TOWN OF CHAPEL HILL
Town Council Public Hearing
Town Hall Council Chamber
405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514
7:00 P.M., MAY 18, 2015

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AGENDA ITEMS

1. Approve Agenda. (no attachment)

   Due to time constraints, it is anticipated that the following public hearings and concept plan (Items 2, 3, & 4) will be opened and recessed to the date associated with the respective item.

2. Public Hearing: Application for Special Use Permit Modification – Grove Park, 425 Hillsborough Street. (R-1)

   a. Motion to adopt a resolution to open & recess the Public Hearing to June 15, 2015.

3. Public Hearing: Application for Special Use Permit Modification, Grace Church Expansion, 200 Sage Road. (R-2)

   a. Motion to adopt a resolution to open & recess the Public Hearing to June 15, 2015.

4. Concept Plan: Amity Station, Mixed Use Development, 322 W. Rosemary Street. (R-3)

   a. Motion to adopt a resolution to open & recess the Concept Plan to June 22, 2015.

5. Council Vacancy: Consider Appointment to Council Vacancy.

6. Public Hearing: Recommended Budget. (no attachment)

   PRESENTER: Roger Stancil, Town Manager

a. Introduction by the Manager
b. Comments from the public
c. Comments from the Mayor and Town Council
d. Motion to adjourn the Public Hearing.

7. Overview of Tonight's Obey Creek Items.

PRESENTER: Mary Jane Nirdlinger, Planning and Sustainability

RECOMMENDATION: That the Council open the public hearings on the Obey Creek-related items.

8. Public Hearing: Proposed Land Use Management Ordinance Text Amendment - To Create the New Development Agreement-1 (DA-1) Zoning District.

PRESENTER: Mary Jane Nirdlinger, Planning and Sustainability

a. Introduction and preliminary recommendations
b. Recommendation of the Planning Commission
c. Comments from the public
d. Comments and questions from the Mayor and Town Council
e. Motion to Recess the Public Hearing to June 8, 2015
f. Referral to Manager and Attorney.

9. Public Hearing: Proposed Zoning Atlas Amendment - To Rezone a Portion of the Obey Creek Site to the Proposed Development Agreement-1 (DA-1) Zoning District.

PRESENTER: Mary Jane Nirdlinger, Planning and Sustainability

a. Without objection, the preliminary report and any other materials submitted at the hearing for considerations by the Council will be entered into the record
b. Introduction and preliminary recommendation
c. Presentation by the applicant
d. Comments from the public
e. Comments and questions from the Mayor and Town Council
f. Motion to recess Public Hearing to June 8, 2015
g. Referral to the Manager and Attorney.

10. Public Hearing: Proposed Obey Creek Development Agreement.

PRESENTER: Mary Jane Nirdlinger, Planning and Sustainability

a. Introduction and recommendation
b. Presentation by East West Partners as party to proposed Development Agreement
c. Comments from the public
d. Comments and questions from the Mayor and Town Council
e. Motion to recess Public Hearing to June 8, 2015
f. Referral to Manager and Attorney.

TOWN OF CHAPEL HILL
NORTH CAROLINA

MEMORANDUM

Meeting Date: 05/18/2015
AGENDA #2

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
Judy Johnson, Planning and Sustainability

SUBJECT: Public Hearing: Proposal for Special Use Permit Modification – Grove Park, 425 Hillsborough Street

Recommended Council Action

- That the Council opens and continues tonight's public hearing to the June 15, 2015 Public Hearing.

Explanation of Recommendation

- This project was initially approved by the Council in 2009 with an affordable housing offer of 1.1 million dollars and 26 for sale affordable housing units. A copy of the 2009 Special Use Permit is attached.
- Recently, during the Planning Commission and Housing Advisory Board review of the 2015 Special Use Permit modification application, the applicant's revised affordable housing proposal was identified as a key topic.
- Based on the conversation among the Planning Commission members during their May 5, 2015 meeting, we anticipate that the Planning Commission will be petitioning the Council with respect to affordable housing and payment-in-lieu for rental developments.
- We believe a response to this pending petition and this application are related and should be considered in parallel.
- We recommend delaying action on this project in order for staff to work with the applicant, regarding the affordable housing proposal, and to respond to the petition from the Planning Commission.

Key Considerations

- Affordable Housing

Background

- In February 2009, the Council approved a rezoning of the site to Residential-Special Standards-Conditional and a Special Use Permit.
- On November 4, 2014, an application for a Special Use Permit Modification was submitted to the Town. The application to modify the Special Use Permit included extending the construction start date beyond January 1, 2015, reducing the Special Use Permit boundary, and modifying other stipulations in the 2009 approval, including the affordable housing proposal.

Fiscal Note

- Not determined at this time

Council Goal:

- Create A Place for Everyone
- Facilitate Getting Around
- Develop Good Places New Spaces
- Nurture Our Community
- Support Community Prosperity and Engagement

Attachments

- Resolution
- 2009 Special Use Permit

A RESOLUTION CONTINUING THE PUBLIC HEARING FOR A SPECIAL USE PERMIT MODIFICATION FOR GROVE PARK, 425 HILLSBOROUGH STREET (PROJECT #14-091) (2015-05-18/R-1)

WHEREAS, following the Planning Commission meeting and the information exchanged, we believe additional discussion with the applicant and stakeholders is necessary to review the proposed modification to the Special Use Permit; and

WHEREAS, we anticipate a petition from the Planning Commission to the Council regarding affordable housing and will incorporate a response to the expected petition at the June Public Hearing date.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the public hearing on Grove Park, 425 Hillsborough Street to be reconvened at 7:00 p.m. on Monday, June 15, 2015.

This the 18th day of May, 2015.

I, Sandra J. Kline, Acting Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2009-02-23/R-11a) adopted by the Chapel Hill Town Council on February 23, 2009.

This the 3rd day of March, 2009.

_____

Sandra J. Kline
Acting Town Clerk

A REVISED RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR RESIDENCES AT GROVE PARK MULTI-FAMILY DEVELOPMENT (2009-02-23/R-11a)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that Residences at Grove Park Special Use Permit, Multi-Family Development proposed by Ram Development Company, on property identified as Orange County Property Identifier Numbers: portions of 9788-39-4841 and 9788-39-4857; 9788-49-1706, 9788-49-4924; if developed according to the Site Plan, dated February 20, 2007, last revised July 31, 2008, the Steep Slopes Exhibit sheet C-SA.02 dated April 21, 2008, and the conditions listed below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. Comply with all required regulations and standards of the Land Use Management Ordinance:

3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and

4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan.

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

1. Modification of Section 3.6.3(f)(1) to permit 37,955 square feet of disturbed land area in the Upland zone of the Resource Conservation District.

2. Modification of Section 3.6.3(f)(1) to permit 25,185 square feet of impervious surface in the Upland zone of the Resource Conservation District.

3. Modification of Table 5.3-1 Slope Construction Restrictions to permit land disturbance on 53% of the slopes that are 25% or greater.

Each of these findings are based on a determination that public purposes are satisfied to an equivalent or greater degree because pedestrian, vehicular and emergency improvements are proposed and a sensitive environmental area is to be improved.

4. Modification to Table 3.8-1: Dimensional Matrix to exceed the Maximum Building Height (Secondary) by thirty (30) feet.

This finding is based on a determination that public purposes are satisfied to an equivalent or greater degree because allowing two levels of parking under the buildings would create greater

green area and less impervious surface as well as provide for preservation of several specimen trees.

BE IT FURTHER RESOLVED that the Town Council hereby approves the application for a Special Use Permit for Residences at Grove Park development in accordance with the plans listed above and with the conditions listed below:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by February 23, 2012 and be completed by February 23, 2016.

2. Land Use Intensity: This Special Use Permit authorizes a multi-family development with:

Gross Land Area	12.9 Acres
Total Maximum Floor Area Allowed	517,151 sq ft
Residential Units	346 units
Minimum Affordable units	26 units with a mix of 1 and 2 bedrooms
Minimum Recreation Space	28,167 sq ft
Maximum Impervious Surface Area	334,002 sq ft
Maximum Land Disturbance in the RCD	75,000 sq ft
Maximum Vehicular Parking Spaces	520 spaces
Bicycle Parking Spaces	110 spaces

3. Public Art Payment-in-Lieu: That the applicant provide a $25,000 payment-in-lieu for public art to the Town for off-site public art prior to issuance of a Zoning Compliance Permit.

Affordable Housing

4. Affordable Housing Plan: That the applicant submit an Affordable Housing Plan that addresses: 1) the provision of affordable units; 2) the eligibility of owners; 3) the marketing of the units; 4) setting prices; 5) the assurance of the time period that units will be affordable; 6) the assurance that units will remain affordable; and 7) floor plans of the affordable units and distribution of those units throughout the development. That the Affordable Housing Plan be reviewed and approved by the Town Manager, prior to issuance of Zoning Compliance Permit.

5. Affordable Housing Bedrooms and Payment-in-Lieu: That the applicant provide 26 units in a mix of one and two bedroom units and an $85,000 payment-in-lieu per unit for 13 units, subject to Town Manager approval. The $85,000 baseline shall be established on January 12, 2009, to be inflated by 3% per year until such time as payment

is made to the Town. The payment shall be made to the Town's Affordable Housing Fund. The timing of such a payment-in-lieu is subject to Town Manager approval.

6. Affordable Housing Transfer Fee: That monies collected from a transfer fee associated with the sale/resale of properties (not to exceed 1%) are to be placed into a reserve fund. The applicant will execute a Memorandum of Agreement with the Town and Orange Community Housing and Land Trust that will govern how the transfer fee mechanism and reserve fund will function, with approval by the Town Manager and that an annual report by June 30 be provided to the Town Council detailing the use of the transfer fee fund.

Schools Adequate Public Facilities Ordinance

7. Schools Adequate Public Facilities Ordinance: That the applicant provide the necessary Certificates of Adequacy of Public Schools prior to the issuance of a Zoning Compliance Permit.

Transportation

8. Sight Distance at the Entrance on Martin Luther King Jr. Boulevard: That the final plans and final plat include sight distance triangles at the Martin Luther King Jr. Blvd. driveway.

9. Payment-in-lieu for Traffic Signal Timing Plans: That the applicant provide a payment-in-lieu of $5,000 to the Town to review and revise traffic signal timing plans prior to issuance of a Zoning Compliance Permit for the following intersections:
    - Martin Luther King Junior Blvd. and Hillsborough Street/Umstead Drive
    - Martin Luther King Junior Blvd. and Estes Drive
    - Rosemary Street and Hillsborough Street
    - Rosemary Street and Columbia Street
    - Hillsborough Street and Franklin Street

10. Turning Lane on Hillsborough Street: That the applicant construct a left-turn lane on Hillsborough Street at the site driveway prior to issuance of the first Certificate of Occupancy provided that right-of-way acquisition from adjacent property owners is not necessary for installation. The design and construction details of the turning lane must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

11. Hillsborough Street Bus Pull-off: That the applicant construct a bus pull-off near the site entrance on Hillsborough Street prior to issuance of the first Certificate of Occupancy, provided that right-of-way acquisition from adjacent property owners is not necessary for the installation. The location, design and construction details, including solar generated power, must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

12. Traffic Calming at North Street and Hillsborough Street: That the applicant provide a payment-in-lieu of $60,000 to the Town to install traffic calming devices (e.g. overhead flashing lights) along Hillsborough St.. or similar traffic calming measures as determined by the Town Manager prior to issuance of a Zoning Compliance Permit.

13. Hillsborough Street Right-of-way Dedication: That prior to the issuance of a Certificate of Occupancy the applicant shall dedicate right-of-way to one foot behind the Hillsborough Street sidewalk. That the plat shall be reviewed and approved by the Town Manager prior to recordation.

14. Hillsborough Street access: That the Hillsborough street entrance shall be designed to be used for the townhouse portion of the site. Use of the entrance shall be available by the remainder of the development only when required by emergency conditions and to the extent required to meet the requirements of the North Carolina Fire Code. That the final design shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

15. Hillsborough Street Sidewalk: That a 5-foot sidewalk shall be constructed to Town Standards along the Hillsborough Street frontage including ADA compliant ramps prior to issuance of a Certificate of Occupancy. The sidewalk plans shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

16. Retaining Walls: That the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. That land disturbance associated with construction of retaining walls within the Resource Conservation District shall be minimized and no retaining walls be constructed within the southern landscape buffer without approval by the Community Design Commission for an Alternative Buffer.

17. Fence along south property line: That the applicant construct a continuous six-foot high industrial grade steel, brick, or other material of similar strength approved by the Town Manager, along or near the applicant's southern property line substantially as shown in the attached Exhibit 1.. That it be installed in a manner that protects and preserves existing trees along that property line. That the location be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit and the fence constructed prior to the issuance of the first Certificate of Occupancy. That the Owners Association ("OA") of the Residences at Grove Park be required to maintain the fence. That the fence could be removed at a future date with the consent of the immediately adjoining property owners. That, should the OA fail to provide the required maintenance, the contiguous property or the Town may do so at the OA's expense. That this requirement, in wording approved by the Town Manager, be recorded on the deed to the property prior to the issuance of the first Certificate of Occupancy.

18. Driveway Construction: That curb and gutter shall be constructed on both sides of the

driveway(s) and that such construction shall be completed to Town Standard.

19. Accessibility Requirements: The applicant shall design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans with Disabilities Act standards, North Carolina Accessibility Code, and Town standard. Code requirements include standards for the number, size and spacing of handicapped spaces, travel distance from parking spaces to buildings, ramp and sidewalk slope and other considerations. That the final design shall be reviewed by the Town Manager prior to issuance of a Zoning Compliance Permit.

20. Cross-Access Easement: That the applicant shall provide a vehicular access easement to the south property line for potential future pedestrian and vehicular cross-access. That the easement shall be reviewed and approved by the Town Manager and recorded at Orange County Register of Deeds prior to issuance of a Zoning Compliance Permit.

21. Bus Transit Improvements: That prior to the issuance of a Certificate of Occupancy, the applicant shall provide the following improvements to the bus transit system:

    a. Hillsborough Street bus stop on the west side be located further north closer to the driveway entrance and improved with a bus-stop shelter bench and Next Bus signage including solar generated passenger information system (if permitted solar orientation) and located within the Hillsborough Street right-of-way dedication or an easement and located outside the Duke Energy easement.
    b. Hillsborough Street bus stop on the east side be improved with a bench and trash can.
    c. Martin Luther King Jr. Blvd. bus stop on the west side of the street be relocated and be improved with a bus shelter, bench, and Next Bus signage including solar generated passenger information system (if permitted solar orientation).
    d. Martin Luther King Jr. Blvd. bus stop on the east side of the street be located and be improved with a bus shelter and bench.

22. Bicycle Parking: That the bicycle parking spaces comply with the Class I and Class II bicycle parking standards in the Design Manual and the applicant provide a minimum of 110 bicycle parking spaces.

23. Sidewalks in front of Building 1 and Building 2: That sidewalks be constructed on the east side of the driveway in front of Buildings 1 and 2 and to the underground garage entrance of Building 1.

Landscaping and Elevations

24. Landscape Buffers: That the applicant shall provide the following landscape buffers:

Location	Bufferyard
Martin Luther King Jr. Blvd. & Hillsborough Street	None
All other property lines	Type "B" / minimum 10' wide

25. Landscape Screening and Shading: That the following landscaping standards of the Land Use Management Ordinance be provided:
    a. Section 5.9.6(a): 5-foot wide planting strip around buildings
    b. Section 5.9.6(d): parking lot shading requirements

26. Preservation of Rare Oak Trees: That the 50-inch, 40-inch, and 30-inch DBH oak trees located between Building 4 and the parking lot be protected with temporary chain link tree protection fencing around their critical root zones at a minimum. The location and design of the fencing shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

27. Landscape Protection Plan: That a detailed Landscape Protection Plan, clearly indicating which rare and specimen trees shall be removed and preserved, critical root zones of all rare and specimen trees, detail of protective fencing including chain link fencing and construction parking and materials staging/storage areas, and including Town standard landscaping protection notes, shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

    That the plan shall also provide tree protection fencing for all land disturbances proposed off-site and along the entire limits of disturbance associated with improvements on Hillsborough Street and Martin Luther King Jr. Blvd.

28. Landscape Plan and Landscape Maintenance Plan: That a detailed Landscape Plan and a Landscape Maintenance Plan, shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The landscape plan shall indicate the size, type, and location of all proposed plantings as well as the limits of land disturbance and tree protection fencing.

29. Kudzu Management: That the applicant shall provide information for the management of invasive exotic plant growth and have the management method approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

30. Building Elevations: That the Community Design Commission shall approve building elevations including the location and screening of all HVAC/Air Handling Units for this project, prior to issuance of a Zoning Compliance Permit.

31. Compatibility with the adjacent Historic District: That the Community Design Commission review and approval of the buildings along Hillsborough Street shall be considered with the goal that: 1) the building heights be compatible to building heights in

the adjacent historic district; and 2) the facades of the proposed building contain similar architectural elements and building features as nearby structures in the adjacent historic district.

32. Lighting Plan: That the Community Design Commission shall approve a lighting plan for this site and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) offsite spillage of light, prior to issuance of a Zoning Compliance Permit.

Resource Conservation District

33. Resource Conservation District Encroachment: That a Resource Conservation District Encroachment shall be obtained prior to the issuance of a Zoning Compliance Permit for land disturbance proposed within the Resource Conservation District including driveway improvements, sidewalk construction, fence installation, vegetation removal and replanting, erosion and sediment control measures, and stormwater management.

34. Land Disturbance Activity Limited in the Resource Conservation District: That land disturbance within the Resource Conservation District shall be minimized to the extent necessary in order to construct a permanent stormwater management outfall structure and associated piping, to construct the road entrance, sidewalks, vegetation removal and replanting and fencing, and to install the necessary erosion and sediment control measures for the construction site, subject to review and approval by the Town Manager. Land disturbance within the Resource Conservation District shall be limited to 75,000 square feet.

35. Boundaries: That the boundaries of the Resource Conservation District be indicated on the final plat and plan. A note shall be added to all final plats and final plans, indicating, "Development shall be restricted within the Resource Conservation District in accordance with the Chapel Hill Land Use Management Ordinance."

36. Impervious Surface Limited in the Resource Conservation District: The impervious surface within the Resource Conservation District shall be minimized to the extent necessary in order to construct the driveway improvements and sidewalks subject to review and approval by the Town Manager. Impervious surface within the Resource Conservation District shall be limited to 31,4978 square feet.

Environment

37. Steep Slopes: That prior to issuance of a Zoning Compliance Permit, the applicant shall include a map indicating how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to Town Manager review and approval:

    - for slopes of 10 - 15%, site preparation techniques shall be used which minimize grading and site disturbance;

- for slopes of 15 - 25%, demonstrate specialized site design techniques and approaches for building and site preparation; and
- for slopes of 25% or greater, provide a detailed site analysis of soil conditions, hydrology, bedrock conditions, and other engineering or environmental aspects of the site.

38. Energy Efficiency: That the Final Plans incorporate a "20 percent more energy efficient" feature relative to the energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of building permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans.

39. Energy Management Plan: That the final plan application include an Energy Management Plan. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, biofuels, and hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; d) include on-going energy management practices, and e) that the property owner reports to the Town of Chapel Hill both the expected energy consumption as part of a model prior to issuance of a Zoning Compliance Permit and the actual energy consumption as par to sealed engineering calculations at the time construction is completed.

40. Stormwater Management Plan: That prior to the issuance of a Zoning Compliance Permit the applicant shall submit a Stormwater Management Plan for review and approval by the Town Manager. The plan shall include low-impact stormwater management solutions and best management practices, such as bio-retention, pervious pavements, underground storage, infiltration trenches, vegetative swales and similar techniques.

    The plan shall be based on the 1-year, 2-year, and 25-year frequency, 24-hour duration storms, where the post-development stormwater run-off rate shall not exceed the pre-development rate and the post-development stormwater runoff volume shall not exceed the pre-development volume for the local 2-year frequency, 24-hour duration storm event. Engineered stormwater facilities shall also remove 85% total suspended solids and treat the first inch of precipitation utilizing Town's Design Manual.

41. Level Spreader within Resource Conservation District: That the level spreader shall be located within the Resource Conservation District with special attention paid to design of the dissipater at the outfall.

42. Storm Drainageway Easement: That all stormwater management improvements, outside public right-of-way, shall be located inside reserved storm drainageway easements, per Town guidelines, to be approved by the Town Manager prior to recordation.

43. Stormwater Operations and Maintenance Plan: That a Stormwater Operations and Maintenance Plan shall be provided for the proposed stormwater management facilities and submitted to the Stormwater Management Engineer for approval prior to issuance of a Zoning Compliance Permit. A schedule of inspection and maintenance tasks shall be included. A maintenance covenant shall be included as part of the plan and recorded at the office of the Orange County Register of Deeds prior to issuance of a Zoning Compliance Permit.

44. Erosion Control: That a detailed soil erosion and sedimentation control plan, including provision for monitoring and maintenance of facilities and modifications of the plan if necessary, shall be approved by the County Erosion Control Officer and the Town Manager prior to issuance of a Zoning Compliance Permit.

    If one (1) acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. This financial guarantee is intended to cover the costs of restoration of failed or failing soil erosion and sedimentation controls, and/or to remedy damages resulting from land-disturbing activities, should the responsible party or parties fail to provide prompt and effective remedies acceptable to the Town.

45. Silt Control: That the applicant takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways. During the construction phase, additional erosion and sediment controls may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance.

46. Curb Inlets: In lieu of stenciling, all new Town and State right-of-way and private curb inlet hoods/covers installed within the Chapel Hill Planning Jurisdiction shall be pre-cast stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-5A.

Recreation

47. Recreation Improvements: That the applicant shall provide 28,167 square feet of recreation space. That the recreation space associated with the pool, clubhouse, bocce court, and fitness center shall be considered suitable recreation space if designed in a manner acceptable to the Town Manager. That if the full amount of required recreation space cannot be provided with the facilities listed above or other facilities approved by the Town Manager, the applicant shall provide a payment-in-lieu of providing the remaining required recreation space. Any such payment amount shall be reviewed and approved by the Town Manager in accordance with the Land Use Management Ordinance. Any recreation payment amount shall be submitted to the Town prior to issuance of a Zoning Compliance Permit.

48. Greenway Easement: That a greenway easement shall be provided within the Resource Conservation District to be reviewed and approved by the Town Manager and recorded at Orange County Land Records prior to issuance of a Zoning Compliance Permit.

Water, Sewer, and Other Utilities

49. Overhead Power Lines: That all proposed or relocated utility lines other then 3-phase electric power distribution lines shall be located underground. That the existing utilities along Hillsborough Street shall be relocated underground, unless a letter from Duke Energy does not support burial.

50. Utility/Lighting Plan Approval: That the final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy Company, TimeWarner Cable, Public Service Company, AT & T or GTE, and the Town Manager before issuance of a Zoning Compliance Permit. The property owner shall be responsible for assuring that these utilities, including cable television, are extended to serve the development.

51. OWASA Easements: That easement documents as required by OWASA and the Town Manager shall be recorded before issuance of a Certificate of Occupancy.

52. Sub-Metering of Water Use: That the applicant provide a system and management arrangement to ensure sub-metering and billing for water use by each building within the development. The sub-metering system and arrangements must be approved by the Town Manager prior to issuance of a Certificate of Occupancy, and must meet the requirements of the North Carolina Utilities Commission.

State and Federal Approvals

53. State or Federal Approvals: That any required State or federal permits or encroachment agreements shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.

54. NCDOT Approvals: That plans for improvements to State-maintained roads shall be approved by NCDOT prior to issuance of a Zoning Compliance Permit for the subject phase of development.

Fire Safety

55. Driveway Entrances for Fire Access: That all driveway entrances from Martin Luther King Jr. Blvd. and Hillsborough Street shall be a minimum of 20 feet wide.

56. Bicycle/Pedestrian/Fire Access Path: That the applicant shall construct two adjacent 8-foot wide off-street bicycle/pedestrian paths within the open area between the buildings. Two adjacent, concrete paths are to be separated by four feet and combined to form a 20-

foot fire access. Break-away bollards and roll curbs are to be erected at the entrances to the bicycle/pedestrian/fire access path.

57. Fire Flow Report: That a fire flow report demonstrating compliance with Town standards, sealed by an engineer registered in the State of North Carolina, shall be provided for review and approval by the Town Manager prior to issuance of a Zoning Compliance Permit.

58. Automatic Sprinkler System: That the applicant shall install automatic sprinkler systems in accordance with Town Code and NC Fire Code.

59. Fire Hydrant Accessibility: That all structures must be located within 500 feet of a fire hydrant. That the applicant maintains a 50-foot maximum distance between fire hydrants and fire department connections, in a clearly visible and accessible location on the street side of buildings.

Solid Waste Management and Recycling

60. Solid Waste Management Plan: That a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. That the approved plan shall include the following:

    - A detail showing the layout of the recycling collection area. Adequate passage must be provided between the carts at the rear of the compactor and the fence for cart use. The internal fence around the cardboard dumpster be removed and bollards placed behind the dumpster.

    - That the applicant holds pre-demolition and pre-construction conferences with Orange County Solid Waste staff.

    - That the applicant holds a deconstruction assessment meeting with Orange County staff concerning the buildings to be removed from this site.

    - That the following notes be placed on the final plans: 1. Any gate design will include gate retainers, 2. The user will be responsible for opening gates to the dumpster area on collection days of any material(s) to be collected from this location, 3. If any vehicles are parked in the reuse or recyclable collection vehicle access area, the containers will no receive service until the next scheduled collection day.

    - That the collection vehicle access route to any area containing recyclable material collection containers be paved with all-weather, heavy-duty pavement OR the following note be included on the plans and recorded on the plat: “Orange County will not be responsible for any pavement damage that may result from service vehicles.”

- That the applicant contact Orange County Solid Waste to request multi-family recycling services when the residential units are ready for occupants.

- That the revised plans show lighting details that adequately illuminate the recycling and refuse site.

- The intended path of service to/from the recycling carts must be provided and a handicapped service door and ramp be provided for cart access.

- That the applicant contact Orange County Solid Waste in order to maximize recycling of demolition waste from the existing structures.

61. Number of Recycling Carts: That a minimum of 18 recycling carts shall be provided and location shown on the plans, subject to Town Manager approval, prior to issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

62. Construction Management Plan: That a Construction Management Plan, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit and show designation of Martin Luther King Jr. Blvd. entrance as the primary construction entrance for the site, prohibition of construction traffic on Hillsborough Street except for construction traffic on Hillsborough Street north of the site when traffic is needed for Hillsborough Street improvements and when the Martin Luther King Jr. Blvd. entrance cannot be used. That the first phase of the construction plan shall include construction of the Martin Luther King Jr Blvd entrance. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods, 3) indicate construction staging and material storage areas, and 4) identify construction trailers and other associated temporary construction management structures.

63. Traffic and Pedestrian Control Plan: That the applicant shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the applicant must apply to the Town Manager for a lane or street closure permit.

64. Construction Sign Required: That the applicant shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 16 square

feet of display area and may not exceed 6 feet in height. The sign shall be non-illuminated, and shall consist of light letters on a dark background. A detail of the sign shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

65. Detailed Plans: That final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager before issuance of a Zoning Compliance Permit, and that such plans conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Land Use Management Ordinance and the Design Manual.

66. Certificates of Occupancy: That no Certificates of Occupancy shall be issued until all required public improvements are complete; and that a note to this effect shall be placed on the final plats.

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

67. As-built Plans: The applicant shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.

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

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

70. Vested Right: This Special Use Permit constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160-185.1 and Appendix A of the Chapel Hill Land Use Management Ordinance.

71. Continued Validity: That continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

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

BE IT FURTHER RESOLVED that the Council hereby approves the Special Use Permit for the Residences at Grove Park Development.

This the 23rd day of February, 2009.

TOWN OF CHAPEL HILL
NORTH CAROLINA

MEMORANDUM

Meeting Date: 05/18/2015
AGENDA #3

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
Kay Pearlstein, Senior Planner

SUBJECT: Public Hearing: Application for Special Use Permit Modification, Grace Church Expansion, 200 Sage Road

Recommended Council Action

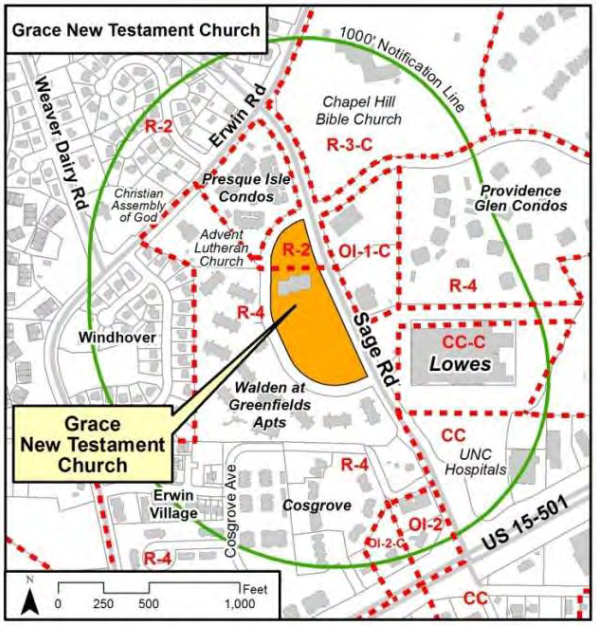
- That the Council open the public hearing and recess it to June 15, 2015.

Explanation of Recommendation

- Staff will return to the Council with recommendations for action after the Council has received public comment and evidence this evening and after the hearing has been reconvened.

Project Description

- This Special Use Permit Modification application, to expand a place of worship, is located on the west side of Sage Road and the east side of Coleridge Drive- with Sage Road/Coleridge intersections at the north and south ends of the site,. The expansion increases the number of seats in the sanctuary from 400 to 850, and expands the building footprint from 14,000 sq. ft. to 40,000 sq. ft.



Key Considerations

- *1995 Special Use Permit:* In 1995 the Council approved a Special Use Permit for 46,500 s. f. of floor area and 237 parking spaces. Approving the proposed modification to the Special Use Permit will allow the applicant to complete their construction plans. Today's proposal includes a build-out (40,000 sq. ft.) that is 6,000 sq. ft. less that the 1995 approval. The proposed parking plan exceeds the 1995 approval by 63 spaces.
- *Proposed Number of Parking Spaces:* During the Concept Plan Review the Community Design Commission (April 16, 2014) and the Council (September 15, 2014) noted that the current parking area on the site seemed to be underutilized and questioned the need for the additional parking. The Commission and Council asked the applicant to investigate off-site parking options. For additional discussion on this matter please refer to the Key Consideration section in the Staff Report.
- *Park and Ride Spaces:* In response to comments received about the proposed additional parking, the applicant is proposing 16 park and ride spaces. During Advisory Board and Commission review there was a discussion about designating more park and ride spaces as well as allowing the applicant to charge a fee for the spaces. For additional discussion on this matter please refer to the Key Consideration section in the Staff Report.

Commission and Advisory Board Recommendations

- The Planning Commission voted 6-0 to recommend that the Council approve Resolution A of the Special Use Permit Modification application with changes.
- The Community Design Commission voted 5-2 to recommend that the council approve Resolution A of the Special Use Permit Modification application.
- The Environmental Stewardship Advisory Board voted 6-0 to recommend that the Council approve Resolution A of the Special Use Permit Modification application with changes.
- The Transportation and Connectivity Advisory Board voted 7-0 to recommend that the Council approve Resolution A of the Special Use Permit Modification application with changes.
- For additional information please refer to the attached Recommendations and the Staff Report.

Fiscal Note

- Not determined at this time.

Council Goal

- A Place for Everyone
- Facilitate Getting Around

Attachments

- Resolution Continuing the Public Hearing
- Staff Report
- Resolution A Special Use Permit Modification Resolution of Approval
- Resolution B Special Use Permit Modification Resolution of Denial
- 1995 Special Use Permit

- Traffic Impact Analysis Executive Summary
- Applicant Materials
- Map of Proposed Park and Ride spaces
- Map of Proposed Public Sidewalk Improvements and Pedestrian Crossings
- Area Map

A RESOLUTION CONTINUING THE PUBLIC HEARING FOR A SPECIAL USE PERMIT MODIFICATION FOR GRACE CHURCH EXPANSION, 200 SAGE ROAD (PROJECT #14-079) (2015-05-18/R-2)

WHEREAS, a Public Hearing was called for a Special Use Permit Modification for Grace Church Expansion on May 18, 2015; and

WHEREAS, time constraints for the May 18, 2015 Public Hearing will preclude the Grace Church Expansion item.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the public hearing on Grace Church, 200 Sage Road to be reconvened at 7:00 p.m. on Monday, June 15, 2015.

This the 18th day of May, 2015.

STAFF MEMORANDUM

TO: Mayor and Town Council

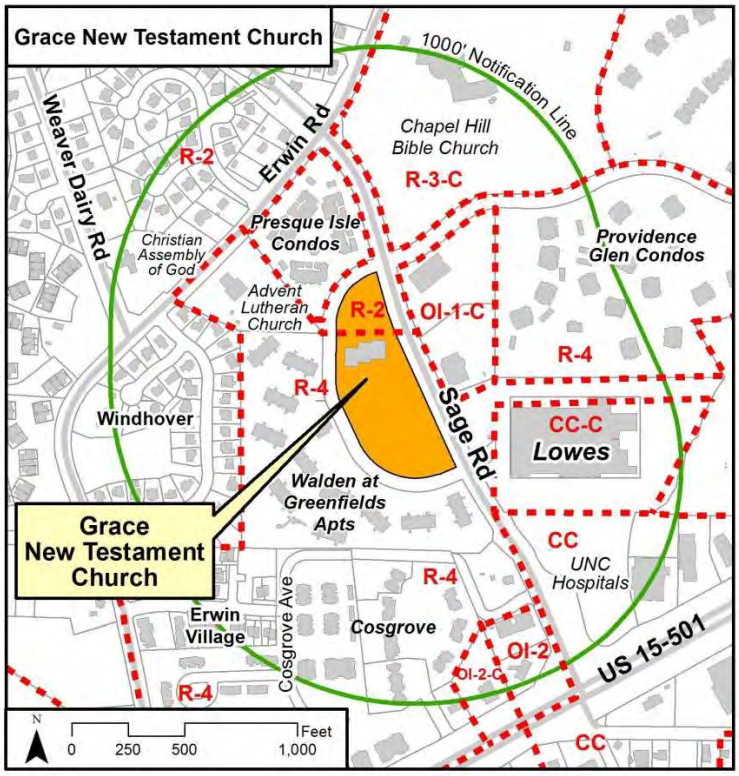
FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
Kay Pearlstein, Senior Planner

SUBJECT: Public Hearing: Application for Special Use Permit Modification, Grace Church, 200 Sage Road (Project# 14-026)

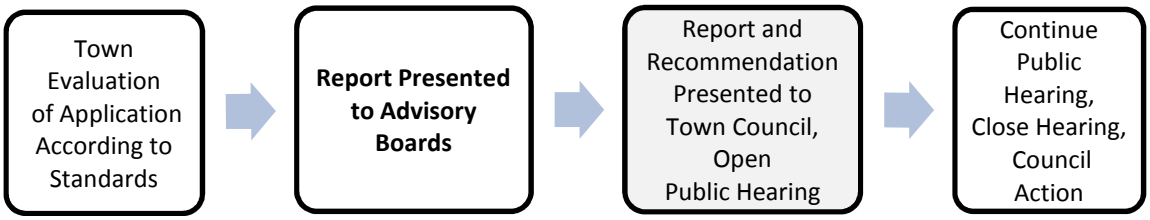
DATE: May 18, 2015

INTRODUCTION

Attached for your consideration is a Special Use Permit Modification application, submitted by Coulter, Jewell, Thames, PA on behalf of the Grace New Testament Church, which proposes to expand a place of worship. The 6.8-acre site is located at 200 Sage Road. The application proposes a 25,600 s.f. addition, parking lot expansion, and an additional driveway. Approximately 15% of the property is in the Residential-2 zoning district and 85% is in the Residential-4 zoning district. No existing or proposed floor area is within the Residential-2 zoning area of the site. No rezoning is required for the proposed expansion.



PROCESS



BACKGROUND

- *May 8, 1995:* A Special Use Permit was approved for Grace Church authorizing 46,000 sq. ft. of floor area and 237 parking spaces.

- *May 8, 2005*: The construction completion date, as specified in the 1995 Special Use Permit, expires. On that date the site included 14,500 sq. ft. of floor area (31% of the approved floor area) and 146 parking spaces (62% of the approved parking spaces). Council approval is required to extend the construction completion date beyond May 8, 2005 and resume construction.

- *September 15, 2014:* The council reviewed a Concept Plan for expansion of Grace Church building and parking lot.

- *November 2014:* Coulter Jewell Thames submits a Special Use Permit Modification application to extend the construction completion date to the summer of 2019. This extension will allow the applicant to proceed with the construction of 25,600 sq. ft. of new floor area and 142 additional parking spaces.

KEY CONSIDERATIONS

- Proposed Number of Parking Spaces: The Commission and Council asked the applicant to investigate off-site parking options.

Staff Response: Currently, a grassy field is used to accommodate approximately 100 overflow spaces during peak use periods. The grassy field is to be paved to accommodate approximately 204 parking spaces, including 16 park-ride spaces.

Some off-site parking occurs on both sides of Coleridge Drive. Chapel Hill Pediatrics, on the east side of Sage Road, also permits the church to use their parking lot for 20-25 cars when they do not have business hours. The applicant has stated that few church members park there because they feel unsafe crossing Sage Road, an arterial road. We believe that in order to provide a safer pedestrian crossing environment, a pedestrian crossing including a push-button activated flashing signal, similar to the one at Town Hall is needed. Although town funding for this improvement is not currently part of a budgeted item, it may be part of a future funding cycle.

The applicant also notes that the Advent Lutheran Church permits church for eight cars in their parking lot when, when space is available.

Park and Ride Parking Spaces: During Advisory Board and Commission review there was a discussion about designating more park and ride spaces as well as not charging a fee for the 16 spaces already proposed.

Staff Response: Resolution A includes a stipulation that the applicant provides 16 park and ride spaces. In response to comments received during Advisory Board and Commission review, the applicant is now considering providing a total of 40 park and ride spaces. If the church does expand park and ride spaces beyond the initial 16 spaces, they are considering imposing a fee as the town charges for park and ride spaces. We anticipate the applicant offering additional information at tonight's meeting.

EXISTING CONDITIONS / DEVELOPMENT PROPOSAL SUMMARY

The Special Use Permit Modification application is proposing the following changes with details indicated in the tables below.

Site Description		
Address	200 Sage Road, Chapel Hill	
Property Description	A 6.8 acres (298,760 s. f.) site, located between Sage Road and Coleridge Drive at 200 Sage Road.	
Orange County Parcel No.	9890-50-3171	
Existing Site Conditions / Proposed Development Description		
	Existing	**Proposed**
Existing and Proposed Use	14,400 sq. ft. place of worship	A 25,600 sq. ft. addition for a total of 40,000 s.f.
Height	Approximately 35 feet	Approximately 35 ft. – single story
Vegetation	73,775 s.f. or 24% canopy	40% canopy coverage (9.9% existing canopy retained; 30.1% provided or 164 new trees proposed)
Vehicular Parking	142 parking spaces	300 parking spaces (including 8 ADA, 16 park and ride, and 28

		compact spaces)
Bicycle Parking	4 spaces	22 spaces
Vehicular and Pedestrian Access	Two driveway entrances on Coleridge Drive	A new Coleridge Drive driveway is proposed on the west.
Land Disturbance Since 1/27/2003	Associated with the parking lot and church building.	210,584 s. f. or 4.8 acres (addition, new driveway, and parking lot expansion)
Impervious Surface	74,745 s.f. (25%)	Total of 160,622 s.f., 85,877 s.f. new (53.7% total)
Zoning	Residential–2 (R–2) 45,846 s.f. Residential- 4 (R-4) 225,968 s.f.	No Change
Overlay Zones	None	

ANALYSIS OF THE SPECIAL USE PERMIT MODIFICATION APPLICATION

The Town staff has received this application for compliance with the themes from the 2020 Comprehensive Plan, the designated uses on the 2020 Land Use Plan, the standards of the Land Use Management Ordinance, and the Design Manual, and offers the following evaluation:

Comprehensive Plan and Land Use Plan*:* The Chapel Hill 2020 Land Use Plan, a component of the Chapel Hill 2020 Comprehensive Plan, designates this site as Institutional. No change is proposed to the Place of Worship, only expansion of the existing use. We believe the proposed Place of Worship for the Grace Church complies with the land use plan designation because of the proposal's compliance with themes in the 2020 Comprehensive Plan as indicated below.

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

Conforms	No.	2020 Comprehensive Plan Themes
✓	1	A Place For Everybody
	2	Community Prosperity and Engagement
✓	3	Getting Around
✓	4	Good Places, New Spaces
✓	5	Nurturing Our Community
	6	Town and Gown Collaboration

We believe the Grace Church expansion complies with the themes of the 2020 Comprehensive Plan. For information on how this proposed development addresses these themes and goals of the Comprehensive Plan, please refer to the attached applicant's Statement of Justification.

Comparison of Concept Plan and Special Use Permit Modification Proposals

	2014 Concept Plan	Special Use Permit Modification
New Floor Area	32,100 s.f.	25,600 s.f. (40,000 s.f. total)
Impervious Surface	Not provided	85,877 s.f. new; total 160,622 s.f.
Max. Building Ht.	Approx. 35 ft.	No change
Buildings	1 building	No change
Vehicular Parking	320 total	300 total (8 ADA)
Bicycle Parking	8	22 total
Vehicular Access	New driveway on Coleridge	New driveway on Coleridge

Proposed Modification to Regulations: No request for modifications to regulations is proposed.

Transportation

Traffic Impact: The number of vehicle trips expected to be generated by the development is 800 trips per day with peak traffic on Sunday mornings. The Traffic Impact Analysis recommended a sidewalk connection between the existing site and the Sage Road sidewalk to better accommodate potential future pedestrian trips to/from the site. We have included this recommendation in Resolution A. The Executive Summary Traffic Impact Study is attached.

Access and Circulation

Vehicular Parking: The site is accessible via two full-service driveways on Coleridge Drive. A third driveway is proposed to provide access to a new parking area with 69 spaces on the northern portion of the site. The parking lot is proposed to include curb and gutter and a new concrete pad for a double dumpster with enclosure in the northern most corner of the parking lot. A retaining wall is proposed along the western side of the parking lot to accommodate a sloping grade. On the southern portion of the site, the existing parking lot provides parking for 124 vehicles. Overflow parking occurs on an adjacent grassy field accommodating about 100 vehicles. The field is proposed to be paved to extend the existing parking lot and includes linear landscape islands for planting canopy trees.

The Land Use Management Ordinance specifies vehicular parking standards for a Place of Worship is based on the number of seats in the sanctuary. The expansion proposes 450 new seats for a total of existing and proposed of 850 seats. A minimum of 170 and a maximum of 425 vehicle parking spaces are required. The application proposes 300 parking spaces. The application proposes a total of 8 handicapped parking spaces, meeting the handicapped parking requirement. This subject was discussed during Concept Plan Review. The applicant provides the following statement in support of the increased parking request:

> "The church is proposing to expand the sanctuary from 400 to 850 seats. The existing 142 onsite parking spaces currently underserve the Church's parking needs, and overflow parking occurs on the grass field and Coleridge Road. Although the sanctuary is more than doubling in capacity, the parking lot is only doubling to 300 spaces. The Concept Plan reviewed at the Concept Plan stage had 320 spaces. In response to the number of spaces proposed, the parking was reduced to 300 (121 less than the maximum allowed by the LUMO)." *[Applicant Statement]*
>
> In addition to the 30' landscape buffers required, we are proposing tree canopy replacement within and round these landscape buffers, which will significantly screen the parking lot from the surrounding roads." *[Applicant Statement]*

Park and Ride Spaces: The applicant is proposing 16 new park and ride spaces in the southern portion of the parking lot (see attached map). The applicant provides the following statement:

"With our current proposal of 16 park-n-ride spaces, the church is not requesting a rental agreement, but rather making them available as a good neighbor community service. If the number of PnR spaces was to increase, then the church would revisit this (maintenance and other issues may facilitate a rental fee to account for this)." *[Applicant Statement]*

A proposed sidewalk will connect the park and ride spaces with an existing bus shelter. For additional discussion on this topic, please refer to the Key Consideration section in this Report.

Shared Parking: This subject was discussed during the Community Design Commission and Council concept plan review. The applicant provides the following statement regarding off-site parking:

> "For the past several years some of our key volunteers have parked at Chapel Hill Pediatrics and walked across the road. Chapel Hill Pediatrics said they could use about 20-25 of their spots on Sunday mornings. Not too many of the church people do that anymore because no one likes crossing the 4 lanes of traffic to get over there. It's not really a great safe option." *[Applicant Statement]*
>
> "They have permission to park 8 cars at the Lutheran Church. They park on the project side of Coleridge Road, pretty much from one end of our property to the other." *[Applicant Statement]*

Bicycle Parking: The Land Use Management Ordinance specifies a minimum of 8 spaces, 1 space per 50 seats. In this case, a total of 17 spaces is required. The applicant is proposing a total of 22 spaces (18 new spaces), four spaces are currently on-site. The Design Manual does not provide a percentage of Class I and Class II spaces for Places of Worship. We recommend that the applicant provide two Class I spaces (in a locked enclosure or supervised area within a building) or approximately 10% of the parking spaces. This percentage is similar to what is required for a school. Twenty Class II spaces in bicycle racks are required. The inverted U-rack

is the Town standard, and we recommend that the existing and proposed racks are this design. We have included bicycle parking stipulations in Resolution A.

Pedestrian Access and Improvements: Public sidewalks exist along both sides of Sage Road and on the outside of Coleridge Drive, across the road from the site. No sidewalk exists along the site's Coleridge Drive frontage.

The applicant is proposing to construct sidewalk sections along some portion of the site's Coleridge Drive frontage. Two new Coleridge Drive crosswalks with handicapped ramps are proposed to provide safe pedestrian access across Coleridge Drive from the bus shelters on the west side of Coleridge Drive. Where sidewalk is not proposed along the site's Coleridge Drive frontage, the applicant is proposing to grade the right-of-way so a sidewalk may be installed at a later date. See attached map for more details.

Near the southern intersection of Sage Road and Coleridge Drive, the applicant is proposing a sidewalk between Sage Road and the new parking lot. An internal sidewalk is also proposed within the parking lot medians to the front entrance of the new addition. We have included stipulations in Resolution A requiring these improvements.

Transit Improvements: Two existing shelters on Coleridge Drive and a nearby bus stop on Sage Road provide Grace Church with transit service. Chapel Hill Transit has not requested the applicant to provide any additional improvements to these stops.

Landscape and Architecture

Landscape Buffers: Following are the Land Use Management Ordinance standards for landscape bufferyards on this site, and the bufferyards proposed by the applicant:

Location	Buffer Required	Proposed Buffer
Eastern Property Line (Sage Road)	30 ft. wide Type C	30-ft. wide Type C
Western Property Line (Coleridge Drive)	15 ft. wide Type B	15 ft. wide Type B
Northern Property Line (Coleridge Drive)	15 ft. wide Type B	15 ft. wide Type B
Southern Property Line (Coleridge Drive)	15 ft. wide Type B	15 ft. wide Type B

At the concept plan reviews by the Community Design Commission and Council, neighbors expressed concern with removal of landscaping for parking lot expansion in the northern portion of the site allowing greater visibility of cars and pavement. The applicant has proposed full width

buffer plantings using evergreen trees to act as a screen in this location. A retaining wall, approximately 2 ½ feet tall, is proposed between the evergreen trees and the edge of the parking lot to minimize grading.

Tree Coverage: The ordinance requires 40% of the site be covered with tree canopy through a combination of retained and replanted trees. Following construction of the addition and expansion of the parking lot, the applicant estimates that 164 new trees will be planted in buffers, around the perimeter of the stormwater pond, the two parking lots, and around the building in meeting 40% tree canopy coverage. We have included 40% canopy coverage as a stipulation iA.

Parking Lot Shading: The two parking lots require conformance with the Land Use Management Ordinance parking lot shade percentage of 35%. We have included a stipulation in Resolution A to this effect.

Community Design Commission Review: The Community Design Commission will review and approve the building elevations that include the building, dumpster fence, and new HVAC units and site lighting prior to the issuance of a Zoning Compliance Permit.

Environment / Stormwater Management

Impervious Surface: Existing total impervious surface area on the site is 74,745 square feet. After construction of the addition, installation of sidewalks, and parking lot expansion, the applicant's impervious total proposal would be 160,622 square feet or 53.7% of the site. A new stormwater pond is proposed along the eastern property along Sage Road. Yard and drop inlets are proposed to be connected with storm drain piping to the stormwater pond. The applicant is proposing to meet stormwater performance standards in Section 3.6.4(g) of the Land Use Management Ordinance for rate, volume and quality. We have included stipulations with detailed requirements in Resolution A.

Energy Management Plan: In 2007, the Council adopted a resolution specifying the Council's expectations for energy efficiency and an energy management plan for applicants seeking approval of rezoning applications. Although a rezoning application is not proposed, the applicant has submitted an Energy Management Plan to reduce energy consumption. The Energy Management Plan shall include the energy performance of the building and a goal of 20 percent more energy efficient feature relative to the 2010 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE). See the attached Applicant's Materials. Resolution A includes a stipulation requiring an energy management plan.

Miscellaneous

Additional Stipulations in Special Use Permit Modification Resolution A (see resolution for detailed requirements)

Accessibility Requirements	The interior of the building will need to comply with NC

	Building Code. Eight ADA parking spaces are proposed with accessibility to Coleridge Drive and Sage Road.
Landscape Protection, Screening and Shading Plan	We have included our standard stipulations for approval of landscape buffers, including tree protection fencing, screening of parking areas and buildings, as well as a maintenance schedule, canopy trees and shading plan.
Erosion Control	Prior to commencement of land-disturbing activities, the applicant shall provide a performance guarantee in accordance with Section 5-97.1 of the Town Code of Ordinances.
Lighting Plan	The applicant shall submit plans and documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance.
Overhead Power Lines	That the applicant shall comply with Section 5.12.2 of the Land Use Management Ordinance.
Fire	The applicant shall obtain Fire Marshal approval for required fire safety features and infrastructure.
Transportation Management Plan	Town Council policy calls for provision of a Transportation Management Plan to decrease automobile trips.
Solid Waste Management Plan	The applicant shall obtain approval of a Solid Waste Management Plan (SWMP) from Orange County Solid Waste Department.
Construction Management Plan	The applicant shall provide a Construction Management Plan that details construction site management, street closures, parking, and other construction site considerations.
Utilities	Prior to the issuance of a Zoning Compliance Permit, the applicant provide final utility/lighting plans.
Traffic and Pedestrian Control Plan	The applicant shall provide a Work Zone Traffic Control Plan for vehicular and pedestrian movement on public streets that will be disrupted during construction activity.

SPECIAL USE PERMIT APPLICATION FINDINGS OF FACT

The applicant's materials are included as attachments to this memorandum. All information submitted at the public hearing will be included in the record of the hearing. Based on the evidence that is submitted, the Council will consider whether or not it can make each of four required findings for the approval of the Special Use Permit modification for the Grace New Testament Church expansion. The four findings are:

Finding #1: That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

Finding #2: That the use or development would comply with all required regulations ad standards of the Land Use Management Ordinance;

Finding #3: That the use or development is located, designated, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and

Finding #4: That the use or development conforms to the general plans for the physical development of the Town as embodied in the Land Use Plan and in the Comprehensive Plan.

Following the public hearing, we will prepare an evaluation of the evidence submitted in support of and in opposition to this application.

COMMISSION AND ADVISORY BOARD RECOMMENDATIONS

Planning Commission: The Planning Commission reviewed this item on April 21, 2015 and voted 6-0 to recommend approval of the Special Use Permit Modification with the following change:

- Parking Spaces: Endorse the applicant's request to modify the application and increase the number of parking space from 284 to 300.

Staff Response: We support the 16 additional parking spaces. The LUMO allows a maximum of 425 parking spaces, based on 450 seats in the sanctuary. We believe that 300 parking spaces is reasonable. This recommendation is stipulated in Resolution A.

- Park and Ride Spaces: The Commission also suggested that the applicant not charge for use of the proposed Park and Ride Spaces.

Staff Response: Please see the Key Consideration section in this report for discussion on this topic.

Please see attached Planning Commission Recommendation for additional information.

Environmental Stewardship Advisory Board: The Environmental Stewardship Advisory Board reviewed the Special Use Permit Modification application on April 14, 2015 and voted 6-0 to recommend approval with the following three stipulations:

Permeable Pavers: Consider the use of "grasspave" and/or permeable pavers where possible and appropriate.

Staff Response: The applicant is agreeable to this consideration for use of permeable pavers. We have added the stipulation in Resolution A.

Native and drought-tolerant plants: Maximize the use of native and drought-tolerant species for new plantings.

Staff Response: The applicant is agreeable to this condition. We have added the stipulation in Resolution A.

Invasive Exotic Plant Removal: That all invasive exotic plant species should be removed.

Staff comment: The applicant is agreeable to this condition. We have added the stipulation in Resolution A.

Please see attached Environmental Stewardship Advisory Board Recommendation for additional information.

Transportation and Connectivity Advisory Board: The Transportation and Connectivity Board reviewed this application on March 24, 2015 and voted 7-0 to recommend approval of the Special Use Permit Modification with the following stipulation:

Park and Ride Spaces: That the spaces available for Monday through Friday Park and Ride use be expanded.

Staff Response: Please refer to the Key Consideration section in this report for additional information on this topic.

Please see attached Transportation and Connectivity Advisory Board Recommendation for additional information.

Community Design Commission: The Community Design Commission reviewed this application on March 24, 2015 and voted 5-2 to recommend approval of the Special Use Permit Modification. Please see attached Community Design Commission Recommendation for additional information.

STAFF RECOMMENDATIONS

Staff Recommendation: We recommend that the Council open the public hearing and receive public comment and evidence on the proposed Special Use Permit Modification.

PROJECT FACT SHEET REQUIREMENTS

Checklist of Regulations and Standards
Special Use Permit Application

GRACE CHURCH EXPANSION	STAFF EVALUATION	
	COMPLIANCE	**NONCOMPLIANCE**
Use Permitted	√	
Gross Land Area – 6.8 acres	√	
Minimum Lot Width	√	
Maximum Floor Area	√	
Maximum # Dwelling Units	NA	
Minimum Recreation Space	NA	
Impervious Surface Limits	√	
Land Disturbance Minimized	√	
Minimum # Vehicular Parking Spaces	√	
Minimum # Bicycle Parking Spaces	√	
Minimum Setbacks	√	
Maximum Primary Height Limits	√	
Maximum Secondary Height Limits	√	
Minimum Landscape Bufferyards	√	
Maximum Land Disturbance in the Resource Conservation District	NA	
Steep Slopes Compliance	NA	
Stormwater Management	√	
Public Water and Sewer	√	
Adequate Public Schools Facilities	NA	

RESOLUTION A
(Approving the Special Use Permit Modification Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR GRACE CHURCH EXPANSION (PROJECT #14-079)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Coulter Jewell Thames PA for Grace Church Expansion at 200 Sage Road, having applied to the Town for a modification to an existing Special Use Permit, approved by the Town on May 8, 1995 (recorded in Deed Book 1693, Page 102 at the Orange County Register of Deeds office), on property identified as Orange County Property Identifier Number 9890-50-3171, located in the Residential-2 (R-2) and Residential-4 (R-4) zoning districts, if developed according to the Site Plan dated November 11, 2014 and revisedMarch 30, 2015, the conditions listed below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. Comply with all required regulations and standards of the Land Use Management Ordinance;

3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and

4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

BE IT FURTHER RESOLVED that the Council of the Town of Chapel Hill hereby approves the application for a Special Use Permit Modification for Grace Church Expansion, in accordance with the plans listed above and with the conditions listed below:

Stipulations Specific to the Development

1. Construction Deadline: That construction begin by _____ (2 years from the date of approval), to be completed by _____ (4 years from the date of approval).

2. Land Use Intensity: This Special Use Permit Modification modifies the May 8, 1995 Special Use Permit recorded on Book 1693 Page 102 with the following:

Use: Place of Worship	
Gross Land Area	298,760 square feet (6.8 acres)
New Floor Area	26,500 square feet (40,000 square feet total)
Total Max. Floor Area Allowed	61,860 square feet
Maximum Vehicular Parking Spaces	300 spaces
Minimum Bicycle Parking Spaces	22 spaces
Impervious Surface	160,622 square feet

3. Detailed Plan Review and Approval: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved. Such plans shall conform to plans approved by the Council and demonstrate compliance with all applicable regulations and standards of the Land Use Management Ordinance and the Design Manual.

4. Stipulation Review and Approval: Plans, plats, and associated detailed requirements as set forth in the stipulations of this resolution and incorporated into the Special Use Permit shall be reviewed and approved by the Town Manager, or his designee, as well as outside agencies, such as the North Carolina Department of Transportation (NCDOT), Orange Water and Sewer Authority (OWASA) and Duke Energy, where indicated.

Access

5. Accessibility Requirements: That prior to the issuance of a Certificate of Occupancy, the applicant shall provide the minimum required handicapped parking spaces and design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans with Disabilities Act standards, North Carolina Building Code, American National Standards Institute (ANSI) Code, and Town standard.

6. Performance Bond: Prior to commencing construction activity for the improvements in the public right-of-way, a performance bond shall be provided to the Town Manager to ensure the construction and installation of the improvements in accordance with the standards and provisions approved by the Town as part of the project.

7. Parking Lot Signage: That prior to the issuance of a Certificate of Occupancy, the applicant shall provide a directional signage plan including entrance and exit signs subject to Town Manager approval.

8. Coleridge Drive Sidewalk: That prior to the issuance of a Certificate of Occupancy, a 5-foot sidewalk be constructed along the Coleridge Drive property between the proposed and southern-most existing driveways.

9. Coleridge Drive Crosswalks: That the applicant install two pedestrian crosswalks on Colerdige Drive, one at each of the bus shelters on the west side of Coleridge Drive, with ADA ramps on each side. The locations shall be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

10. Parking Lot Sidewalk: That a sidewalk from the parking lot to Sage Road be constructed. Pedestrian access from this sidewalk through the parking lot and to the proposed expansion facility shall be constructed.

11. Grading for Future Coleridge Drive Sidewalks: That where no sidewalk is proposed alongthe Coleridge Drive frontage, the land be graded for future sidewalk installation.

Transportation

12. Repairs in Public Right-of-Way: Prior to the issuance of a Certificate of Occupancy, it will be necessary to repair all damage for work in the public right-of-way related to the construction of this project. The design must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

13. Work Zone Traffic Control Plan: Prior to the issuance of a Zoning Compliance Permit, it will be necessary to provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction.

14. Park and Ride Parking Spaces: That the applicant provide 16 parking spaces designated as park and ride spaces in the southern portion of the site and that the spaces be signed as Park and Ride Spaces.

15. Bicycle Parking: That prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for a minimum of 17 bicycle parking spaces that comply with Town parking standards. The bicycle parking design must comply with the spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines. The existing bicycle parking racks shall be upgraded to the inverted "U" design. That two of the proposed bicycle parking be Class I. Section 4.11 Bicycle Parking, of the Town Design Manual defines Class I bicycle parking as a locker, individually locked enclosure, or supervised area within a building providing protection for bicycle therein from theft, vandalism and weather. Wall mounted racks inside a room in the facility satisfy as Class I parking/space.

16. Driver Sight Lines: That clear drive sight lines be provided for the proposed driveway located on Coleridge Drive.The mature height of landscaping plantings, within the driveway sight distance triangles, shall not exceed 24 inches.

17. Transportation Management Plan: The a Transportation Management Plan (TMP) be prepared for this project with annual updates required. The required components of the Transportation Management Plan include:

- Designation of a Transportation Coordinator to communicate and promote alternate modes of transportation.
- Submission of an Occupancy Survey due 90 days after the issuance of the final Certificate of Occupancy.
- Submission of an updated annual Transportation Management Plan Report and Resident and Employee Surveys during survey years.
- Measures to gradually attain the goals of the program.
- Annual survey of employees for any increase in demand for additional bicycle parking.

Landscape and Architecture

18. Landscape Protection: Prior to the issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include which trees will be removed and which will be preserved, critical root zones of all rare and specimen trees, and clearly indicate names and species.

19. Tree Protection Fencing Prior to Construction: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The Town standard landscaping protection notes include placement of tree protection fencing around the construction limits, construction parking, and materials staging/storage areas , and shall be subject to Town Manager approval.

20. Landscape Planting Plan: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval.

21. Canopy Tree Coverage: That the final plan includes 40% canopy tree coverage, including a combination of retained and replanted trees.

22. Parking Lot Shading: The final plan include 35% parking lot shading coverage for existing and new parking areas.

23. Landscape Screening and Shading: That the parking lot landscape design adhere to the standards for Section 5.9.5 (a-d) of the Land Use Management Ordinance.

24. Northern Buffer: That a full width buffer planting using evergreen trees to act as a screen shall between neighbors and view into the parking lot.

25. Invasive Exotic Vegetation: That prior to the issuance of a Zoning Compliance Permit, the applicant shall identify on the planting plan, known invasive exotic species of vegetation, as defined by the **Southeast Exotic Pest Plant Council (SE-EPPC)**[1] and provide notes indicating removal from the landscape buffer areas, prior to planting.

26. Permeable Pavers: That the applicant use "grasspave" and/or permeable pavers where possible and appropriate.

27. Native, Drought-Tolerant Plantings: That the applicant maximize the use of native and drought-tolerant species for new plantings

28. Community Design Commission Approval: Prior to the issuance of a Zoning Compliance Permit the applicant shall obtain Community Design Commission approval of building elevations, including the location and screening of all HVAC/Air Handling Units for this project as well as a lighting plan and shall take additional care during review to ensure that

[1] http://www.se-eppc.org/weeds.cfm

the proposed lighting plan will minimize 1) upward light pollution and 2) off-site spillage of light.

Environment

29. Energy Management Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide an Energy Management Plan (EMP) for Town approval. The Energy Management Plan shall include the energy performance of the building and a goal of 20 percent more energy efficient feature relative to the 2010 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE).

Stormwater Management

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

31. Erosion Control Inspections: That, in addition to the requirement during construction for inspection after every rainfall, the developershall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and maintain inspection logs documenting the daily inspections and any necessary repairs.

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

33. Phasing Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The phasing plan shall detail public improvements, and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases are complete, with a note to this effect on the final plans and plats.

34. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy.

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

Water, Sewer, and Other Utilities

36. Utility/Lighting Plan Approval: That the final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy Company, and other local utility service providers, and the Town Manager before the issuance of a Zoning Compliance Permit. The property owner shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to the issuance of a Zoning Compliance Permit.

37. Lighting Plan: That prior to the issuance of a Zoning Compliance Permit, the developer shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including submission of a lighting plan that provides for adequate lighting on public sidewalks, including driveway crossings and beneath awnings, demonstrates compliance with Town standards, and is sealed by a Professional Engineer, for Town Manager approval.

38. Relocation of Overhead Utilities Underground: Prior to the issuance of a Certificate of Occupancy, it will be necessary to provide for the underground installation of all public utilities as required by Section 5.12.2 of the Land Use Management Ordinance.

39. Water/Sewer Line Construction: That all public water and sewer plans be approved by OWASA and constructed according to its standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. That prior to the issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager.

40. OWASA Approval: That prior to the issuance of a Zoning Compliance Permit, easement plats and documentation as required by OWASA and the Town Manager shall be recorded if necessary.

Fire Safety

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

42. Hydrants Active: That the applicant shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. That fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.

43. Fire Aparatus Access Roads: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be

all-weather and designed to carry the imposed load of fire apparatus weighing at least 75,000 lbs. Fire apparatus access roads shall have a minimum width of 20' exclusive of shoulders with an overhead clearance of at least 13' 6" for structures not exceeding 30' in height and shall provide access to within 150' of all exterior portions of the building. Structures exceeding 30' in height shall be provided with an aerial apparatus access road 26' in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15' and not more than 30' from the structure parallel to one entire side of the structure.

44. Fire Grades: Fire apparatus access roads shall not exceed 10% in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Department's apparatus.

45. Fire Flow: Fire hydrant must be within 500' of the building andprovide the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal.

46. Fire Lane Marking: Where required, approved marking signs including the words, NO PARKING-FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads.

47. Fire Hydrant and FDC Locations: That the Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

48. Firefighting Access During Construction: That as required by NC Fire Code (Section 1410.1 Required Access), vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions.

Solid Waste Management and Recycling

49. Solid Waste Management Plan: That prior to the issuance of a Zoning Compliance Permit a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. Prior to the issuance of a Zoning Compliance Permit, the developer shall provide documentation of an agreement for solid waste collection if by a private provider.

50. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled. All haulers of construction waste must be properly licensed. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered.

State and Federal Approvals

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

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

Miscellaneous

53. Construction Management Plan: That a Construction Management Plan be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods, 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance.

54. Traffic and Pedestrian Control Plan: That the applicant shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the applicant must apply to the Town Manager for a lane or street closure permit.

55. Construction Sign Required: That the applicant shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (5.14.3(g) of Land Use Management Ordinance). The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager.

56. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.

57. Detailed Plans: That prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Land Use Management Ordinance and the Design Manual.

58. As-Built Plans: That prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. The developershall also contact the Town's Engineering and Design Services Division for address assignment of each unit.

59. Vested Right: This Special Use Permit constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and Appendix A of theTown Code.

60. Continued Validity: That continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

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

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for the Grace Church Expansion at 200 Sage Road.

This the _____day of _____2015.

RESOLUTION B
(Denying the Special Use Permit Application)

A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR GRACE CHURCH EXPANSION (PROJECT #14-071)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Coulter Jewell Thames PA for Grace Church Expansion at 200 Sage Road, having applied to the Town for a modification to an existing Special Use Permit, approved by the Town on May 8, 1995 (recorded in Deed Book 1693, Page 102 at the Orange County Register of Deeds office), on property identified as Orange County Property Identifier Number 9890-50-3171, located in the Residential-2 (R-2) and Residential-4 (R-4) zoning districts, if developed according to the Site Plan dated November 11, 2014 and revised March 30, 2015, the conditions listed below would not:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. Comply with all required regulations and standards of the Land Use Management Ordinance;

3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and

4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

BE IT FURTHER RESOLVED that the Town Council hereby denies the application for a Special Use Permit Modification for Grace Church Expansion, 200 Sage Road.

This the _____ day of _____.

Prepared by: Beverly Kawalec, Town of Chapel Hill Planning Department

BOOK 1693 PAGE 102

FILED
27 FEB 1998, at 12:53:55pm
Book 1693, Page 102 - 105
Betty June Hayes,
Register of Deeds,
Orange County, N. C.

Return: **TOWN OF CHAPEL HILL**

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27516
Telephone (919) 968-2728

ORANGE COUNTY NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Grace New Testament Church having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, the same was granted by the Town of Chapel Hill on May 8, 1995, the terms of which are as follows:

NAME OF PROJECT: Grace New Testament Church

NAME OF DEVELOPER: Mr. Dan Jewell, Young Jewell and Associates

THIS PERMIT IS BEING RECORDED TO CORRRECT PERMIT RECORDED IN BOOK1393, PAGE 536.

DESCRIPTION OF PREMISE

LOCATION: West side of Sage Road between the Coleridge Drive loop

TAX MAP REFERENCE : Chapel Hill Township Tax Map 27, Block B, Lot 7C

9890-50-3171 MAB

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 298,373 square feet

OPEN SPACE: 268,873 square feet

NUMBER OF BUILDINGS: 1

LIVABILITY SPACE: 170,973 square feet

FLOOR AREA: 46,500 square feet

NUMBER OF PARKING SPACES: 237 spaces (up to 49 of the spaces off-site)

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated February 17, 1995 on file in the Chapel Hill Planning Department and according to the special terms and conditions set forth below:

Stipulations Specific to the Development

1. That construction begin by May 8, 1997 (two years from the date of Council approval) and be completed by May 8, 2005 (ten years from the date of Council approval).

2. That this site shall not be used for child daycare facilities, or elementary or secondary schools, as defined in the Town's Development Ordinance.

3. Combined Parking Requirement: That the applicant demonstrate to the Town Manager that the provisions of Article 14.6.3 regarding combined parking have been met prior to the issuance of a Zoning Compliance Permit.

Stipulations Related to State and Federal Government Approvals

4. State or Federal Approvals: That any required State or Federal permits or encroachment agreements be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.

Stipulations Related to Landscape Elements

5. Landscape Plan Approval: That a Type C buffer (minimum width 30') be provided along the Coleridge Road frontage; and a Type D buffer (minimum width 30') be provided along the Sage Road frontage.

That a detailed landscape plan, landscape maintenance plan, and lighting plan be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit.

Stipulations Related to Building Elevations

6. Building Elevations: That detailed building elevations be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit.

Stipulations Related to Water, Sewer and Other Utilities

7. Utility/Lighting Plan Approval: That the final utility and lighting plan be approved by the Orange Water and Sewer Authority, Duke Power, Cablevision, the Public Service Company, Southern Bell, and the Town Manager before issuance of a Zoning Compliance Permit.

8. Fire Flow: That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, be approved prior to issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

9. Solid Waste Management Plan: That a solid waste management plan, including a recycling plan and plan for management of construction debris, be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

10. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), landscape plan and landscape maintenance plan and landscape protection plan be approved by the Town Manager before issuance of a Zoning Compliance Permit, and that such plans conform to the plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.

11. Erosion Control: That a soil erosion and sedimentation control plan be approved by the Orange County Erosion Control Officer and the Town Manager before issuance of a Zoning Compliance Permit.

12. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on nearby paved roadways.

13. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.

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

****

BOOK 1693 PAGE 104

ORANGE COUNTY NORTH CAROLINA

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

ATTEST: The Town of Chapel Hill

Town Clerk — Town Manager

ACCEPTED

Owner

Owner

ATTEST

Secretary

GRACE NEWTESTAMENT CHURCH, INC.
Corporate Name

By VICE PRESIDENT

ORANGE COUNTY NORTH CAROLINA

I, Diana D. Harris, a Notary Public in and for said County and State do hereby certify that W. Calvin Horton, Town Manager of the Town of Chapel Hill, and Peter M.J. Richardson, CMC, Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that W. Calvin Horton, Town Manager of said Town of Chapel Hill, and Peter M.J. Richardson, CMC, Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 23rd day of February, 1998.

Notary Public

My commission expires: 10-5-98

ORANGE COUNTY NORTH CAROLINA

I, _____, a Notary Public in and for said State and County do hereby certify that _____ owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal, this _____ day of _____, 19_____

BOOK 1693 PAGE 105 _____
Notary Public

My commission expires:_____

ORANGE COUNTY NORTH CAROLINA

THIS 26th day of February, 1998, personally come before me, Donna Leigh Haskins, a Notary Public of Orange County, North Carolina, Brian Prescott Ruff who being by me duly sworn, says that he knows the common seal of the Grace New Testament Church, Inc., and is acquainted with James M Reklis, who is Vice President of said corporation and he, Brian Prescott Ruff, who is Secretary of said corporation, and saw the President sign the foregoing instrument and he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said Vice President of said corporation.

WITNESS my hand and Notarial Seal, this the 26th day of February, 1998.

DONNA LEIGH HASKINS
NOTARY PUBLIC
DURHAM COUNTY, N.C
My Commission Expires July 9, 2000

Donna Leigh Haskins
Notary Public

My commission expires: July 9, 2000

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificate of Donna Leigh Haskins and Diana D. Harris, Notaries are ~~(A Notary/Notaries)~~ Public of the designated Governmental units is ~~(are)~~ certified to be correct. Filed for registration this the 27th day of February 19 98, at 12:53:55 o'clock, P.M. in Record Book 1693 Page 102.

Return: _____

Betty June Hayes, Register of Deeds
By: Linda C Dayton
~~Assistant~~/Deputy
Register of Deeds

GRACE NEW TESTAMENT CHURCH EXPANSION

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY

Prepared for:

The Town of Chapel Hill
Public Works Department
Traffic Engineering Division

Prepared by:

HNTB North Carolina, PC

343 East Six Forks Road
Suite 200
Raleigh, NC 27609

NCBELS License #: C-1554

January 2015

HNTB

GRACE NEW TESTAMENT CHURCH EXPANSION

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY

Prepared for:

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343 East Six Forks Road
Suite 200
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NCBELS License #: C-1554

January 2015

NORTH CAROLINA PROFESSIONAL SEAL 028910 ENGINEER CRAIG R SCHEFFLER

1-20-15

EXECUTIVE SUMMARY

Project Overview

An expansion of the existing Grace New Testament Church facility, located along Coleridge Drive and Sage Road, is being proposed in Chapel Hill. The project proposes to construct an additional 22,923 square feet of space to the existing 15,000 square foot church building. **Figure ES-1** shows the general location of the site. The project is anticipated to be fully complete by 2016. This report analyzes the transportation impacts of the build-out scenario for the year 2017 (one year after anticipated completion), the no-build scenario for 2017, as well as 2014 existing year traffic conditions.

The proposed site concept plan shows the addition of a single full movement access driveway and new parking lot along Coleridge Drive. Two existing driveways and surface parking facilities will be retained and surface paved parking will be expanded in the current lot. No other vehicular access connections or transportation system changes are proposed. **Figure ES-2** displays the preliminary concept plan of the Grace New Testament Church Expansion and nearby land uses and roadways. The project is expected to provide 320 total parking spaces on the two surface parking lots, an increase from the 275 available currently on-site.

This report analyzes and presents the transportation impacts that the Grace New Testament Church Expansion will have on the following intersections in the project study area:

- Sage Road and Erwin Road
- Sage Road and Coleridge Drive (North) / Old Sterling Drive
- Sage Road and Coleridge Drive (South) / Lowe's Service Entrance
- Sage Road and Cosgrove Avenue / Lowe's Entrance
- Sage Road and US 15-501 (Fordham Boulevard)
- Coleridge Drive and Site Access South
- Coleridge Drive and Site Access North
- Coleridge Drive and Future Site Access

The impacts of the proposed site at the study area intersections will be evaluated during the highest peak hour of a Sunday morning. The proposed expansion is not expected to generate significant amounts of typical weekday peak period traffic.

Existing Conditions

Study Area

The site is located in northern Chapel Hill along Sage Road just to the north of the US 15-501 (Fordham Boulevard) corridor. The study area contains three signalized intersections and several unsignalized intersections. It also includes two existing driveway connections from the church to Coleridge Drive.

US 15-501 is a major arterial facility providing connectivity between Chapel Hill, Durham and the I-40 corridor. Remaining study area network roadways are either minor arterial/collector facilities or local neighborhood access streets.

Site Traffic Generation
With the addition of new peak hour trips during the Sunday AM peak hour (as estimated by current church service times and reported attendance), there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates and methodologies taken from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, Version 9* and compared to actual field data collected at site driveways. This data includes ITE AM and PM peak hour information, though these time periods were not specifically analyzed due to the insignificant additional potential traffic generation at these times.

Table ES-1
Weekday and Sunday Trip Generation Summary
Grace New Testament Church

Trip Generation Source – New Net Trips Due to Expansion	Weekday							Sunday			
	Daily Total	AM Peak Hour			PM Peak Hour			Daily Total	AM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total		Enter	Exit	Total
ITE Trip Generation Manual	208	8	5	13	6	7	13	840	135	141	276
Field-Collected Data	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	136	129	265

* - No ITE Data Available, Assumed Average of AM/PM Peak Hour Data

Actual field-collected data was used to derive future trip net trip generation data, as it reflects current trip generating conditions actually occurring at the church. The data also has very good correlation with ITE-predicted values.

Background Traffic
Background traffic growth for the 2017 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Based on existing information, several Town-approved development projects near the project study area may be expected to contribute to background traffic growth by the 2017 analysis year, but in most cases the amount of traffic generated from these developments will be negligible on a Sunday morning. All remaining estimated traffic growth in the area is assumed to occur due to overall region-wide ambient growth. To account for this, an ambient area-wide traffic growth percentage of 1.0 percent per year was applied to existing traffic volumes, based on conservative growth projections based on historic daily traffic growth patterns in the project study area (NCDOT and Town of Chapel Hill daily traffic information).

Impact Analysis

Peak Hour Intersection Level of Service (LOS)
Study results indicate existing traffic operations at all study area intersections are acceptable during the Sunday AM peak hour. Even with the addition of peak hour site-generated trips to the projected 2017 background traffic volumes, only one study area intersection is projected to experience deficient traffic operations in the Sunday AM peak hour. However, closer inspection of peak hour traffic volume patterns, specifically within the peak hour itself, indicate that the traffic volumes at this intersection (Sage Road and Coleridge Drive – south) vary considerably as church-related traffic enters and exits the intersection at different times within the peak hour.

A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding Level-of-Service (LOS) is shown in **Table ES-2**.

Table ES-2. Grace New Testament Church Expansion
LOS and Delay (Seconds/Vehicle) Summary

Intersections	Peak Hour	2014 Existing		2017 No-Build		2017 Build		2017 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Sage Road & Erwin Road	Sunday AM	B	17.9	B	18.0	B	18.4	N/A	N/A
Sage Road & Coleridge Drive / Old Sterling Drive*	Sunday AM	B*	14.9*	C*	15.3*	C*	18.8*	N/A	N/A
Sage Road & Coleridge Drive / Lowe's Entrance*	Sunday AM	C*	16.8*	C*	17.3*	F*	53.3*	N/A**	N/A**
Sage Road & Cosgrove Avenue / Lowe's Entrnce	Sunday AM	A	7.0	A	7.1	A	7.1	N/A	N/A
Sage Road & US 15-501 (Fordham Boulevard)	Sunday AM	D	35.8	D	36.5	D	39.0	N/A	N/A
Coleridge Drive & Site Driveway #1 / Sagebrook Apartment Driveway*	Sunday AM	B*	12.3*	B*	12.3*	D*	28.4*	N/A	N/A
Coleridge Drive & Site Driveway #2*	Sunday AM	A*	8.9*	A*	8.9*	A*	9.3*	N/A	N/A
Coleridge Drive & Proposed Site Driveway*	Sunday AM	N/A	N/A	N/A	N/A	A*	9.6*	N/A	N/A

BOLD/ITALICS – Critical Movement or Overall Intersection Requires Mitigation Per Town TIS Guidelines
* - Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement
** - No Mitigation Recommended – See Recommendations Section of Executive Summary

Access Analysis

Vehicular site access is to be accommodated by two existing and one proposed full movement access driveway connecting to Coleridge Drive. Design details related to driveway throat lengths are shown on the concept plan and provide approximately 50 to 75 foot driveway throat at the driveways. An internal driveway circulation system to all surface parking areas is also shown on the plans. The middle driveway is currently used primarily as a drop-off location, and it would continue to function as such in the future concept plan.

Driveway distances along Coleridge Drive from its intersections at Sage Road are approximately 400 feet (to the north intersection) and 500 feet (to the south intersection) and are acceptable, based on recommendations of 100 foot minimum corner clearance as set forth in the 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and the 50 foot minimum along local streets specified in the 2005 *Town of Chapel Hill Design Manual.* The proposed spacings between the three driveways (225 feet and 350 feet) is more than the recommended 50 foot spacing along local streets (Table 4-A-1 in the Town Design Manual).

Access for pedestrians and bicyclists is adequate in the project study area. Sidewalk is present on both sides of Sage Road and on the opposite side of Coleridge Drive adjacent to the site and

exists along the major street connections along Sage Road. Crosswalk and pedestrian signals exist across the major Sage Road study area intersections near the Grace New Testament Church Expansion site. Specific bicycle amenities are present along the Sage Road and Old Sterling Drive roadway facilities, with striped lanes present in both directions.

Signal Warrant Analysis
Based on projected 2017 traffic volumes and current/proposed access plans, no study area intersection would warrant the installation of a traffic signal, based on the methodology found in the *2009 Manual on Uniform Traffic Control Devices (MUTCD)*. The intersection of Sage Road and Coleridge Drive (south) was found to possibly experience deficient LOS F critical movement traffic operations in the 2017 with site traffic scenario. This intersection was tested for satisfaction of the Peak Hour Warrant thresholds and results indicated that it does not meet peak hour warrants with projected 2017 Sunday AM peak traffic volume estimates.

Other Transportation-Related Analyses
Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.

Table ES-3. Other Transportation-Related Analyses

Analysis	Comment
Long-Range Daily Volume-Capacity Analysis	Due to the fact that the proposed site expansion will add approximately 800 daily trips to the study area network, no long-range daily v/c analysis was conducted for this study.
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using Synchro and HCS 95th percentile (max) queue length estimates for the 2017 Build Scenario. Existing southbound right-turn and northbound left-turn storage bays at the US 15-501/Sage Road intersection may have maximum queues exceeding existing storage bays. This condition also may occur during existing 2014 Sunday AM peak conditions. No other storage issues are noted. Given current intersection configurations and right-of-way limits, it may not be feasible to lengthen these storage bays without significant changes to the intersection and/or nearby frontage road.
Appropriateness of Acceleration / Deceleration Lanes	The site concept plan shows no specifics related to acceleration/deceleration lanes along Coleridge Drive. Based on the existing 25 mph speed limit on Coleridge Drive, the fact that it functions as a local access collector facility, and analysis results in this study, no specific acceleration or deceleration lanes are recommended at existing or proposed site access points. No other specific acceleration/deceleration lane issues were analyzed in the project study area.
Pedestrian and Bicycle Analysis	Existing pedestrian and bicycle access and connectivity is adequate in the project study area. Sidewalk exists along all major and minor study area roadways on at least one side of the road, with the exception of the US 15-501 corridor. Pedestrian crossings and signals are present along several Sage Road intersections. Delineated bicycle lanes are present in the project study area along the Sage Road extension. No sidewalk currently exists along the existing site frontage with Coleridge Drive and site plans do not indicate new sidewalk.

Table ES-3. (Continued) Other Transportation-Related Analyses

Analysis	Comment
Public Transportation Analysis	Public transportation service to the study area, and to the church site itself, is excellent with multiple bus stops and multiple local bus routes on Sage Road and Coleridge Drive proximate to the site. No CHT service exists in the project study area in the Sunday AM peak hour, however.

Mitigation Measures/Recommendations

Planned Improvements

There are no Town of Chapel Hill or North Carolina Department of Transportation improvement projects for study area roadway facilities within the analysis year time frame of 2014-2017.

Background Committed Improvements

There are no specific geometric or operational improvements to study area roadway intersections or facilities related to background private development projects that are expected to be completed between 2014 and 2017.

