



TOWN OF CHAPEL HILL NORTH CAROLINA

MEMORANDUM

TO: Town of Chapel Hill Commissions and Advisory Boards

FROM: Gene Poveromo, Development Manager
Judy Johnson, Principal Planner

SUBJECT: Application for Special Use Permit Modification, 1609 E. Franklin St. Hotel and Residential Units

Recommended Action

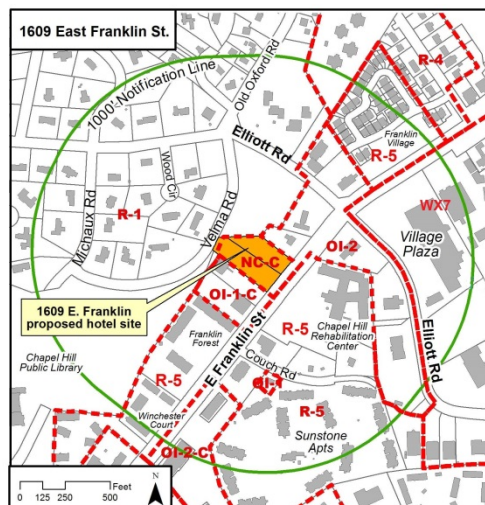
- That the Community Design Commission, Transportation and Connectivity Board, Housing Advisory Board and Environmental Stewardship Advisory Board forward a recommendation to the Planning Commission and the Council; and that the Planning Commission also forwards a recommendation to the Town Council.

Explanation of Recommendation

- For this proposed development, the Council's Advisory Board Policy Manual requires that the Community Design Commission, Transportation and Connectivity Board, Housing Advisory Board and Environmental Stewardship Advisory Board forward a recommendation to the Planning Commission for the Commission's consideration. The Land Use Management Ordinance requires that the Planning Commission forward a recommendation to the Council.

Project Description

- This Special Use Permit Modification Application proposes to develop a 1.74-acre site, located at 1609 East Franklin Street. The proposed development includes a 7-story building including a 106 room hotel with 123 parking spaces and 28 apartments in approximately 67,612 sq. ft. of floor area. The proposal also includes a pedestrian access easement to Pritchard Park.



Key Considerations

- *Zoning Atlas Amendment:* The applicant is proposing to rezone the portion of the site zoned Neighborhood Commercial-Conditional (NC-C) to Mixed-Use Village (MU-V). The portion of the site zoned Residential-1 (R-1) will remain as currently zoned. We have received a protest petition from the adjacent neighbors.
- *Mixed-Use Village:* Because this application is proposing the Mixed-Use Village (MU-V) zoning designation, the proposal must include a minimum of 25% residential floor area and 25% non-residential floor area
- *Affordable Housing:* The application includes 28 apartments and a proposal for an affordable housing payment-in-lieu of \$13,200 as well as two affordable units.
- *Ephesus-Fordham District:* While a significant portion of the Ephesus-Fordham District has been rezoned, the Council has continued the public hearing on the proposed rezoning of the properties across the street from this development proposal to October 19, 2015. We anticipate the Council will consider alternatives that could incentivize developments with affordable housing in these areas at that public hearing. Discussion has included a new zoning district which, with an affordable housing component, could allow five story buildings.
- *Concept Plan Review:* During the Community Design Commission and the Council review of the Concept Plan, some of the following topics were discussed: traffic impacts; building out of scale with the adjacent neighborhood; relocating parking underground; importance of attractive elevations from Franklin Street; economic viability of a hotel; minimizing HVAC noise.

Background

- *October 11, 1999:* Council approved a rezoning to Neighborhood Commercial-Conditional (NC-C) and a Special Use Permit for 18,301 sq. ft. of office floor area and 59 parking spaces.
- *October 11, 2004:* The Special Use Permit expired, therefore the site reverted back to the previous zoning: Residential-5 (R-5), Residential-1 (R-1).
- *March, 9, 2009:* Council approved a rezoning to Neighborhood Commercial-Conditional (NC-C) and a Special Use Permit for 17,318 sq. ft. of office/retail floor area and 61 parking spaces.
- *November 20, 2013:* Concept Plan reviewed by the Community Design Commission.
- *January 22, 2014:* Concept Plan reviewed by the Council.
- *December 29, 2014:* Special Use Permit and Zoning Atlas Amendment applications submitted.

Advisory Board Recommendations

- The Housing and Advisory Board voted 6-0 to recommend that the Council approve Resolution A with conditions.
- The Environmental Stewardship Advisory Board voted 5-0 to recommend that the Council approve Resolution A with changes.
- The Community Design Commission voted 7-0 to recommend that the Council deny the Special Use Permit Modification application.
- The Transportation and Connectivity Advisory Board voted to recommend that the Council approve Resolution A.

- Copies of the Recommendations are attached

Fiscal Note

- According to the applicant Fiscal Impact Analysis, the principal net general fund tax revenues to the Town of Chapel Hill resulting from the completion of this project total approximately \$200,000 per year.

Council Goals

- Create A Place for Everyone
- Develop Good Places, New Spaces

Attachments

- Staff Report
- Resolution A Special Use Permit Modification of Approval
- Resolution B Special Use Permit Modification of Denial
- Advisory Board Recommendations
- 2009 Special Use Permit
- 1999 Special Use Permit
- Applicant Materials
- Applicant's response to Concept Plan Comments
- Traffic Impact Executive Summary
- Applicant's Fiscal Impact Analysis
- Area Map

STAFF REPORT

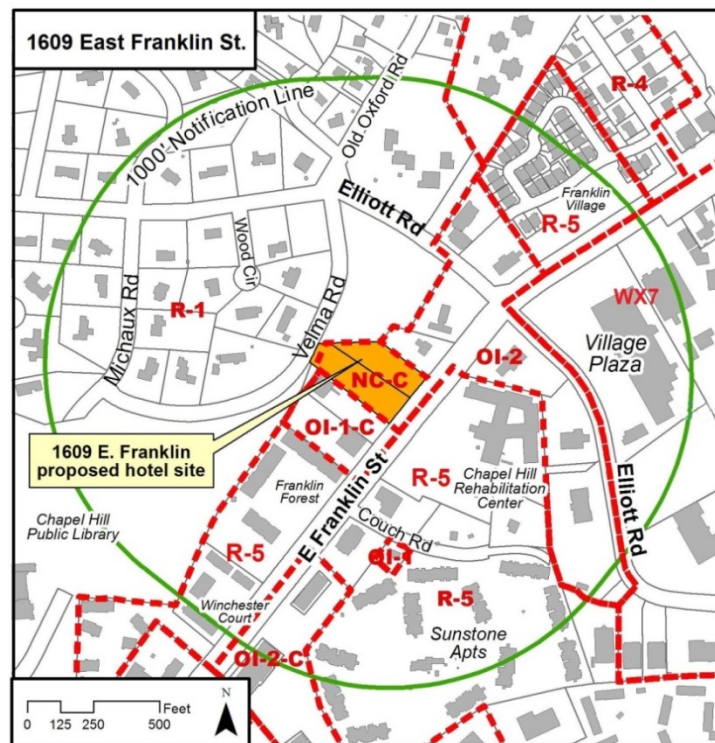
TO: Housing Advisory Board (June 9, 2015)
Environmental Stewardship Advisory Board (June 9, 2015)
Transportation and Connectivity Advisory Board (June 23, July 28, 2015)
Community Design Commission (June 23, 2015)
Planning Commission (August 4, 2015)

SUBJECT: Application for Special Use Permit Modification– [1609 East Franklin Street](#)¹
Hotel and Residential Units (Project No. 13-089)

DATE: June 9, 2015

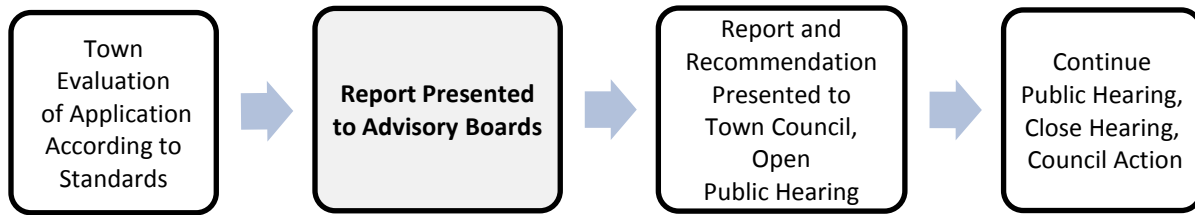
INTRODUCTION

Attached for your consideration is a Special Use Permit Modification Application, submitted by Charles R. Walker III, which proposes to develop a 1.9-acre site, comprised of two lots, located at 1609 East Franklin Street. The proposed development is on the northwest side of East Franklin Street near the Elliott Road intersection. The development includes a 106 room hotel and 28 apartments in approximately 67,612 s. f. of floor area. The applicant is also proposing to rezone the portion of the property zoned Neighborhood Commercial-Conditional (NC-C) to Mixed Use-Village (MU-V). The portion of the property zoned Residential-1 (R-1) shall remain.



