

CONCEPT PLAN PROPOSAL

Applicant Information

Name: JOSH GURLITZ, GGA ARCHITECTS
Address: 308 W. ROSEMARY STREET, SUITE 302
City: CH State: NC Zip: 27516
Phone (Work): 929-7595 FAX: 967-9636 E-Mail: josh@i-gga.com

Property Owner Information (included as attachment if more than one owner)

Name: TOWN OF CHAPEL HILL Phone: 968-2700
Address: 316 N. COLUMBIA ST.
City: CH State: NC Zip: 27516

Development Information

Name of Development: CHAPEL HILL AQUATIC CENTER
Tax Map: 24 Block: - Lot(s): 19 Parcel ID #:
Address/Location: W. SIDE AIRPORT RD. @ BRIGHTSUN PLACE
Existing Zoning: New Zoning District if Rezoning Proposed
Proposed Size of Development (Acres / Square Feet): 40.7761A
Permitted / Proposed Floor Area (Square Feet): 31,800 / 26,000
Minimum # Parking Spaces Required: NA #Proposed 317
Proposed Number of Dwelling Units: NA # Units per Acre NA
Existing / Proposed Impervious Surface Area (Square Feet): /
Is this Concept Plan subject to additional review by Town Council? YES

The undersigned applicant hereby certifies that: a) the property owner authorizes the filing of this proposal b) authorizes on-site review by authorized staff, and c) to the best of his/her knowledge and belief, all information supplied with this proposal is true and accurate.

Signature: Josh Gurlitz Date: JUNE 1, 2004

Please submit 20 sets of all materials, or 30 sets of all materials including reduced (8 1/2" by 11") copies of all plans if the Concept Plan is subject to additional review by the Town Council, no later than the first day of the month. Materials must be collated and folded to fit into a 12" x 15" envelope.

The Community Design Commission meets regularly on the third Wednesday of each month. Meetings with the Town Council will be scheduled after the Community Design Commission meeting. For confirmation of a meeting dates and the placement of your request on the agenda, please call the Planning Department at (919) 968-2728.

DEVELOPER'S PROGRAM

CHAPEL HILL AQUATIC CENTER HOMESTEAD COMMUNITY PARK CHAPEL HILL, NORTH CAROLINA

Goals and Objectives

The Town of Chapel Hill is the Developer of this proposal, a modification to an existing Special Use Permit. The Town's goal is to construct an aquatic center in an existing town park, Homestead Community Park. Homestead Community Park (aka Northern Community Park) was permitted as a Special Use in 1995 and a modification to that Special Use Permit was made in 1997. This proposal will be the second modification to that Special Use Permit. The initial Special Use Permit, as approved, included a 30,000 sq. ft. community function building. This Aquatic Center is the community function that has been chosen by the Town of Chapel Hill to occupy this park.

Site Development

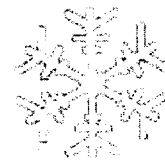
The site slopes down from an existing improved parking area and faces east. The western edge of the building site is the existing parking area. The eastern boundary of the building site is bordered by Booker Creek. The proposed building location is between the existing parking area and a Resource Conservation District that follows this upper reach of Booker Creek. Vehicular access to the facility is by way of an existing access road serving Homestead Community Park. Pedestrian access is from the east, through the eastern portion of this park. Adequate parking exists in the developed parking areas of Homestead Park. These parking areas were designed to accommodate this proposed facility. The dumpster pad and enclosure will be tucked within a corner of the building, screened from view but accessible by trash removal trucks.

Extending from the existing parking area is a proposed connector road with some handicapped parking and a drop-off lane for the facility. This type of paved connector was also anticipated in the original Special Use Permit.

Infrastructure

This building site is within the Homestead Community Park. Sufficient infrastructure was developed when the park was developed (1997) to support an anticipated community building at this building location. Water, sewer and electric are currently available at the site. Parking in sufficient quantity is available at this site. Gas is not extended into this site and we will be recommending the extension of gas service for this aquatic Center.