Applicant Committed Improvements

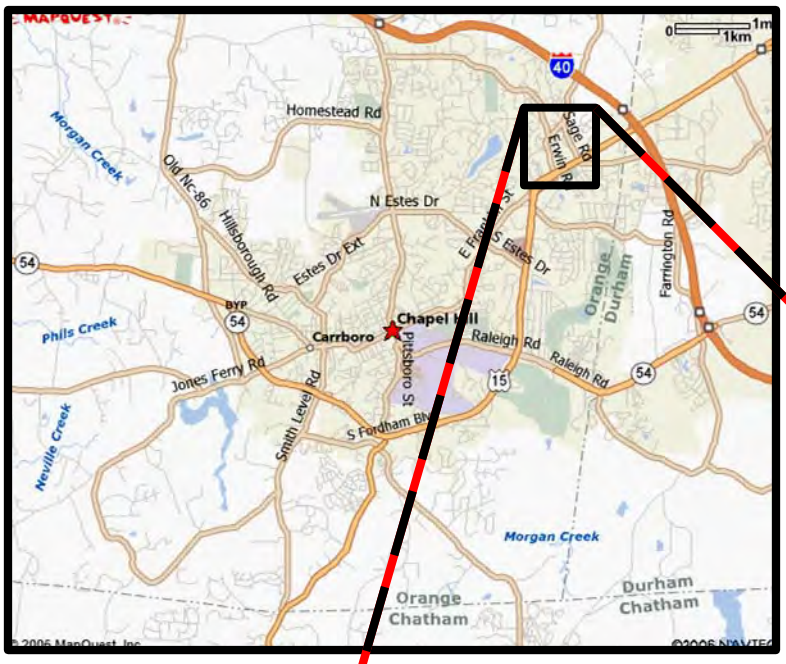
Based on the preliminary site concept plans and supporting development information provided, there are no specific external transportation-related improvements proposed adjacent to the Grace New Testament Church Expansion, other than the provision of an additional site access driveway.

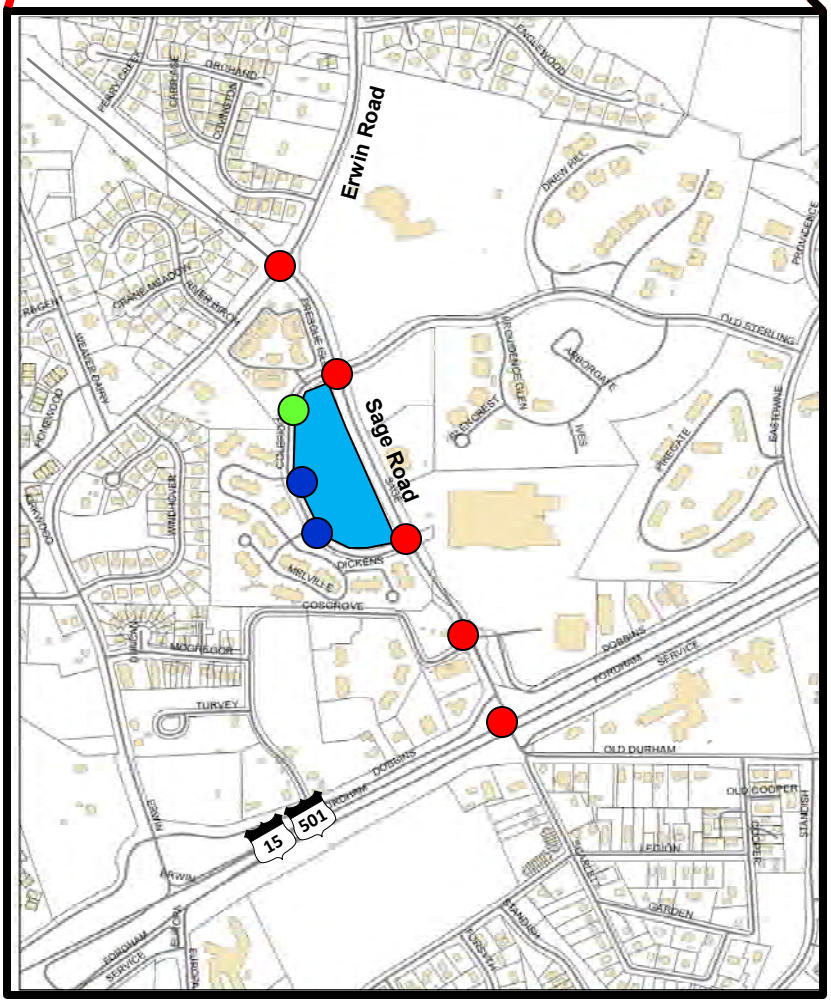
Necessary Improvements

Based on traffic capacity analyses for the 2017 design year, and analyses of existing study area turning bay storage lengths and site access, the following improvements are recommended as being necessary for adequate transportation network operations (see **Figure ES-3**).

1) Provide sidewalk connection between existing sidewalk along Sage Road and the proposed site to better accommodate any potential future pedestrian trips to/from the site.

2017 capacity analyses of the Sage Road and Coleridge Drive (south) / Lowes Service Driveway intersection indicate that the westbound stop-controlled Lowes Driveway approach may operate at a LOS F in the Sunday AM peak hour with the addition of site expansion traffic volumes added to the eastbound Coleridge Drive approach at this intersection. Further investigation of existing traffic volume peaking characteristics within the peak hour indicate that peak traffic volumes entering the vicinity of the Grace New Testament Church do not coincide with exiting volumes during the period between church services. In addition, further analysis of peak hour signal warrant thresholds with 2017 site expansion traffic volumes included shows that this intersection would not meet warrants for signalization. Maximum predicted queue lengths for the westbound approach are approximately two vehicles and total volumes (45 vehicles) are not excessive. Therefore, no mitigation is recommended for this intersection due to site expansion-related impacts.





LEGEND

- = Existing Building Footprint
- = Existing Study Area Intersection
- = Existing Site Driveway
- = Proposed Site Driveway
- = Proposed Site Parcel

N

NOT TO SCALE

HNTB

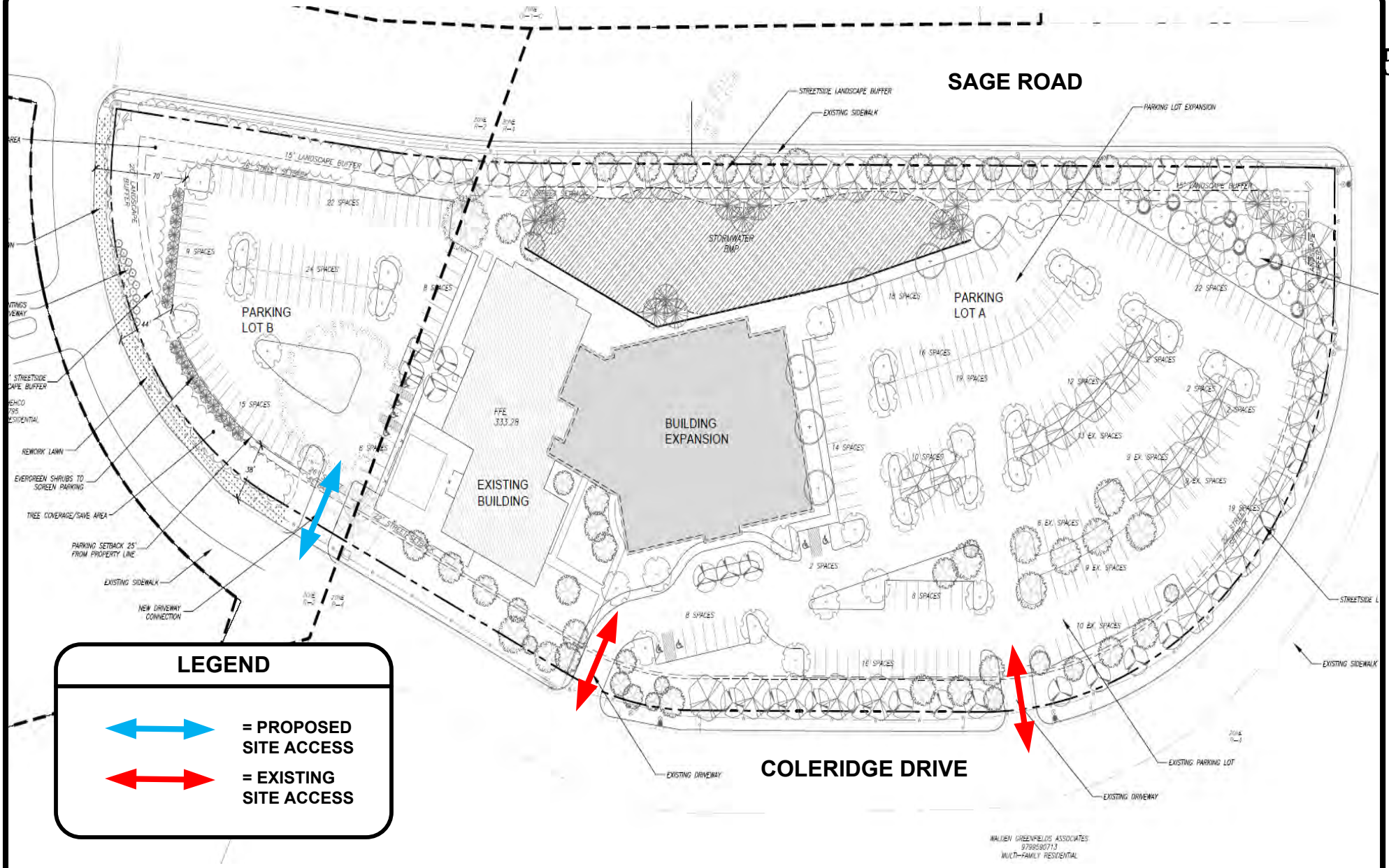
TOWN OF CHAPEL HILL

Grace New Testament Church Expansion
Traffic Impact Study

DATE: January 2015

PROJECT STUDY AREA MAP

FIGURE ES-1



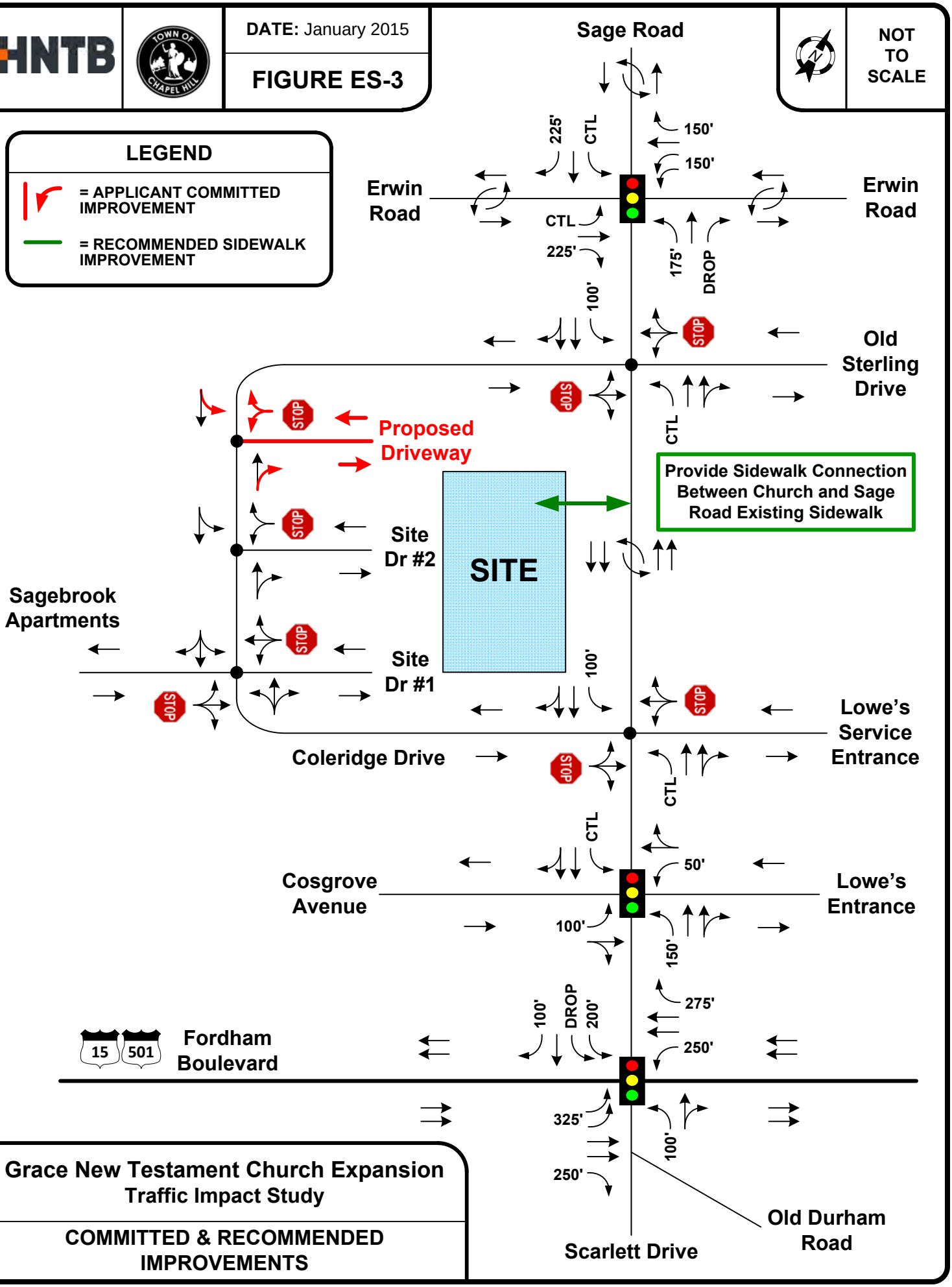
HNTB	TOWN OF CHAPEL HILL	N	NOT TO SCALE	**Grace New Testament Church Expansion** **Traffic Impact Study** **SITE CONCEPT PLAN**	**DATE:** January 2015 **FIGURE ES-2**

HNTB

DATE: January 2015

FIGURE ES-3

NOT TO SCALE



Grace New Testament Church Expansion
Traffic Impact Study

COMMITTED & RECOMMENDED IMPROVEMENTS

SPECIAL USE PERMIT APPLICATION

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514
phone (919) 968-2728 *fax* (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9890-50-3171 Date: 11/24/2014

Section A: Project Information

Project Name: Grace Church Expansion

Property Address: 200 Sage Road, Chapel Hill Zip Code: 27514

Use Groups (A, B, and/or C): B Existing Zoning District: RS-4 and RS-2

Project Description: Building expansion to the existing church facility, including site improvements to parking, stormwater, and landscaping.

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

Applicant Information (to whom correspondence will be mailed)

Name: Coulter Jewell Thames PA - Jeremy Anderson

Address: 111 West Main St.

City: Durham State: NC Zip Code: 27701

Phone: 919-682-0368 Email: jeremy.anderson@cjtpa.com

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

Signature: Jeremy S Anderson Date: 11/24/2014

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: Grace New Testament Church

Address: 200 Sage Road

City: Chapel Hill State: NC Zip Code: 27514

Phone: 919-968-1420 Email: johnathon@gracelife.com

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

Signature: Date: 11/5/14

Permit Number: _____

PROJECT FACT SHEET

TOWN OF CHAPEL HILL
Planning Department

Section A: Project Information

Application type: Special Use Permit Date: 11/24/2014

Project Name: Grace Church

Use Type: *(check/list all that apply)*

☐ Office/Institutional ☐ Residential ☐ Mixed-Use ☒ Other: Place of Worship

Overlay District: (check all those that apply)

☐ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	271,600	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=	27,060	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=	298,760	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, all grading, including off-site clearing)	210,584
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	**Existing (sq ft)**	**Demolition (sq ft)**	**Proposed (sq ft)**	**Total (sq ft)**
Impervious Surface Area (ISA)	74,745		82,843	157,588
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	25.0%		27.7%	52.7%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

Revised 02.04.14

Permit Number:_____

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 1	14,400 sf	0 sf	23,600 sf	40,000 sf
Number of Floors	1		1	
Recreational Space				

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-n/a			
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space *(Gross Floor Area in Square Feet)*					
Use Type	**Existing**	**Proposed**	**Uses**	**Existing**	**Proposed**
Commercial					
Restaurant			**# of Seats**		
Government					
Institutional					
Medical					
Office					
Hotel			**# of Rooms**		
Industrial					
Place of Worship	14,400 sf	26,600 sf	**# of Seats**	400	850
Other					

Dimensional Requirements			Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	R2/R4	26' / 22'	38'	38'
	Interior (neighboring property lines)		N/A		
	Solar (northern property line)		13' / 9'	n/a	n/a
Height (maximum)	Primary	R2/R4	29' / 34'		34' (R4)
	Secondary	R2/R4	50' / 60'		
Streets	Frontages	Coleridge / Sage		938' / 1,368'	
	Widths	Coleridge / Sage		31' / 62'	

Revised 02.04.14

Permit Number:_____

PROJECT FACT SHEET

TOWN OF CHAPEL HILL
Planning Department

Section F: Adjoining or Connecting Streets and Sidewalks

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

Street Name	Right-of-way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing curb/gutter
Sage Road	90'	62'	5	☒ Yes	☒ Yes
Coleridge Road	60'	31'	2	☒ Yes	☒ 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**
			☐ Yes ☐ No ☐ N/A
			☐ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	162	416	292
Handicap Spaces	6	9	8
Total Spaces	170	425	300
Loading Spaces			
Bicycle Spaces	8	17	20
Surface Type	asphalt pavement		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Sage Road	30'	30'	☐ Yes	☐ Yes
Coleridge Road	15'	15'	☐ Yes	☐ Yes
			☐ Yes	☐ Yes
			☐ Yes	☐ Yes

Revised 02.04.14

Permit Number:_____

PROJECT FACT SHEET

TOWN OF CHAPEL HILL
Planning Department

Section I: Land Use Intensity

Existing Zoning District: R2 = 45,846
Proposed Zoning Change *(if any)*: R4 = 225,968

Note: Refer to Table 3.8-1 (Dimensional Matrix) in the Land Use Management Ordinance for help completing this table.

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**
R-2	0.093					4,690	
R-4	0.23					57,170	
TOTAL						61,860	
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply				
Water	☒ OWASA	☐ Individual Well	☐ Community Well	☐ Other
Sewer	☒ OWASA	☐ Individual Septic Tank	☐ Community Package Plant	☐ Other
Electrical	☒ Underground	☐ Above Ground		
Telephone	☒ Underground	☐ Above Ground		
Solid Waste	☒ Town	☐ Private		

Permit Number:_____

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)968-2728 or at planning@townofchapelhill.org.

	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid $
	Pre-application meeting – with appropriate staff	
	Digital Files - provide digital files of all plans and documents	
	Recorded Plat or Deed of Property	
	Project Fact Sheet	
	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	
	Affordable Housing Proposal, if applicable	
	Provide existing Special Use Permit, if Modification	
	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)	
	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid $
	Written Narrative describing the proposal	
	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals	
	Jurisdictional Wetland Determination – if applicable	
	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)	
	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)	
	Reduced Site Plan Set (reduced to 8.5"x11")	

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

Permit Number:_____

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
r) 85% TSS removal for post-development stormwater run-off
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"x36")

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

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- 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, 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

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 & 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
j) Landscape protection supervisor note
k) Existing and proposed tree canopy calculations, if applicable

Planting Plan

a) Dimensioned and labeled perimeter landscape bufferyard
b) Off-site buffer
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 details

Permit Number:_____

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

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).

Permit Number:_____

Coulter Jewell Thames, PA

111 WEST MAIN STREET
DURHAM, NORTH CAROLINA 27701
p919.682.0368 f919.688.5646

Planning for the Future

SPECIAL USE PERMIT application

STATEMENT OF JUSTIFICATION

GRACE CHURCH - CHAPEL HILL, NC

~~November 24, 2014~~
April 02, 2015

Submitted by: **Coulter Jewell Thames PA**
Patrick Morgan-architect

Grace Church requests a Special Use Permit (SUP) for the subject property at 200 Sage Road to allow for the expansion to the existing Church facility and associated site improvements. The continued growth of the congregation has allowed the church the ability to expanded existing facility and fully realize its original master plan developed and approved in 1995. The expansion to the 14,400 sf building would create a new sanitary space and various auxiliary spaces such as classrooms, offices, and fellowship areas. The proposed expansion would bring the total building square footage to 40,000 sf and parking of approximately 300 onsite spaces. The property is zoned R-2 and R-4, with site access via 2 driveways off of Coleridge road, a secondary Road adjoining Sage Road.

As required by Section 4.5-Special Use Permits, four Findings of Fact must be made by the Town Manager, Planning Board and Town Council in order to approve a Special Use Permit. The applicant believes that the requested SUP is justified by all of the required findings prescribed in The Town of Chapel Hill Land Use Management Ordinance (LUMO) Section 4.5. Those findings, and our rational for how we address them, are herein submitted as outlined in Section 4.5.2 (a) 1-4:

FINDING #1: That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

Traffic, access and circulation: A traffic study is pending.
The access to the project site is by use of two existing driveways, with one additional driveway being proposed for the new parking lot. All three driveways are located off of Coleridge Road, a secondary road with two intersections off of Sage Road.

Sidewalks exist on both sides of Sage Road, and on the opposite side of Coleridge Road from the project site. There are two bus stops located on Coleridge Road and sidewalk connections would be provided to both of these. In addition, at least one sidewalk connection would be provided between the project site and the existing sidewalks on Sage Road, a major sidewalk connection to residential, retail, and major transportation corridors.

Public Utilities: The project will be served by the readily available utilities that currently serve the existing building. Water and sewer service is available in Sage Road.

Fire Protection: The proposed building expansion will be protected with a fire sprinkler system. Fire access drives will be provided around the church as required by the fire department for adequate fire protection coverage.

Environmental Protection: Erosion Control measures will be installed prior to beginning construction to prevent sediment from leaving the construction area.
In November 2014, Town of Chapel Hill Public Works staff reviewed an Orange County Soil Survey stream feature onsite, draining east under Sage Road. Staff determined that the feature was not a jurisdictional stream, thus a buffered stream is not present on the site. There is no Resource Conservation District (RCD), floodplain, floodway, or wetlands located onsite.
The proposed expansion will include significant improvements to the stormwater run-off treatment measures onsite. The existing facility will include both improvements to size of the stormwater facility, to better detain larger stormwater events, and to the type of facility, to better treat the quality of the water leaving the site.

Garbage and recycling collection: The existing single dumpster will be removed and replaced with a double dumpster pad including recycling containers, and screen wall and landscaping. This improvement will not only provide additional improved recycling opportunities, but the facility will be relocated away from public view and screened to meet town standards for better noise and odor control.

Site Lighting: Site lighting will meet Town requirements so as not to impact off-site properties, and will conform to ASHRAE “Dark Sky” standards

FINDING #2: ***That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific***

standards contained in the supplemental use regulations (article 6), and with all other applicable regulations.

This project complies with the standards of Chapter 4.5 of the LUMO, and meets all applicable provisions of Articles 3 and the applicable standards contained in Article 6.
A Place of Worship is not specifically listed as a use within Article 6.
Compliance with the LUMO includes buffers, setbacks, building height, within the prescribed minimum/maximum parking requirements, bicycle parking, and tree canopy requirements.

FINDING #3: ***That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.***

The existing project as approved and the proposed addition will maintain or enhance the value of contiguous property.
This determination was inherently made by the Council as part of the approval of the original SUP in 1995, and this new SUP to allow for the building addition will not decrease values.
The proposed modification will provide significant aesthetic site improvements through installation of landscape parking areas, new internal sidewalks, improved stormwater BMP, and significant planting improvements. The proposal will meet the new LUMO stormwater management requirements, which are even more stringent than those under which the project was originally approved.

FINDING #4: ***That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.***

The Grace Church is an existing church facility, wishing to expand its building to further its ability to serve the surrounding community. As outlined in the Developer's Program Statement, the existing Special Use Permit expired in 2005, however the project is very similar in the development intensity, use, and general design as approved in that SUP. Although the existing SUP was approved in 1995, we feel that the Goals and Themes used to evaluate that proposal hold true today for this request. We believe this proposal complies as much as possible with the goals set forth in the Chapel Hill 2020 Comprehensive Plan. The goals that can be addressed by this development are several of the 2020 Themes, community character, and transportation.

The existing 6.2 acre site, located at 200 Sage Road in northern Chapel Hill, is not within a specific focus area within the 2020 Comprehensive Plan. The 2020 Comprehensive Plan is organized around six main themes, as determined by community outreach meeting and various work sessions. Not all of the themes would apply to this use in this location, but we do feel that the Church meets many of the general themes and goals outlined in the 2020 Comprehensive Plan:

Theme 1: *A Place for Everyone.* The Grace Church prides itself on being an active and engaged member of its immediate community and surrounding neighbors. The church opens

its doors to the community in many civic ways, from regular worships services to outreach and community programs. Churches are very important components of a community in the sense that they serve as places to gather, hold meetings of various forms and topics, provide spiritual guidance and childhood development.

Theme 2: *Getting around:* The Church is located adjacent to two Chapel Hill Transit lines that provide a valuable transportation connection to the surrounding community, university, and downtown area. The site is also connected by means of pedestrian and bicycle routes. By use of the existing sidewalk network surrounding the site, the church is connected to surrounding business and neighborhoods via the public sidewalks. On the Town of Chapel Hill Bike Plan, Sage Road is identified as a proposed buffered bike lane, providing a protected route for cyclist to connect to other parts of town.

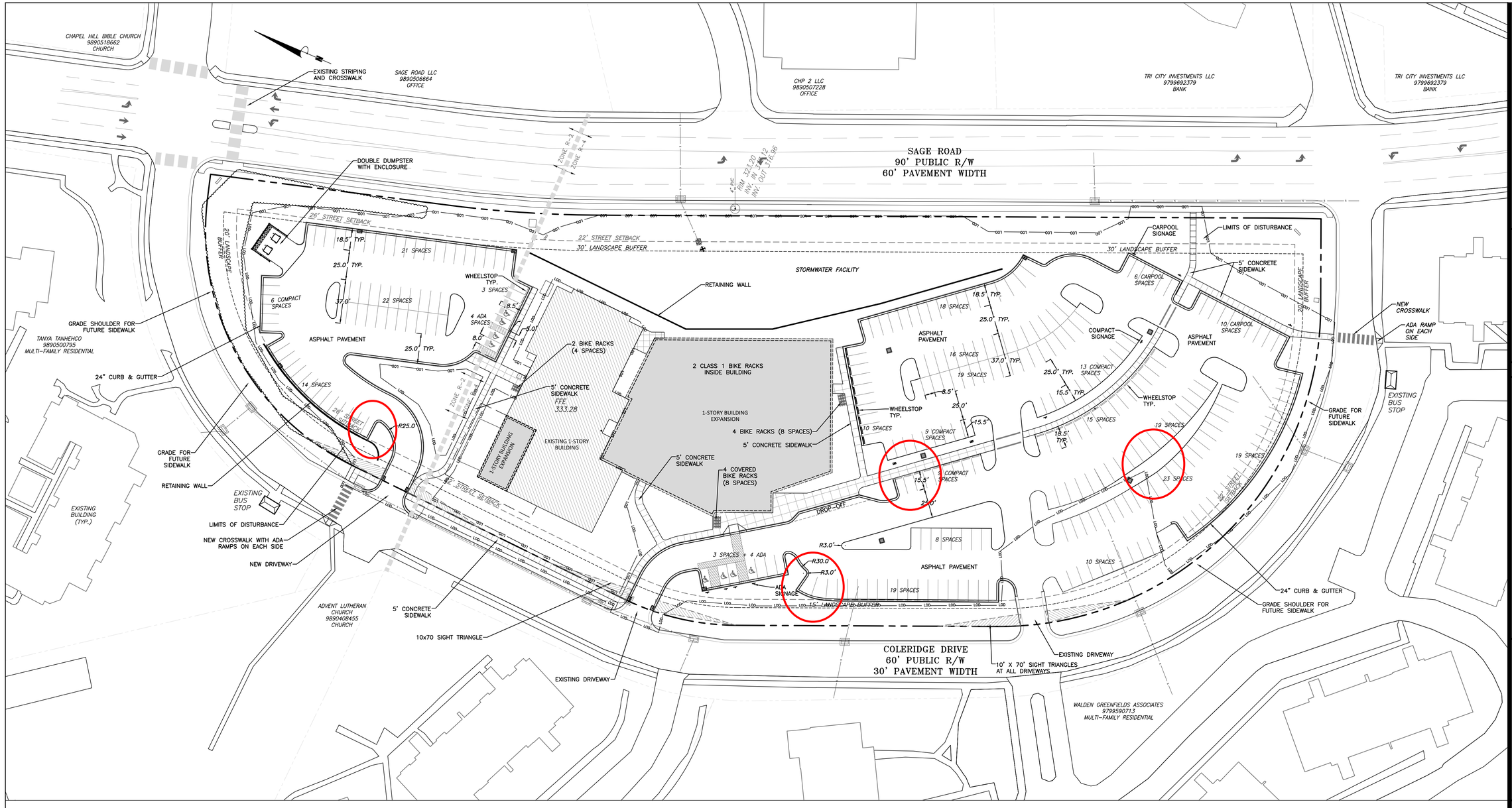
In addition the 2020 Comprehensive Plan, the Town has other plans, policies and visions that are used to guide development moving forward:

The development will support the Town's vision of community character by expanding on a church facility which has historically been an active and valuable member of its community. The expansion to the existing building will make it possible for the church to continue to serve the community and will at the same time improve the site functionality and appearance through landscaping, buffering and site amenities.

The development will support the Town's transportation plan. The proposed building expansion will provide for a larger sanctuary. The project site is currently served by 2 active Chapel Hill Transit lines, with multiple stops located immediately adjacent to the site on Coleridge Drive and on Sage Road. The convenient availability of these transit routes provides the opportunity for member and visitors to get to the Church without use of their personal vehicles.

The project site does not fall within any other Historic Districts, protected watersheds, or Neighborhood Conservation Districts.

In summary, Grace Church has been an energetic and active community member in it north Chapel Hill location for the past 15 years and is excited about the opportunity to expand its facility to effectively service the greater community, meet the needs of its growing congregation, and be an integral part of its Chapel Hill neighborhood.



1/C200
SITE LAYOUT PLAN
SCALE: 1"=40'

site plan notes

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. REFERENCE EXISTING CONDITION / DEMOLITION PLAN SHEETS C100 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
10. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ("ACM") OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CARY AND OWASA MAINTAINED UTILITIES.

40 0 40 80 120
Scale 1" = 40'

LEGEND

Water Valve	⊗	Light Pole	○LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	○CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	⊗ GV
Electric Transformer		Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	○ IPS
Gas Meter	G	Existing PK Nail	● PK
Sanitary Sewer Manhole	S	PK Nail Set	● PKS
Storm Sewer Manhole	S	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	PIV	Gas Line	
Water Manhole	W	Water Line	
Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

ENGINEERING, PLANNING, LANDSCAPE ARCHITECTURE
NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1209

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
30 · MAR · 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

Drawn	JSA, TRM, CLJ, MTC
Checked	JSA, CBM
Date	11-24-2014
Revisions	02-06-2015
	TOWN COMMENTS
	03-30-2015

SPECIAL USE PERMIT

Sheet Title:

SITE LAYOUT PLAN

Sheet Number

C200

GRACE CHURCH EXPANSION

200 SAGE ROAD, CHAPEL HILL NORTH CAROLINA

PROJECT DATA

SITE INFORMATION

OWNER	GRACE CHURCH
PIN	9890503171
ACREAGE	271,600 SF / 6.24 AC
DISTURBED AREA	210,584 SF / 4.83 AC
SITE AREA IN 100 YEAR FLOOD PLAIN (INCLUDES FLOODWAY)	N/A
EXISTING USE	PLACE OF WORSHIP
PROPOSED USE	PLACE OF WORSHIP (NO CHANGE)
SITE/PROJECT ADDRESS	200 SAGE ROAD CHAPEL HILL, NC 27514

ZONING INFORMATION

EXISTING BY ZONING DISTRICT	R-4 & R-2
USE GROUP:	B
RIVER BASIN	CAPE FEAR

BUILDING INFORMATION

EXISTING BUILDING SIZE:	14,400 SF
PROPOSED BUILDING ADDITION:	25,600 SF
TOTAL BUILDING SIZE	40,000 SF (850 SEAT SANCTUARY)

SITE INFORMATION

VEHICULAR PARKING SPACES	
REQUIRED:	
MINIMUM:	1 SPACE PER 5 SEATS = 170 SPACES
MAXIMUM:	1 SPACE PER 2 SEATS = 425 SPACES
EXISTING:	142
PROPOSED:	158
TOTAL VEHICULAR PARKING SPACES:	8 ADA SPACES 37 COMPACT SPACES (12.3%) 239 REGULAR SPACES 16 CARPOOL SPACES 300 TOTAL PARKING SPACES

BICYCLE PARKING SPACES	
REQUIRED:	1 BICYCLE SPACE PER 50 SEATS (17 SPACES)
PROPOSED:	20 CLASS 2 BICYCLE SPACES (10 RACKS) 2 CLASS 1 INTERIOR BIKE SPACES (10%)
IMPERVIOUS SURFACE	
EXISTING:	74,745 SF
IMPERVIOUS PROPOSED:	82,843 SF
TOTAL IMPERVIOUS SURFACE:	157,588 SF
TREE CANOPY COVERAGE	RE: C500 LANDSCAPE PLAN

RESOURCE CONSERVATION NOTES

STREAM BUFFERS:
THERE ARE NO MAPPED STREAMS OR ASSOCIATED STREAM BUFFERS LOCATED ON SITE. A DETERMINATION WAS COMPLETED BY CHAPEL HILL PUBLIC WORKS TO VERIFY THAT THE STREAM SHOWING UP ON THE ORANGE COUNTY SOIL SURVEY IS NOT JURISDICTIONAL..

FLOODPLAIN PROTECTION:
THE SITE IS NOT AFFECTED BY A MAPPED FLOODPLAIN ACCORDING TO FIRM MAPS 3710989000 L (MAY 16, 2008) AND 3710979900 K (FEBRUARY 2, 2007).

STEEP SLOPE PROTECTION:
THERE ARE NO AREAS OF STEEP SLOPES GREATER THAN 15% LOCATED ON SITE.

TREE SURVEY:
THE TREE SURVEY SHOWS ALL 18" CAL. OR LARGER TREES IS SHOWN ON THE EXISTING CONDITIONS PLAN.

WETLANDS:
THERE ARE NO MAPPED WETLANDS ONSITE.

TREE PROTECTION:
REFER TO SHEET C102 AND C500.

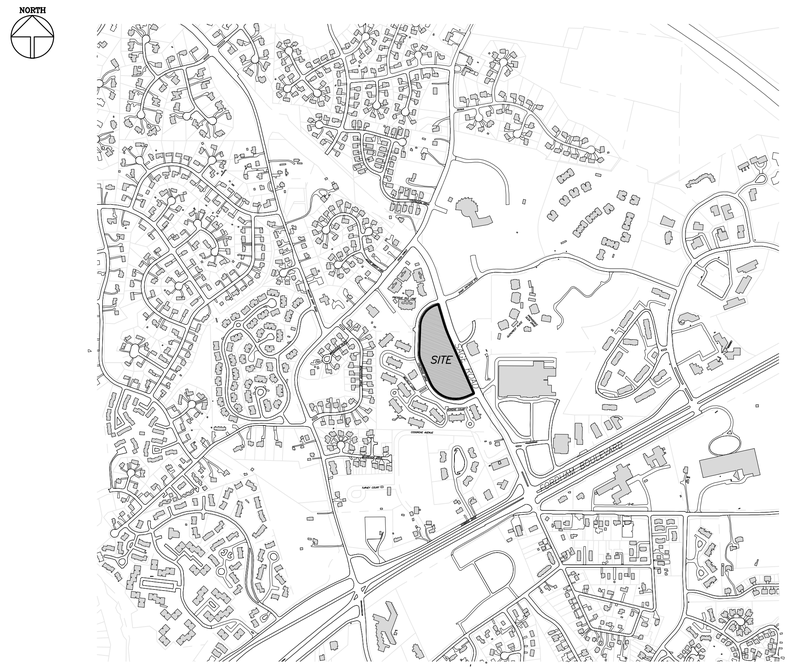
PROJECT TEAM:

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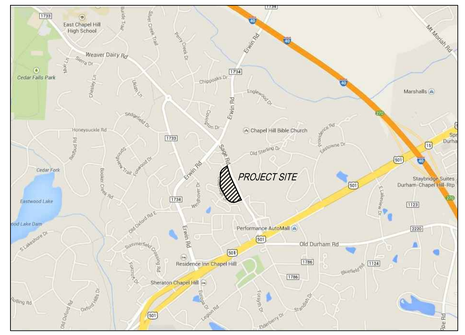
OVERALL SITE MAP



TOWN OF CHAPEL HILL NOTES

1. A FIRE FLOW REPORT SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A ZCP.
2. P.E. CERTIFICATION: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY PHASE, THE APPLICANT SHALL PROVIDE A CERTIFICATION, SIGNED AND SEALED BY A NORTH CAROLINA-LICENSED PROFESSIONAL ENGINEER, THAT THE STORMWATER MANAGEMENT FACILITY IS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.
3. AS-BUILT PLANS: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE CERTIFIED AS-BUILT PLANS FOR BUILDING FOOTPRINTS, PARKING LOTS, STREET IMPROVEMENTS, STORM DRAINAGE SYSTEMS AND STORMWATER MANAGEMENT STRUCTURES, AND ALL OTHER IMPERVIOUS SURFACES, AND A TALLY OF THE CONSTRUCTED IMPERVIOUS AREA. THE AS-BUILT PLANS SHOULD BE IN DXF BINARY FORMAT USING STATE PLANE COORDINATES AND NAVD 88.
4. JORDAN SURETY: PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE OWNER SHALL POST A MAINTENANCE BOND OR OTHER SURETY INSTRUMENT SATISFACTORY TO THE TOWN MANAGER, IN AN AMOUNT EQUAL TO ONE HUNDRED TWENTY-FIVE (125) PERCENT OF THE CONSTRUCTION COST OF EACH STORMWATER MANAGEMENT FACILITY TO ASSURE MAINTENANCE, REPAIR, OR RECONSTRUCTION NECESSARY FOR ADEQUATE PERFORMANCE OF THE STORMWATER MANAGEMENT FACILITY, OR ESTABLISH A STORMWATER MAINTENANCE (SINKING FUND) BUDGET AND ESCROW ACCOUNT IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 5.19 OF THE LAND USE MANAGEMENT ORDINANCE.
5. STORMWATER FACILITIES, EASEMENTS, AND OPERATIONS AND MAINTENANCE PLANS: ALL STORMWATER DETENTION, TREATMENT AND CONVEYANCE FACILITIES LOCATED ON AND BELOW THE GROUND SHALL BE WHOLLY CONTAINED WITHIN AN EASEMENT ENTITLED: öRESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATEDö AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A COPY OF THE FINAL PLAT OR EASEMENT EXHIBIT, SIGNED AND SEALED BY A NORTH CAROLINA-REGISTERED LAND SURVEYOR AND RECORDED BY THE COUNTY REGISTER OF DEEDS, AND CONTAINING THE FOLLOWING NOTES SHALL BE SUBMITTED PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
   - ALL ENGINEERED STORMWATER MANAGEMENT CONTROL, TREATMENT, AND CONVEYANCE STRUCTURES ON AND BELOW THE GROUND SHALL BE WHOLLY LOCATED WITHIN AN EASEMENT ENTITLED: "RESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATED" AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A SUITABLE MAINTENANCE ACCESS (MINIMUM 20' WIDE) TO ACCOMMODATE HEAVY EQUIPMENT FROM THE NEAREST PUBLIC RIGHT-OF-WAY TO THE RESERVED STORMWATER FACILITY EASEMENT MUST BE PROVIDED AND SHOWN ON THE PLANS.
   - THE "RESERVED STORMWATER FACILITY EASEMENT(S)" AND THE FACILITIES IT/THEY PROTECT ARE CONSIDERED TO BE PRIVATE, WITH THE SOLE RESPONSIBILITY OF THE OWNER TO PROVIDE FOR ALL REQUIRED MAINTENANCE AND OPERATIONS AS APPROVED BY THE TOWN MANAGER.
   - THE RESERVED STORMWATER FACILITY EASEMENT AND THE OPERATIONS AND MAINTENANCE PLAN ARE BINDING ON THE OWNER, HEIRS, SUCCESSORS, AND ASSIGNS.
6. JORDAN STORMWATER MANAGEMENT FOR NEW DEVELOPMENT: THAT PRIOR TO ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT THE FINAL JORDAN ACCOUNTING TOOL SPREADSHEET, STORMWATER REPORT, AND PLANS FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE JORDAN STORMWATER MANAGEMENT REGULATIONS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE THE REQUIRED REDUCTIONS IN NITROGEN AND PHOSPHORUS LOADS FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS.
7. STORMWATER MANAGEMENT PLAN: THAT PRIOR TO THE ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT A STORMWATER MANAGEMENT PLAN FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE STORMWATER MANAGEMENT REQUIREMENTS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE FOR 85 PERCENT TOTAL SUSPENDED SOLIDS REMOVAL FROM THE INCREASED IMPERVIOUS AREA, RETENTION FOR 2-5 DAYS OF THE INCREASED VOLUME OF STORMWATER RUNOFF FROM THE 2-YEAR, 24-HOUR STORM, AND CONTROL OF THE STORMWATER RUNOFF RATE FOR THE 1-YEAR, 2-YEAR, AND 25-YEAR STORMS.
8. IF DETERMINED NECESSARY AT ZCP STAGE, A TRANSPORTATION MANAGEMENT PLAN WILL BE PREPARED.

VICINITY MAP



PROJECT NOTES

- TOPOGRAPHIC INFORMATION BASED ON SURVEY BY COULTER JEWELL THAMES PA DATED JANUARY, 2014.
-BUILDING ADDITION WILL BE SERVED VIA CONNECTION TO THE EXISTING BUILDING WATER AND SANITARY SEWER SYSTEM.
-THERE ARE TWO EXISTING TRANSIT STOPS ALONG COLERIDGE DRIVE.
-ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH ALL TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.

LIST OF SHEETS

C000	COVER SHEET
C100	AREA MAP
C101	EXISTING CONDITIONS PLAN
C102	DEMOLITION & CONSTRUCTION MANAGEMENT PLAN
C200	SITE LAYOUT PLAN
C300	GRADING AND STORM DRAINAGE PLAN
~~C301~~	~~EROSION CONTROL PLAN~~
C400	UTILITY AND LIGHTING PLAN
C500	LANDSCAPE PLAN
C600	SITE DETAILS
C601	SITE DETAILS

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NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1269

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
30 · MAR · 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

Drawn	JSA, TRM, CLJ, MTC
Checked	JSA, CBM
Date	11-24-2014
Revisions	02-06-2015
	TOWN COMMENTS
	03-30-2015

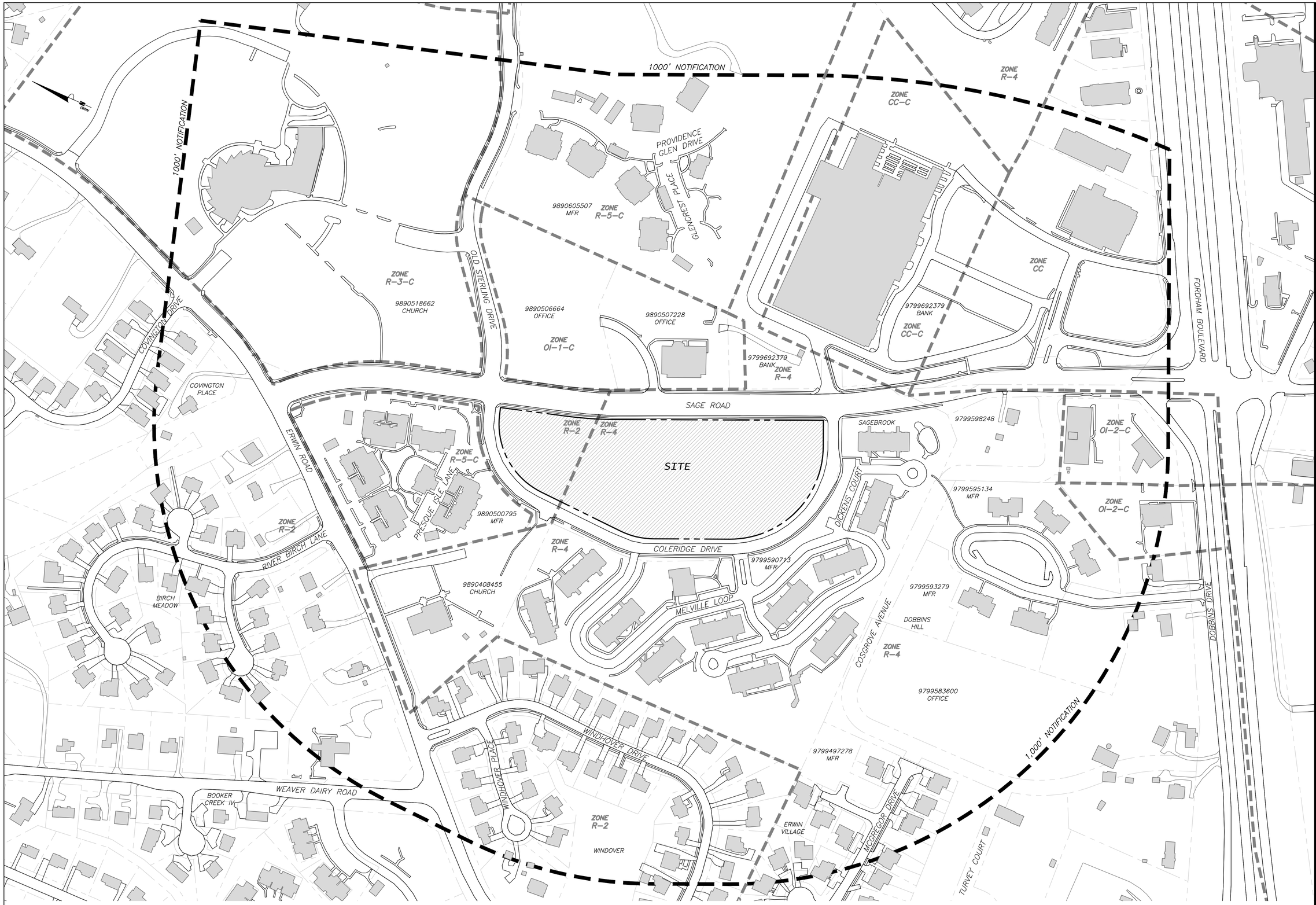
SPECIAL USE PERMIT

Sheet Title:

COVER SHEET

Sheet Number

C000



1/C100
AREA MAP
SCALE: 1"=120'

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NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1269

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GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1269 JASON S. ANDERSON
11.24.2014

PRELIMINARY
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Revisions	

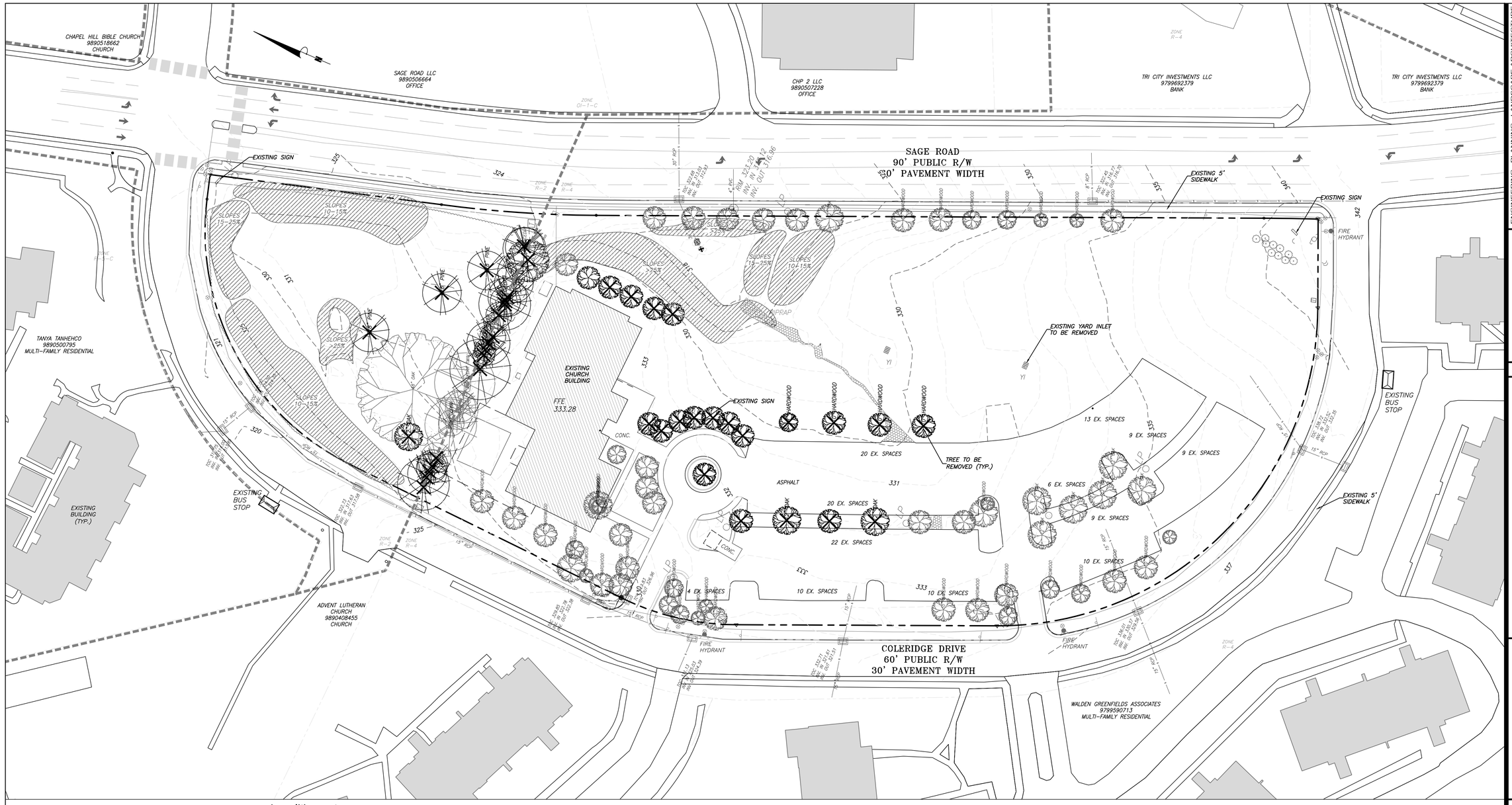
SPECIAL USE PERMIT

Sheet Title:

AREA MAP

Sheet Number

C100



1/C101
EXISTING CONDITIONS PLAN
SCALE: 1"=40'

SITE NOTES

TOPOGRAPHICAL AND SITE INFO TAKEN FROM SURVEY PROVIDED BY COULTER JEWELL THAMES, PA DATED JANUARY 2014.

demolition notes

1. ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION.
2. SEE SITE PLAN SHEET C101 FOR LAYOUT DIMENSIONS OF EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
3. UTILITIES: SEE UTILITY PLAN C400. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES FOR LOCATION, REMOVAL AND RELOCATION OF ANY UTILITIES. CONTRACTOR RESPONSIBLE FOR DETERMINING EXTENT AND LOCATION OF UTILITIES. THIS MAY INCLUDE CONTACTING "NO-CUTS" TO HELP LOCATE SOME UTILITIES.
4. CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
5. CONTRACTOR RESPONSIBLE FOR OBTAINING ANY PERMITS FOR WORK IN THE NCDOT AND TOWN OF CHAPEL HILL RIGHTS OF WAY. ANY DAMAGED INFRASTRUCTURE IN THE RIGHT OF WAY CAUSED BY CONSTRUCTION ACTIVITIES MUST BE REPAIRED TO TOWN OF CHAPEL HILL STANDARDS. THIS INCLUDES, BUT IS NOT LIMITED TO UTILITIES, SIDEWALKS, CURB AND GUTTER, ASPHALT.
6. CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
7. CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
8. ABANDONMENT OF WATER SERVICES SHALL INCLUDE EXCAVATING DOWN TO CORPORATION, TURNING IT OFF AND CUTTING SERVICE LINE FREE FROM CORPORATION. THE METER, IF PRESENT, SHALL BE RETURNED TO OWASA.
9. ABANDONMENT OF SANITARY SEWER SERVICE LINES SHALL CONSIST OF PLUGGING THE LATERAL AT THE RIGHT-OF-WAY LINE.
10. ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
11. A DECONSTRUCTION ASSESSMENT WILL BE REQUIRED BEFORE A DEMOLITION PERMIT WILL BE ISSUED FOR THE EXISTING 2 STORY STRUCTURE.
12. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
13. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
14. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
15. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ("ACM") OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

TOPOGRAPHY/SLOPES:

THE SITE SLOPES FROM WEST TO EAST, AND DROPS APPROXIMATELY 23 FEET OVER THE LENGTH OF THE SITE.

THE SITE HAS SLOPES OF 1% TO OVER 25%. THE MAJORITY OF THE SITE HAS SLOPES UNDER 10%.

EXISTING SLOPES:
THERE ARE NO STEEP SLOPES TO NOTE ON THIS SITE.

HYDROLOGICAL FEATURES/DRAINAGE

THE SITE GENERALLY DRAINS FROM WEST TO EAST, CONCENTRATING AT AN EXISTING DRY STORMWATER POND AT THE WESTERN PROPERTY LINE, ADJACENT TO SAGE ROAD.

SOIL TYPES

THE USDA / NRCS WEB SOIL SURVEY CLASSIFIES TWO SOIL TYPES ON THIS SITE.
-CrB: CREEDMOOR FINE LOAM
-WtC2: WHITE STORE CLAY LOAM

SUN/SHADE PATTERNS

THE SUN WILL PASS AROUND THE SOUTH SIDE OF THE STRUCTURE DURING THE COURSE OF THE DAY. THE FRONT ENTRY WILL GET MORNING SUN. EXISTING TREES WILL BE RETAINED SOUTH AND WEST OF THE BUILDING TO PROVIDE SHADE FOR THESE SIDES OF THE BUILDING.

TREES WILL BE ADDED TO THE NEW PARKING TO PROVIDE SHADE AND MEET MINIMUM REQUIREMENTS. TREES AND SHRUBS WILL BE ADDED TO ALL UNPAVED AREAS TO PROVIDE AS MUCH SHADE AND LANDSCAPING AS POSSIBLE.

FEMA FLOODPLAIN INFORMATION.

THERE IS NO MAPPED FLOODPLAIN ON SITE PER FEMA PANEL 3710978800J - FEB 2, 2007.

SPECIAL FEATURES

THIS PROPERTY HAS FRONTAGE ON SAGE ROAD AND COLERIDGE DRIVE.

VEGETATION

THE SOUTHERN PORTION OF THE SITE IS OPEN GRASS, USED AS OVERFLOW PARKING. THE NORTHERN PORTION OF THE SITE CONTAINS A STAND OF MIXED HARDWOODS, CEDARS AND YOUNG PINES. THERE ARE LANDSCAPE TREES AND SHRUBS OF VARIOUS CONDITION THROUGH-OUT THE REMAINDER OF THE SITE.

40 0 40 80 120

Scale 1" = 40'

LEGEND

Water Valve	⊗	Light Pole	LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	GV
Electric Transformer	T	Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	IPS
Gas Meter	G	Existing PK Nail	PK
Sanitary Sewer Manhole	S	PK Nail Set	PKS
Storm Sewer Manhole	D	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	PIV	Gas Line	
Water Manhole	W	Water Line	
Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
6 FEB 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

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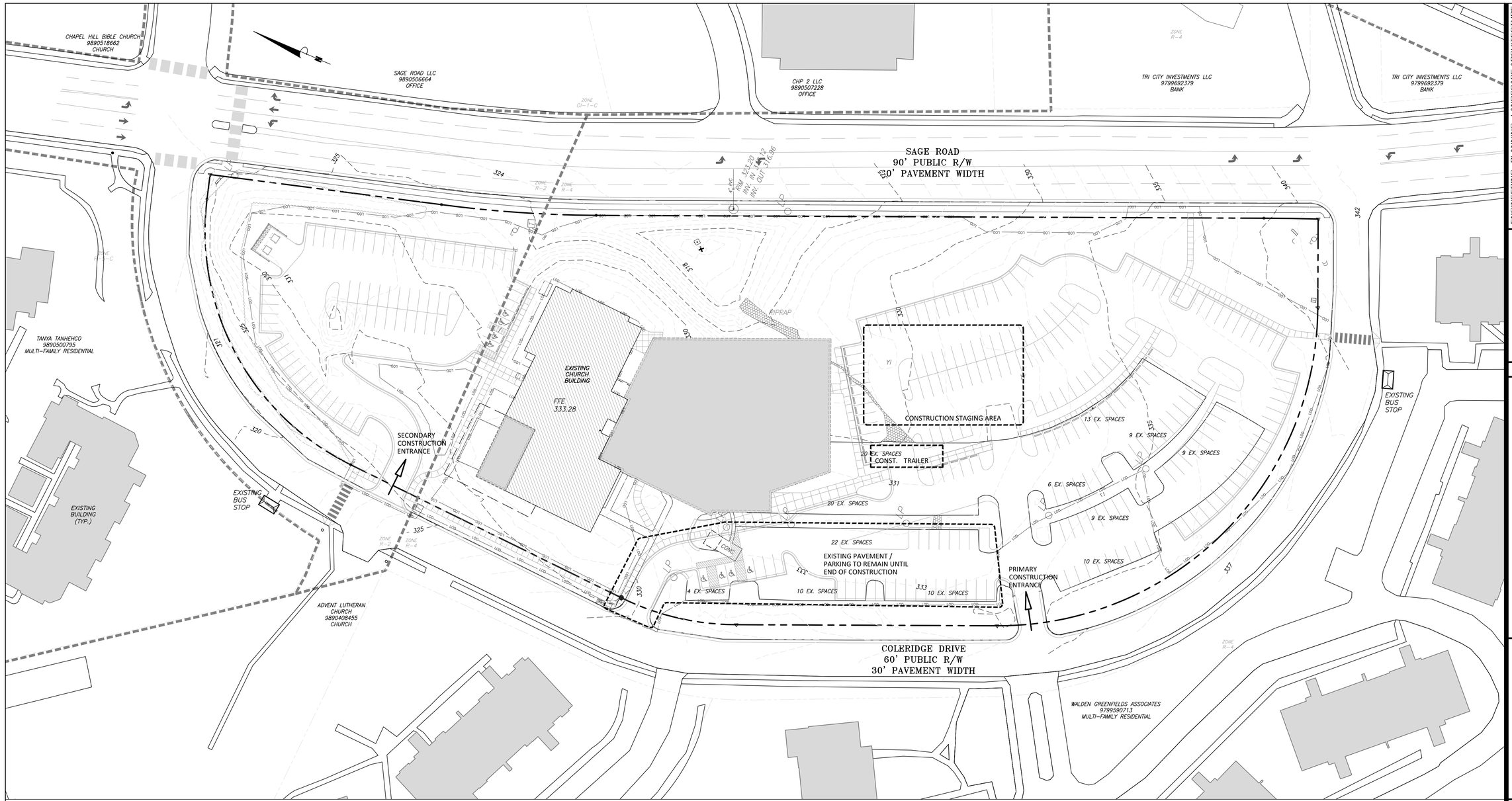
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Sheet Title:

EXISTING CONDITIONS PLAN

Sheet Number

C101



1/C102
DEMOLITION & CONSTRUCTION MANAGMENT PLAN
SCALE: 1"=40'

demolition notes

1. ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION.
2. SEE SITE PLAN SHEET C101 FOR LAYOUT DIMENSIONS OF EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
3. UTILITIES: SEE UTILITY PLAN C400. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES FOR LOCATION, REMOVAL AND RELOCATION OF ANY UTILITIES. CONTRACTOR RESPONSIBLE FOR DETERMINING EXTENT AND LOCATION OF UTILITIES. THIS MAY INCLUDE CONTACTING "NO-CUTS" TO HELP LOCATE SOME UTILITIES.
4. CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
5. CONTRACTOR RESPONSIBLE FOR OBTAINING ANY PERMITS FOR WORK IN THE NCDOT AND TOWN OF CHAPEL HILL RIGHTS OF WAY. ANY DAMAGED INFRASTRUCTURE IN THE RIGHT OF WAY CAUSED BY CONSTRUCTION ACTIVITIES MUST BE REPAIRED TO TOWN OF CHAPEL HILL STANDARDS. THIS INCLUDES, BUT IS NOT LIMITED TO UTILITIES, SIDEWALKS, CURB AND GUTTER, ASPHALT.
6. CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
7. CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
8. ABANDONMENT OF WATER SERVICES SHALL INCLUDE EXCAVATING DOWN TO CORPORATION, TURNING IT OFF AND CUTTING SERVICE LINE FREE FROM CORPORATION. THE METER, IF PRESENT, SHALL BE RETURNED TO OWASA.
9. ABANDONMENT OF SANITARY SEWER SERVICE LINES SHALL CONSIST OF PLUGGING THE LATERAL AT THE RIGHT-OF-WAY LINE.
10. ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
11. A DECONSTRUCTION ASSESSMENT WILL BE REQUIRED BEFORE A DEMOLITION PERMIT WILL BE ISSUED FOR THE EXISTING 2 STORY STRUCTURE.
12. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
13. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
14. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
15. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ("ACM") OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

40 0 40 80 120
Scale 1" = 40'

LEGEND

Water Valve	GV	Light Pole	LP
Curb Inlet/Catch Basin		Sewer Cleanout	CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	GV
Electric Transformer	T	Existing Iron Pipe (3/4" unless noted)	
Electric Junction Box	E	1/2" Iron Pipe Set	IPS
Gas Meter	G	Existing PK Nail	PK
Sanitary Sewer Manhole	S	PK Nail Set	PKS
Storm Sewer Manhole	D	Computed Point	
Telephone Manhole	T	Concrete Monument	
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	TEL	Underground Electric	UE
Fire Hydrant		Underground Telephone	UT
Post Indicator Valve	PIV	Gas Line	GAS
Water Manhole	W	Water Line	
Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1268 JEREMY S. ANDERSON
6 FEB 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

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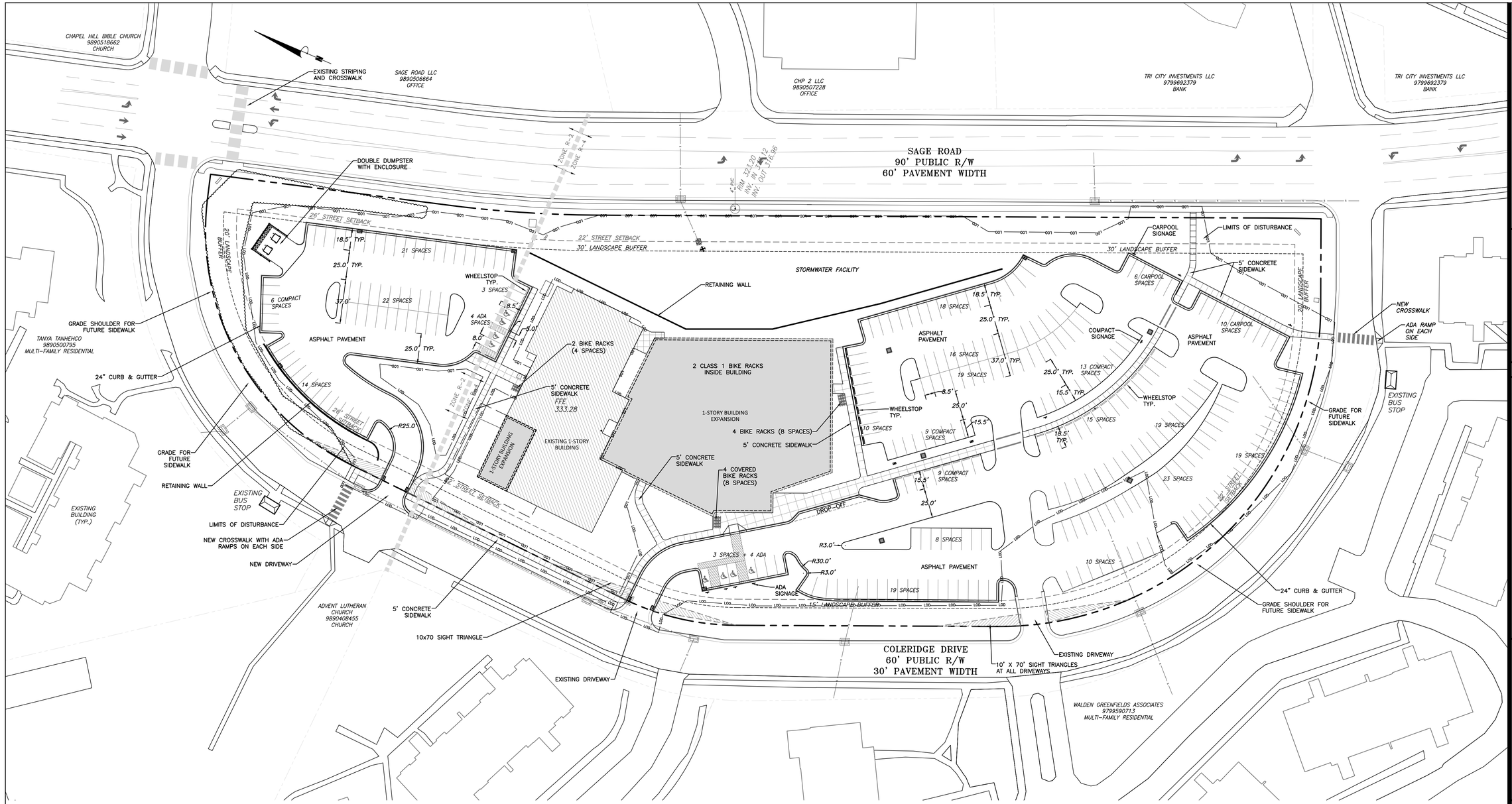
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Sheet Title:

DEMOLITION & CONSTRUCTION MANAGEMENT

Sheet Number

C102



1/C200
SITE LAYOUT PLAN
SCALE: 1"=40'

40 0 40 80 120

Scale 1" = 40'

site plan notes

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. REFERENCE EXISTING CONDITION / DEMOLITION PLAN SHEETS C100 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
10. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ("ACM") OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CARY AND OWASA MAINTAINED UTILITIES.

LEGEND

Water Valve	⊗	Light Pole	○LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	○CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	□ TSB	Gas Valve	⊗ GV
Electric Transformer		Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	○ IPS
Gas Meter	G	Existing PK Nail	● PK
Sanitary Sewer Manhole	S	PK Nail Set	● PKS
Storm Sewer Manhole	S	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	⊠ TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	○ PIV	Gas Line	
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Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
30 · MAR · 2015

PRELIMINARY
NOT FOR CONSTRUCTION

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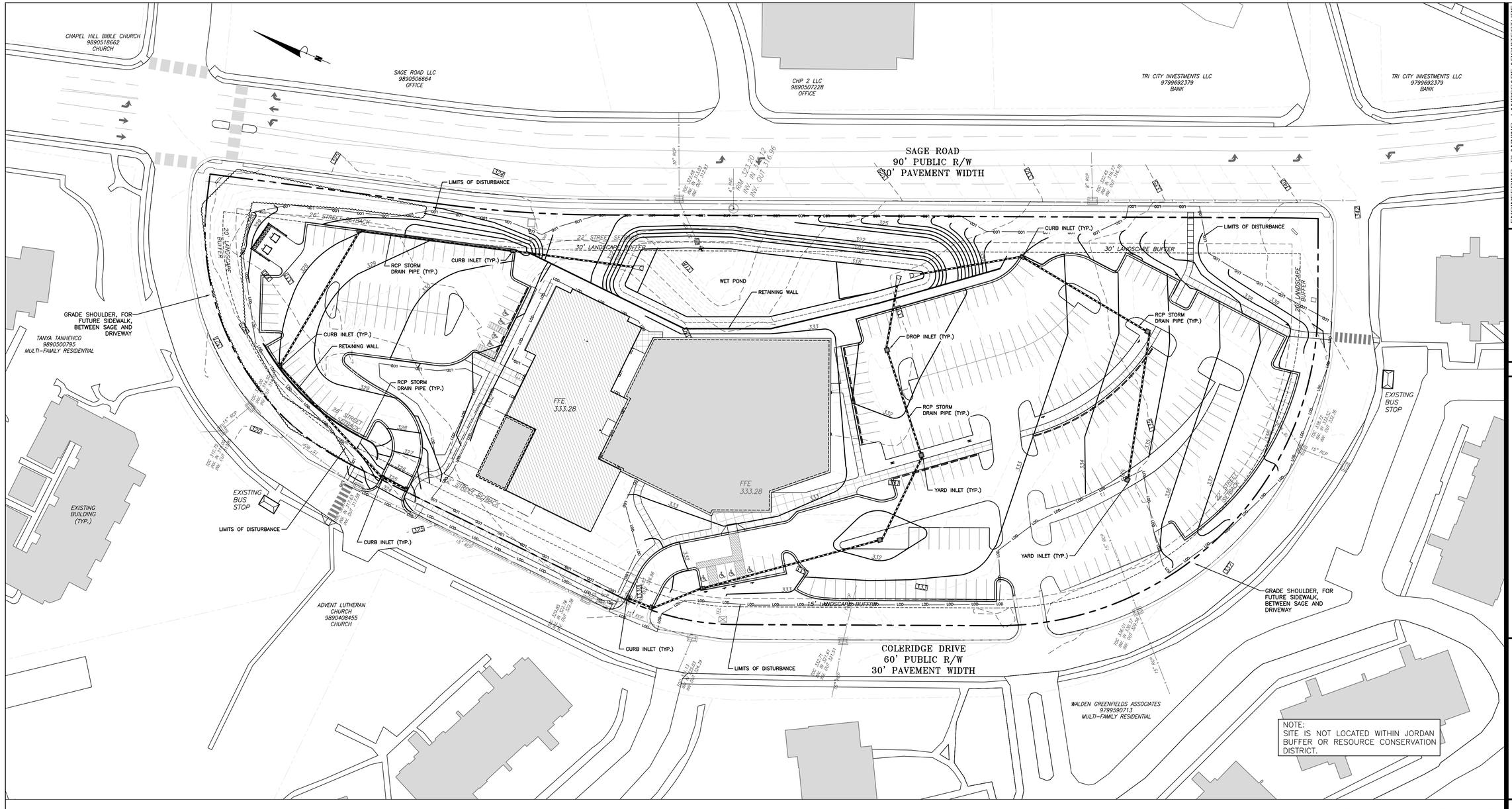
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Sheet Title:

SITE LAYOUT PLAN

Sheet Number

C200



1/C300
GRADING AND STORM DRAINAGE PLAN
SCALE: 1"=40'

40 0 40 80 120

Scale 1" = 40'

grading and storm drainage notes

GRADING NOTES:

1. *ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.*
2. *ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.*
3. *CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL".*
4. *CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.*
5. *EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.*
6. *SOIL UNDER BUILDING PAD, PAVED AREAS AND WITHIN SLOPES GREATER THAN 3:1 (H:V) SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. THESE SOILS SHALL BE COMPACTED AS SPECIFIED UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ANY UNDERCUT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO QUANTIFIED BY THE GEOTECHNICAL ENGINEER.*
7. *ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR WET LAWN AREAS, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.*
8. *ALL SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM 1.8% CROSS SLOPE IN THE DIRECTION SHOWN ON THE PLAN.*
9. CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
10. *CURB INLETS: PROVIDE PRE-CAST CURB INLET HOODS AND COVERS STATING, "DUMP NO WASTE! DRAINS TO JORDAN LAKE", IN ACCORDANCE WITH THE SPECIFICATIONS OF THE TOWN STANDARD DETAIL SD-5A. FOR ALL NEW CURB INLETS FOR PRIVATE, TOWN AND STATE RIGHTS-OF-WAY.*

STORM DRAINAGE NOTES:

1. ALL STORM DRAINAGE PIPES SHOWN ARE TO BE CLASS III REINFORCED CONCRETE (RCP) UNLESS NOTED OTHERWISE.
2. ALL STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS.
3. ALL CONCRETE SHALL MEET A MINIMUM 3000 PSI COMPRESSIVE STRENGTH.
4. ALL PIPE IN STORM DRAIN STRUCTURES SHALL BE STRUCK EVEN WITH INSIDE WALL.
5. ALL PIPE JOINTS SHALL BE MADE WITH PREFORMED JOINT SEALER, WHICH CONFORMS TO AASHTO SPECIFICATION M-198 FOR TYPE B FLEXIBLE PLASTIC GASKETS UNLESS OTHERWISE NOTED.
6. THE INTERIOR SURFACES OF ALL STORM DRAINAGE STRUCTURES SHALL BE POINTED AND SMOOTHED TO AN ACCEPTABLE STANDARD USING MORTAR MIXED TO MANUFACTURER'S SPECIFICATIONS.
7. ALL BACKFILL SHALL BE NON-PLASTIC IN NATURE, FREE FROM ROOTS, VEGETATION MATTER, WASTE CONSTRUCTION MATERIAL OR OTHER OBJECTIONABLE MATERIAL. SAID MATERIAL SHALL BE CAPABLE OF BEING COMPACTED BY MECHANICAL MEANS AND SHALL HAVE NO TENDENCY TO FLOW OR BEHAVE IN A PLASTIC MANNER UNDER THE TAMPING BLOWS OR PROOF ROLLING.
8. MATERIALS DEEMED BY THE OWNER'S REPRESENTATIVE AS UNSUITABLE FOR BACKFILL PURPOSES SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL.
9. BACKFILLING OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PIPE IS LAID. THE FILL AROUND THE PIPE SHALL BE THOROUGHLY COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY OBTAINABLE WITH THE STANDARD PROCTOR TEST. THE TOP EIGHT (8) INCHES SHALL BE COMPACTED TO 100% STANDARD PROCTOR.
10. UNDER NO CIRCUMSTANCES SHALL WATER BE ALLOWED TO RISE IN UNBACKFILLED TRENCHES AFTER PIPE HAS BEEN PLACED.

erosion control notes

EROSION CONTROL NOTES:

1. *EROSION CONTROL BOND: IF ONE (1) ACRE OR MORE IS UNCOVERED BY LAND-DISTURBING ACTIVITIES FOR THIS PROJECT, THEN A PERFORMANCE GUARANTEE IN ACCORDANCE WITH SECTION 5-97.1 BONDS OF THE TOWN CODE OF ORDINANCES SHALL BE REQUIRED PRIOR TO FINAL AUTHORIZATION TO BEGIN LAND-DISTURBING ACTIVITIES. THIS FINANCIAL GUARANTEE IS INTENDED TO COVER THE COSTS OF RESTORATION OF FAILED OR FAILING SOIL EROSION AND SEDIMENTATION CONTROLS, AND/OR TO REMEDY DAMAGES RESULTING FROM LAND-DISTURBING ACTIVITIES, SHOULD THE RESPONSIBLE PARTY OR PARTIES FAIL TO PROVIDE PROMPT AND EFFECTIVE REMEDIES ACCEPTABLE TO THE TOWN.*
2. *THE APPLICANT SHALL PROVIDE A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PERMIT FROM ORANGE COUNTY EROSION CONTROL DIVISION PRIOR TO RECEIVING A ZONING COMPLIANCE PERMIT. DURING THE CONSTRUCTION PHASE, ADDITIONAL EROSION AND SEDIMENT CONTROLS MAY BE REQUIRED IF THE PROPOSED MEASURES DO NOT CONTAIN THE SEDIMENT. SEDIMENT LEAVING THE PROPERTY IS A VIOLATION OF THE TOWN'S EROSION AND SEDIMENT CONTROL ORDINANCE.*
3. *THE CONTRACTOR SHALL TAKE THE APPROPRIATE MEASURES TO PREVENT AND REMOVE THE DEPOSIT OF WET OR DRY SILT ON ADJACENT PAVED ROADWAYS.*
4. *EROSION CONTROL INSPECTIONS: IN ADDITION TO THE REQUIREMENT DURING CONSTRUCTION FOR INSPECTION AFTER EVERY RAINFALL, THE APPLICANT SHALL INSPECT THE EROSION AND SEDIMENT CONTROL DEVICES WEEKLY, MAKE ANY NECESSARY REPAIRS OR ADJUSTMENTS TO THE DEVICES, AND MAINTAIN INSPECTION LOGS DOCUMENTING THE DAILY INSPECTIONS AND ANY NECESSARY REPAIRS.*

LEGEND

Water Valve	⊗	Light Pole	○LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	○CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	⊗ GV
Electric Transformer		Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box		1/2" Iron Pipe Set	○ IPS
Gas Meter		Existing PK Nail	● PK
Sanitary Sewer Manhole		PK Nail Set	● PKS
Storm Sewer Manhole		Computed Point	△
Telephone Manhole		Concrete Monument	⊠
Electric Manhole		Tree Line	
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NORTH CAROLINA PROFESSIONAL SEAL CRAIG B. MORGAN ENGINEER
11/21/14

Project: 81

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

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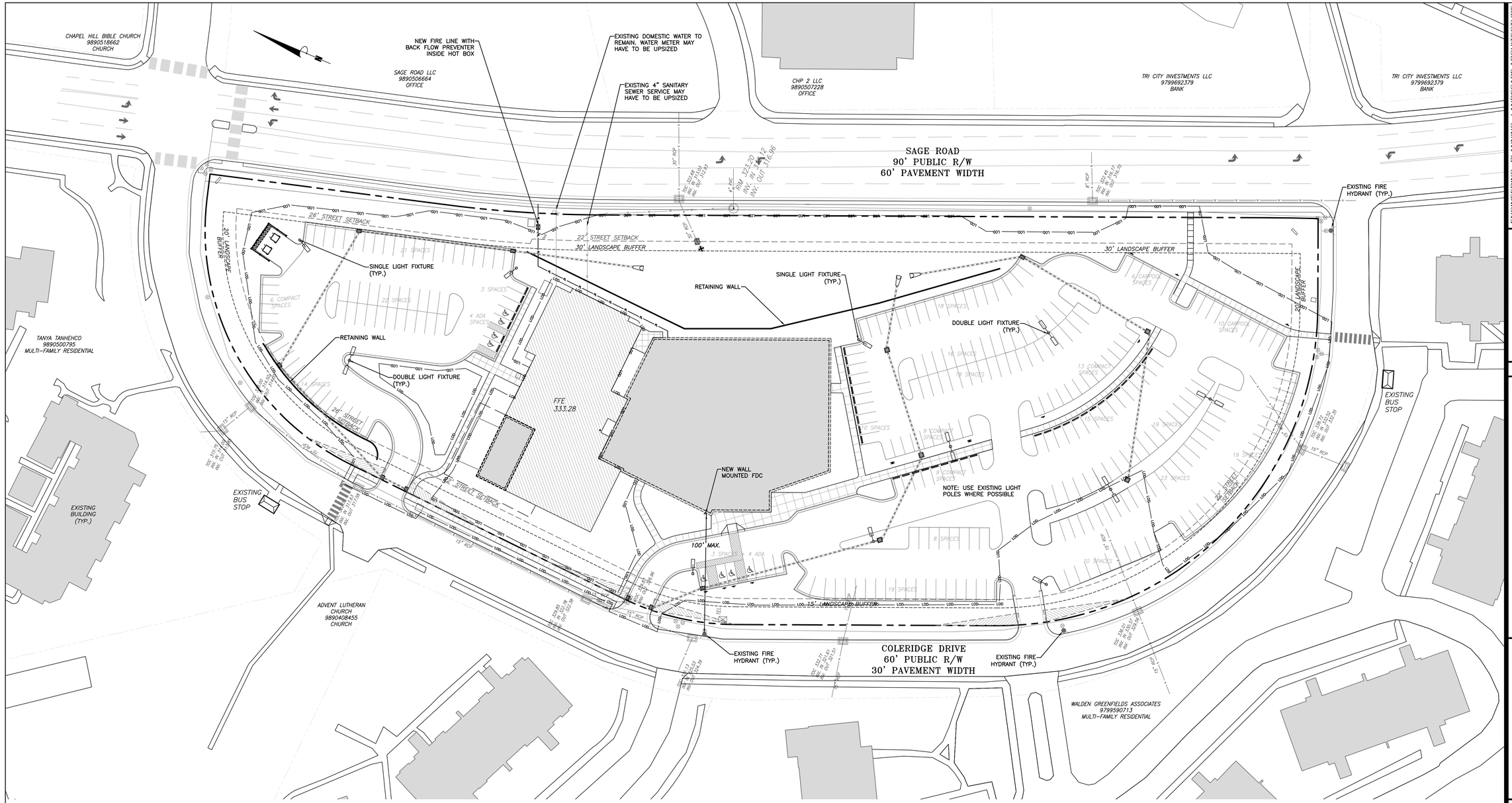
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Sheet Title:

GRADING AND STORM DRAINAGE PLAN

Sheet Number

C300



1/C400
UTILITY PLAN
SCALE: 1"=40'

40 0 40 80 120

Scale 1" = 40'

GENERAL NOTES:

1. *CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICE INDEPENDENT OF "NORTH CAROLINA ONE CALL".*
2. *ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY THE TOWN OF CHAPEL HILL.*
3. *ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.*
4. *ALL EXISTING UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. ACTUAL LOCATION AND DEPTH SHALL BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION.*
5. *BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY TOWN OR N.C.D.O.T. STREET OR HIGHWAY RIGHT-OF-WAY THE FOLLOWING PROCEDURES SHOULD BE UNDERTAKEN; TOWN RIGHT-OF-WAY: CONTACT LOCAL AUTHORITIES' TRAFFIC ENGINEERING DEPT. FOR INFORMATION ON DETOURS, OPEN CUTTING OF STREETS OR FOR ANY CONSTRUCTION WITHIN RIGHT-OF-WAY. N.C.D.O.T. RIGHT-OF-WAY: CONTACT PROJECT ENGINEERS AND OBTAIN ALL PERMITS AND ENCROACHMENTS (KEEP COPIES ON CONSTRUCTION SITE, ALSO CONTACT N.C.D.O.T. DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER).*
6. *ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST. PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADING CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.*
7. *POWER, TELEPHONE, AND GAS SERVICES TO BUILDINGS SHALL BE UNDERGROUND. ACCESS AND SERVICE ROUTES TO BE COORDINATED WITH THE PUBLIC UTILITIES, CONTRACTOR AND THE OWNER.*
8. *RESURFACING OF STREET DUE TO UTILITY CUTS SHALL BE REQUIRED AT THE DIRECTION OF ENGINEERING. (MINIMUM 50' TO EITHER SIDE OF UTILITY CUTS).*

SANITARY SEWER:

1. *BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL UNITS WITH FINAL FLOOR ELEVATIONS OF BUILDINGS LESS THAN 1'-0" ABOVE UPSTREAM MANHOLE.*
2. *MINIMUM COVER OF 5 FEET IN TRAFFIC AREAS TO BE PROVIDED FOR ALL COLLECTOR LINES 4 INCHES AND LARGER. IF LESS THAN 5 FEET, DUCTILE IRON PIPE SHALL BE REQUIRED.*
3. *MINIMUM SLOPE FOR 4 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 2.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.*
4. *MINIMUM SLOPE FOR 6 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 1.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.*

WATER:

1. *WATERLINES WILL BE 3' OFF CURB AND GUTTER UNLESS SHOWN OTHERWISE.*
2. *LAY WATER MAINS AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SANITARY SEWERS. IF LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT SEPARATION, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER PIPE EITHER IN A SEPARATE TRENCH OR IN THE SAME TRENCH ON A BENCH OF UNDISTURBED EARTH.*
3. *WHEN A PROPOSED WATER MAIN CROSSES OVER A PROPOSED OR EXISTING SANITARY SEWER, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER. IF LOCAL CONDITIONS PREVENT AN 18" VERTICAL SEPARATION, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER FOR A DISTANCE OF 10 FEET ON EACH SIDE TO THE POINT OF CROSSING WITH FERROUS PIPE HAVING WATER MAIN QUALITY JOINTS.*
4. *WHEN A PROPOSED WATER MAIN CROSSES UNDER A PROPOSED OR EXISTING SANITARY SEWER, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER OF FERROUS MATERIALS WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. CENTER THE SECTION OF WATER PIPE AT THE POINT OF CROSSING.*
5. *MAINTAIN A MINIMUM COVER OF 36" AND MAXIMUM COVER OF 42" BELOW FINISHED GRADE OVER ALL PIPES UNLESS OTHERWISE DIRECTED OR SHOWN ON THE PLANS. DUE TO THE HEIGHTS OF VALVES, INCREASE THE COVER DEPTHS ADJACENT TO THE VALVES OR VARIED AT POINTS OF TIE-IN TO EXISTING LINES.*
6. *ALL FDC(S) AND HYDRANT(S) TO BE PROVIDED WITH 5 INCH DIAMETER STORZ CONNECTIONS.*

LEGEND

Water Valve	⊗	Light Pole	○LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	○CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	□ TSB	Gas Valve	⊗ GV
Electric Transformer	□	Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	○ IPS
Gas Meter	G	Existing PK Nail	● PK
Sanitary Sewer Manhole	S	PK Nail Set	● PKS
Storm Sewer Manhole	S	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign	○	Fence	
Telephone Pedestal	⊠ TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	○ PIV	Gas Line	
Water Manhole	W	Water Line	
Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

Coulter Jewell Thames P.A.