¹ <http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/development/development-activity-report/1609-east-franklin-street>

PROCESS



BACKGROUND

October 11, 1999	The Town Council approved a rezoning application to Neighborhood Commercial-Conditional (NC-C) and a Special Use Permit for 1609 East Franklin Street, an office development with 18,301 sq. ft. of floor area and 59 parking spaces.
October 11, 2004	The Special Use Permit expired and the Neighborhood Commercial-Conditional (NC-C) property reverted back to the Residential-5 (R-5) and Residential-1 (R-1) zoning districts.
March, 9, 2009	The Town Council approved an application for an office-commercial building rezoning the property to Neighborhood Commercial-Conditional (NC-C) and a Special Use Permit for an office development with 17,318 sq. ft. of floor area and 61 parking spaces.
November 2013	Two vacant single family homes on the site were demolished.
November 20, 2013	Concept Plan application reviewed by the Community Design Commission.
January 22, 2014	The Town Council reviewed a Concept Plan for a 110 room five-story hotel with 110 parking spaces.
December 29, 2014	Special Use Permit and Zoning Atlas Amendment applications submitted.

KEY CONSIDERATIONS

During our staff review we have identified the following key considerations:

- *Mixed-Use Village*: The proposal complies with the minimum of 25% residential floor area and 25% non-residential floor area
- *Affordable Housing*: The application includes 28 apartments and a proposal for an affordable housing payment-in-lieu of \$13,200 as well as two affordable units.
- *Concept Plan Review*: The following topics were discussed: traffic impacts; building out of scale with the adjacent neighborhood; relocating parking underground; an attractive

elevations along Franklin St., economic viability of a hotel; HVAC noise. A copy of the applicant's response to these topics is attached.

For additional information on Key Considerations, please refer to the following staff analysis.

EXISTING CONDITIONS/DEVELOPMENT PROPOSAL SUMMARY

The Special Use Permit application is proposing the following changes with details indicated in the table below:

General Site Description and Location	
Address	1609 East Franklin Street
Property Description and Location	The parcel is 82,798 square feet (1.9 acres) and located in the northwest side of East Franklin Street, to the south of the intersection with Elliott Road.
Existing Structures	One residential dwelling; two other residential dwelling previously demolished.
Orange County Parcel Identifier Numbers	9799-04-6951 and 9799-04-7995
Existing Site Conditions/Proposed Development Description	
Proposed Special Use Permit	106 room hotel with 28 residential dwelling unit with 123 parking spaces
Floor area	A maximum of 90,325 sq. ft. is allowed under the proposed Mixed Use-Village (MU-V) zoning district. The proposal includes a total of 67,612 sq. ft. of floor area.
Affordable Housing Units	Proposing to provide a payment-in-lieu for 2.2 units at \$6,000 each (totaling \$13,200) prior to issuance of a Certificate of Occupancy as well as to provide 2 affordable units on-site equivalent to 15 percent of the 28 residential units
Height	Primary height is 70 feet and secondary height is 114 feet in Mixed Use-Village (MU-V) zoning district. Proposed height is a maximum of 67 feet.
Vegetation	This residential site includes stands of mature pine and hardwood trees.
Tree Canopy	30 percent tree canopy coverage is required. Applicant is proposing to meet the standard by providing 60 trees on-site.
Vehicular Parking Spaces	Minimum-104; Maximum-142; Proposed-123
Bicycle Parking	Required - 13 spaces; Proposed - 13 spaces in racks with an additional 28 in the apartment units
Vehicular and Pedestrian Access	Existing – three existing curb cuts along East Franklin St.; one curb cut along Velma Road; Proposed – two curb cuts – one-way in and one-way out on East Franklin St. Proposed pedestrian connection to Pritchard Park
Land Disturbance	72,271 sq. ft.

Impervious Surface	56,441 sq. ft. (68%)
Overlay Zone	None
Resource Conservation District	None
Jordan Riparian Buffer	None
Steep Slopes	None
Zoning	Existing – Neighborhood Commercial-Conditional (NC-C) and Residential-1 (R-1); Proposed – Mixed Use-Village (MU-V) and Residential-1 (R-1)
Requested Modification to Regulations	
Modification to Regulations	None
Surrounding General Development Pattern	
North	Office/Institutional-2 (OI-2) – Fire Station #3 and Psychology Associates Offices
East	Residential-5 (R-5) - Signature Healthcare of Chapel Hill. Within the Ephesus Fordham District
South	Office/Institutional-1-Conditional (OI-1-C) – the Ballet School
West	Residential-1 (R-1) Coker Hills

STAFF ANALYSIS OF APPLICATION

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)², the standards of the [Land Use Management Ordinance](#)³, and the [Design Manual](#)⁴, and offers the following evaluation:

Comprehensive Plan: 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 that the 1609 East Franklin Street proposal complies with five of the six 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.

² <http://www.ci.chapel-hill.nc.us/town-hall/departments-services/design-chapel-hill/chapel-hill-2020>

³ <http://www.ci.chapel-hill.nc.us/town-hall/departments-services/planning-and-sustainability/resources/planning-library-plans-regulations-and-guidelines/chapel-hill-land-use-management-ordinance>

⁴ <http://www.ci.chapel-hill.nc.us/home/showdocument?id=2645>

Land Use Plan: The [2020 Land Use Plan](#)⁵, a component of the 2020 Comprehensive Plan, designates this site as high density residential (8-15 units per acre) and is located in Future Focus Area #5 (North 15-501).

Mixed Use-Village: The property is zoned Neighborhood Commercial-Conditional (NC-C) and Residential-1 (R-1) and a Zoning Atlas Amendment application accompanies this Special Use Permit application to change the Neighborhood Commercial-Conditional (NC-C) zoning to Mixed Use-Village (MU-V). The portion zoned Residential-1 (R-1) is not proposed to be rezoned. The Mixed Use-Village zoning district requires a minimum of 25 percent of residential floor area and a minimum of 25 percent of commercial or office floor area.

The applicant is proposing to meet the Mixed Use-Village land use requirements by providing a 106 room hotel as commercial spaces as well as 28 corporate apartments fulfilling the 25 percent residential requirement. The corporate apartments are proposed as extended stay accommodations for long-term visitors and workers to the area. The Land Use Management Ordinance defines a dwelling unit with occupancy on a weekly or longer basis. Resolution A includes a stipulation requiring the units be leased for a minimum of seven nights.

Mixed Use-Village Land Use Intensities:

Floor Area: Maximum floor area 90,325 sq. ft.

Setbacks: Street and interior setbacks are 0 feet; solar setback (northern property line) 20 feet.

Building Height and Envelope: Primary – 70 feet; Secondary; 114 feet.

This project complies with the above intensity standards.

Transitional Control Intensity Modifications:

This project is subject to transitional setback adjacent to the Velma Road neighborhood. This standard requires setbacks equivalent to those required in the adjoining residential zoning district. The building is located approximately 156 feet from the property line in the rear of the site.

Comparison of Concept Plan and Special Use Permit Proposals

	Concept Plan	Special Use Permit Application
Floor Area Proposed	65,730 sq. ft.	67,612
Number of Stories	5 stories	7 stories
Vehicular Access	Two full access driveways on East Franklin Street	One right-in and one right-out driveway on East Franklin Street
Impervious Surface	55,641 sq. ft.	56,531 sq. ft.

⁵ <http://www.townofchapelhill.org/home/showdocument?id=1215>

Affordable Housing

As this Special Use Permit is accompanying a Zoning Atlas Amendment, it is the Council’s expectation that projects with a residential component incorporate a fifteen percent affordable housing feature. The applicant is proposing to provide an affordable housing contribution equal to 15 percent of the 28 residential units or a total of 4.2 residential units. The applicant is proposing a payment-in-lieu for the equivalent of 2.2 units at \$6,000 each for a total contribution of \$13,200. The applicant is also proposing to provide two affordable fully furnished units on-site that would be available for qualifying residents earning 60 percent of the area median income (AMI). The applicant is targeting hotel employees, with right of first refusal, as potential residents although the affordable units would be available to any qualified tenant. This is included in Resolution A.

Schools Adequate Facilities Ordinance

Because this project includes residential units, it will be necessary for the applicant to provide Certificates of Adequacy from the Chapel Hill-Carrboro City School district prior to the issuance of a Zoning Compliance Permit.

Fiscal Impact

The applicant has submitted a Fiscal Impact Analysis (attached). The analysis estimates that the proposed project would add approximately \$257,664 in new property taxes, with an estimated \$83,840 to the Town of Chapel Hill. It is also estimated to generate approximately \$500,000 in annual sales and occupancy taxes. Business Management staff has reviewed the analysis and has determined that the net positive financial impact to the Town will likely be in the \$200,000 per year range, based on the representations made by the developer. This is consistent with the estimated financial impact for similar developments.

The applicant has stated that there are currently no Tier B level chain hotel rooms within the Town limits. This is a different rate and service level than the existing boutique hotels in the area. There are also no furnished corporate-style units within the Town limits to serve visiting long-term professionals and University support.

