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ATTACHMENT 1

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Chapel Hill Bible Church Corporation, 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 issued by the Town of Chapel Hill on October 12, 1998, the terms of which are as follows:

NAME OF PROJECT: Chapel Hill Bible Church

NAME OF DEVELOPER: John R. McAdams Company

DESCRIPTION OF PREMISE

LOCATION: Eastern corner of Erwin Road and Sage Road

TAX MAP REFERENCE : Chapel Hill Township Tax Map 26, Lots 18 and 46

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 31.5 acres	OUTDOOR SPACE: 1,408,994 sq. ft.
NUMBER OF BUILDINGS: 4, plus Storage Shed	LIVABILITY SPACE: 1,040,605 sq. ft.
TOTAL FLOOR AREA: 150,000 sq. ft.	RECREATION SPACE: N/A
NUMBER OF PARKING SPACES: 500	

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated November 25, 1997 (revised March 3, 1998), and according to the special terms and conditions set forth below:

Stipulations Specific to the Development

1. That construction begin by October 12, 2000 (two years from the date of Council approval) and be completed by October 12, 2018 (twenty years from the date of Council approval).
2. Phasing Plan: That a Phasing Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
3. Recombination of Lots: That the two properties associated with this development (Chapel Hill Township Tax Map 26, Lots 18 and 46) be recombined to form one property prior to issuance of a Zoning Compliance Permit.
4. Land Use Intensity: This Special Use Permit approves a Place of Worship including the following:
  - ◆ Four buildings,
  - ◆ 2,400-seat sanctuary,
  - ◆ 150,000 square feet of total floor area,
  - ◆ 1,408,994 square feet of outdoor space,
  - ◆ 1,040,605 square feet of livability space, and
  - ◆ 500 parking spaces (authorized for construction initially. The remaining parking may be subsequently constructed upon demonstration to the Town Council that need for additional spaces exists, followed by a Council resolution approving construction of additional parking. Demonstration of need shall take the form of surveys of lot utilization, recorded incidence of the lot being full, and documentation of overflow parking on adjacent streets/properties.)

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5. Roadway Improvements:

- A. Erwin Road Right-of-Way: That one-half of a 90-foot public right-of-way shall be dedicated along the property's Erwin Road frontage prior to the issuance of a Zoning Compliance Permit; and that the North Carolina Department of Transportation and the Town Manager shall approve the location of this right-of-way.
- B. Erwin Road Improvements: That Erwin Road be improved to one-half of a 51-foot cross-section, to provide an ultimate cross-section of two travel lanes, a center turn lane, and five-foot wide striped bicycle lanes along both sides of the road. All road improvements are to be made during initial construction.
- C. Erwin Road Sidewalk: That a five-foot wide concrete sidewalk be provided along the Erwin Road frontage of this site.

6. Parking Lot:

- A. Spaces Near Sage Road/Erwin Road Intersection: That the 29 parking spaces nearest the corner of Sage Road and Erwin Road be eliminated to allow for tree preservation and reduced grading in this area. The Town Manager shall approve this design.
- B. Spaces Near Northern Property Line: That the 28 parking spaces near the northern property line, closest to the Englewood Subdivision, be eliminated from the plans for tree preservation and reduced grading in this area. The Town Manager shall approve this design.
- C. Parking Lot Design: That the parking lot be constructed to Town standards for pavement design and dimensions.

7. Walkway from Bus Stop: That a pedestrian walkway be provided from the sidewalk on Sage Road, near the existing bus stop, to the site's internal sidewalk network.

Stipulations Related to State and Federal Governments Approvals

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

Stipulations Related to Landscape Elements

9. Landscape Plan Approval: That a detailed Landscape Plan and Landscape Maintenance Plan and shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

10. Landscape Protection Plan:

- A. That a detailed Landscape Protection Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
- B. That the Landscape Protection Plan be revised to clearly indicate which rare and specimen trees on the site are proposed to be removed and which are proposed to be protected.
- C. That the Landscape Protection Plan be revised to accommodate construction of the proposed rip-rap aprons in the Resource Conservation District area.

11. Landscape Bufferyards: That the following landscape bufferyards be provided with existing vegetation, and that the Town Manager shall determine whether additional plantings are needed to fulfill the bufferyard requirements. The following landscape bufferyards shall be provided:

- ◆ A minimum 40-foot wide Type D landscape bufferyard along the property's Erwin Road frontage;
- ◆ A minimum 40-foot wide Type D landscape bufferyard along the property's Sage Road frontage;
- ◆ A minimum 20-foot wide Type C landscape bufferyard along the property's Sterling Drive frontage;
- ◆ A minimum 20-foot wide Type C landscape bufferyard along the eastern property line, adjacent to the Sterling Ridge Apartments development; and
- ◆ A minimum 40-foot wide Type C landscape bufferyard along the northern property line, adjacent to the Englewood Subdivision.

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Stipulations Related to Utilities

12. Utility/Lighting Plan Approval: That the final utility/lighting plan be approved by Orange Water and Sewer Authority, Duke Power Company, Public Service Company, the local telephone company and the Town Manager before issuance of a Zoning Compliance Permit.
13. Fire Safety:
  - A. 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 by the Town Manager prior to issuance of a Zoning Compliance Permit.
  - B. Fire Hydrant Locations: That fire hydrants be located near the proposed children's education wing of the main building, near the basketball courts, and near the corner of the northern-most Erwin Road entrance.
  - C. Sprinkler Connection: That a Fire Department sprinkler connection be provided on the south side of the children's education facility.
  - D. Plan Review: That the fire flow report and construction plans be reviewed by the New Hope Volunteer Fire Department prior to issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

14. Design Commission Approvals: That detailed building elevations and site lighting plan shall be approved by the Design Commission prior to issuance of a Zoning Compliance Permit.
15. Stormwater Management Plan: That a Stormwater Management Plan, based on the Town's HYDROS model, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. Based on a 10-year storm, the post-development stormwater run-off rate should not exceed the pre-development rate. The Plan must show where and how stormwater detention for this site will be achieved.
16. Stormwater Detention Facility: That maintenance of the stormwater detention facility shall be the responsibility of the property owner.
17. Refuse Management:
  - A. Solid Waste Management Plan: That a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
  - B. Dumpster Pad: That the plans include a dimensioned detail of the proposed dumpster pad, and that the plans be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
  - C. Recycling Containers: That space for recycling containers be provided on the site, and that the facilities be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
18. Detailed Plans: That the final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), and landscape plans shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit, and that such plans shall conform to the plans approved by this application and demonstrate compliance with all applicable conditions and design standards of the Development Ordinance and Design Manual.
19. Erosion Control: That a soil erosion and sedimentation control plan, including provisions for maintenance of facilities and modifications of the plan if necessary, be approved by the Orange County Erosion Control Officer, and that a copy of the approval be provided to the Town Manager prior to issuance of a Zoning Compliance Permit.
20. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
21. Construction Sign Required: That the applicant post a construction sign that lists the property owner's representative, with a telephone number; the contractor's representative, with a telephone number; and a telephone number for regulatory information at the time of issuance of a Zoning Compliance Permit.
22. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
23. Non-severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

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