ENGINEERING, PLANNING, LANDSCAPE ARCHITECTURE
NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1209

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NORTH CAROLINA PROFESSIONAL SEAL 029111 ENGINEER CRAIG B. MORGAN
11/21/14

Project: 82

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

Drawn	JSA, TRM, CLJ, MTC
Checked	JSA, CBM
Date	11-24-2014
Revisions	02-06-2015
	TOWN COMMENTS
	03-30-2015

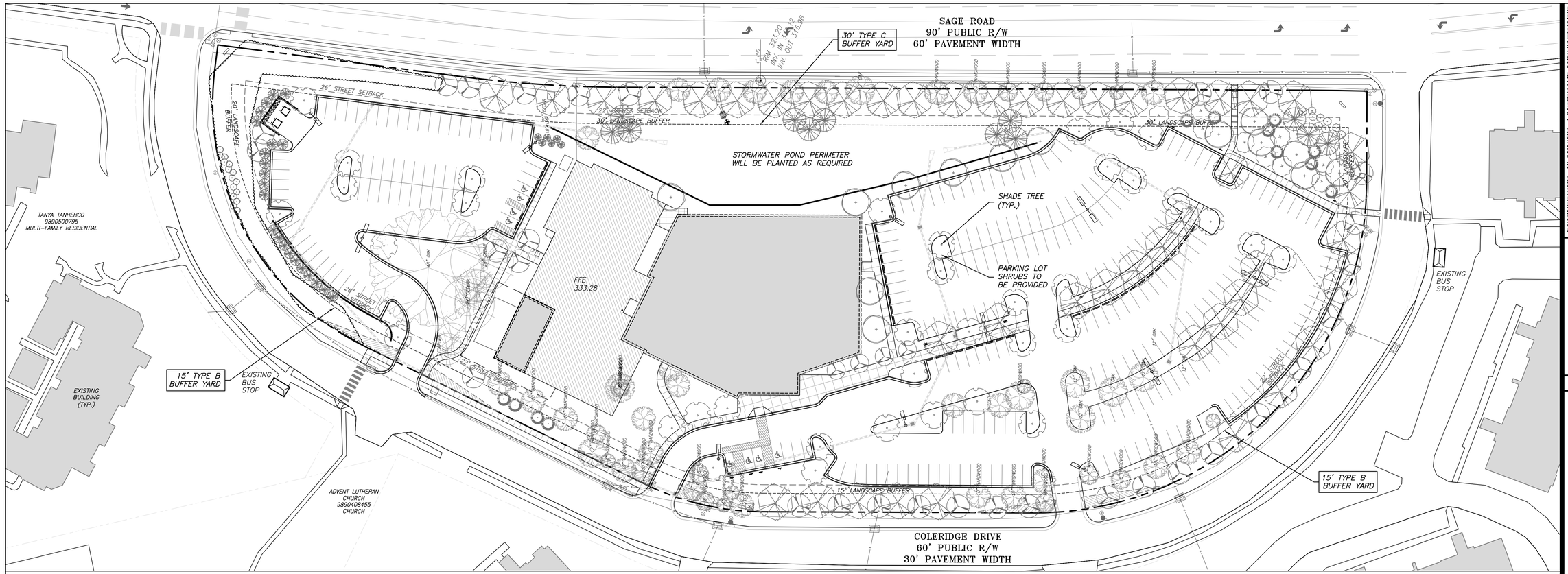
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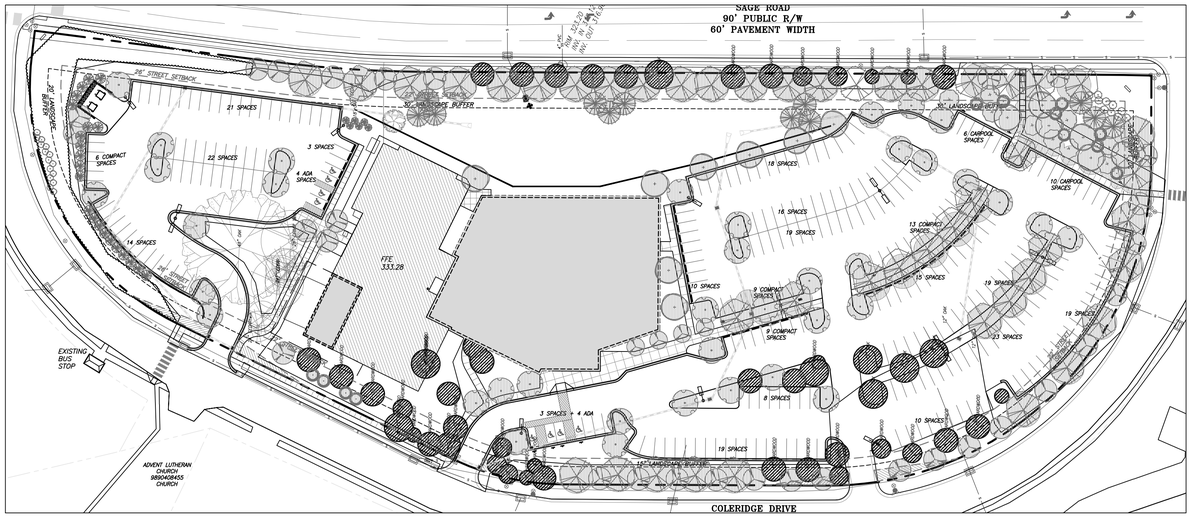
UTILITY PLAN

Sheet Number

C400



1/C500
LANDSCAPE PLAN
SCALE: 1"=40'



2/C500
PROPOSED TREE CANOPY COVERAGE
SCALE: 1"=60'

USE CLASSIFICATION: INSTITUTIONAL

LOT SIZE IN R2: 45,846 sf
LOT SIZE IN R4: 225,754 sf

UTILITY EASEMENTS: −34,668 sf
NET LOT SIZE: 236,932 sf

MINIMUM TREE CANOPY COVERAGE
FOR INSTITUTIONAL USE = 40% = 108,640 sf

EXISTING TREE CANOPY PROTECTED = 26,939 sf = 9.9%
TREE CANOPY DEFICIT = 81,751.6 sf = 30.1%
REPLACEMENT TREES REQUIRED = 164
REPLACEMENT TREES PROVIDED = 164

landscape notes

1. LANDSCAPING MUST BE IN PLACE PRIOR TO REQUEST FOR A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, DEPTHS, QUANTITIES, DISTANCES, ANGLES AND SLOPES PRIOR TO ORDERING MATERIALS OR INSTALLING PROJECT.
3. IN AREAS OF GROUND COVER, MAINTAIN A 12" MINIMUM DISTANCE BETWEEN PLANTS AND HARD IMPROVEMENTS.
4. BED LINES SHALL CONFORM TO CONFIGURATION SHOWN ON THE PLANS. BED LINES SHALL MEET CURBS, WALKS, BUILDINGS, ETC. AT RIGHT ANGLES UNLESS SHOWN OTHERWISE.
5. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE THEMSELF WITH ACTUAL CONDITIONS AND VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL REPORT ALL DISCREPANCIES TO LANDSCAPE ARCHITECT.
6. CONTRACTOR SHALL ACCEPT ACTUAL CONDITIONS AT SITE AND PERFORM THE WORK SPECIFIED INCLUDING FINE GRADING AND INCORPORATION OF TOP SOIL INTO PLANTING AREAS, WITHOUT ADDITIONAL COMPENSATION FOR POSSIBLE VARIATION FROM GRADES AND CONDITIONS SHOWN, WHETHER SURFACE OR SUBSURFACE, EXCEPT AS PROVIDED FOR IN CONTRACT DOCUMENTS.
7. IN LAWN AREAS, 2" TOPSOIL SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING.
8. CONTRACTOR WILL OBTAIN WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY PLANT SUBSTITUTIONS OF SPECIES, SIZE, OR TYPE OF CONTAINER.
9. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE UTILITIES DURING INSTALLATION, AND SHALL PROMPTLY REPAIR AND RESTORE SERVICES AT NO ADDITIONAL COST TO THE OWNER IF DAMAGE OCCURS DURING INSTALLATION. CONTRACTOR SHALL BECOME THOROUGHLY FAMILIAR WITH THE FULL SET OF CONSTRUCTION DRAWINGS AND SPECIFICATIONS FOR COORDINATION WITH UTILITIES, ARCHITECTURAL FEATURES, ETC.
10. CONTRACTOR WILL LEAVE DISTURBED AREAS LEVEL AND RAKED SMOOTH, REMOVING ALL ROCKS AND DEBRIS.
11. MULCH IS TO BE A 3" LAYER OF TRIPLE SHREDDED HARDWOOD MULCH. MULCH IS TO BE KEPT AWAY FROM TREE TRUNKS.
12. ANY DAMAGE TO EXISTING CONDITIONS OUTSIDE THE CONTRACT LIMITS, INCLUDING CURBS, SIDEWALKS, TURF AREAS AND PAVING, SHALL BE RESTORED TO ORIGINAL CONDITION BY THE CONTRACTOR WITHOUT EXTRA COST TO THE OWNER.
13. IN CASE OF DISCREPANCY BETWEEN THE QUANTITY OF PLANTS ON THE PLANS COMPARED TO THE PLANT LIST, THE CONTRACTOR SHALL SUPPLY QUANTITIES AS SHOWN ON THE PLANS.
14. ALL UNPAVED SURFACES ARE TO BE COVERED IN PLANTS, MULCH, OR GRASS.

40 0 40 80 120
Scale 1" = 40'

LEGEND

Water Valve	⊗	Light Pole	LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	GV
Electric Transformer		Existing Iron Pipe (3/4" unless noted)	
Electric Junction Box	E	1/2" Iron Pipe Set	IPS
Gas Meter	G	Existing PK Nail	PK
Sanitary Sewer Manhole		PK Nail Set	PKS
Storm Sewer Manhole		Computed Point	
Telephone Manhole		Concrete Monument	
Electric Manhole		Tree Line	
Sign		Fence	
Telephone Pedestal	TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	PIV	Gas Line	
Water Manhole		Water Line	
Water Meter		Overhead Utilities	
Hot Box	FIRE	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

QTY	%	EVGN	KEY	BOTANICAL NAME	COMMON NAME	SIZE		SPACING	REMARKS
CANOPY TREES									
		Y	CJ	Cryptomeria japonica	Japanese Cedar	2" CAL.	8' HT.	AS SHOWN	SINGLE TRUNK & LEADER
		N	QP	Quercus Phellos	Willow Oak	2.5" CAL.	12' HT.	AS SHOWN	SINGLE TRUNK & LEADER
		N	TD	Taxodium distichum	Bald Cypress	2.5" CAL.	12' HT.	AS SHOWN	SINGLE TRUNK & LEADER
		N	BN	Betula Nigra	River Birch		12' HT.	AS SHOWN	MULTI-TRUNK
		Y	IA	Ilex opaca	American Holly	2" CAL.	8' HT.	AS SHOWN	SINGLE TRUNK & LEADER
		N	UP	Ulmus parvilfolia	Lace bark Elm	2.5" CAL.		AS SHOWN	SINGLE TRUNK & LEADER
0	0%								
UNDERSTORY TREES									
		N	AP	Acer palmatum 'Autumn Glory'	Autumn Glory Japanese Maple		10' HT.	AS SHOWN	SINGLE TRUNK & LEADER
SHRUBS									
		N	RK	Rosa 'Radrazz'	Knock Out Rose	15" HT.		36" O.C.	FULL AND MATCHING
		Y	IC	Ilex cornuta 'carissa'	Carissa Holly	15" HT.		36" O.C.	FULL AND MATCHING
		Y	RU	Raphiolepis umbellata	Indian Hawthorn	18" HT.		36" O.C.	FULL AND MATCHING
		Y	GS	Gelsemium sempervivens	Carolina Jasmine		60". Ht	AS SHOWN	FULL AND MATCHING
		Y	RO	Rosmarinus 'officinalis'	Rosemary	15" HT.		36" O.C.	FULL AND MATCHING
		Y	VD	Viburnum davidii	David's Viburnum	15" HT.		36" O.C.	FULL AND MATCHING
0	0%								
GROUNDCOVER									
AR			LAWN	AS REQUIRED TO MATCH EXISTING					

4/C500
PROPOSED LANDSCAPE PLANTING SCHEDULE

Coulter Jewell Thames P.A.
ENGINEERING, PLANNING, LANDSCAPE ARCHITECTURE
NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1269
111 West Main Street
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83

Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
30 · MAR · 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

Drawn	JSA, TRM, CLJ, MTC
Checked	JSA, CBM
Date	11-24-2014
Revisions	02-06-2015
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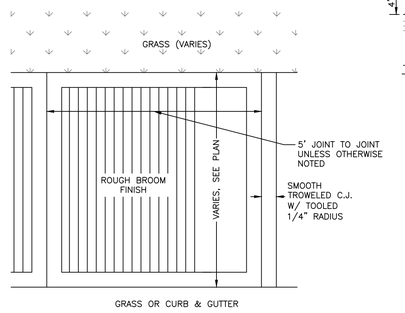
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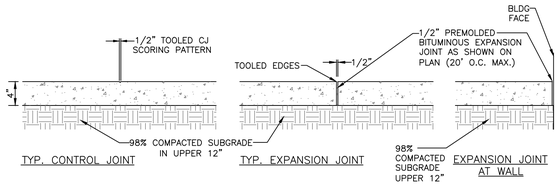
LANDSCAPE PLAN

Sheet Number

C500



PLAN VIEW



NOTES:

1) 4" THICK CONC., 3000 PSI MIN.

2) ALL SIDEWALK ARE TO HAVE MAXIMUM 1.8% CROSS SLOPE

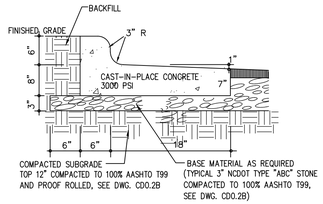
3) USE 1/2" BITUMINOUS EXPANSION JOINT A MAX. OF 20' O.C. AND WHENEVER CONCRETE WALK MEETS FIXED OBJECTS (IE. CURBS, BLDG. ETC.). EXPANSION JOINTS THAT ABUT BUILDINGS WALL SHALL BE SEALED WITH A FOAM BACKER ROD AND ELASTOMERIC SEALANT.

   ALL CONSTRUCTION JOINTS AND EXPANSION JOINTS IN NCDOT RIGHT-OF-WAY SHALL BE SEALED PER NCDOT STANDARDS AND SPECIFICATION.

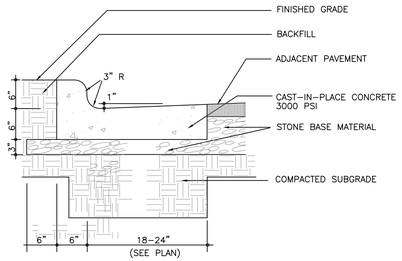
4) ALL SIDEWALKS SHALL BE CONSTRUCTED WITH TOOLED 1/4" EDGE RADIUS.

1 C600 CONCRETE SIDEWALK

no scale



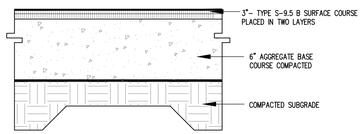
SPILL CURB AS REQ.



- CONTRACTION JOINTS SHALL BE SPACED AT 10 FOOT INTERVALS. EXCEPT THAT A 15 FOOT SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10 FOOT INTERVALS. JOINT SPACING MAY BE ALTERED BY THE ENGINEER TO PREVENT UNCONTROLLED CRACKING.
- CONTRACTION JOINTS MAY BE INSTALLED BY THE USE OF TEMPLATES OR FORMED BY OTHER APPROVED METHODS. WHERE SUCH JOINTS ARE NOT FORMED BY TEMPLATES, A MINIMUM DEPTH OF 1 1/2" SHALL BE MAINTAINED.
- CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSION STRENGTH OF 3000 PSI AT 28 DAYS.
- ALL CONTRACTION JOINTS SHALL BE FILLED WITH JOINT FILLER.
- JOINTS SHALL MATCH LOCATIONS WITH JOINT IN ABUTTING SIDEWALK.
- EXPANSION JOINTS SHALL BE SPACED AT 90 FOOT INTERVALS AND ADJACENT TO ALL RIGID OBJECTS.

2 C600 CURB AND GUTTER

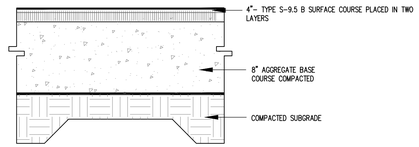
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FINAL PAVEMENT SECTION IS PROVIDED BY GEO-TECHNICAL ENGINEER BASED SITE SPECIFIC GEO-TECHNICAL REPORT

3 C600 LIGHT DUTY ASPHALT PAVING

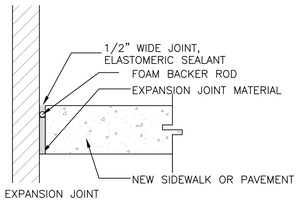
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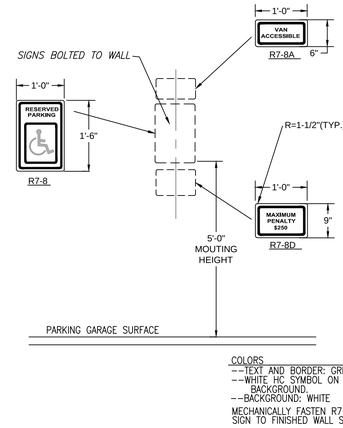
4 C600 HEAVY DUTY ASPHALT PAVING

no scale



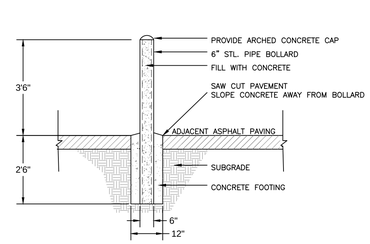
5 C600 PAVING ADJACENT TO BUILDING

no scale



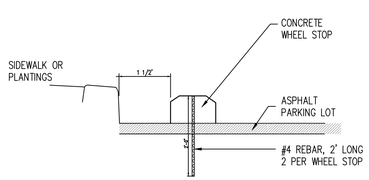
6 C600 ADA SIGNAGE

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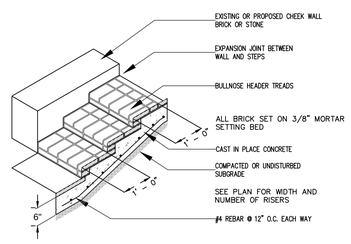
7 C600 BOLLARD

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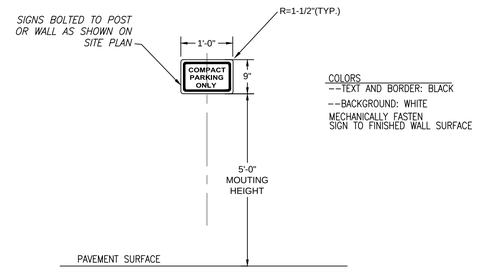
8 C600 WHEELSTOP

no scale



9 C600 BRICK STEP DETAIL

no scale



10 C600 COMPACT PARKING SPACE SIGNAGE

no scale

ENGINEERING - PLANNING - LANDSCAPE ARCHITECTURE
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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1269 JEREMY S. ANDERSON
11.24.2014

Project: 84

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

PRELIMINARY
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Job Number: 1339

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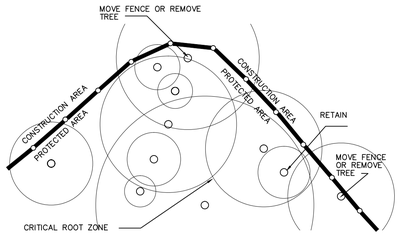
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SITE DETAILS

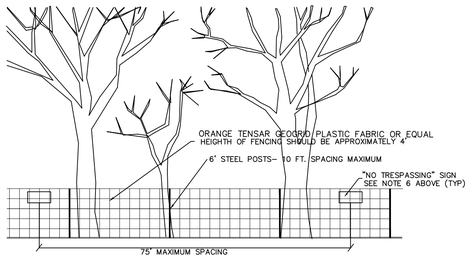
Sheet Number

C600



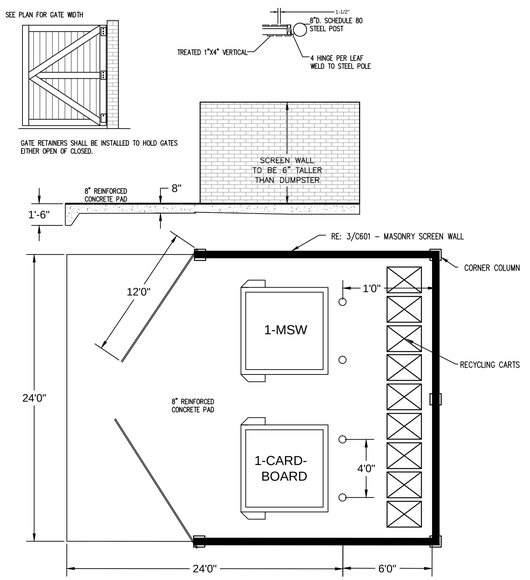
NOTES:

1. MOVE FENCE OR REMOVE TREE IF MORE THAN 20% OF A TREE'S CRITICAL ROOT AREA IS UNPROTECTED.
2. ROOT PRUNE TREES TO REMAIN WHERE CONSTRUCTIONACTIVITIES WILL SEVER ROOTS.
3. ANY TREE ROOTS EXPOSED BY CONSTRUCTION SHALL BE SEVERED CLEANLY WITH A PRUNING TOOL
4. DO NOT DISPOSE OF ANY CHEMICALS OR REMOVE SOIL OUTSIDE THE LIMITS OF WORK
5. WHEN INSTALLING NEW LANDSCAPE PLANTS, DO NOT DRIVE EQUIPMENT UPON OR DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.
6. SIGNAGE MUST BE PLACED ON TREE PROTECTION FENCING WITH A MINIMUM MINIMUM SPACING OF 75' O.C., TO READ "TREE PROTECTION AREA – NO TRESPASSING WITHIN THE FENCE".



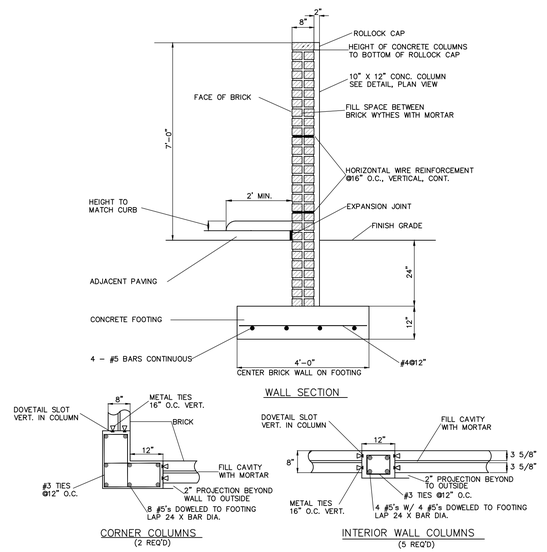
1 C601 **TREE PROTECTION FENCING**

1" = 4'-0"



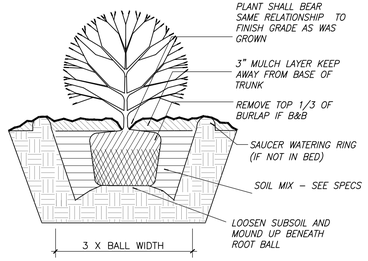
2 C601 **DOUBLE DUMPSTER**

NOT TO SCALE



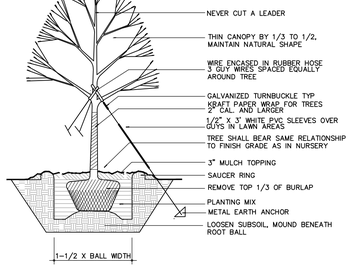
3 C601 **MASONRY DUMPSTER SCREEN WALL**

NOT TO SCALE



4 C601 **SHRUB DETAIL**

NO SCALE



5 C601 **TREE PLANTING DETAIL**

NO SCALE

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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1268 JEREMY S. ANDERSON
11-24-2014

Project: 85

GRACE CHURCH EXPANSION

200 SAGE ROAD
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Date	11-24-2014
Revisions	

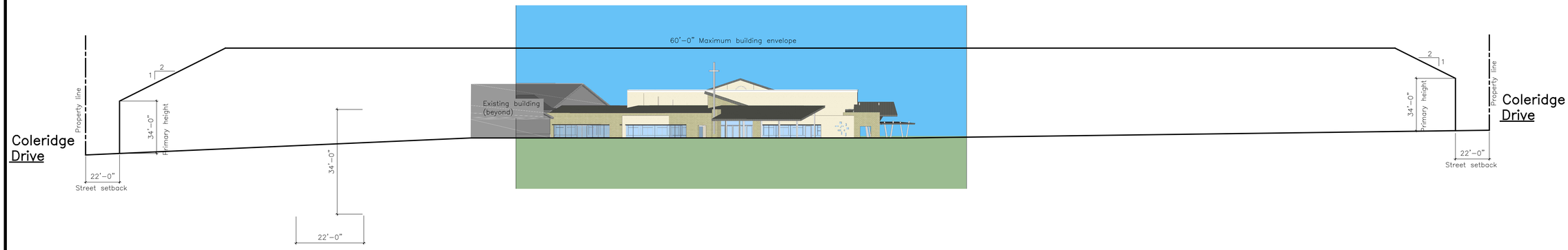
SPECIAL USE PERMIT

Sheet Title:

SITE DETAILS

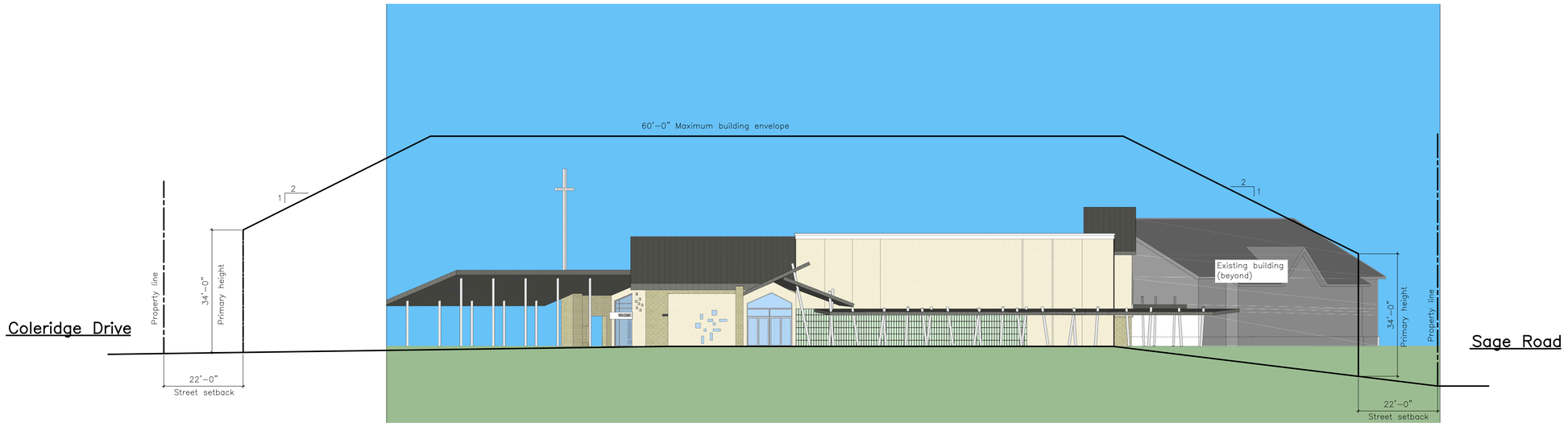
Sheet Number

C601



West Elevation

1/32" = 1'-0"



South Elevation

1/16" = 1'-0"

Exterior Elevation Massing 1

1/16" = 1'-0"

Patrick Morgan • Architect, Inc.
(719) 534-0453
5295 Copper Drive
Colorado Springs, Colorado 80918

86

GRACE CHURCH

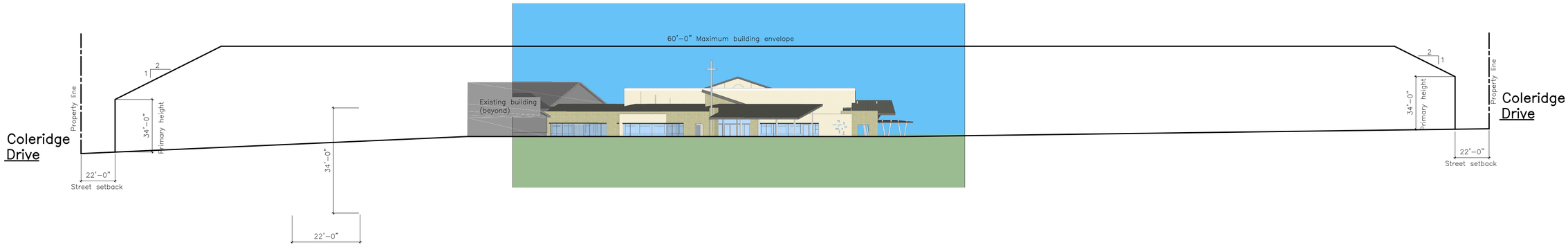
200 Sage Road
Chapel Hill, North Carolina 27514

Nov. 18, 2014 progress

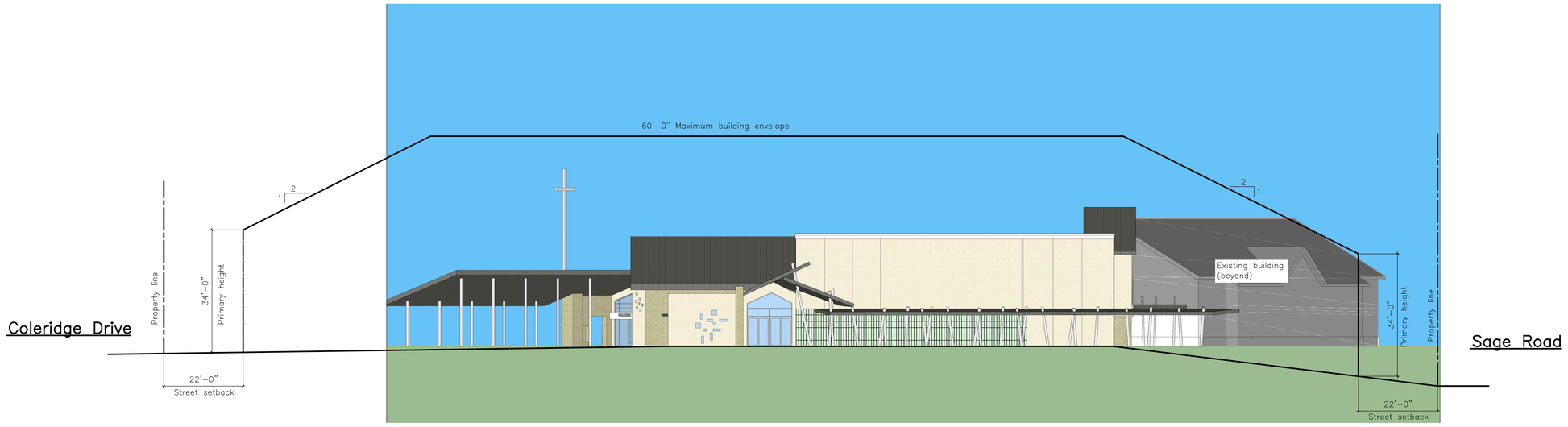
SCHEMATIC DESIGN
Not for Construction

A3

Exterior Elevation Massing



West Elevation
1/32" = 1'–0"



South Elevation
1/16" = 1'–0"

Exterior Elevation Massing 1
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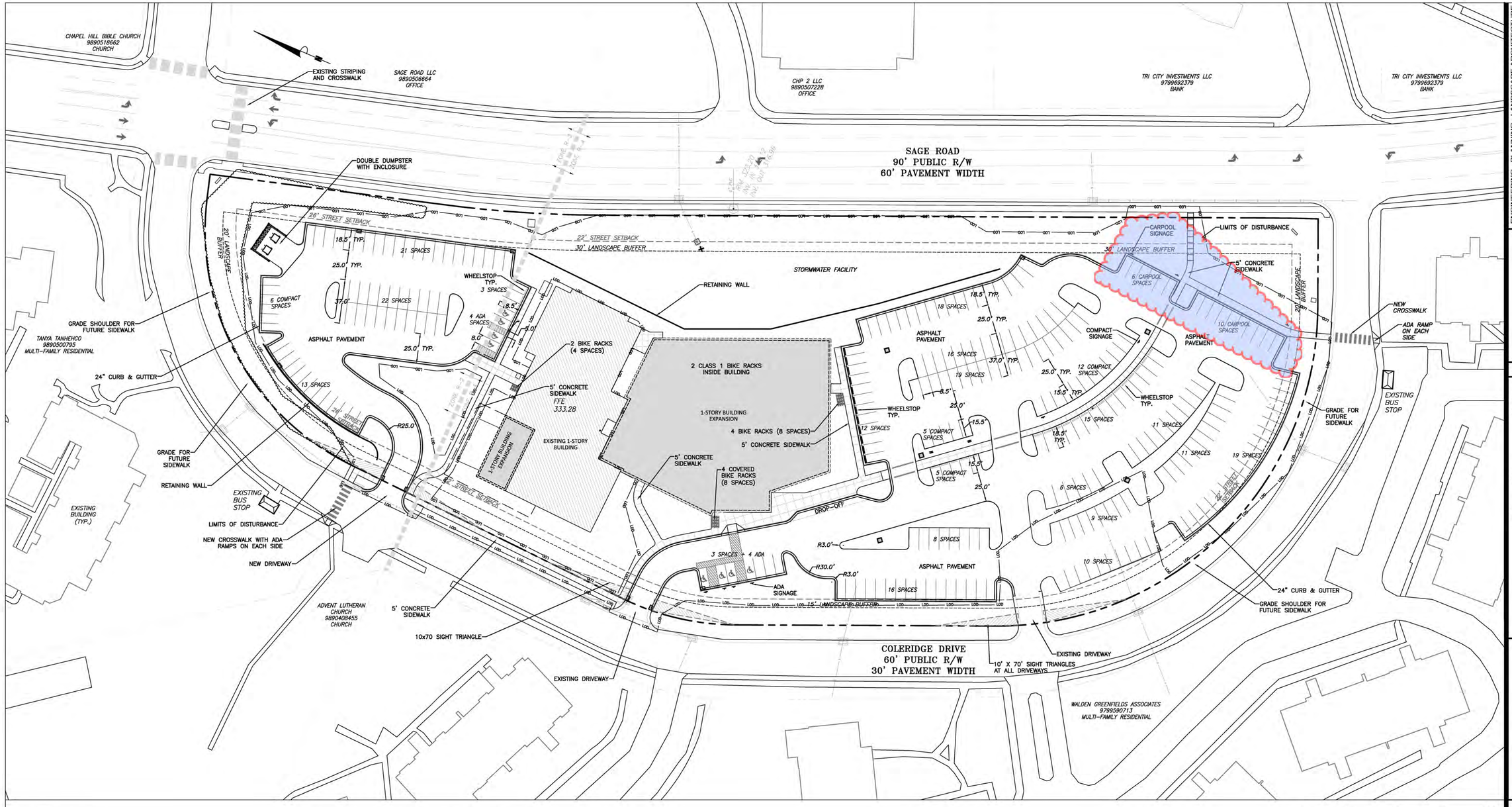
GRACE CHURCH
200 Sage Road
Chapel Hill, North Carolina 27514

Nov. 18, 2014 progress

SCHEMATIC DESIGN
Not for Construction

A3

Exterior Elevation Massing



1/C200
SITE LAYOUT PLAN
SCALE: 1"=40'

site plan notes

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. REFERENCE EXISTING CONDITION / DEMOLITION PLAN SHEETS C100 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
10. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ("ACM") OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CARY AND OWASA MAINTAINED UTILITIES.

40 0 40 80 120
Scale 1" = 40'

LEGEND

Water Valve	⊗	Light Pole	oLP
Curb Inlet/Catch Basin	□	Sewer Cleanout	oCO
Mail Box	MB	Flared End Section	
Traffic Signal Box	TSB	Gas Valve	GV
Electric Transformer	T	Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	IPS
Gas Meter	G	Existing PK Nail	● PK
Sanitary Sewer Manhole	S	PK Nail Set	● PKS
Storm Sewer Manhole	D	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	TEL	Underground Electric	
Fire Hydrant		Underground Telephone	
Post Indicator Valve	PIV	Gas Line	
Water Manhole	W	Water Line	
Water Meter		Overhead Utilities	
Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

ENGINEERING, PLANNING, LANDSCAPE ARCHITECTURE
NC BOARD OF EXAMINERS FOR ENGINEERS & SURVEYORS LICENSE NO. C-1209

Coulter Jewell Thames P.A.

111 West Main Street
Durham, N.C. 27701
p 919.682.0368
f 919.688.5646
www.cjtpa.com

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1268 JEREMY S. ANDERSON
6 FEB 2015

PRELIMINARY
NOT FOR CONSTRUCTION

Job Number: 1339

Drawn	JSA, TRM, CLJ, MTC
Checked	JSA, CBM
Date	11-24-2014
Revisions	02-06-2015
	TOWN COMMENTS

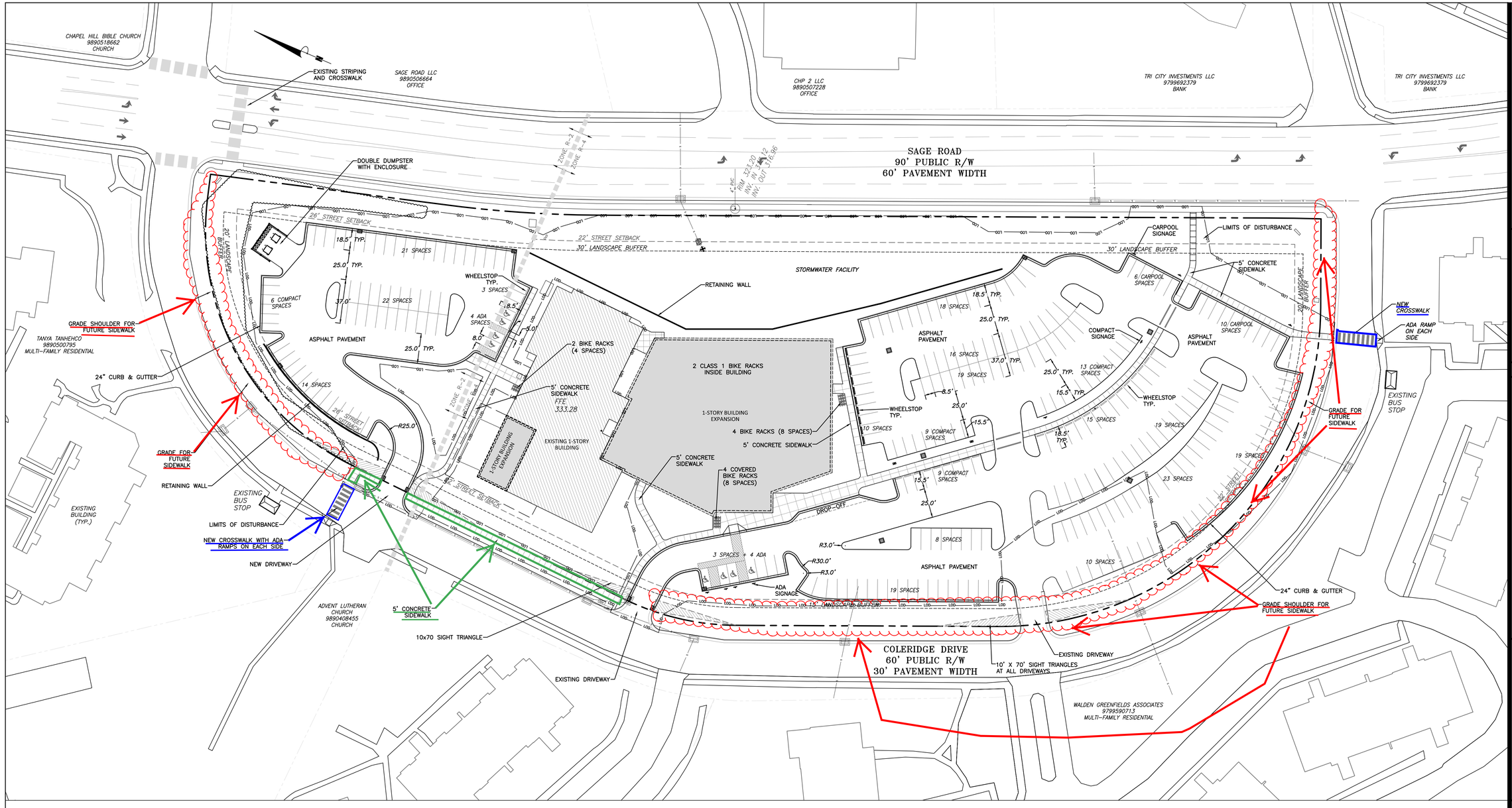
SPECIAL USE PERMIT

Sheet Title:

SITE LAYOUT PLAN

Sheet Number

C200



1/C200
SITE LAYOUT PLAN
SCALE: 1"=40'

site plan notes

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40 0 40 80 120
Scale 1" = 40'

LEGEND

Water Valve	⊗	Light Pole	○LP
Curb Inlet/Catch Basin	□	Sewer Cleanout	○CO
Mail Box	MB	Flared End Section	
Traffic Signal Box	□ TSB	Gas Valve	⊗ GV
Electric Transformer		Existing Iron Pipe (3/4" unless noted)	○
Electric Junction Box	E	1/2" Iron Pipe Set	○ IPS
Gas Meter		Existing PK Nail	● PK
Sanitary Sewer Manhole	S	PK Nail Set	● PKS
Storm Sewer Manhole	S	Computed Point	△
Telephone Manhole	T	Concrete Monument	⊠
Electric Manhole	E	Tree Line	
Sign		Fence	
Telephone Pedestal	⊠ TEL	Underground Electric	
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Post Indicator Valve	○ PIV	Gas Line	
Water Manhole	W	Water Line	
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Hot Box	HB	Storm Sewer	
Utility Pole		Sanitary Sewer	
		Guard Rail	
		Building Wall	

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Project:

GRACE CHURCH EXPANSION

200 SAGE ROAD
CHAPEL HILL, NC 27514

ORANGE COUNTY
NORTH CAROLINA

PIN: 9890503171

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1208 JEREMY S. ANDERSON
30 · MAR · 2015

PRELIMINARY
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Revisions	02-06-2015
	TOWN COMMENTS
	03-30-2015

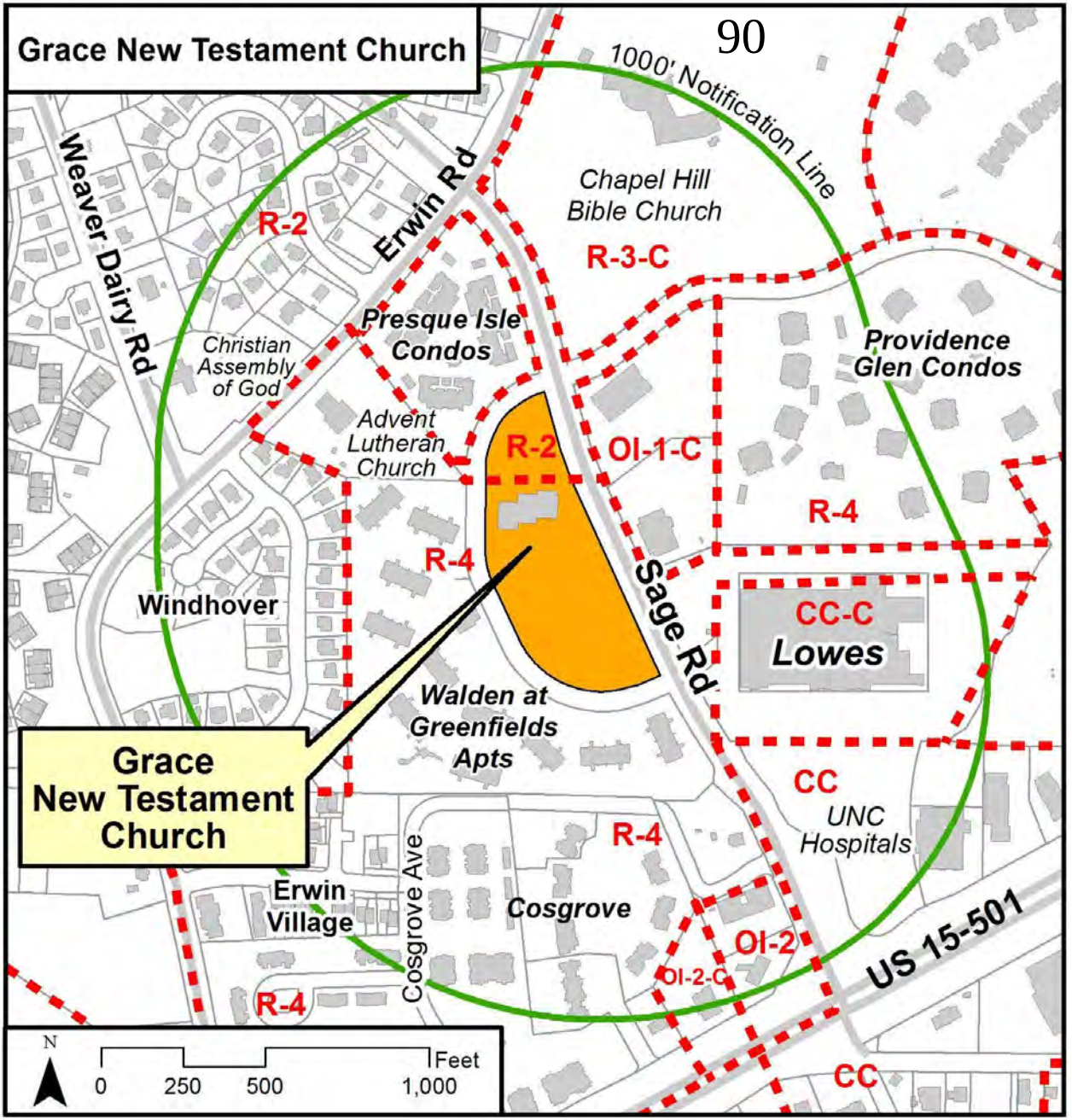
SPECIAL USE PERMIT

Sheet Title:

SITE LAYOUT PLAN

Sheet Number

C200


Grace New Testament Church
1000' Notification Line
Weaver Dairy Rd
Erwin Rd
Chapel Hill Bible Church
R-2
R-3-C
Presque Isle Condos
Christian Assembly of God
Providence Glen Condos
Advent Lutheran Church
R-2
OI-1-C
R-4
R-4
Sage Rd
Windhover
CC-C
Lowes
Walden at Greenfields Apts
Grace New Testament Church
CC
UNC Hospitals
R-4
Erwin Village
Cosgrove Ave
Cosgrove
OI-2
OI-2-C
US 15-501
R-4
CC
N
0
250
500
1,000
Feet

TOWN OF CHAPEL HILL
NORTH CAROLINA

MEMORANDUM

Meeting Date: 05/18/2015
AGENDA #4

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
Kay Pearlstein, Senior Planner

SUBJECT: Concept Plan: Amity Station, Mixed-Use Development, 322 W. Rosemary Street

Recommended Council Action

- That the Council open the Concept Plan and recess it to June 22, 2015.

Background

- The Community Design Commission reviewed a Concept Plan on March 24, 2015. Their summary comments are included in the Memorandum.

Key Review Considerations

- The proposed development is within the 2020 Downtown Imagined Small Area Plan and Northside Neighborhood Conservation District.
- The 2020 Downtown Imagine Plan identified future land uses in this area with an emphasis on preserving adjacent Northside residences with setbacks, buffers, and building step-downs, and encouraging infill redevelopment according to the draft Master Plan.
- Anticipated improvement to W. Rosemary Street frontage includes downtown streetscape improvements and new sharrow markings for bicycle traffic.
- The proposed project requires a rezoning and Special Use Permit application.

Explanation of Recommendation

- Because floor area is proposed greater than 100,000 s.f., Concept Plan Review by the Town Council is required per Section 4.3.1 b.1 of the Land Use Management Ordinance.

Fiscal Note

- Fiscal impacts not determined.

Council Goal:

- Create A Place for Everyone
- Facilitate Getting Around
- Develop Good Places, New Spaces
- Nurture Our Community
- Support Community Prosperity and Engagement

Attachments

- Resolution to Continue the Concept Plan
- Staff Memorandum
- Resolution
- LUMO Concept Plan Review
- Applicant's Materials
- Citizen emails and letters
- Area, Aerial, Land Use, Development Activity Maps, Northside, Downtown Imagined, and Focus Area 1 Maps

A RESOLUTION CONTINUING THE CONCEPT PLAN FOR A MIXED-USE DEVELOPMENT AMITY STATION, 322 W ROSEMARY STREET (PROJECT #14-071) (2015-05-18/R-3)

WHEREAS, a Concept Plan was planned for a Mixed Used Development referred to as Amity Station on May 18, 2015; and

WHEREAS, time constraints for the May 18, 2015 Public Hearing will preclude the Amity Station item.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the Concept Plan on Amity Station, 322 W Rosemary Street to be reconvened at 7:00 p.m. on Monday, June 22, 2015.

This the 18th day of May, 2015.

MEMORANDUM

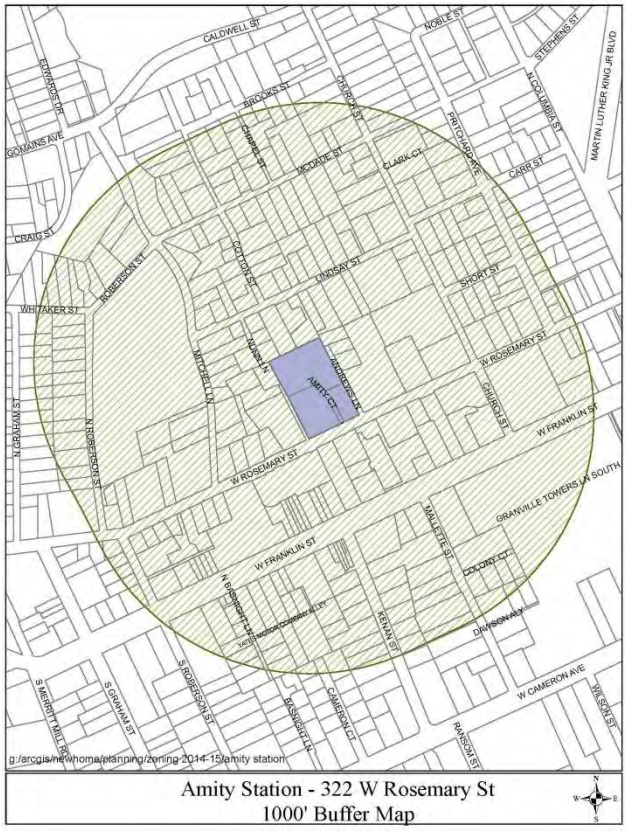
TO: Roger L. Stancil, Town Manager
FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
Kay Pearlstein, Senior Planner

SUBJECT: Concept Plan: Amity Station, Mixed Use Development, 322 W. Rosemary Street

DATE: May 18, 2015

PURPOSE

Tonight's Concept Plan presentation provides an opportunity for the Council to consider a mixed-use development proposed at 322 W. Rosemary Street on the current location of Breadman's Restaurant, and an adjacent small apartment complex (Amity Apartments). The site is in the Northside Neighborhood Conservation District, Chapel Hill 2020 Focus Area 1, and draft Downtown Master Plan. Current zoning for the site is Residential-3 (R-3) and Town Center -2 (TC-2).



Because this is a Concept Plan submittal, nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted to the Council for formal consideration. This proposed project will require both a Special Use Permit and rezoning.

In accordance with Article 4.3[1] in the Land Use Management Ordinance, there has been no formal staff review of this Concept Plan submittal. When the Town receives a formal application, another notice will be mailed to property owners within 1,000 feet of the site and staff will begin its formal review.

[1] http://library.municode.com/HTML/19952/level3/CO_APXALAUSMA_ART4PR.html

APPLICABLE COMPREHENSIVE PLANS & STUDY AREAS

The following chart compares the plans and study areas associated with this proposed redevelopment.

Study Area and Adoption Date	Goals, Objectives, Key Considerations and Opportunities
Northside Neighborhood Conservation District[2] February 23, 2004	*Goal:* Nurture an environment that promotes community interaction and fosters a safe and proud neighborhood. *Design Guidelines:* -Building masses should be broken up with building projections; -Fencing may be used to restrict trespassing and create privacy; -Landscaping should add to the visual appeal of neighborhood and enhance safety; -Lighting should be increased (for safety).
Northside and Pine Knolls Community Plan[3] Fall, 2012	-Affordable Housing; -Cultural and Historic Preservation; -Enforcement (parking & zoning) Education and Outreach
Downtown Imagined[4] April, 2014	-Encourage infill and the redevelopment of the properties identified as potential redevelopment sites on the concept plan. -Rezone surface parking lots for higher uses. -Pursue public private partnerships to develop a market and park at the Rosemary/Columbia
2020 Land Use Plan[5] June 25, 2012	*Key considerations for Focus Area 1, Downtown:* -Parking; -Opportunity areas for new development; -Provide connections and circulation to support a vibrant downtown. *Opportunities identified include*: -Infill with transit and redevelopment; -Infill of underutilized sites; -Providing green spaces with new projects.

PROJECT DESCRIPTION

The Concept Plan has been submitted by Phil Post & Associates, Inc. for Amity Station, LLC. The proposed site is an assemblage of three lots located on the north side of W. Rosemary Street where the current Breadman's Restaurant and Amity Apartments are located, bounded by Andrews Lane on the east and Nunn Lane on the west. The property is located in the Residential-

[2] http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/resources/neighborhood-conservation-district-ncd-zoning-overlays/cd-1-northside

[3] http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/affordable-housing-policy/northside-and-pine-knolls-community-plan

[4] http://www.townofchapelhill.org/home/showdocument?id=24831

[5] http://www.townofchapelhill.org/home/showdocument?id=1215

3 (R-3) and Town Center-2 (TC-2) zoning districts. The property is identified as Orange County Parcel Identifier Numbers 9788-17-8220, 9788-17-8053, and 9788-17-9085 (Project # 15-015).

The application proposes construction of a 275,000 sq. ft. 10-story building with 140-175 apartments (400 to 500 bedrooms). Parking for 145-175 vehicles is proposed in underground parking on a 2.2-acre site. Please see the applicant's attached materials for additional information.

The Community Design Commission[6] reviewed this Concept Plan on March 24, 2015. A set of their comments are below:

- Bring building mass to the street;
- Activate the green space;
- Too tall;
- Should be more than residential;
- Make it lively with an arcade or similar;
- Solar access could be blocked to residences on the north side of the building;
- Make the alley active public space for Chapel Hill (Farmers Market, vendors, etc.);
- Move pool from the front of the building;
- How the building transitions to Northside is key

The Concept Plan has been unchanged since review by the Community Design Commission.

PROCESS

The Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission, hear public comments, and offer suggestions to the applicant for consideration as further plans are drawn.

RECOMMENDATION

We recommend that the Council review this Concept Plan, receive comments from the public, and adopt the attached resolution transmitting comments to the applicant for the Concept Plan for Amity Station, Mixed-Use Development.

[6] http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/gis-analytics/development-activity-report

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR AMITY STATION, MIXED-USE DEVELOPMENT, 322 W. ROSEMARY STREET (2015-05-18/R-4)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for Amity Station, Mixed-Use Development, 322 W. Rosemary Street; and

WHEREAS, the Council has heard presentations from the applicant and citizens; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmit comments to the applicant regarding this proposal, as expressed by Council members during discussions on May 18, 2015 and reflected in minutes of that meeting.

This the 18th day of May, 2015.

4.3 Concept Plan Review

Purpose Statement: *It is the intent of the Site Analysis Data and Conceptual Development Plan process to provide an opportunity for the Town Council, Town Manager, the Community Design Commission and citizens to review and evaluate the impact of a major development proposal on the character of the area in which it is proposed to be located. This process is intended to take into consideration the general form of the land before and after development as well as the spatial relationships of the proposed structures, open spaces, landscaped areas, and general access and circulation patterns as they relate to the proposed development and the surrounding area.*

4.3.1 Applicability

(a) Proposals Subject to Review by Community Design Commission

This Section applies to any:

(1) Special Use Permit or a Special Use Permit Modification; or

(2) Master Land Use Plan or a Master Land Use Plan Modification; or

(3) Major Subdivisions.

(b) Proposals Subject to Additional Review by Town Council

(1) An application that meets any of the minimum thresholds established in subsections (1) or (2), below, shall require Town Council review as provided in Section 4.3.2, below, in addition to Community Design Commission review:

Thresholds (minimum)	TC-1, TC-2 Zoning Districts	All Other Zoning Districts
Land Area	15,000 square feet	5 acres
Floor Area	20,000 square feet	100,000 square feet
Dwelling Units	35 dwelling units	50 dwelling units

(2) If an application does not meet the thresholds established in subsection (1), above, the applicant may request review by the Town Council. The Town Council may determine to review the application, or it may decline to review the application. Such request shall be filed at least fifteen (15) days in advance of a regular meeting of the Town Council. The Town Council's determination shall be rendered at its next regular meeting after receiving a complete request for Town Council review.

4.3.2 Procedures

(a) Application Submittal Requirements

Applications for Site Analysis Data and Conceptual Development Plan review shall be filed with the Town Manager. The Town Manager shall prescribe the form(s) on which information shall be submitted. Forms shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the plan. If the applicant or property owner is an entity other than an individual, the plans shall also include detailed information regarding the principals of the entity. Forms shall include the name of the project principals and indicate the project principals development experience. The Town Manager shall prescribe any other material that may reasonably be required to determine compliance with this Chapter and relationship to the Town's Comprehensive Plan with sufficient copies for necessary referrals and records.

No application shall be accepted by the Town Manager unless it complies with such submittal requirements. Applications that are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the applications

(b) Time Frame for Action on Concept Plans

Upon receipt of a complete Concept Plan, the Town Manager shall forward all information submitted by the applicant for review by the Community Design Commission within thirty (30) days.

(c) Aspects of Review

The Town Council and Community Design Commission, in examining development applications, are to consider the various aspects of design, with special emphasis on whether the proposed development is consistent with the Town's Design Guidelines and the Goals and Objectives of the Town's Comprehensive Plan.

(d) Community Design Commission Review

(1) The Community Design Commission shall review the application and shall submit its written recommendation to the applicant and Town Council, if applicable.

(2) The Community Design Commission shall consider public comments and shall base its recommendation on its determination of whether or not the application conforms to applicable provisions of this Chapter.

(3) The Community Design Commission shall provide its recommendations to the applicant within thirty-five (35) days of the meeting at which a complete application is considered, or within such further time consented to in writing

by the applicant or by Town Council resolution. If the Community Design Commission fails to prepare its recommendation to the applicant within this time limit, or extensions thereof, that agency shall be deemed to recommend the application without conditions.

(e) Town Council Review

(1) After receiving the recommendations of the Community Design Commission, the Town Council shall review the application in the same manner as prescribed in subsection (d), above. The Town Council may appoint a subcommittee to review the application. The Mayor shall determine the membership of the subcommittee.

(2) The Town Council may conduct its review concurrent with the Community Design Commission.

(3) After considering public comments and the recommendations of the Community Design Commission, the Town Council shall adopt a resolution transmitting its preliminary recommendations to the applicant.

4.3.3 Criteria

The Concept Plan is a preliminary step toward the preparation of a formal development plan. All Concept Plans should demonstrate a high quality of overall site design. The design and construction of site elements should include appropriate descriptions and explanations of the relationship and balance among site elements, the relationship of the development to natural features, neighboring developments and undeveloped land, access and circulation systems, retention of natural vegetation, minimal alteration of natural topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts.

CONCEPT PLAN APPLICATION

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

Parcel Identifier Number (PIN): 9788-17-8220;9788-17-8053;9788-17-9085 Date: Feb. 24, 2015

Section A: Project Information

Project Name: Amity Station

Property Address: 322 West Rosemary Street Zip Code: 27516

Existing Zoning District: TC2/R3

Project Description: Rezone to TC3c; A multi-story residential/Retail Apartment Building.
About 275,000 SF; 140 to 175 units; 1,200 to 1,500 SF of Retail; Improve Nunn Lane.

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

Applicant Information (to whom correspondence will be mailed)

Name: Philip Post- Philip Post & Associates, Inc.

Address: 401 Providence Road Suite 200

City: Chapel Hill State: NC Zip Code: 27514

Phone: 919-929-1173 Email: ppost@ppaengineering.com

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

Signature: Philip N. Post Date: 2-24-2015

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: Larry Short- Amity Station LLC

Address: Post Office Box 150

City: Chapel Hill State: NC Zip Code: 27514

Phone: 919-612-7814 Email: ltshort@email.com

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

Signature: [signature] Date: 2-24-15

CONCEPT PLAN APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department

Section C: Project Information

Project Size (acres)	2.196	Square feet	95,675
Floor Area (permitted) TC-3	382,700 SF	Proposal	275,000 SF
Proposed number of dwelling units	140 to 175	Units per Acre	63.7 to 79.7
Existing Impervious Surface	69,575 SF	Proposed Impervious Surface	83,700 (appx)

Please indicate which organization should receive this application for review

[X] Community Design Commission [ ] Historic District Commission [X] Town Council

Section D: Submittal Requirements

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

X	**Application fee** (refer to fee schedule) Amount Paid $ 360.00
X	**Pre-Application meeting** – with appropriate staff
X	**Digital Files** - provide digital files of all plans and documents
X	**Mailing list of owners of property within 1,000 feet perimeter of subject property** (see GIS notification tool)
X	**Mailing fee for above mailing list** Amount Paid $ 451.22
X	**Application Cover Sheet** (8 copies) (on top of application)
X	**Statement of Compliance with Design Guidelines** (8 copies)
X	**Statement of Compliance with Comprehensive Plan** (8 copies)
X	**Digital Photographs of site and surrounding properties** (8 copies)
X	**Developer's Program:**

A brief written statement of the development program, including developer's goals and objectives. The development program should be based on the constraints of the site as identified by the site analysis and include marketing objective of the developer. This preliminary development program will help evaluate the conceptual plan for the site, while also determining traffic impact and demand on community facilities and infrastructure.

X	**Reduced Site Plan Set (reduced to 8.5"x11")**

Revised 02.04.14

Parcel Identifier Number (PIN): 9788-17-8220;9788-17-8053;9788-17-9085

CONCEPT PLAN APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department

Plan Sets (10 copies to be submitted no larger than 24"x36")

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

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

Area Map

a) Project name, applicant, contact information, location, PIN, & legend
b) Dedicated open space, parks, and 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, vehicle parking areas, bicycle parking, handicapped parking, street names
f) 1,000 foot 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) Existing topography at minimum 2-foot intervals and finished grade
f) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Proposed Plan

a) General location of proposed structures
b) Parking areas
c) Open spaces and landscaped areas
d) Conceptual recreation areas
e) Conceptual building masses
f) Conceptual utility locations (optional)
g) Conceptual grading plan (optional)

Parcel Identifier Number (PIN): 9788-17-8220;9788-17-8053;9788-17-9085

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Firm ID C-0347

February 23, 2015



Amity Station

322 West Rosemary Street

Developers Program

and

Statement of Compliance

This document is intended to present the developer's program and statement of compliance for the Concept Plan review of Amity Station.

1) Developers Program

A) The Site:

Consists of a 2.196 AC (95,675 SF) rectangular tract which currently houses Breadmen's Restaurant and parking lot and Amity Apartments and related parking. The site is bounded on the south with 232 feet of frontage on Rosemary Street; on the east with 320 feet of frontage on Andrews Lane, on the north by three (3) parcels in the Northside Neighborhood, and on the west with 265 feet adjoining Nunn Lane and the UNC Surface Parking Lot and 105 feet adjoining two (2) private parcels (one vacant; one with a dwelling) along the Nunn Lane public sidewalk easement.

Existing buildings and paving on the site will be demolished.

The site is zoned TC-2 and R-3; and is within CD-1, the Northside Neighborhood Conservation District.

B) Proposed Development:

Applicant proposes that the entire site be rezoned to TC-3.

The proposed development is characterized by its compliance with the public street and public alley requirements of the "Downtown Rosemary Imagined" plan:

1) Rosemary Streetscape (Sidewalks, plantings, lighting, etc.) will be provided, as well as an additional 17' to 24' of public area adjacent to Rosemary Street.

2) Andrews Lane will be fully extended, paved and widened to 26' for pedestrians and bicycles and vehicles.

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3) Nunn Lane will be fully extended, paved and widened to 26' for pedestrians and bicycles and emergency vehicles. Street lighting and landscaping will be added.
4) "Short Street": The "Downtown Rosemary Imagined" plan calls for future the extension of Short Street to provide an east/west public street connector from Church Street to Mitchell Lane in order to serve pedestrians, vehicles and to serve as a demark between "downtown" and "Northside". The proposed plan for Amity Station will dedicate a 30' to 34'corridor with a 26' wide pedestrian, bicycle and vehicle "Short Street" travelway.

5) After the dedication of the above pedestrian and vehicle travelways, as envisioned by "Downtown Rosemary Imagined Plan", the remaining site is proposed as a mixed use residential/retail multi-story building.

   The anticipated building and site parameters are:

   - One (1) ground floor of retail, rental office, parking and recreation amenities for the tenants along Andrews Lane/Rosemary Street. We are also discussing with Northside community leaders the possibility of providing some areas for defined civic neighborhood activities within the new development.

   - Nine (9) floors of residential apartments consisting of 140 to 175 units and 400 to 500 bedrooms.

   - Parking will consist of about 8 to 12 spaces for retail uses and about 325 to 350 spaces for residential parking.

   - Recreation amenities will include an outdoor pool, an indoor fitness center and a multi-use plaza, totaling about 11,500 SF.

   - Energy and resource conservation will consist of rainwater harvesting and re-use, possible solar energy collectors on the roof; and state-of-the-art, energy-saving lighting and HVAC Systems.

   - Stormwater facilities will consist of water re-use, pervious paving and, as necessary, underground detention and filtering BMP's to meet 2015 Town and Jordan Lake Standards.

   - All related services such as recycling, refuse compacting, sprinklers, underground utilities, buffer plantings, streetscape amenities, bus stop and the like, will conform to the latest Town Standards.

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- Affordable housing will be addressed with a payment-in-lieu to the Town's Affordable Housing Fund.

- Bicycle parking will consist of 200 covered, secured bike spaces that are strategically located near entrances.

- The westbound bus stop on the Rosemary Street bus line will be improved.

- The relationship between Amity Station and the Northside Neighborhood will be improved as described more fully below.

2) 2020 Plan

The Town of Chapel Hill 2020 Comprehensive Plan (6/25/12) sets forth the following considerations and opportunities for Downtown, which apply specifically to the Amity Station Project:

- Downtown could primarily support 4-6 stories with some 8-12 story buildings on Franklin and Rosemary Streets.

- Needs include new retail, office, housing and civic facilities.

- Improve the zoning/development review process for downtown.

- Key issues are traffic congestion, streetscapes, pedestrian and bicycle access, safety and parking.

- Parking continues to be important.

- Downtown contains opportunity areas for new development as identified in the Draft Downtown Development Framework and Action Plan (2010).

- Connections to downtown, improved circulation and new amenities to support a vibrant economy downtown will require focused attention.

- "Compact, Connected, Anchored and Green" improvements.

- New pedestrian and vehicle connections to improve walkability.

- Infill with transit and redevelopment opportunities.

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- Infill underutilized sites.

Amity Station will provide the type of sustainable, green, compact infill that truly enhances improved circulation and connectivity.

Amity Station will have adequate bicycle and vehicle parking and will provide a bus stop.

Amity Station will be ten (10) stories at the middle of the development site with cascading elevations to 3 and 4 stories on Rosemary Street and against the new 30' + demark buffer bordering the Northside Neighborhood. Amity will offer retail, housing and possible defined civic facilities.

Amenities such as improved lighting, paving of gravel streets, widening, travelways for fire trucks, providing wider, safer pedestrian routes will set a new course to anchor the implementation of the "Downtown Rosemary Imagined" Plan.

Amity Station will provide about 1,200 to 1,500 SF of retail and office uses along Rosemary and Andrews Lane which will "activate" these travelways on a 24/7 basis when combined with the approximately 400 new Downtown residents living in Amity Station. Additionally, the popular Nunn Lane passageway will be widened and become a well-lit, safe and attractive passageway/connection from the Northside community to all downtown activities on both Rosemary Street and Franklin Street.

A) Affordable Housing/Northside/Civic Uses

Amity Station will be a downtown residential rental apartment project with space for retail, office and possible civic uses. The residential space will be equivalent to approximately 100 4-bedroom rental houses.

The applicant believes that this project will reduce the pressure of student rentals on the Northside Neighborhood and will help return Northside rental and owner-occupied houses to more affordable, well maintained family-oriented dwellings.

In addition, in order to directly contribute its fair share to affordable rental housing needs in Chapel Hill, Amity Station will make a payment-in-lieu contribution to the Town's Affordable House Fund.

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B) Northside

Nunn Lane is a vital link between Northside and Downtown.

Today, Nunn Lane is poorly lighted, is narrow, has uneven pavement and is confined with vegetation and fencing. It is not a welcoming travelway and is considered unsafe. Amity Station will widen, streetlight and pave the frontage on Nunn Lane for pedestrians, bicycles and emergency vehicles.

3) Downtown Imagined

The "Downtown Imagined" Plan, draft dated October 27, 2014, sets forth important goals that coincide with many attributes of Amity Station:

- "Identify sites for ..... multifamily housing" (Page 6)
- "Study retail business ..... needed in downtown" (Page 8)
- "rezone sites for commercial, retail, office,..... if necessary" (Page 9)
- "Improve connection..... between downtown and surrounding areas" (Page 10)
- "develop well lit safe greenway/bike path on Nunn Lane" (Page 13)
- "develop zoning regulations for appropriate height, density and uses...." (Page 14)
- "....build parking to meet demand....not through surface lots" (Page 15)
- "Address right-of-way issues...." (Page 16)
- "develop a stormwater management plan" (Page 16)
- "....ensure proposals are in keeping with Northside Neighborhood" by increasing buffers with the downtown development proposals. (Page 18)
- "Encourage the redevelopment of projects...." (Page 21)
- "Include green spaces.... gathering spaces" (Page 22)

Amity Station will do its part to further the above important goals of the Downtown Imagined Plan. The applicant looks forward to describing and detailing in our SUP application exactly how Amity Station will contribute to and blend with the fabric of Downtown and how Amity will connect with and activate the Northside Neighborhood.

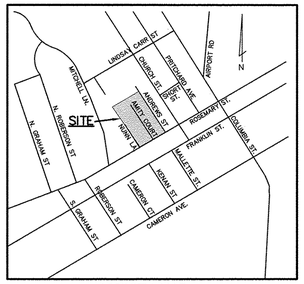
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AMITY STATION

CONCEPT PLAN FOR
SPECIAL USE PERMIT AND REZONING
322 WEST ROSEMARY STREET
CHAPEL HILL NORTH CAROLINA

DRAWING INDEX

SHEET NUMBER	TITLE
C-1	COVER
C-2	AREA MAP - NORTH
C-3	AREA MAP - SOUTH
C-4	EXISTING CONDITIONS
A-1	BUILDING PERSPECTIVE / ARCHITECTURAL SITE PLAN
A-2	BUILDING ENVELOPE PLAN



LAND USE INTENSITY

ITEM	
1. GROSS LAND AREA	2.196 ACRES; 95,675 S.F.
2. TOTAL MAXIMUM FLOOR AREA ALLOWED (TC-3) / PROPOSED	382,700 S.F. / 275,000 S.F.
3. RESIDENTIAL UNITS - PROPOSED	140 TO 175 UNITS
4. NUMBER OF BEDROOMS - PROPOSED	425 TO 450 BEDROOMS
5. RECREATION SPACE - PROPOSED / REQUIRED	11,500 S.F. / 11,481 S.F.
6. VEHICULAR PARKING SPACES - PROPOSED	350 SPACES
7. MIN. # / MAX. # OF PARKING SPACES (PER LUMO)	270 TO 345 SPACES
8. PROPOSED VEHICULAR SPACES: SURFACE / UNDER BLDG.	0 / 350 SPACES
9. BICYCLE PARKING SPACES - PROPOSED	200 SPACES
10. MIN. # OF BIKE SPACES (PER LUMO)	100 SPACES
11. EXISTING / PROPOSED IMPERVIOUS SURFACE	69,575 S.F. / 83,700 S.F.
12. RETAIL FLOOR AREA PROPOSED	1,200 TO 1,500 S.F.

NOTES:

1. THE PURPOSE OF THIS SPECIAL USE PERMIT IS TO: BUILD A MULTI-STORY RESIDENTIAL / RETAIL BUILDING WITH 140 TO 175 RESIDENTIAL UNITS; 1,200 TO 1,500 S.F. RETAIL FLOOR AREA AND APPROXIMATELY 350 UNDER BUILDING PARKING SPACES AND 200 COVERED BICYCLE SPACES

2. THE TRACTS ARE PROPOSED TO BE REZONED FROM TC-2/R-3 TO TC-3. THE TRACTS ARE WITHIN CD-1, THE NORTHSIDE NEIGHBORHOOD CONSERVATION DISTRICT.

3. THE PIN NUMBERS FOR AMITY STATION ARE : 9788-17-8220, 9788-17-8053, AND 9788-17-9085.

CIVIL ENGINEER

PHILIP POST & ASSOCIATES
401 PROVIDENCE ROAD SUITE 200
CHAPEL HILL, NC 27514
TEL. (919) 929-1173
EMAIL: PPOST@PPAENGINEERING.COM

ARCHITECT

MHA WORKS
501 WASHINGTON STREET, SUITE G
DURHAM, NC 27701
TEL. 919-682-2870
EMAIL: JMARTINSON@Mhaworks.COM

PROPERTY OWNER & APPLICANT

AMITY STATION, LLC
C/O MR. LARRY SHORT
P.O. BOX 150
CHAPEL HILL, NC 27514
TEL: 919-612-7814
EMAIL: LTSHORT@EMAIL.COM

PHILIP POST & ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
401 Providence Rd. #200
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2-24-2015

109

COVER SHEET

AMITY STATION
CONCEPT PLAN

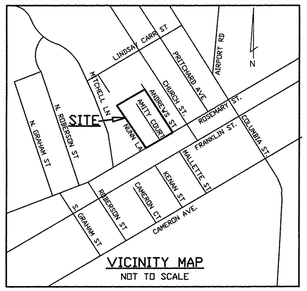
TOWN OF CHAPEL HILL ORANGE COUNTY, N.C.