Transportation

Traffic Impact: A Traffic Impact Study was prepared for the Town by HNTB North Carolina, PC (Executive Summary attached). The study area includes three major signalized intersections along East Franklin Street at Estes Drive, Elliott Road, and Eastgate Shopping Center. The study assumed that the project would be completed by 2017.

Weekday Trip Generation Summary

Trip Generation Statistics	Daily	AM Peak	Noon Peak	PM Peak
ITE Trips	1,160	73	85	97

TIA Recommended Improvements: Based on traffic capacity analyses for the 2017 design year, and analyses of the existing study area the following improvements are recommended by the TIA as being necessary:

- Retime the three studied intersections on East Franklin Street to optimize overall capacity.
- The Traffic Impact Study analysis considered the fact that the proposed site access driveways do not meet Town design standards for adequate driveway separation, and the fact that their proposed locations do not align with the existing rehabilitation center across the street, the TIA recommended that the applicant consider a single full movement access driveway located immediately opposite the rehabilitation driveway. After extensive conversations with NCDOT, the Town, and the applicant, the site plan has been revised to include two access points: one-way in and one-way out drives which we believe will address the traffic and safety impacts.

Resolution A includes stipulations requiring the applicant to construct the above improvements.

Vehicular Access: The proposal includes two curb cuts on East Franklin Street; one right-in only and one right out only. The proposed plan also includes 25-foot wide cross access easement to the property to the west (Ballet School) and the property to the east (Psychology Associates).

Vehicular Parking: The proposal includes 123 parking spaces. The minimum required for the hotel is 86 parking spaces and the maximum permitted is 120 spaces. The 28 apartments require a minimum of 28 and a maximum of 35 parking spaces; totaling a minimum of 114 and a maximum of 155 parking spaces. The surface parking lot should be constructed to Town standards for dimensions and pavement design.

Transit: Prior to issuance of a Zoning Compliance Permit, we recommend that the applicant provide a payment-in-lieu for a bus shelter at a location to be determined or to update the current nearby bus stop.

Landscape and Architecture

Landscape Bufferyards: The Land Use Management Ordinance requires the following landscape bufferyards:

Location	Required Buffer	Proposed Buffer
East – East Franklin Street	30-foot Type ‘D’ (if no parking between building and street can be reduced to a 20-foot Type ‘C’)	20-foot Type ‘C’
North – Psychology Associates offices	10-foot Type ‘B’	10-foot Type ‘B’
West – Coker Hills Neighborhood; Velma Road	20-foot Type ‘C’	20-foot Type ‘C’
South – Ballet School	10-foot Type ‘B’	10-foot Type ‘B’

Parking Lot Shading and Screening: Prior to issuance of a Zoning Compliance Permit, a parking lot landscape, screening, and shading plan in compliance with Section 5.9.6 shall be approved by the Town.

Building Elevations: Prior to issuance of a Zoning Compliance Permit, the applicant shall obtain Community Design Commission approval of building elevations, lighting, and any alternative buffers, including special consideration of the location and screening of HVAC.

The applicant states that sections of the Ephesus-Fordham have been approved diagonally across Franklin Street. This begins the process of the redevelopment and redesign of the area. This proposal honors design elements such as Mixed-Use, Affordable Housing, Building heights, Urban Elements, Building close to the Street, Public Art and open roof garden overlooking the public street. This proposal minimizes the effect from the Neighborhood by being below the grade of the Neighborhood, the building is over 150' from the right of way of Velma Road, the existing Residential-1 (R-1) zoning will be kept in place, greatly exceeding the size of the required planting at installation. Each unit will have its own in-wall HVAC unit and the units covering the common areas will be on the roof behind a parapet wall.

Environment/Stormwater Management

Stormwater Management: To address the stormwater requirements of the Land Use Management Ordinance, an underground detention facility and sand filters are proposed. Retention and treatment is proposed to be provided beneath the parking areas, minimizing surface ponds. A total of 56,441 square feet of impervious surface is proposed (68% of the site). A total of 72,721 square feet of land disturbance is proposed.

Energy Management Plan: As this Special Use Permit is accompanying a Zoning Atlas Amendment and it is the Council's expectation that an energy efficiency and energy management plan be submitted, the applicant has proposed an Energy Management Plan. The Energy Management Plan details the applicant's proposal for meeting a 20 percent more efficient than ASHRAE as referenced in the 2012 North Carolina Energy Conservation Code standard. The applicant will submit a detailed Energy Management Plan and is committed to fulfilling the Energy Management Plan.

Recreation

Residential Recreation Requirements: With the multi-family component of this application, there is a recreation space requirement. Recreation space requirement is only applied to the amount of floor area proposed with a residential use. Approximately 17,200 sq. ft. of the total floor area is proposed as residential dwelling units. The Land Use Management Ordinance requires that the project provides 791 sq. ft. of active recreation area. The applicant is proposing to include a fitness facility and a pool to fulfil this standard.

Pedestrian Access to Pritchard Park: The plans show a pedestrian path, with stairs, in the rear of the site providing access to the Town's Pritchard Park.

Additional Stipulations in Resolution A (see Resolution A for detailed requirements)

Accessibility Requirements	Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped facilities and infrastructure required by the American with Disabilities codes and standards.
Off-Site Construction	Prior to land disturbing activities on adjacent properties

<i>Easements</i>	associated with construction, the developer shall provide documentation of approval from property owners affected by off-site construction, if necessary.
<i>Cross-Access Easements</i>	Future cross-access easements for vehicles and pedestrians between the site and adjoining properties shall be provided.
<i>Landscape Protection</i>	We have included our standard stipulation in approval of a Landscape Plan, including screening of parking areas and buildings (as required) as well as a maintenance schedule, and canopy trees.
<i>Public Art</i>	We recommend that developer work with the Town's Public Arts Officer.
<i>Erosion Control</i>	Prior to final authorization to begin land disturbing activities, the developer shall be required to provide a performance bond in accordance with Section 5-97.1 Bonds of the Town Code of Ordinance if more than one acre of land is disturbed. Prior to approval of a Zoning Compliance Permit, the developer shall provide a copy of the approved erosion and sedimentation control permit from Orange County Erosion Control Division.
<i>Lighting Plan</i>	Prior to 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 as modified.
<i>Overhead Power Lines</i>	We have included the standard stipulation that all proposed or relocated utility lines comply with section 5.12.2 of the Land Use Management Ordinance ⁶
<i>Fire</i>	Prior to the issuance of a Certificate of Occupancy, the developer shall be required to obtain Fire Marshal approval for required fire safety features and infrastructure, such as fire hydrants, fire department connections, detailed fire access elements, fire protection devices, heavy-duty pavement, and drive aisle design features. Prior to issuance of a Zoning Compliance Permit, design is subject to Fire Marshal approval.
<i>Refuse Management</i>	Prior to issuance of a Zoning Compliance Permit, the developer shall provide a letter from a private waste collection service indicating that they have reviewed final plans and are able to provide service.
<i>Solid Waste Management Plan</i>	Prior to issuance of a Zoning Compliance Permit, the developer must obtain approval of a Solid Waste Management Plan from Orange County Solid Waste Department.
<i>Schools Adequate Public Facility Ordinance</i>	That the developer provide the necessary Certificates of Adequacy of Public Schools prior to issuance of a Zoning

⁶https://www.municode.com/library/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA_ART_5DEDEST_5.12UT

	Compliance Permit.
<i>Construction Management Plan</i>	Prior to issuance of a Zoning Compliance Permit, a Construction Management Plan shall be reviewed and approved by the Town Manager.
<i>Construction Phasing</i>	We recommend that the developer submit a Phasing Plan with the Final Plans Zoning Compliance Permit application, if desired. The phasing plan shall detail when public improvements and stormwater management structures shall be completed and inspected as part of that phase prior to requesting a Certificate of Occupancy.
<i>Traffic and Pedestrian Control Plan</i>	Prior to issuance of a Zoning Compliance Permit, the developer 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.
<i>Repairs in the Public Rights-of-Ways</i>	Prior to 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 issuance of a Zoning Compliance Permit.
<i>Street Closure Plan</i>	That prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager approval, for any work requiring street closures.

SPECIAL USE PERMIT FINDINGS

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 submitted, the Council will consider whether or not it can make each of the four required findings for the approval of the Special Use Permit. 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 and standards of the Land Use Management Ordinance;

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; and

b

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 Management Ordinance and in the Comprehensive Plan.

RECOMMENDATIONS

Staff Recommendation: That the Community Design Commission, Transportation and Connectivity Board, Housing Advisory Board, and Environmental Stewardship Advisory Board forward a recommendation to the Planning Commission and the Council; and that the Planning Commission, upon considering the recommendations, forwards a recommendation to the Town Council.

