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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, the University of North Carolina Kenan-Flagler Business School, 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 October 16, 1996, the terms of which are as follows:

NAME OF PROJECT: The Paul J. Rizzo Conference Center at Meadowmont
 NAME OF DEVELOPER: The University of North Carolina Kenan-Flagler Business School

DESCRIPTION OF PREMISE

LOCATION: DuBose Estate, North of NC Highway 54, across from the Friday Center

TAX MAP REFERENCE : Durham County Tax Map 479, Lot 1

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 28 acres

STRUCTURES AND BUILDINGS:

New Conference Center	New Residence Hall
Existing Mansion	Existing Stable
Existing Greenhouse	Existing Pool House
Existing Wishing Well	2 Existing Garden Pavillions
Existing Well House	Existing Playhouse

RESIDENTIAL ROOMS: 64 (58 in New Residence Hall, 6 in Existing Mansion)

FLOOR AREA: 153,760 sq. ft.

NUMBER OF PARKING SPACES: 162

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated April 11, 1996 (revised July 16, 1996) 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 October 16, 1998 and be completed by October 16, 1999.
2. That the developer be required to provide with final plans an impervious surface calculation sheet and an impervious surface monitoring plan to ensure that the development stays under the 24% threshold of the Watershed Protection District.
3. That all necessary access and utility easements from adjacent property owner(s) be obtained and recorded in the Orange and/or Durham County Register of Deeds Office prior to issuance of a Zoning Compliance Permit.
4. That construction traffic may use the existing asphalt drive which extends from the highway, across the Meadowmont site, to the subject site. However, no widening of this existing drive may occur for the first 250 feet back from NC Highway 54, and tree protection fencing shall be installed in this protected area prior to commencement of construction activity for the Rizzo Center. Once the new Rizzo Conference Center buildings are occupied, the new Meadowmont Lane will provide access to this site.

Required Improvements

- 5. That if the conference center opens prior to the development of Meadowmont, the access drive (Meadowmont Lane) must be constructed with this development along with dedication of right-of-way. The cross-section may be reduced to two lanes with curb and gutter and sidewalk until such time as Meadowmont is developed.

If Meadowmont precedes or is concurrent with the development of the conference center site, the access drive (Meadowmont Lane) shall be constructed by this developer or others to the approved four lane median divided cross-section.
- 6. NCDOT Approval for Driveway: That the applicant obtain a driveway permit from NCDOT for the new Meadowmont Lane entrance on NC Highway 54 prior to issuance of a Zoning Compliance Permit.
- 7. 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.
- 8. NCDOT Sight Triangle Easement: That the owner dedicate sight triangle easements to the North Carolina Department of Transportation prior to issuance of a Zoning Compliance Permit. The sight triangle easements would be at the new Meadowmont Drive at the highway intersection and the conference center driveway intersection.
- 9. Drive Aisles and Parking Lots: That all drive aisles and parking lots be constructed to Town standards for pavement design and dimensions.
- 10. Sidewalks and Walkways: That sidewalk or walkway be provided in the following locations:
 - > Connecting the existing manor house to the Phase I parking lot, the new conference center, the new residence hall, and the recreation facilities;
 - > Connecting the new buildings to each other and to the new parking lots;
 - > From the Phase I (lower) parking lot to Meadowmont Lane, with the sidewalk be constructed to meet the standards of the Americans with Disabilities Act.
- 11. Non-auto parking: That motorcycle and bicycle parking be provided on the site.

Stipulations Related to State and Federal Governments Approvals

- 12. That any required State or Federal permits or encroachment agreements, including approval from the State Historic Preservation Office, 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

- 13. Landscape Protection Plan: That a revised Landscape Protection Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The revisions shall clearly indicate the impact of construction activity associated with the on- and off-site sewer line, water line, and sidewalk improvements. The revisions shall also include additional tree protection fencing in certain areas between proposed construction and landscape areas to remain. Areas for construction staging, material storage, and construction parking shall also be indicated on the plans.

That if the existing one-lane drive is to be used as a construction entrance to the site, additional tree protection fencing shall be required between the driveway and nearby large trees in locations to be determined by the Town's Urban Forester prior to construction.

- 14. Landscape Plan Approval: That a detailed landscape plan and landscape maintenance plan be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit.