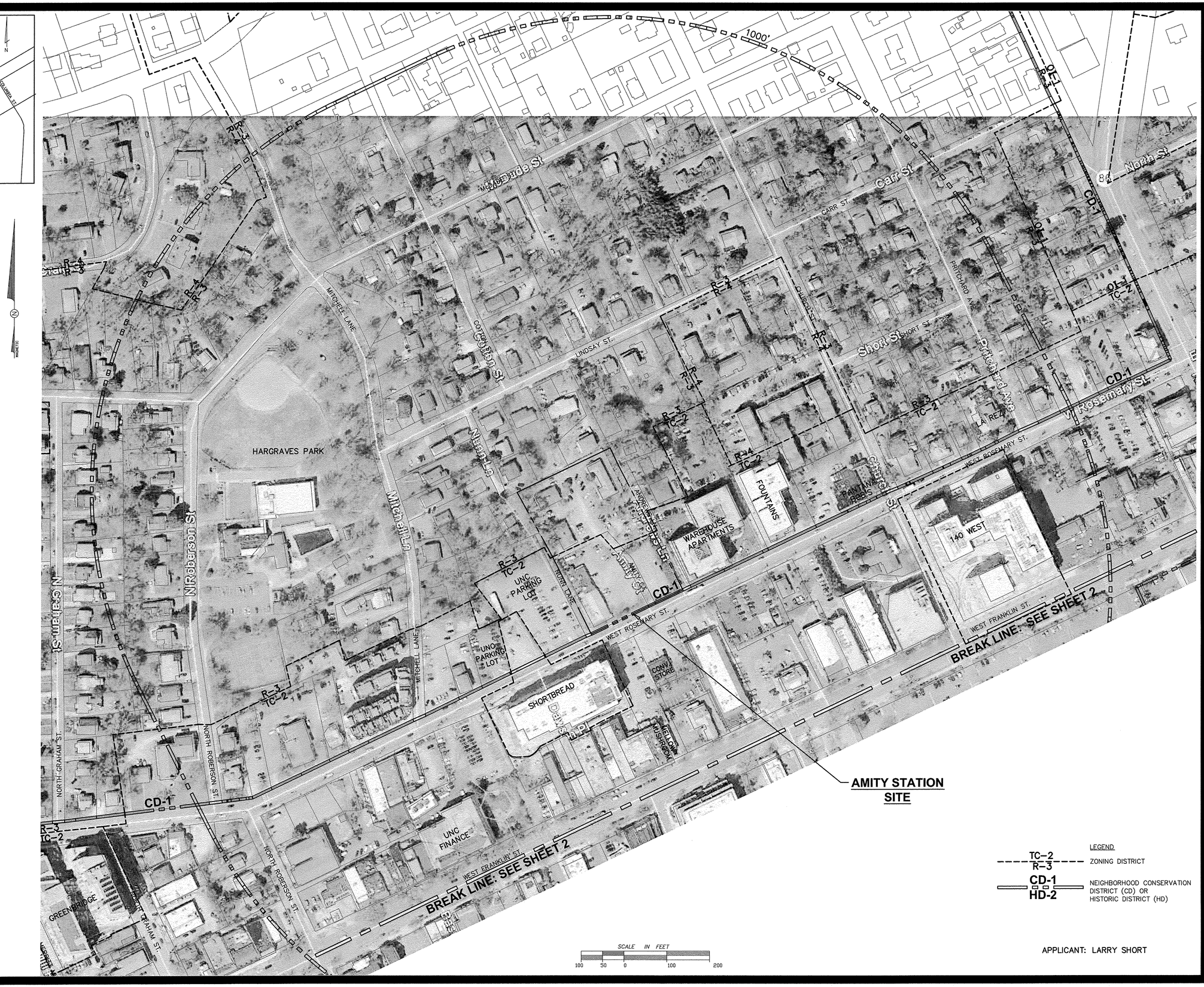
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CHECKED BY PNP
DATE 2/9/2015
PROJECT NO. 470101
DRAWING NO. B4045P05

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REVISIONS

SHEET 1
OF 6





SCALE IN FEET
100 50 0 100 200

LEGEND
TC-2 / R-3 — ZONING DISTRICT
CD-1 / HD-2 — NEIGHBORHOOD CONSERVATION DISTRICT (CD) OR HISTORIC DISTRICT (HD)

APPLICANT: LARRY SHORT

ENGINEERS
PLANNERS
SURVEYORS
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(919)929-1173
493-2600 • 850-9662
822 North Elm Street
Greensboro, NC 27401
(919)273-7711

PHILIP POST & ASSOCIATES

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AREA MAP (NORTH)

AMITY STATION
CONCEPT PLAN

ORANGE COUNTY, NC

TOWN OF CHAPEL HILL

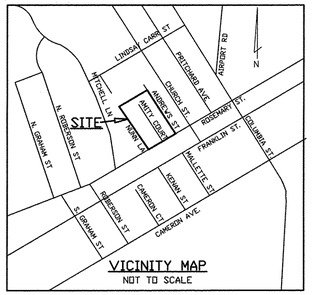
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DATE 2/09/2015
PROJECT NO. 4710.1B
DRAWING NO. B404IN02

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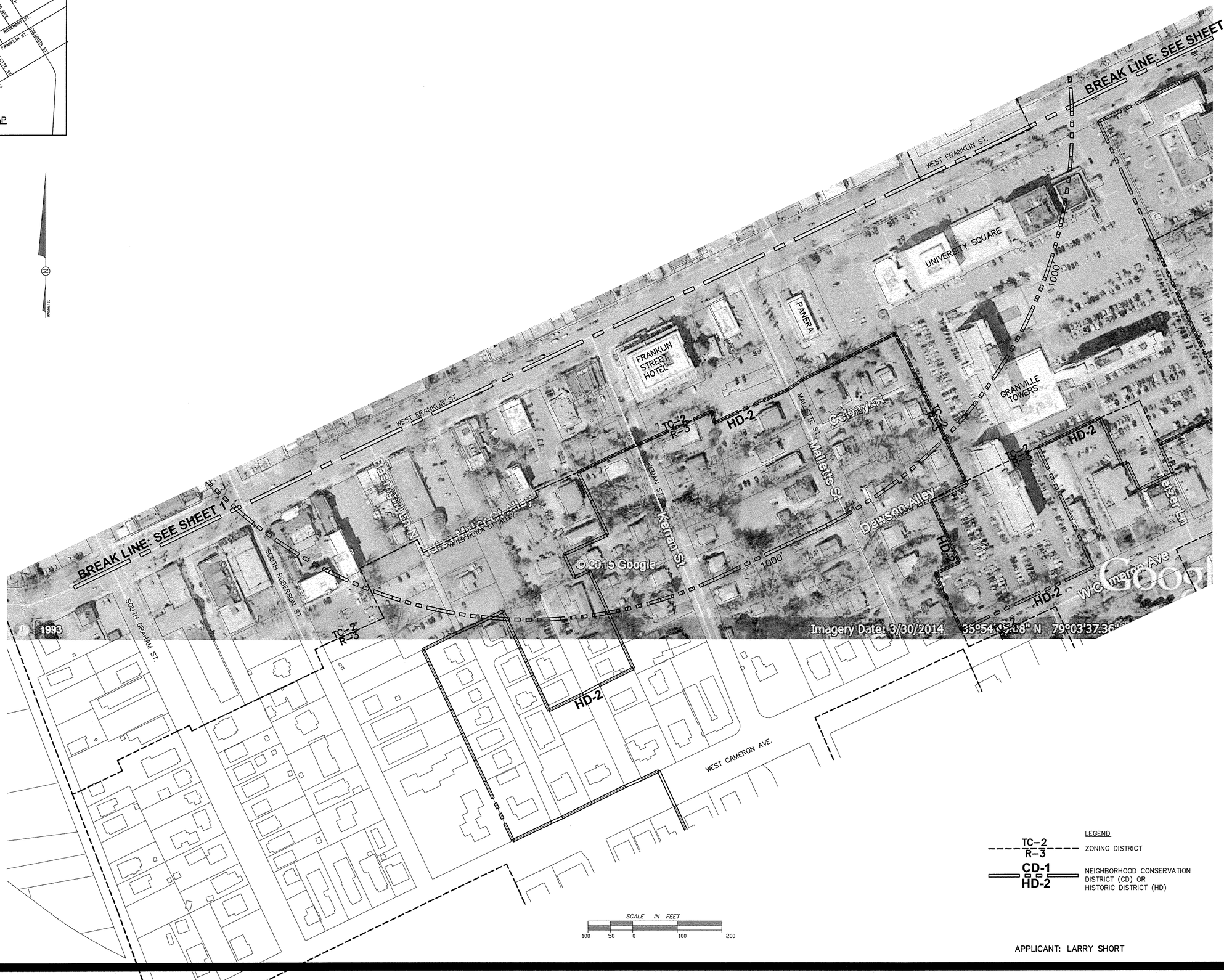
REVISIONS

SHEET 2
OF 6

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VICINITY MAP
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SCALE IN FEET
100 50 0 100 200

LEGEND
TC-2 / R-3 — ZONING DISTRICT
CD-1 / HD-2 — NEIGHBORHOOD CONSERVATION DISTRICT (CD) OR HISTORIC DISTRICT (HD)

APPLICANT: LARRY SHORT

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1 1 1 AREA MAP (SOUTH)

AMITY STATION
CONCEPT PLAN

ORNAGE COUNTY, NC
TOWN OF CHAPEL HILL

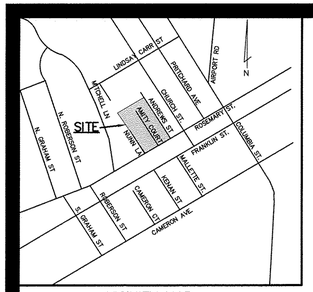
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DATE 2/09/2015
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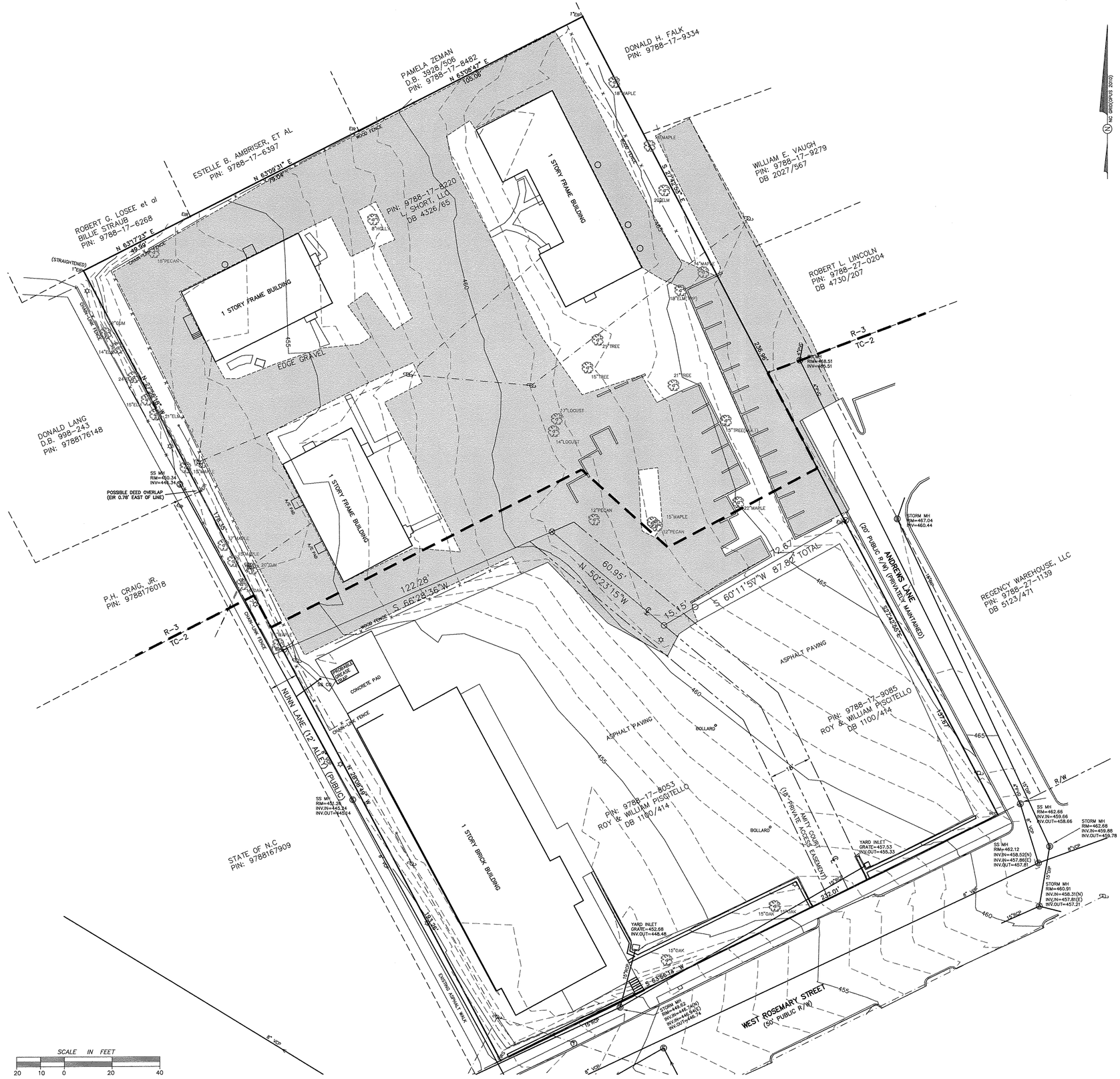
REVISIONS

SHEET 3
OF 6

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VICINITY MAP
NOT TO SCALE



LEGEND

- 21"TREE — EXISTING TREE TO REMAIN
- 460 — EXISTING 1-FOOT CONTOUR
- EXISTING GRAVEL SURFACING
- OHP — EXISTING OVERHEAD POWER LINE
- x — EXISTING FENCE

SCALE IN FEET
20 10 0 20 40

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EXISTING CONDITIONS

AMITY STATION
CONCEPT PLAN

TOWN OF CHAPEL HILL — ORANGE COUNTY, N.C.

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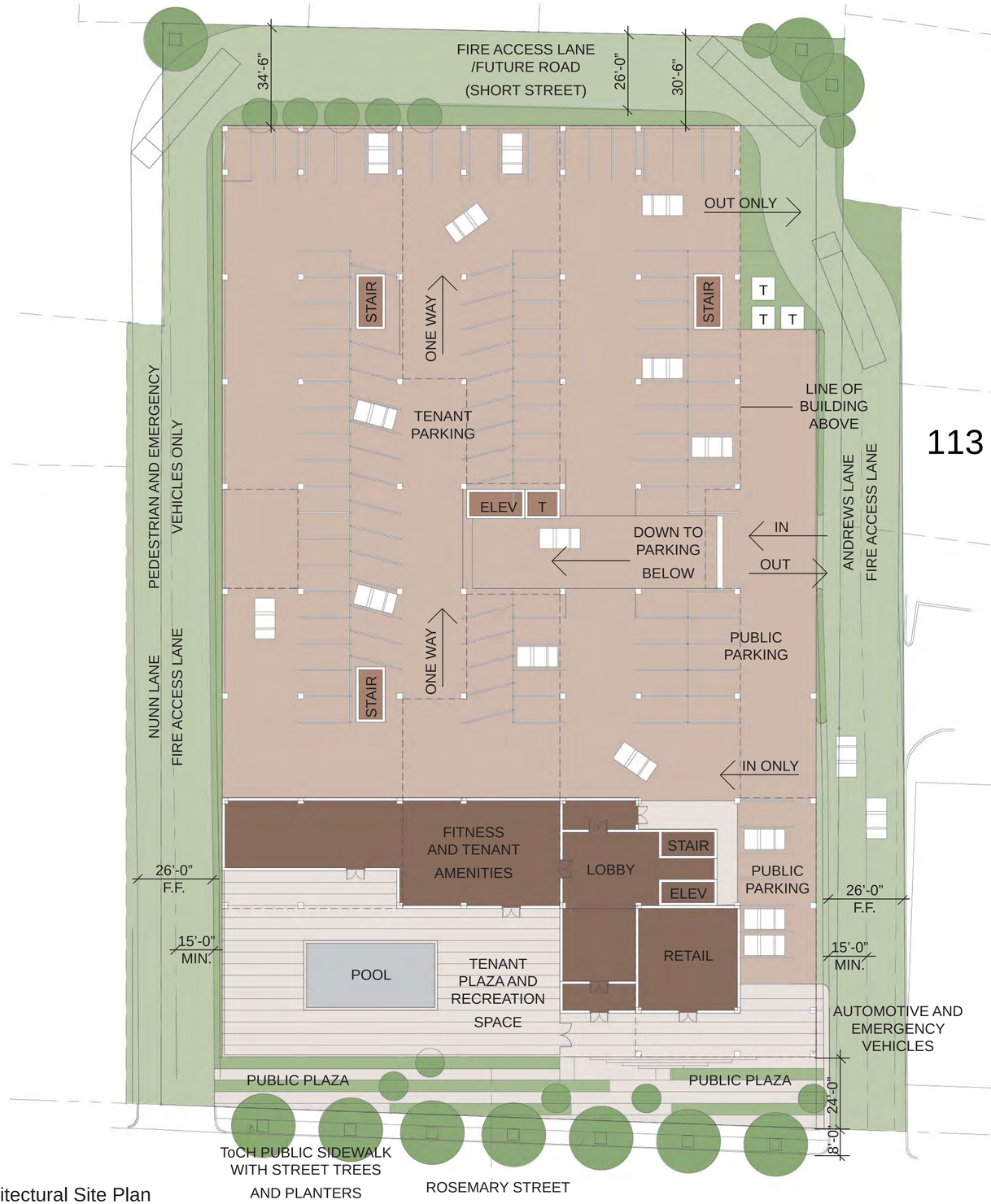
SHEET 4
OF 6



Conceptual Building Perspective



Conceptual Building Perspective



Architectural Site Plan

MHAworks
PLANNING ARCHITECTURE INTERIORS
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Durham, NC 27701
919.682.2870
www.mhaworks.com

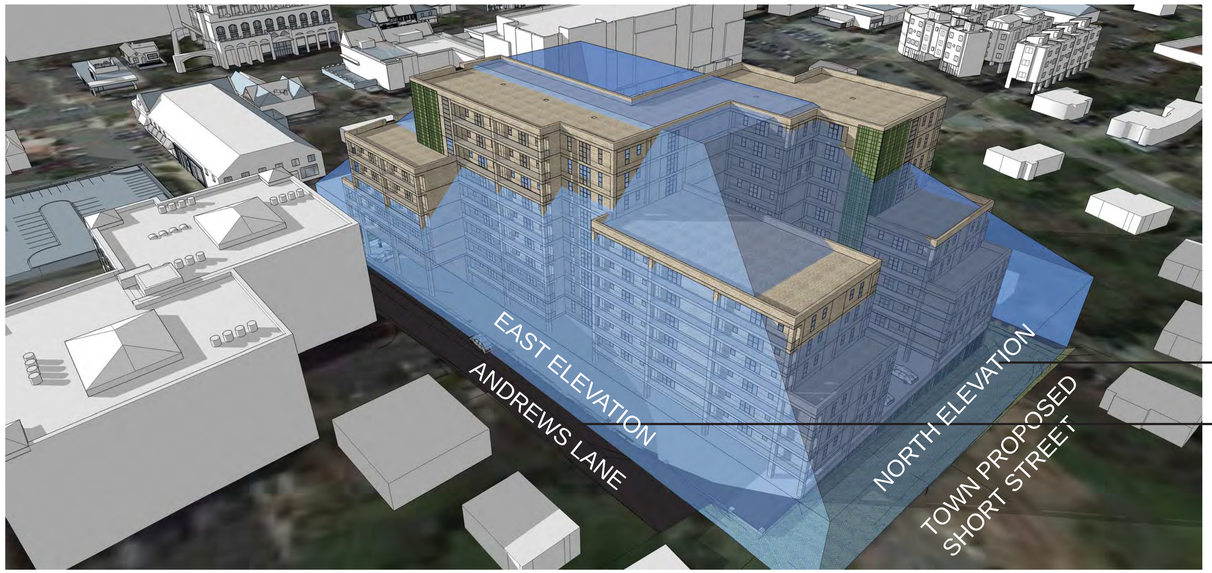
AMITY STATION
322 WEST ROSEMARY STREET
CHAPEL HILL, NORTH CAROLINA

24' 12" 0' 24' 48'

A-1
Building Perspective and Architectural Site Plan

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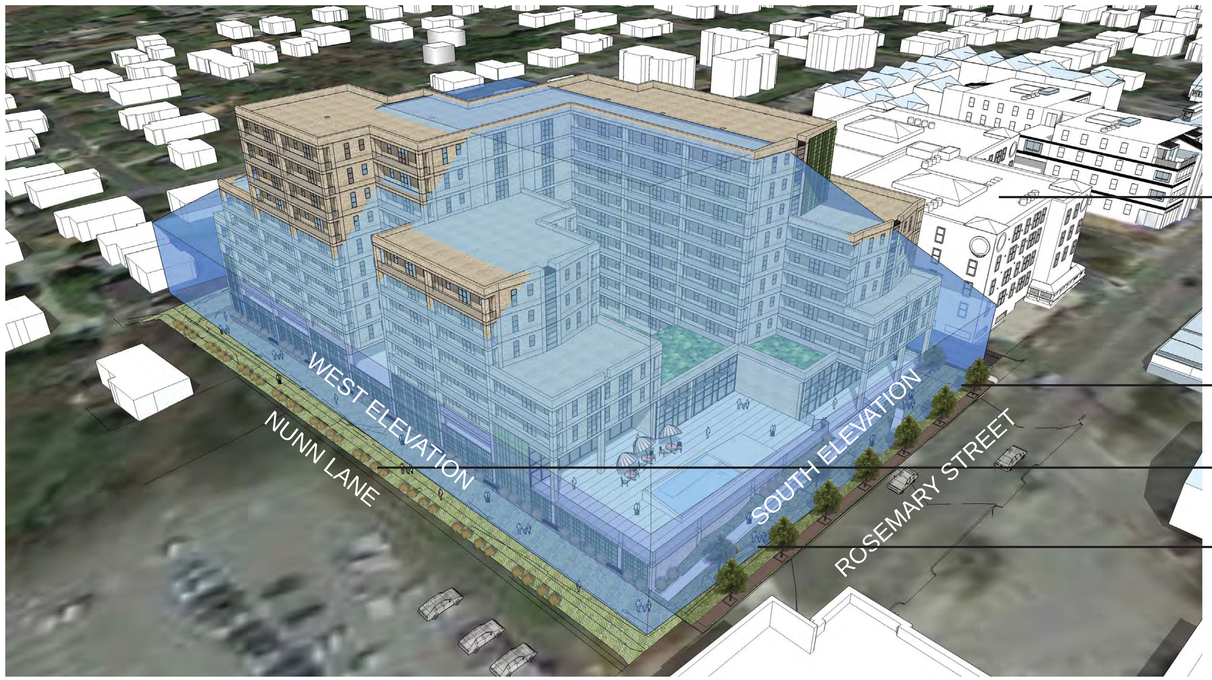
EXISTING TC-3 ZONING PARAMETERS
(ALLOWABLE BUILDING AREA)

FIRE ACCESS LANE W/ SETBACK FROM PROPERTY LINE

ANDREWS LANE - AUTOMOBILE ACCESS FROM ROSEMARY STREET AND FIRE LANE

NORTH and EAST

Max Building Height (Primary) 44’
Max Building Height (Secondary) 120’
Solar Setback Angle (North) 1:1.7
Solar Setback Angle (East) 1:1
Building Setback from Property Line (North) 30’-34’
Building Setback from Property Line (East) 5’



EXISTING 4-5 STORY BUILDING

PUBLIC PLAZA W/ SETBACK FROM PROPERTY LINE

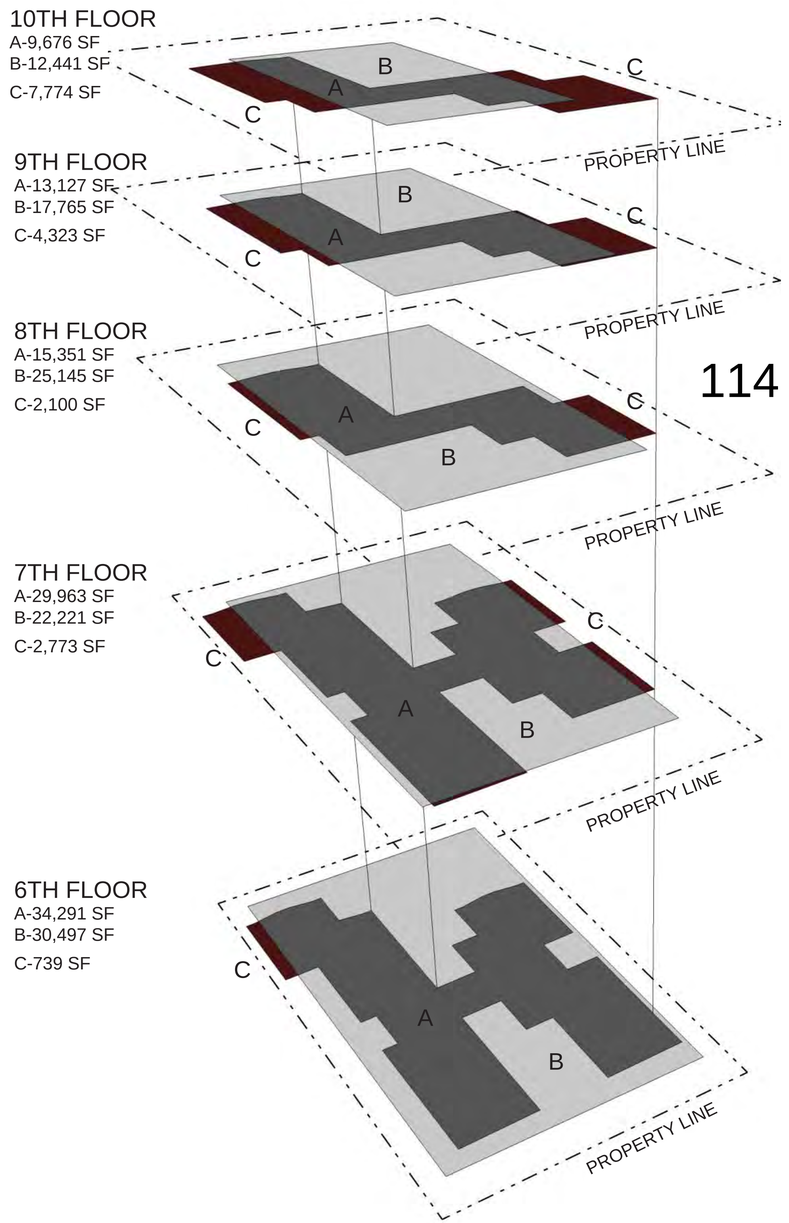
NUNN LANE PRIMARY PEDESTRIAN PATHWAY AND FIRE LANE

POTENTIAL BUS STOP RELOCATION

SOUTH and WEST

Max Building Height (Primary) 44’
Max Building Height (Secondary) 120’
Solar Setback Angle (South) 1:1
Solar Setback Angle (West) 1:1
Building Setback from Property Line (South 17’-24’
Building Setback from Property Line (West) 20’

CONCEPTUAL BUILDING AREA DIAGRAM



A-PROPOSED BUILDING FLOOR AREA
B-POTENTIAL BUILDING FLOOR AREA (OPEN SPACE)
C-BUILDING FLOOR AREA OUTSIDE OF ENVELOPE

*FLOORS 1-5 ARE WITHIN THE BUIDLING ENVELOPE.

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AMITY STATION
322 WEST ROSEMARY STREET
CHAPEL HILL, NORTH CAROLINA

A-2
Building Envelope Plans

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Amity Station
February 24, 2015







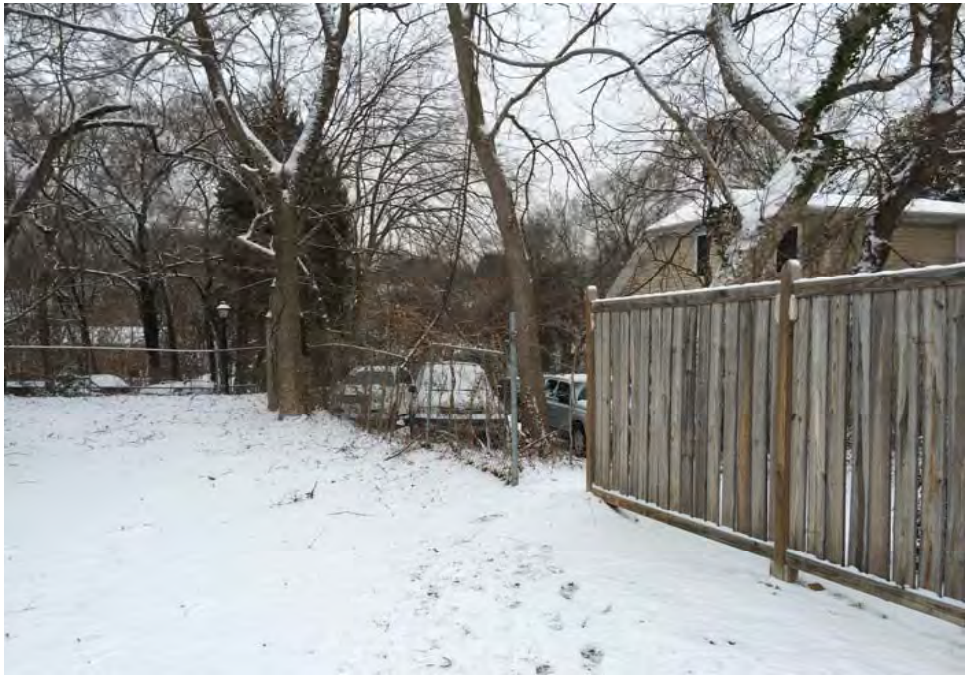


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Amity Station
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Amity Station
February 24, 2015

From: Donny Lang [mailto:indigo@terranova.net]
Sent: Tuesday, March 24, 2015 11:15 AM
To: Kay Pearlstein
Subject: Re: Amity Station

Please forward my attached E-Mail to the Community Design Commission and to the Town Council for their review.
Thanks - Donny Lang

Hello, My name is Donny Lang, and I am an affected surrounding property owner of the Amity Station project - probably THE most affected property owner. I am a City Planner by trade, having graduated from UNC's DCRP program in the mid -1990s.
I have owned the developed property along the Nunn Alley portion of the sidewalk (9788-17-6148) since the early 1990's. Actually, I OWN the property the sidewalk is on, with the Town of Chapel Hill having an easement for 5'or 8' (I don't remember the exact dimension) for the use of the sidewalk, where the Town is responsible for lighting and maintenance.
The developer is proposing "Nunn Alley will be fully extended, paved, and widened to 26' for pedestrians, bicycles, and emergency vehicles. Streetlighting and landscaping will be added". There is a 12' right-of-way for Nunn Alley (the sidewalk next to Breadman's) leading from Rosemary St. up to my property line. From there, I own the land, fee simple, with the aforementioned easement with the Town. I am not sure about the ownership of Nunn Lane which extends from Lindsey Street to my driveway, but I was under the impression that the adjoining property owners along Nunn Ln. owned to the center of the gravel drive. This all appears to be a flaw in the developer's plan.
Additionally, I know that both my property and the proposed Amity Station property are in the CD-1 overlay district. If I read the code correctly, there is a 30' height restriction if the project is adjacent to residential zone, R3 in my case. The developer's plan shows the proposed building, directly adjacent to my house, at a 10 story height which would be close to 100' high. Does the Town have "Solar Setbacks"? This would tower over the huge elm trees along my property line shared with what is now Amity Village. I am not sure the "2020 Plan" suggests "some 8 -12 story buildings on Franklin and Rosemary Streets" would be in the CD1 zoning overlay.
In fairness, Phil Post has contacted me regarding the redevelopment of the sidewalk area through my yard, but I have not agreed to any widening or modifications. I fact, I have offered it may be in the developer's best interest to purchase my property so that it could be incorporated into the overall development plan.
I'm not against a bold redevelopment project in the heart of town, based on the "Downtown Rosemary Street Imagined" plan. I just don't want to own a residential property next to a very high density project such as what is proposed with Amity Station. That is what zoning is supposed to protect. I think the developer needs to negotiate with the immediate surrounding property owners to provide for an adequate buffer between these uses.
Please feel free to contact me at 305-393-9022 -Donny

Sent from my iPad

----- Original Message -----
From: Kay Pearlstein
To: indigo@terranova.net
Sent: Tuesday, March 24, 2015 7:13 AM
Subject: Amity Station

Please forward email.

Kay

Kay Pearlstein, AIA Senior Planner
Current Development | Planning and Sustainability
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5063 | Kpearlstein@townofchapelhill.org

From: Lorie Lowell [mailto:llowell@iss.k12.nc.us]
Sent: Monday, March 23, 2015 12:59 PM
To: bberndt@aol.com; dixon@bpropnc.com; JW@CUBEdesignResearch.com; johngualtieri@gmail.com; lauramooredesigns@hotmail.com; lucycdavis@gmail.com; pahc@att.net; susana.dancy@gmail.com
Cc: Kay Pearlstein
Subject: Proposed Amity Station project

Hello Design Commission Members:

I apologize if this email is redundant. I wrote one this morning, but did is not in my "sent" box, so I am trying again.

As a Northside homeowner, I received the card about the proposed Amity project. I called the two other apartment complexes on Rosemary and Warehouse is 4 stories and Shortbread is 7 stories. Given the fact that the topography of Breadman's is a relatively high place on Rosemary, I feel this new development would dwarf everything around it and cast a long shadow (literally) on the Northside community behind this mega development. I am not opposed to investment or improvement and have gone through this process myself with a home in Northside after the moratorium and while the rules are stringent, they are important. Our home was restricted to 1750 s.f. to fit in with the existing homes in terms of both size and in aesthetics. The NCD restrictions include no duplexes and a height restriction of 26ft....this project far and away exceeds this restriction and even exceeds the TC2 and R3 height restrictions. This structure would make the Warehouse student apartments look small!

Also, I was under the impression that the moratorium was imposed to decrease density in the Northside area and this greatly increases it! I urge you to insist the developer follows the rules and restrictions in place to ensure Northside stays a great place to live with a great mix of people. The code restrictions are there to protect the community and I feel they should be imposed universally.

Thank you!
Lorie Lowell

Lorie Lowell
Media Coordinator
Mt. Mourne School
704-892-4711

From: Zach Arble [mailto:zarble@hotmail.com]
Sent: Monday, March 23, 2015 10:49 AM
To: Town Council
Subject: Amity Station

Hello,

I am writing to express concern about the Amity Station project. I understand the desire to continue to grow the town, but I am wondering if the pace of construction is getting a little out of hand. 140 West Franklin and the Shortbread Lofts have only recently been completed, and I thought University Square was about to be demolished any day now. It just seems the amount of change we have seen in the past five years is a relatively high multiple of the twenty before that. I would encourage the council to be thorough and pragmatic when determining the future landscape of the town. I fear very much the small town charm will give way to a collection of high rises in the blink of an eye.

Thank you much for your time,

Zach Arble

-----Original Message-----
From: David Schwartz [mailto:davsch65@gmail.com]
Sent: Friday, May 08, 2015 8:39 AM
To: Town Council
Cc: Kay Pearlstein
Subject: Amity Station Concept Review

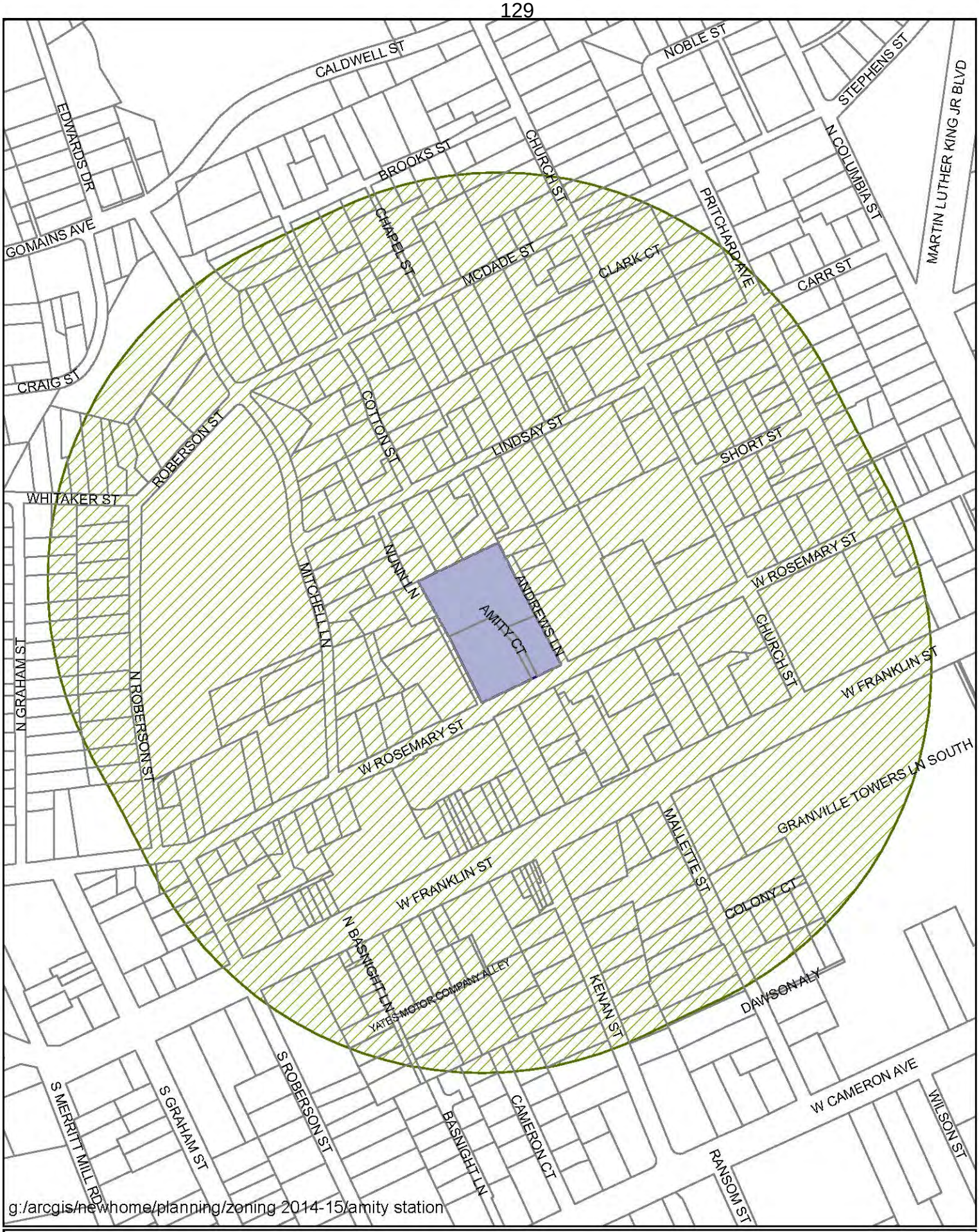
Mayor and Council members,

The notes in the staff memo concerning CDC comments on the Amity Station concept plan are a bit sparse, so I asked CDC member and real estate developer Susana Dancy for a more detailed summary of how the Amity Station proposal can be improved. Her comments are below. Please include this email as an attachment to the staff memo for the May 18 council meeting.

> The CDC did not recommend a specific height, giving the feedback that it was generally too tall. Additionally, there was a general sentiment among several members that the massing and orientation were off-target. The weight of the building seemed to be oriented to the back of the lot, closer to Northside residences, rather than to Rosemary Street, a more urban space. And the placement of the pool and the exposed ground floor parking were grossly inappropriate, in my opinion.
>
> I thought the idea of an activated pedestrian path to the side of the building was unrealistic. Except in very urban places with lots of pedestrian traffic, retail or restaurants at sites that are not visible from the road (with the perception of parking) are almost always unworkable. That doesn't mean that a pedestrian connection is inappropriate; only that retail ain't gonna happen there.
>
> Regarding how tall is too tall? I'll say I like to start with 1:1 ratios between building heights and ROW, then adjust accordingly. As it transitions to Northside houses, behind this building, I'd pay particular attention to the shadows and how the building could step down as it approaches the back of the lot. There's no magical answer, though I'd hesitate to put anything larger than three stories immediately adjacent to a single-story house. But much of that depends on the distance between the back of the house and the back of the apartment building.

Cheers,

David Schwartz



Amity Station - 322 W Rosemary St
1000' Buffer Map

N
W E
S

Aerial Map
Amity Station

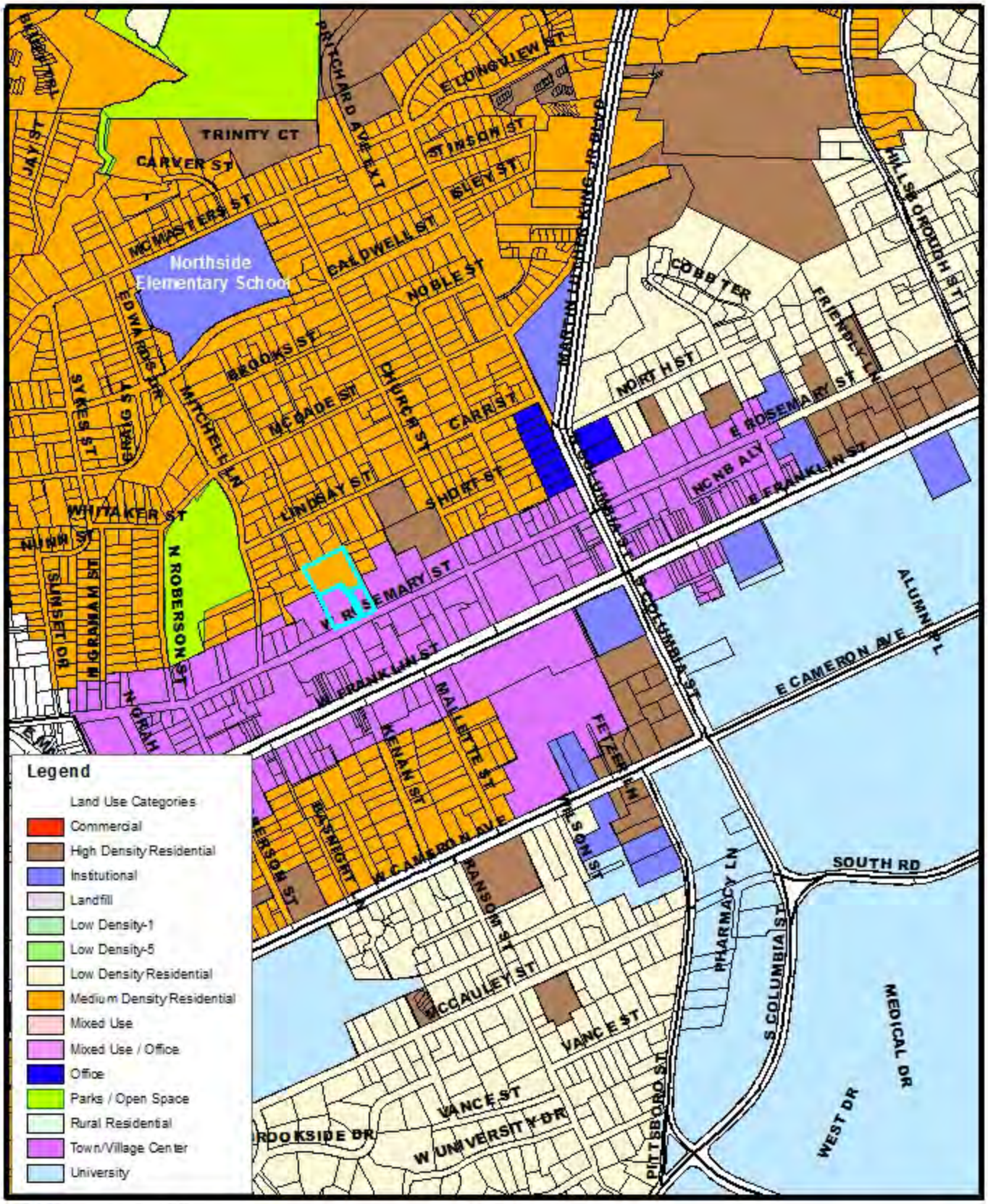


GIS Map prepared by
Town of Chapel Hill
Planning Department
February, 2012

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0 150 300 600 Feet

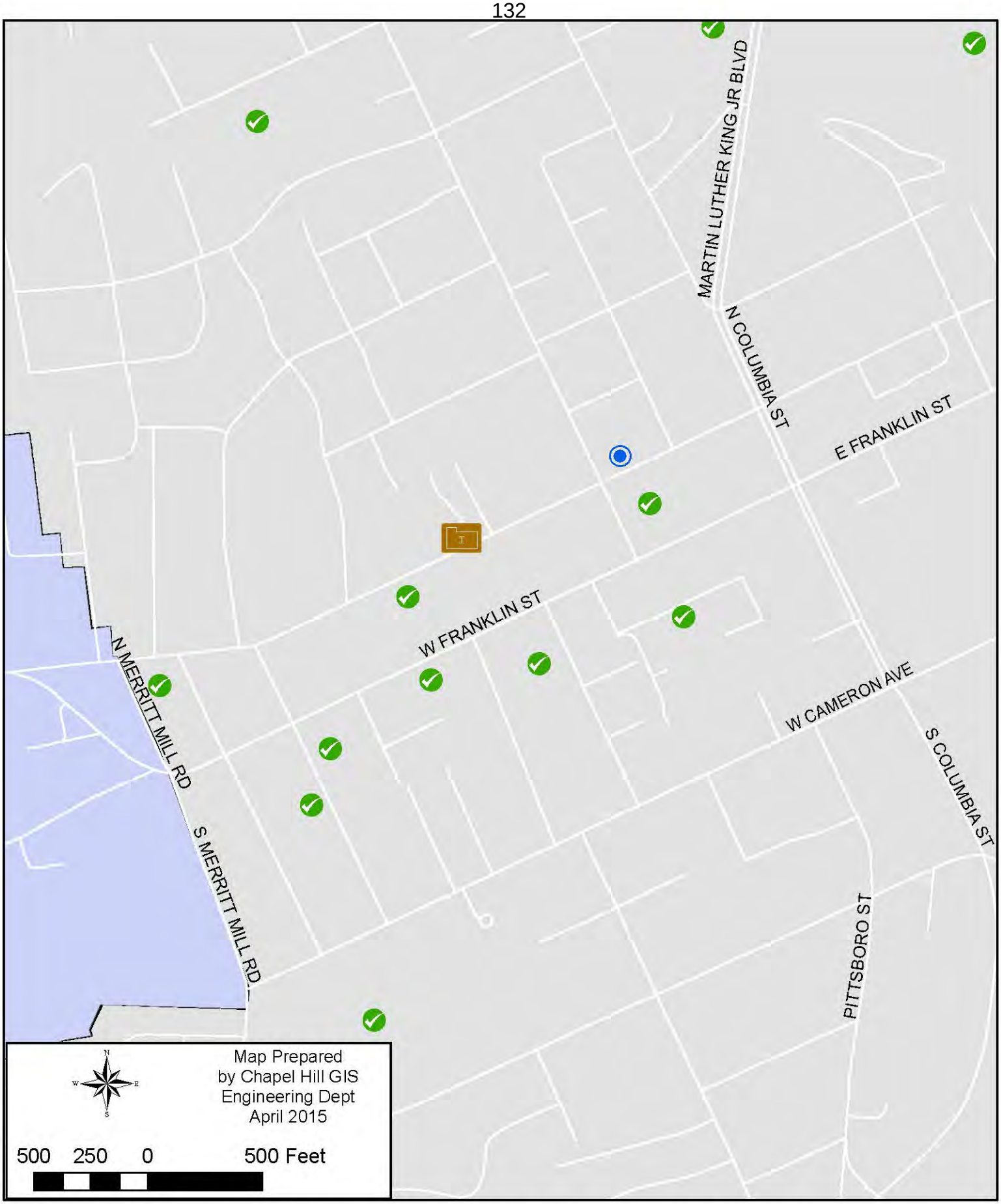
Excerpt of Chapel Hill LAND USE PLAN Amity Station



GIS Map prepared by
Town of Chapel Hill
Planning & Sustainability
April 2015

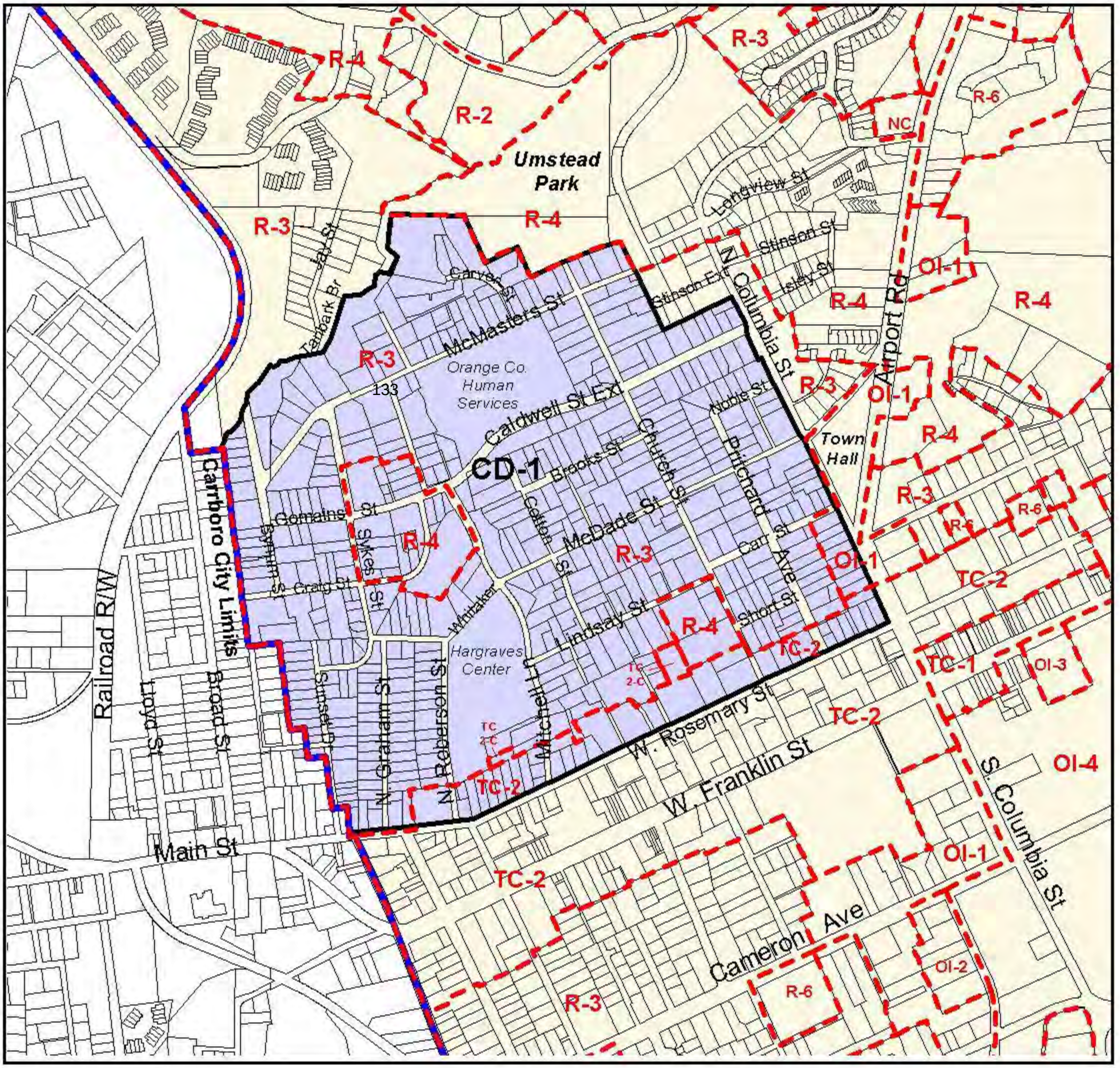
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Development Activity Context
Amity Station - 322 W Rosemary

Northside Neighborhood Conservation District
Showing Area of Zoning Overlay
Adopted February 23, 2004



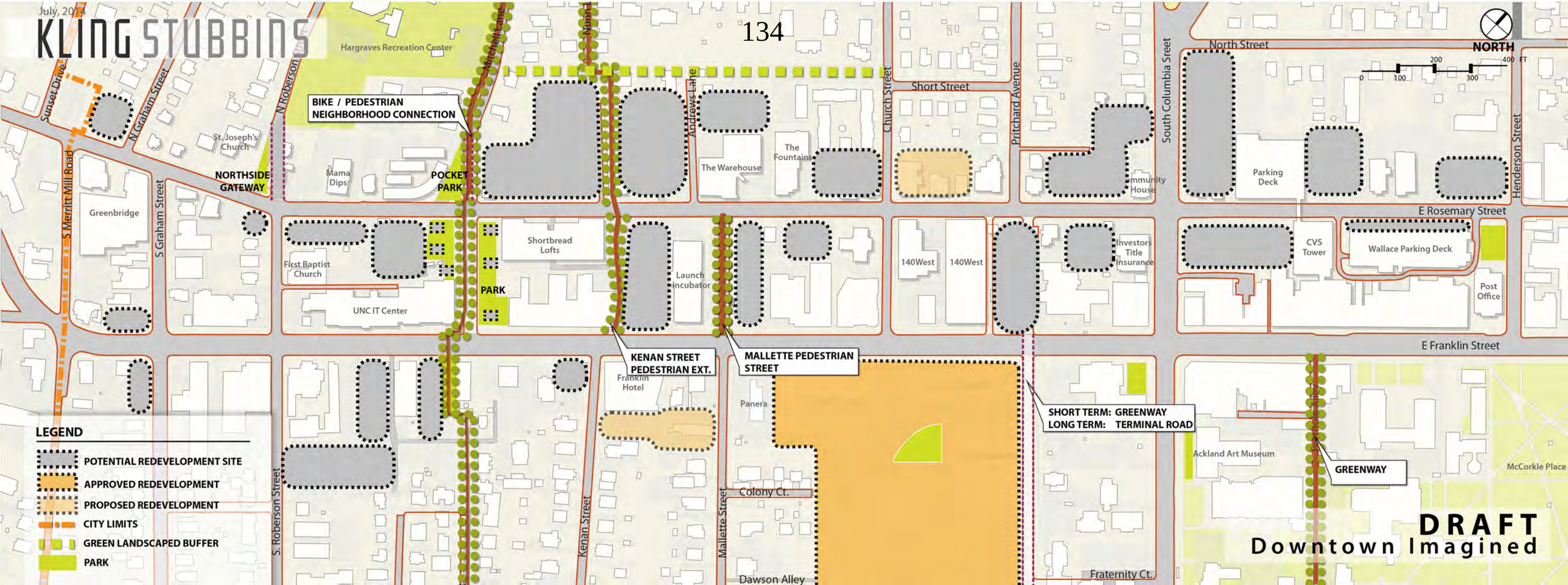
CD-1	Northside Conservation District: Area of Zoning Overlay: Conservation District 1 (CD-1)
	Chapel Hill City Limits
R-3 / TC-2	Existing Chapel Hill Zoning

N

200 0 200 400 Feet

GIS Map prepared by
Chapel Hill Planning

February 23, 2004



DRAFT
Downtown Imagined

Excerpt from Chapel Hill 2020
Focus Area 1, Downtown



TOWN OF CHAPEL HILL
NORTH CAROLINA

MEMORANDUM

Meeting Date: 05/18/2014
AGENDA #5

TO: Mayor and Town Council

FROM: Sabrina Oliver, Communications & Public Affairs Director/Town Clerk
Ralph D. Karpinos, Town Attorney

SUBJECT: Council Vacancy: Consider Appointment to Council Vacancy.

Recommended Council Action

- That the Council continue the process for considering appointing a person to fill the current vacancy on the Town Council.
- Ballots are provided for the Council's use.

Context with Key Issues

Pursuant to Town Charter, the Council adopted a process for filling the vacancy at the April 8, 2015 Work Session. The Council adopted a resolution setting a deadline of April 22, 2015 for accepting applications from interested persons and inviting the applicants to attend the April 27, 2015 Special Meeting to make comments regarding their interest in serving on the Council.

Applications have been received from the following persons and all have been determined to be eligible. On April 27, 2015, the Council nominated all of the applicants.

- Kevin Hicks
- Adam Jones
- Paul Neebe
- Michael Parker
- Amy Ryan
- Gary Shaw

On April 27, the Council indicated its interest in providing an opportunity for the public to provide comment on the applicants before the Council entertained a motion to consider the action of voting.

On May 4 and May 11, the Council received public comment, but did not take action to fill the vacancy.

Tonight the Council may make an appointment to fill the vacancy for the remainder of the term of former Council member Matt Czajkowski. Five affirmative votes for a candidate are required to make an appointment. If the Council does not act to fill the vacancy this evening, the matter will return for consideration at the next Council meeting.

If an appointment is made this evening, swearing in of the appointee can be scheduled for the Council's May 27, 2015 public hearing meeting.

Attachments

- Ballot
- Kevin Hicks Application
- Adam Jones Application
- Paul Neebe Application
- Michael Parker Application
- Amy Ryan Application
- Gary Shaw Application

BALLOT

COUNCIL VACANCY

MAY 18, 2015

Number of Applicants: 6

You may vote for 1 applicant. Please sign your ballot.

APPLICANTS

_____ Kevin Hicks

_____ Adam Jones

_____ Paul Neebe

_____ Michael Parker

_____ Amy Ryan

_____ Gary Shaw

_____
Council Member Signature

Application for Town Council

April 21, 15

APR 22 '15 PM 1:44

Dear Town Council Members,

My name is Kevin Hicks and I have been a resident of Chapel Hill since 2006. Selecting Chapel Hill/Carrboro City Schools for their success rate in graduations and classroom rigor.

My current address is:
2201 Homestead Road
Chapel Hill, NC 27516
919-949-3359 (C)

After getting an understanding of the culture, politics and people of the town my wife and I active in pursuing the success of underserved youth in the district. We did this for a number of years before shifting gears to work directly with the youth to transform how they see their world inside and outside of Chapel Hill and Carrboro. I am continuing my work with the youth of Chapel Hill and Carrboro as I also work to include youth of the Triangle region.

I have served on the town's Justice in Action committee and the Community Policing Advisory Committee. I currently serve on the boards of Triangle Bikeworks, Youth Community Project, Chapel Hill/Carrboro Youth Forward and as an Advisory member for the East Coast Greenway Alliance.

I formally submit my application for the seat on the Town Council that was recently vacated by Mr. Matt Czajkowski.

I support all of the current goals of the Council

- Create a Place for Everyone
- Support Community Prosperity
- Facilitate Getting Around
- Develop Good Places, New Spaces
- Nurture Our Community
- Grow Town and Gown Collaboration

As my focus is currently on youth of the town I am particularly interested in the effort to **Review and refine focus for youth services and begin planning for youth-centered facilities.**

I am, of course, interested in the advancement and improvement of the town and its continue growth and will work hard to be involved, engaged and pose questions that challenge. In review of the Town Council goals I would work to find a workable solution to the following goals:

- **Adopt strategies for adding office and retail tax base**
- **Adopt and Implement a Bike Plan**
- **Initiate a Pedestrian Plan**

Application for Town Council April 21, 15

- **Approve plan for funding Chapel Hill share of Rogers Road Sewer in partnership with Carrboro and Orange County**
- **Approve strategies for increased energy efficiency in local development**
- **Decide future Solid Waste Transfer Facility issues**
- **Create a strategy for out of school time for youth**
- **Initiate strategy for use of fiber with UNC, UNC Health Care, Carrboro**

Sincerely,

Kevin G Hicks

4/21/15 12:49pm
SO

Mill House
properties

April 17, 2015

Dear Mayor Kleinschmidt and Council members,

I respectfully offer my service to fill the vacated council seat by Councilman Ckajzowski for the remaining term.

I am a graduate of the University of North Carolina at Chapel Hill with a degree in Journalism and Mass Communications in the Advertising/Marketing sequence. I have called Chapel Hill my home for twenty four years, less three years in NYC in my 30's. I am a small business owner who established Mill House Properties in 2002. Since then Mill House has grown into one of the most respected real estate and property management companies in the Chapel Hill area.

I have been involved with several boards and organizations over the years, including: Orange County Economic Development Commission as member; Orange County Habitat for Humanity as sponsor and volunteer; Gimghoul Neighborhood Board of Directors as Secretary; Burnett Enterprises Board of Directors as Secretary and Vice President; National Association of Realtors as member; Greater Chapel Hill Association of Realtors as member; National Association of Residential Property Managers as member and Preservation North Carolina as member.

I am 51 years old and have been married to my wife, Susan, for eight years. We have two young daughters, Lillian 6 and Ainslie 3.

I love Chapel Hill and the University of North Carolina. I offer my service in order to have a positive impact on the future of the town that I call home.

Respectfully,

Adam W. Jones, Owner/GM/Broker-in-Charge
712 Gimghoul Road
Chapel Hill, NC 27514

APR 22 '15 PM 2:57 LW

- Chapel Hill Town Council Application

April 22, 2015

Dear Mr. Mayor and Chapel Hill Town Council:

Please consider this my formal application for the vacant position on the Chapel Hill Town Council.
I am ready, willing, able and happy to serve the people of the town of Chapel Hill.

Many of you know my views and opinions from the last political campaign for Town Council. If you would like to refresh your memory my website still exists at https://sites.google.com/site/paulneebefortowncouncil/home.
I have lived in Chapel Hill since 1967 and believe we should continue to strive to make our town a better place to live for everyone.

I regret that a previous commitment keeps me from speaking with you personally this evening. I look forward to the possibility of working with each of you.

Sincerely,

Paul M Neebe

Paul M Neebe
1002 Highland Woods Road
Chapel Hill, NC 27517
Email: Neebe@bellsouth.net
Phone 919-929-9394

D2 B
4/16/15
2:45 PM.

Michael Parker
601 West Rosemary Street
Chapel Hill, North Carolina 27516

April 16, 2015

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

Dear Mayor Kleinschmidt and Council Members:

It is with great pleasure and humility that I submit my application to fill the Council seat recently vacated by the resignation of Matt Czajkowski.

Since returning to Chapel Hill, I have had the privilege of serving our Town in many capacities. I served on the Transportation Board for nearly three years, the last two as its chair; I was a Co-chair of the Central West Steering Committee; I served on the Rosemary Imagined Project Team; I currently serve as the Transportation and Connectivity Champion on the Planning Commission; and, most recently, I was an invited guest on the Council's Obey Creek Transportation Sub-Committee.

I am also active in community aspects of our Town's life, serving on the Board of the Friends of the Downtown and as Treasurer of the Arts Center in Carrboro.

In the months ahead, between now and when the voters act, the Council has much to do: reaching a decision on Obey Creek; approving the annual budget; addressing affordable housing in the Ephesus-Fordham Renewal District; finalizing the Downtown Imagined plan; reviewing the first development project in Central West; addressing other SUPs; implementing the Town's affordable housing strategy; grappling with the long-term future of Chapel Hill Transit; and dealing with the myriad other issues that are the Council's responsibility. The Council's plate will be, as it always is, very full.

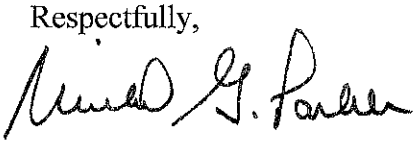
In addition to the intimate familiarity with all of these issues that I have gained through my service to the Town, I believe that the entrepreneurial and analytic skills that I have developed in in working with and for a variety of health care and life sciences organizations will enable me to make an immediate and real contribution to the Council. I am a fact-based and pragmatic decision-maker whose guiding principle in all of my service to the Town has been to do what is best for the Town as a whole.

I also have a proven record of building consensus around difficult issues. As an example the Central West Plan was approved unanimously by the Council and by every Board or Commission that voted on it. It is my intention to bring to the Town that same ability to "reach across the aisle" and be a Council Member for all of Chapel Hill.

Over the past several years, I have felt incredibly fortunate to have been as welcomed as I have been and to have been allowed to contribute to a place that means so much to my wife and me. Perhaps by virtue of my having been away, I can see clearly what makes our Town so very special.

My service to our Town has deepened my commitment to it. It is my hope that you will allow me to join the Council so that I can contribute to making Chapel Hill even better and ensuring that the generations of Chapel Hillians to come have a place that is as special to them as it is to all of us. Thank you.

Respectfully,



Michael Parker

4/20/15 11:24 pm CS

209 Adams Way
Chapel Hill, NC 27516
April 20, 2015

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

Dear Mayor Kleinschmidt and Council Members:

I am writing to apply to be appointed to the Council vacancy created by Matt Czajkowski's resignation.

As a member of various town boards and committees, I've worked in the interests of Chapel Hill for more than a decade, demonstrating progressive leadership responsibility (see attached). I also ran a competitive race in the last Council election, finishing as the first runner-up in the field.

The Council has made two very successful midterm appointments in the past few years, recognizing the clear benefit to having a full roster voting on the important issues that come before you. Given my experience, current substantial involvement in town issues, and recent and significant voter support, I'm a strong candidate with the demonstrated backing of your citizens, ready to roll up my sleeves and make a solid and positive contribution to the work of the Council.

I look forward to the appointment process and, I hope, the chance to serve Chapel Hill further as a member of Town Council.

Yours sincerely,

Amy Ryan

Amy Ryan

Amy Ryan
Community Service

Advisory boards
Chapel Hill Planning Board/Commission, *7/11–present*
    Vice Chair, *8/14–present*
    Design Champion, *8/14–present*
    Liaison to the Community Design Commission, *9/12–6/13*
Chapel Hill Community Design Commission, *5/03–6/09*

Advisory board committees
Planning Commission Review Committee on Obey Creek, *3/15–present*
Planning Board Review Committee on Ephesus-Fordham Form-Based Code, *12/13–2/14*
Planning Board Review Committee on the 2020 Comprehensive Plan, *4/12–6/12*

Town task forces and planning committees
Central-West Focus Area Steering Committee co-chair, *12/12–11/13*
Central-West Focus Area Organizing Committee facilitator, *9/12–10/12*
Chapel Hill 2020 Comprehensive Plan stakeholder (Good Places group), *9/11–6/12*
Chapel Hill Sustainable Community Visioning Task Force, *6/09–6/10*
Morgan Creek Trail Conceptual Plan Committee, *1/02–5/06*

APR 22 '15 PM12:50 CL

April 22, 2015

Gary H. Shaw
103 Glenview Place
Chapel Hill, NC 27514

Dear Mayor Kleinschmidt and Town Council Members:

I would like to be considered for the position on the Chapel Hill Town Council vacated recently by Matt Czajkowski.

Here are some relevant facts that may aid your deliberations:

- Lived in Chapel Hill (at current address) for 20+ years with spouse, Kate Shaw, who works at Charles House
- Both children attended (and graduated from) Chapel Hill schools (Seawell, Estes Hills, Phillips Middle, East Chapel Hill High)
- Served on the faculty at UNC Chapel Hill (Associate Professor, Kenan-Flagler Business School, 1993-96)
- Worked locally in the Triangle and as an Independent Management Consultant (1996-present) focused on planning, strategy, and innovation
- Played in city league softball (more recently, in Church league) every year since arriving in Chapel Hill
- Coached Rainbow League soccer teams for two years (1993-4)
- Daughter graduated from UNC Chapel Hill in 2012 and was a varsity athlete during her years here

After twenty years of enjoying the great pleasures and benefits of living, working, and raising children in Chapel Hill, this moment seemed particularly opportune to explore the possibility of serving the community in a very different and more direct way. I have strong ties to the University as well as to the town of Chapel Hill and to the surrounding communities. Please let me know if you need other, more apt, information to know to give my application full consideration.

Thank you.

Gary Shaw
ghshaw@mac.com
919.360.2689

TOWN OF CHAPEL HILL
NORTH CAROLINA

Meeting Date: 05/18/2015
AGENDA #7

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
John Richardson, Planning Manager for Sustainability
Megan Wooley, Community Sustainability Planner

SUBJECT: Overview of Tonight's Obey Creek Items

Overview of Tonight's Obey Creek Items
This evening, we recommend that the Council open the public hearing on the following items:

1. Proposed Land Use Management Ordinance Text Amendment – To create the new Development Agreement-1 (DA-1) Zoning District
2. Proposed Zoning Atlas Amendment – To rezone a portion of the Obey Creek site to the proposed Development Agreement-1 (DA-1) Zoning District
3. Draft Obey Creek Development Agreement

We recommend continuing the public hearings to the Council's business meeting on June 8, 2015.

Additional Details on Tonight's Obey Creek Items
Before the Council this evening are three items related to the Obey Creek project:

Number	Items	Why is this being considered?
1	Proposed Text Amendment	- The first item is a proposed text amendment to create a new zoning district called Development Agreement-1 (DA-1). - Currently, the zoning at the Obey Creek site that is being considered for development is Residential Low Density-1 (R-LD1) and Neighborhood Commercial (NC); these zoning districts do not allow for a development agreement to be applied in these zones. - The proposed DA-1 zoning district would allow for the use of a development agreement and also provides a list of other uses permitted without a development agreement. - This process is similar to the Carolina North development agreement process. - More detail can be found in the staff memorandum.
2	Proposed Zoning Atlas Amendment	- The second item is a proposed zoning atlas amendment to rezone a 43-acre portion of the Obey Creek property to the new Development Agreement-1

		Zoning District. - In order to apply a development agreement to the Obey Creek site, the underlying zoning must allow for the use of a development agreement. - Rezoning the property to Development Agreement-1 would allow for the application of a development agreement to the site. - More detail can found in the staff memorandum.
3	Draft Obey Creek Development Agreement	- The third item is the draft Obey Creek Development Agreement. - Obey Creek is a proposed mixed-use development located along US 15-501 South across from Southern Village. - The Council and applicant (East West Partners) have held negotiation sessions since November 2014 to craft a development agreement which, if approved, would govern and regulate development on the western 43-acre portion of the Obey Creek site. - More detail can be found in the staff memorandum.

Next Steps

Following tonight's public hearings and public comment, we will prepare an evaluation of the arguments submitted in support of and in opposition to these proposals. We will return to the Council with a recommendation for action after the Council reconvenes the public hearing.

TOWN OF CHAPEL HILL
NORTH CAROLINA

Meeting Date: 05/18/2015
AGENDA #8

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
John Richardson, Planning Manager for Sustainability
Megan Wooley, Community Sustainability Planner

SUBJECT: Public Hearing**:** Proposed Land Use Management Ordinance Text Amendment – To Create the New Development Agreement-1 (DA-1) Zoning District

Recommended Council Action

- Our preliminary recommendation is that the Council open the public hearing and receive arguments in support of and in opposition to the proposed text amendment. We recommend continuing the public hearing to the Council's business meeting on June 8, 2015.

Explanation of the Creation of the New DA-1 Zoning District

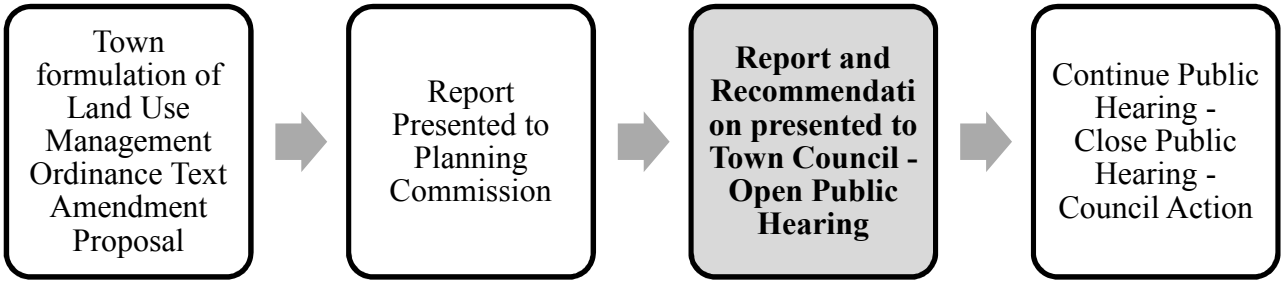
- The Council is currently in negotiations with the applicant (East West Partners) to draft a development agreement which, if approved, would govern and regulate development on the western 43-acre portion of the Obey Creek site. Obey Creek is a proposed mixed-use development located along US 15-501 South across from Southern Village; see Attachment 4 for a map.
- More information about the Obey Creek development agreement process can be found at www.townofchapelhill.org/obeycreek.
- The 43-acre site is currently zoned Residential Low Density-1 (R-LD1) and Neighborhood Commercial (NC); these zoning districts do not allow for a development agreement to be applied in these zones.
- The applicant has submitted a Zoning Atlas Amendment application requesting that the area be rezoned to allow for a development agreement.

Introduction

- Under consideration this evening is a new zoning district, called Development Agreement-1 (DA-1); this zoning district would allow for the use of a development agreement and would provide a list of other uses permitted without a development agreement.
- This process is similar to the Carolina North development agreement process; in order for the Carolina North development agreement to be applied to the site, a text amendment, creating a new zoning district (University-1), was enacted as a first step.

Process

- A proposed text amendment to the Land Use Management Ordinance requires the Town Manager to:
    1. Conduct an evaluation of the proposed text amendment;
    2. Present a report to the Planning Commission;
    3. Notify property owners of the proposal;
    4. Hold a public hearing; and
    5. Present a report and recommendation to the Town Council.



Public Notice of the Proposed Text Amendment

- On April 23, 2015, notice of the public hearing was sent to the property owners and owners of property within 1,000 feet of the properties proposed for rezoning.
- Notice of the proposed text amendment and rezoning was also included in the Classifieds section of the Chapel Hill News on April 26, 2015 and May 3, 2015.
- Signage was posted at the site.
- Copies of the agenda materials for the proposed text amendment are available in the Communications and Public Affairs Department.
- Documents are also available on the Town's website at the following link: www.townofchapelhill.org/obeycreek

Analysis of the Proposal

- Article 4.4 of the Land Use Management Ordinance (Appendix A of the Town Code) establishes the intent of Zoning Amendments (include both atlas and text amendments to the Ordinance) by stating that:

    In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town it is intended that this chapter shall not be amended except:

    a) to correct a manifest error in the chapter; or
    b) because of changed or changing conditions in a particular area or in the jurisdiction generally; or
    c) to achieve the purposes of the Comprehensive Plan.

- Article 4.4. further indicates: It is further intended that, if amended, this chapter be amended only as reasonably necessary to the promotion of the public health, safety, or general welfare, and in conformance with the Comprehensive Plan.

The following is a staff response to the three required considerations:

A) To correct a manifest error in the appendix:

Staff Comment: We believe the information in the record to date can be summarized as follows:

- Argument in Support: To date no arguments in support have been submitted.
- Argument in Opposition: To date no arguments in opposition have been submitted.

B) Because of changed or changing conditions in a particular area or in the jurisdiction generally:

Staff Comment: We believe the information in the record to date can be summarized as follows:

- Argument in Support: The Council is currently engaged in a process to draft and consider the Obey Creek Development Agreement which may be applied to the Obey Creek site. The site under consideration currently has very limited to no development; if approved, the draft Obey Creek Development Agreement would allow for development on approximately 43 acres of land on the east side of Wilson Creek; see Attachment 1.
- Argument in Opposition: To date no arguments in opposition have been submitted.

C) To achieve the purposes of the Comprehensive Plan:

Staff Comment: We believe the information in the record to date can be summarized as follows:

- Argument in Support: We believe that the proposed text amendment can be justified to achieve the purposes of the goals and objectives from the Comprehensive Plan.

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

Conforms	No.	2020 Comprehensive Plan Themes
✓	1	A Place for Everyone
✓	2	Community Engagement and Prosperity
✓	3	Getting Around
✓	4	Good Places, New Spaces
✓	5	Nurturing Our Community
	6	Town and Gown Collaboration

  Based on our preliminary review, we believe the Council could make the finding that the proposed text amendment is in compliance with the Comprehensive Plan. Relevant goals and objectives in the Comprehensive Plan include, but are not limited to:

  A Place for Everyone

  - Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
  - A range of housing options for current and future residents (Goal PFE.3)
  - A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)

Community Prosperity and Engagement

- Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)

Getting Around

- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)

Good Places, New Spaces

- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)

Nurturing Our Community

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3)

- Argument in Opposition: To date no arguments in opposition have been submitted.

Planning Commission Recommendation

- During their May 5, 2015 meeting, the Planning Commission recommended that the Council enact an ordinance to create the Development Agreement-1 (DA-1) zoning district.
- See Attachment 5 for the Planning Commission recommendation.

Next Steps

- Following tonight's public hearing and public comment, we will prepare an evaluation of the arguments submitted in support of and in opposition to this proposal. We will return to the Council with a recommendation for action after the Council reconvenes the public hearing.

Attachment

- Resolution of Consistency
- Ordinance A – Enacting the Text Amendment (zoning district language)
- Resolution A – Denying the Text Amendment
- Map of the Proposed Obey Creek Development
- Planning Commission Recommendation

RESOLUTION OF CONSISTENCY

(Adopting the Land Use Management Ordinance Text Amendment proposal)

A RESOLUTION REGARDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE AMENDMENT CREATING DEVELOPMENT AGREEMENT-1 (DA-1), A NEW ZONING DISTRICT, AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2015--__-__/R-)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to create a new Development Agreement-1 (DA-1) zoning district and finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)

- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed zoning text amendment to be reasonable and consistent with the Town Comprehensive Plan.

This is the __ day of ___, 2015.

ORDINANCE A
Enacting the Land Use Management Text Amendment

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO ESTABLISH A NEW DEVELOPMENT AGREEMENT-1 ZONING DISTRICT (2015-__-__/O-)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment changes to the Land Use Management Ordinance regarding establishment of a new Development Agreement-1 zoning district and finds that the amendment is warranted in order to achieve the purposes of the Comprehensive Plan, as it relates the following themes and goals of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Land Use Management Ordinance be amended as follows:

SECTION I

An amendment to Section 3.5 (Special Districts) of the Land Use Management Ordinance adding a new Section 3.5.6 is enacted to read as follows:

"Section 3.5.6 Development Agreement-1 District

(a) Purpose and intent

The purpose and intent of the Development Agreement-1 district (DA-1) is to establish procedural and substantive standards for the Town Council's review and approval of development on large tracts of land where the predominant uses are to be private development that includes uses such as housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses.

The objective of the DA-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment. A key feature of this district is the concurrent review of a rezoning application and an initial proposed development agreement within such district that allows the property owner, immediate neighbors, and community to understand the type and intensity of development being proposed, the timing of that development, the potential impacts of the development, the mitigation measures that will be implemented to address those impacts, and the commitments of both the developer and the Town regarding public facilities and services needed to support the proposed development. A development agreement that is approved by ordinance as a legislative decision of the Town Council pursuant to G.S. 160A-400.22 is an integral component of the DA-1 zoning district.

(b) Overview of development review procedures

Procedures in this zoning district are designed to facilitate:

1. Articulation of a long-term development plan that provides a context for more detailed intermediate and short term plans and projects;
2. Articulation of detailed plans that involve multiple buildings over an extended time period on a defined portion of the zoning district that is subject to an individual development agreement;
3. Identification of the infrastructure needs and impacts related to the development specified in a development agreement;
4. Provision of measures to mitigate the negative impacts of development in the development agreement and to promote sustainability of approved development, with the mitigation implemented in a manner appropriate with the pace of development; and
5. Provision of predictability and certainty as to the type, intensity, and design of development set out in a Town Council-approved development agreement.

Applicants proposing that property be zoned DA-1 must submit a long-range development plan and supporting analysis at the time of petition for rezoning to this district. Upon approval by the Town Council of a development agreement in this district, site development permits for individual buildings are to be issued by the Town Manager, following a determination by the Town Manager that such individual building projects do not violate the Town Council-approved development agreement.

For development proposed within the DA-1 zoning district that is not included in a Town Council-approved development agreement, but is a minor modification according to the provisions of this Section, the Town Manager may approve a change to the development agreement and issue a site development permit.

Except as specifically authorized as a permitted use under Section 3.5.6(e)(1), development proposed within this zoning district that is not included in a Town Council-approved development agreement and/or that cannot be considered a minor modification to a development agreement shall be considered to be a special use and subject to the Special Use Permit standards and procedural requirements of section 4.5 of this appendix. In the alternative, the applicant may apply to the Town Council for an amendment to the development agreement.

The terms used within this Section have the same meaning and scope as provided by this Appendix and state law. Provided, however, that to the extent a Council-approved and owner-executed development agreement defines a term to have a different meaning or scope, that meaning and scope shall apply as specified in the development agreement.

(c) Minimum Requirements

Only areas with a minimum of twenty-five (25) contiguous acres of developable property (as defined by G.S. 160A-400.23) under common ownership or management may be placed in a DA-1 zoning district.

The requirements of an approved Development Agreement may include work or restrictions beyond the property zoned DA-1.

An application for rezoning to a DA-1 district must, in addition to all other requirements of this ordinance, include:

1. An ecological analysis of the entire area proposed to be included in the district.
2. A proposal to establish a development agreement for a discrete portion (of not less than twenty-five [25] developable acres) of the land to be placed in the district.

The Town Manager may specify forms and reasonable requirements related to these mandated materials to be submitted with a rezoning petition.

(d) Development Agreement

A proposed development agreement in this district must include all provisions mandated by state law and shall at a minimum include:

1. A legal description of the property subject to the agreement and the names of its legal and equitable property owners.
2. The duration of the agreement.
3. The development uses permitted on the property, including population densities and building types, intensities, placement on the site, and design.

4. A description of public facilities that will service the development, including who provides the facilities, the date any new public facilities, if needed, will be constructed, and a schedule or triggering points to assure public facilities are available concurrent with the impacts of the development.
5. A description, where appropriate, of any reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property.
6. A description of all local development permits approved or needed to be approved for the development of the property together with a statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing their permitting requirements, conditions, terms, or restrictions.
7. A description of any conditions, terms, restrictions, or other requirements determined to be necessary by the Town Council for the public health, safety, or welfare.
8. A description, where appropriate, of any provisions for the preservation and restoration of historic structures.
9. A development schedule, including commencement dates and interim completion dates at no greater than five-year intervals, provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to G.S. 160A-400.27 but must be judged based upon the totality of the circumstances.

The development agreement may provide that the entire proposed development or any phase of it be commenced or completed within a specified period of time. The development agreement may include other defined performance standards to be met by the applicant and/or its successors in interest.

(e) Permitted within the boundary of a development agreement

(1) Permitted uses within a development agreement. The predominant uses are to be private development for housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses. The permitted uses, special uses, or accessory uses in the Development Agreement-1 (DA-1) within the boundary of a development agreement are limited to those uses as set forth in Table 3.7-1: Use Matrix.

The maximum floor area, density of development, building heights and general locations, other attributes of development intensity, and design guidelines for the development permitted shall be as provided in a Town Council-approved development agreement. The development agreement may provide that specified uses shall require a Town Council-approved special or conditional use permit.

(f) Permitted and special uses outside a boundary area of a development agreement

(1) Uses that may be approved as permitted uses within the DA-1 zoning district but outside the boundary area or terms of a Town Council-approved development agreement are:

- Community gardens;
- Local farmers markets;
- Recreational facility, non-profit;

- Trails, greenways, and recreational land;
- Public use facilities;
- Solar energy collection arrays;
- Radio, television, or wireless transmitting and/or receiving facilities, provided the total height of an antenna-supporting structure is not more than 120 feet and there is a 500-foot or more setback from the property line;
- Wind turbines designed to produce 100kW or less, provided the total height is not more than 120 feet, there is a minimum ground clearance of 30 feet from rotors, and there is a 500-foot or more setback from the property line. Wind turbines designed to produce 100kW or less may also be located on rooftops.

These permitted uses shall require a zoning compliance permit pursuant to Section 4.9 of this appendix.

(2) Uses that may be approved as special uses within this zoning district outside the boundary or terms of a Town Council-approved development agreement (including proposed uses for property formerly covered by a development agreement that has expired or been terminated) are limited to those uses as set forth in Table 3.7-1 (Use Matrix). These special uses shall be subject to the dimensional requirements as set forth in Table 3-8.1 (Dimensional Matrix) and the applicable perimeter transition area requirements.

(g) Existing conditions within a DA-1 zoning district.

Existing uses, structures, and conditions within a DA-1 zoning district as of the effective day property is placed in this district may be continued as specified by this section. All existing uses of land that do not involve the use of a building can be continued as they exist as of the effective date the property is zoned DA-1. Any existing building being used for a use permitted by this Appendix or by an applicable development agreement may be expanded to the extent that the Town Manager finds that the expansion is exempt from the Transportation Impact Analysis requirements of Section 5.8(g) of this Appendix. Any new construction, development, or site improvements associated with continuation of existing conditions shall be consistent with the terms of all applicable development agreements in effect within the district.

(h) Development Standards

Development in the DA-1 zoning district shall be designed to provide a mix of uses within all major phases of the development that are integrated, interrelated and linked by pedestrian ways, bikeways, and/or other transportation systems. Development agreements shall, to the extent practical and consistent with applicable laws and regulations, include measures to encourage reduction of automobile use and promote alternative modes of transportation; to provide sustainable building design and land uses; to mitigate adverse environmental impacts; to promote conservation of non-renewable energy resources; to exceed minimally accepted practices; and to achieve visual continuity in the siting and scale of buildings. In the DA-1 zone, a Development Agreement covering land may provide for standards and regulations that are different from those which would otherwise be applicable under the LUMO. Except as

specifically provided otherwise by the terms of any approved Development Agreement, the regulations found in this Appendix applicable in the R-1 zoning district shall apply.

Specifically, a development agreement in this district shall at a minimum address the following:

1. Plan consistency. The proposed development shall be generally consistent with the long range development plan for the district submitted by the owner. The development shall be generally consistent with the adopted comprehensive plan for the Town.
2. Transportation. Proposed development shall be accompanied by reasonable measures to mitigate transportation impacts that are caused by the development. Proposed development shall address parking, transit, traffic, road, greenway, bikeway, and pedestrian access.
3. Fiscal impact. Proposed development shall be accompanied by reasonable measures to mitigate any adverse fiscal impacts for the Town; provided that, pursuant to GS 160A-400.20(b), the Town may not impose any tax or fee not authorized by otherwise applicable law.
4. Housing. Proposed development shall be accompanied at appropriate times by on-site housing to mitigate the impacts that are caused by the development. A range of housing availability and price levels shall be shall be provided within each major phase and area of the proposed development.
5. Noise and lighting. Noise and lighting levels from proposed development shall not exceed those allowed by Town ordinances or the provisions of the development agreement, whichever are more stringent. In cases where property frontage is along a US highway, lighting standards may be governed by North Carolina Department of Transportation standards in the event they are less stringent than the Town ordinance.
6. Environment. Proposed development shall seek to minimize impacts on natural site features and shall be accompanied by reasonable measures to mitigate those impacts. Proposed development shall address preservation of open land and natural areas, management of stormwater quality and quantity, energy generation and use, preservation of solar access, solar orientation of buildings, air quality, sustainable water and wastewater management, protection of stream buffers, soil erosion and sedimentation control, landscape and vegetation protection.
7. Public utilities and services. Proposed development shall assure that there are adequate public utilities and services and shall be accompanied by reasonable measures to assure the availability of such services concurrent with the creation of the need for the services. There shall be a general demonstration that police, fire, emergency, water, sewer, school, recreation, and other necessary utilities and public services will be available to accommodate the proposed development.

The development agreement shall provide for regular monitoring, reporting, and evaluation of the effectiveness of the development standards.

(i) Amendments and modifications to development agreements

A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest.

Either party may propose a major amendment or minor modification to any Town Council-approved development agreement. Upon receipt of a proposed adjustment, the Town Manager shall consider the following criteria in making the determination as to whether a proposed adjustment is a major amendment or a minor modification to a development agreement:

1. A substantial change in the boundaries of the development agreement shall constitute a major amendment. Any single proposed increase or decrease in the area of land subject to the development agreement approved by the Town Council of more than 5% shall be considered substantial. A cumulative increase of 15% or more in the land area subject to the development agreement shall be considered substantial.
2. A substantial change in the floor area or number of parking spaces shall constitute a major amendment. Any single proposed increase or decrease in new floor area or number of parking spaces of more than a 5% in a development agreement approved by the Town Council shall be considered substantial. A cumulative increase of 15% or more in the floor area or number of parking spaces subject to the development agreement shall be considered substantial. Provided, under no circumstances shall a change in floor area of less than 1,000 sq. ft. or fewer than ten parking spaces be deemed either a major amendment or minor modification and such changes shall be reported by the applicant to the Town Manager.
3. Changes that would substantially affect pedestrian, bicycle, or vehicular access or circulation beyond the boundaries of the development agreement shall constitute a major amendment.
4. Substantial change in the amount or location of open space within the boundaries of a development agreement shall constitute a major amendment. Any single change that increases or decreases the amount of open space by more than 5% shall be considered substantial. A cumulative increase or decrease in the amount of open space by 15% or more or a substantial change in the location of designated open space shall be considered substantial.