PROJECT FACT SHEET REQUIREMENTS
Check List of Regulations and Standards
Special Use Permit Application

1609 East Franklin Street	STAFF EVALUATION BASED ON MU-V ZONING	
	COMPLIANCE	NONCOMPLIANCE
Use Permitted	√ (with rezoning)	
Gross Land Area (1.9 acre)	√	
Minimum Lot Width	√	
Maximum Floor Area	√ (with rezoning)	
Maximum # of Dwelling Units	√ (with rezoning)	
Minimum Recreation Space	√	
Impervious Surface Limits	√	
Land Disturbance Minimized	√	
Maximum # of Vehicular Parking Spaces	√	
Minimum # of Bicycle Parking Spaces	√	
Minimum # of Loading Spaces	n/a	
Minimum Street Setbacks	√ (with rezoning)	
Minimum Interior Setbacks	√ (with rezoning)	
Minimum Solar Setbacks	√ (with rezoning)	
Maximum Primary and Secondary Height limits	√ (with rezoning)	
Minimum Landscape Bufferyards	√	
Steep Slope Compliance	n/a	
Parking Lot Screening	√	
Public Water and Sewer	√	
Adequate Public Schools Facilities	√	

Prepared June, 2015

RESOLUTION A

(Approving the Special Use Permit Application)

A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT FOR 1609 EAST FRANKLIN STREET (PROJECT #13-089)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit proposed by Charles R. Walker, III, for 1609 East Franklin Street, on property identified as a portion of Orange County Property Identifier Numbers 9799-04-6951 and 9799-04-7995, if developed according to the Site Plan dated April 8, 2014 and revised February 28, 2015 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 2020 Comprehensive Plan.

BE IT FURTHER RESOLVED that the Town Council hereby approves the application for a Special Use Permit for 1609 East Franklin Street 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 authorizes the following:

Use: Hotel and Residential	
Gross Land Area	82,798 s.f.
Floor Area	67,612 s.f.
Total Floor Area Allowed	90,325 s.f.
Minimum Residential Floor Area	25% of total
Minimum Commercial Floor Area	25% of total
Total Dwelling Units	28
Hotel Rooms	106
Maximum Vehicular Parking Spaces	142
Minimum Vehicular Parking Spaces	104
Minimum Bicycle Parking Spaces	13 racks; 28 spaces in apartments
Impervious Surface	56,441 s.f. (68%)

Affordable Housing

3. Affordable Housing Performance Agreement: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Affordable Housing Performance Agreement consistent with the following terms:
 - The developer proposes a 15 percent of the 28 dwelling units as Affordable Housing with the following:
 - A payment-in-lieu for the equivalent of 2.2 units, at \$6,000 each, totaling \$13,200 be paid to the Town's Affordable Housing Fund prior to issuance of a Zoning Compliance Permit.
 - A total of two furnished units be Affordable Rental Units available for 30 years. First right of refusal is to the Hotel staff.
 - The affordable rental units are proposed to be available to households meeting 60% of the area median income. (Area median income as defined by the U.S. Dept. of Housing and Urban Development for the Durham/Chapel Hill MSA.)
 - The developer shall be responsible for the management/monitoring/reporting of the affordable units and reporting this information to the Town.
 - The maximum rent to be charged for the affordable units each year and method for determining yearly affordable rents of the affordable rental units shall be reported to the Town Manager.
4. Affordable Housing Plan: Upon a determination by the Town Manager that the developer's Affordable Rental Unit Housing Plan meets the criteria set out herein, the Applicant and the Town Manager (or his designee), on behalf of the Town, shall execute an Affordable Housing Performance Agreement incorporating the terms of the Plan. That Agreement, as well as the Special Use Permit herein approved shall be recorded at the Office of the Orange County Register of Deeds and shall be binding upon the applicant and its successors in interest. The Agreement and Special Use Permit and the Deed Book and Page Number where they are recorded, shall be specifically referenced in all future conveyances of an interest in any portion of the property covered by the Permit.
5. Reporting Requirements: The property owner shall submit a bi-annual report to the Town Manager for compliance with the Affordable Housing Performance Agreement. The first report shall be submitted six months after the issuance of the final Certificate of Occupancy, and reports shall be submitted for three years. Included in the reports shall be efforts to partner with area non-profits for eligible renters.
6. Termination: If after three years from the issuance of the final Certificate of Occupancy, the Town Manager or developer finds the voluntarily offered program is not working despite reasonable efforts, then with approval from the Town Council, the Affordable Housing

Performance Agreement may be terminated by agreement of the parties upon payment by the applicant to the Town of Chapel Hill of an amount to be determined by Council.

7. Modifications: Modifications to the Affordable Housing Performance Agreement shall be considered a minor amendment to the Special Use Permit and may be approved administratively by the Town Manager.
8. Remedies: All remedies allowed by law, including specific performance of any of the terms of this permit and the Affordable Housing Performance Agreement shall be available to the Town in the event the Town determines the developer or any subsequent owner is not in compliance with this Permit or Affordable Housing Performance Agreement.
9. Conversion of Residential Rental Units to Ownership Condominium Units: That if the rental development is converted to an ownership condominium development, the current or future developer/owner of 1609 East Franklin Street, affordable units for ownership shall be provided according to the Inclusionary Zoning Ordinance or other affordable housing policy in place at the time of conversion. An Affordable Housing Plan shall be approved by the Town Manager prior to recordation of the condominium plat.

Access

10. Off-site Construction Easements: Prior to any land disturbance on abutting properties it will be necessary to provide documentation of approval from the affected property owner(s).
11. Cross Access Easement: That a vehicular and pedestrian cross-access easement for ingress and egress to and through the site from the adjoining properties to the south and north (1603 and 1611 East Franklin Street) be recorded with Orange County prior to issuance of a Certificate of Occupancy. The proposed easement and documents shall be reviewed and approved by the Town Manager prior to recordation.
12. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the developer 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.
13. 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 insure the construction and installation of the improvements in accordance with the standards and provisions approved by the Town as part of the project.
14. Low Vision Design Features: Pedestrian facilities should incorporate low vision design features.

Transportation

15. East Franklin Street Access: Access to East Franklin Street shall be one right-in and one right-out driveway subject to review and approval by NCDOT.
16. East Franklin Street sidewalk: Subject to approval by the NCDOT and the Town, the existing five-foot sidewalk shall be reconstructed along the Franklin Street frontage where practical a minimum of eight feet behind the curb.
17. Repairs in Public Right-of-Way: Prior to 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, which may include pavement milling and overlay. The design must be reviewed and approved by the Town Manager prior to a Zoning Compliance Permit.
18. Street Closure Plan: That prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager approval, for any work requiring street, sidewalk, or lane closures.
19. Parking Lot: That the parking lot shall be constructed to Town standards for dimensions and pavement design.
20. Work Zone Traffic Control Plan: Prior to 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.
21. Heavy Duty Structural Support: Prior to issuance of a Zoning Compliance Permit, the developer shall provide documentation that, if underground stormwater detention is proposed beneath parking areas or drive aisles, the pavement is designed to structurally support the live loads of fire trucks and garbage trucks.
22. Bicycle Parking: That prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for a bicycle parking space for each unit that comply with Town parking standards. 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.
23. Bus Shelter: That prior to issuance of a Zoning Compliance Permit, the developer shall provide a \$10,100 payment-in-lieu for a bus shelter with Nextbus signage, at a location to be determined.

Recreation

- 24. Recreation Space: That the developer shall provide a combination of active recreation space and a payment-in-lieu of recreation space. The amount of active recreation area required is 791.2 square feet. Prior to the issuance of a Zoning Compliance Permit the applicant shall provide a minimum 25% payment-in-lieu of recreation space. The remaining active recreation space shall be provided prior to issuance of Certificate of Occupancy. The final design, size, type, and changes to proposed active recreation space facilities are subject to Town Manager approval.
- 25. Pritchard Park Access: Pedestrian access to be provided to Pritchard Park with the design and access subject to Town Manager approval prior to issuance of a Zoning Compliance Permit. The trail access connection may be included towards the recreation space requirement.

Landscaping and Elevations

Location	Buffer
Eastern Property Line	20-foot Type 'C'
Northern Property Line	10-foot Type 'B'
Western Property Line	20-foot Type 'C'
Southern Property Line	10-foot Type 'B'

- 26. Landscape Protection: Prior to 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.
- 27. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. Tree protection fencing shall be provided around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval.
- 28. Landscape Planting Plan: Prior to 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. The Plan shall include canopy trees to shade surface any surface parking areas.
- 29. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, 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.

30. Community Design Commission Approval: That the developer obtain Community Design Commission approval of building elevations and lighting, including the location and screening of all HVAC/Air Handling Units for this project, prior to issuance of a Zoning Compliance Permit. That prior to issuance of a Zoning Compliance Permit the 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.

Public Art

31. Public Art: The developer is encouraged to work with the Public Arts Officer to develop a public arts plan.

Environment

32. Energy Management Plan: That the final plan application include an Energy Management Plan (EMP) to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, 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 also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) that, if requested, the property owner reports to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy.
33. Energy Efficiency: That the final plans shall incorporate a “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), as amended and in effect at the time of Special Use 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 “so percent more energy efficient” feature into the final plans.
34. LEED Certified Construction: If applicable, the applicant shall provide evidence from a LEED certified consultant that they have provided the minimum LEED standard performance credits required for the USGBC LEED for Silver rating system, to be reviewed by the Town Manager, within a reasonable period after substantial completion of construction. The Energy Management Plan should also provide evidence of Earth Craft and Energy Star certification, if either one of those standards is also being pursued as part of this project.

