for bicycle parking requirements.

Response: Location and design of bicycle parking areas has been added to previous Note 23 (now Note 22) on the plans: "NUMBER, TYPE, LOCATION AND DESIGN OF BICYCLE RACKS REQUIRED WILL BE DETERMINED AS PART OF ZONING COMPLIANCE PERMIT."

78. Pedestrian Facilities:

-The Mobility and Connectivity Plan purposes a 5' sidewalk on the south side of S. Estes Drive.

Response: Per discussion with Transportation, it is not the responsibility of the developer to provide sidewalks on the south side of S Estes Drive across the street from the proposed project.

-Add 5' wide pedestrian crosswalk at each site access entrances.

Response: Crosswalks will be added at the time of ZCP. Note 30 has been added: "All sidewalks and multiuse paths crossing site entrances will have a minimum 5 foot wide pedestrian crosswalk."

-Will there be additional sidewalks built within each POD? Please provide detailed sidewalk network of each POD sites.

Response: Yes, additional sidewalks will be provided throughout the development. We have included this sidewalk network and connectivity on the plan.

79. Transit Facilities:

-Any impacts on existing transit stop facilities along S. Estes Drive and Willow Drive, must be noted in the site plan(s).

-If there are impacts, please contact Nick Pittman from Chapel Hill Transit.

Response: We have been in contact with Nick Pittman. At this time we do not anticipate changes to transit stop facilities, however they may be relocated. Stops will be revisited for review by Nick/Chapel Hill Transit at the time of ZCP. See Note 10 on Cover Sheet.

80. Traffic Impact Analysis Study:

-Please incorporate the recommendations VHB has provided in the TIA. In addition, please inquire VHB why the TIA study did not take into account bicycle and pedestrian accommodations.

Response: The TIA is currently under revision. Once revised, we can incorporate recommendations from VHB.

81. Greenway Facilities:

-Staff is curious as to why the proposed greenway / multi-use path along Fordham Boulevard does not connect to the proposed green / multi-use path along S. Estes Drive.

Response: This has been revised and the multi-use path on Fordham Blvd now connects to the multi-use path on S Estes Dr.

82. Pod A:

-Staff is curious to why Pod A does not indicate the amount of existing SF and/or proposed SF.

-Pod A is being labeled mixed use. Please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail), business, office-type, and/or multi-family residential use

-With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.

-In addition, please designate 20% of all total parking spaces as "electric vehicle ready"

- this includes the installation of dedicated electrical circuit and underground conduits.

-The applicant could consider providing a bicycle fix-it station(s) at Pod A.

Response: There is no existing square footage in Pod A. Square footage maximums have been provided for the project, the exact proposed square footage for this area is not yet set in stone. The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

Pod B:

-The existing building has 295,000 SF, please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail) use.

-With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.

-In addition, please designate 20% of all total parking spaces as "electric vehicle ready"

- this includes the installation of dedicated electrical circuit and underground conduits.

-The applicant could consider providing a bicycle fix-it station(s) at Pod B.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be

shown on ZCP plans.

83. Pod C:

-Pod C is being proposed as a 'mixed-use' with approximately 118,000 SF, please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail), business, office-type, and/or multi-family uses.

-With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.

-In addition, please designated 20% of all total parking spaces as "electric vehicle ready"

- this includes the installation of dedicated electrical circuit and underground conduits.

-The applicant could consider of providing a bicycle fix-it station(s) at Pod C.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

84. Pod D:

-Pod D is being proposed as a commercial / office site with approximately up to 25,000 SF. Please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail) and business, office-type uses.

-With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.

-In addition, please designated 20% of all total parking spaces as "electric vehicle ready"

- this includes the installation of dedicated electrical circuit and underground conduits.

-The applicant could consider of providing a bicycle fix-it station(s) at Pod D.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

OWASA:

Nick Parker

86. I looked at your drawings dated 11/1/19 which are obviously a harbinger for a massive project to replace University Mall, so I have only a few comments now about the Proposed Site Plan:
- This property is currently served by private potable water and sanitary sewer systems. I'll assume the private systems will be replaced with public mains and services for the five Pods and that this property will remain as one parcel.
 - We were not expecting a lot of growth in this area. We will need a Project Fact Sheet and summary of the net increase in wastewater flow and its impact to the Rogerson Drive Pump Station.
 - Most of the site is encumbered by the Town's Resource Conservation District.
Can this project be approved by TOCH?
 - We will need to discuss the phasing when you share details for specific projects.

Response: A Project Fact Sheet is included with this submittal. An RCD Modification Request has also been included in the submittal. The project may be completed in phases and subphases to be determined at ZCP.

Consideration of this response is greatly appreciated. If you should have any questions or require additional information, please do not hesitate to contact me at 919. 361. 5000.

Sincerely,
MCADAMS



Jessie Hardesty
Planner, Planning + Design Group