Notwithstanding the above, some proposed changes to a Town Council-approved development agreement that do not meet the threshold to constitute a major amendment may in the judgment of the Town Manager, because of size, perimeter location or transportation impacts, merit public review. In the event the Manager makes such a determination he/she may submit the proposed minor modification at a Town Council meeting to allow an opportunity for Council review and public comment. Unless the other party to the development agreement agrees otherwise, such a review shall not extend the time period allowed for a decision by the Manager on the minor modification or convert the change from a minor modification into a major amendment.

All proposed adjustments to a Town Council-approved development agreement shall be publicly posted in such a manner that the public will have the opportunity to express any concerns to the Town Council and/or the Town Manager. The Town Manager shall determine whether a proposed adjustment to a Town Council-approved development agreement is a major amendment or a minor modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the Town Council and applicant of that determination. If the proposed action is determined to be a major amendment, the Town Manager shall require the filing of an application for approval of the amendment, following procedures outlined in Section 3.5.6(k) of this Appendix.

In the event State or federal law is changed after a development agreement has been entered into and the change prevents or precludes compliance with one or more provisions of the development agreement, the Town Council may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the development agreement. In so doing, the procedures set forth for original approval of the development agreement shall be followed.

Except for grounds specified in G.S. 160A-385.1(e), the Town shall not apply subsequently adopted ordinances or development policies to the development that is subject to the approved development agreement.

(j) Procedure for review of development agreements, amendments, and modifications

(1) Application submittal requirements. Applications for approval of a development agreement, a major amendment to a previously approved development agreement, and a minor modification to a previously approved development agreement within a DA-1 zoning district shall be submitted to the Town Manager. The Town Manager shall prescribe the form(s) of applications as well as any other material as the Town Manager may reasonably require to determine compliance with this section.

(2) Process for review.

A. Informal consultation. Prior to submission of a proposed development agreement or a major amendment to a previously approved development agreement within this district, the applicant shall consult with the Town Manager and Town Council regarding the proposed development. The applicant is encouraged to engage in active discussion and collaboration with the Town staff, Town Council, Town advisory boards, neighbors, and the community in the preparation of a proposed development agreement or amendment and plans for development.

B. Draft agreement. A draft development agreement and long-range development plan for the activity to be addressed in the development agreement shall be submitted to the Town Manager prior to the submission of a formal development agreement. The Manager and applicant shall present the draft agreement to the Planning Commission, such other advisory boards as deemed appropriate by the Town Council, and the Town Council for review and comment. The Manager and applicant also shall present the draft agreement in informal public information sessions for public review and comment.

C. Initial development agreement. Applications for approval of an initial development agreement within this zone shall be processed concurrently with the petition for rezoning to the DA-1 district. The public hearing on the initial development agreement shall be noticed and held concurrently with the hearing on the proposed rezoning. Notice of the public hearing before the Town Council on the proposed development agreement shall follow the same notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and how a copy of the proposed development agreement may be obtained or reviewed. The Town Council shall take action on an application for an initial development agreement within this zone concurrently with action on the application for rezoning to this district. The initial development agreement may be applicable to all or part of the land within the district, provided the initial development agreement must be applicable to no less than twenty-five (25) developable acres.

D. Subsequent development agreements and major amendments. Subsequent new development agreements within this zoning district and major amendments of a previously approved development agreement shall be considered using the following process:

1. Upon receipt of an application for approval, the Town Manager shall review the proposal for completeness. The Town Manager shall determine within fifteen (15) working days whether the application is complete and shall promptly notify the Town Council and applicant of that determination. If the application is determined to be incomplete, a notice of the deficiencies in the mandatory items to be included in a proposed agreement or major amendment shall be provided to the applicant with the notice of the Town Manager's determination. If the application is determined to be complete, the Town Manager shall notify the applicant of that determination and shall prepare a report on the proposed agreement or major amendment.

2. The Town Manager shall submit a complete proposed agreement or major amendment and the Town Manager's report to the Planning Commission for review and comment. The Planning Commission shall review the application and the Town Manager's report and shall submit to the Town Council a written recommendation regarding the proposed agreement or amendment. The Planning Commission shall submit its recommendation within thirty-five (35) calendar days of the meeting at which the Town Manager's report is submitted to it or within such further time consented to in writing by the applicant or by Town Council resolution. If the Planning Commission fails to prepare its recommendation to the Town Council within this time limit, or extensions thereof, the Town Council may consider the proposed agreement without a comment or recommendation from the Planning Commission.

3. The Town Council shall hold a public hearing on a proposed subsequent development agreement or major amendment to a previously approved development agreement. Notice of the date, time, and place of the public hearing before the Town Council shall follow the same published, mailed, and posted notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed.

4. The Town Council shall make a decision on a proposed subsequent development agreement or major amendment to a previously approved development agreement within one hundred twenty (120) calendar days of the date of the Town Manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the Town.

E. Minor modifications to a previously approved development agreement may be approved by the Town Manager as long as such changes continue to be in substantial compliance with the approving action of the Town Council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with the Town Council-approved development agreement. The Town Manager shall make a decision on the proposed minor amendment within one hundred twenty (120) calendar days of the date of the Town Manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and

the Town. The Town Manager shall not have the authority to approve changes that constitute a major amendment of a Town Council-development agreement.

F. The time periods referenced in this subsection shall not run during any period in which the applications for subsequent development agreements or major amendment to a previously approved development agreement have been returned to the applicant for substantial modification or analysis. The time periods set forth in this subsection may also be modified by mutual consent of the applicant and the Town Council.

(k) Actions after decision on a development agreement

(1) Recording approval. If the application for approval of a development agreement or major amendment is approved or approved with conditions, the Town Manager shall execute the development agreement or amendment in accord with the action of the Town Council. The applicant shall then execute the development agreement or amendment and record the development agreement or amendment in the office of the applicable County Register of Deeds within fourteen (14) days after the Town enters into the development agreement. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

(2) Individual site development permits. After an executed development agreement is recorded, the Town Manager may then accept applications for individual site development permits for specific buildings that the applicant proposes to build within the physical boundaries covered by the agreement. No construction work on any such building identified in the agreement may begin until a site development permit has been issued. The Town Manager shall prescribe the form(s) of applications as well as any other material the Town Manager may reasonably require to determine compliance with the agreement. The Town Manager shall approve or deny of the individual site development permit application within fifteen (15) working days of the Manager's determination that the individual site development plan application is complete. The Town Manager shall approve the application upon finding it is substantially consistent with and does not violate any term of the agreement and shall deny approval upon finding the application is not substantially consistent with or violates a term of the agreement. If the application is denied, the Town Manager shall specify the grounds for finding that it is inconsistent or in violation and refer the applicant to the Special Use Permit process described in Section 4.5 of this appendix. Alternatively, the applicant may modify the site development permit application or apply for a major amendment to the development agreement. Provided, under no circumstances shall a change in floor area of less than 1,000 sq. ft. or fewer than ten parking spaces be deemed either a minor modification or major amendment of the development agreement nor require approval or modification of an individual site development permit; such changes shall be reported by the applicant to the Town Manager.

(3) Expiration, abandonment, revocation of development agreement. The term of any development agreement shall be set forth in the agreement and shall not exceed a term of twenty (20) years. The development agreement shall also contain specific provisions relative to default or termination of the agreement.

(4) Periodic review and amendment of the development agreement. The Town Manager shall at least every twelve (12) months conduct a review of the development agreement at which time the applicant or its successors in interest must demonstrate good faith compliance with the terms of the development agreement. The Town Manager shall promptly report the results of this

review to the Town Council. If, as a result of this periodic review, the Town Council finds and determines that the applicant or its successors in interest has committed a material breach of the terms or conditions of the agreement, the Town Manager shall serve notice in writing, within a reasonable time not to exceed thirty (30) working days after the periodic review, upon the applicant or its successors in interest setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the applicant or their successors in interest a reasonable time in which to cure the material breach. If the applicant or its successors in interest fail to cure the material breach within the time given, then the Town Council unilaterally may terminate or modify the development agreement pursuant to G.S. 160A-400.27(c); provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by G.S. 160A-388(b). Thereafter the applicant or its successors in interest may pursue any other rights and remedies available at law or in equity. If the Town Council elects to unilaterally modify the agreement, the applicant or its successors in interest may elect for the development agreement to be terminated rather than accede to the development agreement with the modifications unilaterally made by the Town Council."

SECTION II.

Table 3-7.1, Use Matrix, of the Chapel Hill Land Use Management Ordinance is hereby revised to add a new zoning district, DA-1, to read as follows:

Uses*	DA-1
Accessory use customarily incidental to a permitted principal or special use	A
Adult day care facility (See also Article 6 of this appendix)	P, A
Agriculture, Female Chickens	—
Agriculture, livestock	—
Agriculture, non-livestock	A
Automated teller machines (ATM) (Walk-up)	P
Automated teller machines (ATM) (Drive-up)	P
Automotive Repair	P, A
Automotive repair (less collision, service and painting)	P, A
Automotive, trailer, and farm implement sales or rental	P, A
Bank	P, A
Barber shop/beauty salon	P
Business—Convenience	P, A
Business—General	P, A
Business—Wholesale	A
Business, office-type	P, A
Car wash (See also Article 6 of this appendix)	—
Cemetery (See also Article 6 of this appendix)	P

Child day care facility (See also Article 6 of this appendix)	P, A
Clinic	P
Club	P, A
College or University	P
Drive-in window (See also Article 6 of this appendix)	P
Dwelling Units, Single Family	P
Dwelling units, single-family with accessory apartment	P
Dwelling units, duplex (See also Article 6 of this appendix)	P
Dwelling units, multifamily, 3 to 7 dwelling units	P
Dwelling units, multifamily, over 7 dwelling units	P
Essential services	P, A
Extraction of earth products (See also Article 6 of this appendix)	—
Fine arts educational institution (See also Article 6 of this appendix)	P
Flex space	A
Food Truck	A
Fraternity dwelling (See also Article 6 of this appendix)	P
Funeral home	P
Group care facility (See also Article 6 of this appendix)	P
Hangar, medical aircraft	—
Home occupation	A
Hospital	—
Hotel or motel	P
Kennel	—
Landfill (See also Article 6 of this appendix)	—
Maintenance/storage facility	—
Manufactured home park	—
Manufactured home, Class A	P
Manufactured home, Class B	—
Manufacturing, light	A
Outdoor skateboard ramp (See Article 6 of this appendix)	A
Park/ride (See also Article 6 of this appendix)	P, A
Parking, off-street	A

Personal services	P, A
Place of assembly, over 2,000 seating capacity (See also Article 6 of this appendix)	P
Place of assembly, up to 2,000 seating capacity	P, A
Place of worship (See Article 6 of this appendix)	P
Public cultural facility	P, A
Public service facility (See also Article 6 of this appendix)	P, A
Public use facility	P, A
Publishing and/or printing	P, A
Radio, television or wireless transmitting and/or receiving antenna (See also Article 6 of this appendix)	—
Radio, television or wireless transmitting and/or receiving antenna, accessory	A
Recreation facility: Commercial	P, A
Recreation facility: Non-profit	P
Recreation facility: Outdoor commercial	P
Research activities	P, A
Residence hall	—
Residential support facility	P
Rooming house	P
School, elementary or secondary	P
Service station/convenience store (See also Article 6 of this appendix)	P
Shelter	P
Solid waste management facility	—
Supply yard	—
Temporary portable building: Construction-related (See also Article 6 of this appendix)	A
Temporary portable building: Not construction-related	P
Tourist home	P
Veterinary hospital or clinic	P, A
Vocational school	P, A
Water and wastewater treatment plant	—

*Uses in this table are pursuant to a development agreement. If there is no development agreement governing the site, see Section 3.5.6(f)(1) and (2).

"P" In DA-1, OI-3, OI-4, and MH: Permitted as a principal use.

SECTION III.

This Ordinance shall be effective upon enactment.

This the __ day of __, 2015.

RESOLUTION A
(Denying the Land Use Management Text Amendment proposal)

A RESOLUTION DENYING A PROPOSAL FOR A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO ESTABLISH A NEW DEVELOPMENT AGREEMENT-1 ZONING DISTRICT (2015-__-__/O-)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to establish a new Development Agreement-1 zoning district and fails to find that the amendment:

a) corrects a manifest error in the chapter; or
b) is justified because of changed or changing conditions in the area of the rezoning site or the community in general; or
c) achieves the purposes of the Comprehensive Plan.

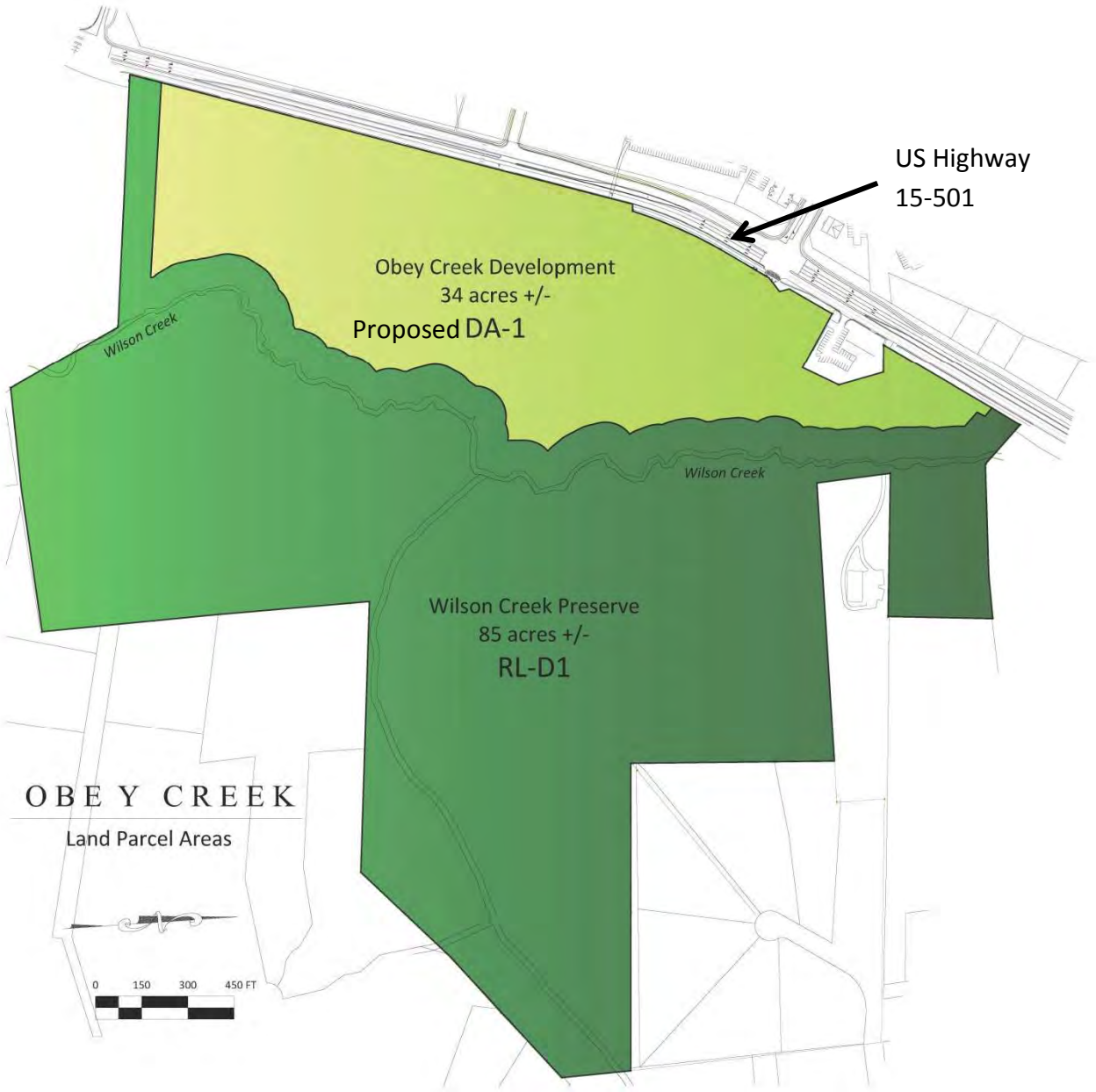
NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the Town-initiated proposal to amend the Land Use Management Ordinance to establish the Development Agreement-1 zoning district.

This is the ___ day of ____, 2015.

Map of the Proposed Obey Creek Development

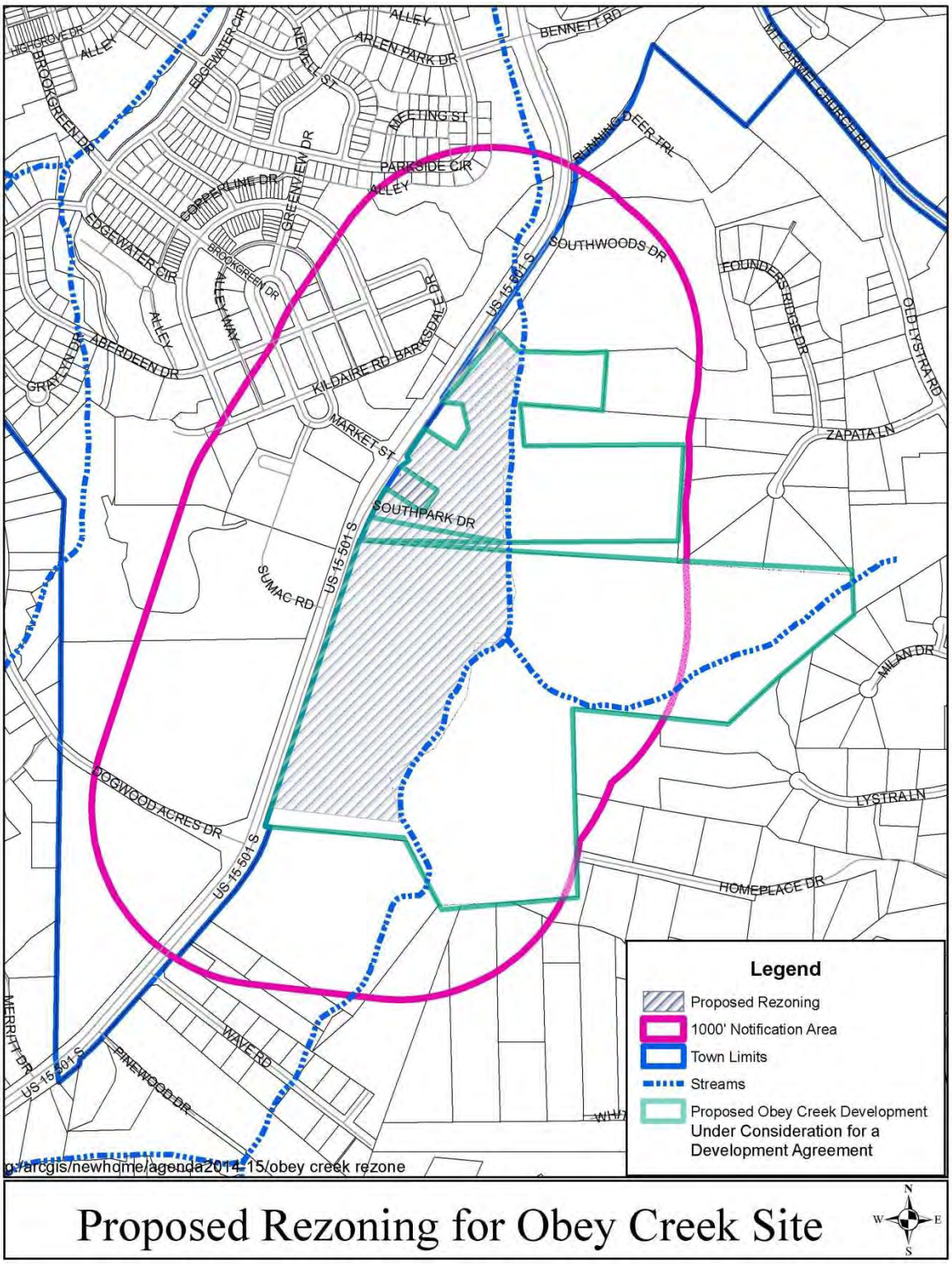
Prepared by: Scott Murray Land Planning, Inc. and the Office of Planning and Sustainability, Town of Chapel Hill
Last revised: May 1, 2015

The following map illustrates the proposed Obey Creek development and the parcels that, if approved by the Town Council, may be rezoned Development Agreement-1.



Prepared by: Office of Planning and Sustainability, Town of Chapel Hill
Last revised: April 2015

The following map illustrates the proposed Obey Creek development in context of southern Chapel Hill.



PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION
OBEY CREEK DEVELOPMENT PROPOSAL
TEXT AMENDMENT
May 5, 2015

Recommendation: Approved ■ Approval with Conditions □ Denied □

Motion: Travis Crayton moved and Michael Parker seconded a motion to recommend that the Council enact an ordinance to create the Development Agreement-1 (DA-1) zoning district.

Vote: **8-0**

Ayes: Neal Bench, Travis Crayton, Deborah Fulghieri, Melissa McCullough, Michael Parker, Amy Ryan, and Buffie Webber, Brian Wittmayer

Nays: None

Prepared by: Neal Bench, Chair, Planning Commission
Gene Poveromo, Staff

TOWN OF CHAPEL HILL
NORTH CAROLINA

Meeting Date: 05/18/2015
AGENDA #9

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
Gene Poveromo, Development Manager
John Richardson, Planning Manager for Sustainability
Megan Wooley, Community Sustainability Planner

SUBJECT: Public Hearing: Proposed Zoning Atlas Amendment – To rezone a portion of the Obey Creek site to the Proposed Development Agreement-1 (DA-1) zoning district

Recommended Council Action

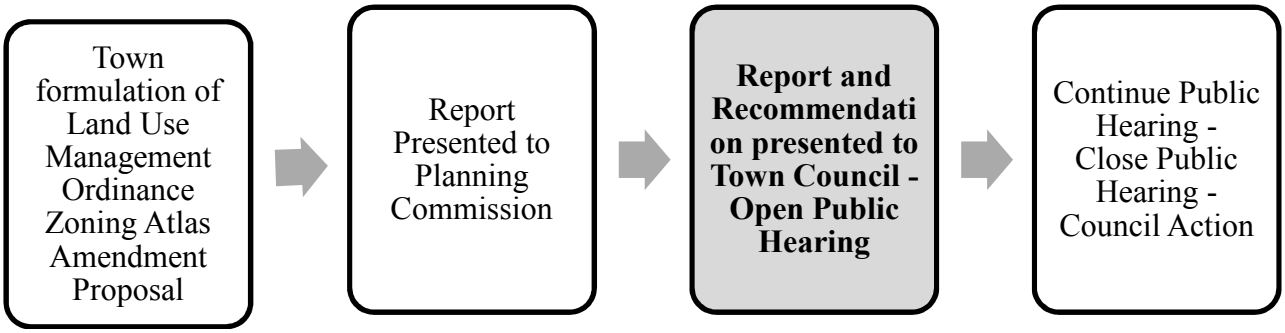
- Our preliminary recommendation is that the Council open the public hearing and receive arguments in support of and in opposition to the proposed text amendment. We recommend continuing the public hearing to the Council's business meeting on June 8, 2015.

Explanation of the Rezoning

- The Council is currently in negotiations with the applicant (East West Partners) to draft a development agreement which, if approved, would govern and regulate development on the western 43-acre portion of the Obey Creek site. Obey Creek is a proposed mixed-use development located along US 15-501 South across from Southern Village; see Attachment 2 for a map.
- More information about the Obey Creek development agreement process can be found at www.townofchapelhill.org/obeycreek.
- The 43-acre site is currently zoned Residential Low Density-1 (R-LD1) and Neighborhood Commercial (NC); these zoning districts do not allow for a development agreement to be applied in these zones. Rezoning this site is required in order to allow for the use of a development agreement.
- The applicant has submitted a Zoning Atlas Amendment application requesting that the area be rezoned to Development Agreement-1 (DA-1).
- If rezoned to the Development Agreement-1 (DA-1) district, this zoning would allow for the use of a development agreement and would provide a list of other uses permitted without a development agreement.
- This process is similar to the Carolina North development agreement process; in order for the Carolina North development agreement to be applied to the site, a text amendment, creating a new zoning district (University-1), was enacted as a first step.
- The new DA-1 zoning district has not yet been established and is the subject of a separate public hearing also scheduled for tonight. Also scheduled for tonight is the public hearing on the proposed Development Agreement for the entire Obey Creek site.

Process

- A proposed zoning atlas amendment to the Land Use Management Ordinance requires the Town Manager to:
    1. Conduct an evaluation of the proposed zoning atlas amendment;
    2. Present a report to the Planning Commission;
    3. Notify property owners of the proposal;
    4. Hold a public hearing; and
    5. Present a report and recommendation to the Town Council.



Public Notice of the Proposed Rezoning

- On April 23, 2015, notice of the public hearing was sent to the property owners and owners of property within 1,000 feet of the properties proposed for rezoning.
- Notice of the proposed rezoning also was included in the Classifieds section of the Chapel Hill News on April 26, 2015 and May 3, 2015.
- Signage was posted at the site.
- Copies of the agenda materials for the proposed accompanying text amendment are available in the Communications and Public Affairs Department.
- Documents are also available on the Town's website at the following link: www.townofchapelhill.org/obeycreek.

Protest Petition

- Opportunity for a protest petition to a proposed amendment to the Zoning Atlas is provided for under North Carolina Statutes.
- If a sufficient petition is filed with the Town Clerk at least two (2) business days prior to the date of this public hearing, scheduled for May 18, 2015, the proposed rezoning shall not become effective except by favorable vote of not less than three-fourths of the Town Council.
- Copies of protest petition forms and additional information are available from the Office of Planning and Sustainability or the Town Clerk.
- We will report at tonight's public hearing if we received a valid protest petition.

Analysis of the Proposal: Zoning Justification

- Zoning determines the type and intensity of uses and development that are allowed on a piece of land. A request for a Zoning Atlas Amendment for rezoning involves a change to the current zoning, and thus the permitted types and intensity of land uses.

- Article 4.4 of the Land Use Management Ordinance (Appendix A of the Town Code) establishes the intent of Zoning Amendments (include both atlas and text amendments to the Ordinance) by stating that:

  In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town it is intended that this chapter shall not be amended except:

  a) to correct a manifest error in the chapter; or
  b) because of changed or changing conditions in a particular area or in the jurisdiction generally; or
  c) to achieve the purposes of the Comprehensive Plan.

- Article 4.4. further indicates: It is further intended that, if amended, this chapter be amended only as reasonably necessary to the promotion of the public health, safety, or general welfare, and in conformance with the Comprehensive Plan.

The following is a staff response to the three required considerations:

A) A rezoning is necessary to correct a manifest error.

Staff Comment: We do not believe that the current Low Density-1 (R-LD1) and Neighborhood Commercial (NC) zoning designations of the Obey Creek site west of US Highway 15-501 and east of Wilson Creek have been assigned in manifest error.

- Argument in Support: To date no arguments in support have been submitted.
- Argument in Opposition: To date no arguments in opposition have been submitted.

B) A rezoning is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

- Argument in Support: The Council is currently engaged in a process to draft and consider the Obey Creek Development Agreement which may be applied to the Obey Creek site. The site under consideration currently has very limited to no development; if approved, the draft Obey Creek Development Agreement would allow for development on approximately 43 acres of land on the west side of Wilson Creek; see Attachment 1.

  Additionally, the Obey Creek site is located in Focus Area 6 identified in the Chapel Hill 2020 comprehensive plan and is proximal to the key US 15-501 transportation corridor, which the 2040 Durham-Chapel Hill-Carrboro Long Range Transportation Plan and the Chapel Hill Long Range Transit Plan (LRTP) identify as one of the six gateway corridors and a High Investment Corridor.

- Argument in Opposition: To date no arguments in opposition have been submitted.

C) A rezoning is necessary to achieve the purposes of the Comprehensive Plan.

- Argument in Support: We believe that rezoning the specified portion of the Obey Creek site is consistent with the Chapel Hill 2020 Comprehensive Plan.

In addition to being designated as a focus area, the Chapel Hill 2020 Land Use Plan also identified this area as a potential school and/or an affordable housing site.

During the Chapel Hill 2020 Comprehensive Planning process, a South 15-501 discussion group met and identified the following area-specific principles for the site proposed for rezoning:

- This area should be like the Village Core.
- Meet community needs with new development (mixed use) focused on commercial rather than residential.
- Utilize clustered, compact development to maximize open space preservation.
- Encourage clustered retail development including any new development toward the county line.

We believe that the proposed zoning atlas amendment can be justified to achieve the following purposes of the goals and objectives from the Comprehensive Plan.

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

Conforms	No.	2020 Comprehensive Plan Themes
✓	1	A Place for Everyone
✓	2	Community Engagement and Prosperity
✓	3	Getting Around
✓	4	Good Places, New Spaces
✓	5	Nurturing Our Community
	6	Town and Gown Collaboration

Based on our preliminary review, we believe the Council could make the finding that the proposed rezoning is in compliance with the Comprehensive Plan and the Land Use Plan. Relevant goals and objectives in the Comprehensive Plan include, but are not limited to:

A Place for Everyone

- Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)

Community Prosperity and Engagement

- Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)

Getting Around

- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)

Good Places, New Spaces

- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)

Nurturing Our Community

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3)

- Argument in Opposition: To date no arguments in opposition have been submitted.

Planning Commission Recommendation

- The Planning Commission considered this item during their meetings on March 17, April 7, April 21, and May 5, 2015. The Commission has not yet made a recommendation on this item; this item will be returning to the Commission during the May 19, 2015 meeting.

Next Steps

- Following tonight's public hearing and public comment, we will prepare an evaluation of the arguments submitted in support of and in opposition to this proposal. We will return to the Council with a recommendation for action after the Council reconvenes the public hearing.

Attachments

- Resolution of Consistency
- Ordinance – Enacting the Rezoning
- Resolution – Denying the Rezoning
- Zoning Atlas Amendment Application

RESOLUTION OF CONSISTENCY

[Rezoning from Residential Low Density-1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1)]

A RESOLUTION REGARDING THE CHAPEL HILL ZONING ATLAS AMENDMENT FOR A PORTION OF THE OBEY CREEK SITE ON US HIGHWAY 15-501 AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (PINS 9787-13-0667, 9787-24-1209, AND 9787-14-1770) (2015--__-__/R-)

WHEREAS, the Council of the Town of Chapel Hill has considered the application from East West Partners Management Co., Inc. to amend the Zoning Atlas to rezone property described in the accompanying rezoning application from Residential Low Density-1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1) and finds that the amendment, if enacted, is in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed ordinance to be reasonable and consistent with the Town Comprehensive Plan.

This is the __ day of ___, 2015.

ORDINANCE A
Rezoning from Residential-Low Density 1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS FOR A PORTION OF THE OBEY CREEK DEVELOPMENT (PINs 9787-13-0667, 9787-14-4852, 9787-24-1209, and 9787-14-1770) (2015-__-__/O-)

WHEREAS, the Council of the Town of Chapel Hill has considered the application from East West Partners Management Co., Inc. to amend the Zoning Atlas to rezone the properties described below from Residential-Low Density 1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1) zoning district and finds that the amendment is warranted, in order to achieve purposes of the Comprehensive Plan including the major goal of developing good places and new spaces.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

That the site, including approximately 44 acres and identified as now or formerly Orange County Parcel Identifier Numbers 9787-13-0667, 9787-14-4852, and 9787-24-1209 of which are currently zoned Residential-Low Density 1 (R-LD1) and located to the west of US Highway 15-501; to the east of Wilson Creek; and to the north of Wave Road, as shown on the Obey Creek Zoning Exhibit Sheet Z-3.0, are hereby rezoned to Development Agreement-1 (DA-1).

SECTION II

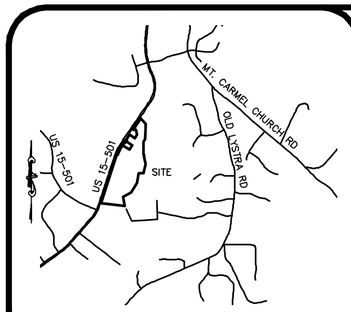
That the site, including approximately 0.85 acres and identified as now or formerly Orange County Parcel Identifier Number 9787-14-1770 of which is currently zoned Neighborhood Commercial (NC) and located to the west of US Highway 15-501; to the east of Wilson Creek; and to the north of Wave Road, as shown on the Obey Creek Zoning Exhibit Sheet Z-3.0, is hereby rezoned to Development Agreement-1 (DA-1).

The description of the entire property described in Section I and II is also included in attached metes and bounds description.

SECTION III

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the __ day of __, 2015.



VICINITY MAP
NOT TO SCALE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN) ; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN) ; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 42,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

_____ DAY OF _____, A.D. 20__.

_____
RONALD T. FREDERICK PLS L-4720

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(c)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

_____
RONALD T. FREDERICK PLS L-4720

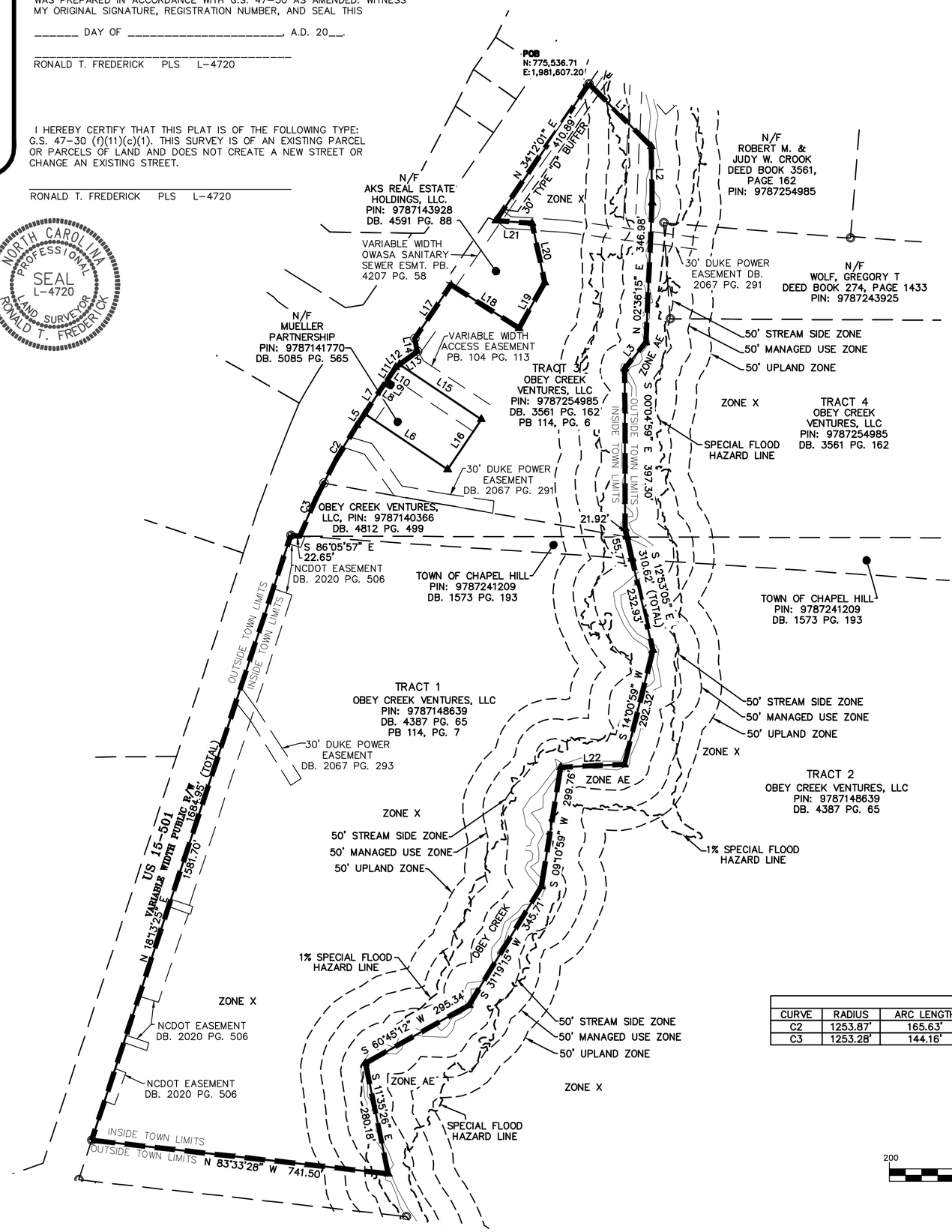
NORTH CAROLINA PROFESSIONAL SEAL L-4720 LAND SURVEYOR RONALD T. FREDERICK

LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- CALCULATED POINT
- XXXX ADDRESS
- ZONING LINE

ZONING MAP CHANGE
NOT FOR
CONVEYANCES OR SALES

AREA OF
ZONING MAP CHANGE
42.44 ACRES



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°56'37" E	220.00'
L2	S 00°49'22" E	139.63'
L3	S 38°45'27" W	83.38'
L5	N 33°41'49" E	35.05'
L6	S 56°08'42" E	248.37'
L7	N 33°20'07" E	89.56'
L8	S 56°39'53" E	16.40'
L9	N 33°20'37" E	9.84'
L10	N 56°39'53" W	15.48'
L11	N 33°20'07" E	39.37'
L12	N 53°33'37" E	11.86'
L13	N 53°53'33" E	54.77'
L14	N 11°13'12" W	32.43'
L15	S 56°08'41" E	244.71'
L16	S 33°51'18" W	149.94'
L17	N 33°45'23" E	161.13'
L18	S 57°32'03" E	200.97'
L19	N 29°19'27" E	130.53'
L20	N 12°09'52" W	150.15'
L21	N 85°44'29" W	90.04'
L22	S 87°25'42" W	158.42'

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C2	1253.87'	165.63'	N 29°55'09" E	165.51'	7°34'06"	82.94'
C3	1253.28'	144.16'	N 24°15'57" E	144.08'	6°35'25"	72.16'

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

NC GRID NAD 83

SHEET 1 OF 1

THE JOHN R. McADAMS COMPANY, INC.
2905 Meridian Parkway
Durham, North Carolina 27713
License No.: C-0293
(800) 733-5646 ▪ McAdamsCo.com

McADAMS

REVISIONS:
1.

184

OBEY CREEK
ZONING EXHIBIT
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

ZONING EXHIBIT

PROJECT NO.	EWP13040
FILENAME:	EWP13040-F3
SURVEYED BY:	RTF
DRAWN BY:	KMM
SCALE:	1"=200'
DATE:	2015-03-03

Z-3.0

McADAMS

X:\Projects\EWP\EWP-13040 Obey Creek\Survey\Plats\EWP13040-F3 Zoning.dwg, 3/11/2015 7:06:20 AM, Martin, Katie

PROPOSED DA-1 ZONING DISTRICT LEGAL DESCRIPTION

Beginning at an iron pipe on the eastern right of way of US 15-501, having NC Grid coordinates N:**775,536.71, E:1,981,607.20,** the **Point of Beginning**; thence leaving said right of way South 44°56'37" East a distance of 220.00 feet to a point; thence South 00°49'22" East a distance of 139.63 feet to a point; thence South 02°36'15" West a distance of 346.98 feet to a point; thence South 38°45'27" West a distance of 83.38 feet to a point; thence South 00°04'59" East a distance of 397.30 feet to a point; thence South 12°53'05" East a distance of 310.62 feet to a point; thence South 14°00'59" West a distance of 292.32 feet to a point thence South 87°25'42" West a distance of 158.42 feet to a point; thence South 09°10'59" West a distance of 299.76 feet to a point; thence South 31°19'15" West a distance of 345.71 feet to a point; thence South 60°45'12" West a distance of 295.34 feet to a point; thence South 11°35'26" East a distance of 280.18 feet to a point; thence North 83°33'28" West a distance of 741.50 feet to an iron pipe on the right of way of US 15-501; thence with said right of way North 18°13'25" East a distance of 1581.78 feet to an iron pipe; thence South 86°05'57" East a distance of 22.65 feet to a right of way monument; thence with a curve to the right a radius of 1253.28 feet, an arc length of 144.16 feet, a chord bearing of North 24°15'57" East, and a distance of 144.08 feet to an iron pipe; thence with a curve to the right a radius of 1253.87 feet, an arc length of 165.63 feet, a chord bearing of North 29°55'09" East, and a distance of 165.51 feet to a point; thence North 33°41'49" East a distance of 35.05 feet to a point; thence North 33°20'07" East a distance of 89.56 feet to a monument; thence leaving said right of way South 56°39'53" East a distance of 16.40 feet to a monument; thence North 33°20'37" East a distance of 9.84 feet to a right of way monument; thence North 56°39'53" West a distance of 15.48 feet to a monument on the right of way of US 15-501; thence with said right of way North 33°20'07" East a distance of 39.37 feet to a point; thence North 53°33'37" East a distance of 11.86 feet to a point; thence North 53°53'33" East a distance of 54.77 feet to an iron pipe; thence North 11°13'12" West a distance of 32.43 feet to an iron pipe; thence North 33°45'23" East a distance of 161.13 feet to a point; thence leaving said right of way South 57°32'03" East a distance of 200.97 feet to a point; thence North 29°19'27" East a distance of 130.53 feet to a point; thence North 12°09'52" West a distance of 150.15 feet to a point; thence North 85°44'29" West a distance of 90.04 feet to a point on the right of way of US 15-501; thence with said right of way North 34°12'01" East a distance of 410.89 feet to the **Point of Beginning**, containing 42.44 acres.

RESOLUTION A

[Denying Rezoning from Residential-Low Density 1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1)]

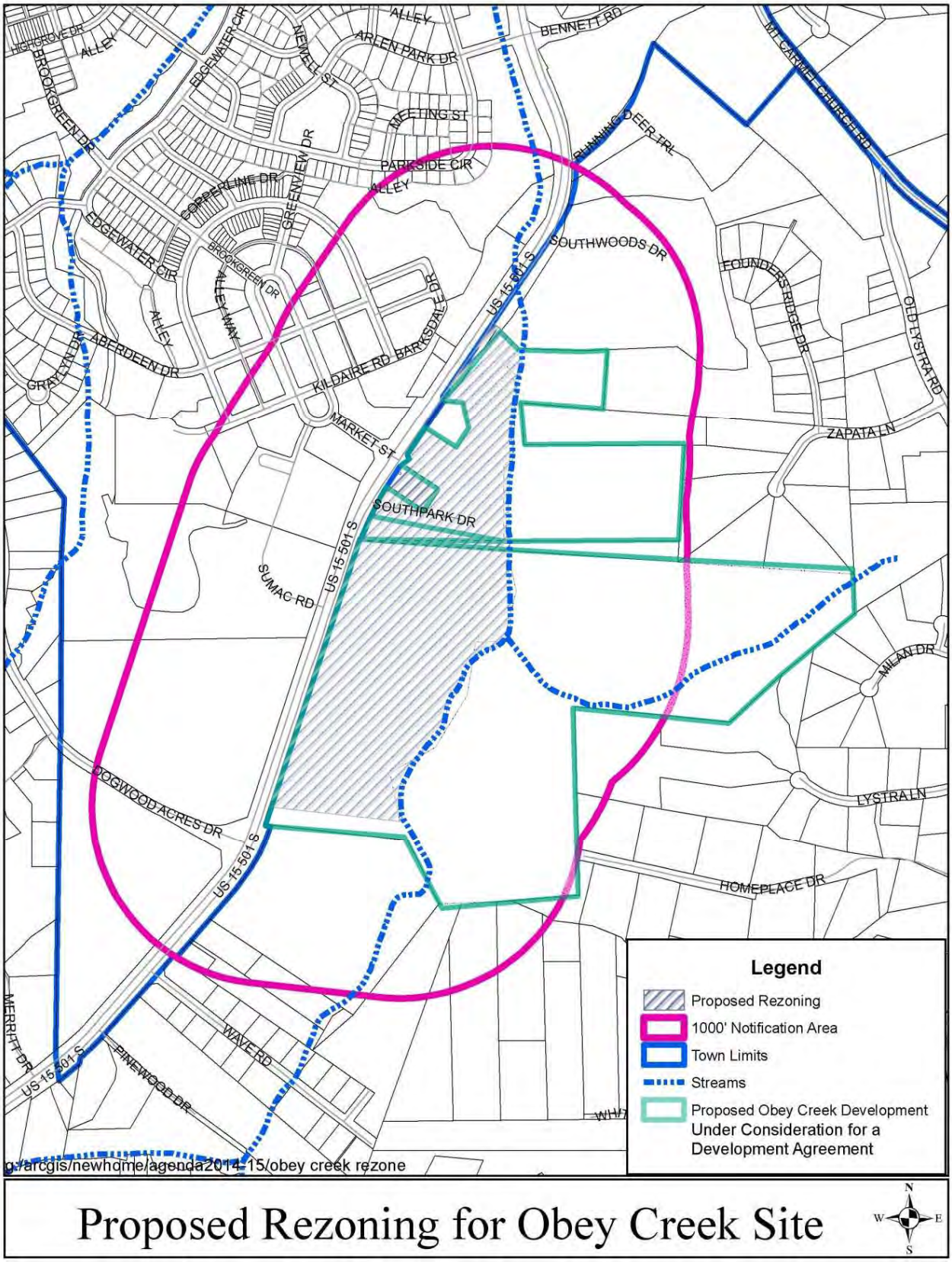
A RESOLUTION DENYING AN APPLICATION FOR A ZONING ATLAS AMENDMENT FOR A PORTION OF THE OBEY CREEK DEVELOPMENT (PINS 9787-13-0667, 9787-14-4852, 9787-24-1209, and 9787-14-1770) (2015-__-__/R-)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for a portion of the Obey Creek development on US Highway 15-501 to amend the Zoning Atlas to rezone property described below from Residential-Low Density 1 (R-LD1) and Neighborhood Commercial (NC) to Development Agreement-1 (DA-1) and fails to find that the amendment:

a) corrects a manifest error in the chapter; or
b) is justified because of changed or changing conditions in the area of the rezoning site or the community in general; or
c) achieves the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the application of the Obey Creek development on US Highway 15-501, to amend the Zoning Atlas to rezone a portion of the property identified now or formerly Orange County Parcel Identifier Numbers 9787-13-0667, 9787-14-4852, 9787-24-1209, and 9787-14-1770 that is currently zoned Residential-Low Density 1 (R-LD1) and Neighborhood Commercial (NC) and located on US Highway 15-501, and shall not be rezoned to Development Agreement-1. The description of the entire property is indicated on the attached map.

This is the ___ day of ____, 2015.


HIGHGROVE DR
ALLEY
BROOKGREEN DR
EDGEWATER CIR
NEWELL ST
ALLEY
ARLEN PARK DR
BENNETT RD
MT CARMEL CHURCH RD
MEETING ST
PARKSIDE CIR
ALLEY
GREENVIEW DR
FORBES LINE DR
PLANTING DEER TRL
SOUTHWOODS DR
US 15-501 S
FOUNDERS RIDGE DR
OLD LYSTRA RD
EDGEWATER CIR
BROOKGREEN DR
ALLEY WAY
ALLEY
GRAYLYN DR
ABERDEEN DR
KILDAIRE RD
BARKSDALE DR
MARKET ST
ZAPATA LN
SOUTHPARK DR
SUMAC RD
US 15-501 S
MILAN DR
DOGWOOD ACRES DR
US 15-501 S
LYSTRA LN
HOMEPLACE DR
MERRITT DR
US 15-501 S
PINEWOOD DR
WAVE RD
g:/arcgis/newhdme/agenda2014-15/obey creek rezone
Legend
Proposed Rezoning
1000' Notification Area
Town Limits
Streams
Proposed Obey Creek Development
Under Consideration for a
Development Agreement
Proposed Rezoning for Obey Creek Site
N
W
E
S

ZONING ATLAS AMENDMENT APPLICATION

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

Parcel Identifier Number (PIN): 9787130667, 9787144852 (Obey Creek Ventures) 9787241209 (Town of Chapel Hill), 9787141770 (Mueller Partnership) Date: March 3, 2015

Section A: Project Information

Project Name: Obey Creek

Property Address: Hwy. 15/501 Chapel Hill, NC Zip Code: 27517

Use Groups (A, B, and/or C): A, B, C Existing Zoning District: R-LD 1 & NC

Project Description: Mixed-Use Development under consideration for a Development Agreement
Zoning District DA-1 requested

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

Applicant Information (to whom correspondence will be mailed)

Name: Ben Perry c/o East West Partners Management Co., Inc.

Address: 1450 Environ Way NC

City: Chapel Hill State: NC Zip Code: 27517

Phone: 919-929-0660 Email: bperry@ewp-nc.com

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

Signature: [signature] Date: 3/2/15

Owner/Contract Purchaser Information:

☒ **Owner** ☒ **Contract Purchaser**

Name: Obey Creek Ventures, LLC

Address: 1 Olympic Place, Suite 1210

City: Towson State: MD Zip Code: 21204

Phone: 410-427-6700 Email: cwattles@cavesvalleypartners.com

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

Signature: [signature] Date: 3/2/15

9787130667 (Obey Creek Ventures)
9787144852 (Obey Creek Ventures)
9787241209 (Town of Chapel Hill)
Parcel Identifier Number (PIN): 9787141770 (Mueller Partnership)

ZONING ATLAS AMENDMENT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department

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

X	**Application fee** (refer to fee schedule)	Amount Paid $ 3,719.00
X	**Pre-Application Meeting – with appropriate staff**	
X	**Digital Files** - provide digital files of all plans and documents	
X	**Mailing list of owners of property within 1,000 feet perimeter of subject property** (see GIS notification tool)	
X	**Mailing fee for above mailing list**	Amount Paid $ 110.11
X	**Written Narrative describing the proposal**	143 ENTRIES X $0.77
X	**Statement of Justification**	
X	**Digital photos of site and surrounding properties**	
X	**Legal description of property to be rezoned**	
n/a	**Phasing Plan (if applicable) indicating phasing boundaries and phasing notes**	
x	**Reduced Site Plan Set (reduced to 8.5"x11")**	

Plan Sets (10 copies to be submitted no larger than 24”x36”)

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

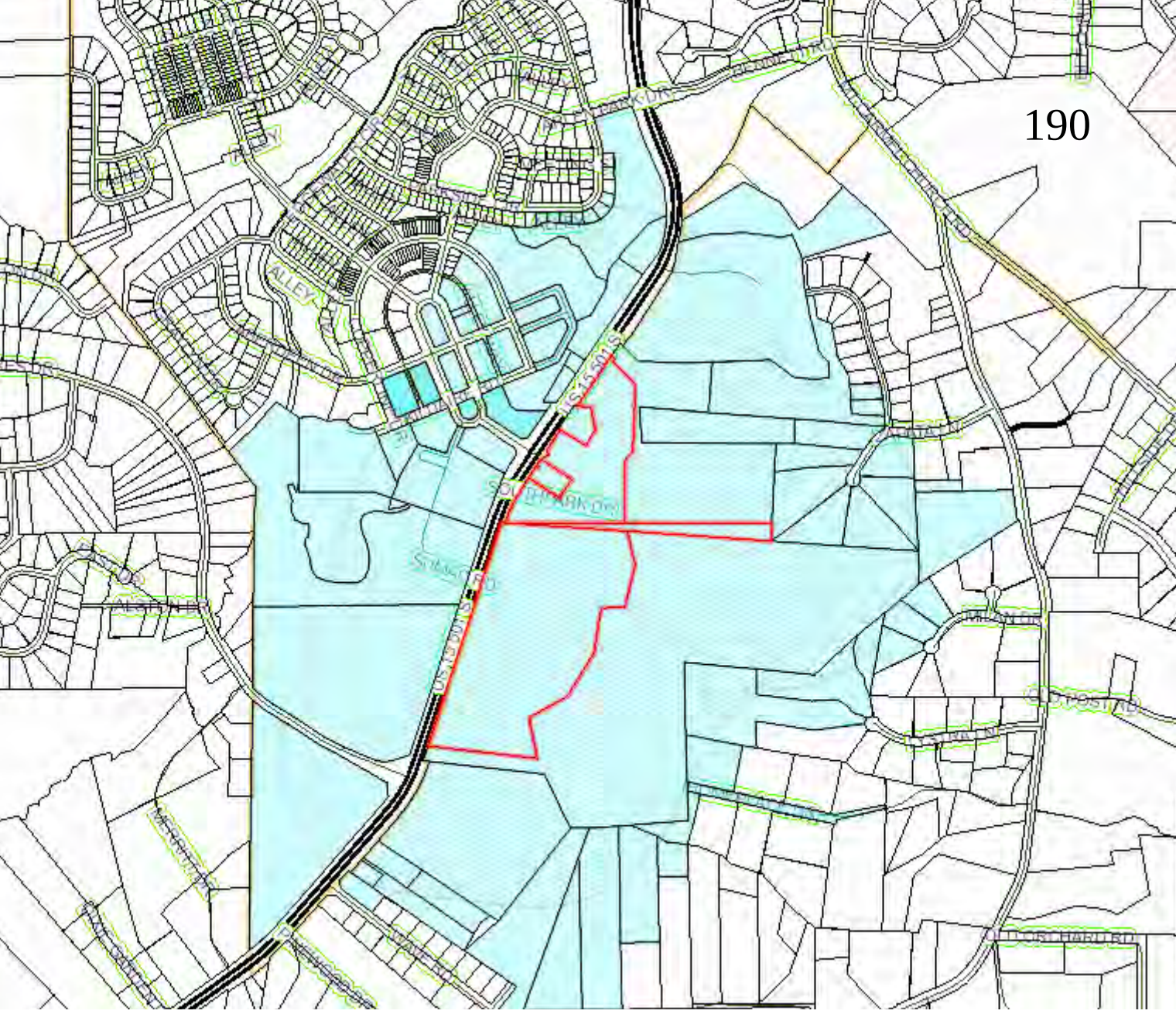
- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where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

Area Map

a) Project name, applicant, contact information, location, PIN, & legend
b) Dedicated open space, parks, greenways
c) Overlay Districts, if applicable
d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
e) 1,000 foot notification boundary

Revised 02.04.14

Parcel Identifier Number (PIN): 9787130667 (Obey Creek Ventures)
9787144852 (Obey Creek Ventures)
9787241209 (Town of Chapel Hill)
9787141770 (Mueller Partnership)


US 15-501 S
SOUTH PARK DR
OLD POST RD
OLD ORCHARD RD

Obey Creek

Zoning Text Amendment

March 11, 2015



Vicinity Map

DEVELOPER & APPLICANT:
East West Partners Mangement Co. Inc.
1450 Environ Way
Chapel Hill, NC 27517
Contact: Ben Perry
(919) 929-0660
bperry@ewp-nc.com

Sheet Index

Z-0.0 Cover Sheet
Z-1.0 Area Map
Z-2.0 Photos of Surrounding Properties
Z-3.0 Zoning Exhibit

SCOTT MURRAY LAND PLANNING, INC.
Principal Office:
1450 Environ Way
Chapel Hill, NC 27517
Virginia Office:
274 Botetourt Court
Boydton, Virginia 23917
252.213.9501
stmlandplan.com
Landscape Architecture | Environmental Design | Project Management

Developer:

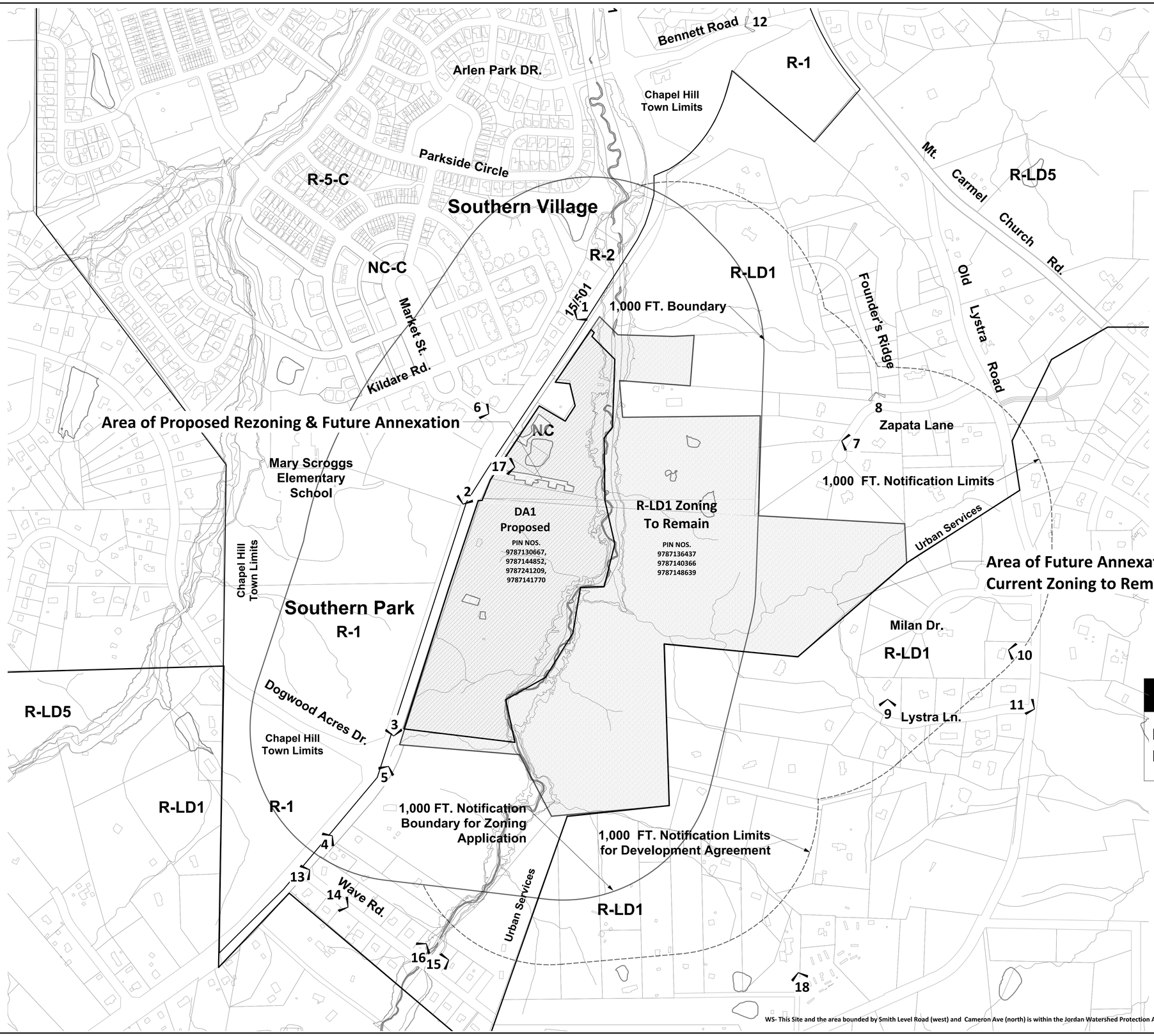
east west partners
1450 Environ Way
Chapel Hill, NC 27517

Obey Creek
Chapel Hill, North Carolina

191

Engineering and Stormwater Consultant:
McAdams
P.O. Box 14005
Research Triangle Park
NC 27709
2905 Meridian Parkway
Durham, NC 27713

Z-0.0



WS- This Site and the area bounded by Smith Level Road (west) and Cameron Ave (north) is within the Jordan Watershed Protection Area.

SCOTT MURRAY
LAND PLANNING, INC.

Principal Office:
1450 Environ Way
Chapel Hill, NC 27517

Virginia Office:
274 Botetourt Court
Boydton, Virginia 23917

252.213.9501
stmlandplan.com

Landscape Architecture | Environmental Design | Project Management

Developer:

east west partners

1450 Environ Way
Chapel Hill, NC 27517

Obey Creek

Chapel Hill, North Carolina

192

Area Map

Engineering and Stormwater Consultant:

McADAMS

P.O. Box 14005
Research Triangle Park
NC 27709

2905 Meridian Parkway
Durham, NC 27713

No.	Date:	Issue Notes:

Design Firm:

Scott Murray Land Planning, Inc.
1450 Environ Way Chapel Hill, NC 27517
252-213-9501 434-689-2925 (fax)
www. stmlandplan.com
smurray@stmlandplan.com

CAD File:

Scale: AS SHOWN

Date:

Drawn By: STM

Drawing No.: na

Z-1.0

of



1 - Looking South on 15/501
Towards Southern Village
Village Entrance



2 - Looking South Towards Dogwood Acres Dr.
Intersection
South Park Athletic Field on Right



9 - Home Along Lystra Lane Looking North



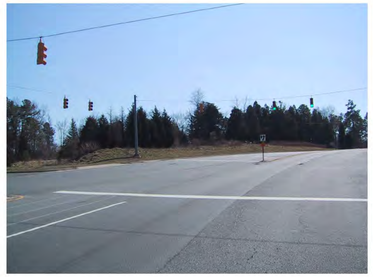
10 - Merrit School On Old Lystra Rd.
Looking West



18 - White Rock Church Off Old Lystra Rd.



16 - Wilson Creek Looking
North From Wave Rd.



3 - Looking South Through Dogwood Acres Dr.
Intersection
Jaynes Property on Left



4 - Looking North Through
Dogwood Acres Dr. Intersection



11 - Old Sparrow Farm On Old Lystra Rd.



12 - Looking West Along Bennett Rd. Towards Southern
Village North Entrance



5 - Looking North
Through Dogwood Acres Dr. Intersection - South Park
Athletic Field On Left



6 - Looking East Through 15/501
From Southern Village Village
Entrance



13 - Home At Intersection of
15/501 and Wave Rd.



14 - Looking East Down Wave Rd.



7 - Homes Along Zapata Lane
Looking West



8 - Homes Along Founders Ridge Looking North



15 - Wilson Creek from Existing Crossing



17 - Home Across From Intersection Of
Southern Village
Village Entrance Looking West

SCOTT MURRAY
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Chapel Hill, NC 27517

Virginia Office:
274 Botetourt Court
Boydton, Virginia 23917

252.213.9501
stmlandplan.com

Landscape Architecture | Environmental Design | Project Management

Developer:

east west partners

1450 Environ Way
Chapel Hill, NC 27517

Obey Creek

Chapel Hill, North Carolina

193 Photos of Surrounding Property

Engineering and Stormwater Consultant:

McAdams

P.O. Box 14005
Research Triangle Park
NC 27709

2905 Meridian Parkway
Durham, NC 27713

No.	Date:	Issue Notes:

Design Firm:

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smurray@stmlandplan.com

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Scale: AS SHOWN

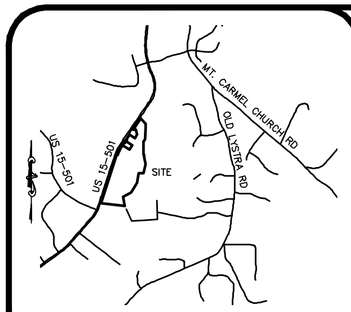
Date:

Drawn By: STM

Drawing No.: na

Z-2.0

of



VICINITY MAP
NOT TO SCALE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN) ; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN) ; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 42,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

_____ DAY OF _____, A.D. 20__.

_____
RONALD T. FREDERICK PLS L-4720

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(c)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

_____
RONALD T. FREDERICK PLS L-4720

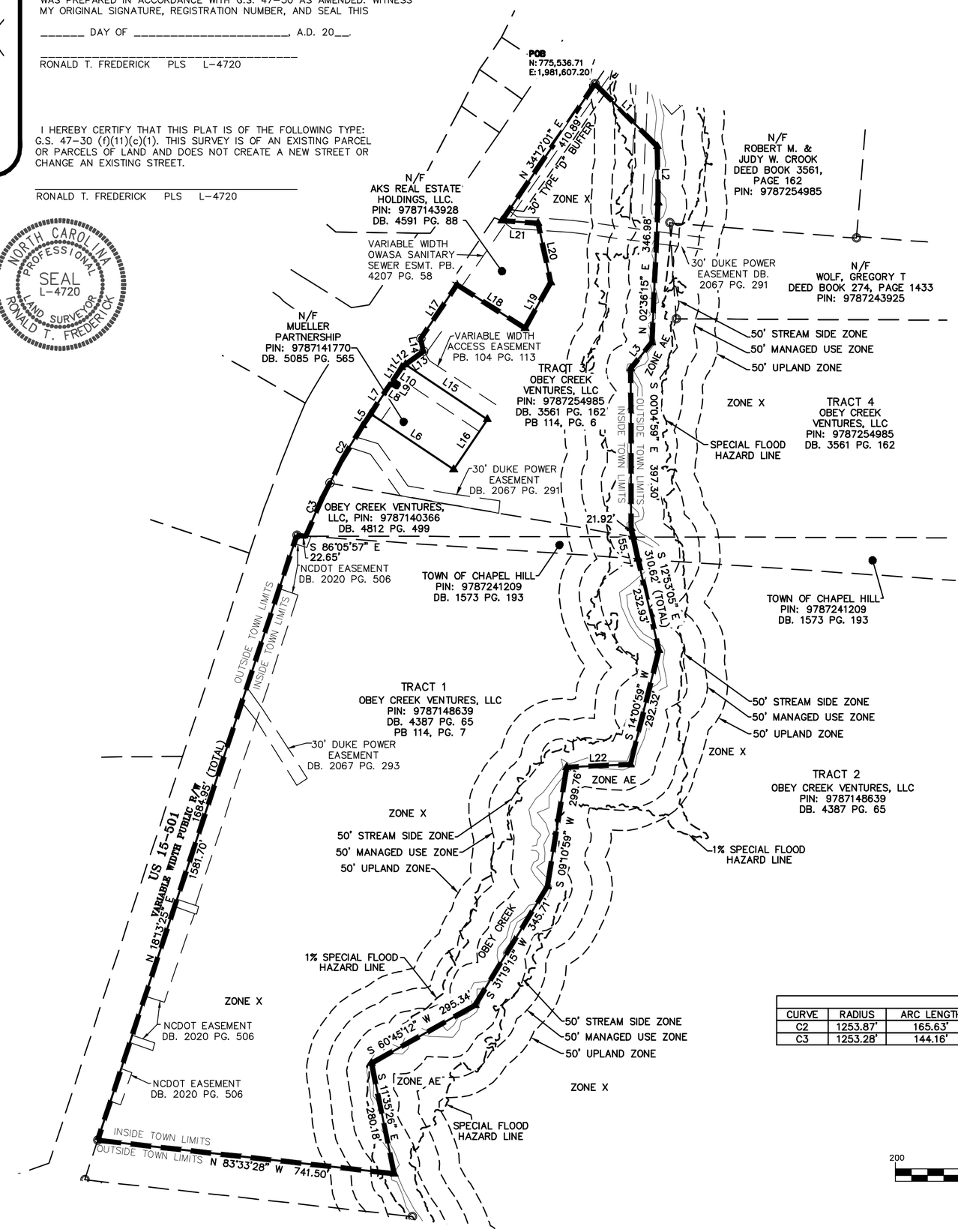
NORTH CAROLINA PROFESSIONAL SEAL L-4720 LAND SURVEYOR RONALD T. FREDERICK

LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- CALCULATED POINT
- XXXX ADDRESS
- ZONING LINE

ZONING MAP CHANGE
NOT FOR
CONVEYANCES OR SALES

AREA OF
ZONING MAP CHANGE
42.44 ACRES



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°56'37" E	220.00'
L2	S 00°49'22" E	139.63'
L3	S 38°45'27" W	83.38'
L5	N 33°41'49" E	35.05'
L6	S 56°08'42" E	248.37'
L7	N 33°20'07" E	89.56'
L8	S 56°39'53" E	16.40'
L9	N 33°20'37" E	9.84'
L10	N 56°39'53" W	15.48'
L11	N 33°20'07" E	39.37'
L12	N 53°33'37" E	11.86'
L13	N 53°53'33" E	54.77'
L14	N 11°13'12" W	32.43'
L15	S 56°08'41" E	244.71'
L16	S 33°51'18" W	149.94'
L17	N 33°45'23" E	161.13'
L18	S 57°32'03" E	200.97'
L19	N 29°19'27" E	130.53'
L20	N 12°09'52" W	150.15'
L21	N 85°44'29" W	90.04'
L22	S 87°25'42" W	158.42'

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C2	1253.87'	165.63'	N 29°55'09" E	165.51'	7°34'06"	82.94'
C3	1253.28'	144.16'	N 24°15'57" E	144.08'	6°35'25"	72.16'

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

SHEET 1 OF 1

THE JOHN R. McADAMS COMPANY, INC.
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REVISIONS:
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OBEY CREEK
ZONING EXHIBIT
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

ZONING EXHIBIT

PROJECT NO.	EWP13040
FILENAME:	EWP13040-F3
SURVEYED BY:	RTF
DRAWN BY:	KMM
SCALE:	1"=200'
DATE:	2015-03-03

Z-3.0

McADAMS

X:\Projects\EWP\EWP-13040 Obey Creek\Survey\Plats\EWP13040-F3 Zoning.dwg, 3/11/2015 7:06:20 AM, Martin, Katie

TOWN ZONING LIMITS

Beginning at an iron pipe on the eastern right of way of US 15-501, having NC Grid coordinates N:**775,536.71, E:1,981,607.20,** the **Point of Beginning**; thence leaving said right of way South 44°56'37" East a distance of 220.00 feet to a point; thence South 00°49'22" East a distance of 139.63 feet to a point; thence South 02°36'15" West a distance of 346.98 feet to a point; thence South 38°45'27" West a distance of 83.38 feet to a point; thence South 00°04'59" East a distance of 397.30 feet to a point; thence South 12°53'05" East a distance of 310.62 feet to a point; thence South 14°00'59" West a distance of 292.32 feet to a point thence South 87°25'42" West a distance of 158.42 feet to a point; thence South 09°10'59" West a distance of 299.76 feet to a point; thence South 31°19'15" West a distance of 345.71 feet to a point; thence South 60°45'12" West a distance of 295.34 feet to a point; thence South 11°35'26" East a distance of 280.18 feet to a point; thence North 83°33'28" West a distance of 741.50 feet to an iron pipe on the right of way of US 15-501; thence with said right of way North 18°13'25" East a distance of 1581.78 feet to an iron pipe; thence South 86°05'57" East a distance of 22.65 feet to a right of way monument; thence with a curve to the right a radius of 1253.28 feet, an arc length of 144.16 feet, a chord bearing of North 24°15'57" East, and a distance of 144.08 feet to an iron pipe; thence with a curve to the right a radius of 1253.87 feet, an arc length of 165.63 feet, a chord bearing of North 29°55'09" East, and a distance of 165.51 feet to a point; thence North 33°41'49" East a distance of 35.05 feet to a point; thence North 33°20'07" East a distance of 89.56 feet to a monument; thence leaving said right of way South 56°39'53" East a distance of 16.40 feet to a monument; thence North 33°20'37" East a distance of 9.84 feet to a right of way monument; thence North 56°39'53" West a distance of 15.48 feet to a monument on the right of way of US 15-501; thence with said right of way North 33°20'07" East a distance of 39.37 feet to a point; thence North 53°33'37" East a distance of 11.86 feet to a point; thence North 53°53'33" East a distance of 54.77 feet to an iron pipe; thence North 11°13'12" West a distance of 32.43 feet to an iron pipe; thence North 33°45'23" East a distance of 161.13 feet to a point; thence leaving said right of way South 57°32'03" East a distance of 200.97 feet to a point; thence North 29°19'27" East a distance of 130.53 feet to a point; thence North 12°09'52" West a distance of 150.15 feet to a point; thence North 85°44'29" West a distance of 90.04 feet to a point on the right of way of US 15-501; thence with said right of way North 34°12'01" East a distance of 410.89 feet to the **Point of Beginning**, containing 42.44 acres.

Obey Creek

Chapel Hill, North Carolina

Statement of Justification

Zoning Amendment

March 4, 2015

east west partners

"The objective of the DA-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment."…

…"Applicants proposing that property be zoned DA-1 must submit a long-range development plan and supporting analysis at the time of petition for rezoning to this district."

(Town of Chapel Hill Land Use Management Ordinance – Proposed DA-1 District)

The Town's Land Use Management Ordinance identifies three possible justifications for amending the Town's Zoning Atlas: a) to correct a manifest error, or b) because of changed or changing conditions in a particular area or in the jurisdiction generally, or c) to achieve the purposes of the comprehensive plan. zoning. We believe that the requested change in zoning for this property to the proposed Development Agreement-1 (DA-1) is justified and necessary to "achieve the purposes of the comprehensive plan". We offer the following in support of the Goals of the 2020 Comprehensive Plan and the General and Area-Specific Principles that are articulated in the Comprehensive Plan specifically for the South 15-501 Focus Area (in which this property is located). A Long Range Development Plan and Design Guidelines specific to Obey Creek accompany this application for a Zoning Atlas Amendment.

ACHIEVING THE PURPOSES OF THE 2020 COMPREHENSIVE PLAN

CHAPEL HILL 2020 COMPREHENSIVE PLAN

The Chapel Hill 2020 Comprehensive Plan articulates in Chapter 3: Themes and Goals, four themes and accompanying goals that are important to the community. The proposed rezoning of this property to Development Agreement-1, which will allow execution and implementation of a Development Agreement as proposed in the accompanying Long Range Development Plan and Design Guidelines for the proposed Obey Creek development, will promote achievement of these Comprehensive Plan purposes as described below.



A Place for everyone:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Goal PFE.1)
- A creative place to live, work, and play because of Chapel Hill's arts and culture (PFE.2)
- A range of housing options for current and future residents (PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- A community of high civic engagement and participation (PFE.5)

Obey Creek will enhance the quality of life for all Chapel Hill residents by providing shopping, dining, and living choices in a mixed use, urban environment that respects the natural environment while providing vital support to the Town's economic sustainability. Designed to be compact in form, Obey Creek will reinforce this important "gateway" into Town by presenting a streetscape

of lively exterior spaces and streetscapes surrounded by exemplary urban architecture. Strong linkages to Southern Village and the Town's Park & Ride Lot will create a connectivity and synergy that fosters a high level of community activity and civic engagement within Southern Chapel Hill. Creative workplaces, unique and exciting indoor/outdoor living and shopping areas and acres of natural forest preserve define the Village of Obey Creek. The Obey Creek Design Guidelines provide Land Use and Planning Principals that insure the high level of planning, design and execution that is essential for lasting urban places and spaces.



Community Prosperity and Engagement:

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

Obey Creek fulfills an opportunity to provide much needed amenities for the south side of town and complement the existing land uses in and around Southern Village. Critical linkages to Southern Village via the Greenway Gateway Bridge, connect through the Town's Park & Ride lot and its potential future mixed-use redevelopment. The resulting critical mass will serve to create a commercial destination that captures retail outflow to Chatham County while at the same time enhancing the prosperity of the existing businesses of Southern Village. The compact urban form of Obey Creek maximizes the efficiencies and limits the usage of Town services and will spark an atmosphere of community engagement by infusing shopping, work and living spaces with important public/civic spaces.



Getting Around:

- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and other public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Connect to a comprehensive regional transportation system (GA.3)
- Make an adaptable transportation system to support both dense and suburban development (GA.4)
- Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (Goal GA.5)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (GA.6)

- Incorporate street planning into zoning code (GA.7)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal GA.8)

Obey Creek is the logical next step for development within the 15-501 urban services corridor. It will incorporate a myriad of smart growth strategies including increased cycling infrastructure, increased transit use, greater walkability, more housing options for market rate and senior living, sustainable site planning and natural resource management, engaging human scaled architecture, and street oriented large and small retail shops. Critical linkages to the Fan Branch Greenway are integral components in the plans for Obey Creek as are pedestrian ways along active sidewalk spaces and over 8,000 lf of natural surface trails. The compact nature of Obey Creek supports the use of the existing CHT and TTA mass transit systems, providing convenient access to regional destinations for area residents. This compactness and diversity of services will effectively reduce the need for outside trips further mitigating the impact that this growth will have on the region's transportation system. Over 80 acres of the 125 acre Obey Creek parcel will be preserved as conservation land and a potential site for a future school.



Good Places, New spaces:

- Low density, green Rural Buffers that exclude urban development and minimize sprawl (GPNS.1)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (GPNS.2)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (GPNS.4)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents,
- visitors, and students (GPNS.5)
- A community that welcomes and supports change and creativity (Goal GPNS.6)
- Open and accessible common spaces for community gathering, cultural uses, and community development (GPNS.7)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)

Diversity, Vibrancy and Sustainability will define Obey Creek. Active tree-lined retail streets form the core district where Highland Park will provide a high-energy urban focus to this southern gateway to Town. Highland Park's accessibility to all persons defines its character and solidifies its importance as the heart of the Southern Chapel Hill community. Obey Creek is located in close proximity to the expanding UNC hospital campus and as such becomes a southern hub to the Town's bus lines, bikeways and greenways. A network of alternative transportation options coupled with new shopping, work and living opportunities is what will insure that Obey Creek fulfills the vision of the Town's Good Places, New Spaces goal.



Nurturing Our Community:

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (NOC.2);
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (NOC.8)
- Become a model for North Carolina and beyond in wisely and justly reducing waste in a way that minimizes local environmental impact without imposing upon the environmental and social rights of others (NOC.1)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. These spaces could include, among other things, Significant Natural Heritage Areas (SNHA) lands adjacent to and connecting various properties such as riparian lands, etc. (NOC.3)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (NOC.4)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (NOC.5)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (NOC.6)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (NOC.7)

The Design Guidelines and Standards set forth in the Development Agreement for Obey Creek establish new standards for the protection of the ecological resources of the site. Standards that insure natural resource protection occur in multiple forms. Specific design standards established to protect against stormwater runoff, noise and light pollution and to enhance water quality are achieved through state-of-the-art technical design and engineering practices included in the Design Guidelines and Development Agreement. These standards meet or exceed all current Town of Chapel Hill and Jordan Lake Buffer standards.

Other means to protect the ecology and neighboring properties against the impacts of development and to nurture our community are achieved through planning principals integrated into the design for Obey Creek.

The modified grid of bikeways and walkable streets are interconnected with the bikeway systems identified in the Towns Greenways Master Plan enhancing the ease of access and fostering their use.

The proposed Wilson Creek Preserve will dedicate over 80 acres of the 125 acre site as open space with a portion potentially being reserved for a future school site. A hands-off approach to

protecting the Wilson Creek Preserve will forever protect this important stand of mature hardwoods, streams and habitat. Restoration of the former strip mining area will stabilize eroding slopes and provide a means to balance earthwork on-site reducing the need for over-the-road transport of materials. This large natural public park area will combine with Highland Park, Wilson Creek Park and smaller pocket parks within Obey Creek to provide a diverse system of open space for the Town's residents.

Providing a sufficient density of diverse land uses into this compact form insures both a level of walkability and vibrancy that cannot be achieved with more modest land use densities. This compactness adds viability to a network of alternative, clean transportation options that are both accessible and convenient helping to reduce noise and air pollution and to minimize the community's total carbon footprint.

On-site community garden(s), recycling programs and activities that focus on health, fitness and group participation will serve to foster a sense of civic pride and responsibility for Obey Creek residents.



Town and Gown Collaboration:

- Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (TGC.1)
- Improve and expand access to the arts, culture, and intellectual pursuits for both the University and the Town (TGC.2)
- The University and Town will collaborate to improve downtown parking options that support business, cultural, and academic purposes (TGC.3)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (TGC.4)
- The University, the UNC Health Care System, and the Town will coordinate closely to manage development in ways that respect history, traditions, and the environment while fostering revitalization and innovation (TGC.5)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (TGC.6)

Obey Creek's location in close proximity to the UNC Campus and Hospital make it uniquely situated to provide work place and housing options. Obey Creek will explore these opportunities and work to fulfill needs that help to support these goals.

ACHIEVING THE VISION OF THE FUTURE LAND USE PLAN

The Chapel Hill Comprehensive Plan also includes a future Land Use Plan that sets goals for future land use, and identifies six Focus Areas for detailed policy articulation. One of those six identified areas is a South 15-501 Focus Area, which includes this property proposed for rezoning. The Plan lists General and Area-Specific Principles for consideration as land use changes are proposed. The Plan calls for urban-type mixed-use development on the exact property being proposed here for rezoning to a district that would allow such development. The Plan also calls for maintenance of the urban-rural boundary that has been in place in this area for 25 years, designations with which this proposed rezoning aligns. Following are the principles in the Plan, and comments about how this proposed rezoning is consistent with each one.

General Principles

1. Preserve and enhance natural resources (make public) including water quality and stormwater.

This rezoning, and execution of a Development Agreement which the rezoning would enable, offer the opportunity to preserve a large natural area in a permanent conservation and open it for public use. By concentrating development on a small portion of a much larger property, impervious surfaces can be minimized and there will be opportunity to incorporate innovative stormwater strategies and green building practices.

2. Recognize and honor the spirit of the Southern Small Area Plan from early 1990s.

The Southern Small Area Plan calls for strict adherence to a land use pattern determined by the Urban Services Boundary that was negotiated between Chapel Hill, Carrboro, and Orange County. That boundary will remain intact with this rezoning. The 1990's Small Area Plan had a goal to minimize and/or avoid a sprawling, low-density single-family residential pattern that was appearing imminent, and instead achieve compact development in mixed-use patterns, along with preservation of large tracts of undisturbed open space. This rezoning will serve to promote land use patterns that are consistent with and support the Urban Services Boundary concept, that promote compact, mixed-use development, while preserving large tracts of open space in perpetuity.

3. Ensure that there is significant community process and community benefit in all future development plans.

Regarding Process: Consideration of a possible Development Agreement and rezoning of this property has been accompanied by multiple opportunities for public engagement and a thorough review of development concepts by the Town and a citizen's "Compass Committee" over a period spanning multiple years.

Regarding Benefits: Community benefits associated with this proposed rezoning include: i) increased commercial tax base, ii) increase in affordable housing, iii) large preservation of open space, iv) additional retail services, and v) multiple public gathering spaces, among others.

4. Minimize traffic impact on neighborhoods surrounding the study area.
The Town of Chapel Hill commissioned preparation of a full traffic impact analysis on development concepts for this property. This analysis helps to determine appropriate traffic mitigations and improvements that can be included in development plans for the property proposed here for rezoning.

5. Minimize the impact of development on schools.
The proposed rezoning will allow a compact development pattern with emphasis on multi-family and age restricted housing, which will generate far fewer school-age children than an alternate emphasis on single-family home construction.

6. Plan collaboratively for the 15-501 corridor with Orange County and Chatham County (including transit planning).
Rezoning of the property as proposed will allow compact development that is conducive to service by public transportation, in a manner that provides opportunity for future transit options in conjunction with Orange and Chatham Counties.