Stormwater Management

35. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance.
36. Jordan Watershed Stormwater Management for New Development: That if the total disturbed area exceeds 0.5 acres, this project must comply with Section 5.19 Jordan Watershed Stormwater Management for New Development of the Land Use Management Ordinance to provide the required reductions in nitrogen and phosphorus loads for new development and redevelopment projects.
37. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
38. Jordan Surety: That if the total disturbed area exceeds 0.5 acres, 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.
39. 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.
40. Erosion Control: The developer 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.
41. Erosion Control Inspections: That, in addition to the requirement during construction for inspection after every rainfall, the developer shall 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.
42. Curb Inlets: The developer shall 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.

43. 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, 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.
44. Phasing Plan: Prior to issuance of a Zoning Compliance Permit, the developer 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.
45. On-Site/Adjacent Stormwater Features: That the final plans locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris.
46. P.E. Certification: That prior to the issuance of a Certificate of Occupancy for any phase, the developer shall provide a certification, signed and sealed by a North Carolina-licensed Professional Engineer, that the stormwater management facilities are constructed in accordance with the approved plans and specifications.
47. 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.
48. Contamination Assessment: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a plan for mitigating subsurface contamination, if encountered, during site redevelopment, including specific procedures for addressing contaminated ground water and/or soils, and proper transportation and disposal of contaminated material or groundwater, if needed. If groundwater contamination is indicated, the final plans must address the proper treatment and disposal of groundwater generated by any proposed foundation drains. The plan shall be reviewed and approved by the Town Manager.

Water, Sewer, and Other Utilities

49. 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 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 issuance of a Zoning Compliance Permit.

50. Lighting Plan: That prior to 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, providing for adequate lighting on public sidewalks, including driveway crossings, demonstrating compliance with Town standards, sealed by a Professional Engineer, for Town Manager approval.
51. Relocation of Overhead Utilities Underground: Prior to a Certificate of Occupancy it will be necessary to provide for the underground installation of all public utilities that are currently located overhead on the site except for 3 phase or greater electric lines.
52. Water/Sewer Line Construction: That all public water and sewer plans be approved by OWASA and constructed according to their 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 issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager.
53. OWASA Approval: That prior to 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

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

57. 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.
58. Fire Flow Report: That the Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
59. Heavy-Duty Paving: That prior to issuance of a Certificate of Occupancy, the developer shall provide heavy duty paving designed and built to withstand fire apparatus weighing at least 75,000 pounds.
60. Fire Lane: Prior to issuance of a Certificate of Occupancy, the fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
61. Emergency Communications System: That the developer shall provide building design features which enable public safety responders' radios to penetrate and provide reliable radio transmissions within the building.

Solid Waste Management and Recycling

62. Solid Waste Management Plan: That prior to 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 issuance of a Zoning Compliance Permit, the developer shall provide documentation of an agreement for solid waste collection by a private provider.
63. 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

64. 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.

65. 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 prior to issuance of a Zoning Compliance Permit.

Miscellaneous

66. Recombination Plat: Prior to issuance of a Zoning Compliance Permit, the recombination plat shall be reviewed and approved by the Town Manager. The plat shall be recorded prior to issuance of a Zoning Compliance Permit.
67. Residency Requirement: That prior to issuance of a Zoning Compliance Permit, the developer submit leasing documentation indicating a minimum seven night rental period for the 28 apartment units.
68. Temporary Construction Access Agreements: Prior to issuance of a Zoning Compliance Permit the developer shall provide construction agreements with adjacent property owners, where necessary, subject to Town Manager approval. If the abutting property is to be used as part of construction access, provide documentation of permission from the owner of said property.
69. Construction Management Plan: That a Construction Management Plan be approved by the Town Manager prior to 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.
70. Schools Adequate Public Facilities Ordinance: That the developer shall provide the necessary Certificates of Adequacy of Public Schools prior to issuance of a Zoning Compliance Permit.
71. Traffic and Pedestrian Control Plan: That the developer 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 developer must apply to the Town Manager for a lane or street closure permit.

72. Construction Sign Required: That the developer 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.
73. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
74. 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.
75. As-Built Plans: That prior to issuance of 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 developer shall also contact the Town's Engineering and Design Services Division for address assignment of each unit.
76. 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 the Chapel Hill Land Use Management Ordinance.
77. 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.
78. 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 for 1609 East Franklin Street.

This the ____ day of _____, 2015.

RESOLUTION B
(Denying the Special Use Permit Application)

**A RESOLUTION DENYING AN APPLICATION FOR A SPECIAL USE PERMIT FOR
1609 EAST FRANKLIN STREET (PROJECT #13-089)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit application, proposed by Charles Walker, III, for 1609 East Franklin Street on property identified as Orange County Property Identifier Numbers 9799-04-6951 and 9799-04-7995, if developed according to the Site Plan dated April 8, 2014 and revised February 28, 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 for 1609 East Franklin Street.

This the _____ day of _____.

HOUSING ADVISORY BOARD

The charge of the housing advisory board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION 1609 East Franklin Street (Project No. 13-089) SPECIAL USE PERMIT MODIFICATION

Tuesday, June 9, 2015

Recommendation: **Approved** **Approval with Conditions** **Denied**

Motion: Crystal Fisher made a motion to recommend full payment in lieu. The amount of the payment in lieu is yet to be determined, as the HAB is working on a formula to suggest a calculation for payment in lieu amounts on a consistent basis for voluntary rental projects. Kim Manturuk seconded the motion.

Vote: 6-0

Ayes: Mary Jean Seyda, Laura Cowan, Crystal Fisher, Holly Fraccaro,
 Kimberly Manturuk, Millicent Bowie

Nays: 0

Prepared by: Sarah Vinas, Staff

ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.

RECOMMENDATION 1609 E Franklin (PROJECT # 13-089) SPECIAL USE PERMIT and ZONING ATLAS AMMENDMENT

June 9, 2015

Recommendation: Approval Approval with Conditions Denial

Motion: John Wallace moved and Bill Kaiser seconded a motion to recommend of the Special Use Permit Recommendation with the conditions and special considerations listed below.

Vote: 5-0

Ayes: Brittain Storck, Elizabeth Zander, John Wallace, William Kaiser, Barbara Herrera

Nays:

Conditions

1. Explore additional stormwater best management practices (e.g., green roofs, permeable pavement and Filterra)
2. Implement additional erosion and sediment control methods during construction such as reinforced silt fencing.

Special Considerations

1. Continue communications with adjacent property owners and look for opportunities to collaborate on alleviating shared issues related to stormwater.

The items below include project considerations of which the Committee is particularly supportive/**encouraging**.

1. Increased caliper and quantity of tree and shrub plantings to provide greater privacy screening and tree canopy cover.

COMMUNITY DESIGN COMMISSION

To assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION

1609 E. FRANKLIN STREET HOTEL AND RESIDENTIAL UNITS

SPECIAL USE PERMIT (PROJECT #13-089)

June 23, 2015

Recommendation: **Approved** **Approval with Conditions** **Denied**

Motion: John Gualtieri moved and Polly van de Velde seconded to deny 1609 E. Franklin Street Hotel and Residential Units Special Use Permit.

Vote: 7 - 0

Ayes: 0

Nays: Chris Berndt, Susana Dancy, Lucy Carol Davis, John Gualtieri, Jason Hart, Dixon Pitt, and Polly van de Velde

Reasons for Nay votes:

- 20-foot retaining wall too massive and dangerous and doesn't work with the topography;
- Not enough trees and too much impervious surface;
- Too tall, don't go over current 60 feet zoning allowance;
- Nothing appealing about the site plan – not appropriate for location, try rotating the building 90 degrees and bring to the street edge, or possibly perching some building over parking;
- No pedestrian connection to Velma Road; and
- Design for more street life and help create a more walkable community.

Key Considerations

1. Poor design with a rectangular “boxy” building in a sea of parking. Consider adding rooftop garden to the rear.
2. Step retaining wall back into slope into no greater than 10-foot sections and plant vines to cover wall.
3. The uses are appropriate and affordable units supported.

Prepared by: Jason Hart, Chair, Community Design Commission
Kay Pearlstein, Staff

SUMMARY OF TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD ACTION

Subject: Application for Special Use Permit Modification, 1609 E. Franklin St. Hotel and Residential Units (Project #13-089)

Meeting Date: July 28, 2015

Recommendation: The Chapel Hill Transportation and Connectivity Advisory Board recommends that the Council approve Resolution A in the staff report with the following modifications:

A 10' multimodal path, with a 8' planting strip be constructed to Town standards along the E. Franklin Street frontage of the proposed site.

"No Parking" or "Residential Parking Only" signage be installed along Velma Street to discourage Hotel employees from parking their vehicles in the adjacent neighborhood.

A Transportation Management Plan be prepared for the project which should include incentives for employee use of alternative modes of transportation and a bike share program for hotel guests.

The Board also expressed concern about the need for a comprehensive traffic and multi-modal management plan for the Franklin Street corridor to address safety, access, and connectivity issues.

