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2441 Wayfarer Court, Chapel Hill, NC 27514
TOWN OF CHAPEL HILL
PIN: 9890-50-0795
TAX MAP:

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

ATTACHMENT 2

ORANGE COUNTY BOOK 1786 PAGE 47 NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner Joseph C. Ghidorzi, 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 June 23, 1997, the terms of which are as follows:

NAME OF PROJECT: Presque Isle - Planned Development - Housing
NAME OF DEVELOPER: Joseph C. Ghidorzi

DESCRIPTION OF PREMISE

LOCATION: Southwest corner of Sage Road and Erwin Road
TAX MAP REFERENCE : Chapel Hill Township Tax Map 26, Lot 42 9890-50-0795

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 242,970 sq. ft. OPEN SPACE: 193,370 sq. ft.
NUMBER OF BUILDINGS: 5 LIVABILITY SPACE: 148,625 sq. ft.
NUMBER OF DWELLING UNITS: 42 RECREATION SPACE: 12,952 sq. ft.
FLOOR AREA: 71,660 sq. ft. NUMBER OF PARKING SPACES: 85

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated June 4, 1997, 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 June 23, 1999 (two years from the date of Council approval) and be completed by June 23, 2000 (three years from the date of Council approval).
2. Land Use Intensity: This Special Use Permit approves 42 dwelling units and a total Floor Area of 71,660 square feet; Open Space of 193,370 square feet; Livability Space of 148,625 square feet; and Improved Recreation Space of a minimum of 12,952 square feet.

Required Improvements

1. Erwin Road Frontage: That the applicant dedicate half of a 90 foot right-of-way along the Erwin Road frontage and that Erwin Road be reconstructed to half of a 51 foot cross section with curb and gutter.
2. Sidewalk: That a new 5 foot concrete sidewalk be constructed along the Erwin Road frontage.
3. Handicap Access: That handicap parking shall be provided near the recreation space.
4. Pedestrian Access: That pedestrian access to Erwin Road and Sage Road be provided along the proposed sewer easements and that a sidewalk be provided from building E to the sidewalk along Coleridge Drive.
5. Bus Shelter: That the applicant provide a payment-in-lieu for a bus shelter and related amenities to be constructed either along Sage Road or Erwin Road at a location to be determined by the Town Manager.

Stipulations Related to State and Federal Governments Approvals

6. Approval of Encroachment Agreements: 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.

7. Approval by NC Department of Transportation: That the North Carolina Department of Transportation review and approve the final plans prior to issuance of a Zoning Compliance Permit.

Stipulations Related to Landscape Elements

8. 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 and that the Landscape Plan be approved by the Town Manager.

The Landscape Plan shall include: a) an alternative "D" Type Buffer, along the property's frontage with Sage Road and with Erwin Road, b) a "C" Type Buffer along the southern edge of the property, and c) a "C" type buffer along the property's frontage with Coleridge Drive.

That the conflicts between the landscape buffer and easements be minimized.

That the alternative landscape buffer along Sage Road and Erwin Road include walls and appropriate landscaping to screen the parking area.

Stipulations Related to Building Elevations

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

Stipulations Related to Utilities

10. Fire Flow: That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, and a fire protection water lines/hydrants installation plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
11. New Hydrant: That one additional triple hydrant be provided at southwest corner of Building "D."
12. Hydrant Locations: That all hydrants be installed on the loop main line system and that all installed hydrants be located on the building side of the street such that fire hose deployed from them will not obstruct additional responding fire apparatus.
13. Fire Flow: That the applicant provide a second source of flow for fire protection line.
14. Fire Lane: That the internal drive lane circling the buildings be a designated and signed as a fire lane.
15. 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 applicable telephone company, applicable cable supplier, and the Town Manager before issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

16. Solid Waste Management Plan: That a detailed solid waste management plan, including positioning of dumpster pad and 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.
17. Dumpster Dimensions: That the plans include a dimensioned detail of the proposed dumpster pads including protective bollards and screening, to be approved by the Town Manager.
18. Pavement Design: That the applicant use a stronger pavement for drive aisles which would carry service vehicles.
19. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), which shows the method(s) of conveying the storm water around the building site, 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.
20. Drainage Easement: That the applicant provide standard 30 foot drainage easements for all storm drainage infrastructure that receives off-site drainage from the public street system.
21. Storm Drain under Sage Road: That any proposed storm drainage pipes under Sage Road be installed by boring under the road rather than open cutting.
22. Pavement Design: That the applicant construct the parking lot to Town standards for pavement design and dimensions.
23. 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.

- 24. 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.
- 25. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
- 26. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 29. Non-severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