7. Improve connectivity of bike/pedestrian among neighborhoods, schools, community facilities, and parks.
Rezoning of the property as proposed will enhance opportunities for bicycle and pedestrian facilities, with an emphasis on connectivity. The on-site greenways will help to connect an incomplete bike and pedestrian network and a bike and pedestrian bridge over 15-501 will provide safe and convenient access to the Southern Area Park, Mary Scroggs Elementary and Southern Village to those living and working on the east side of 15-501.

8. Plan for increased use of transit.
Rezoning of the property as proposed will allow compact development that is conducive to service by public transportation and is intended to provide an additional north-bound bus stop along the property frontage.

9. Preserve and enhance the "Green Gateway"
Rezoning of the property as proposed will allow compact development accompanied by rows of shade trees and other landscaping between the highway and development.

10. Respond to demonstrated needs of the greater Chapel Hill community.
Rezoning of the property as proposed will promote goals in the Town's Retail Market Analysis, Office Market Analysis, Affordable Housing Strategy, Transit Master Plan and Greenways Master Plan.

Area-Specific Principles

1) Meet community needs with new development (mixed use) focused on commercial rather than residential.
Rezoning of the property as proposed will allow a commercial driven project that appropriately mixes uses and offers a variety of residential housing options (for sale and for rent) to complement the commercial uses and surrounding neighborhoods.

2) Promote architectural diversity and quality with design guidelines.
Rezoning of the property as proposed offers the opportunity to design an architecturally diverse project that responds to design guidelines in the 2020 Comprehensive Plan.

3) Emulate design principles of market area of Southern Village, including building height restrictions.
Rezoning of the property as proposed will allow compact development that is conducive to a village-style Main Street through the middle of the property with ground-floor retail and office and residential uses above, as is the case in Southern Village. The design guidelines prescribe building height maximums for different areas of the project.

4) Promote greenways, particularly along and near creeks.
Rezoning of the property as proposed will allow completion of a large portion of the Greenways Master Plan by creating paths along Wilson Creek, along with significant walking and biking trails through the dedicated open space of the larger property.

5) Utilize clustered, compact development to maximize open space preservation.
Rezoning of the property as proposed will allow placing extensive adjacent areas into permanent conservation.

6) Provide corridor buffer along 15-501, allowing for visibility and access to retail or commercial development.
Rezoning of the property as proposed will allow village-style commercial buildings along 15-501 and multiple view corridors and entries into the property where additional commercial uses can be located.

7) Encourage clustered retail development including any new development toward the county line.
Rezoning of the property as proposed will allow compact development that is clustered around a Main Street-type of development pattern.

8) Maximize permanent preservation of open space.
Rezoning of the property as proposed will allow compact development accompanied by permanent preservation of adjacent open space.

We believe that a clear conclusion emerges that this proposed rezoning is consistent with and will help to achieve the purposes of the Chapel Hill 2020 Comprehensive Plan.



Obey Creek

Chapel Hill, North Carolina

Developer's Program/Written Narrative

Zoning Amendment

March 4, 2015

east west partners

- Obey Creek will connect communities along the southern gateway to Chapel Hill and will enhance prosperity among local area businesses.

- Obey Creek will create an active, dynamic public realm that will be welcoming to all.

- Obey Creek will have a long term beneficial impact on the Town's tax base through increased commercial taxes, sales taxes, compact residential development patterns, and contributions to public open space and amenities.

- Obey Creek will create a synergistic mix of uses to include retail stores, restaurants, a grocery store, market rate residential dwelling units, independent living senior residences, affordable housing options, hotel, commercial office buildings, and parks and open spaces.

- Obey Creek will achieve significant reductions in energy consumption, carbon footprint, water consumption, and automobile trips compared to accepted baseline standards.

- Obey Creek will create buildings and open spaces that engage pedestrians and occupants with exemplary contemporary design that is human scaled, richly textured, and specific to its place.

The driving principle behind the vision for Obey Creek is 'long term sustainability'. Long term sustainability is the balance of economic, social, environmental and cultural concerns in a manner that enables uses to adapt over time to meet changing demands. The principle systems that provide for a sustainable and resilient community revolve around a robust retail shopping environment, interconnected pedestrian and multi-modal vehicular circulation patterns, storm water management systems, energy management systems, civic spaces and parks, and open space areas.

The long-range development plan for Obey Creek illustrates a proposed interconnected pattern for development. Of key importance is the interconnectivity within an urban streetscape along with connections to adjacent Southern Village, Southern Park, and the Town Park and Ride Lot. This pattern of clustered uses enables the preservation of a significant natural area that helps to balance urban lifestyle. The development proposed focuses on a vibrant main street of commercial, hotel, civic and entertainment uses. Supportive workplace offices and residential uses are proposed to be located predominately above the commercial main street. Small pocket parks located strategically throughout the community will supplement the 82 acre Wilson Creek Preserve. Obey Creek is designed to meet community needs through a mix of commercial and residential uses. Emphasis on commercial uses will serve to increase the Town's commercial tax base while minimizing the impact on surrounding schools.

In order to balance the community needs and desires and to ensure a successful development and long-term economic sustainability, the ranges of minimum and maximum floor areas for each use category as described below are proposed for the development.

Uses and Floor Area Ranges					
	Total Floor Area	**Residential**	**Commercial/ Retail**	**Office**	**Hotel**
Minimum	640,000 sq. ft.	250 units 290,000-330,000 sq. ft.	200,000 sq. ft.	150,000 sq. ft.	N/A
Maximum	East West Partners has agreed to not exceed 1.6 million sq. ft.	800 units Sq. ft. not specified	475,000 sq. ft.	600,000 sq. ft.	400 rooms and ancillary space

The Development Agreement and Long-Range Development Plan include specifics related to development intensities, mitigation of impacts, energy standards and engineering technical standards. Design Guidelines also are included that articulate the approach to massing, building typologies, materials and architectural design. Combined these documents provide a framework for Town approval of all development activities and ensure that the buildings, streetscapes, and open spaces of Obey Creek fulfill the vision and expectations of Chapel Hill.

End

PIN	PINSTATUS	OWNER_TYPE	IOFLAG	OWNER1_LAST
9787053344.020	ACTIVE	null		RODRIGUEZ
9787053344.021	ACTIVE	null		BAIN
9787053344.022	ACTIVE	null		GOTHAM
9787053344.013	ACTIVE	null		CASTILLO
9787053344.018	ACTIVE	null		SAWITZ PROPERTIES LLC
9787053344.007	ACTIVE	null		DUCK
9787053344.008	ACTIVE	null		BEVAN
9787053344.009	ACTIVE	null		NOBLES
9787053344.002	ACTIVE	null		TBV
9787053344.003	ACTIVE	null		TBV
9787053344.004	ACTIVE	null		BEISSER
9787053344.005	ACTIVE	null		PEREZ
9787052207.003	ACTIVE	null		HAWORTH
9787052207.004	ACTIVE	null	YES	WAGNER
9787052207.005	ACTIVE	null		PEACOCK
9787052207.006	ACTIVE	null		CALIKOGLU
9787052207.035	ACTIVE	null		BURNS
9787052207.036	ACTIVE	null		BACHMAN
9787052207.025	ACTIVE	null		HAMAGUCHI
9787052207.026	ACTIVE	null		WOODIN
9787052207.019	ACTIVE	null		WAHEED FAMILY LTD PARTNERSHIP
9787052207.020	ACTIVE	null		DELGADILLO
9787052207.021	ACTIVE	null		PALMER
9787052207.022	ACTIVE	null	YES	POWELL
9787052207.023	ACTIVE	null		RUEF
9787053344.019	ACTIVE	null		REZVANI
9787053344.014	ACTIVE	null		ROWLEY
9787053344.015	ACTIVE	null		SAWITZ PROPERTIES LLC
9787053344.016	ACTIVE	null		MCCLAIN
9787053344.017	ACTIVE	null		MISTRETTA
9787053344.010	ACTIVE	null		SOLEO
9787052207.016	ACTIVE	null	YES	MCALLISTER
9787052207.017	ACTIVE	null		MONTGOMERY
9787052207.018	ACTIVE	null		SKINNER
9787052207.007	ACTIVE	null	YES	LAU
9787052207.012	ACTIVE	null		HARRISS
9787044829.001	ACTIVE	null		HERITAGE II
9787053344.011	ACTIVE	null		MIXON
9787053344.012	ACTIVE	null		STOKES
9787053344.001	ACTIVE	null		TBV
9787053344.006	ACTIVE	null		RUSSELL

9787052207.001	ACTIVE	null		PHILLIP G NORTON MANAGEMENT TRUST
9787052207.002	ACTIVE	null		BRYANT
9787052207.031	ACTIVE	null		TEPLIN
9787052207.032	ACTIVE	null		JOHNSTON
9787052207.033	ACTIVE	null		WIENER
9787052207.034	ACTIVE	null		KAHN
9787052207.027	ACTIVE	null		NEVIUS
9787052207.028	ACTIVE	null		ELLIS
9787052207.029	ACTIVE	null		TEIGLAND
9787052207.030	ACTIVE	null		PAYDARFAR
9787052207.024	ACTIVE	null		DEBECK
9787052207.013	ACTIVE	null		REZVANI
9787052207.014	ACTIVE	null		REZVANI
9787052207.015	ACTIVE	null		PANDARINATH
9787052207.008	ACTIVE	null		BROOKS
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9787052207.010	ACTIVE	null		ELDER
9787052207.011	ACTIVE	null		CHAO
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9787047000.002	ACTIVE	null		BUNCH
9787047000.003	ACTIVE	null		ATLAS DEVELOPMENT COMPANY
9787047000.001	ACTIVE	null	YES	WHISNANT
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9787163318.000	ACTIVE	null	YES	AHALT
9787162338.000	ACTIVE	null	YES	FALDOWSKI
9787161369.000	ACTIVE	null		LARSEN
9787164474.000	ACTIVE	null		ALLEN
9787264510.000	ACTIVE	null		CROOK
9787160389.000	ACTIVE	null	YES	BANSAL
9787333397.000	ACTIVE	null		GEISSINGER
9787168210.000	ACTIVE	null		MAGER

9787165510.000	ACTIVE	null		PICKENS
9787059287.000	ACTIVE	null		SOUTHERN VILLAGE
9787166860.000	ACTIVE	null		SOUTHERN VILLAGE MASTER ASSOC
9787055943.000	ACTIVE	null		S V CENTER
9787056725.000	ACTIVE	null		S V CENTER
9787220114.000	ACTIVE	null		ELINOFF
9787012876.000	ACTIVE	null		VERKERK
9787258255.000	ACTIVE	null		CHANCELLORS VIEW HOMEOWNERS
9787053252.000	ACTIVE	null		S V CENTER
9787055432.000	ACTIVE	null		S V CENTER
9787344763.000	ACTIVE	null	YES	VAN
9777948803.000	ACTIVE	null		ORANGE
9787046740.000	ACTIVE	null		CHRIST UNITED METHODIST CHURCH OF
9787143928.000	ACTIVE	null		AKS REAL ESTATE HOLDINGS
9787141770.000	ACTIVE	null		MUELLER PARTNERSHIP
9787344441.000	ACTIVE	null		KAKEFUDA
9787337826.000	ACTIVE	null		MASK
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9787059287.000	ACTIVE	null		SOUTHERN VILLAGE
9787155865.000	ACTIVE	null		SV HOTEL LLC
9787152463.000	ACTIVE	null		JAMES E ALLEN ALPHA RENTALS
9787043525.000	ACTIVE	null		CHRIST UNITED METHODIST CHURCH OF
9787336703.000	ACTIVE	null		MASK
9787013692.000	ACTIVE	null		GLENN
9787054714.000	ACTIVE	null		MARKET STREET ASSOCIATION
9787055893.000	ACTIVE	null		S V CENTER
9777947348.000	ACTIVE	null		CHAPEL HILL CARRBORO CITY BOARD
9787342361.000	ACTIVE	null		OVERBECK

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9787353128.000	ACTIVE	null	YES	JAVAN
9787248438.000	ACTIVE	null	YES	STRAUSS
9787161113.000	ACTIVE	null		SOUTHERN VILLAGE
9787151289.000	ACTIVE	null		JAMES E ALLEN ALPHA RENTALS
9787119734.000	ACTIVE	null	YES	ATWATER
9787111349.000	ACTIVE	null		CHU
9787045638.000	ACTIVE	null		CHAPEL HILL TOWN
9787041512.000	ACTIVE	null		CHAPEL HILL DAY
9787228267.000	ACTIVE	null		SPAUGH
9787223577.000	ACTIVE	null		GROSSMITTL LLC
9777937966.000	ACTIVE	null		CHAPEL HILL TOWN
9787341846.000	ACTIVE	null	YES	NEWALL
9787254985.000	ACTIVE	null	YES	CROOK
9787130667.000	ACTIVE	null		OBEY CREEK VENTURES LLC
9787347585.000	ACTIVE	null		WOOLMAN
9787044829.000	null	null		null
9787238844.000	ACTIVE	null		OBEY CREEK VENTURES LLC
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9787010873.000	ACTIVE	null		GRAHAM
9787016682.000	ACTIVE	null		SMITH
9787010667.000	ACTIVE	null		AH KUOI
9787353219.000	ACTIVE	null		WREDE
9787340320.000	ACTIVE	null		WILCOX
9777937092.000	ACTIVE	null		CHAPEL HILL TOWN
9787144852.000	ACTIVE	null		OBEY CREEK VENTURES LLC

9787150721.000	ACTIVE	null		SOUTHERN VILLAGE APARTMENTS LLC
9787161113.000	ACTIVE	null		SOUTHERN VILLAGE
9787047000.000	null	null		null
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9787249722.000	ACTIVE	null		PATWARDHAN
9787335544.000	ACTIVE	null		MASK
9777926176.000	ACTIVE	null		CHAPEL HILL TOWN
9787114116.000	ACTIVE	null		CRAIG
9787226838.000	ACTIVE	null		RAUCHBACH
9787349370.000	ACTIVE	null		PHILLIPS
9787028120.000	ACTIVE	null	YES	JAYNES
9787222143.000	ACTIVE	null		SPAUGH
9787244637.000	ACTIVE	null		OBEY CREEK VENTURES LLC
9787243925.000	ACTIVE	null		WOLF

OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS1
ARMANDO	RODRIGUEZ	CONSTANCE W	1527 MORNING DOVE LOOP SOUTH
YVONNE W	BAIN	E EUGENE	P O BOX 53574
DANNY J			700-219 MARKET ST
DENISE			118 THARRINGTON DR
null	null	null	104 SAN MATEO PL
MARY P	null	null	700 MARKET ST #204
BONNIE SCHAEFER	null	null	82 SAXAPAHAW RUN
STACY GLENN	null	null	803 CHESWOLD CT
LLC	null	null	400 MARKET ST
LLC	null	null	400 MARKET ST
STEVE	BEISSER	LISA	603 EDGEWATER CR
JACQUELINE			700-202 MARKET ST
W LANCE	HAWORTH	LETITIA	701 COPPERLINE DR #103
JEFFREY	BRAVEBOY-WAGNER	JACQUELINE A	65 WARNER RD
SUSAN	null	null	710 N DAVIDSON
ALI S	CALIKOGLU	MUGE G	203 ORCHARD LN
SUSAN J			703-307 COPPERLINE DR
MATTHEW B	null	null	703-308 COPPERLINE DR
CARA ANN M	HAMAGUCHI	ZENIN	703-205 COPPERLINE DR
ROBERT A	WOODIN	LESLIE M	703-206 COPPERLINE DR
null	null	null	100 HELMS DR
SIEGRID	DELGADILLO	ROGELIO	701 COPPERLINE DR
LENA B			703 COPPERLINE DR UNIT 201
CAMERON W ETAL	POWELL	JENNIFER A	5825 RIDGEVIEW RD
MARTIN	RUEF	JENNIFER M	703-203 COPPERLINE DR
AMIR	REZVANI	SHALA	101 SHEFFIELD CIRCLE
BRIDGETT			6211 WRIGHTSVILLE AVE APT 133
null	null	null	104 SAN MATEO PL
ARNOLD TODD			57801 OWEN
MARK ANDREW	null	null	2024 TALKING ROCK DR
SUSAN M			700-207 MARKET ST
RUSSELL	MCALLISTER	ANN	P O BOX 4057
ROBERT	MONTGOMERY	SUSAN	7317 MILL RIDGE RD
LYNNE MICHELLE			UNIT 306
DANIEL C	K HIAT	ANTHONY L	701-203 COPPERLINE DR
THOMAS M	null	null	701 COPPERLINE DR #208
LLC			PO BOX 3342
KATHRYN E	null	null	700-208 MARKET ST
BETTY L	null	null	700 MARKET ST
LLC	null	null	400 MARKET ST
DAVID A			700 MARKET ST 203

null	null	null	1166 CHAIN BRIDGE RD
GREGORY	BRYANT	LINDA	12459 WORLD CUP LN
SARI	null	null	514 BAYBERRY DR
LAWRENCE F			703-304 COPPERLINE DR
LAURA E	null	null	703-305 COPPERLINE DR
GARY	null	null	703 COPPERLINE DR #306
ELIZABETH Q			703 COPPERLINE DR UNIT 207
HOLLIS E	ELLIS	MARY C	703 COPPERLINE DR #208
CHRIS M			700 HUNGERFORD DR
LILA Y TRUSTEE	null	null	24765 CROWN ROYALE
KARLA			100 MIRAMAR PL
AMIR	REZVANI	SHAHLA	101 SHEFFIELD CIR
AMIR	REZVANI	SHAHLA	101 SHEFFIELD CR
GUPTA	PANDARINATH	AMARA	207 BECKINGHAM LOOP
PHILIP L	BROOKS	MARTHA C	67 NEW RHODODENDRON
RACHEL F HRS	null	null	611 W MAIN ST
ELIZABETH GRACE			105 TIMBERLYNE CT
HANN HSIANG	null	null	701-207 COPPERLINE DR
JAMES H	WILHELM	CYNTHIA L	802 CEDAR FALLS RD
WILLIAM H	BUNCH	DONNA O	601 LAKE HOGAN LANE
null	null	null	PO BOX 858
THOMAS S ETAL	WHISNANT	CYNTHIA	106-C S GREENSBORO ST
WENDY K	null	null	111 PARKSIDE CIR
STANLEY	AHALT	PATRICIA	201 PARKSIDE CR
RICHARD A	HONG	GUI YOUNG	203 PARKSIDE CIR
ROBERT	LARSEN	PENNY	205 PARKSIDE CR
WILLIAM L	ALLEN	CAROL R	109 PARKSIDE CR
JUDY W	CROOK	ROBERT M	10 SOUTHWOODS DR
SIDHARTH	PATEL	SHIPRA	207 PARKSIDE CIR
LADNOR D	GEISSINGER	SHIRLEY	1105 OLD LYSTRA RD
SELA	MAGER	CARMELA	110 JASMINE CT

STANTON M	null	null	2416 DAIRYLAND RD
APARTMENTS LLC	null	null	701 GREEN VALLEY RD
INC			710 MARKET ST #21
LLC	null	null	400 MARKET ST #115
LLC	null	null	400 MARKET ST
TIMOTHY WILLIAM	ELINOFF	AMY C	900 WHITE ROCK CHURCH RD
DOROTHY	null	null	1423 HWY 15-501 SOUTH
ASSOCIATION INC	null	null	PO BOX 17042
LLC	null	null	400 MARKET ST
LLC	null	null	400 MARKET ST #115
CAPELLE LISA M	LYNCH	ROBERT C	201 ZAPATA LN
COUNTY			PO BOX 8181
CHAPEL HILL			800 MARKET ST
LLC	null	null	50101 GOVERNORS DR
null	null	null	228 KIRKWOOD DR
GENICHI	KAKEFUDA	MARY S	203 ZAPATA LANE
DEIRDRE V	MASK	ALLEN G	1123 OLD LYSTRA RD
DALE A	OWENS	CANDY	910 LYSTRA LN
APARTMENTS LLC	null	null	701 GREEN VALLEY RD
null	null	null	400 MARKET ST
LLC			706 GREENWOOD RD
CHAPEL HILL			800 MARKET ST
DEIRDRE V	MASK	ALLEN G	1123 OLD LYSTRA RD
JAMES H			1437 US 15-501 S
INC			400 MARKET ST #200
LLC	null	null	400 MARKET ST #115
OF EDUCATION			LINCOLN CTR MERRITT MILL RD
GREGORY	OVERBECK	CARLA	205 ZAPATA LANE

APARTMENTS LLC	null	null	701 GREEN VALLEY RD
APARTMENTS LLC	null	null	701 GREEN VALLEY RD
null	null	null	null
null	null	null	null
AKBAR F	JAVAN	HEIDI M	101 FOUNDERS RIDGE DR
ROBERT A	JANNELLI	MARY L	204 ZAPATA LN
APARTMENTS LLC	null	null	701 GREEN VALLEY RD
LLC			706 GREENWOOD RD
ALBERTA J ETAL	ATWATER	CARL	201 GRANITE RIDGE RD
HERBERT			3312 FRIENDSHIP RD
OF			405 MARTIN LUTHER KING JR BLVD
CARE			CENTER
BETH B TRUSTEE	null	null	100 CHASE AVE
null	null	null	900 LYSTRA LN
OF			405 MARTIN LUTHER KING JR BLVD
JOHN E	NEWALL	JENNIFER L	200 ZAPATA LANE
JUDY W	CROOK	ROBERT M	10 SOUTHWOODS DR
null	null	null	1 OLYMPIC PLACE, STE. 1210
ARON J	WOOLMAN	LISA J	105 ZAPATA LN
null	null	null	null
null	null	null	1 OLYMPIC PLACE, STE. 1210
OF			405 MARTIN LUTHER KING JR BLVD
BARBARA Y	null	null	1702 MICHAUX ROAD
ELIZABETH R	null	null	1412 US 15-501 S
BARBARA J	AH KUOI	ISIDORE	1016 WAVE RD
JOHN G			105 FOUNDERS RIDGE DR
RICHARD E	WILCOX	SANDY S	206 ZAPATA LANE
OF			MUNICIPAL BUILDING
null	null	null	1 OLYMPIC PLACE, STE. 1210

null	null	null	701 GREEN VALLEY RD
APARTMENTS LLC	null	null	701 GREEN VALLEY RD
null	null	null	null
CLYDE HRS	null	null	1634 OLD LYSTRA RD
ANIRUDDHA S	PATWARDHAN	SNEHAL A	202 ZAPATA LANE
DEIRDRE V	MASK	ALLEN G	1123 OLD LYSTRA RD
OF			MUNICIPAL BUILDING
P H JR			7503 SUNRISE RD
ANN			900 LYSTRA LANE
MARION	PHILLIPS	MARY J	1101 OLD LYSTRA RD
JOHN E	CHIANESE	CATHERINE J	1411 US 15 501 S
BETH B TRUSTEE	null	null	100 CHASE AVE
null	null	null	1 OLYMPIC PLACE, STE. 1210
GREGORY T			602 LAUREL HILL RD

ADDRESS2	CITY	STATE	ZIPCODE	TOWNSHIP	SIZE	UOM
null	LAKELAND	FL	33809	7	1	L
	FAYETTEVILLE	NC	28305	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	275164419	7	1	L
null	CHAPEL HILL	NC	27514	7	1	L
null	Chapel Hill	NC	27516	7	1	L
null	CHAPEL HILL	NC	27516	7	1	L
null	CHESTERBROOK	PA	19087	7	1	L
SUITE 115	CHAPEL HILL	NC	27516	7	1	L
SUITE 115	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	CHAPEL HILL	NC	27516	7	1	L
	HUNTINGTON	NY	11743	7	1	L
null	CHARLOTTE	NC	28202	7	1	L
	CARRBORO	NC	27510	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	Chapel Hill	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	GOLDSBORO	NC	27530	7	1	L
UNIT 308	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	275164489	7	1	L
null	DURHAM	NC	27712	7	1	L
null	Chapel Hill	NC	27516	7	1	L
	CHAPEL HILL	NC	27514	7	1	L
700-211 MARKET ST	WILLMINGTON	NC	284033863	7	1	L
null	CHAPEL HILL	NC	27514	7	1	L
	CHAPEL HILL	NC	275178313	7	1	L
null	CARY	NC	27519	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
	PINEHURST	NC	28374	7	1	L
null	RALEIGH	NC	27613	7	1	L
303 PARKSIDE CIR	CHAPEL HILL	NC	275169177	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	Chapel Hill	NC	27516	7	1	L
	CHAPEL HILL	NC	27515	7	1	L
null	CHAPLE HILL	NC	27516	7	1	L
UNIT 209	CHAPEL HILL	NC	275169473	7	1	L
SUITE 115	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L

null	MCLEAN	VA	221012216	7	1	L
	WELLINGTON	FL	33414	7	1	L
null	Chapel Hill	NC	27517	7	1	L
	CHAPEL HILL	NC	275164490	7	1	L
null	CHAPEL HILL	NC	27516	7	1	L
null	CHAPEL HILL	NC	27516	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	Chapel Hill	NC	27516	7	1	L
	CHARLOTTE	NC	28207	7	1	L
null	LAGUNA NIGUEL	CA	92677	7	1	L
	CHAPEL HILL	NC	27517	7	1	L
	CHAPEL HILL	NC	275176514	7	1	L
	CHAPEL HILL	NC	27514	7	1	L
	CARY	NC	27519	7	1	L
	CHAPEL HILL	NC	27517	7	1	L
null	WASHINGTON	NC	27889	7	1	L
	CHAPEL HILL	NC	275141520	7	1	L
null	Chapel Hill	NC	27516	7	1	L
	CHAPEL HILL	NC	27514	7	1	L
	CHAPEL HILL	NC	27516	7	1	L
null	GOLDSBORO	NC	27533	7	1	L
null	CARRBORO	NC	27510	7	1	L
null	Chapel Hill	NC	27516	7	0.2	A
	CHAPEL HILL	NC	27516	7	0.15	A
null	CHAPEL HILL	NC	27516	7	0.13	A
	CHAPEL HILL	NC	275169171	7	0.13	A
	CHAPEL HILL	NC	275169167	7	0.19	A
null	CHAPEL HILL	NC	27517	7	7.75	A
null	CHAPEL HILL	NC	27516	7	0.14	A
	CHAPEL HILL	NC	27517	7	1.3	A
null	Carrboro	NC	27510	7	1.14	A

null	CHAPEL HILL	NC	27516	7	0.17	A
null	GREENSBORO	NC	27408	7	5.14	A
	CHAPEL HILL	NC	27516	7	9.06	A
null	CHAPEL HILL	NC	27516	7	0.63	A
SUITE 115	CHAPEL HILL	NC	27516	7	0.42	A
	CHAPEL HILL	NC	27517	7	1.12	A
null	CHAPEL HILL	NC	27517	7	1.35	A
null	Chapel Hill	NC	27516	7	8.725	A
SUITE 115	CHAPEL HILL	NC	27516	7	0.845	A
null	CHAPEL HILL	NC	27516	7	0.76	A
	CHAPEL HILL	NC	27514	7	1.88	A
	HILLSBOROUGH	NC	27278	7	6.75	A
	CHAPEL HILL	NC	27516	7	1.57	A
STE 280	CHAPEL HILL	NC	27517	7	0.92	A
null	Chapel Hill	NC	27514	7	0.85	A
	CHAPEL HILL	NC	275177742	7	2.32	A
	CHAPEL HILL	NC	275179167	7	1.28	A
	CHAPEL HILL	NC	275177731	7	4.14	A
null	GREENSBORO	NC	27408	7	5.14	A
STE 103	CHAPEL HILL	NC	27516	7	2.63	A
	CHAPEL HILL	NC	27514	7	0.28	A
	CHAPEL HILL	NC	27514	7	1.33	A
	CHAPEL HILL	NC	275179167	7	1.41	A
	CHAPEL HILL	NC	27517	7	2.27	A
	CHAPEL HILL	NC	27516	7	0.79	A
null	CHAPEL HILL	NC	27516	7	0.14	A
	CHAPEL HILL	NC	27516	7	6.3	A
	CHAPEL HILL	NC	275177742	7	2.55	A

null	GREENSBORO	NC	27408	7	9.81	A
null	GREENSBORO	NC	27408	7	5.14	A
null	null	null	null	null	NaN	null
null	null	null	null	null	NaN	null
null	CHAPEL HILL	NC	27517	7	0.527	A
	CHAPEL HILL	NC	275177743	7	3.37	A
null	GREENSBORO	NC	27408	7	9.81	A
	CHAPEL HILL	NC	275145923	7	0.7525	A
	CHAPEL HILL	NC	27516	7	4.53	A
	APEX	NC	27502	7	9.3	A
	CHAPEL HILL	NC	27514	7	6.44	A
401 KILDAIRE RD	CHAPEL HILL	NC	27516	7	1.28	A
null	CHAPEL HILL	NC	27514	7	1	L
C/O BEEMER HADLER AND WILLETT	Chapel Hill	NC	27517	7	2.61	A
	CHAPEL HILL	NC	27514	7	22.38	A
	CHAPEL HILL	NC	275147743	7	2	A
	CHAPEL HILL	NC	27517	7	21.585	A
null	TOWSON	MD	21204	7	30.05	A
null	Chapel Hill	NC	27517	7	1	L
null	null	null	null	null	NaN	null
null	TOWSON	MD	21204	7	59.77	A
	CHAPEL HILL	NC	27514	7	2.41	A
null	Chapel Hill	NC	27514	7	0.44	A
null	Chapel Hill	NC	27517	7	2	A
null	Chapel Hill	NC	27517	7	0.91	A
	CHAPEL HILL	NC	27516	7	0.515	A
	CHAPEL HILL	NC	275177743	7	2.39	A
405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514	7	27.782	A
null	TOWSON	MD	21204	7	10.93	A

null	GREENSBORO	NC	27408	7	1.71	A
null	GREENSBORO	NC	27408	7	9.81	A
null	null	null	null	null	NaN	null
null	CHAPEL HILL	NC	27517	7	5.97	A
	CHAPEL HILL	NC	275177743	7	2	A
	CHAPEL HILL	NC	275179167	7	1.31	A
405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514	7	20.918	A
	CHAPEL HILL	NC	275149718	7	4.65	A
	CHAPEL HILL	NC	275177731	7	8.5	A
	CHAPEL HILL	NC	27517	7	6.42	A
null	Chapel Hill	NC	27517	7	19.13	A
null	CHAPEL HILL	NC	27514	7	1	L
null	TOWSON	MD	21204	7	16.85	A
	CHAPEL HILL	NC	275144214	7	4.64	A

CALC_ACRES	SUBCODE	LEGAL_DESC	RATECODE
NaN	10080	#217 MARKET LOFTS P90/52-58	22
NaN	10080	#218 MARKET LOFTS P90/52-58	22
NaN	10080	#219 MARKET LOFTS P90/52-58	22
NaN	10080	#210 MARKET LOFTS P90/52-58	22
NaN	10080	215 MARKET LOFTS P90/52-58	22
NaN	10080	204 MARKET LOFTS CONDO P90/52-58	22
NaN	10080	#205 MARKET LOFTS P90/52-58	22
NaN	10080	#206 MARKET LOFTS P90/52-58	22
NaN	10080	#102 MARKET LOFTS P90/52-58	22
NaN	10080	#103 MARKET LOFTS P90/52-58	22
NaN	10080	#201 MARKET LOFTS P90/52-58	22
NaN	10080	#202 MARKET LOFTS P90/52-58	22
NaN	10031	103-701 COPPERLINE SQUARE P82/160	22
NaN	10031	104-701 COPPERLINE SQ P82/160	22
NaN	10031	201-701 COPPERLINE SQ P82/160	22
NaN	10031	202-701 COPPERLINE SQ P82/160	22
NaN	10031	#307-703 COPPERLINE SQ P82/160	22
NaN	10031	308-703 COPPERLINE SQUARE P82/160	22
NaN	10031	205-703 COPPERLINE SQ P82/160	22
NaN	10031	206-703 COPPERLINE SQ P82/160	22
NaN	10031	307-701 COPPERLINE SQUARE P82/160	22
NaN	10031	308-701 COPPERLINE SQ P82/160	22
NaN	10031	201-703 COPPERLINE SQ P82/160	22
NaN	10031	202-703 COPPERLINE SQ P82/160	22
NaN	10031	203-703 COPPERLINE SQUARE P82/160	22
NaN	10080	#216 MARKET LOFTS P90/52-58	22
NaN	10080	#211 MARKET LOFTS P90/52-58	22
NaN	10080	212 MARKET LOFTS P90/52-58	22
NaN	10080	#213 MARKET LOFTS P90/52-58	22
NaN	10080	#214 MARKET LOFTS P90/52-58	22
NaN	10080	#207 MARKET LOFTS P90/52-58	22
NaN	10031	304-701 COPPERLINE SQ P82/160	22
NaN	10031	305-701 COPPERLINE SQ P82/160	22
NaN	10031	306-701 COPPERLINE SQ P82/160	22
NaN	10031	203-701 COPPERLINE SQ P82/160	22
NaN	10031	208-701 COPPERLINE SQUARE P82/160	22
NaN	10165	UNIT 100 THE ISLAND AT S V P99/114-118	22
NaN	10080	208 MARKET LOFTS P90/52-58	22
NaN	10080	#209 MARKET LOFTS P90/52-58	22
NaN	10080	#101 MARKET LOFTS P90/52-58	22
NaN	10080	203 MARKET LOFTS P90/52-58	22

NaN	10031	101-701 COPPERLINE SQUARE P82/160	22
NaN	10031	102-701 COPPERLINE SQ P82/160	22
NaN	10031	303-703 COPPERLINE SQ P82/160	22
NaN	10031	304-703 COPPERLINE SQ P82/160	22
NaN	10031	305-703 COPPERLINE SQUARE P82/160	22
NaN	10031	306-703 COPPERLINE SQUARE P82/160	22
NaN	10031	207-703 COPPERLINE SQ P82/160	22
NaN	10031	208-703 COPPERLINE SQUARE P82/160	22
NaN	10031	301-703 COPPERLINE SQ P82/160	22
NaN	10031	302-703 COPPERLINE SQUARE P82/160	22
NaN	10031	204-703 COPPERLINE SQ P82/160	22
NaN	10031	301-701 COPPERLINE SQ P82/160	22
NaN	10031	302-701 COPPERLINE SQ P82/160	22
NaN	10031	303-701 COPPERLINE SQ P82/160	22
NaN	10031	204-701 COPPERLINE SQ P82/160	22
NaN	10031	205-701 COPPERLINE SQUARE P82/160	22
NaN	10031	206-701 COPPERLINE SQ P82/160	22
NaN	10031	207-701 COPPERLINE SQUARE P82/160	22
NaN	10165	UNIT 200 THE ISLAND AT S V P99/114-118	22
NaN	10160	#10002 HERITAGE SOUTHERN VLG OFFICE CONDO P97/137-143	22
NaN	10160	10004 HERITAGE SOUTHERN VILLAGE OFFICE CONDO P97/137-143	22
NaN	10160	10000 HERITAGE SOUTHERN VILLAGE OFFICE CONDO P97/137-143	22
0.2	2856	55 PH 1A 1D 1F SOUTHERN VILLAGE P71/177	22
0.15	2856	56 PH 1A 1D 1F SOUTHERN VILLAGE P71/178	22
0.13	2856	57 PH 1A 1D 1F SOUTHERN VILLAGE P71/178	22
0.13	2856	#58 PH 1A 1D 1F SOUTHERN VILLAGE P71/178	22
0.19	2856	#54 PH 1A 1D 1F SOUTHERN VILLAGE P71/177	22
7.75	null	4 REC ROBERT & JUDY CROOK P111/143	17
0.14	2856	59 PH 1A 1D 1F SOUTHERN VILLAGE P71/178	22
1.36	null	W/O OLD LYSTRA RD	17
1.49	null	W/S HWY 15-501 SOUTH	22

0.17	2856	#53 PH 1A 1D 1F SOUTHERN VILLAGE P71/177	22
4.76	null	1A-1C SOUTHERN VILLAGE APARTMENTS P110/175 & 1D SOUTHERN VILLAGE APARTMENTS P111/122	22
8.9	null	COMMON AREA SOUTHERN VILLAGE	22
0.63	2855	#7C PH 5 VILLAGE CORE P86/61	22
0.41	2855	#7A PH 5 VILLAGE CORE P86/61	22
1.09	null	N/O 4 LAURA ATWATER	17
1.25	null	MAJ P/O 1 REC PENDERGRAFT P61/160	17
8.63	3086	OS C CHANCELLORS VIEW P100/106	17
0.84	2855	#6 PH 4 VILLAGE CORE P77/53	22
0.75	null	#12 PH 7 VILLAGE CORE P85/168	22
1.81	2681	#1 ZAPATA LANE P78/31	17
6.4	null	#A-B REC COUNTY OF ORNGE P87/164	22
1.62	2855	#2 PH 1A REV VILLAGE CORE P77/25	22
0.91	null	E/S 15-501	17
0.85	null	2 OBEY CREEK VENTURES ETAL P104/113	17
2.25	2681	#2 ZAPATA LANE P78/31	17
1.29	3001	#5 LOGANS GROVE P93/7	17
4.1	2488	#3R WOODHAVEN HLS P72/136	17
4.76	null	1A-1C SOUTHERN VILLAGE APARTMENTS P110/175 & 1D SOUTHERN VILLAGE APARTMENTS P111/122	22
2.63	null	3-R REC S V HOTEL P113/17	22
0.28	null	NW/S HWY 15-501	22
1.39	2855	#3 VILLAGE CORE REV P80/140	22
1.39	3001	#6 LOGANS GROVE P93/7	17
2.27	null	MJ P/O 2 STANLEY TAMPLIN P49/110	17
0.7	2855	#11 PH 7 VILLAGE CORE P85/168	22
0.14	2855	#7B PH 5 VILLAGE CORE P86/61	22
6.33	null	#C REC COUNTY OF ORANGE P87/164	22
2.5	2681	#3 ZAPATA LANE P78/31	17

8.99	null	2B-2C SOUTHERN VILLAGE APARTMENTS & 2A-R SOUTHERN VILLAGE APARTMENTS P111/122	22
4.76	null	1A-1C SOUTHERN VILLAGE APARTMENTS P110/175 & 1D SOUTHERN VILLAGE APARTMENTS P111/122	22
0.84	null	null	null
1.05	null	null	null
0.53	3086	24 CHANCELLORS VIEW P100/106	17
3.27	2681	#5 ZAPATA LANE P78/31	17
8.99	null	2B-2C SOUTHERN VILLAGE APARTMENTS & 2A-R SOUTHERN VILLAGE APARTMENTS P111/122	22
0.58	null	W/S 15-501 PITTSBORO RD	22
4.6	null	TR 2 HERBERT T ATWATER HRS	17
7.97	2344	OFF SR 2003	17
6.39	null	#2 SOUTHPARK REC P71/9	22
1.3	2855	#5 VILLAGE CORE REV P80/140	22
1.7	2901	60' PRIVATE RD JUNE SPARROW ESTATE P26/196	17
2.65	2901	#5: JUNE A. SPARROW ESTATES	17
22.1	null	W/S US HWY 15-501	22
1.98	2681	#7 ZAPATA LANE P78/31	17
21.08	3081	#3 ROBERT & JUDY CROOK P100/9	17
30.05	null	1 OBEY CREEK P114/7	17
0.57	580	OPEN SPACE PH 2 LYSTRA WDS P38/55	17
0.32	null	null	null
59.7	null	2 OBEY CREEK P114/7	17
2.19	2681	RECREATION AREA ZAPATA LANE P78/31	17
0.45	null	1 STANLEY TAMPLIN P49/110	17
1.98	null	2 REC PENDERGRAFT P61/160	17
0.91	2344	MAJ 1 ROLLING HILLS P10/39	17
0.52	3086	23 CHANCELLORS VIEW P100/106	17
2.36	2681	#4 ZAPATA LANE P78/31	17
24.88	null	NW INT 15-501 & SR 1962	22
10.93	null	3 OBEY CREEK VENTURES P114/6	17

1.71	null	ROADS SOUTHERN VILLAGE APARTMENTS P110/175	22
8.99	null	2B-2C SOUTHERN VILLAGE APARTMENTS & 2A-R SOUTHERN VILLAGE APARTMENTS P111/122	22
1.59	null	null	null
7.27	null	N/O SR 1915	17
2.01	2681	#6 ZAPATA LANE P78/31	17
1.32	3001	#7 LOGANS GROVE P93/7	17
18.95	null	SW INT 15-501 & SR 1962	22
4.68	null	-7 LAURA ATWATER	17
8.4	2488	#2R WOODHAVEN HILLS P72/136	17
6.41	null	#9 PH 3 LYSTRA WOODS P33/22	17
19.32	null	E/S HWY 15-501 P47/47	17
1.18	2901	OPEN SPACE J A SPARROW	17
16.86	null	4 OBEY CREEK VENTURES P114/6	17
4.75	null	E/OF FARRINGTON RD	17

SCHOOL_SYSTEM	LANDVALUE	BLDGVALUE	BLDGCNT	VALUATION	TAXSTATUS
Chapel Hill/Carrboro Schools	51865	130854	1	182719	A
Chapel Hill/Carrboro Schools	51865	130854	1	182719	A
Chapel Hill/Carrboro Schools	50226	128298	1	178524	A
Chapel Hill/Carrboro Schools	91515	190281	1	281796	A
Chapel Hill/Carrboro Schools	53506	133409	1	186915	A
Chapel Hill/Carrboro Schools	50301	131319	1	181620	A1
Chapel Hill/Carrboro Schools	50301	131319	1	181620	A
Chapel Hill/Carrboro Schools	59019	142008	1	201027	A
Chapel Hill/Carrboro Schools	583202	563606	1	1146808	A
Chapel Hill/Carrboro Schools	225990	442648	2	668638	A
Chapel Hill/Carrboro Schools	67816	155539	1	223355	A
Chapel Hill/Carrboro Schools	68261	156259	1	224520	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	127166	1	161595	A1
Chapel Hill/Carrboro Schools	34429	123384	1	157813	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	127166	1	161595	A
Chapel Hill/Carrboro Schools	34429	148940	1	183369	A1
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	51865	124623	1	176488	A
Chapel Hill/Carrboro Schools	93153	193236	1	286389	A
Chapel Hill/Carrboro Schools	106120	210757	1	316877	A
Chapel Hill/Carrboro Schools	83911	180528	1	264439	A
Chapel Hill/Carrboro Schools	51270	129924	1	181194	A
Chapel Hill/Carrboro Schools	79889	174295	1	254184	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	127166	1	161595	A
Chapel Hill/Carrboro Schools	595069	841271	1	1436340	A
Chapel Hill/Carrboro Schools	103734	207297	1	311031	A1
Chapel Hill/Carrboro Schools	91664	200907	1	292571	A
Chapel Hill/Carrboro Schools	517592	596254	1	1113846	A
Chapel Hill/Carrboro Schools	52165	131319	1	183484	A

Chapel Hill/Carrboro Schools	34429	124956	1	159385	A
Chapel Hill/Carrboro Schools	34429	170205	1	204634	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A1
Chapel Hill/Carrboro Schools	34429	123126	1	157555	A
Chapel Hill/Carrboro Schools	34429	123126	1	157555	A1
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A1
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	34429	127166	1	161595	A1
Chapel Hill/Carrboro Schools	34429	127166	1	161595	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
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Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
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Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	130482	1	164911	A
Chapel Hill/Carrboro Schools	34429	172770	1	207199	A
Chapel Hill/Carrboro Schools	592930	578577	1	1171507	A
Chapel Hill/Carrboro Schools	352519	492697	1	845216	A
Chapel Hill/Carrboro Schools	606501	737408	1	1343909	A1
Chapel Hill/Carrboro Schools	537900	707096	1	1244996	A1
Chapel Hill/Carrboro Schools	111726	352466	1	464192	A1
Chapel Hill/Carrboro Schools	112900	384000	1	496900	A
Chapel Hill/Carrboro Schools	112400	362700	1	475100	A
Chapel Hill/Carrboro Schools	111901	389493	1	501394	A
Chapel Hill/Carrboro Schools	112700	390000	1	502700	A
Chapel Hill/Carrboro Schools	80107	84900	2	165007	A
Chapel Hill/Carrboro Schools	112421	428604	1	541025	A1
Chapel Hill/Carrboro Schools	66246	168136	1	234382	A
Chapel Hill/Carrboro Schools	84747	174793	1	259540	A1

Chapel Hill/Carrboro Schools	112905	386821	1	499726	A
Chapel Hill/Carrboro Schools	1783900	8715900	3	10499800	A1
Chapel Hill/Carrboro Schools	4	0	null	4	A
Chapel Hill/Carrboro Schools	549130	7358220	3	7907350	A
Chapel Hill/Carrboro Schools	366087	2472056	4	2838143	A
Chapel Hill/Carrboro Schools	54258	0	null	54258	A
Chapel Hill/Carrboro Schools	74379	75148	1	149527	A
Chapel Hill/Carrboro Schools	5	0	null	5	A
Chapel Hill/Carrboro Schools	810185	4640689	3	5450874	A
Chapel Hill/Carrboro Schools	86117	4890	null	91007	A
Chapel Hill/Carrboro Schools	139901	533216	1	673117	A
Chapel Hill/Carrboro Schools	1453694	0	null	1453694	E
Chapel Hill/Carrboro Schools	472121	902251	5	1374372	A
Chapel Hill/Carrboro Schools	916390	780426	2	1696816	A
Chapel Hill/Carrboro Schools	340000	0	null	340000	A
Chapel Hill/Carrboro Schools	162259	397258	1	559517	A
Chapel Hill/Carrboro Schools	47119	0	null	47119	A
Chapel Hill/Carrboro Schools	138638	817844	1	956482	A
Chapel Hill/Carrboro Schools	1783900	8715900	3	10499800	A1
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Chapel Hill/Carrboro Schools	56813	100961	1	157774	A
Chapel Hill/Carrboro Schools	1159275	1103190	1	2262465	E
Chapel Hill/Carrboro Schools	50834	0	null	50834	A
Chapel Hill/Carrboro Schools	114983	154307	1	269290	A
Chapel Hill/Carrboro Schools	2	0	null	2	A
Chapel Hill/Carrboro Schools	122029	0	null	122029	A
Chapel Hill/Carrboro Schools	411938	0	null	411938	E
Chapel Hill/Carrboro Schools	160855	644163	1	805018	A

Chapel Hill/Carrboro Schools	3404600	11696300	3	15100900	A1
Chapel Hill/Carrboro Schools	1783900	8715900	3	10499800	A1
Orange County Schools	null	null	null	null	null
Orange County Schools	null	null	null	null	null
Chapel Hill/Carrboro Schools	182728	0	null	182728	A
Chapel Hill/Carrboro Schools	203206	596749	1	799955	A
Chapel Hill/Carrboro Schools	3404600	11696300	3	15100900	A1
Chapel Hill/Carrboro Schools	70393	139263	2	209656	A
Chapel Hill/Carrboro Schools	105343	0	null	105343	A
Chapel Hill/Carrboro Schools	41950	0	null	41950	A
Chapel Hill/Carrboro Schools	414968	0	null	414968	E
Chapel Hill/Carrboro Schools	836800	733900	2	1570700	A
Chapel Hill/Carrboro Schools	1	0	null	1	A1
Chapel Hill/Carrboro Schools	103008	250463	1	353471	A
Chapel Hill/Carrboro Schools	975343	0	null	975343	E
Chapel Hill/Carrboro Schools	146900	528900	1	675800	A
Chapel Hill/Carrboro Schools	28125	526160	1	554285	A
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Chapel Hill/Carrboro Schools	1	0	null	1	A1
Orange County Schools	null	null	null	null	null
Chapel Hill/Carrboro Schools	null	null	null	null	null
Chapel Hill/Carrboro Schools	0	0	null	0	E
Chapel Hill/Carrboro Schools	47908	117716	1	165624	A1
Chapel Hill/Carrboro Schools	107116	282648	1	389764	A1
Chapel Hill/Carrboro Schools	75834	107682	1	183516	A
Chapel Hill/Carrboro Schools	219733	0	null	219733	A
Chapel Hill/Carrboro Schools	166974	543174	1	710148	A
Chapel Hill/Carrboro Schools	1211018	0	null	1211018	E
Chapel Hill/Carrboro Schools	null	null	null	null	null

Chapel Hill/Carrboro Schools	1	0	null	1	A
Chapel Hill/Carrboro Schools	3404600	11696300	3	15100900	A1
Orange County Schools	null	null	null	null	null
Chapel Hill/Carrboro Schools	23508	0	null	23508	A
Chapel Hill/Carrboro Schools	146900	545948	1	692848	A
Chapel Hill/Carrboro Schools	47974	0	null	47974	A
Chapel Hill/Carrboro Schools	911627	0	null	911627	E
Chapel Hill/Carrboro Schools	21367	0	null	21367	A
Chapel Hill/Carrboro Schools	245743	865268	1	1111011	A
Chapel Hill/Carrboro Schools	130268	376543	1	506811	A
Chapel Hill/Carrboro Schools	51598	187621	1	239219	A
Chapel Hill/Carrboro Schools	1	0	null	1	A1
Chapel Hill/Carrboro Schools	null	null	null	null	null
Chapel Hill/Carrboro Schools	203418	34495	1	237913	A

FARMUSE	USEVALUE	DEEDREF	LEGALREF	DATESOLD	TAXSTAMPS	STAMPVALUE
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SUBDIVISION_NAME	TOWNSHIP_NAME	SQFT	YEARBUILT	shape.area
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TOWN OF CHAPEL HILL
NORTH CAROLINA

Meeting Date: 05/18/2015
AGENDA #10

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
John Richardson, Planning Manager for Sustainability
Megan Wooley, Community Sustainability Planner

SUBJECT: Public Hearing: Proposed Obey Creek Development Agreement

Recommendation

- Our preliminary recommendation is that the Council open the public hearing and receive arguments in support of and in opposition to the draft Obey Creek Development Agreement. We recommend continuing the public hearing to the Council's business meeting on June 8, 2015.

Background

- Obey Creek is a proposed mixed-use development located along US 15-501 South across from Southern Village; the Obey Creek site is under consideration for a development agreement. The Council is currently in negotiations with the applicant (East West Partners) to draft this development agreement which, if approved, would govern and regulate development on the western 43-acre portion of the Obey Creek site.
- The Development Agreement process, adopted by Council in March 2013, consists of two sequential phases: an exploratory phase and a negotiation phase. The exploratory phase includes a technical review of the issues related to a potential development and concludes with a staff recommendation whether to proceed to the negotiation phase.
- On November 3, 2014, the Council authorized the Manager and Attorney to enter into the negotiation phase of the Development Agreement process with the applicant, East West Partners. The Technical Team's Phase 1 report identified issues to be addressed during the negotiation phase.
- The Council held seven negotiation sessions with the applicant on the Obey Creek development agreement: November 13, December 8, 2014, February 12, February 26, March 12, March 25, and April 8, 2015. An informational meeting was held on January 8, 2015; a facilitated discussion was held on January 23, 2015; and a work session was held on April 8, 2015. A conversation between the Council, applicant, and Advisory Board and Commission members was held on April 30, 2015.
- The discussions between the Council and the applicant have been captured in the draft Obey Creek Development Agreement which is being considered tonight.
- More information about the Obey Creek development agreement process can be found at www.townofchapelhill.org/obeycreek.

Next Steps

- Following tonight's public hearing and public comment, we will prepare an evaluation of the arguments submitted in support of and in opposition to this draft Development Agreement. We will return to the Council with a recommendation for action after the Council reconvenes the public hearing.

Attachments

- Staff Memorandum: Evaluation of Proposed Obey Creek Development Agreement
- Draft Obey Creek Development Agreement
- Draft Exhibits to the Development Agreement
    - Exhibit A: Boundary Map of the Developed Property
    - Exhibit B: Obey Creek Site Map
    - Exhibit C: Legal Description of the Developed Property
    - Exhibit D: Development Agreement Compliance Permit Application
    - Exhibit E: The Village at Obey Creek Design Guidelines
    - Exhibit F: Traffic Impact Study
    - Exhibit G: Trip Equivalency Matrix
    - Exhibit H: Diagram of South Columbia/US 15-501 Fordham Boulevard Interchange Restriping
    - Exhibit I: Proposed Crossing for Oteys Road
    - Exhibit J: Wilson Creek Preserve Boundary
    - Exhibit K: Restoration Area Map
    - Exhibit L: Boundary Map of the Entire Property
    - Exhibit M: Boundary Map of the Town-Owned Property
    - Exhibit N: Legal Description of the Entire Property
    - Exhibit O: Legal Description of the Town-Owned Property
    - Exhibit P: Obey Creek Map: Land Parcel Areas
- Verification of Notice for Public Hearing – Zoning Atlas Amendments

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: Mary Jane Nirdlinger, Planning and Sustainability
John Richardson, Planning Manager for Sustainability
Megan Wooley, Community Sustainability Planner

SUBJECT: Evaluation of Proposed Obey Creek Development Agreement

INTRODUCTION

The Obey Creek process has been a complex one, spanning many months of dialogue, suggestions, and questions from members of the public, the Council, and the development team. These conversations have guided our gathering of information and the negotiation between the Council and the development team. Many views have been considered during these months, and much information has been developed in an attempt to understand the scope of a development at this location and its potential impacts on Chapel Hill and its surrounding areas.

Throughout the process, staff has provided their professional guidance and suggestions in support of the Council's expressed interests. They represent the Town's Planning, Sustainability, Engineering, Transportation, Transit, Business Management, and Building perspectives. The proposed Agreement has also been guided by the negotiation, input, and professional guidance from our technical team (professionals hired to provide guidance and advice to the Council and staff), the community, and advisory boards and commissions. Detailed questions and answers from recent conversations about Obey Creek and a complete history is available at www.townofchapelhill.org/obeycreek

This memorandum provides an overview and evaluation of the key issues that have been consistently identified by multiple participants. It also provides information related to those issues and an evaluation of the relative impacts and connections between issues. Our goal is to provide the Council with an understanding of how the Development Agreement could, on balance, address these critical issues in the best interests of Chapel Hill and what the relative trade-offs and uncertainties are at this time.

This Evaluation of the Development Agreement covers the following topics:

1. Key Issues
    a. Scale of development
    b. Place-making
    c. Fiscal impacts
    d. Transportation
    e. Transit
    f. Affordable Housing

2. Analysis
    a. Relationship between key issues

    b. Options
    c. Risks
3. Conclusion
4. Recommendations
    a. Obey Creek
    b. Ongoing efforts

KEY ISSUES

Topic 1: Scale of Development

From the beginning, the size of the proposed development has been a key discussion point.

The Chapel Hill 2020 Future Focus discussion for this area produced principles for the area that were elaborated upon by the Obey Creek Compass Committee. Different levels of development have been discussed relative to the impacts and benefits they might bring to the community. Height, density, and the mix of uses at the Obey Creek site have been important to the participants in these efforts.

In August and October, 2013, some general points of guidance were identified by the Council in discussions facilitated by Victor Dover.

- Limit heights on 15-501
- Contain the development to the east side of the creek
- Focus on development that supports the commercial tax base (retail, office, commercial, multi-family)
- Focus on level of impacts that are "worth" the trade-offs in terms of traffic
- Develop in a way that creates a "southern gateway" for the entrance to Chapel Hill

During the negotiation sessions which began in November of 2014, the Technical Team, Council, and development team discussed the relative merits of settling on a specific level of development and mix of uses, but determined that understanding the full set of mitigations and benefits that could be offered to the Town was important before fixing a specific number. The Council received guidance during these discussions on mix of uses, the relative benefits of creating a development oriented towards Southern Village, and concentrating development on the west side of the creek.

These conversations shaped the balance between economic growth and place-making reflected in the draft Agreement. Specific reports and analyses are listed in Table 1 at the end of this evaluation.

The community participants and advisory boards and commission encouraged the Council to work towards a more refined understanding of the balance between uses and the levels of impacts over time. The Council pursued this request, and we have included additional thresholds

and key factors that govern the overall/maximum level of development at the Obey Creek site, including:

- A table in Section 5.1 with minimums, maximums, and mid-range targets for the different development types. These numbers have been chosen to identify stages of development that maintain a balance between the proposed uses and the economic goals of the community; and
- Limits on maximum growth are also set by the total number of allowable vehicle trips (Section 5.4.c), regardless of total square footage or use.

Anticipating that it might be possible for the developer to build to the maximum levels of development without hitting one of the limits, various participants have asked some version of "what if the maximum square footage were lower?" and several alternative maximums have been posited.

Our understanding of the balance between the overall size of the development and the benefits incurred to the community rests on three general assumptions:

1. Certain aspects of the development are "fixed" regardless of the size of development:
    a. The general layout of streets, their cross-sections, and amenities (such as sidewalks, curb and gutter, tree plantings) must be provided whether or not the development is built to the minimum size or the maximum size.
    b. Dedication of the Wilson Creek Preserve; quarry remediation; and on-going maintenance of the Preserve would take place, regardless of the size of the development.
    c. Site clearing and grading costs would remain relatively constant whether the minimum or maximum is built.
    d. High-quality stormwater management infrastructure, soil erosion, and control measures are desired by the Town whether the minimum or maximum is built.

2. Certain aspects of the development can vary or be scaled with the size of the development:
    a. Additional parks, amenities, and programming could be scaled back if the development were smaller.
    b. Affordable housing units could be scaled down commensurate with a reduction in total residential supply,
    c. Transportation improvements beyond those directly attributable to the site (i.e. off-site improvements that are not focused on the intersections at the site or closest to the site) could be scaled back because of the diminishing impact of Obey Creek relative to background and regional traffic,
    d. Transit service would be desired by the Town at any size; the full demand would vary based on the mix and size of the development.

3. Certain benefits or investments are all-or-nothing costs:
    a. The pedestrian bridge cannot be phased or scaled back.
    b. The slip road and associated landscaping could not be scaled back.

c. Partial implementation of sidewalks, sidepaths, greenways, or trails would not be desired.

With this understanding, we believe there is a base investment in the project that brings many significant community benefits that are paid for through higher range of development levels. A reduction in the overall scale of the development would require a rebalancing of the standards contained in the current Development Agreement, with the likely impact of reducing the "scalable" or "all or nothing" items outlined in numbers 2 and 3 above.

The draft Obey Creek Development Agreement links improvements with levels of development, recognizing that most of the improvements are tied to early phases of development. For instance, the community and Council expressed an interest in linking the early public access to Wilson Creek Preserve and the restoration of the quarry with site clearing and construction. Therefore, this major amenity represents a significant early investment in mitigation measures. Similarly, the traffic improvements and the pedestrian and bicycle bridge are linked to the early phases of the development. The links between mitigation measures and phasing attempt to assure concurrence between growth and community benefits.

As many participants in this process have noted, the impacts of any level of development manifest through the other key issues. A larger but well-planned project can have an overall smaller impact than a project that is not well planned but of a lesser size. For that reason, place-making was often discussed hand-in-hand with the relative size of the development and mix of uses.

Topic 2: Place-Making and the Design Guidelines

Discussion about the Obey Creek project has always included a focus on the type of place that could be created at our southern edge; how it would relate to Southern Village, its closest neighbor; and how the project would support the overall desirability of Chapel Hill as a special destination.

The Chapel Hill 2020 Comprehensive Plan speaks to the variety of interests our community supports: Connections; bikeable, walkable communities; entertainment/dining/arts hubs; increases in affordable housing; and supporting engagement of the many communities in Chapel Hill.

Obey Creek responds to many of these interests, providing a variety of affordable housing, a strong center, biking and walking connections on-site as well as connections to the larger network of greenways on both sides of 15-501 via a pedestrian and bicycle bridge.

Discussions about height and character produced an extensive set of proposed design guidelines for the developed property which can be found at www.townofchapelhill.org/obeycreek. These guidelines are proposed to be adopted with the Development Agreement, and Article 5 of the Agreement requires that buildings, development, green spaces and the Wilson Creek Preserve comply with the Design Guidelines. Furthermore, Article 4 requires the Community Design Commission to review individual buildings for compliance with the design guidelines. This

commitment is far more specific and stronger than most developments in Chapel Hill or the previous Development Agreements have required. The design guidelines address:

- Land Use and Planning Principles
- General Design Standards
- Building Design Standards
- Landscape Design Standards
- Signage Design Standards
- Sustainability

The Council, Technical Team, community members and staff recognize that the character of Chapel Hill is unique, and that growth and change should support our evolution as a desirable place with rich, unique spaces for personal connections, jobs, entertainment, and interactions. These are the activities that cannot be purchased online and that are heavily shaped by the physical design of our community.

With the guidance of the Community Design Commission in ensuring that the Design Guidelines, which would be binding as currently written into the Development Agreement, are applied, we have strong tools for protecting the sense of place in this southern area.

Topic 3: Fiscal Impacts

All of the fiscal impacts analyses that have been performed for the project have shown a net positive impact for the Town, the County, and the Chapel Hill-Carrboro City schools, regardless of size.

These studies include the following. For links to these studies/reports, see Table 1.

- Technical Team Reports
- Staff Reports – Including transit analysis and fiscal impacts analysis

The estimated value of the project varies depending on the mix and phasing of development; however, a development of any size between the minimum and maximum that is outlined in the Agreement provides a stream of revenues to the Town into the future.

This income provides choices to the community. It can be used to support the community's interests and investments over time. Additionally, the draft Development Agreement contains a supplemental financial commitment to transportation as well as transit (see Section 5.4 of the Agreement).

Additionally, the Council requested that no part of the developed property be tax exempt; that request is reflected in Section 5.5 of the Agreement.

Topic 4: Transportation

Traffic has been, along with place-making, the most-discussed aspect of the proposed development.

Early in the process, a full Traffic Impact Study was conducted to evaluate the impacts and potential mitigation measures for development at Obey Creek. The study identified mitigation measures for the site roads, intersections, and nearby intersections. The study also identified areas where Obey Creek would, over time, contribute to the larger traffic impacts we experience as a result of background growth on our State highways.

Representatives from NCDOT have been steady participants in discussions with Town staff, the Council, the community, and the Technical Team. NCDOT acknowledges that our studies are more comprehensive than most studies in the state, and we have, therefore, a good picture of what future traffic conditions may be.

The staff and Technical Team have recommended specific improvements and mitigations, based on this data, and those are included in the draft Development Agreement.

In addition to capturing the on-site improvements, it is our recommendation that, the Town receive additional funding to be used towards improvements that benefit the local community while continuing to participate in the State's efforts to address the regional traffic that travels through our community. This includes funding for improvements at Dogwood Acres Drive and Oteys Road.

It is our understanding, based on the studies conducted to date and the professional opinion of our staff, NCDOT staff, and our Technical Team that a partial reduction in the size of the development would have a relatively small impact on the regional traffic impacts.

Topic 5: Transit

A financial analysis of transit costs[1] was provided to compare the impacts of the approximately 1.4 million square feet of development with a minimum level of approximately 680,000 square feet. The analysis showed that "revenues are projected to exceed the cost of extending services by a significant margin for both development scenarios."

The Town is engaged in a discussion of how best to maintain and provide transit service in Chapel Hill. This conversation is focused on meeting the needs of multiple centers and many needs in the community. The Obey Creek project supports the overarching goal of having a transit-rich community by proposing a development pattern that is supportive of transit because:

- It has a density of uses in a small area, providing an efficient point at which to match riders and destinations;
- It builds on the nexus of uses established at Southern Village; and
- The proposed mix of uses could provide additional tax base with which to support transit.

[1] Obey Creek Financial Analysis for Transit:
http://www.townofchapelhill.org/home/showdocument?id=27775

All Public Transit systems are subsidized to some degree, through funding from the federal, state, and local levels. Chapel Hill has chosen to invest in a transit system as a more cost-effective means of making transportation choices available in Chapel Hill instead of investing in roads alone.

The provision of transit services in the future will depend on how the entire system is managed. The overall revenues generated by Obey Creek and their proposed supplemental payment would be just two factors in that discussion.

Topic 6: Affordable Housing

The community has a strong interest in having a diversity of residents and therefore a strong interest in a diversity of housing types. The Council Sub-Committee on Affordable Housing at Obey Creek worked with affordable housing providers to craft the proposal reflected in the draft Development Agreement. This proposal allow for more units of varied sizes, costs, and subsidy than we have seen with a development proposal to-date. The proposal addresses affordability over time, with a 99-year commitment for rental units and the assurance that individual at the 60-80% of AMI levels will be offered an opportunity to live in our community whether or not vouchers and subsidies are available in the future.

ANALYSIS

With a project of this scope, it is helpful to understand how the overall vision for the Town relates to the proposal. The Obey Creek development agreement process has been guided by many plans and visions including the Chapel Hill 2020 comprehensive plan and guidance for Focus Area 6: South 15-501; Obey Creek Compass Committee Final Report; Technical Team Reports; and on-going community participation. The key question that these processes have sought to answer is: **At what scale does the community receive the maximum benefit from change at Obey Creek?** To answer that question, the Council has studied the key issues above, and many more, and sought to develop an understanding of the trade-offs between them.

Analysis: Relationship Between Key Issues

Overall, when considering the impacts of a development of the size of Obey Creek, **place-making** emerges as the most important consideration because it governs the day-to-day experience of those who live in, work in, and travel through our community.

The other key issues are impacted by the relative size of the development. However, the **impacts of traffic** are outpaced by existing and projected background growth; this is a regional issue. The project proposes to mitigate its direct impacts, which would be expected regardless of the scale of the development.

The **fiscal impacts** provide choices to the community though on-going revenues. They may remain positive, possibly at a smaller scale, if the size of the development is reduced.

Other benefits, such as the pedestrian and bicycle bridge, affordable housing, and improved stormwater management and site standards and design, would likely be reduced if the overall development density were reduced.

A smaller development would still require and benefit from **transit service** without providing as large a contribution in taxes and a supplemental transit payment to the overall system.

The **place-making** assurances in the Design Guidelines and the Agreement are the strongest for any development in Chapel Hill to-date and provide an example of how we might consider place-making in our other key development areas.

Obey Creek is an opportunity to complement and complete the development that was begun with **Southern Village**. Southern Village is an example of intentional planning, with a commercial/multi-family core surrounded by a sizable single-family residential development. It was, however, developed south of a significant highway without the direct connections to other areas of Chapel Hill that would provide easy access to additional shopping, services, employment and more varied housing types.

Many of the improvements provided by Obey Creek, including a pedestrian and bicycle bridge over 15-501, new greenway and recreational opportunities, a growing transit node, and new property tax base, will provide a synergy with Southern Village.

Finally, the 43 developed acres of Obey Creek represent a small part of the 13,504 acres of Chapel Hill but a large opportunity to achieve **key goals of the Town**.

- The Wilson Creek Preserve, to be owned by the Town and maintained by the Developer is an 85-acre amenity that will protect streams, landscape, and provide an area for recreation and natural habitat.
- The opportunity to concentrate economic development on a major corridor with transit service protects the existing neighborhoods and encourages their continued re-investment.
- The place-making strategies in the Agreement provide community oversight as the development unfolds while guiding a well-designed, landscaped, and attractive development that balances human-scale design at the street level with density at the core.
- The Chapel Hill-Carrboro City Schools will receive substantial property tax revenues, supporting one of our key institutions.

Analysis: Risks

Development is impacted by local conditions as well as the global economy. As we have seen in the past decade, changes at the national and international level can have local impacts. There is no guarantee that the proposed development will take place exactly as planned.

To mitigate those risks, the community has had thoughtful discussions about balancing the phasing of the development (see Section 5.1 of the Agreement) while assuring some flexibility throughout the Agreement.

The community has asked for energy-efficiency, higher protections during development, and measurements post-development to ensure protection of the natural environment.

The permanent preservation of 66% of the site guarantees that it will remain in its natural state, which means there is no risk of change or continued growth on that portion of the property.

The provisions for supplemental transit funding, supplemental transportation improvements, and a range of affordable housing types exceed what we have seen, in combination, for any other development in Chapel Hill. While the future of those systems in our community will be the subject of ongoing work and decisions, the Obey Creek development supports the overarching goals of the community.

On balance, the Development Agreement can assure that these risks are addressed to some degree while allowing change and growth in order to capture social and economic benefits at this southern entrance to Chapel Hill.

CONCLUSION

There will continue to be mixed opinions on the relative merits of the Obey Creek project and its anticipated impacts.

On the whole, we have heard many perspectives from the community, the Council, the developer, the Technical Team, and Town staff about the key issues above as well as the other areas covered in the Agreement.

We have heard different opinions about the impacts this project may have on the community. We have also heard excitement about the potential benefits it may bring our community. While we have many studies and facts at our disposal, there is no model that can predict, with accuracy, the outcomes of a project with such a wide range of variables. On balance, we believe that there has been sufficient information presented for the Council to consider and weigh the relative merits of these points of view, the information in the record to date, and to consider how to move forward. Therefore, we have done our best to understand the interests at play and to make our best recommendation for the future of Chapel Hill.

We have used our professional judgement to suggest specific standards that we believe protect the Town’s interests and allow a certain degree of flexibility to respond to conditions that will inevitably change over a twenty-year Agreement.

Nonetheless, we have attempted to capture the most critical issues in terms that are clear and defensible for those who will fill our roles in the future. The Development Agreement before you tonight represents our efforts to reflect the discussions to-date.

RECOMMENDATIONS

Tonight, we recommend that the Council open the public hearing, receive additional information about the proposed Development Agreement, and return to a Business Meeting on June 8, 2015 to consider a possible decision on the Agreement.

We further recommend that, beyond Obey Creek, the Council continue to focus on the policy efforts that support a balanced future for Chapel Hill, specifically:

- Continued discussion and work with NCDOT to identify the best projects to mitigate regional traffic impacts within the borders of Chapel Hill;
- Continued investment in the bicycle, parks, recreation, and greenways plans that support alternative transportation and connectivity within Chapel Hill;
- Continued investment in the Chapel Hill Transit system to provide alternatives to personal vehicles;
- Continued support for our single-family residential neighborhoods to ensure connections to the more developed areas of Chapel Hill while preserving the character of those older neighborhoods; and
- Additional support of design guidelines and other tools to guide the place-making in our future focus areas.

Table 1: Studies and Reports for the Obey Creek Development Agreement

Topic	Reports
Fiscal Impacts	Retail Market Study[2] (Development Concepts, Inc. – July 2011)
	Obey Creek Fiscal Impact Analysis (Business Management Department, Town of Chapel Hill – October 2014) - Staff memorandum: Preliminary Fiscal Impact Report[3] (October 1, 2014) - Staff Memorandum: Adjustments/Corrections to Preliminary Fiscal Analysis[4] (October 30, 2014) - Obey Creek Fiscal Impact Analysis - Presentation[5]
Relative impacts of development under Current Zoning (single-family residential)	Obey Creek Fiscal Impact Analysis Template[6] (Business Management Department, Town of Chapel Hill – October 2014) – See page 5.
	Traffic Impact Study[7] (HNTB, August 2014)
Transit Study and Analysis	Obey Creek Financial Analysis for Transit costs based on Trip Generation Analysis[8] (Business Management Department, Town of Chapel Hill – May 2015)
Mixed-Use Development	Special Topic Presentation: Design for a Changing World: The Practicality of Placemaking[9] (Victor Dover – August 2013)
Design Guidelines with height/typology/architectural standards	The Design Guidelines can be found at www.townofchapelhill.org/obeycreek

[2] Retail Market Study: http://www.townofchapelhill.org/home/showdocument?id=10550
[3] Preliminary Fiscal Impact Report: http://www.townofchapelhill.org/home/showdocument?id=27771
[4] Adjustments to Preliminary Fiscal Impact Report: http://www.townofchapelhill.org/home/showdocument?id=27773
[5] Obey Creek Fiscal Impact Analysis – Presentation: http://www.townofchapelhill.org/home/showdocument?id=24729
[6] Obey Creek Fiscal Impact Analysis Template: http://www.townofchapelhill.org/home/showdocument?id=24906
[7] Traffic Impact Study: http://www.townofchapelhill.org/home/showdocument?id=27096
[8] Obey Creek Financial Analysis for Transit: http://www.townofchapelhill.org/home/showdocument?id=27775
[9] Special Topic Presentation: http://chapelhill.granicus.com/MediaPlayer.php?view_id=11&clip_id=1905

Natural Environment	Environmental Assessment Report[10] (BioHabitats – September 2014)
Technical Team Reports	Final Phase I Report[11] (October 2013)
	Technical Team Report Addendum[12] (June 2014)
Community Reports	Chapel Hill 2020 Comprehensive Plan – South 15-501 Discussion Group Principles[13] (June 2012) – See page 75.
	Obey Creek Compass Committee Final Report[14] – December 2013

[10] Environmental Assessment Report: http://www.townofchapelhill.org/home/showdocument?id=24489
[11] Final Phase I Report – Technical Team: http://www.townofchapelhill.org/home/showdocument?id=21129
[12] Technical Team Report Addendum: http://chapelhillpublic.novusagenda.com/Bluesheet.aspx?itemid=2805&meetingid=270
[13] Chapel Hill 2020 Comprehensive Plan: http://www.townofchapelhill.org/home/showdocument?id=15001
[14] Obey Creek Compass Committee Final Report: http://www.townofchapelhill.org/home/showdocument?id=21723

Table 2: Guide to Draft Development Agreement and Goals, Policies, and Survey

Table 2 organizes the elements of the Development Agreement by the Council's Goals, Policies and Community Survey Responses, which provide an indication of the community's overall interests.

	Obey Creek Development Agreement	Council Goals, Policies, and Community Survey Responses
	**Create a Place for Everyone**	
1	Provides affordable housing, both rental and for-sale *Section 5.2*	- Council Goal: Adopt and implement affordable housing strategies - Affordable Housing Strategy - Affordable Rental Housing Strategy - Inclusionary Zoning Ordinance - South 15-501 Discussion Group – General Principle: Respond to demonstrated needs of the great Chapel Hill community
2	Provides market-rate housing (townhomes and apartments) *Section 5.1 and Exhibit E: Design Guidelines*	- South 15-501 Discussion Group – General Principle: Respond to demonstrated needs of the great Chapel Hill community - South 15-501 Discussion Group – Area-Specific Principle: Promote possibility of workforce housing or accommodations for other identified community needs, such as senior citizen housing
	**Facilitate Getting Around**	
3	Provides bicycle and pedestrian facilities (such as sidewalks and bike lanes) on US 15-501 between Market Street and Sumac Road and along the property frontage *Section 5.4*	- Council Goal: Adopt and implement a Bike Plan - Council Goal: Initiate a Pedestrian Plan - Compass Committee Aspiration: Encourage increased bicycle and pedestrian connectivity among southern area neighborhoods, schools, community facilities, parks, and the broader Chapel Hill-Carrboro area.
4	Provides greenways and sidepaths throughout the site *Section 5.10*	- Greenways Master Plan - South 15-501 Discussion Group – Area-Specific Principle: Promote greenways, particularly along and near creeks - Compass Committee Aspiration: Expand

		bike and pedestrian recreational opporutnities by creating a safe, convenient and connected network of bike/ped facilities including an Obey Creek greenway.
5	Builds Pedestrian and Bicycle Bridge across US 15-501 – 12 feet wide *Section 5.11*	- Council Goal: Adopt and implement a Bike Plan - Council Goal: Initiate a Pedestrian Plan - South 15-501 Discussion Group – General Principle: Improve bicycle and pedestrian connectivity among neighborhoods, schools, community facilities, parks, and across 15-501 - Compass Committee Aspiration: To see development occur on the east and west sides of South 15-501 that facilitates a sense of "place," allowing safe and pleasant crossings for pedestrians, bicycles and other forms of non-motorized transportation. - Compass Committee Aspiration: Create an iconic entranceway bridge that serves as a physical gateway to Chapel Hill and an architectural landmark for the area. - Compass Committee Aspiration: We want people travelling from the south to know they have arrived in Chapel Hill.
6	Annual contribution of $0.02 per square foot of completed heated building area for transit improvements. The contribution shall be adjusted annually with the Consumer Price Index. *Section 5.4(e)*	- Council Goal: Adopt a sustainable transit financial plan in partnership with UNC-Chapel Hill and Carrboro - South 15-501 Discussion Group – General Principle: Plan for increased use of transit
7	Builds a bus-pullout and facilities at the Obey Creek site *Section 5.4(e)*	- Council Goal: Adopt a sustainable transit financial plan in partnership with UNC-Chapel Hill and Carrboro - South 15-501 Discussion Group – General Principle: Plan for increased use of transit
8	Contributes $125,000 to fund improvements at Dogwood Acres Drive and Oteys Road *Section 5.4(g)*	- Council Goal: Adopt and implement a Bike Plan - Council Goal: Initiate a Pedestrian Plan - South 15-501 Discussion Group – General Principle: Minimize traffic impact on neighborhoods surrounding the

		study area and along 15-501
9	Implementation of Traffic Signal System Improvements *Section 5.4(d)(2)*	- Compass Committee Aspiration: We want our roadways to work.
10	Construction of turn lanes at US 15-501/Market Street/Obey Creek site driveway *Section 5.4*	- Compass Committee Aspiration: Accommodations for additional vehicles and changing traffic patterns for vehicles coming to and through the area are not made at the expense of connectivity and mobility.
	**Develop Good Places, New Spaces**	
11	Mixed-use community with access to retail, open spaces, and connections to Southern Village *Section 5.1, 5.4, 5.8, and 5.9*	- South 15-501 Discussion Group – General Principle: Respond to demonstrated needs of the great Chapel Hill community - South 15-501 Discussion Group – Area-Specific Principle: Meet community needs with new development (mixed use) focused on commercial rather than residential - South 15-501 Discussion Group – Area-Specific Principle: Utilize clustered, compact development to maximize open space preservation - Compass Committee Aspiration: Development at this site should contribute to an integrated southern Chapel Hill, work synergistically with Southern Village Market Street, increase connectivity of community across South 15-501, and expand opportunities within the southern part of town. - Compass Committee Aspiration: Construction on the Obey Creek parcels should be designed to create a walkable, human-scale development that adds to, integrates with and build upon the existing communities of southern Chapel Hill.
12	Unified Design Guidelines for the site *Section 5.1 and Exhibit E: Design Guidelines*	- South 15-501 Discussion Group – Area-Specific Principle: Promote architectural diversity and quality with design guidelines -

	Nurture Our Community	
13	Stormwater Management which exceeds the County's requirements *Section 5.3* Sediment and erosion control standards that exceed the Orange County requirements *Section 5.18*	- South 15-501 Discussion Group – General Principle: Preserve and enhance natural resources (make public) including water quality and stormwater
14	Provision of multiple park spaces throughout the site including Highland Park, Overlook Park, and a linear park along Wilson Creek Lane *Section 5.8 and 5.9*	- 2013 Community Survey response: Overall quality of Town parks and recreation programs and facilities should receive the most emphasis from Town leaders over the next two years
15	Wilson Creek Preserve – Preservation of 85 acres of open space that will be maintained by the Master Owners Association at no cost to the Town *Section 5.12*	- South 15-501 Discussion Group – General Principle: Preserve and enhance natural resources (make public) including water quality and stormwater - South 15-501 Discussion Group – Area-Specific Principle: Utilize clustered, compact development to maximize open space preservation - South 15-501 Discussion Group – Area-Specific Principle: Maximize permanent preservation of open space - Compass Committee Aspiration: Preserving land on the east side of Wilson Creek will protect area waterways, preserve wildlife corridors and provide recreation opportunities for the Town – including a greenway along the creek. - Compass Committee Aspiration: Existing conditions create the opportunity to design a development built in harmony with nature and Wilson Creek. - Compass Committee Aspiration: The land east of the creek has the potential to become a destination park that would draw people to the site on its own merits.
16	Restoration of the quarry in the Wilson Creek Preserve *Section 5.13*	- South 15-501 Discussion Group – General Principle: Preserve and enhance natural resources (make public) including water quality and stormwater -

	Support Community Prosperity and Engagement	
17	Additional opportunities for retail and office space *Section 5.1 and Exhibit E: Design Guidelines*	- Council Goal: Adopt strategies for adding office and retail tax base
18	Commitment to paying taxes on all property, including those that are tax-exempt *Section 5.5*	- Council Goal: Adopt strategies for adding office and retail tax base - Chapel Hill 2020 Goal: Balance and sustain finances by increasing revenues and decreasing expenses
19	Owners will petition for annexation of the Property into the limits of the Town of Chapel Hill *Section 5.23*	- Council Goal: Adopt strategies for adding office and retail tax base - Chapel Hill 2020 Goal: Balance and sustain finances by increasing revenues and decreasing expenses
20	Solid waste management will be provided by the Owners at no cost to the Town *Section 5.15*	- Chapel Hill 2020 Goal: Balance and sustain finances by increasing revenues and decreasing expenses

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DRAFT Obey Creek Development Agreement
Last revised: May 11, 2015

The following document is a draft version of the Obey Creek development agreement.

This document was last revised on: May 11, 2015
Previous revision dates:

- April 30, 2015 (ninth draft)
- April 16, 2015 (eighth draft)
- April 9, 2015 (seventh draft)
- April 2, 2015 (sixth draft)
- March 20, 2015 (fifth draft)
- March 12, 2015 (fourth draft)
- February 19, 2015 (third draft)
- February 10, 2015 (second draft)
- January 7, 2015 (first draft)

For previous drafts, click here[1].

The following articles/sections have been revised, as of May 11, 2015. Revisions are highlighted in grey in the body of the document.

- Article 2: Definitions
- Article 3: Recitals
- Article 4: Terms
- Article 5: Specific Standards and Mitigation Measures
    - Section 5.1: Scale of Development and Uses Permitted
    - Section 5.2: Affordable Housing
    - Section 5.3: Stormwater Management
    - Section 5.8: Open Space and Parks
    - Section 5.10: Greenways and Sidepaths
    - Section 5.11: Pedestrian and bicycle bridge
    - Section 5.12: Wilson Creek Preserve
    - Section 5.13: Quarry Restoration
    - Section 5.17: Landscaping Standards
    - Section 5.22: Specific Site Standards
    - Section 5.23: Annexation
    - Section 5.14: Fire Code Requirements
    - Section 5.25: Annual Report

[1] Obey Creek Development Agreement – Meeting Materials webpage - http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/development/development-agreement-projects/obey-creek-/obey-creek-meeting-materials

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DEVELOPMENT AGREEMENT

BY AND BETWEEN
OBEY CREEK VENTURES, LLC.

AND

THE TOWN OF CHAPEL HILL, NORTH CAROLINA

Effective Date: _____, 2015

Orange County Parcel Identifier Numbers:
9787-13-0667; 9787-23-8844; 9787-24-1209;
9787-24-4637; 9787-14-4852; 9787-14-1770

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EXHIBITS INCORPORATED BY REFERENCE – Note: These Exhibits will be reorganized in the next draft.