Vote: 6 - 0

Ayes: Mirta Mihovilovic, Eric Hyman, Mark Stanton, Jeff Charles, Josh Kastrinsky, Jason Merrill

Nays: none

Prepared by: Eric Hyman, Chair, Transportation and Connectivity Advisory Board
David Bonk, Long Range and Transportation Planning Manager
Ryan Mickles, Planner II

Mail TO:
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), Madison Partners, LLC, 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 11, 1999, the terms of which are as follows:

NAME OF PROJECT: 1609 East Franklin Street
NAME OF DEVELOPER: Richard Gurlitz Architects

DESCRIPTION OF PREMISE

LOCATION: North side of East Franklin Street, approximately 470 feet west of Elliott Road

TAX MAP REFERENCE : Chapel Hill Township Tax Map 46, Block A, Lots 4 and 5

DESCRIPTION OF DEVELOPMENT

9799-04-6951
9799-04-7995

GROSS LAND AREA: 82,900 sq. ft. OPEN SPACE: 73,674 sq. ft.
NUMBER OF BUILDINGS: 1 LIVABILITY SPACE: 47,974 sq. ft.
FLOOR AREA: 18,301 sq. ft. RECREATION SPACE: N/A
NUMBER OF PARKING SPACES: 59

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated June 18, 1998 (revised on April 5, 1999), 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 11, 2001 (two years from the date of Council approval) and be completed by October 11, 2002 (three years from the date of Council approval).
2. Land Use Intensity: That this Special Use Permit authorizes construction of an 18,301 square foot office building, including a maximum of 4,850 square feet of commercial space, and a 59-space parking lot.
3. Recombination Plat: That the two lots associated with this development (Chapel Hill Township Tax Maps 46.A.4 and 46.A.5) be recombined to form one lot, and that the final plat be recorded at the Orange County Register of Deeds office prior to issuance of a Zoning Compliance Permit.
4. Stub-out: That a vehicular stub-out shall be constructed to the eastern property line of the site, in a location to be approved by the Town Manager.
5. Access Requirements: That access from the driveway off East Franklin Street to the vehicular stub out to the eastern property line and to a future vehicular connection to the west be identified on the final plat along with the location of a future vehicular access easement to each stub. Each of these two vehicular access easements shall be recorded and become available for use at such time as the Town of Chapel Hill has required of the appropriate adjacent property owner, the dedication of a reciprocal vehicular access easement. Upon notification by the Town Manager of maturation of this condition for either/both of these adjacent properties, an easement(s) describing the property identified on the plat shall be recorded with the Orange County Register of Deeds. Failure to deliver such easement(s) to the Register of Deeds upon request of the Town Manager shall be a violation of this Special Use Permit. If this condition has not matured with 99 years of the date of approval of this permit for an adjacent property, the property owner's obligation to record such easement for that adjacent property shall expire.
6. NCDOT Approval: That the North Carolina Department of Transportation shall approve the plans and encroachment agreements for all work within the East Franklin Street right-of-way.
7. Velma Road: That the existing curb cut on Velma Road be replaced with Town standard curb and gutter.

8. Handicapped Parking Spaces: That the handicapped parking spaces located in the center island of the parking area shall be moved to a location closer to the building.

Stipulations Related to Landscape Elements

9. Landscape Plan Approval: That a detailed Landscape Plan, including landscape maintenance schedule, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
10. Landscape Protection Plan: That a detailed Landscape Protection Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a note indicating that tree protection fencing will be installed prior to demolition of the existing buildings on the site.
11. Landscape Bufferyards: That the following landscape bufferyards shall be provided, and that if any existing vegetation is to be used to satisfy the buffer requirements, the vegetation shall be protected by fencing from adjacent construction:
- ◆ Type B landscape bufferyard along the northern portion of the western property line. The plantings within the existing bufferyard on the adjacent property may be included to achieve the planting requirement.
 - ◆ Type C landscape bufferyard (minimum width 20 feet) along the southern portion of the western property line;
 - ◆ Type D landscape bufferyard (minimum width 65 feet) along the East Franklin Street frontage of the site;
 - ◆ Type B landscape bufferyard (minimum width 10 feet) along the eastern property line;
 - ◆ Type C landscape bufferyard (minimum width 30 feet) along the northeastern property line; and
 - ◆ Type C landscape bufferyard (minimum width 30 feet) along the northern property line.
12. Clump Magnolia: That efforts shall be made to preserve the existing clump magnolia near East Franklin Street.
13. Tree Installation: That several trees shall be installed near the East Franklin Street sidewalk in locations to be approved by the Town Manager.

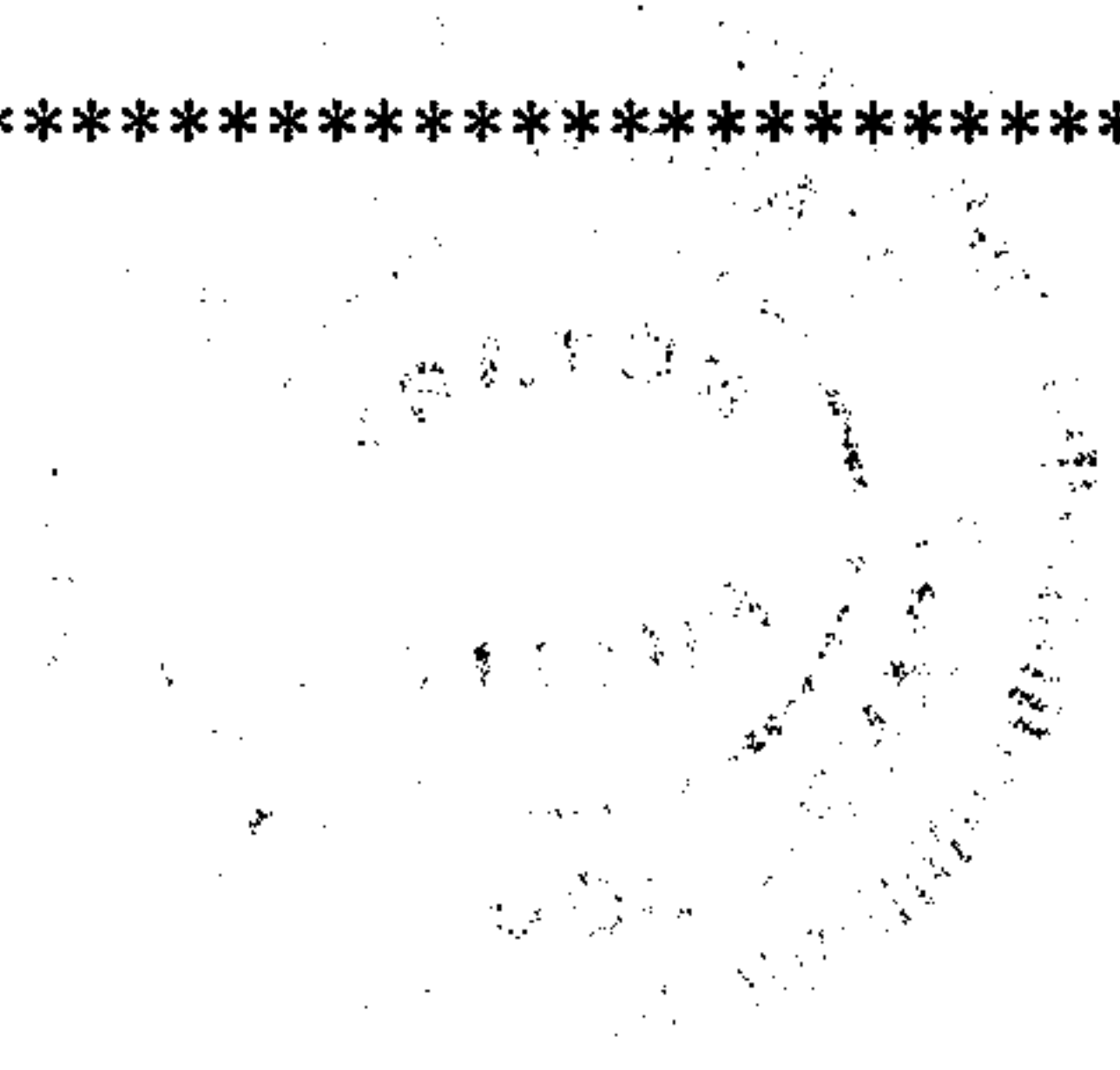
Stipulations Related to Utilities

14. Utility/Lighting Plan Approval: That the final utility/lighting plans be approved by Orange Water and Sewer Authority, Duke Power Company, Public Service Company, BellSouth, Time Warner Cable and the Town Manager before issuance of a Zoning Compliance Permit.
15. Fire Sprinkler System: That a fire sprinkler system shall be installed in the building, and that the Siamese connections to the sprinkler system be approved by the Fire Marshal prior to issuance of a Zoning Compliance Permit.
16. 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.