(12)



**BALLENTINE
ASSOCIATES, P.A.**

2 June 2004

Northern Community Park
Chapel Hill Aquatic Center
Statement of Compliance – Site

221 Providence Road
Eastowne Office Park
Chapel Hill, NC 27514

919/929-0481 Chapel Hill
919/489-4789 Durham
919/489-2803 Fax

103033.00 “D”

The Northern Community Park project was originally granted a Special Use Permit by the Town of Chapel Hill Council on 13 March 1996. The documents reflected a 30,000 square foot recreation center located in the northwestern corner of the park. The recreation center was shown to be served by a surface parking lot with access depicted by a somewhat circular vehicular drop-off/pick-up area at the center’s entrance. The surface parking lot was sized to accommodate the recreation center as well as other park amenities. Although a Stormwater Management Plan was not listed as a requirement for development within the Special Use Permit conditions, a stormwater management system was depicted on the drawings. A condition of the Special Use Permit required that a permit modification be obtained for the Community Center building. The Special Use Permit was modified once since the original permit was issued. The modification was approved by the Town of Chapel Hill Council on 24 March 1997. The modification reduced the floor area to account for the fact that the community center – although illustrated within the documents – was not included within the Special Use Permit.

The attached submittal constitutes our application for Modification of Special Use Permit for the new Chapel Hill Aquatic Center. From a site standpoint the documents reflect a concept similar to the original Special Use Permit drawings, however, not identical.

- The shape of the building footprint has changed. Reasons for the change have been described within a separate section of our Statement of Compliance.
- The shape and size of the drop-off/pick-up area has also changed. The current design proposes elongating this area while incorporating the same landscape island feature. This has evolved as a result of new development requirements for the Resource Conservation District. The proposed concept complies with the new setback established for this district while improving traffic circulation and reducing potential pedestrian conflicts by establishing one-way traffic flow.
- We have added stormwater management features to enable the new center to comply with current stormwater regulations. These features will include bio-retention and dry detention facilities which will be designed to meet or exceed current town requirements.
- We have added a 20’ wide fire lane to meet current fire code regulations. Our intent is to construct the fire lane with gravel but soften its appearance by overlaying its surface with natural mulch material. We intend to delineate its location by using reflective markers.

ORANGE COUNTY

(13)

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) The Town of Chapel Hill 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 March 13, 1996, the terms of which are as follows:

NAME OF PROJECT: Northern Community Park

NAME OF DEVELOPER: Chapel Hill Parks and Recreation Department

DESCRIPTION OF PREMISE

LOCATION: West side of Airport Road, at Bright Sun Place

TAX MAP REFERENCE : Chapel Hill Township Tax Map 24, Lot 19

9890-12-7341 *ok*

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 40.77 acres

OPEN SPACE: 40 acres

NUMBER OF BUILDINGS: 2

LIVABILITY SPACE: 37.4 acres

FLOOR AREA: 31,800 sq. ft.

NUMBER OF PARKING SPACES: 317

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated August 15, 1995, revised November 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 March 13, 1998 (two years for the date of Council approval) and be completed by March 13, 2011 (fifteen years for the date of Council approval).
2. Modification Required for Community Center Building: That the applicant obtain Council approval of a Special Use Permit Modification for construction of the Community Center Building.
3. Soccer Fields: This approval authorizes two soccer fields and requires that the loss of the wetlands area be mitigated on the park site.

Required Improvements

4. Off-site Street Improvements:
 - a) That all off-site street improvements noted on the plans be built as a part of this Phase I project. The northern road providing access from NC Highway 86 shall be constructed with a thirty-three foot wide cross section, back of curb to back of curb, plus a five foot sidewalk. Construction of this street will include the realignment of Bright Sun Place to provide a "T" intersection with the new road.
 - b) That the entrance road from Homestead Road be constructed with a thirty-three foot wide cross section, with rolled curb added to the two ten foot wide travel lanes and two striped four foot bike lanes, plus a five foot sidewalk.
 - c) That one half of the NCDOT improvements planned for NC Highway 86 be completed by the Town unless they are completed by NCDOT first.
5. Pedestrian Paths: That when the property to the west is subdivided or developed, a pedestrian path be extended to that property.
6. Gravel Parking Lot: That the applicant provide a gravel parking lot except for the handicapped spaces which will be paved with concrete or asphalt. Subsequent paving of gravel surfaces is permitted.