Exhibit A: Boundary Map of the Developed Property

Exhibit B: Obey Creek Site Map

Exhibit C: Legal Description of the Developed Property

Exhibit D: Development Agreement Compliance Permit Application

Exhibit E: The Village at Obey Creek Design Guidelines

Exhibit F: Traffic Impact Study

Exhibit G: Trip Equivalency Matrix

Exhibit H: Diagram of South Columbia/US 15-501 Fordham Boulevard Interchange Restriping

Exhibit I: Proposed Crossing for Oteys Road

Exhibit J: Wilson Creek Preserve Boundary

Exhibit K: Restoration Area Map

Exhibit L: Boundary Map of the Entire Property

Exhibit M: Boundary Map of the Town-Owned Property

Exhibit N: Legal Description of the Entire Property

Exhibit O: Legal Description of the Town-Owned Property

Exhibit P: Obey Creek Map: Land Parcel Areas

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STATE OF NORTH CAROLINA DEVELOPMENT AGREEMENT

COUNTY OF ORANGE

This Development Agreement (hereinafter the "Agreement") is made and entered into as of the ____ day of ____ 2015 by and among Obey Creek Ventures, LLC. ("Obey Creek Ventures") and the Town of Chapel Hill, North Carolina, a municipal corporation of the State of North Carolina.

ARTICLE 1. STATUTORY FRAMEWORK

1.1 North Carolina General Statutes (hereinafter "G.S.") 160A-400.20(a)(1) provides that "large-scale development projects often occur in multiple phases extending over a period of years, requiring a long-term commitment of both public and private resources."

1.2 G.S. 160A-400.20(a)(3) provides that "because of their scale and duration, such large-scale projects often require careful integration between public capital facilities planning, financing, and construction schedules and the phasing of the private development."

1.3 G.S. 160A-400.20(a)(4) provides that "because of their scale and duration, such large-scale projects involve substantial commitments of private capital by developers, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of development."

1.4 G.S. 160A-400.20(a)(5) provides that "because of their size and duration, such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas."

1.5 G.S. 160A-400.20(a)(6) provides that "to better structure and manage development approvals for such large-scale developments and ensure their proper integration into local capital facilities programs, local governments need the flexibility in negotiating such developments."

1.6 In view of the foregoing, G.S. 160A-400.20(b) and 160A-400.22 expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of G.S. 160A-400.20 through 160A-400.32, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing.

1.7 G.S. 160A-400.23 restricts the use of a development agreement to "property that contains 25 acres or more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the property which may be precluded from development at the time of the application)." G.S. 160A-400.23 further provides that "development agreements shall be of a term specified in the agreement, provided they may not be for a term exceeding 20 years."

1.8 In addition to any force of law conferred upon this Agreement by North Carolina law related to local governments, the terms of this Agreement are also contractual in nature, are a significant inducement and consideration to enter into this Agreement, and may be enforced as contractual terms.

ARTICLE 2. **DEFINITIONS – UPDATED INFORMATION (MAY 11, 2015)**

In the construction of this Agreement and its incorporated Exhibits, the following capitalized terms shall have the respective meanings set forth below wherever they appear in this Agreement. Except as otherwise provided in this Agreement, terms used in the relevant portions of the North Carolina General Statutes or the Town of Chapel Hill Land Use Management Ordinance ("LUMO") shall have the same meanings as employed in those statutes and ordinances.

2.1 *Agreement.* The word "Agreement" shall mean this Development Agreement.

2.2 *Annual Report*. The words "Annual Report" shall mean the annual report required by the Town pursuant to Section 4.12 and Section 5.25 of this Agreement.

2.3 *Crime Prevention Through Environmental Design*. The term "Crime Prevention Through Environmental Design" or "CPTED" shall describe the approach to deterring certain behaviors through the physical design of public and private areas.

2.4 *Council.* The word "Council," or "Town Council," shall mean the legislative body of the Town of Chapel Hill, which together with the mayor of the Town shall constitute the governing body of the Town.

2.5 *Design Guidelines.* The term "Design Guidelines," unless otherwise referenced, refers to Exhibit E: The Village at Obey Creek Design Guidelines, a binding Exhibit to the Development Agreement.

2.6 *Developed Property.* The term "Developed Property" shall mean those certain parcels of land, located along US 15-501 South and west of Wilson Creek, and as depicted in Exhibit A and B. The Developed Property includes the developed portion of the Property, any public right-of-way and private streets that may be located within the boundaries described in Exhibit A and B, and excludes the Wilson Creek Preserve (see Section 5.12).

2.7 *Developer Owner.* The term "Developer Owner" or "Developer Owners" shall mean Obey Creek Ventures, LLC, individually and collectively, and any successor in title who acquires a Parcel in fee simple from a Developer Owner whereby the transferring Developer Owner expressly assigns all of its rights and obligations as Developer Owner under this Agreement to the Person acquiring the Parcel from the Developer Owner, which assignment shall be recorded in the Registry. Any other Person who acquires a Parcel in fee simple title from a Developer Owner shall be a "Parcel Owner" and not a "Developer Owner."

2.8 *Development or Develop*. The words "Development" or "Develop" shall mean any activity on the Property involving, requiring, or consisting of: (i) the construction of a new building, and the construction or installation of other structures, roads, greenways or paved trails, sidewalks, parking lots, or utility infrastructures; (ii) the clearing or

alteration of land as an adjunct of such construction; or (iii) the expansion of an existing building.

2.9 *Development Agreement Compliance Permit*. The words "Development Agreement Compliance Permit" shall mean the permit issued by the Town Manager authorizing Development or portions thereof in accordance with this Agreement. A Development Agreement Compliance Permit required by this Agreement shall be in lieu of any Zoning Compliance Permit that might otherwise be required by Section 4.9 of the LUMO.

2.10 *Effective Date*. The word "Effective Date" shall mean the effective date of this Agreement, which is _____, 2015.

2.11 *Free soil*. The term "Free soil" shall mean on-site or imported soil amended to incorporate compost with a maximum compaction of 85%.

2.12 *Housing Voucher or Voucher*. The term "Housing Voucher" or "Voucher" shall mean a direct subsidy that assists very low-income families, the elderly, veterans, and the disabled to afford decent, safe, and sanitary housing in the private market. Housing assistance is provided on behalf of the family or individual, which allows participants to find their own housing, including single-family homes, townhouses and apartments.

2.13 *LUMO*. The term "LUMO" shall mean the Land Use Management Ordinance of the Town of Chapel Hill in effect as of the Effective Date.

2.14 *Manager.* The words "Manager" or "Town Manager" shall mean the Town Manager of the Town of Chapel Hill or his/her designee and anyone acting pursuant to authority vested by state statute or local ordinance to issue local permits for Development on behalf of the Town of Chapel Hill.

2.15 *Master Owners Association.* The term "Master Owners Association" shall mean an organization formed for the sole purpose of managing all shared or common elements of the Property and whose members consist of the Developer Owner and Parcel Owners or their elected representatives.

2.16 *Median Income or Area Median Income*. The term "Median Income" or "Area Median Income" shall describe the midpoint of income distribution that is divided into two exactly equal parts, one having incomes about the median and the other having incomes below the median as adjusted and published annually by the U.S. Department of Housing and Urban Development (HUD) for the Durham-Chapel Hill Metropolitan Statistical Area.

2.17 *National Association of City Transportation Officials or NACTO*. The term "National Association of City Transportation Officials" or "NACTO" shall describe the organization's guidelines as described in its publications *Urban Bikeway Design Guide* and *Urban Streets Design Guide.*

2.18 *Obey Creek Area or Obey Creek*. The term "Obey Creek Area" or "Obey Creek" shall describe the area identified in Exhibit A and Exhibit B.

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2.19 *Parcel*. The term "Parcel" shall mean each separately subdivided tract of the Property shown on a plat recorded in the Registry after the Effective Date and conveyed in fee simple title by a Developer Owner to a Person.

2.20 *Parcel Owner*. The term "Parcel Owner" shall mean the Person to whom a Developer Owner conveys fee simple title to a Parcel without a transfer of the rights as Developer Owner and each said Parcel Owner's successors and assigns in fee simple title.

2.21 *Participant or Participants.* The words "Participant" or "Participants" shall mean the Town, the Developer Owners, the Parcel Owners, if any, and the Representative.

2.22 *Party or Parties.* The words "Party" or "Parties" shall mean the Town and the Developer Owners. For purposes of this definition, a Parcel Owner is not a Party.

2.23 *Periodic Review.* The term "Periodic Review" shall have the meaning ascribed in Section 4.13 of this Agreement.

2.24 *Person.* The term "Person" shall mean a natural person, a corporation, limited liability company, a partnership, joint venture, a trust, or any other legal entity.

2.25 *Property.* The term "Property" shall mean those certain parcels of land, located along US 15-501 South, and as depicted in Exhibit A and B attached hereto. The Property also includes any public right-of-way and private streets that may be located within the boundaries of Exhibit A.

2.26 *Registry*. The term "Registry" shall mean the Orange County Register of Deeds.

2.27 *Representative*. The word "Representative" shall mean a Person designated by Developer Owners to act for and on behalf of the Developer Owners and Parcel Owners wherever indicated and subject to the terms of this Agreement, and the Representative's successors and assigns. The Representative shall be responsible for coordinating and tracking the requirements of this Agreement and reporting same to the Parties herein pursuant to this Agreement to assure that the overall standards of this agreement are met by all parcel owners. As of the Effective Date, the Representative is Obey Creek Ventures, LLC. The Representative's successors and assigns shall mean a Person designated by the Developer Owners to replace the then existing Representative. The Developer Owners shall give written notice to the Town and Parcel Owners of any such replacement.

2.28 *Sidepath*. The term "Sidepath" shall mean a multi-use path or greenway trail located adjacent to a roadway. For the purpose of this Agreement, all sidepaths shall be a minimum of 10 feet wide, built with concrete, and adhere to AASHTO or NACTO standards for multi-use paths.

2.29 *State*. The term "State" shall mean the State of North Carolina.

2.30 *Structural soil*. The term "Structural soil" shall mean soil and aggregate mix of approximately 80%/20% ratio designed for supporting tree growth in urban conditions.

2.31 *Town.* The words "Town" or "the Town" shall mean the Town of Chapel Hill in the Counties of Orange and Durham and the State of North Carolina and its successors in interest.

2.32 *Town Attorney*. The term "Town Attorney" shall mean the attorney for the Town.

2.33 *Town Regulations*. The term "Town Regulations" shall have the meaning ascribed in Section 4.5.

2.34 *Zoning Compliance Permit*. The term "Zoning Compliance Permit" or "ZCP" shall mean an administrative permit issued by the Town Manager authorizing the recipient to make use of existing buildings in accord with the requirements of the Land Use Management Ordinance as of the effective date of this Agreement.

ARTICLE 3. **RECITALS – UPDATED INFORMATION (MAY 11, 2015)**

3.1 Obey Creek Ventures is the fee simple owner of those certain properties situated on US Highway 15-501 known as the "Obey Creek Area," as shown on Exhibit A and L and described on Exhibit C and N. The Town of Chapel Hill is the fee simple owner of that certain property situated in the Obey Creek Area, as shown on Exhibit M and described on Exhibit O.

3.2 Obey Creek Ventures has entered into a purchase agreement with the Mueller Partnership to acquire fee simple interest of that certain property situated on US Highway 15-501 known as the "Mueller Property," as shown on Exhibit A and L and described on Exhibit C and N.

3.3 On March 12, 2010, the Town received a request from Scott Murray Land Planning, Inc. for review of a Concept Plan submittal, proposing a mixed use development at 1119 U.S. Highway 15-501 South. The site is located on the east side of U.S. Highway 15-501 South, across from the Market Street entrance to Southern Village. The 124-acre site was located in the Neighborhood Commercial (NC) and Residential-Low Density-1 (R-LD1) zoning districts, and identified as Orange County Parcel Identifier Numbers 9787-13-0667; 9787-23-8844; 9787-24-1209; 9787-24-4637; 9787-14-4852; 9787-14-1770. The Concept Plan was reviewed by the Community Design Commission on April 21, 2010, and by the Town Council on May 17, 2010. Comments were referred to the applicant.

3.4 On July 18, 2012, the Town Council received a request from the same applicant for review of a revised Concept Plan for the same site. The total floor area proposed was approximately 1.5 million square feet, including: 600 dwelling units; 375,000 square feet of office-commercial and civic space; a 100,000 square foot hotel (130 rooms); and 350,000 square feet of retail space. The revised Concept Plan was reviewed by the Community Design Commission on August 15, 2012, and by the Town Council on September 19, 2012. Comments were referred to the applicant.

3.5 On November 5, 2012, the Town Council authorized the Town Manager and Town Attorney to develop a new process for initiating development agreement negotiations.

3.6 On March 18, 2013, the Town Council accepted the proposed process and directed the Town Manager to engage the Obey Creek applicant to undertake the new process.

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3.7 On May 29, 2013, the Town Council adopted a resolution establishing the Obey Creek Compass Committee, including a charge, committee composition, process, responsibilities, and timeline.

3.8 On July 10, 2013, the Obey Creek Compass Committee met for the first time.

3.9 On December 16, 2013, the Obey Creek Compass Committee concluded its work and voted to approve a report to forward to the Town Council.

3.10 On January 13, 2014, the Town Council received the Obey Creek Compass Committee Report and adopted a resolution authorizing the Town Manager and Town Attorney to enter into Phase 2 of the established Development Agreement Process with Obey Creek Ventures, LLC for the Obey Creek site.

3.11 On June 23, 2014, the Town Council adopted a resolution authorizing the Town Manager and Town Attorney to enter into the Negotiation Phase of the Development Agreement process with Obey Creek Ventures, LLC for the Obey Creek site, subject to the Council's receipt and review of comments from the North Carolina Department of Transportation (NCDOT) regarding the Traffic Impact Analysis, a fiscal impact report and an environmental assessment/impact report.

3.12 On November 3, 2014, having received and reviewed material requested on June 23, 2014, the Town Council voted to enter into the negotiation phase of the Obey Creek Development Agreement process with Obey Creek Ventures, LLC.

3.13 On November 13, 2014, the Town Council convened the first of a series of meetings with Obey Creek Ventures, LLC to begin negotiation regarding a Development Agreement for Obey Creek.

3.14 The Town Council held negotiation sessions with Obey Creek Ventures, LLC on the following dates: November 13, December 8, 2014, February 12, February 26, March 12, and March 25, 2015. An informational meeting was held on January 8, 2015; a facilitated discussion was held on January 23, 2015; and a work session was held on April 8, 2015. A review session with Town Advisory Boards and Commissions, the Town Council, and Obey Creek Ventures, LLC was held on April 30, 2015. Opportunity for public comment was provided at the beginning and end of each meeting.

3.15 On March 3, 2015, East West Partners Management Co., Inc. submitted a Zoning Atlas Amendment Application to rezone the western 43 acres of the Obey Creek site, including the land owned by the Mueller Partnership as Exhibit A and L and described on Exhibit C and the land owned by the Town of Chapel Hill as shown on Exhibit M and described on Exhibit O. The Zoning Atlas Amendment Application requested that these parcels be rezoned to the new Development Agreement-1 (DA-1) zoning district. Town staff drafted the language for the new Development Agreement-1 (DA-1) zoning district.

3.16 The Town conducted duly advertised public information sessions to provide an overview of the development agreement and to respond to questions on December 4, 2014, March 11, and May 14, 2015. All sessions were posted for later viewing on the Town website.

3.17 In March, April, and May, 2015, Town Advisory Boards and Commission reviewed and prepared comments on the proposed LUMO text amendment, zoning atlas amendment, and development agreement. These meetings and discussions were held by the following Boards/Commissions: Community Design Commission; Environmental Stewardship Advisory Board; Parks, Greenways, and Recreation Commission; Planning Commission; Stormwater Management Utility Advisory Board; and Transportation and Connectivity Advisory Board.

3.18 On April 26, 2015, the initial notice of a public hearing to be held on May 18, 2015 on the LUMO text amendment, zoning atlas amendment, and development agreement for the Obey Creek site was published pursuant to G.S. 160A-364. The second notice of this public hearing was posted on May 3, 2015. Notices of the public hearing were also mailed to adjacent owners pursuant to G.S. 160A-384(a) on April 24, 2015. The location, type, and intensity of the proposed development were not changed after these initial notices of public hearing.

3.19 On May 5, 2015, the Planning Commission reviewed the draft LUMO text amendment and recommended that the Council enact an ordinance to create the Development Agreement-1 (DA-1) zoning district.

3.20 [OBEY CREEK: Insert information about the public hearing, Planning Commission recommendation regarding the zoning atlas amendment, and the Council Business Meeting.]

3.21 The purpose of this Agreement is to facilitate the Development of the Property in a way that best realizes the public benefits to the Town and the Developer Owners. The Development of the Property requires a major investment by the Developer Owners in facilities, substantial front-end investment in on-site and off-site improvements, participation in other programs for public benefit and purposes, and substantial commitments of the resources to achieve the benefits of the Development for the Developer Owners and the Town. The Developer Owners will be unable to make and realize the benefits from such commitments without the assurances provided by this Agreement.

3.22 The general benefits to be received by the Town from the implementation of the Development include, without limitation:

a) Implementation of the Town's plans and furthering the goals of securing an appropriate mix of uses and densities for the Developed Property;
b) Protection of natural resources within the Property, minimization of adverse offsite impacts, and incorporation of sustainability principles in the design and implementation of the Development of the Property;
c) Provision of an efficient, effective, and practical overall plan for addressing the transportation needs of the Development of the Developed Property, including commitments to transit, bikeways, greenways, sidewalks, and road improvements;
d) Assurance that the Development of the Developed Property will be undertaken in a manner that is at final build-out revenue neutral or revenue positive in terms of fiscal impacts for the Town;
e) Establishment of integrated site plans, urban design elements, land uses, architecture, site engineering, and landscape architecture; and

f) Assurance of substantial commitments to public infrastructure and amenities as a result of sufficient certainty, timeliness and predictability from the Developer Owners.

3.23 The general benefits to be received by the Developer Owners from the implementation of the Development include without limitation:

a) Obtaining sufficient certainty, timeliness, and predictability in the Town's development review and approval process to justify the required substantial upfront capital investment for a project that will require multiple years to build out;
b) Realization of the opportunity to implement the Development plan for a mixed use development that is consistent with Town's and the Developer Owners' goals and needs;
c) Integration of site plans, urban design elements, land uses, architecture, site engineering, landscape architecture, and mitigation measures over the entire Property;
d) Flexibility with and alternatives to Town ordinances, standards, policies and guidelines to achieve the Development; and
e) Participation from the Town to achieve the public benefits necessary for the Development.

3.24 In exchange for providing these benefits to the Town, the Developer Owners desire to receive the assurance that it may proceed with the Development of the Property in accordance with any and all existing Town development regulations and conditions of approval of the Town as they exist on the Effective Date, subject to the terms, conditions, and exceptions contained herein and subject to periodic potential amendments to this Agreement made in accordance with this Agreement.

3.25 After careful review and deliberation, the Developer Owners have determined that the latitude afforded the proposed Development of the Property and the certainty, timeliness, and predictability regarding Town development approval afforded by this Agreement provide important benefits for long-range planning and Development by the Developer Owners and justify the provision of the specific standards and mitigation measures specified in Article 5 of this Agreement, which the Developer Owners freely and with full knowledge and consent agree to provide.

3.26 The terms and conditions of this Agreement have undergone extensive review by the Town's staff and the Town Council and have been found to be fair, just and reasonable. After careful review and deliberation, the Town Council has determined and concluded that the Agreement meets the goals and needs of the Town and the Developer Owners, and complies with all statutory requirements.

3.27 The Town, by electing to enter into this Agreement in accordance with statutory procedures, acknowledges that the obligations of the Town shall survive beyond the term or terms of the present Town Council and that such action will serve to bind the Town and future councils to the obligations thereby undertaken. By approving this Agreement, the Town Council has elected to exercise certain governmental powers at the time of entering into this Agreement rather than deferring its actions to some undetermined future date.

3.28 Based on the foregoing considerations, the Developer Owners and the Town desire to enter into this Agreement for the purposes of:

a) Agreeing upon the plan, design, and density of Development on the Property and the types of uses thereon, and promoting sustainability, reflecting consideration of economic, environmental and social issues;
b) Coordinating the construction and provision of infrastructure that will serve the above-described Development of the Property and the community at large;
c) Confirming the dedication and/or provision of the public amenities described herein; and
d) Providing assurances to the Developer Owners and the Representative that they may proceed with the Development of the Property in accordance with the terms of this Agreement without encountering future changes in ordinances, regulations or policies that would affect their ability to Develop the Property under the terms of this Agreement; and
e) Providing certainty that the Developer Owners, Parcel Owners and Representative can obtain permits necessary for the Development pursuant to a non-discretionary, predictable and expeditious process.

3.29 Pursuant to G.S. 160A-400.24, the Town Council conducted a public hearing on May 18, 2015 to consider the approval of this Agreement. The notice of public hearing specified, among other things, the location of the Property subject to this Agreement, the development uses proposed on the Property and a place where a copy of the proposed Agreement could be obtained. The initial draft of this Agreement was posted on the Town website in January of 2015 and was available for public inspection at Town offices and online at that time. Updates to the draft Agreement were posted at regular intervals thereafter and were available for public review throughout the January through [OBEY CREEK: Insert month], 2015 period.

3.30 On [OBEY CREEK: insert date here], the Town Council considered and approved this Agreement and authorized the Town's execution of the same. The approval of this Agreement constitutes a legislative act of the Town Council.

ARTICLE 4. **TERMS – UPDATED INFORMATION (MAY 11, 2015)**

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances provided herein, the Town and the Developer Owners do hereby agree as follows:

4.1 Recitals. The Parties agree the foregoing Recitals in Article 3 are true and correct and are incorporated herein by reference.

4.2 Term. The term of this Agreement shall commence upon the Effective Date and it shall expire twenty (20) years thereafter unless sooner terminated by the mutual consent of the Parties, or is otherwise terminated pursuant to the terms of this Agreement, it being understood that the termination of this Agreement shall not require the consent of any Parcel Owners. This twenty (20) year term has been established by the Parties as a reasonable estimate of the time required to carry out the Development of the Property subject to this Agreement and to obtain the public benefits of the Development. The Town finds that a term of twenty (20) years is reasonably necessary to assure the

Town of the realization of the public benefits from the Development of the Property. All of the Development which the Developer Owners or Parcel Owners, if any, elect to commence pursuant to this Agreement which is authorized by this Agreement will be initiated by obtaining a Development Agreement Compliance Permit within the term of the Agreement, but expiration of the twenty (20) year term shall not terminate (a) mutually agreed to obligations and commitments included within this Agreement that are expressly specified to extend beyond the term of the Agreement as stated in Section 4.28 of this Agreement or (b) rights and obligations that are related to Development for which a Development Agreement Compliance Permit has been issued within the twenty (20) year term but the Development of which has not been completed by the expiration of the twenty (20) year term. The term of this Agreement may be extended or renewed by the mutual consent of the Parties in accordance with state and federal law, it being understood that the consent of Parcel Owners will not be required.

4.3 Property Subject to Agreement. The real property subject to this Agreement includes all of the Property.

4.4 Zoning of the Property. The Developed Property west of Wilson Creek was zoned Development Agreement-1 (DA-1) on [OBEY CREEK: insert date here] by the Town Council. The property to the east of Wilson Creek is zoned Residential Low Density-1 (R-LD1) as shown in Exhibit A and B.

4.5 Law in Effect at Time of the Agreement Governs the Development; Vested Rights. Except as provided in G.S. 160A-400.26 and G.S. 160A-400.29(b), the Town may not apply subsequently adopted ordinances or development policies to the Property during the term of this Agreement without the written consent of the Developer Owners. The consent of Parcel Owners shall not be required unless the Parcel owned by the Parcel Owner is directly and adversely affected by such subsequently adopted ordinances or development policies, in which case the affected Parcel Owner must also provide written consent under this Section. Accordingly, during the term of this Agreement the Developer Owners and Parcel Owners, if any, shall have a vested right to Develop the Property in accordance with the terms of Article 5 of this Agreement, the terms of the LUMO and any applicable laws and regulations, all of the foregoing as they exist as of Effective Date. This Agreement does not abrogate any rights that may vest pursuant to statutory or common law or otherwise in the absence of this Agreement. The Participants agree, intend, and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. In accordance with G.S. 160A-400.26(c), in the event County, State or federal law is changed after the Effective Date and the change prevents or precludes compliance with one or more provisions of this Agreement, the Town may modify the affected provisions with the consent of the Developer Owners, upon a finding that the change in County, State or federal law has a fundamental effect on the Agreement, by ordinance after notice and a hearing and upon such modification the Town shall record the modification in the Registry. If the Developer Owners fail to consent, this Agreement shall be terminated (with the Developer Owners and any Parcel Owners retaining any rights with respect to any Development Agreement Compliance Permit obtained prior to termination) and said termination will be recorded in the Registry

4.6 Development of the Property. Should the Developer Owners and/or any Parcel Owners develop the Property pursuant to this Agreement, then the Property shall be

Developed (i) in accordance with the terms and conditions of the LUMO and any other applicable Town ordinances in effect as of the Effective Date; and (ii) in substantial compliance with the specific standards and mitigation measures approved by the Parties as set forth in this Agreement. Any future modifications or revisions to the LUMO or any other Town ordinances would not apply to Development on the Property. The maximum height, bulk, size, and design of buildings and the placement, location, and configuration of the development sites, infrastructure, open space, streets, sidewalks and other public improvements shall be in substantial compliance with this Agreement. Except as limited by this Agreement or as otherwise provided in this Agreement, Development shall be substantially consistent with the Town's Design Guidelines, Design Manual, Engineering Standards and other Town standards or policies in effect as of the effective date (collectively, "Town Regulations"). Notwithstanding the foregoing, in the event of any conflict between the provisions of the Town Regulations, and the express provisions of this Agreement, the terms of the Agreement shall be controlling. A certified copy of the LUMO and any other applicable Town ordinances in effect as of the Effective Date shall be provided to and maintained on file and online by the Town Clerk, the Developer Owners and the Representative.

4.7 Development of the Property - Special Uses. In the event a proposed Development does not comply with this Agreement and applicable Town Regulations and is not considered a Minor Modification (as hereinafter defined) to this Agreement, the applicant, in the applicant's sole discretion, may:

a) apply to the Town Council for an amendment to this Agreement as a Major Modification (as hereinafter defined), or
b) apply for a special use permit under Section 4.5 of the LUMO to permit the proposed Development.

4.8 Local Development Permits.

a) In accordance with G.S. 160A-400.25(a)(6), the local development permits approved or needed to be approved for the Development shall include the following: (1) Individual Development Agreement Compliance Permits; (2) Building and other applicable construction permits; and (3) Engineering Construction Permits, Street Cut Permits, and Street Closure Permits for work in Town right-of-way. Any such approvals and permits shall be consistent with the requirements of Article 5 of this Agreement. The failure of this Agreement to address a particular permit, condition, term or restriction does not relieve the Developer Owners, the Parcel Owners or the Representative of the necessity of complying with such permitting requirements, conditions, terms or restrictions, except as may be limited or otherwise provided in this Agreement.
b) Applications may be made for more than one type of local permit at a time, and such permit applications shall be reviewed concurrently by the Town to the extent possible. Additionally, the Town shall exercise reasonable diligence to expedite the processing of the required permit and approval applications for the Development of the Property. The Developer Owners, Parcel Owners and the Representative shall in a timely manner provide the Town with all documents, applications, plans, and other information necessary for the Town to carry out its obligations hereunder.

4.9 Development of the Property – Development Agreement Compliance Permit.

a) Permit Required. A Development Agreement Compliance Permit shall be required prior to the commencement of any Development or construction work related to Development except as otherwise indicated in this Agreement. The Development Agreement Compliance Permit required by this section shall be in lieu of any Zoning Compliance Permit that might otherwise be required by Section 4.9 of the LUMO. The Developer Owners and/or Parcel Owners intending to undertake Development of the Property (the "Applicant") shall apply for a Development Agreement Compliance Permit by filing the application provided for in Exhibit D.

b) Schedule of Review

1) Prior to submitting an application for a Development Agreement Compliance Permit, the Applicant shall meet with the Town to review the proposed Development.
2) Within ten (10) working days following submission of an application for a Development Agreement Compliance Permit, the Town shall provide the applicant with a completeness determination.
3) The Town shall review the application for compliance with this Agreement and the applicable Town regulations that are not expressly superseded by this Agreement.
4) Within twenty (20) working days following the date on which an application is deemed complete, the Town shall provide written comments to the Applicant regarding whether the submitted application is in compliance with this Agreement and applicable Town regulations or whether the submitted application requires revision.
5) If the application is not in compliance, the Applicant shall submit a revised application to the Town. Upon submitting a revised application, the Town shall process the revised application in the manner described in Section 4.9, including the twenty (20) day time frame set forth in subsection (b)(4), and such process shall be repeated until the application is in compliance with this Agreement and applicable Town regulations.
6) Once an application has been deemed complete, it shall be promptly forwarded to the Community Design Commission for its review of compliance of building materials and elevations with Exhibit E of this Agreement. The seventy-five (75) working day review period being sufficient for two (2) meetings of the Community Design Commission, any comments from the Community Design Commission shall be forwarded to the Town Manager in a timely fashion, to be considered as a part of his/her review.
7) The Town Manager shall approve or deny the Development Agreement Compliance Permit application within seventy-five (75) working days following submission of a complete application, or (i) an extension of time is requested by the Applicant, or (ii) the Applicant submits a revised application to the Town fewer than fifteen (15) working days before the seventy-fifth (75th) day of the review period, in which case the review period shall be automatically extended by fifteen (15) working days.

(i) The Town Manager shall approve the application upon finding it complies with and does not violate any term of this Agreement and the applicable Town regulations, and

shall deny the application upon finding it does not comply with the terms of this Agreement and the applicable Town regulations.

8) If the application is approved, the Town shall issue the Applicant a Development Agreement Compliance Permit Approval Letter.

9) If the application is denied, the Town Manager shall specify the grounds for finding that it is inconsistent or in violation with this Agreement or associated regulations and refer the Applicant to the special use permit process described in Section 4.5 of the LUMO. Alternatively, the applicant may submit a new Development Agreement Compliance Permit application or apply for Major Modification to this Agreement.

10) Notwithstanding anything to the contrary, a one-time change in floor area of one thousand (1,000) square feet or fewer to any structure or building previously approved with a Development Agreement Compliance Permit shall not require modification or approval of another Development Agreement Compliance Permit. Such changes shall be reported to the Town in the Annual Report.

c) Construction Management Plan. See Section 5.4(b) for information regarding the Construction Management Plan.

4.10 Amendment and Modification. The terms of this Agreement may be amended or modified by the mutual consent of the Parties, it being understood that the consent of a Parcel Owner shall not be required for any amendment or modification of this Agreement unless the amendment or modification has a direct and adverse effect on the use or Development of the Parcel owned by the Parcel Owner. A modification of this Agreement that is considered a Major Modification (as hereinafter defined) of the terms of this Agreement shall follow the same procedures as required by North Carolina law for the adoption of a development agreement. Either party may propose a Major Modification requiring amendment or a Minor Modification (as hereinafter defined) to this Agreement. Upon receipt of a proposed modification, the Town Manager shall consider the following criteria in making the determination as to whether a proposed modification is a Major Modification or a Minor Modification to this Agreement.

a) The following changes will be considered Major Modifications under the Agreement:

1) A substantial change in the boundaries of Property subject to this Agreement as defined as: (i) any single proposed increase or decrease in the area of land subject to this Agreement of more than five (5) percent, or (ii) a cumulative increase of fifteen (15) percent or more in the land area subject to this Agreement.

2) ~~A change in the amount of impervious surface as illustrated in Exhibit E.~~

3) A modification of the stormwater management design criteria listed in Section 5.3 of this Agreement.

4) A change in maximum building height as illustrated in Exhibit E, Building Heights.

5) A decrease by more than one (1) foot in setbacks as shown in Exhibit E.

6) A change in the approved development of the Developed Property that would increase the total external daily vehicle trips as stated in Section 5.4(c)(3).
7) A change in the development of the Developed Property that would increase the cumulative total of new gross floor area at the Developed Property in a way that would increase trip generation projections beyond those calculated in the Traffic Impact Study dated April 2014.
8) A substantial change in the affordable housing agreement in Article 5.2 of this Agreement.
9) A change in the Design Guidelines that would substantially change the location, size, form, style and appearance of principal and/or accessory structures or open spaces and amenities as shown in the Design Guidelines approved with this Agreement.
10) A change to the scale, timing and mix of uses allowed in Article 5.1 of this Agreement.

b) All other amendments or modifications to this Agreement are considered Minor Modifications and therefore would not require the procedures for adoption of a development agreement. All Minor Modifications require notice to Town Council and shall be subject to review and approval by the Town Manager. Such approval shall be memorialized by letter from the Town Manager and acknowledged by the Developer Owners, the Parcel Owner, if it affects the Parcel Owner, and Representative and shall be maintained on file by the Town Clerk, the Representative, the Developer Owners and Parcel Owner, if applicable.

c) Notwithstanding the above, some proposed changes to this Agreement that do not meet the threshold to constitute a Major Modification may in the judgment of the Town Manager, because of size, perimeter location or transportation impacts, merit public review. In the event the Town Manager makes such a determination, the Town Manager may submit a proposed Minor Modification as notification to Town Council to allow an opportunity for Council review. Unless the Parties agree otherwise, such a review shall not extend the time period allowed for a decision by the Town Manager on the Minor Modification or convert the change from a Minor Modification into a Major Modification.

d) All proposed amendments or modifications to this Agreement shall be publicly posted and reported to Advisory Boards and Commissions in such a manner that all Town Advisory Boards, Commission, and residents of Chapel Hill will have the opportunity to express any concerns to the Town Council and/or the Town Manager.

e) The Town Manager shall determine whether a proposed amendment or modification to this Agreement is a Major Modification or a Minor Modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the Town Council and applicant of that determination. If the proposed action is determined to be a Major Modification, the Town Manager shall require the filing of an application for approval of the amendment, following procedures outlined in Section 1.6 of this Agreement.

f) Minor Modifications to this Agreement may be approved by the Town Manager as long as such changes continue to be in substantial compliance with the approving action of the Town Council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with

this Agreement. The Town Manager shall make a decision on the proposed minor amendment within one hundred twenty (120) calendar days of the date of the Town Manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the Town. The Town Manager shall not have the authority to approve changes that constitute a Major Modification to this Agreement.

4.11 Recordation/Binding Effect. Within fourteen (14) days after the Town enters into this Agreement, the Developer Owners shall record this Agreement in the Registry. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to the Town and its successors in interest, to the Developer Owners and their successors and assigns in title as defined in Section 2.7 and, to the extent provided in this Agreement, to the Parcel Owners and their successors and assigns in title as defined in Section 2.20. All of the provisions of this Agreement shall be enforceable during the term as equitable servitudes and constitute covenants running with the land pursuant to applicable law.

4.12 Annual Report. The Developer Owners or their designee shall on an annual basis submit a written report to the Town Manager on the Development undertaken pursuant to this Agreement in the previous year (the "Annual Report"). The Annual Report shall set forth all individual Development Agreement Compliance Permits issued, infrastructure installed, the status of participation by the Developer Owners, the Representative and the Parcel Owners in the provision of or financing of public infrastructure for the Development, dedications and acquisitions of infrastructure by the Developer Owners, Representative and Parcel Owners, and the projected schedule for Development of the Property in the forthcoming year. The Annual Report shall include all of the information required pursuant to Section 5.25 of the Agreement and shall be provided at the times specified by that Section. The Annual Report shall also include a report demonstrating good faith compliance by the Developer Owners, the Representative and the Parcel Owners with the terms of this Agreement. Upon receipt of the Annual Report, the Town Manager shall undertake the Periodic Review as set forth in Section 4.13 of this Agreement.

4.13 Periodic Compliance Review and Enforcement.

a) Periodic Review. Pursuant to G.S. 160A-400.27, the Town Manager shall conduct a periodic compliance review (the "Periodic Review") at least every twelve (12) months, at which time the Developer Owners, the Parcel Owners (if any) and or by and through the Representative shall be required to demonstrate good faith compliance with the terms of this Agreement. The Town Manager shall promptly report the results of this review to the Town Council. The Town Manager will use the Annual Report as the basis for preparing the Periodic Review.

b) Material Breach. If, as a result of the Periodic Review, the Town Council finds and determines that any Developer Owner or Parcel Owner has committed a material breach of the terms or conditions of the Agreement (the "Breaching Owner"), the Town Manager shall serve notice in writing to the Developer Owners and the Breaching Owner (the "Notice"), within fifteen (15) days after the Periodic Review setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination. A breach by a Parcel Owner shall not be deemed or considered a breach by the Developer

Owners or any other Parcel Owner and a breach by any Developer Owner shall not be deemed or considered a breach by any Parcel Owners or the other Developer Owner.

c) Right to Cure. After Notice has been served, the Breaching Owner shall have a reasonable time in which to cure the material breach (the "Breaching Owner's Cure"), but in no event shall the Breaching Owner have less than thirty (30) days for the Breaching Owner's Cure. If the Breaching Owner fails to cure the material breach within the time given, then the Developer Owners shall have an additional reasonable amount of time to cure the Breaching Owner's breach (the "Developer Owner's Cure"), but in no event shall the Developer Owners have less than an additional thirty (30) days for the Developer Owner's Cure. Notwithstanding the foregoing, the Breaching Owner and the Developer Owners, as applicable, shall be afforded an additional reasonable period of time to cure the breach if cure is commenced within the time period and thereafter diligently pursued but cannot be completed within said time frame. Nothing in this Agreement shall limit the Town's authority to pursue other remedies as allowed by law.

d) Termination or Modification by the Town. If the Breaching Owner or the Developer Owner fails to cure the material breach under Section 4.13(c), then the Town Council may elect to terminate or modify the Agreement after complying with mediation requirements as stated in Section 4.14. Any notice of termination or modification or finding by the Town of a breach may be appealed to the Town Board of Adjustment in the manner provided by G.S. 160A-388(b1). Thereafter, the Breaching Owner and the Developer Owners may pursue any other rights and remedies available at law or in equity. If after mediation the Town Council elects to unilaterally modify the Agreement, the Developer Owners may elect for the Agreement to be terminated rather than accede to the Agreement with the modifications made by the Town Council by giving written notice to the Town within sixty (60) days after the proposed modification. In such event, Section 4.28(a), Section 4.28(b) and Section 4.28(c) shall apply and the Developer Owners have the right to file a termination in the Registry. Failure of the Town to conduct this Periodic Review shall not constitute a waiver by the Town of its rights to otherwise enforce the provisions of this Agreement, nor shall the Developer Owners or Parcel Owners or the Representative have or assert any defense to such enforcement by reason of such failure to conduct a Periodic Review.

4.14 Mediation. In the event any Participant believes another Participant is in default or is in material breach, the Participants shall make a good faith effort to negotiate and informally resolve the issues in dispute prior to terminating this Agreement. In the event of an impasse between the Participants in reaching any mutual agreement mandated by this Agreement, the Participants shall make good faith efforts to negotiate and informally resolve the issue in dispute (the "Claim"). If the Participants do not resolve the Claim through negotiation within 30 days of the date of the notice of default, the Participants agree to submit the claim to mediation pursuant to the following process:

a) The non-defaulting Participant (the "Claimant") shall have thirty (30) additional days within which to submit the Claim to mediation under the auspices of any dispute resolution center or other such independent agency providing similar services upon which the Participants may mutually agree.

b) If Claimant does not submit the claim to mediation within thirty (30) days after notice of default, Claimant shall be deemed to have waived the claim, and the defaulting Participant (the "Respondent") shall be released and discharged from any and all liability to Claimant on account of such claim; provided, nothing herein shall release or discharge Respondent from any liability to Persons not a Participant to the foregoing proceedings.

c) If the Participants do not settle the Claim within thirty (30) days after submission of the matter to the mediation process, or within such time as determined reasonable or appropriate by the mediator, the mediator shall issue a notice of termination of the mediation proceedings. Such notice shall set forth when and where the Participants met, that the Participants are at an impasse, and the date that mediation was terminated.

d) If settlement does not occur and mediation is terminated, the Participants may pursue any and all actions at law and equity permitted under this Agreement subject to the right to notice and cure as provided in Section 4.13.

4.15 Development Timing and Moratoria. The Developer Owners, Parcel Owners and Representative may, but shall not be obligated to, Develop the Property pursuant to this Agreement. If any such Developer Owner, Parcel Owner or Representative so elects to Develop a portion of the Property, such Participant shall carry out the Development of such portion of the Property in such order and sequence as the Developer Owners, Parcel Owners and Representative, as applicable, shall determine in its discretion, provided such does not violate an express provision of this Agreement. Phasing of the Development shall be based on sound engineering practices as determined by Developer Owners', Parcel Owners', if applicable, or Representative's engineers to ensure functional and safe street circulation and utility systems at all times. Phasing shall be based in such a way that all infrastructure improvements to be constructed within the Property will be provided when or before they are necessary for that phase of the Development. Absent an imminent threat to public health or safety, neither the right to develop nor the timing of Development shall be affected by a moratorium or suspension of development rights adopted by the Town except to the extent imposed by this Agreement or by supervening federal or state law, order, rule or regulation.

4.16 Default. Apart from the Periodic Review process set forth in Section 4.13 of this Agreement, the failure of the Developer Owners, a Parcel Owner, the Representative or the Town to comply with the terms of this Agreement shall constitute a default, entitling the non-defaulting Participant or Participants to pursue such remedies as allowed under applicable law against the defaulting party, after following mediation requirements in Section 4.14 above, provided, however, that no termination of this Agreement may be declared by the Town or the Developer Owner absent its according to the Participant and the Developer Owners, on behalf of the defaulting Participant or a Parcel Owner, if applicable, the notice and opportunity to cure set out in Section 4.13 of this Agreement. A Parcel Owner shall not have the right to terminate this Agreement. A Participant believing another Participant to be in default shall provide notice of that default to the other Participant within fifteen (15) days of such default, and shall provide the defaulting Participant and the Developer Owners on behalf of the defaulting Participant, if a Parcel Owner, an opportunity to cure any default as provided in Section 4.13.

4.17 Force Majeure. In addition to specific provisions of this Agreement, neither the Developer Owners, Parcel Owners, the Representative nor the Town shall be responsible for any default, delay or failure to perform if such default, delay or failure to perform is due to causes beyond such Participant's reasonable control, including, but not limited to, strikes, lockouts, actions or inactions of governmental authorities (excluding Participating Parties to this Agreement), epidemics, wars, embargoes, fires, hurricanes, adverse weather, acts of God, interference duly caused by any other Participant, or the default of a common carrier. In the event of a default, delay or failure to perform due to causes beyond such Participant's reasonable control or due to interference by another Participant, any date or times by which the Participating Parties are otherwise scheduled to perform, if any, shall be extended automatically for a period of time equal in duration to the time lost by reason of the cause beyond the reasonable control of such Participant. If written notice of such delay is given to the other Participant after the commencement of such delay, an extension of time for such cause shall be deemed granted and will be agreed to by the Participating Parties in writing for the period of the enforced delay, or longer as may be mutually agreed.

4.18 Disclaimer of Joint Venture, Partnership and Agency. This Agreement shall not be interpreted or construed to create an association, joint venture, or partnership between the Developer Owners, any Parcel Owner, the Representative and the Town, or to impose any partnership obligation or liability upon such Participating Parties. Neither the Developer Owners, the Representative, any Parcel Owners nor the Town shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent of representative of, or to otherwise bind, the other Participant except for the participation by Representative on behalf of the Developer Owners and Parcel Owners as provided in this Agreement.

4.19 No Third Party Beneficiaries. The Agreement is not intended to and does not confer any right or benefit on any third party that is not a Participant.

4.20 Legal Actions. In addition to any other rights or remedies, and subject to the mediation requirements in Section 4.14, and further subject to the notice and right to cure provisions in Section 4.13, any Party may institute legal action against a defaulting Party or a defaulting Parcel Owner to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement, or to obtain any remedies consistent with the purposes of the Agreement. Legal actions shall be instituted in the Superior Court of the County of Orange, State of North Carolina, and the Participating Parties hereto submit to the personal jurisdiction of such court without application of any conflicts of laws provisions of any jurisdiction. In the event that it becomes necessary for a Participant to pursue a civil action against a defaulting Participant, the prevailing party in such action shall be entitled to recover its reasonable attorney fees and costs from the defaulting party if such fees are awarded by a court of competent jurisdiction.

4.21 Notices. Unless specifically provided otherwise by this Agreement, any notice, demand, request, consent, approval or communication which a signatory Party is required to or may give to another signatory Party hereunder shall be in writing and shall be delivered or addressed to the other at the address below set forth or to such other address as such Party may from time to time direct by written notice given in the manner herein prescribed. Such notice or communication shall be deemed to have

been given or made when communicated by personal delivery or by independent courier service or by facsimile or by email with a hard copy to be delivered by independent courier service by the next business day. The Parties shall make reasonable inquiry to determine whether the names or titles of the persons listed in this Agreement should be substituted with the name of the listed person's successor. Notice to a Parcel Owner shall be to the address designated in the deed conveying the Parcel to the Parcel Owner.

All notices, demands, requests, consents, approvals or communications to the Town shall be addressed to:

Town Manager
Town of Chapel Hill
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514
919-969-2063 (fax)
manager@townofchapelhill.org (email)

All notices, demands, requests, consents, approvals or communications to the Developer Owners shall be addressed to:

OBEY CREEK VENTURES, LLC.
c/o East West Partners Management Company, Inc.
Attn: Benjamin Perry
1450 Environ Way
Chapel Hill, North Carolina 27517
919-967-0959 (fax)
bperry@ewp-nc.com (email)

All notices, demands, requests, consents, approvals or communications to the Representative shall be addressed to:

OBEY CREEK VENTURES, LLC.
c/o East West Partners Management Company, Inc.
Attn: Benjamin Perry
1450 Environ Way
Chapel Hill, North Carolina 27517
919-967-0959 (fax)
bperry@ewp-nc.com (email)

4.22 Entire Agreement. This Agreement sets forth and incorporates by reference all of the agreements, conditions and understandings between the Parties relative to the Property and supersedes all previous agreements. There are no promises, agreements, conditions or understandings, oral or written, expressed or implied, among the Parties relative to the matters addressed herein other than as set forth or as referred to in this Agreement or as contained in the LUMO as of the Effective Date.

4.23 Construction. The Parties agree that each Party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.

4.24 Assignment. After notice to the Town, the Developer Owners may at any time and from time to time assign their respective rights and responsibilities hereunder as provided in Section 2.7 to Persons as Developer Owners and as provided in Section 2.20 to Persons as Parcel Owners who will also retain the right to assign their respective rights and/or responsibilities hereunder or any part of all or any portion of the Property as Developer Owners or Parcel Owners. No assignment as to a portion of the Property will relieve the assigning Developer Owners or Parcel Owners of responsibility with respect to the remaining portion of the Property owned by the assigning Developer Owner or Parcel Owner for the period prior to the transfer without the written consent of the Town. However, the assigning Developer Owner or Parcel Owner will be relieved of any further obligations or responsibilities hereunder for the portion of the Property assigned for the period after the transfer. Any violation of the terms and conditions of this Agreement occurring after said transfer will be the responsibility of the then current Developer Owner(s) or Parcel Owner(s) of said Parcel(s) in violation.

4.25 Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

4.26 Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same instrument.

4.27 Agreement to Cooperate. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the Participating Parties hereby agree to cooperate in defending such action; provided, however, each Participant shall retain the right to pursue its own independent legal defense.

4.28 Termination. This Agreement shall terminate on the earlier of the expiration of the term specified in Section 4.2 of this Agreement or a specific termination made by operation of the provisions of this Agreement, or by agreement of the Parties. Notwithstanding the foregoing, the Developer Owners shall have the unilateral right to terminate this Agreement upon any of the following: (i) change in the Developer Owner or Representative's plan for Development that renders this Agreement inapplicable; or (ii) there has been no Development on the Property; provided if termination is due to (i) above, Developer Owners shall complete any construction commenced pursuant to a Development Agreement Compliance Permit issued prior to the date of termination. Any Termination other than by expiration of the term shall be recorded in the Registry. Termination of this Agreement as to the Developer Owners and Parcel Owners shall not affect any of the following:

a) any requirements to comply with the applicable terms and conditions of the LUMO, Development Agreement Compliance Permits, approval and acceptance of infrastructure improvements, and any applicable permits;
b) rights under this Agreement with respect to which a Development Agreement Compliance Permit has been issued by the Town Manager prior to the termination or expiration but for which construction is not completed by the expiration of the twenty (20) year term or not completed prior to termination; or
c) provided, if this Agreement shall have run for the entire 20 year term or if this Agreement has otherwise been extended or renewed, in accordance with the

terms of this Agreement, the requirements and rights expressly specified in this Agreement with respect to Development Agreement Compliance Permits issued shall continue after termination of this Agreement.

In the event consideration is given to (i) suspension of this Agreement, (ii) termination of this Agreement, or (iii) suspension or termination of any approval of an individual Development Agreement Compliance Permit issued pursuant to this Agreement prior to completion of the twenty (20) year term of this Agreement, the Parties (and the Parcel Owner, if the Development Agreement Compliance Permit was issued for its Parcel) agree that each will identify appropriate representatives to meet and participate in good faith negotiations and mediation as provided in Section 4.14, aimed at resolving the issues prompting that consideration.

4.29 No Deemed Waiver. Failure of a Participant to exercise any right under this Agreement shall not be deemed a waiver of any such right and shall not affect the right of such Participant to exercise at some future time said right or any other right it may have hereunder.

4.30 Severability. If any term or provision herein shall be judicially determined to be void or of no effect, such determination shall not affect the validity of the remaining terms and provisions. The Participating Parties agree that if any provision of this Agreement is judicially determined to be invalid because it is inconsistent with a provision of state or federal law, this Agreement shall be amended to the extent necessary to make it consistent with state or federal law and the balance of the Agreement shall remain in full force and effect. Participating parties, having voluntarily agreed to be contractually bound, for themselves and their successors and assigns, accept all of the terms of the Agreement and confirm their belief that the terms are consistent with applicable law as of the Effective Date.

4.31 Authority. Each Party represents that it has undertaken all actions necessary for approval of this Agreement, and that the person signing this Agreement has the authority to bind the Town, the Developer Owners and the Representative.

4.32 Transparency and Public Involvement. It is the intent of the Participating Parties that all aspects of the implementation of this Agreement shall be carried out in an open, transparent fashion with opportunities for effective and meaningful public involvement. The Town, the Developer Owners, the Parcel Owners, if any, and the Representative shall take reasonable steps to make information about all aspects of the implementation of this Agreement (including required studies, analysis, plans, reports, and applications which are public record) fully available for public review with the exception of any attorney-client privileged information, financing documentation, market analysis, internal financial documentation, reports, pro formas, returns or other personal information.

4.33 Estoppel. Each of the Participating Parties agree, from time to time, within twenty (20) days after request of the other Participant, to deliver to the requesting Participant or such Participant's designee, an estoppel certificate stating that this Agreement is in full force and effect, the unexpired term of this Agreement, and whether or not, to such Participant's knowledge, there are any existing defaults or matters which, with the passage of time, would become defaults under this Agreement. It is understood and agreed that the Parties' obligation to furnish such estoppel certificates in a timely

fashion is a material inducement for the other's execution of this Agreement. In no event may any Party request from the other an estoppel certificate more than one (1) time in any twelve (12) month period other than in connection with a bona fide sale or financing of the Property or portion thereof, any interests in, or any assets of, any Party.

4.34 Parcels and Parcel Owners. This Agreement shall apply to the Property and to all Parcels and Parcel Owners, and by acceptance of a deed of conveyance, each subsequent Developer Owner and Parcel Owner agrees to abide by the terms and conditions of this Agreement; as a Developer Owner or Parcel Owner, as applicable to their respective Parcel, any separate declaration of covenants, restrictions and conditions affecting the Property now or hereafter recorded in the Registry, or any documentation in connection with the recording of the deed conveying the Parcel to the Parcel Owner.

4.35 Representations and Warranties of the Developer Owners. The Developer Owners represent and warrant to the Town that:

a) they are valid limited liability companies duly organized, validly existing and in good standing under the laws of the State of North Carolina;
b) they are duly qualified to do business and are in good standing in every jurisdiction in which such licensing and qualification is required;
c) they have the full right, power, and authority to enter into this Agreement and to perform its obligations hereunder;
d) all of the Developer Owners and Parcel Owners of the Property, to the best of the Developer Owners' and Parcel Owners' knowledge, have or will execute, deliver and perform this Agreement.

ARTICLE 5. SPECIFIC STANDARDS AND MITIGATION MEASURES – UPDATED INFORMATION (MAY 11, 2015)

The Parties do hereby agree to the specific standards and mitigation measures set forth in this Article.

5.1 Scale of Development and Uses Permitted. – Updated information (May 11, 2015)

a) All buildings, development, green spaces, and Wilson Creek Preserve (see Section 5.12) must comply with Exhibit E.
b) The scale of development for the Developed Property shall be consistent with the Land Use, Building Heights, and Density provided for in Exhibit E.
c) The placement of buildings on the Developed Property shall be generally consistent with the Site Map in Exhibit B
d) The floor areas and land uses permitted land uses at the Developed Property are limited to those as listed in the following chart:

Use and Floor Area					
	Total Floor Area	Residential Units	Retail Square Footage	Office Square Footage	Hotel Rooms
Minimum level of development	600,000	0 - 350	100,000 - 300,000	0 - 300,000	0 - 200
	1,400,000	250 - 650	225,000 - 475,000	150,000 - 500,000	0 - 300
Maximum level of development	1,600,000	250 - 700	225,000 - 475,000	150,000 - 600,000	0 - 400

e) Individual buildings shall comply with Exhibit E this Agreement and shall be reviewed and approved as described in Section 4.9 of this Agreement.

f) Upon completion, a minimum of half of the rental residential units (excluding for-sale residential units) shall be age restricted to 55+ or 62+ years of age. Additionally, no more than 200,000 square feet of heated space shall be built as residential in the Developed Property without any non-residential uses.

g) When the Development reaches 600,000 square feet, no more than 65% of the heated square footage shall be residential, and the Development shall maintain at least 35% of the square footage as non-residential uses. The heated area of the residential uses shall not exceed 390,000 square feet until non-commercial uses reach a minimum of 210,000 square feet.

h) When the Development reaches 1,400,000 square feet, no more than 60% of the heated square footage shall be residential uses, and the Development shall maintain at least 40% of the space as non-residential uses. The heated area of the residential uses shall not exceed 840,000 square feet until non-commercial uses reach a minimum of 560,000 square feet.

i) In order to be built to 1,600,000 square feet, the Development must have at least 45% non-residential uses. The heated square footage of the residential uses at the Development shall not be allowed to exceed 880,000 square feet or 700 residential units.

j) Total external daily vehicle trips shall not exceed 16,858 trips, as per Section 5.4 (c) 3 of this Agreement.

5.2 Affordable Housing. – Updated information (May 11, 2015)

a) Ownership.

1) The Inclusionary Zoning Ordinance (Article 3 of the LUMO) as of the Effective Date or its successor as established by ordinance by the Town Council shall apply to the for-sale units in the Developed Property. For each phase of development of ownership dwelling units, the required number of affordable dwelling units for that phase, according to the percentage specified in the Inclusionary Zoning Ordinance, will be provided in that phase.

2) Transfer Fee for For-Sale units. As a condition of the approval of this Agreement, the Developer Owner agrees that there shall be a transfer fee (the "Transfer Fee") imposed by the Town upon the sale or resale of residential units excepting designated affordable units within the Developed Property. The Transfer Fee shall be 1% of the sales price. The Transfer Fee shall be put into a fund and held by the agency administering the affordable homeownership units to offset the expenses it incurs in stewarding and managing the affordable units. Management duties covered by this fee include:

   (i) Collection of Transfer Fees and management of the Transfer Fee Fund;
   (ii) Direct project management assistance to owners of affordable units in making major repairs and up-fits to their units;
   (iii) Technical assistance to owners of affordable units who experience financial difficulties, in order to prevent foreclosures;
   (iv) Management of property tax assessments and bills for the affordable units, which undergo a unique process designed for leasehold properties;
   (v) Intervention in and mitigation of any nuisance or criminal behavior that might occur in the affordable units;
   (vi) Assistance in resolving disputes between owners of affordable units and the home owners association; and
   (vii) Collection and management of fee which pays for long-term, major maintenance of the units.

b) Rental.

1) A total of 5% of the rental units within the Developed Property shall be made available as affordable rental properties. Housing subsidy vouchers shall be accepted for all affordable units.
2) One-half of the affordable rental units shall be made available to households eligible for housing vouchers (i.e. Housing Choice Vouchers; Veterans Affairs Supportive Housing Vouchers) and rented at Fair Market Rents as determined by the U.S. Department of Housing and Urban Development for the Durham-Chapel Hill Metropolitan Statistical Area (MSA).
3) One-half of the affordable rental units shall be priced to be affordable to households earning between 60% and 80% of the area median income (AMI) and rented for no more than 30% of total household income.
4) The Developer Owner or Representative shall notify the Orange County Affordable Housing Coalition and the Office of Housing and Community at the Town of Chapel Hill, or their successors, about the availability of affordable units at the time that the units become available.
5) Management. Prior to receiving a Certificate of Occupancy for each residential building at the Developed Property, the Developer Owners or Parcel Owners shall submit a management plan for review and approval by the Town Manager which includes the method of qualifying renters of

the affordable units and setting the rental rates for the half of the units made available to renters earning between 60% and 80% of AMI.

6) Parking Spaces. The rental rate for each affordable rental unit shall include at least one parking space associated with the unit and located within the parking area or structure serving the building where the affordable unit is located.

7) Size of units. A combination of efficiency/studio, one bedroom, and two bedroom units shall be provided as affordable rental units, with distribution of unit types and sizes relatively proportional to the full array of rental units on the site. The minimum size of affordable rental units shall be:

(i) 450 square feet for studio apartments
(ii) 500 square feet for one-bedroom apartments
(iii) 750 square feet for two-bedroom apartments

8) Conversion of Units to For Sale.

i. Conversion of rental units to homeownership will be considered a minor amendment to this agreement.
ii. When any market rate rental units are converted to for-sale units, the converted units must provide a percentage of affordable units equal to the percentage required under the Inclusionary Zoning Ordinance or other affordable housing policy in effect at the time of conversion.
iii. Any affordable rental units which are converted to for-sale units must remain affordable. Affordable rental units converted to for-sale units may count toward meeting the overall percentage of affordable units required under the Inclusionary Zoning Ordinance or other affordable housing policy in effect at the time of conversion.
iv. All units converted to for-sale units which are required to be affordable units shall be affordable to the income levels as established by the Inclusionary Zoning Ordinance or other affordable housing policy in effect at the time of conversion.
v. All units converted to for-sale units which are required to be affordable units shall be restricted to owner-occupancy.
vi. For purposes of the density bonus available under the Inclusionary Zoning Ordinance, the parties agree that sufficient bonus is granted through this Agreement.
vii. Any payments in lieu made on behalf of the rental units converting to for-sale units shall be credited to the requirements upon conversion.
viii. All units converted to for-sale units which are required to be affordable shall remain subject to the applicable Inclusionary Zoning Ordinance provisions for a period of at least ninety-nine (99) years or as long as permissible by law; provided that said time period shall be reduced by any period during which said unit or units were provided as affordable rental units prior to conversion.

9) Term of Affordability for Rental Units. Units created under this section will be affordable for ninety-nine (99) years.

10) Loss of Vouchers/Subsidies. If vouchers and/or subsidies required to maintain the affordability of the rental units established by this section shall cease to exist or cease to be available to residents of Orange County, the Developer Owners or Parcel Owners will notify the Town Manager as soon as reasonably possible. If the vouchers are lost, the units will be made available to individuals earning between 60 and 80% of AMI and the rental rate will be established at the Fair Market Rent.

11) Inability to Locate Tenants. In the event that a voucher-eligible unit remains unoccupied for a period of sixty (60) days from when the previous lease ends after reasonable attempts to find a suitable tenant have been made, then the unit may be leased to a resident earning between 60% and 80% AMI for no more than 30% of total household income for up to one year. If, after an additional thirty (30) days, no suitable tenant is found after reasonable efforts, the unit may be leased for up to one year at market rates. Upon expiration of the initial lease, the unit shall convert back to a voucher-eligible unit or a different unit will be made voucher-eligible in the event the tenant wishes to stay beyond the initial lease. In the event a unit available for tenants earning between 60% and 80% AMI remains unleased for a period of sixty (60) days and reasonable attempts to find a suitable tenant have been made, the unit may be rented at market rates for a period of up to one year. At the end of the initial lease-term, the unit shall convert back to an affordable unit for individuals earning between 60% and 80% AMI or a different unit shall be offered as affordable in the event the tenant wishes to stay beyond the initial lease.

12) Annual Report. Each year, the Developer Owners or Parcel Owners will be required to submit an annual report. The annual report will include cumulative information about the for-sale and rental affordable units in the Developed Property, how affordability is being monitored, data about the occupants of the rental properties including the income level and rent levels, and the total number of rental units built each year.

c) Development Agreement Compliance Permit Submittal.

1) The following information must be submitted with the Development Agreement Compliance Permit application for any phase of for-sale or rental residential units within the Developed Property:

(i) The total number of market rate units and the number of affordable dwelling units in that phase, as defined in this Agreement.

(ii) The number of bedrooms and bathrooms in each affordable unit in that phase.

(iii) The approximate square footage of each affordable unit in that phase.

(iv) The approximate location within any subdivision of land of each affordable unit in that phase.

(v) The pricing for each Affordable Dwelling Unit in that phase. The pricing or rental rate of each unit or lot shall be

determined prior to issuing a Development Agreement Compliance Permit. At the time of sale, this price may be adjusted if there has been a change in the median income or a change in the formulas used in this ordinance.

(vi) Documentation and plans regarding the exterior appearance, materials and finishes of the development of each of the affordable units in that phase, unless it is stated that the market rate units and affordable units shall have identical exterior finishes.

(vii) Any and all other information that the Town Manager may require that is needed to demonstrate compliance with the Town's affordable housing policies.

5.3 Stormwater Management. – Updated information (May 11, 2015)

a) Stormwater management shall be integrated into the site, building, and landscape design. Stormwater management strategies shall be coordinated and applied in a comprehensive manner across the entire Property.

b) Nothing in this Agreement is intended to preclude the use of new or innovative stormwater technologies in the Development of the Property. In order to meet the design criteria of this Agreement the stormwater treatment facilities shall be designed according to the North Carolina Department of Environment and Natural Resources (NCDENR) Stormwater Best Management Practices Manual and the Town of Chapel Hill Design Manual standards, as amended. If the specifications or guidelines of either design manual are more restrictive or apply a higher standard than the other, or other laws or regulations, the more restrictive specifications or guidelines shall prevail.

c) The initial Development Agreement Compliance Permit application submitted for the Development of the Developed Property shall include a Stormwater Management Plan and Report, which clearly identifies the stormwater impacts associated with the Property and clearly documents how those stormwater impacts will be mitigated by the stormwater management strategies and facilities identified in the application. The Stormwater Management Plan and Report shall clearly demonstrate compliance with the design criteria specified in this Agreement.

1) Peak Discharge Rate Limits. The post-development stormwater runoff peak discharge rate shall be controlled such that the post-development runoff peak discharge rate at all locations where stormwater runoff exits a treatment subbasin west of Wilson Creek and the Developed Property shall not exceed the pre-development (existing conditions) stormwater runoff peak discharge rate for the local 1-year (2.88 inches), 2-year (3.60 inches), 25-year (6.41 inches) 24-hour duration storm events.

2) 2-Year Volume Control. At each location where the stormwater exits the Property, the difference in the runoff volume generated by 2-year (3.60 inches) frequency, 24-hour duration storm event in the post-development conditions and runoff volume generated by the same storm event in the pre-development conditions shall be managed on-site by hydrologic abstraction or reuse. If all of the volume cannot be managed on-site by hydrologic abstraction or reuse, the remaining volume shall be released over a period of 2 days to 5 days.

3) 85% Total Suspended Solids (TSS) Removal Stormwater treatment shall be designed to achieve average annual eighty-five (85) per cent total suspended solids (TSS) removal and must apply to the volume of post-development runoff resulting from the first one-inch of precipitation from new impervious surfaces resulting from Development of the Property.

4) Nutrient Export Limitation per Jordan Watershed Stormwater Management for Development. Nitrogen and Phosphorus exported from the Developed Property shall not exceed 2.2 pounds/acre/year and 0.82 pounds/acre/year, respectively. All other aspects of the "Jordan Watershed Stormwater Management for New Development", as specified in Section 5.19 of the LUMO, as amended by the Town and NCDENR, including provisions for offset payments and annual inspection report shall apply to Development.

5) Watershed Protection District: Construction at the Property shall comply with Section 3.6.4 of the LUMO, as of the Effective Date and all applicable State regulations, as amended.

d) In addition to the design criteria specified in this Agreement, the Stormwater Management Plan and Report shall show that the Property will comply with the Low Impact Development practices specified in Section 5.3(j) of this Agreement. Additionally, the Stormwater Management Plan and Report and the Developed Property must comply with the applicable NPDES requirements and all applicable Federal and State and local stormwater and environmental rules.

e) Upon completion of the construction of stormwater management facilities for any sub-basin identified in the Stormwater Management Plan and prior to issuance of a certificate of occupancy for the first building completed within that sub-basin, the Developer Owners, Parcel Owners or Representative shall provide to the Town of Chapel Hill, the following:

1) A copy of the final plat or easement exhibit, signed and sealed by a North Carolina-registered Land Surveyor and recorded by the Orange County Register of Deeds, showing the "Stormwater Facility Easement(s)", the stormwater management facility(ies), and the maintenance access locations. For purposes of maintenance, the maintenance access must be shown on the exhibit and extend from the "Stormwater Facility Easement" to the nearest public right-of-way. The following notes must be included on the recorded final plat or easement exhibit.

(i) All engineered stormwater management control, treatment, and conveyance structures located on or below the ground shall be wholly contained within an easement entitled: "Reserved Stormwater Facility Easement Hereby Dedicated" and shall be reserved from any Development which would obstruct or constrict the effective management, control, and conveyance of stormwater from or across the property, other than the approved design and operation functions.

(ii) The Reserved Stormwater Facility Easement(s) and the facilities it/they protect are considered to be private, with the sole responsibility of the Developer Owners and/or

Parcel Owners to provide for all required maintenance and operations as approved by the Town Manager.

(iii) The Reserved Stormwater Facility Easement and the Operations and Maintenance Plan are binding on the Developer Owners and/or Parcel Owners.

2) A copy of the recorded maintenance covenant ("Operations and Maintenance Plan"), signed by the Developer Owners and Parcel Owners, if any, and recorded by the Orange County Register of Deeds, for the stormwater management facility(ies). The Operations and Maintenance Plan must include a description of the device(s) or structure(s), an inspections checklist, and operating and maintenance procedures. The plan shall identify contact information, who will perform the inspections, frequency of inspections, inspections and maintenance logs, any specific equipment needs or certifications (e.g., confined space certification), action levels or thresholds (e.g., remove sediment after depth exceeds one foot), and disposal methods.

3) Certified as-built plans, signed and sealed by a North Carolina-registered Professional Land Surveyor, showing building footprints, driveways, all other impervious surfaces, stormwater drainage/conveyance piping, and stormwater management structures. The as-built plans shall be in DXF binary format using State plane coordinates and NAVD 88.

4) Certification, signed and sealed by a North Carolina-registered Professional Engineer, that the stormwater management facility(ies) was/were constructed in accordance with the approved plans and specifications.

5) Maintenance bond or other surety instrument satisfactory to the Town Manager, in an amount equal to one hundred twenty-five (125) percent of the construction cost of each stormwater management facility to assure maintenance, repair, or reconstruction necessary for adequate performance of the stormwater management facility or establish a stormwater maintenance (sinking fund) budget and escrow account in accordance with the requirements of Section 5.19 of the Land Use Management Ordinance.

f) Subject to approval by the Town Manager's designee and an encroachment agreement with the Town, only conveyance of stormwater appurtenant to site stormwater management facilities may be located in any street right-of-way maintained by the Town. Retention, detention, and water quality treatment to meet site stormwater regulations are prohibited within the public right-of-way.

g) All stormwater runoff from the Property will be detained and treated prior to entering or crossing the RCD Managed Zone or Stream Zone. No stormwater from the west side of Wilson Creek will be diverted to the east side of Wilson Creek. Stormwater treatment facilities may be constructed in Wilson Creek Preserve only for treatment of stormwater runoff generated from approved uses in the Preserve.

h) Monitoring of Wilson Creek will be conducted throughout the Wilson Creek Preserve for the purpose of documenting any changes (or lack thereof) in geomorphology and in-stream sediment and erosion conditions on Wilson Creek. Initial measurements shall be taken prior to any land clearing. Once

Development begins, monitoring should occur annually at the same time each year and shall continue for five (5) years after construction is complete.

a) Geomorphic monitoring of Wilson Creek will be conducted throughout the Wilson Creek Preserve for the purpose of documenting any changes (or lack thereof) in geomorphology and in-stream sediment and erosion conditions on Wilson Creek. Initial measurements shall be taken previous to the occurrence of any land clearing. Once Development begins, monitoring should occur annually at the same time each year and shall continue for five (5) years after construction is complete.

b) The monitoring will utilize three cross-section locations. The most upstream cross-section will act as a "control" for the other two cross-sections to detect whether changes in those cross-sections are due to local conditions or wider watershed conditions. Additionally, the monitoring and cross-sections will comply with the following criteria:

1) Three cross-sections will be located on Wilson Creek at the following locations:

   i. North of the southernmost boundary of the Property and north of the road culvert to be replaced;
   ii. South of the northernmost boundary of the Property;
   iii. At an intermediate point between the two locations identified above in (a) and (b).
   iv. The monitoring stations will be located at riffle areas; if suitable riffles are not available near to the aforementioned points, stations will be located at runs.

2) Both ends of the cross-sections shall be semi-permanently marked such that these ends can be easily found each year. Cross-section endpoints shall be located at the far edges of the floodplain or lowest terrace.
3) Cross-section surveys shall measure bank and bed elevations at no greater than a one-foot interval apart in the bank and channel areas (including high banks above natural bankfull) in order to capture fine-scale changes in the channel. Measurement locations above the high bank can be made at breakpoints as available.
4) A pebble count shall be conducted at each cross-section at the time of monitoring. If materials are too fine, a sieve analysis shall be done.
5) Photographs shall be taken at each cross-section end at the time of monitoring, including a minimum of one facing upstream and one facing downstream on each bank.
6) Three additional semi-permanently-marked photography points shall be established downstream of the points where treated stormwater would enter Wilson Creek. These points shall be placed such that upstream shots capture the confluence area.

c) Ecological monitoring of Wilson Creek and its major tributary in the Wilson Creek Preserve will be conducted for the purpose of documenting any changes (or lack thereof) in benthic community composition and abundance. An initial assessment in early 2016, and a final assessment five years (or at an alternate time determined by Town staff) after completion of construction, will be conducted at two sites – one on Wilson Creek and another on the major eastern

tributary in Wilson Creek Preserve. The assessments will be conducted by Town staff or assigns using DENR biological protocols in coordination with other biological monitoring conducted by the Town. Prior to issuance of the first Development Agreement Compliance Permit the Developer shall submit a $2,000 payment-in-lieu to cover the total cost of sampling and organism identification for the two sites and two sampling times.

d) The Developed Property will be designed to incorporate the following Low-Impact Development (LID) practices in order to provide stormwater infiltration and facilitate stormwater reuse. These LID practices are supplemental to the design criteria requirements of Section 5.3(c), and are stipulated to provide stormwater mitigation results beyond the current Town of Chapel Hill stormwater treatment requirement.

1) Tree planter/infiltration zones will be located along all internal streets where planted within 12' or wider sidewalks. These zones shall be designed to capture and route excess stormwater runoff through permeable soils and will provide additional water detention and filtration beyond that required by current standards. A minimum of 125 tree planter/infiltration zones, each with a minimum of 300 cubic feet (CF) of free soil or structural soil, will provide for infiltration equal to or exceeding 5% of the sidewalk areas in which they are located.

2) Tree planter/infiltration zones may utilize any combination of tree grates, areas of free soil open to the air, or areas of suspended permeable pavers. Impervious sidewalk pavement suspended over free soil may also be used provided it is designed to accept the requisite volume of stormwater for which it is intended. The design for the tree planter/infiltration zones will include an underdrain to keep the soils from becoming oversaturated. The soil will have a minimum permeability of 2 inches/hour.

3) Level spreaders and vegetated filter strips will be incorporated into the final stormwater management design in order to reduce the bypass and increase infiltration at each storm water outlet. Preliminary design analysis indicates four locations will be needed to balance dispersion objectives and to minimize impact to the RCD. Designs shall provide for increased performance over baseline standards by spreading the runoff from at least the first 2 inches of rainfall on the site (as compared to the standard of the first inch of rainfall as is normal from the discharge of a stormwater facility). This would provide effective pollutant removal and infiltration for approximately 95% of all rainfall events.

4) Regenerative Conveyances will be incorporated in the final designs provided site conditions within the RCD are suitable for their use. A site analysis will be provided as a part of the preliminary design for evaluation by Town Staff. Regenerative conveyances will be used where practical to provide conveyance from the site stormwater discharge points to Wilson Creek.

5) High efficiency irrigation which utilizes captured stormwater or other non-potable reclaimed water (e.g. Orange Water and Sewer Authority

(OWASA) reclaimed water) for primary irrigation needs will be provided. Irrigation storage capacity will be provided in addition to that required for detention of the design storm. Storage volumes will be provided during final design once plant species and areas are able to be quantified.

5.4 Transportation

a) General Provisions.

1) All roads and streets within the Developed Property that may support public transit in the future shall be designed and constructed to meet Town standards for such use unless otherwise approved by the Town Manager. All pedestrian, bicycle, and greenway facilities within the Developed Property shall be designed and constructed to meet Town standards unless otherwise approved by the Town Manager. For all sidewalk, bicycle, and greenway facilities, easements will be granted to the Town and the public for public use.
2) Transit stops, transit passenger amenities, bus turnouts, or other transit facilities necessary to support the provision of safe, accessible and efficient public transit shall be incorporated into the design and construction of all applicable new roads within the Developed Property ~~if required~~. Appropriate parking restrictions shall be applied and enforced within bus stops. Transit stop design shall be consistent with Town standards or unless otherwise approved by the Town Manager.
3) Each Development Agreement Compliance Permit application will include information about the phasing of the appropriate roadway network connections and infrastructure to support occupancy of each building.
4) Sidewalks in the Developed Property shall be built to standards required under the Americans with Disabilities Act including where the sidewalks cross driveways. A sidewalk shall not be required to be altered if there is no Development adjacent to the sidewalk. Pedestrian refuge islands shall be provided in crosswalks, subject to NCDOT approval where necessary, for all crossings of 6 lanes or more.
5) The Representative will be responsible for repairing roads damaged by construction of the Developed Property.
6) All roads and streets within the Developed Property, while privately owned, are public vehicular areas and subject to all applicable State and Town laws and ordinances.

b) Construction Management Plan.

1) Each Development Agreement Compliance Permit application shall include a construction management plan. The construction management plan shall, at a minimum:

i. Demonstrate how construction vehicle traffic will be managed and where the construction vehicle routes will be located.
ii. Identify any impacts to bicycle, pedestrian, vehicular, or Transit routes and/or facilities and indicate how these impacts will be mitigated.

iii. Show parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods.
iv. Identify construction staging and material storage areas.
v. Identify construction trailers and other associated temporary construction management structures.
vi. Indicate how Development will comply with the Town's Noise Ordinance (see Section 5.20 of this Agreement).
vii. Propose times and days when construction and noise from the Development are permitted.
viii. Indicate that the construction management plan will provide a phone number for noise notifications during the construction period. The Developer Owner or the Parcel Owner will post a sign on-site stating that noise issues can be reported by calling the posted phone number.
ix. Submit written confirmation that Representative has provided information to contractors and subcontractors regarding noise mitigation requirements for Development for contractor and subcontractor review and compliance with same.

c) Traffic Impact Study (TIS).

1) Benchmark Set: The TIS for the Developed Property (see Exhibit F) was prepared and submitted in April 2014. Several Amendments to April 2014 TIS were prepared (see Exhibit F). The Benchmark is 16,858 external daily trips.
2) Each Development Agreement Compliance Permit shall include a calculation of the cumulative trips generated by the Developed Property. Development that exceeds the Benchmark set above shall not be approved without a Major Modification.
3) Annual Trip Generation Report: Each Annual Report shall include trip generation table showing the following:

i. Land use type built and a location map of the buildings;
ii. Land use type and location for buildings anticipated to begin construction in the next year;
iii. Number of trips generated or projected for each land use type, noting specific categories, using the Trip Equivalency Matrix as provided in Exhibit G, which is based on Institute of Transportation Engineers trip generation rates and is included to assist the Developer or Representative and the Town in calculating the number of trips generated to compare to the trips in the TIS dated October 2013; and
iv. Comparison of trip generation table with the trips generated in the TIS dated April 2014.

4) Subsequent TIS updates:

i. If the Annual Report projects trips in excess of benchmark of 16,858 trips set above, the Developer Owner may choose to conduct a subsequent TIS to reflect future conditions, using current traffic counts.

ii. An updated TIS shall be conducted according to the Guidelines and Procedures used in the April 2014 TIS and the Town's Traffic Impact Study Guidelines.
iii. The cost of preparation of the TIS and subsequent updates shall be borne by the Developer Owner or Representative and shall be conducted by the Town's TIS Consultant.
iv. Each TIS shall consider transit, traffic, bicycle, pedestrian, and greenway transportation and shall address the accuracy of the projections and assumptions in the April 2014 TIS for the Developed Property.
v. If an updated TIS shows that proposed development continues to be below the trip benchmark and does not exceed the other standards set forth in this Agreement, development may proceed.

d) Specific Roadway Improvements.

1) All designs and construction details are subject to NCDOT and Town approval. All design plans are subject to approval by the Town Manager prior to the issuance of a permit for each phase of the construction. All roadway improvements including traffic signal upgrades and signal system improvements must be completed prior to issuance of the first Certificate of Occupancy.
2) Traffic Signal System Improvements. Traffic Signal System improvements shall include the following, subject to the approval by the Town Manager and NCDOT, and shall be done in conjunction with the corresponding roadway improvements:

i. Traffic signal system timing plans for progression shall be studied, revised, and implemented in the Town system at all traffic signals on US 15/501 from Dogwood Acres Drive to NC 54 Westbound Off-Ramp.

3) Traffic signal upgrades on US 15/501 at the intersections with Market Street and Sumac Road shall be completed (including upgrades traffic signal and turn lanes) per terms of the April 2015 Traffic Impact Study Amendment and/or other design alternatives as required and approved by NCDOT and Town Manager. These improvements shall include the following:

i. High visibility thermo-plastic pedestrian crosswalks and pedestrian signals on all approaches at Market Street/US Highway 15-501 and Sumac Road/US Highway 15-501 intersections;
ii. Incorporation of APS Equipment to all traffic signal upgrades.
iii. Bicycle activated loops on all approaches to the side streets at Market Street/US Highway 15-501 and Sumac Road/US Highway 15-501 intersections.

4) Improvements to be made prior to the issuance of the first Certificate of Occupancy of any building south of Sumac Road include:

i. Slip street to be constructed;

ii. All remaining on-site roads and bicycle/pedestrian facilities to be completed;
iii. All remaining frontage improvements along US 15/501 not previously constructed, including turn lanes for any secondary entrances or exits, to be completed.

5) Slip Road.

i. If the slip road is allowed by NCDOT to connect to Sumac Road, there shall not be a left-turn movement onto US Highway 15/501 and Sumac Road from the slip road.
ii. If the slip road is not allowed by NCDOT for the full length between Middle Street and Sumac Road, it shall be allowed to divide the block between Middle Street and Sumac Road and onto Main Street.

6) The Developer Owner or Representative shall construct on-site roads and bicycle and pedestrian facilities on US 15/501 between Market Street and Sumac Road which shall include the following:

i. Construction of sidewalks across the Developed Property frontage and continue along the Developed Property currently owned/occupied by Strata Solar, provided there is adequate width in the NCDOT right-of-way;
ii. Install Thermo-Plastic Sharrow Markings on all interior streets that do not have designated bike lanes;
iii. Install bike lanes on Market Street and Sumac Road between US Highway 15-501 and Main Street;
iv. Pedestrian walkways on both sides of every street as designated in Exhibit E;
v. No changes are proposed by the Developer to the existing bike lanes in US Highway 15/501.

7) Improvements at US 15/501/Market Street/Site Driveway.

i. Construction of southbound left turn lane(s) with NCDOT required full storage length and appropriate tapers on US 15/501.
ii. Construction of a second exclusive westbound left turn lane with appropriate tapers on Market Street if right-of-way permits and if required by NCDOT.
iii. Construction of an exclusive northbound right turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15-501.
iv. Construction of dual ingress lanes and three egress lanes consisting of one exclusive left turn lane, an exclusive through lane, and an exclusive right turn lane, each with NCDOT required full storage length on the site access.
v. If required by NCDOT, provision of a minimum 300' protected internal driveway stem length prohibiting all turning and parking maneuvers on the site access.

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8) Improvements at US 15/501/Sumac Road/Site Driveway.

i. Construction of an exclusive southbound left turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15/501.
ii. Construction of an exclusive northbound left turn lane with NCDOT required full storage length and appropriate deceleration tapers on US 15/501.
iii. Construction of an exclusive northbound right turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15-501.
iv. Construction of two ingress lanes and two egress lanes with NCDOT required full storage on the site access.
v. Provision of a minimum of 300' of protected internal driveway stem length prohibiting all turning and parking maneuvers on the site access, if required by NCDOT.

9) US 15-501/Service Lane (south driveway).

i. Shall be constructed to right-in only from US 15-501.
ii. West-bound traffic on the service lane shall turn right onto the frontage road and shall not enter US 15-501.

10) Middle Street.

i. Shall have a right-turn from the Frontage Road to 15-501.
ii. Shall not have a right-turn in from US 15-501.

11) US 15-501/Culbreth Road/Mt. Carmel Church Road.

i. Restripe existing westbound Mt. Carmel Church Road approach for a shared left-turn/through lane and dual right-turn lanes.
ii. Upgrade traffic signal plan as required by NCDOT and Town.

e) Transit Improvements.

1) The Developer Owner or Representative shall make an annual contribution of $0.02 per square foot of completed heated building area to help fund transit service to the Property and Southern Village area. This contribution shall be made for the term of this Agreement and shall be adjusted each year on July 1st for any new buildings completed in the past twelve (12) months. The payment shall be made no later than September 1st of each year.

i. The first payment shall be made upon issuance of the first Certificate of Occupancy;
ii. The $0.02 contribution shall be adjusted annually with the Consumer Price Index (CPI) category “all urban consumers”;
iii. All payments made from three years after the Effective Date of this Agreement, provided a Certificate of Occupancy for the

Developed Property has been issued, shall be no less than $10,000.