Miscellaneous Stipulations

17. Stormwater Management Plan: That a Stormwater Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. Based on a 25-year storm, the post-development stormwater run-off rate should not exceed the pre-development rate.
18. Solid Waste Management Plan: That a Solid Waste Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
19. Heavy-Duty Pavement: That all drive aisles accessing the proposed refuse/recycling area shall be constructed of heavy-duty pavement.
20. Building Elevations and Site Lighting: That the Community Design Commission shall approve building elevations and site lighting plans prior to issuance of a Zoning Compliance Permit.
21. 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, and that the plans shall demonstrate the provision of safe and secure bicycle storage facilities, and that a sidewalk be extended from the building to the eastern property line at a location to be approved by the Town Manager.

- 22. 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.
- 23. Transportation Management Plan: That prior to issuance of a Zoning Compliance Permit, the applicant shall prepare a Transportation Management Plan for approval by the Town Manager. The required components of the Transportation Management Plan shall include:
 - ◆ Provision for designation of a Transportation Coordinator;
 - ◆ Provisions for an annual Transportation Survey and Annual Report to the Town Manager;
 - ◆ Quantifiable traffic reduction goals and objectives;
 - ◆ Ridesharing incentives; and
 - ◆ Public transit incentives.
- 24. Plan Revisions: That each of the plan sheets, submitted for final plan review, shall identify the location of the Residential-1 zoning district line in the northern portion of the site.
- 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. 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.
- 27. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 28. Non-severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

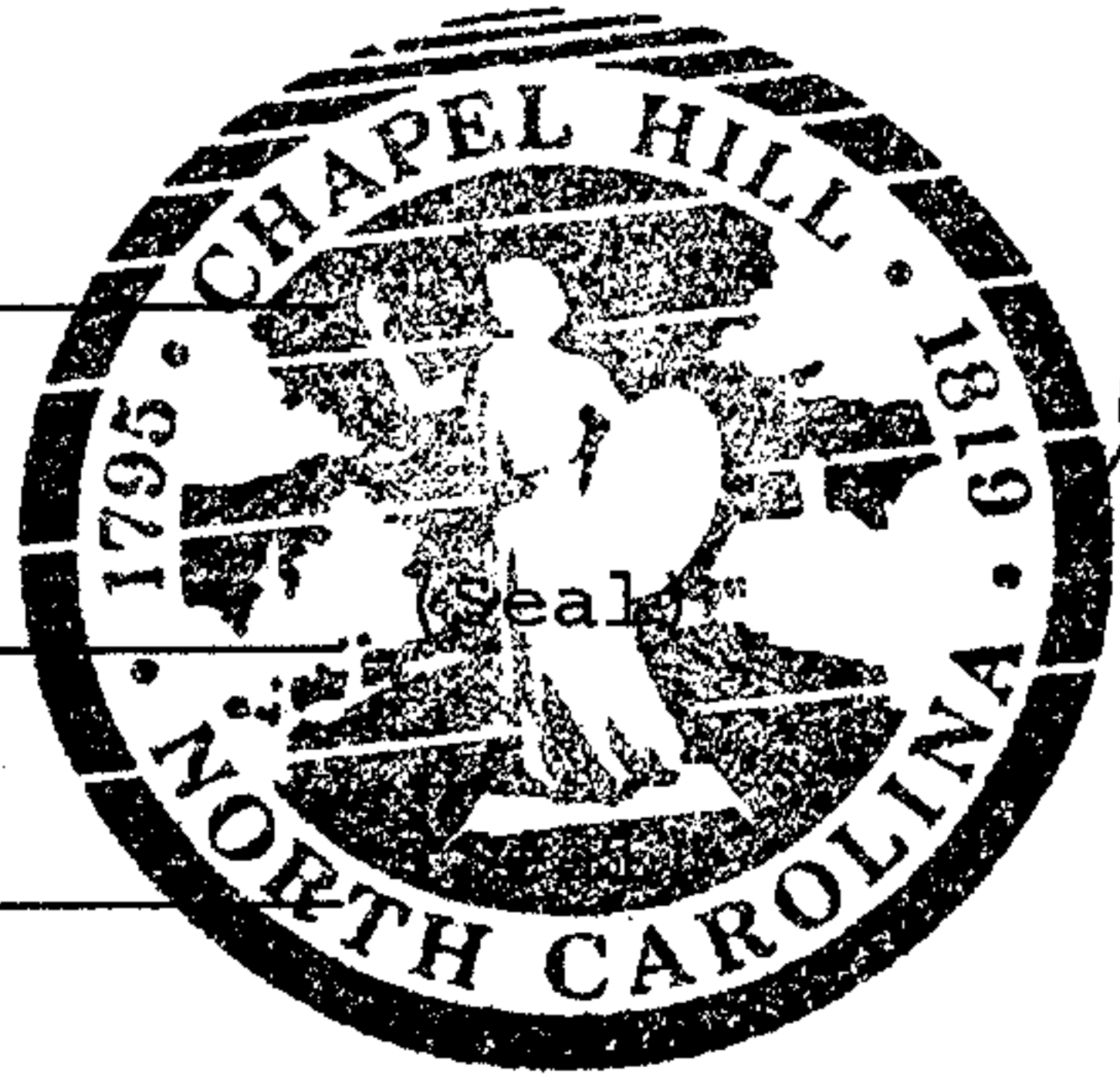


IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special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

ATTEST

Joyce A. Smith
Town Clerk

ACCEPTED David S. Kolk
Owner



The Town of Chapel Hill
BY W. Calvin Horton
Town Manager

ATTEST
XXXXXXXXXX

Christa D. Barnett
~~XXXXXXXXXX~~ Manager

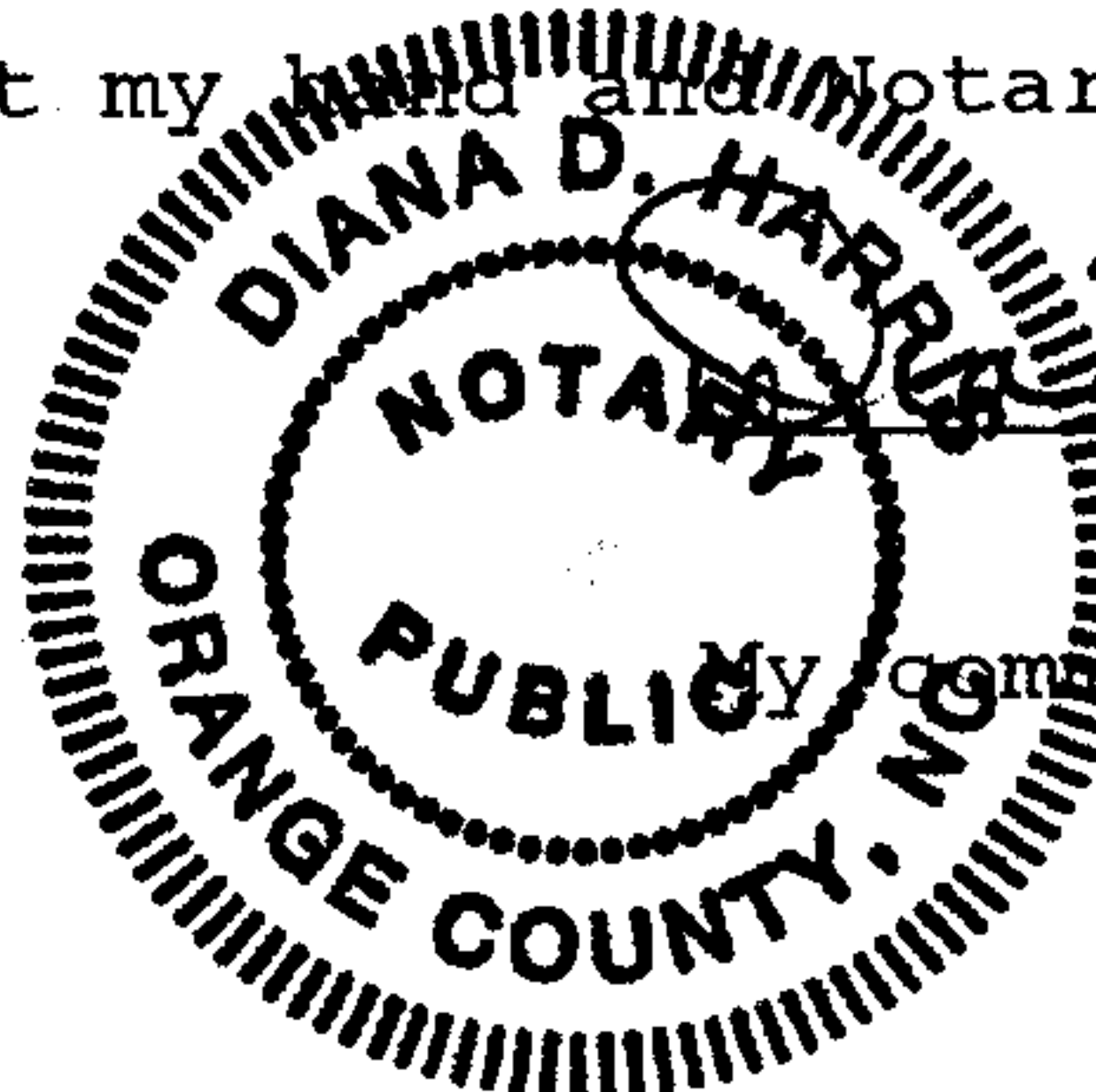
Madison Partners LLC.
Corporate Name
BY David S. Kolk
Manager

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 Joyce A. Smith, 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 Joyce A. Smith, 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 16th day of November, 1999.