(H)

Stipulations Related to the Resource Conservation District Wetlands

- 7. Variations: That all variations necessary for development within the Resource Conservation District be obtained before application for final plat or final plan approval.

Stipulations Related to State and Federal Government Approvals

- 8. Approval of Encroachment Agreements: That any required State and 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

- 9. Landscape Plan Approval: 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. The Landscape Plan should pay special attention to the buffer needs between the proposed ball fields and adjacent residentially zoned property.
- 10. Landscape Protection Plan: That a Landscape Protection Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

Stipulations Related to Building Elevations

- 11. Building Elevation Approval: That detailed building elevations be approved by the Appearance Commission in consulting with the Citizen's Energy Task Force, prior to issuance of a Zoning Compliance Permit.
- 12. 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.
- 13. Utility/Lighting Plan Approval: That the final utility and lighting plan be approved by Orange Water and Sewer Authority, Duke Power, Public Service Company, Southern Bell, the Appearance Commission, Citizen's Energy Task Force, and the Town Manager before issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

- 14. Solid Waste Management Plan: That a detailed solid waste management plan be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
- 15. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), and a landscape plan and landscape management 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.
- 16. 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.
- 17. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
- 18. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 19. Non-severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

TOWN OF CHAPEL HILL

15

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27516
Telephone (919) 968-2700

ORANGE COUNTY

NORTH CAROLINA

MODIFICATION OF SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s), the Town of Chapel Hill, having applied to the Town of Chapel Hill for modification of the existing Special Use Permit recorded in the Book 1479, pages 274 - 276, at the Office of the Register of Deeds, said modification was granted by the Town of Chapel Hill on March 24, 1997, the terms of said modification being as follows:

NAME OF PROJECT: Northern Community Park

PURPOSE OF MODIFICATION: To reduce the boundary of the Special Use Permit.

NAME OF DEVELOPER: Town of Chapel Hill

DESCRIPTION OF PREMISE

LOCATION: North of Homestead Road and west of Highway 86

TAX MAP REFERENCE: Chapel Hill Township Tax Map 24, p/o Lot 19 p/o 988042-7274 map

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: Approx. 39 acres OPEN SPACE: Approx. 38.4 acres

NUMBER OF BUILDINGS: 3 - One storage building, two picnic shelters LIVABILITY SPACE: Approx. 36.8 acres

FLOOR AREA: 1,800 sq. ft NUMBER OF PARKING SPACES: 317

SPECIAL TERMS AND CONDITIONS

The development, as shown on the Site Plan dated August 15, 1995, revised November 17, 1995, on file in the Chapel Hill Planning Department, is reduced in accordance with the plan dated March 4, 1997, also on file in the Chapel Hill Planning Department; and according to the special terms and conditions set forth below:

Stipulation Specific to the Development

- 1. That construction begin by March 13, 1998 (two years from the date of Council approval) and be completed by March 13, 2011 (fifteen years from the date of Council approval).
2. Modification Required for Community Center Building: That the applicant obtain Council approval of a Special Use Permit Modification for construction of the Community Center Building.
3. Soccer Fields: This approval authorizes two soccer fields and requires that the loss of the wetlands area be mitigated on the park site.