The following landscape buffers shall be provided:

- > along the northern, eastern, and western property lines, a Type C (30 foot minimum width) landscape buffer; and
- > along the southern property line, which abuts the future transit corridor, a Type D (50 foot minimum width) landscape buffer.

Existing vegetation may be used to partially or wholly fulfill the landscape buffer requirements. The extent to which existing vegetation can be used shall be determined by the Town Manager prior to issuance of a Zoning Compliance Permit.

That a note be added to the plans, indicating that some of the trees on the perimeter of the construction areas shall be removed by the developer prior to building occupancy if the Town's Urban Forester determines the trees are not likely to survive and may constitute a hazard.

Stipulations Related to Building Elevations

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

Stipulations Related to Utilities

- 16. Stormwater Management: We recommend that the applicant submit a Stormwater Management Report prior to issuance of a Zoning Compliance Permit. The stormwater calculations shall be based on the Town's HYDROS Model.

All stormwater shall be consolidated in a storm drain piping system which releases directly into a defined natural channel or into a public storm drainage system.

The stormwater and erosion control plans shall indicate all necessary grading, and the Landscape Protection Plan shall be revised as necessary.

- 17. 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.

The developer shall provide a fire hydrant and Siamese connection on the front side of the proposed residence hall. Emergency access acceptable to the Town Manager shall be indicated on the final plans to provide for fire vehicles to the two-story pool house.

- 18. Utility/Lighting Plan Approval: That the final utility and lighting plan be approved by Orange Water and Sewer Authority, Duke Power, Public Service Company, BellSouth, Time Warner Cable, and the Town Manager before issuance of a Zoning Compliance Permit.

Utility lines (including the off-site sewer line and pump station) and their associated easements, shall be located outside the required vegetated buffers for this site and for the boundaries of the adjacent Meadowmont development, except where perpendicular crossing is necessary.

- 19. OWASA Easements: That easement documents as required by OWASA and the Town Manager be recorded before issuance of a Building Permit.

Miscellaneous Stipulations

- 20. Solid Waste Management Plan: That a detailed 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. This plan shall demonstrate ways in which the applicant will make efforts to reduce waste.

The final plans shall include a detail of the proposed service areas and their respective access drives. This plan shall include the location and proposed use of containers for refuse and recyclables.

- 21. Transportation Management Plan: That a Transportation Management Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The Management Plan shall include:
 - a. Provision for designation of a Transportation Coordinator;
 - b. Provision for an annual Transportation Survey and Annual Report to the Town Manager;
 - c. Quantifiable traffic reduction goals and objectives;
 - d. Ridesharing incentives;
 - e. Public Transit incentives.

The Transportation Management Plan (TMP) for this development shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. In addition, annual reports shall be made to the Town Manager by January 1st of each year.

- 22. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), 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.

- 23. 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 phone number, and a telephone number for regulatory information prior to issuance of a Zoning Compliance Permit.

- 24. **Erosion Control:** That a soil erosion and sedimentation control plan be approved by the NC Department of Environment, Health, and Natural Resources and be submitted to the Town Manager before 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.
- 27. **Non-severability:** If any of the above conditions is held to be invalid, approval in its entirety shall be void.

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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 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
[Signature]
Town Clerk



[Signature] PKF
Town Manager

ACCEPTED

Owner

Owner

ATTEST

Secretary

BY _____
Corporate Name

ORANGE COUNTY

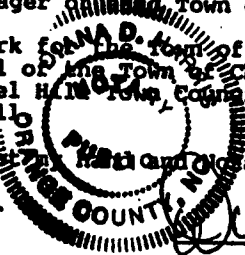
NORTH CAROLINA

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 H.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 the Town of Chapel Hill, and Peter H.J. Richardson, CMC, Town Clerk of 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 22nd day of April, 1997.
[Signature]
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____

Notary Public
My commission expires: _____

ORANGE COUNTY

NORTH CAROLINA

THIS _____ day of _____, 19____, personally come before me, _____, a Notary Public of Orange County, North Carolina, who being by me duly sworn, says that he knows the common seal of the _____, and is acquainted with _____, who is President of said corporation and he, _____, who is Secretary of said corporation, and saw the President sign the foregoing instrument and he, the said _____, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

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

Notary Public
My commission expires: _____