2) A bus pull-out shall be constructed between Sumac Road and Market Street along the northbound lanes of US 15-501, in a location to be agreed upon with Chapel Hill Transit and the Town Manager.
3) Bus facilities shall be built to the standard required by Chapel Hill Transit and shall accommodate any future design related to the implementation of bus rapid transit service.
4) If desired by Chapel Hill Transit, a second bus pull-out along the northbound side of US 15-501 shall be constructed near the southern boundary of the Developed Property prior to issuance of the Certificate of Occupancy for the southern-most building in the project.

f) Other Transportation-Related Contributions.

1) A contribution of $150,000 shall be made to the Town, with 50% of the payment prior to the approval of the first Development Agreement Compliance Permit and the second 50% paid or at the time of design or installation of a project identified by the Town Council, as described below or prior to approval of the third Development Agreement Compliance Permit, whichever comes first.
2) The Council may choose to use the funds for the following improvements:

i. Columbia Street and NC 54 Westbound Interchange.

(i) Extend the storage lengths of the existing dual left turns and right turn lanes of the off-ramp as required by NCDOT.
(ii) Upgrade the signal plan to include the extended turning lanes if needed by NCDOT.
(iii) Restripe the existing South Columbia/US 15-501 Fordham Blvd. interchange, from Purefoy Road to Mt. Carmel Church Road as shown in Exhibit H.

ii. A traffic study and/or installation of traffic calming measures on Dogwood Acres Drive, provided that:

(i) State statute and NCDOT requirements have been met for formation by the property owners on and around Dogwood Acres Drive of a legal entity to do the following:

a. Petition NCDOT for traffic calming;
b. Maintain the traffic calming improvements.

iii. Design and installation a pedestrian and bicycle crossing of US 15-501/Fordham Blvd. at Oteys Road, including the provision of a HAWK signal, as shown in Exhibit I.
iv. At a future date, the Council may make a determination on which improvements to fund and at what level.

5.5 Fiscal Impacts. No portion of the Developed Property shall be exempt from taxes or shall have improvements on said Developed Property which are tax-exempt. This Section shall not apply to any public rights of way, property dedicated to and accepted by the Town of Chapel Hill, or any tax-exempt entity that provides payments in lieu of ad valorem property taxes owed to the Town and County in an amount equal to the amount of taxes that such an entity would otherwise be required to pay to the Town and County if such an entity were not considered to be tax-exempt. Pursuant to Section 5.25 of this Agreement, the Developer Owners and Parcel Owners, if any, or the Representative on behalf of the Developer Owners and Parcel Owners, if any, shall inform the Town in the Annual Report as to whether the Developer Owner of each building located within the Developed Property is considered to be tax-exempt.

5.6 Design Standards and Public Art.

a) Design Standards for transparent window coverage, drive-through windows, signage (including Wayfinding signage), waste collection and loading functions, green building features, and other building and site design details are detailed in the Exhibit E.
b) Public Art in the Developed Property, if provided, shall be installed and maintained by the Developer Owners or Representative. Public Art installations that occur will be in a place visible by and to the public whenever possible. The Developer Owners or Representative will consult with the Town of Chapel Hill Public and Cultural Arts Office or its successor to discuss options for public art as the Development moves forward. Additional information included in Exhibit E.

5.7 Public Schools.

a) The Schools Adequate Public Facilities Ordinance (SAPFO) shall apply to the Developed Property and a summary of impact fees shall be included in the Annual Report.
b) The Developer Owner or Representative shall engage in conversations with the Chapel Hill-Carrboro City School Board regarding appropriate contribution of land and/or financial support for educational purposes.
c) The Developer Owner or Representative shall include an update on these conversations and any decisions in the first Annual Report (see Section 5.25).

5.8 Open Space and Parks. – Updated information (May 11, 2015)

a) The Property will incorporate open space, parks and recreation areas as an integral part of the Property. These amenities shall be coordinated and applied in a comprehensive manner across the entire Property. Additional details for the open spaces are provided in Exhibit E to this Agreement. This section sets forth the requirements governing open space, parks and recreation areas associated with the Property. The Developer Owner shall make the parks available in a condition that protects the general safety and welfare of the public.
b) Designated parks shall remain parks and not be developed for other uses.
c) The design for individual parks shall be approved by the Town Manager prior to the construction of the parks and open spaces. The plans for the parks shall include information regarding amenities, utilities, hardscape, stormwater management facilities, plantings, bicycle parking, signage, lighting, and additional information as appropriate.

1) Wilson Creek Preserve, which contains the Quarry, shall be preserved in perpetuity through a deed to the Town of Chapel Hill for preservation and recreation and consideration of additional conservation measures by the Town of Chapel Hill upon receipt of said deed.
2) A linear park along Wilson Creek Lane will include all lands from Wilson Creek Lane to the Wilson Creek Preserve, hereinafter referred to as "Wilson Creek Park" and totaling approximately 3 acres, as shown in Exhibit E.
3) Overlook Park is located along Wilson Creek Lane.
4) A neighborhood park space, hereinafter referred to as "Highland Park," shall consist of a minimum of 1.2 acres, as shown in Exhibit E. The park shall be suitable for both passive and active recreation and shall be designed as a community gathering space.
5) Wilson Creek Preserve, the Quarry in Wilson Creek Preserve, Overlook Park, and Highland Park shall be open to the public at the issuance of the Certificate of Occupancy for the first free-standing building on the Developed Property.
6) Prior to issuance of the Certificate of Occupancy for the first free-standing building on the Developed Property, the following conditions shall be met:

    i. Town approval of the park plan;
    ii. The single pedestrian/maintenance bridge over Wilson Creek is constructed;
    iii. The quarry restoration is complete;
    iv. At least one trail to the quarry has been constructed;
    v. A deed for the Wilson Creek Preserve has been submitted to the Town;

7) The Developer Owner or Representative shall maintain the pedestrian/maintenance bridge over Wilson Creek beyond the expiration of this Agreement.
8) The Linear Park shall be available to the public as immediately adjacent townhouse buildings are issued a Certificate of Occupancy.
9) The paved sidepath, built to AASHTO or NACTO standards, shall be provided along the Developed Property's entire frontage of US Highway 15-501. In areas where gaps in the property lines exist the developer shall build the sidepath within NCDOT's right of way, if NCDOT grants permission for such construction. Construction of each segment of the sidepath shall be completed at the same time as adjacent buildings.

d) The Developer Owner and Parcel Owners shall grant a public access easement to the Town over all parks, greenways, trails, and sidepaths. The easements shall make all such facilities available to the public; permitting public use of the parks subject to the Town's normal rules of use. Park identification signage shall include language indicating that public access to the park is permitted.

5.9 Recreation Areas.

a) Recreation space requirements as required in the LUMO are satisfied by the provision of the Wilson Creek Preserve (see Section 5.12) and parks proposed as illustrated in Exhibit E.

b) Recreation areas designed for use by residents or patrons may include indoor areas as well as active outdoor areas.
c) Recreation areas shall include dedicated site furniture including benches, trash receptacles, and lighting unique to specific spaces.
d) All recreation areas on the west side of Wilson Creek shall comply with all American with Disabilities Act (ADA) guidelines for accessibility. This includes the path from Overlook Park to the pedestrian bridge in the Wilson Creek Preserve. Any recreation facility located on the east side of Wilson Creek that can be accessed via an ADA-compatible path or drive shall comply with all ADA guidelines for accessibility. However, natural surface trails and other recreation facilities that are remote from ADA parking and access paths will not be required to be ADA accessible.

5.10 Greenways and Sidepaths. – Updated information (May 11, 2015)

a) The location of greenways and sidepaths for pedestrians and cyclists on the Property will be consistent with Exhibit E.
b) The Town shall make available all easements and permits necessary to construct greenway connections.
c) All greenways and sidepaths shall be built to AASHTO or NACTO standards for the shared use by pedestrians and bicyclists. Alternative standards can be applied in cases where the location of the greenway requires a reduced width or design modification due to building location. The use of alternative standards must be approved by the Town Manager.
d) The Master Owners Association will maintain the greenways and sidepath within the Property under the same operating conditions as Town-owned greenways with regards to maintenance, lighting, and hours of operation, providing that the resurfacing of the same shall be the responsibility of the Town. The Town shall own and maintain the portion of the greenway located on the west side of US Highway 15-501.
e) The Developer Owner or Representative shall grant a public access easement to the Town over all greenways and sidepaths available to the public and permit pedestrian, bicycle, and motorized wheelchair use of the greenway or sidepath.
f) The Town shall have the right to make emergency repairs and charge the cost of those repairs to the Developer Owner or Representative in the event that the Town determines that the Master Owners Association has not maintained greenways, trails, and sidepaths to the extent needed to assure proper and safe functioning of the facilities.
g) The Developer Owner or Representative shall maintain the greenways and sidepaths beyond the expiration of this Agreement.

5.11 Pedestrian and Bicycle Bridge Across US Highway 15-501. – Updated information (May 11, 2015)

a) The Developer Owner or Representative shall construct a pedestrian and bicycle bridge which connects the Developed Property to the Southern Village Park and Ride Lot Area, as shown in Exhibit E. The bridge shall span US Highway 15-501. The exact location of the bridge, access ramps, and trail must be approved by the Town Manager.
b) Upon completion and opening of the bridge, the title shall be transferred to the Town and maintenance shall continue to be the responsibility of the Master

Owners Association. The bridge shall be maintained to standards acceptable to the Town of Chapel Hill and NCDOT.

c) The bicycle and pedestrian bridge over US 15-501 shall be completed prior to the earlier of:

1) The opening of any single retail tenant over 50,000 square feet;
2) The issuance of a Certificate of Occupancy for the building that takes the development over 640,000 square feet of heated space; or
3) Issuance of the Certificate of Occupancy for the 350th residential unit.

d) The bridge and approach ramps shall be a minimum of 12 feet wide (rub rail to rub rail). The bridge, approach ramps, and greenway trail shall be built to AASHTO or NACTO standards.

e) The Town shall provide the property needed for the western landing of the bridge including access ramps and access trail.

f) At any such time that the Southern Village Park and Ride Lot is redeveloped, an equitable sharing of costs will be negotiated with the Developer Owner, Parcel Owner, or Representative.

g) The Town shall have the right to make emergency repairs and charge the cost of those repairs to the Developer Owner or Representative in the event that the Town determines that the Master Owners Association has not maintained the pedestrian and bicycle bridge to the extent needed to assure proper and safe functioning of the bridge.

h) The location, design, and construction of the pedestrian and bicycle bridge are subject to NCDOT approval.

i) The Developer Owner or Representative shall develop a maintenance and inspection plan and perform inspections of the structure at least once every two years by a qualified bridge inspection firm based on National Bridge Inspection Standards and shall provide NCDOT copies of the inspection reports.

j) NCDOT reserves the require repair, replacement, reconstruction or demolition of any partially or wholly completed bridge that is determined to be unsafe or substandard in design, construction or condition.

k) The Developer Owner or Representative shall be required to post sufficient continuing bonds and liability insurance for maintenance and repair of the bridge.

l) The Developer Owner or Representative shall maintain the pedestrian and bicycle bridge beyond the expiration of this Agreement.

5.12 Wilson Creek Preserve. – Updated information (May 11, 2015)

a) The Developer Owner shall provide an 85 acre open space tract that includes all lands as shown on Exhibit J hereinafter referred to as the "Wilson Creek Preserve," including a portion of property owned by the Town of Chapel Hill (see Exhibits M and O). The Wilson Creek Preserve shall extend from the outer limit of the managed use zone of the Resource Conservation District on the west side of Wilson Creek to the eastern property limits of the Property and shall include a buffer strip along the southern boundary west of Wilson Creek.

b) The tract shall be owned by the Town of Chapel Hill. The Town may choose to further protect all or portions of the Wilson Creek Preserve by granting a conservation easement(s) to a third party or other means approved by the Town Manager.

c) The Master Owners Association shall be responsible for all maintenance activities within the Wilson Creek Preserve.

d) The Developer Owner shall make minimal changes to the hardwood tree cover.

e) The following allowable uses and activities within the Wilson Creek Preserve shall be in general keeping with Exhibit E. All uses described shall be consistent with plans and procedures approved by the Town Manager.

i. Grading and restoration of the quarry area using clean soil, sand, gravel and stone from the development site;
ii. Natural surface trails;
iii. One pedestrian bridge;
iv. Maintenance access ways;
v. Picnic areas and support facilities;
vi. Forest management;
vii. Stormwater management associated with approved uses in the Preserve;
viii. Invasive plant species management;
ix. Maintenance; and
x. Other uses as approved by the Town Manager.

f) The Developer Owner or Representative shall provide a minimum six (6)-foot-wide pedestrian bridge over Wilson Creek as the access point for users of the Wilson Creek Preserve. A maximum of one (1) bridge is allowed, and the bridge shall be constructed of cor-ten steel or similar, have concrete decking, and shall be designed to handle light maintenance equipment. The exact location and specifications of the bridge must be approved by the Town Manager.

g) The Developer Owner shall construct a minimum of 8,000 linear feet of natural and/or gravel surface trails within the Wilson Creek Preserve. The trails shall roughly conform to the trails plan in Exhibit E. The Town and Developer Owner or Representative may change the trail plan in order to maximize user enjoyment, preserve the environment, avoid trees, avoid drainage and erosion issues, and to provide a better trail plan. Trails will be primarily field located. The natural surface trails will have limited accessibility for mobility-impaired individuals.

h) The final trail plans must be approved by the Town Manager. The Town shall have the right to make emergency repairs and charge the cost of those repairs to the Developer Owner or Representative in the event that the Town determines that the Master Owners Association has not maintained greenways and sidepaths to the extent needed to assure proper and safe functioning of the facilities.

i) The Developer Owner or Representative shall post appropriate signage to assist trail users and other purposes. A signage plan must be approved by the Town Manager prior to implementation. No signs shall be mounted directly on trees.

j) The Developer Owner or Representative shall survey and sign the boundaries of the Wilson Creek Preserve. Signs shall indicate that the Property is owned by the Town for open space purposes and shall be placed approximately every 100 feet along the Property line. Upon completion of the boundary survey, Town staff shall walk the property line and approve the boundary markings prior to Town's acceptance of the property. The Town shall provide all necessary signs for placement by the Developer Owner or Representative.

k) The Town shall exchange a portion of the Town-owned property surrounded by the Developed Property (see Exhibits M and O) for the dedication of the Wilson Creek Preserve which provides a greater recreation benefit to the Town of Chapel Hill than the portion of land to be exchanged. Furthermore, the additional

benefits accrued to the Town through this exchange and this Agreement provide a substantial increase in overall benefits, including recreation, to the Town and its residents.

l) The Developer Owner or Representative shall maintain the Wilson Creek Preserve beyond the expiration of this Agreement.

5.13 Quarry Restoration. – Updated language (May 11, 2015)

a) Clean soil, sand, gravel and stone from the Developed Property site may be used as fill in the restoration of the quarry area.

b) The fill material must be placed in a stable manner, have a final layer of top soil and a final slope of 3:1 or less unless design includes a slope stability analysis, which confirms and documents that a steeper slope will be stable. In no condition, however, can any fill slope be steeper than 2:1. Large stone (stone that cannot be used as fill material) from the Developed Property site may be placed in the quarry area in a manner consistent with the approved uses, restoration plan and function of the public area.

c) The sheer edges in the quarry area shall be reduced to best of the Developer Owner or Representative's ability while balancing environmental needs.

d) A restoration plan must be submitted and approved by the Town Manager prior to any land disturbance activity. The restoration plan must include:

1) Proposed grading plan – Including locations of fill and lift depth, final slopes, acceptable fill materials, runoff management, and slope stabilization methods.
2) An invasive species management plan – Including target species, methods of control, timelines and schedules, monitoring, potential adaptive management and duration, and responsible parties.
3) A forest restoration plan – Including soil analysis and amendment; tree, shrub, and understory species planting schedule and details (including replanting as necessary); monitoring; potential adaptive management and duration; and responsible parties.
4) Overflow/outflow management for the pond directly in the restoration area – Including determination of current outflow conditions and locations, need for stabilization of water level and outflow channels.

e) Restoration shall be generally in keeping with Exhibit K.

f) The Quarry shall not be opened to the public until such time as remediation efforts have made the area safe for public use.

5.14 Historic and Cultural Features.

a) A former structure on this site housed a motel and diner known as Watts Motel, which became historically significant during the U.S. Civil Rights movement of the 1960's. At the time that a new structure is built at the location of the former Watts Motel, the Developer Owners or Designated Representative shall create and install a historical marker, at a place convenient and accessible to the public and near the location of the former diner, with information describing events that occurred at Watts Motel on January 3, 1964 and their historical significance.

b) The tributary on the site, east of and flowing into Wilson Creek, shall be named Klopfer Creek in honor of Professor Peter Klopfer whose name is on the historic Court decision arising from the 1964 events.

c) The Developer Owner or Representative will provide an update about the status of these features pursuant to the requirements in Section 5.25.

5.15 Solid Waste Management.

a) Solid waste collection shall be provided to all new uses within the Developed Property by the Developer Owners or Representative or the Parcel Owners, if applicable. The Developer Owners or the Representative or the Parcel Owners, if any, shall include Orange County Solid Waste in pre-construction conferences for buildings.

b) Solid waste shall be managed by the Developer Owners or the Representative for all new buildings in the Developed Property. The Developer Owners or the Representative or the Parcel Owners, if applicable, shall design projects such that construction and demolition recycling, reuse, salvage, and waste reduction are maximized.

c) Construction waste shall be managed in accordance with Town standards and with the Orange County Regulated Materials Ordinance.

d) Each individual Development Agreement Compliance Permit shall provide clear direction on who will provide solid waste service for each building, and each building will be designed accordingly.

5.16 Stream Buffers.

Development design and construction shall comply with the stream buffer requirements contained in LUMO Sections 3.6.3 Resource Conservation District and 5.18 Jordan watershed riparian buffer protection. The Developer Owners, Parcel Owners or the Representative retain the right to appeal stream classifications in accordance with the Town's appeal process. to a final determination.

5.17 Landscaping Standards. – Updated information (May 11, 2015)

a) The Developed Property shall include significant street, landscape and natural plantings and landscaped areas and tree protection measures. 60% of the street trees will be native plant species or drought-tolerant and non-invasive. A portion of the tree and landscape areas may also have a stormwater management function at the Developed Property.

b) A street tree planting plan that provides for shading of sidewalk and street pavement areas shall be incorporated into the Developed Property. Due to the preservation of Wilson Creek Preserve (see Section 5.12), no tree canopy requirements are applicable on the Developed Property.

c) The applicant shall include the following information in each Development Agreement Compliance Permit application:

1) A plan of street landscaping and landscaped areas and associated irrigation;
2) A planting list using at least 60% native or drought-tolerant trees from the Town's Design Manual for canopy trees or other approved species;
3) Details for proposed tree pits and grates;

4) Identification of conflicts between street trees and utilities.

d) A tree maintenance program will be provided with the first Development Agreement Compliance Permit application.

e) A maintenance program of best forestry management practices within the Preserve will be submitted for approval by the Town Manager.

f) See Exhibit E for landscape standards for specific site areas.

5.18 Sediment and Erosion Control.

a) Development design and construction shall comply with applicable state and local soil and erosion control regulations and shall incorporate erosion and sediment control measures for all land-disturbing activities. The Developer Owners, Parcel Owners or the Representative shall be responsible for implementing erosion and sedimentation control measures for all land disturbing projects.

b) The Property will meet the following higher standards during construction:

Erosion Control Item	Orange County Requirement	Property's Standard
Cleared Area	Unlimited	8 acres
Skimmer Basin		
- Design Storm	10 year	100 year
- Number of Baffles	3	5
- Draw down time (10-year storm)	2-5 days	2-5 days
- Basin Freeboard height	1 foot	2 feet
Temp. Diversion Ditch Capacity	10 year	25 year
Temp. Diversion Ditch Lining	2 year	10 year
Perimeter Silt Fence	Wire	Chain Link
Inspection Frequency	After storm event	Daily
Construction Sequencing	2 stages	4 stages
Temporary Seeding Time	14 days	7 days
Construction Entrance	50 feet	75 feet
Wash rack at entrance	Not required	Provided
Polyacrylamide	Not required	Provided

c) Before starting any land-disturbing activity that results in a cumulative disturbance greater than twenty thousand (20,000) square feet, the Developer Owners, Parcel Owners, or the Representative shall obtain a grading permit from the Orange County Erosion Control Division.

d) The Developer Owners, Parcel Owners or the Representative if any, shall include the erosion and sediment control plan in the Development Agreement Compliance Permit application.

5.19 Neighboring Lands, Compatibility, Buffers.

a) The Property shall respect existing development adjacent to the Property.

b) Development that occurs on the site will adhere to the buffer, lighting, drainage, and noise impact standards set forth in this Agreement and Exhibit E.

c) Neighborhood and local streets located outside of the Property, with the exception of the existing driveway located on the Property leading from US Highway 15-501 to an existing commercial building, shall not be used for construction traffic.

d) The Developer Owners or Representative shall provide a mailing list and postage for the Town to mail a notice to property owners within 1,000 feet of the Property prior to the issuance of the first Development Agreement Compliance Permit.

5.20 Noise.

a) As provided in Section 4.9 (Development Agreement Compliance Permit application section), prior to the Development of or construction on the Property, a Developer Owner or Representative who intends to develop or construct upon the Property shall apply for a Development Agreement Compliance Permit application, which shall include a construction management plan and provide the following noise-mitigation information at a minimum:

1) Indicate how the project construction will comply with the Town's Noise Ordinance; and
2) Provide a telephone number for noise notifications during the construction period.

b) The Developer Owner or Representative shall post a sign on-site where the Development is to occur stating that noise issues can be reported by calling the posted telephone number.

5.21 Lighting.

a) Lighting design for the Property will be consistent with IES Standards with respect to illumination levels.
b) NCDOT standards for light trespass will govern the frontages along US Highway 15-501 where additional lighting is desired along the sidepath provided at this location.
c) All other external boundaries of the Property will comply with LUMO standards for light trespass.
d) Full cut-off fixtures will be used for all area lighting. Limited building accent lighting will be shielded to minimize conflicts with adjacent residences and dark skies objectives.
e) Additional details on lighting design are in Exhibit E.

5.22 Specific Site Development Standards. – Updated information (May 11, 2015)

a) Site design shall comply with the Town of Chapel Hill Engineering Design Manual and the LUMO unless otherwise stated in this document.
b) If there is a conflict, this Agreement's standards supersede the Town's standards.
c) No burning of construction debris is permitted on-site.
d) Where alternate development standards (i.e. curb radii, parking stall sizes, etc.) can be demonstrated to be equal or greater with regard to protecting the public health, safety and welfare, then they may be permitted within the bounds of the Developed Property subject to Town Manager approval.

e) The following are exceptions to the Town's Land Use Management Ordinance, Town's Design Manual, and Standard Details which are allowable at the Property.

1) Section 3.8 - Zoning District Uses and Dimensional Standards

i. No interior buffers or 15-501 buffers or setbacks are required. Open space buffers to neighboring properties are illustrated in Exhibit E.

ii. Land Use Intensities, heights, setbacks, floor area lot sizes and widths, recreations space, impervious surface limitations and other dimensional standards are specified in this Agreement and Exhibit E. The Town's Land Use Intensities and Dimensional Standards are not applicable. No setbacks shall be required internal to the Developed Property other than those proposed by the NC Building Code or NC Fire Code.

iii. Individual parcels may be subdivided and not subject to Land Use Intensities Standards for setbacks, lot widths, impervious surface and other dimensional standards.

2) Section 5.6 - Landscape, Screening and Buffering

i. Allowable sidewalk materials and prescribed widths are enumerated in Exhibit E. Any of the proposed materials may be used throughout the Developed Property subject to ADA requirements for accessibility.

ii. Street tree minimum sizes and spacing in the Developed Property are defined in Exhibit E which supersedes the Town's LUMO Section 5.6 and Design Manual Section 3 Standards for Planting and Screening. On-street parking shall not be required to be screened. Where required site triangles prevent normal placement of street trees within 5' of the back of curb, these zones will not be included in the total length of street calculation for tree spacing.

iii. The separation and/or screening of sidewalk dining areas as required by the LUMO are not applicable to the Developed Property. Where delineation of dining areas is desired, it may be achieved through alternate means (i.e. furniture placement and orientation, planters, roping, transparent screens, etc.). In all cases a minimum 5' unobstructed clear zone will be demonstrated where other uses (dining) are allowed to encroach on sidewalk areas.

iv. Where sidewalk paving abuts building facades along storefronts, entranceways or solid building walls less than 25 ft. in length, no minimum planting areas shall be required.

3) Section 5.9.6: Parking and Loading (applies to surface parking)

i. While the Developed Property is designed to limit surface parking to on-street parking along private streets, some situations may include small areas of off-street surface parking to serve convenience or valet services or to satisfy ADA requirements for

locating parking adjacent to building entrances. Where these situations occur (i.e. age-restricted housing, hotel and office lobbies, etc.) and are limited to 10 spaces or less, the requirements of Section 5.9.6 of the LUMO shall not be applicable.

4) Section 5.9.7: Minimum and Maximum Off-Street Parking Space Requirements (Specifies parking space ratios to building areas)

i. Parking Requirements. The Developed Property shall conform to the parking requirements of Town Center-1 subject to the following modifications:

(i) Section 5.9.7 - Parking Table (Town Center Zoning District requirements)

Use	Minimum	Maximum
Bank	N/A	1 per 250 sq. ft. of floor area
Business, general (retail)	N/A	1 per 250 sq. ft. of floor area
Business, office type	N/A	1 per 333 sq. ft. of floor area
Clinic	N/A	1 per 333 sq. ft. of floor area
Residential	N/A	1 per bedroom and/or 2 max per unit
Hotel	N/A	1 per lodging unit

ii. Bicycle Parking. Bicycle parking shall be in compliance with the LUMO Minimum and Maximum Off-Street Parking Space Requirements (Section 5.9.7) and shall be demonstrated for each Development Agreement Compliance Permit.

iii. The bicycle parking design must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines, and the Class I and Class II bicycle parking standards required by the Town Design Manual.

iv. Five years after the receipt of the first Certificate of Occupancy, the Developer Owner or Representative shall conduct an evaluation of the amount of bicycle parking that is provided at the Developed Property and provide additional bicycle parking if necessary.

5) Section 5.9.8: Loading Space Design Standards is modified as follows:

i. Loading spaces shall be designed to accommodate the specific vehicles for which their use is intended and may be configured to require a dual maneuver for access.

ii. Loading spaces may make use of private streets for maneuvering.

iii. Loading spaces shall be planned and designed to minimize nuisance impacts to adjacent land uses by screening, orientation or location; however, screening is not required where it is demonstrated that nuisance impacts are otherwise mitigated.

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6) Section 5.9.10 - Minimum Off-Street Loading Space Requirements

i. These standards shall serve as a guide; however, where it can be demonstrated that the specific tenants to be served (1) demand fewer service areas, (2) can utilize combined service areas, (3) can stagger service hours or (4) can be served effectively from on-street facilities, an alternate to the Standards of Section 5.9.10 may be approved by the Town Manager.

f) The following are exceptions to the Town of Chapel Hill Design Manual and Standard Details which are allowable at the Property.

1) Section 4 - Access and Circulation - Appendix 4-A - Street Classifications and Standards

i. Streets within the project will be classified as "local" streets which shall be privately maintained, and shall meet the standards of Table 4-A-1 and Table 4-A-2 with the following exceptions:

ii. Table 4-A-1

(i) Design speed - 15 mph or 20 mph
(ii) Bike Lanes – provided on main streets intersecting US Highway 15-501 only. Sharrow bicycle pavement markings shall be provided through-out other local streets.
(iii) On Street Parking - Allowed on both sides of streets
(iv) Intersection Spacing - 100' minimum.
(v) Access Control - Non-residential access to local street is allowed.

iii. Table 4-A-2

(i) Street Grade (%) - Maximum 18%
(ii) Minimum Horizontal Centerline Radius - 50'
(iii) Minimum Street Corner Radius - 10'

2) Section 4.e – Structural Standards - Pavement Materials and Sections (8" or 10" CABC (stone base) & 3" asphalt surface depending on type of street and location)
3) Pavement sections for streets on site will be in accordance with the site specific recommendations of a geotechnical engineer based on a through site soils investigation.
4) GrassPave2, or alternate, stabilized turf, as designed by the geotechnical engineer, may be used for fire access or other temporary use vehicular drives as a pavement type.
5) Permeable pavements, or pavers, as designed by the geotechnical engineer, may be used in selected locations.
6) Concrete, stamped concrete, imprinted asphalt or brick pavers may be used along with grooved detectable warning strips for pedestrian crossings as allowed by ADA Standards for private streets.

7) Section 4.13 - Bicycle Paths - All sidepaths and greenways shall comply with AASHTO or NACTO standards; however, the following exceptions are permitted, subject to Town Manager approval:

   i. 3-foot shoulders may not be required if there are demonstrable site constraints that would make 3-foot shoulders impractical
   ii. A 15 mph design speed may be allowed.
   iii. Alternate design solutions may be approved by the Town Manager where strict compliance to AASHTO standards is impractical and the alternate meets the intent of the standards.

8) Section 4.2.8 - Sight Line Triangles

   i. Internal sight line triangles will be based on AASHTO Stopping Sight Distance for the posted speed limit (15'x80' for 15 mph and 15'x115' for 20 mph)
   ii. NCDOT standards will be applied for sight distance triangles at the Developed Property driveway connections to 15-501.

9) Section 5 - Parking and Loading Standards

   i. There shall be no limit on the number of contiguous on-street parking spaces.
   ii. On-street parallel parking may be reduced to 8’ x 21’.
   iii. Diagonal on-street parking shall include a 2’ bumper overhang of the curb/sidewalk area for calculating total stall depth.
   iv. The maximum number of compact spaces shall not be limited.
   v. Off-street loading and maneuvering spaces may make use of adjacent street area and may require dual maneuvers. The design of each loading space shall minimize the required number of maneuvers and shall be appropriate for the intended use and frequency of use.

10) Section 7.7 - Easements –Sharing of Utility Easements and Allowed Encroachments

   i. Alternate Standard: Subject to approval of Orange Water and Sewer Authority (OWASA), OWASA Easements - 20' easement, 10' off centerline of proposed sewer line or water line for a combined easement of 30' wide may be permitted. Plantings may be allowed in the outer 5' of the easement. Stormwater conveyance piping and structures are allowed within the OWASA easements with adequate horizontal or vertical relationships to allow for required maintenance. OWASA easements may overlap with other easements as long as actual lines are outside the OWASA easement. Any proposed revisions to easements for infrastructure maintained by the Town of Chapel Hill are subject to approval of the Town Manager.
   ii. "Dry" (gas, power, lighting, communications) utility easements – Subject to appropriate approvals by the utility providers, varying width blanket easements following installed lines, or duct bank, or

maximum 5' off utility line may be permitted. Plantings may be allowed in outer 1/2 of the easements.

11) Section 8 - Lighting Levels

i. Street lighting shall be limited to the internal streets of the Developed Property and connecting intersections, except for pedestrian-level lighting that may be necessary in the public right-of-way frontage along the project frontage. Design standards shall be in accordance with IESNA, with consideration for high-risk areas as defined by Crime Prevention Through Environmental Design. Light trespass along US Highway 15-501 right of way shall be allowed pursuant to NCDOT Standards and limitations.

g) The following are exceptions to the Standard Details which are allowable at the Property.

1) SD-1 thru SD-10 Town standard stormwater drainage details shall be superseded by the following standards;

i. NCDOT standard catch basin with bicycle compliant grates, drop inlet, junction box or other structures may be used.
ii. Alternate grates or curb inlets may be used to match profile of proposed alternative curb and gutter sections.

2) ST-1C, ST-1D, ST-1E and ST-1F Town standard street cross-section shall be superseded by the following standards;

i. 18' edge-of-pavement to edge-of-pavement typical section.
ii. 26' face-to-face (w/o parking) for aerial fire apparatus access. Street section may include alternate curb design and Grass Pave 2.
iii. 34' face-to-face (parking one side) 42' face-to-face (parking both sides) for fire apparatus access.
iv. 16' face-to-face one-way street
v. 16' face-to-face public alley

3) ST-4 Town standard detail for sidewalks shall be superseded by the following standards specified in Exhibit E.
4) ST-14 and ST-15 Town standard detail for Traffic Control Devices shall be superseded by Exhibit E and the following standards:

i. Street name signs at entrance intersections with 15-501 will meet ST-14 requirements.
ii. Internal street signs for private streets may be decorative, unique to the project and are not required to meet the ST-14 standard.
iii. Signs at entrance intersections with 15-501 will meet ST-15 requirements.
iv. Signs within the 15-501 right-of-way will meet NCDOT signage standards.

v. Internal signs for private streets may be decorative, unique to the project and are not required to meet the ST-15 standard.
vi. Decorative sign posts may be utilized for all signage. Replacement, if required by the Town or NCDOT may utilize standard u-channel posts. U-channel posts may be replaced with decorative posts by the Developer Owner.
vii. Regulatory signs such as: Stop, Yield, Do Not Enter, Wrong Way and Speed Limit, Advance Warning shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).

5) TC-1 thru TC-8 Town standard details may be supplemented as follows:

i. Advanced traffic calming signage may not be required on 15 mph and 20 mph streets.
ii. Raised intersections, similar to a raised crosswalk, may be used. Design and construction details to be developed with Final Plans.
iii. Posted Speed Limits
iv. Local private streets may be posted at 15 mph or 20 mph.

6) Truck Access

i. Truck and emergency access routes will be identified and tested utilizing AutoTurn software. Some sweeping of vehicular movement across opposing traffic lanes, or dragging of rear wheels across heavy duty sidewalk / ramps / corners will be allowed.

5.23 Annexation. – Updated information (May 11, 2015)

a) Upon execution of this agreement, the Developer Owner or Representative will submit a valid and binding petition for annexation of the entire Property into the limits of the Town of Chapel Hill. The Developer may identify a preferred targeted effective date of June 30, 2016 for said annexation. The parties agree that the effective date of annexation shall be up to the Town to decide within the parameters of State Law (G.S. Sec. 160A-31(d)).

5.24 Fire Code Requirements. – Updated information (May 11, 2015)

a) The Property shall fully comply and be in accordance with the North Carolina Fire Prevention Code and Appendices as adopted by the Town of Chapel Hill and any associated laws, rules, regulations and ordinances.
b) The appropriate association will be responsible for ensuring that all buildings in the Developed Property have working sprinklers and will be responsible for the ongoing maintenance of the systems. Additional information will be required by the Development Agreement Compliance Permit.

5.25 Annual Report. – Updated information (May 11, 2015)

a) The Developer Owners and Parcel Owners, if any, or the Representative on behalf of the Developer Owners and Parcel Owners, if any, shall submit to the Town Manager an Annual Report that includes the information required by this

Agreement and that provides all necessary information for the Town Manager to assess the Developer Owners', Parcel Owners' and the Representative's good faith compliance with the terms of this Agreement. This report shall form the basis for the Town Manager's periodic review of the Agreement as required by G.S. 160A-400.27(a). This required report is generally referred to as the "Annual Report."

b) The initial Annual Report shall be filed on or before [Insert date] and shall report on activities from [Insert date "through" date]. Subsequent reports shall be filed on or before [Insert date] each year and shall report on activities in the preceding fiscal year (the preceding reporting period).

c) The Annual Report shall include the specified items set forth in this Agreement and listed in this Section. The failure to include in this Section an item expressly required to be included by other Sections of this Agreement shall not relieve the Developer Owners, Parcel Owners or the Representative of the responsibility to include that item in the Annual Report. The report may include such other items as deemed relevant by the Developer Owners or Parcel Owners, if any, or the Representative. The Town Manager may also request inclusion of other specific information or provide for its inclusion in the following year's Annual Report if such requested information reasonably relates to Development.

d) The Annual Report shall include the following specific information:

Number (for reference)	Section	Item	To be included in the first Annual Report	To be included in all Annual Reports
1	4.9(b)(10)	A one-time change in floor area of one thousand (1,000) square feet or fewer to any structure or building previously approved with a Development Agreement Compliance Permit		☑
2	4.12	Information regarding all individual Development Agreement Compliance Permits issued		☑
3	4.12	Infrastructure installed		☑
4	4.12	The status of participation by the Developer Owners, the Representative and the Parcel Owners in the provision of or financing of public infrastructure for the		☑

		Development		
5	4.12	Dedications and acquisitions of infrastructure by the Developer Owners, Representative and Parcel Owners		☑
6	4.12	Projected schedule for Development of the Property in the forthcoming year		☑
7	4.12	Report demonstrating good faith compliance by the Developer Owners, the Representative and the Parcel Owners with the terms of this Agreement		☑
8	5.2(b)(11)	Cumulative information about the for-sale and rental affordable units in the Developed Property		☑
9	5.2(b)(11)	How housing affordability is being monitored		☑
10	5.2(b)(11)	Data about the occupants of the rental properties including the income level and rent levels		☑
11	5.2(b)(11)	Total number of rental units built each year		☑
12	Section 5.3	Annual stormwater BMP inspection report including maintenance and inspection expenditures. Inspection must be performed by a North Carolina-registered Professional Engineer.		☑
13	Section 5.3	Wilson Creek monitoring report		☑
14	5.4(c)(2)	Trip generation table which includes items i, ii, and iii outlined in Section 5.4(c)(2)		☑
15	Section 5.5	Whether the Developer		☑

		Owner of each building located within the Developed Property is considered to be tax-exempt		
16	Section 5.7	Summary of Public Schools impact fees		☑
17	Section 5.7	Update on Developer Owner/Representative conversations with the Public Schools	☑	
18	DA-1 Zoning District Requirement	Estimate of the number of employees and residents at the Developed Property		☑

EXHIBITS INCORPORATED BY REFERENCE – Note: These Exhibits will be reorganized in the next draft.

Exhibit A: Boundary Map of the Developed Property

Exhibit B: Obey Creek Site Map

Exhibit C: Legal Description of the Developed Property

Exhibit D: Development Agreement Compliance Permit Application

Exhibit E: The Village at Obey Creek Design Guidelines

Exhibit F: Traffic Impact Study

Exhibit G: Trip Equivalency Matrix

Exhibit H: Diagram of South Columbia/US 15-501 Fordham Boulevard Interchange Restriping

Exhibit I: Proposed Crossing for Oteys Road

Exhibit J: Wilson Creek Preserve Boundary

Exhibit K: Restoration Area Map

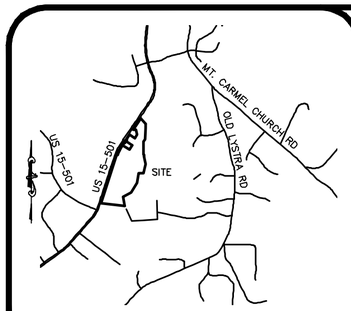
Exhibit L: Boundary Map of the Entire Property

Exhibit M: Boundary Map of the Town-Owned Property

Exhibit N: Legal Description of the Entire Property

Exhibit O: Legal Description of the Town-Owned Property

Exhibit P: Obey Creek Map: Land Parcel Areas



VICINITY MAP
NOT TO SCALE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN) ; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN) ; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 42,000 ; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

_____ DAY OF _____, A.D. 20__.

_____
RONALD T. FREDERICK PLS L-4720

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(c)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

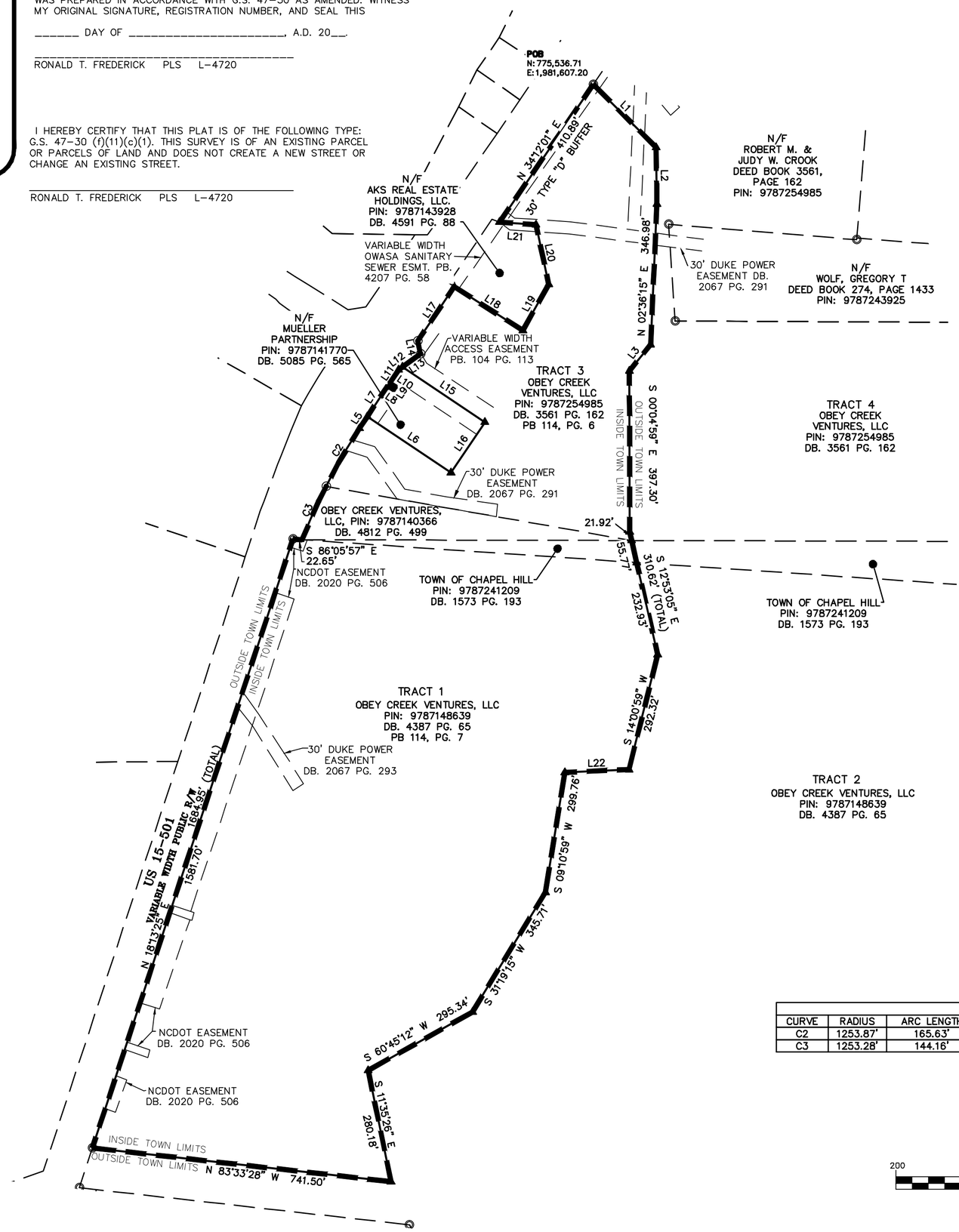
_____
RONALD T. FREDERICK PLS L-4720

LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- CALCULATED POINT
- XXXX ADDRESS
- ZONING LINE

ZONING MAP CHANGE
NOT FOR
CONVEYANCES OR SALES

AREA OF
ZONING MAP CHANGE
42.44 ACRES



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°56'37" E	220.00'
L2	S 00°49'22" E	139.63'
L3	S 38°45'27" W	83.38'
L5	N 33°41'49" E	35.05'
L6	S 56°08'42" E	248.37'
L7	N 33°20'07" E	89.56'
L8	S 56°39'53" E	16.40'
L9	N 33°20'37" E	9.84'
L10	N 56°39'53" W	15.48'
L11	N 33°20'07" E	39.37'
L12	N 53°33'37" E	11.86'
L13	N 53°53'33" E	54.77'
L14	N 11°13'12" W	32.43'
L15	S 56°08'41" E	244.71'
L16	S 33°51'18" W	149.94'
L17	N 33°45'23" E	161.13'
L18	S 57°32'03" E	200.97'
L19	N 29°19'27" E	130.53'
L20	N 12°09'52" W	150.15'
L21	N 85°44'29" W	90.04'
L22	S 87°25'42" W	158.42'

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C2	1253.87'	165.63'	N 29°55'09" E	165.51'	7°34'06"	82.94'
C3	1253.28'	144.16'	N 24°15'57" E	144.08'	6°35'25"	72.16'

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

SHEET 1 OF 1

EXHIBIT A

THE JOHN R. McADAMS COMPANY, INC.
2905 Meridian Parkway
Durham, North Carolina 27713
License No.: C-0293
(800) 733-5646 ▪ McAdamsCo.com

McADAMS

REVISIONS:
1.

321
EXHIBIT A

OBEY CREEK
ZONING EXHIBIT
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

ZONING EXHIBIT

PROJECT NO.	EWP13040
FILENAME:	EWP13040-F3
SURVEYED BY:	RTF
DRAWN BY:	KMM
SCALE:	1"=200'
DATE:	2015-03-03

Z-3.0

McADAMS

NC GRID NAD 83

X:\Projects\EWP\EWP-13040 Obey Creek\Survey\Plats\EWP13040-F3 Zoning.dwg, 4/7/2015 3:01:55 PM, Martin, Katie


BUILDING "A"
BUILDING "B"
BUILDING "C"
BUILDING "D"
BUILDING "E"
BUILDING "F"
BUILDING "H"
BUILDING "K"
BUILDING "J"
BUILDING "H"

EXHIBIT B

EXHIBIT C

PROPOSED DA-1 ZONING DISTRICT LEGAL DESCRIPTION

Beginning at an iron pipe on the eastern right of way of US 15-501, having NC Grid coordinates N:**775,536.71**, **E:1,981,607.20**, the **Point of Beginning**; thence leaving said right of way South 44°56'37" East a distance of 220.00 feet to a point; thence South 00°49'22" East a distance of 139.63 feet to a point; thence South 02°36'15" West a distance of 346.98 feet to a point; thence South 38°45'27" West a distance of 83.38 feet to a point; thence South 00°04'59" East a distance of 397.30 feet to a point; thence South 12°53'05" East a distance of 310.62 feet to a point; thence South 14°00'59" West a distance of 292.32 feet to a point thence South 87°25'42" West a distance of 158.42 feet to a point; thence South 09°10'59" West a distance of 299.76 feet to a point; thence South 31°19'15" West a distance of 345.71 feet to a point; thence South 60°45'12" West a distance of 295.34 feet to a point; thence South 11°35'26" East a distance of 280.18 feet to a point; thence North 83°33'28" West a distance of 741.50 feet to an iron pipe on the right of way of US 15-501; thence with said right of way North 18°13'25" East a distance of 1581.78 feet to an iron pipe; thence South 86°05'57" East a distance of 22.65 feet to a right of way monument; thence with a curve to the right a radius of 1253.28 feet, an arc length of 144.16 feet, a chord bearing of North 24°15'57" East, and a distance of 144.08 feet to an iron pipe; thence with a curve to the right a radius of 1253.87 feet, an arc length of 165.63 feet, a chord bearing of North 29°55'09" East, and a distance of 165.51 feet to a point; thence North 33°41'49" East a distance of 35.05 feet to a point; thence North 33°20'07" East a distance of 89.56 feet to a monument; thence leaving said right of way South 56°39'53" East a distance of 16.40 feet to a monument; thence North 33°20'37" East a distance of 9.84 feet to a right of way monument; thence North 56°39'53" West a distance of 15.48 feet to a monument on the right of way of US 15-501; thence with said right of way North 33°20'07" East a distance of 39.37 feet to a point; thence North 53°33'37" East a distance of 11.86 feet to a point; thence North 53°53'33" East a distance of 54.77 feet to an iron pipe; thence North 11°13'12" West a distance of 32.43 feet to an iron pipe; thence North 33°45'23" East a distance of 161.13 feet to a point; thence leaving said right of way South 57°32'03" East a distance of 200.97 feet to a point; thence North 29°19'27" East a distance of 130.53 feet to a point; thence North 12°09'52" West a distance of 150.15 feet to a point; thence North 85°44'29" West a distance of 90.04 feet to a point on the right of way of US 15-501; thence with said right of way North 34°12'01" East a distance of 410.89 feet to the **Point of Beginning**, containing 42.44 acres.

Exhibit D: Development Agreement Compliance Permit

For a copy of the draft Development Agreement Compliance Permit, visit www.townofchapelhill.org/obeycreek

Exhibit E: The Village at Obey Creek Design Guidelines

For a copy of the Design Guidelines, visit www.townofchapelhill.org/obeycreek

Obey Creek Mixed-Use Development – Traffic Impact Study

The Traffic Impact Studies for the Obey Creek Mixed-Use Development are large in size. Therefore, links to the studies have been provided below:

- Traffic Impact Study – Technical Memorandum #2 (April 2014) – Click here[1]
- Traffic Impact Study – Technical Memorandum #3 (August 2014) – Analysis of Concept #2 – Click here[2]
- Traffic Impact Study – Technical Memorandum (April 2015) – 2022 Peak Hour Capacity Analysis for Southern Village Park-and-Ride Redevelopment – Click here[3]

[1] http://www.townofchapelhill.org/home/showdocument?id=22726
[2] http://www.townofchapelhill.org/home/showdocument?id=27096
[3] http://www.townofchapelhill.org/home/showdocument?id=27273

Exhibit G: Trip Equivalency Matrix

For a copy of the Trip Equivalency Matrix, visit www.townofchapelhill.org/obeycreek



MATCHLINE - SEE SHEET SK-10

ToolDesignGroup
8484 GEORGIA AVENUE, SUITE 800, SILVER SPRING, MD 20910
PHONE: (301) 927-1900 FAX: (301) 927-2800
www.tooledesign.com

TOWN OF CHAPEL HILL
ALTERNATE INTERSECTION DESIGN CONCEPTS
SOUTH COLUMBIA STREET - INTERIM CONDITION

0 50 100

REV. 1:
REV. 2:
REV. 3:

DESIGNED: JAC
DRAWN: JAC
CHECKED: WS
DATE: 12/3/2014

SHEET NAME: S. COLUMBIA AT FORDHAM BLVD WESTBOUND RAMPS
DRAWING NUMBER SK-9
SHEET NUMBER 9 OF 12

EXHIBIT H

MATCHLINE - SEE SHEET SK-9



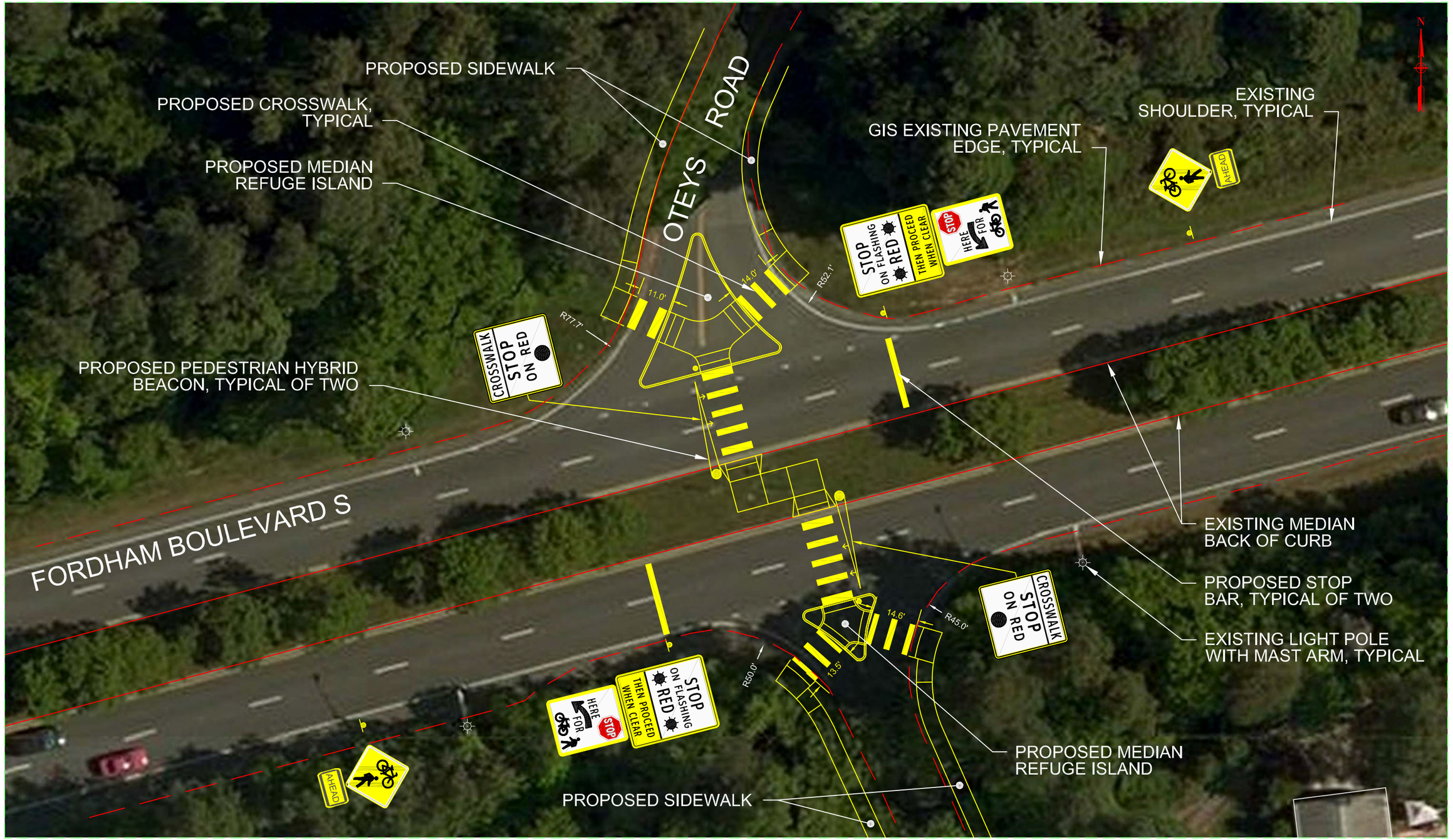
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TOWN OF CHAPEL HILL
ALTERNATE INTERSECTION DESIGN CONCEPTS
SOUTH COLUMBIA STREET - INTERIM CONDITION

0 50 100

REV. 1:	
REV. 2:	
REV. 3:	
DESIGNED:	JAC
DRAWN:	JAC
CHECKED:	WS
DATE:	12/3/2014

SHEET NAME:
S. COLUMBIA AT FORDHAM BLVD EASTBOUND RAMPS
DRAWING NUMBER
SK-10
SHEET NUMBER
10 OF 12



ToolDesignGroup
8484 GEORGIA AVENUE, SUITE 800, SILVER SPRING, MD 20910
PHONE: (301) 927-1900 FAX: (301) 927-2800
www.tooledesign.com

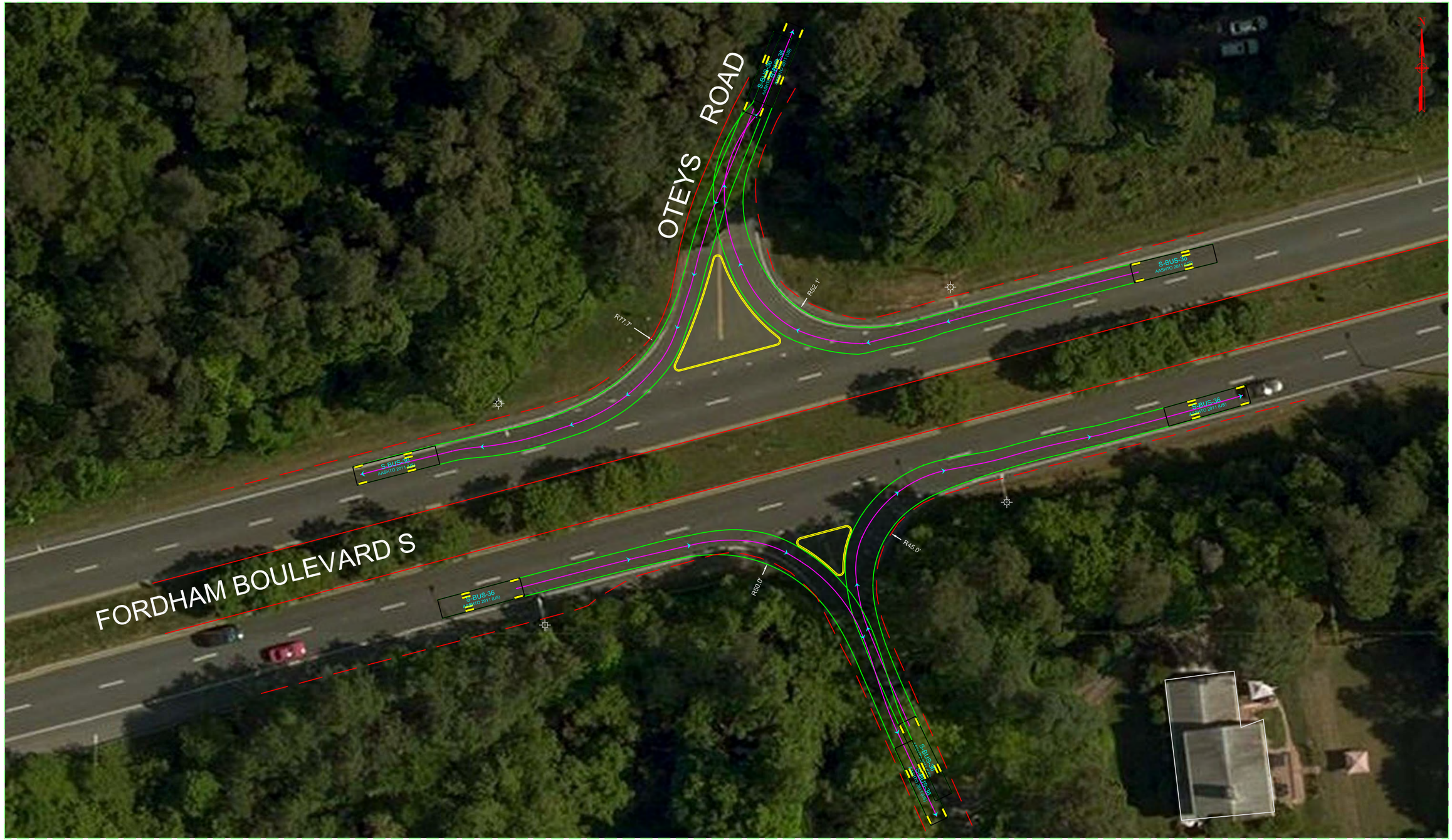
TOWN OF CHAPEL HILL
ALTERNATE INTERSECTION DESIGN CONCEPTS
OTEYS ROAD PROPOSED CROSSING

0 15 30

REV. 1:
REV. 2:
REV. 3:
DESIGNED: EM
DRAWN: EM
CHECKED: WS
DATE: 12/22/2014

SHEET NAME: Oteys Road Proposed Condition
DRAWING NUMBER SK-11
SHEET NUMBER 11 OF 13

EXHIBIT I



ToolDesignGroup
8484 GEORGIA AVENUE, SUITE 800, SILVER SPRING, MD 20910
PHONE: (301) 927-1900 FAX: (301) 927-2800
www.tooledesign.com

TOWN OF CHAPEL HILL
ALTERNATE INTERSECTION DESIGN CONCEPTS
OTEYS ROAD AUTO TURN FOR A SCHOOL BUS-36

0 20 40

REV. 1:
REV. 2:
REV. 3:

DESIGNED: EM
DRAWN: EM
CHECKED: WS
DATE: 12/22/2014

SHEET NAME:
Oteys Road
Autoturn Exhibit

DRAWING NUMBER
SK-12

SHEET NUMBER
12 OF 13

Overlook Park

Preserve Boundary 85 ac.

Main Loop Trail To
Overlook Bridge
(6'-8' Chapel Hill Gravel)

Preserve Boundary 85 ac.

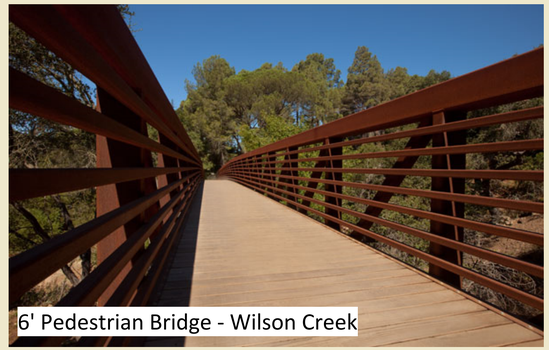
South Loop
Single Track Trail
(4' Natural Surface)

Restoration
Picnic Area

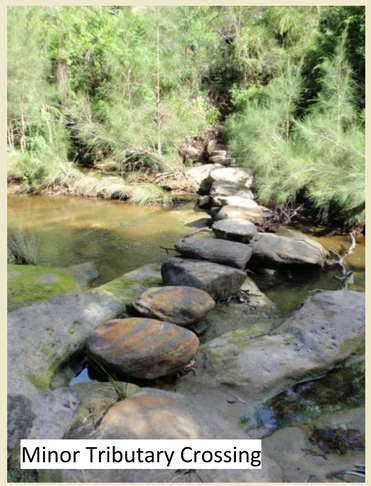
Minor Tributary Crossing

North Loop
Single Track Trail
(4' Natural Surface)

Native Plantings
Slope Restoration


6' Pedestrian Bridge - Wilson Creek


6'-12' Gravel/Natural Surface Trail


Minor Tributary Crossing


4' Natural Surface Single-Track Trail

0 150 300 450 FT

Preliminary Concept

WILSON CREEK PRESERVE

OBE Y CREEK

April 1, 2015

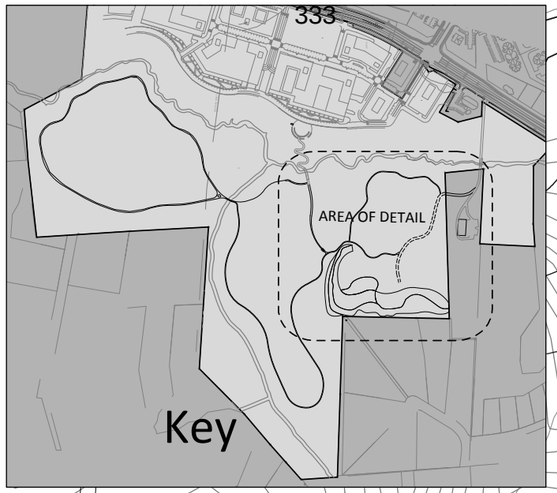
P-1

EXHIBIT J

east west partners

SCOTT MURRAY
LAND PLANNING, INC.

333



WILSON CREEK

EXISTING CREEK CROSSING

RCD UPLAND MANAGEMENT ZONE

ACCESS EASEMENT

HARDWOOD FOREST UNDISTRUBED

HARDWOOD FOREST UNDISTRUBED

OUTPARCEL

PROPERTY BOUNDARY

OUTER LIMITS OF FILL

OUTER LIMITS OF FILL

TOE OF SLOPE

20'-0"

100'-0" +/-

100'-0" +/-

65'-0" +/-

TOP OF SLOPE

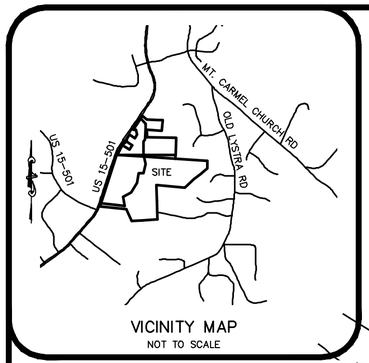
NOTE: Final limits of disturbance & fill to be adjusted based on field verification of wetlands and approved by the Town Manager.

RESTORATION AREA KEY

- WETLAND PRESERVED (TYP)
- INVASIVE SPECIES ERADICATION PERMITTED
- PRIORITY ONE SLOPE RESTORATION
- PRIORITY TWO SLOPE RESTORATION
- LAY-BACK ZONE

NOTE: SLOPE RESTORATION AREAS GRADED AT 2:1 TO 4:1 SLOPES (H:V)

EXHIBIT K



VICINITY MAP
NOT TO SCALE

LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- CALCULATED POINT
- XXXX ADDRESS
- ANNEXATION LINE

I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 42,000; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

_____ DAY OF _____, A.D. 20___.

_____
RONALD T. FREDERICK PLS L-4720

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(11)(c)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

_____
RONALD T. FREDERICK PLS L-4720

NORTH CAROLINA PROFESSIONAL SEAL L-4720 LAND SURVEYOR RONALD T. FREDERICK

CURVE TABLE						
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT
C2	1253.87'	165.63'	N 29°55'09" E	165.51'	7°34'06"	82.94'
C3	1253.28'	144.16'	N 24°15'57" E	144.08'	6°35'25"	72.16'

AREA OF ANNEXATION
120.88 ACRES±

POB N:775,536.71 E:1,981,607.20

S 44°56'37" E 170.59'

VARIABLE WIDTH OWASA SANITARY SEWER ESMT. PB. 96 PG. 56

S 87°51'08" E 359.61'

N 87°44'30" E 140.13'

N/F ROBERT M. & JUDY W. CROOK DEED BOOK 3561, PAGE 162 PIN: 9787254985

S 04°41'33" W 340.88'

N 85°17'40" W 465.02'

N 34°12'01" E 513.17'

102.84'

410.89'

30' TYPE "D" BUFFER

N/F AKS REAL ESTATE HOLDINGS, LLC. PIN: 9787143928 DB. 4591 PG. 88

VARIABLE WIDTH OWASA SANITARY SEWER ESMT. PB. 4207 PG. 58

ZONE X

30' DUKE POWER EASEMENT DB. 2067 PG. 291

S 03°50'41" E 236.30'

N 02°36'15" E 346.98'

N/F WOLF, GREGORY T DEED BOOK 274, PAGE 1433 PIN: 9787243925

S 89°43'36" E 904.95'

50' STREAM SIDE ZONE
50' MANAGED USE ZONE
50' UPLAND ZONE

CONTROL CORNER NC GRID COORDINATES (NAD 83) N=774948.41 E=1982714.54

N/F PETE M. & ELISE M. SCHWARTZ DEED BOOK 1982, PAGE 557 PIN: 9787249722

N/F MUELLER PARTNERSHIP PIN: 9787141770 DB. 5085 PG. 565

VARIABLE WIDTH ACCESS EASEMENT PB. 104 PG. 113

TRACT 3 OBEY CREEK VENTURES, LLC PIN: 9787254985 DB. 3561 PG. 162 PB 114, PG. 6

ZONE X

TRACT 4 OBEY CREEK VENTURES, LLC PIN: 9787254985 DB. 3561 PG. 162

SPECIAL FLOOD HAZARD LINE

30' DUKE POWER EASEMENT DB. 2067 PG. 291

OBEY CREEK VENTURES, LLC, PIN: 9787140366 DB. 4812 PG. 499

N 89°51'50" W 813.19'

OUTSIDE TOWN LIMITS S 89°51'01" E 982.65'

INSIDE TOWN LIMITS

S 86°05'57" E 1816.16' (TOTAL)

INSIDE TOWN LIMITS

827.54'

965.97' OUTSIDE TOWN LIMITS

22.65'

NCDOT EASEMENT DB. 2020 PG. 506

TOWN OF CHAPEL HILL PIN: 9787241209 DB. 1573 PG. 193

S 03°09'23" W 540.74' 658.43' 117.69'

N/F ROBERT A. STRAUSS & MARY L. JANNELLI DEED BOOK 2451, PAGE 276 PIN: 9787248438

N/F RICHARD E. & SANDY S. WILCOX DEED BOOK 1640, PAGE 432 PIN: 9787340320

N/F GREGORY & CARLA OVERBECK DEED BOOK 1587, PAGE 15 PIN: 9787342361

S 86°05'57" E 996.85'

N/F MARION & MARY JONES PHILLIPS DEED BOOK 1251, PAGE 113 PIN: 9787349370

CONTROL CORNER NC GRID COORDINATES (NAD 83) N=774223.17 E=1983672.83

S 01°54'27" E 224.91'

N/F DIERDRE V. & ALLEN G. MASK DEED BOOK 805, PAGE 239 PIN: 9787337826

S 50°20'50" W 288.95'

S 51°41'44" W 247.57'

N/F DIERDRE V. & ALLEN G. MASK DEED BOOK 805, PAGE 239 PIN: 9787336703

N/F LADNOR D. GEISSINGER DEED BOOK 214, PAGE 684 PIN: 9787333397

CONTROL CORNER NC GRID COORDINATES (NAD 83) N=773390.74 E=1982972.45

S 47°10'34" W 396.92'

N 84°23'25" W 880.20'

N/F DALE A. & CANY OWENS DEED BOOK 1789, PAGE 387 PIN: 9787331160

S 01°09'37" E 485.84'

N/F MARVIN & ANN RAUCHBACH DEED BOOK 1462, PAGE 559 PIN: 9787226838

S 01°45'03" E 580.08'

N/F EVA S. & ELIZABETH S. ANTON DEED BOOK 2114, PAGE 70 PIN: 9787223577

EIP OFFLINE

HOME PLACE DRIVE (PRIVATE 60' WIDE)

N/F BILLY B. SPARROW PIN: 9787222143

S 85°28'35" W 470.86

N/F ALBERTA J. ATWATER ET AL PIN: 9787119734

S 87°46'14" W 324.45'

N/F CLYDE THOMPSON HRS PIN: 9787116464

N/F CLYDE THOMPSON HEIRS PIN: 9787116464

N 28°02'53" W 401.52'

S 12°53'05" E 232.93'

S 14°00'59" W 292.32'

S 09°10'59" W 299.76'

TRACT 1 OBEY CREEK VENTURES, LLC PIN: 9787148639 DB. 4387 PG. 65 PB 114, PG. 7

30' DUKE POWER EASEMENT DB. 2067 PG. 293

TRACT 2 OBEY CREEK VENTURES, LLC PIN: 9787148639 DB. 4387 PG. 65

ZONE AE

1% SPECIAL FLOOD HAZARD LINE

OBEY CREEK

S 31°19'15" W 345.71'

S 60°45'12" W 295.34'

S 11°35'26" E 280.18'

ZONE AE

SPECIAL FLOOD HAZARD LINE

ZONE X

50' STREAM SIDE ZONE
50' MANAGED USE ZONE
50' UPLAND ZONE

N 18°13'25" E 1581.70'

US 15-501 VARIABLE WIDTH PUBLIC R/W 1634.95' (TOTAL)

NCDOT EASEMENT DB. 2020 PG. 506

NCDOT EASEMENT DB. 2020 PG. 506

NCDOT EASEMENT DB. 2020 PG. 506

INSIDE TOWN LIMITS

OUTSIDE TOWN LIMITS N 83°33'28" W 741.50'

N 83°33'28" W 819.88'

703.25'

N/F BERYL M. JAYNES DEED BOOK 162, PAGE 595 PIN: 9787028120

OUTSIDE TOWN LIMITS

INSIDE TOWN LIMITS

GRAPHIC SCALE
200 0 100 200 400
1 inch = 200 ft.

NC GRID NAD 83

GENERAL NOTES

1. THIS IS A SURVEY OF AN EXISTING PARCEL(S) OF LAND. THIS IS AN ANNEXATION PLAT.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. ZONING: CHAPEL HILL ZONING RLD-I
5. AREA BY COORDINATE GEOMETRY.
6. FLOOD NOTE: THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "AE" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANEL #3710978700J DATED FEBRUARY 2, 2007.
   REFERENCES: PB 102 PG. 159, PB 105 PG 172 OF THE ORANGE COUNTY REGISTRY.
7. UTILITY STATEMENT
   THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
8. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
9. OWNER: OBEY CREEK VENTURES, LLC. 211 OLD FRANKLIN GROVE DRIVE, CHAPEL HILL, NC 27514

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°56'37" E	220.00'
L2	S 00°49'22" E	139.63'
L3	S 38°45'27" W	83.38'
L4	S 12°53'05" E	21.92'
L5	N 33°41'49" E	35.05'
L6	S 56°08'42" E	248.37'
L7	N 33°20'07" E	89.56'
L8	S 56°39'53" E	16.40'
L9	N 33°20'07" E	9.84'
L10	N 56°39'53" W	15.48'
L11	N 33°20'07" E	39.37'
L12	N 53°33'37" E	11.86'
L13	N 53°53'33" E	54.77'
L14	N 11°13'12" W	32.43'
L15	S 56°08'41" E	244.71'
L16	S 33°51'18" W	149.94'
L17	N 33°45'23" E	161.13'
L18	S 57°32'03" E	200.97'
L19	N 29°19'27" E	130.53'
L20	N 12°09'52" W	150.15'
L21	N 85°44'29" W	90.04'
L22	S 87°25'42" W	158.42'

SHEET 1 OF 1

THE JOHN R. McADAMS COMPANY, INC.
2905 Meridian Parkway
Durham, North Carolina 27713
License No.: C-0293
(800) 733-5646 ▪ McAdamsCo.com

McADAMS

REVISIONS:

334

EXHIBIT L

OBEY CREEK
ANNEXATION PLAT
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

ANNEXATION PLAT

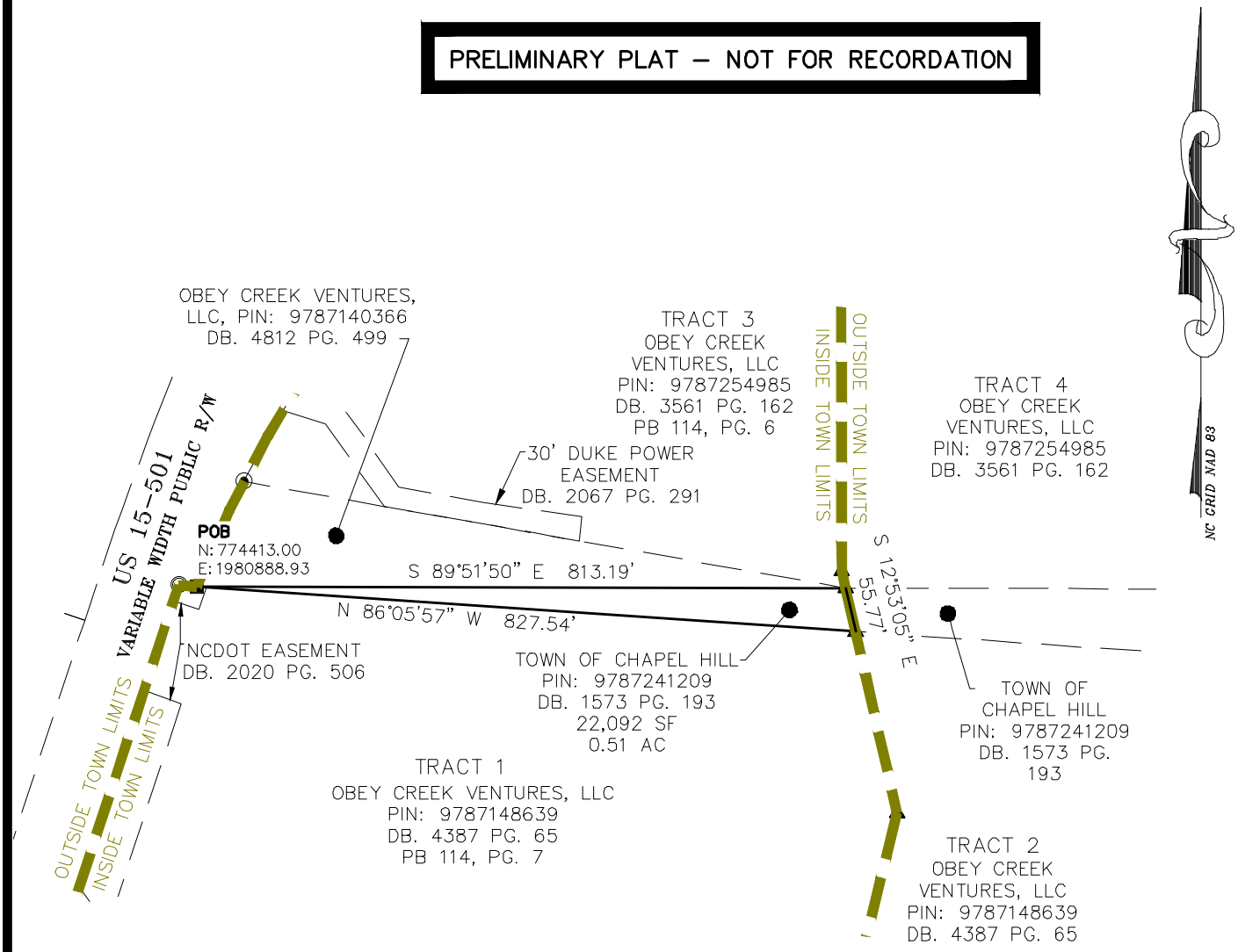
PROJECT NO.	EWP13040
FILENAME:	EWP13040-F4
SURVEYED BY:	RTF
DRAWN BY:	KMM
SCALE:	1"=200'
DATE:	2015-03-03

McADAMS

X:\Projects\EWP\EWP-13040 Obey Creek\Survey\Plats\EWP13040-F4 Annexation.dwg, 3/10/2015 3:58:37 PM, Martin, Katie

EXHIBIT M

PRELIMINARY PLAT – NOT FOR RECORDATION



GENERAL NOTES

1. THIS EXHIBIT IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY ANY GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS

LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- CALCULATED POINT
- XXXX ADDRESS
- ZONING LINE

GRAPHIC SCALE

200 0 100 200 400

1 inch = 200 ft.

X:\Projects\EWP\EWP-13040 Obey Creek\Survey\Exhibits\EWP13040-EX2 Zoning TOCH.dwg, 5/8/2015 9:20:42 AM, Martin, Katie

PROJECT NO.	EWP13040
FILENAME:	EWP13040-EX2
SCALE:	1"=200'
DATE:	05-06-2015

OBEY CREEK
TOWN OF CHAPEL HILL EXHIBIT

CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

McADAMS

THE JOHN R. McADAMS COMPANY, INC.
2905 Meridian Parkway
Durham, North Carolina 27713
License No.: C-0293
(800) 733-5646 • McAdamsCo.com

EXHIBIT N

Legal Description of Entire Property

Beginning at an iron pipe on the eastern right of way of US 15-501, having NC Grid coordinates N:**775,536.71**, **E:1,981,607.20**, the **Point of Beginning**; thence leaving said right of way South 44°56'37" East a distance of 220.00 feet to a point; thence South 00°49'22" East a distance of 139.63 feet to a point; thence South 02°36'15" West a distance of 346.98 feet to a point; thence South 38°45'27" West a distance of 83.38 feet to a point; thence South 00°04'59" East a distance of 397.30 feet to a point; thence South 12°53'05" East a distance of 310.62 feet to a point; thence South 14°00'59" West a distance of 292.32 feet to a point thence South 87°25'42" West a distance of 158.42 feet to a point; thence South 09°10'59" West a distance of 299.76 feet to a point; thence South 31°19'15" West a distance of 345.71 feet to a point; thence South 60°45'12" West a distance of 295.34 feet to a point; thence South 11°35'26" East a distance of 280.18 feet to a point; thence North 83°33'28" West a distance of 741.50 feet to an iron pipe on the right of way of US 15-501; thence with said right of way North 18°13'25" East a distance of 1581.78 feet to an iron pipe; thence South 86°05'57" East a distance of 22.65 feet to a right of way monument; thence with a curve to the right a radius of 1253.28 feet, an arc length of 144.16 feet, a chord bearing of North 24°15'57" East, and a distance of 144.08 feet to an iron pipe; thence with a curve to the right a radius of 1253.87 feet, an arc length of 165.63 feet, a chord bearing of North 29°55'09" East, and a distance of 165.51 feet to a point; thence North 33°41'49" East a distance of 35.05 feet to a point; thence North 33°20'07" East a distance of 89.56 feet to a monument; thence leaving said right of way South 56°39'53" East a distance of 16.40 feet to a monument; thence North 33°20'37" East a distance of 9.84 feet to a right of way monument; thence North 56°39'53" West a distance of 15.48 feet to a monument on the right of way of US 15-501; thence with said right of way North 33°20'07" East a distance of 39.37 feet to a point; thence North 53°33'37" East a distance of 11.86 feet to a point; thence North 53°53'33" East a distance of 54.77 feet to an iron pipe; thence North 11°13'12" West a distance of 32.43 feet to an iron pipe; thence North 33°45'23" East a distance of 161.13 feet to a point; thence leaving said right of way South 57°32'03" East a distance of 200.97 feet to a point; thence North 29°19'27" East a distance of 130.53 feet to a point; thence North 12°09'52" West a distance of 150.15 feet to a point; thence North 85°44'29" West a distance of 90.04 feet to a point on the right of way of US 15-501; thence with said right of way North 34°12'01" East a distance of 410.89 feet to the **Point of Beginning**, containing 42.44 acres.

EXHIBIT O - LEGAL DESCRIPTION: TOWN-OWNED PROPERTY

BEGINNING AT A CONCRETE MONUMENT ON THE EASTERN RIGHT OF WAY OF US 15-501, HAVING NC GRID COORDINATES N: 775,536.71, E: 1,981 ,607.20, THE POINT OF BEGINNING; THENCE SOUTH 89"51'50" EAST A DISTANCE OF 813.19 FEET TO A POINT; THENCE SOUTH 12"53'05" EAST A DISTANCE OF 55.77 FEET TO A POINT; THENCE NORTH 86"05'57" WEST A DISTANCE OF 827.54 FEET TO THE POINT OF BEGINNING, CONTAINING 0.51 ACRES.

Zoning Boundary
42.44 acres

Development Area
34 acres +/-
DA-1

Wilson Creek

Wilson Creek

Wilson Creek Preserve
85 acres +/-
RL-D1

OBEY CREEK

Land Parcel Areas

0 150 300 450 FT

Verification of Notice For
Public Hearing
ZONING ATLAS AMENDMENTS

Date: May 18, 2015

Mailed Notice Verification

I, Megan Wooley, hereby certify that on April 24, 2015, in compliance with State statutes, a notice of the proposed rezoning identified as Obey Creek Zoning Atlas Amendment was sent by first-class mail, postage pre-paid, to all owners of property abutting the property proposed to be rezoned. The list of owners and addresses was prepared from Orange County tax records.

Certified:

Megan Wooley
Planner

Posted Sign Verification

I, Megan Wooley, hereby certify that on May 7, 2015, in compliance with State statutes, three notice signs of the proposed rezoning identified as Obey Creek Zoning Atlas Amendment were posted in the area of the proposed rezoning.

Certified:

Megan Wooley
Planner

Newspaper Notice Verification

I, Catherine Lazorko, hereby certify that notice of the date, time and place of the public hearing for the proposed rezoning was published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) consecutive weeks, with the first notice published not less than ten (10) nor more than twenty-five (25) days prior to the date of the public hearing.

Certified:

C Lazorko

~~Public Information Officer~~
Communications Manager