Required Improvements

- 4. Off-Site Street Improvements:
a) That all off-site street improvements noted on the plans be built as a part of this Phase I project. The northern road providing access from NC Highway 86 shall be constructed with a thirty-three foot wide cross section, back of curb to back of curb, plus a five foot sidewalk. Construction of this street will include the realignment of Bright Sun Place to provide a "T" intersection with the new road.
b) That the entrance road from Homestead Road be constructed with a thirty-three foot wide cross section, with rolled curb added to the two ten foot wide travel lanes and two striped four foot bike lanes, plus a five foot sidewalk.
c) That one half of the NCDOT improvements planned for NC Highway 86 be completed by the Town unless they are completed by NCDOT first.

- 5. Pedestrian Paths: That when the property to the west is subdivided or developed, a pedestrian path be extended to that property.
- 6. Gravel Parking Lot: That the applicant provide a gravel parking lot except for the handicapped spaces which will be paved with concrete or asphalt. Subsequent paving of gravel surfaces is permitted.

Stipulations Related to the Resource Conservation District Wetlands

- 7. Variances: That all variances necessary for development within the Resource Conservation District be obtained before application for final plat or final plan approval.

Stipulations Related to State and Federal Government Approvals

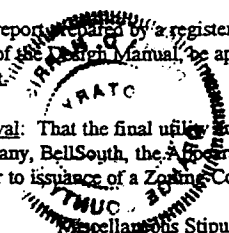
- 8. Approval of Encroachment Agreements: That any required State and federal permits or encroachment agreements be approved, and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.

Stipulations Related to Landscape Elements

- 9. Landscape Plan Approval: 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. The Landscape Plan should pay special attention to the buffer needs between the proposed ball fields and adjacent residentially zoned property.
- 10. Landscape Protection Plan: That a Landscape Protection Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

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- 11. Building Elevation Approval: That detailed building elevations be approved by the Appearance Commission in consulting with the Citizen's Energy Task Force, prior to issuance of a Zoning Compliance Permit.
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- 13. Utility/Lighting Plan Approval: That the final utility and lighting plan be approved by OWASA, Duke Power, Public Service Company, BellSouth, the Appearance Commission, Citizen's Energy Task Force, and the Town Manager prior to issuance of a Zoning Compliance Permit.



Other Miscellaneous Stipulations

- 14. Solid Waste Management Plan: That a detailed solid waste management plan be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
- 15. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), and a landscape plan and landscape management plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. Furthermore, 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.
- 16. 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.
- 17. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
- 18. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 19. Non-severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

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

ATTEST

ACCEPTED

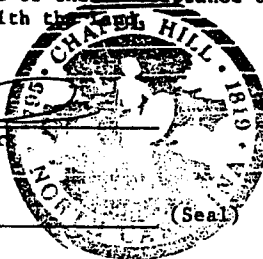
Town Clerk

Owner

Owner

ATTEST

Secretary



The Town of Chapel Hill

BY W. Calvin Horton
Town Manager

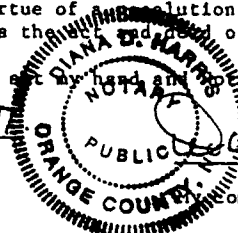
W. Calvin Horton
Corporate Name
BY _____
Title

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 corporate seal of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 12 day of June, 1997



Diana D. Harris
Notary Public
Commission expires: 10-5-98

ORANGE COUNTY

NORTH CAROLINA

I, _____, a Notary Public in and for said State and County

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificate(s) of Diana D. Harris,

A Notary (~~public~~) Public of the designated Governmental units is (~~are~~) certified to be correct. Filed for registration this the 13th day of August 19 97, at 2:17:45 o'clock, P.M. in Record Book 1619 Page 500

Return: _____

Betty June Hayes, Register of Deeds
By: Linda Clayton
Deputy Register of Deeds

_____, a Notary Public of Orange County, North Carolina.

_____ who being by me du

common seal of the _____,

_____, who is President

_____, who is Secretary

President sign the foregoing instrument and he, signed his name in attestation of the execution of said President of said corporation.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 19____.

Notary Public
My commission expires: _____

FILED
13 AUG 1997, at 02:17:45pm
Book 1619, Page 500 - 502
Betty June Hayes,
Register of Deeds,
Orange County, N. C.