Diana D. Harris
Notary Public
My commission expires: 10-26-2003.

ORANGE COUNTY

NORTH CAROLINA

I, Velma P. Belon, a Notary Public in and for said State and County do hereby certify that David S. Kolk / Christa D. Barnett owners, personally appeared before me and acknowledged the due execution of the foregoing instrument.

*Managers for Madison Partners, LLC
WITNESS my Hand and Notarial Seal, this 8 day of December, 1999

Velma P. Belon
Notary Public

My commission expires: 4/22/2000

NORTH CAROLINA

FILED
09 DEC 1999, at 10:20:26am
Book 2020, Page 464 - 467
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

personally come before me,
public of Orange County, North Carolina,
y me duly sworn, says that he knows the
_____, and is acquainted with
sident of said corporation and he,

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificates of Velma P. Belon and Diana D. Harris

NOTARIES Public of the designated Governmental units ARE certified to be correct. Filed for registration this the 9th day of Dec. 1999, at 10:20:26 o'clock, AM
in Record Book 2020 Page 464

Return: _____

Joyce H. Pearson, Register of Deeds
By Velma P. Belon
Assistant/Deputy
Register of Deeds

Prepared by: Kendal Brown, Chapel Hill Planning Department



TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL, NC 27514
(919) 968-2728

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS that the undersigned property owner, Howard Perry and Walston Properties, LLC, having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described as Orange County Parcel Identifier Numbers 9799-04-7995 and 9799-04-6951, the same was issued by the Town of Chapel Hill on March 9, 2009, the terms of the Special Use Permit as follows:

NAME OF PROJECT: 1609 East Franklin Street Office Development

NAME OF DEVELOPER: Howard Perry and Walston Properties, LLC

DESCRIPTION OF PREMISE

LOCATION: 1609 East Franklin Street

ORANGE COUNTY PARCEL IDENTIFIER NUMBERS: 9799-04-7995 and 9799-04-6951

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 1.9 Acres

MAXIMUM FLOOR AREA: 17,318 square feet

MINIMUM/MAXIMUM # OF PARKING SPACES: 50 Minimum/61 Maximum

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated September 3, 2008 and revised October 23, 2008, on file in the Chapel Hill Planning Department, and to the terms and conditions set forth below:

Stipulations Specific to the Development

1. Construction Deadline: That construction begin by February 23, 2012 and be completed by February 23, 2013.
2. Land Use Intensity: That this Special Use Permit authorizes construction of one building with:

Gross Land Area	1.9 acres
Maximum Business, Office-Type Floor Area	17,318 square feet
Vehicular Parking Spaces	Minimum 50/ Maximum 61
Minimum Bicycle Parking Spaces	7

3. Recombination Plat: That the two lots associated with this development (Orange County Parcel Identifier Numbers 9799-04-7995 and 9799-04-6951) be recombined to form one lot, and that the final plat be recorded at the Orange County Register of Deeds office prior to issuance of a Zoning Compliance Permit.

Transportation

4. Bicycle Parking: That the applicant comply with current regulations in place at time of approval.

5. Handicapped Parking: That the applicant comply with the requirements of the North Carolina Accessibility Code.

6. Access Easements: That a cross access easement, from the driveway off East Franklin Street to both the vehicular stub-out to the eastern property line and to the future vehicular connection to the west be identified on the final plat; and that the plat be recorded at the Orange County Register of Deeds Office prior to issuance of a Zoning Compliance Permit. The driveway and the stubouts shall be at least 20 feet wide with appropriate turning radii to accommodate large vehicles such as fire trucks and refuse collection vehicles.

7. NC DOT Approval: That the North Carolina Department of Transportation shall approve the plans and encroachment agreements for all work within the East Franklin Street right-of-way prior to the issuance of a Zoning Compliance Permit.

8. Velma Road Curb and Gutter: That the existing curb cut on Velma Road be replaced with Town standard curb and gutter.

9. Velma Road Sidewalk: That the applicant shall make a payment-in-lieu for construction of a sidewalk.

10. Pedestrian Crossing: That the applicant provide a payment-in-lieu of \$5,000 toward installation of a pedestrian crossing on East Franklin Street. That the location and construction date for the pedestrian crossing shall be approved by the Town Manager.

11. Transportation Management Plan: That prior to issuance of a Zoning Compliance Permit, the applicant shall prepare a Transportation Management Plan according to the Town's Transportation Management Plan Guidelines for approval by the Town Manager. The required components of the Transportation Management Plan shall include:

- ◆ Provision for designation of a Transportation Coordinator;
- ◆ Provisions for an annual Transportation Survey and Annual Report to the Town Manager;
- ◆ Quantifiable traffic reduction goals and objectives;
- ◆ Ridesharing incentives;
- ◆ Public transit incentives;
- ◆ Traffic demand strategies for employees of the site, including items such as posted transit information;
- ◆ Other measures subject to approval by the Town Manager.

Landscaping and Elevations

12. Landscaping Plan Approval: That a detailed Landscaping Plan, including landscape maintenance schedule, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. That several crane myrtle trees, of the Biloxi variety, be installed near the East Franklin street sidewalk in a location to be approved by the Town Manager.

13. Landscaping Protection Plan: That a detailed Landscaping Protection Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a note indicating that metal tree protection fencing will be installed prior to demolition of the existing buildings on the site.

14. Landscaping Bufferyards: That the following landscape bufferyards shall be provided, and that if any existing vegetation is to be used to satisfy the bufferyard requirements, the vegetation shall be protected by fencing from adjacent construction:

Location	Bufferyard Required
Western property line (along Ballet School)	10 ft Type B
Western property line, southern portion	20 ft Type C
Southern property line (E. Franklin St.)	30 ft. Type D, alternative
Eastern property line	10 ft. Type B
Northeastern property line	20 ft. Type C
Northern property line	20 ft. Type C

15. Alternative Buffer: That prior to the issuance of a Zoning Compliance Permit, the applicant receive approval from the Community Design Commission for the alternative Type D bufferyard along East Franklin Street.

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

17. 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.

18. Landscape Screening and Shading: That the following landscaping standards of the Land Use Management Ordinance be provided:

- Section 5.9.6(a): 5-foot wide planting strip around buildings
- Section 5.9.6(d): parking lot shading requirements

Utilities

19. Utility/Lighting Plan Approval: That the final utility/lighting plans be approved by Orange Water and Sewer Authority, Duke Energy Company, Public Service Company, AT&T, Time Warner Cable and the Town Manager before issuance of a Zoning Compliance Permit.

20. 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.

21. Sewer Line: That all plans be approved by Orange Water and Sewer Authority and constructed according to their 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. Final plans shall be approved by OWASA and the Town Manager prior to issuance of a Zoning Compliance Permit.

22. Overhead Power Lines: That all proposed or relocated utility lines other than 3-phase electric power distribution lines shall be located underground.

Stormwater

23. Stormwater Management Plan: This project must comply with the stormwater management requirements of the Land Use Management Ordinance to provide for 85 percent total suspended solids removal, the retention of the increase in stormwater runoff volume for the 2-year storm for a period of 2-5 days, and the control of the stormwater runoff rate for the 1-year, 2-year, and 25-year storms.

24. Erosion and Sedimentation Controls: 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. Contact Larry Tucker, for further information at (919) 968-2833.

The applicant will need to provide a copy of the approved erosion and sediment control permit for each project from the Orange County Erosion Control Division prior to receiving a Zoning Compliance Permit.

25. Stormwater Operations and Maintenance Plan: Prior to issuance of a Certificate of Occupancy (C/O), a Stormwater Operations and Maintenance Plan, signed by the owner(s) and recorded by the County Register of Deeds, shall be provided for the proposed stormwater management facilities and submitted to the Stormwater Management Engineer for approval. A schedule of inspection and maintenance tasks shall be included.

26. As-Built Plans: 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.

27. 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.

28. Stormwater Management Structure Location: No stormwater management structures are permitted in the rights-of-way or building setbacks.

29. Stormwater Easements: All stormwater management, treatment and conveyance facilities located on and 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. 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.
- Unless specifically designated as being "Public" and accepted by the Town of Chapel Hill, 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.

Miscellaneous Stipulations

30. Solid Waste Management Plan: That a Solid Waste Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
31. Heavy-Duty Pavement: That all drive aisles accessing the proposed refuse/recycling area shall be constructed of heavy-duty pavement.
32. 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.
33. 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.
34. 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; and that the property owner reports to the Town of Chapel Hill the actual energy efficiency achieved during the period ending one year after occupancy.
35. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
36. Demolition Plan: That if the applicant's construction plan includes a phasing plan, that includes a phase which delays site work or the construction of the proposed building for a period greater than 30 days, a separate Demolition Plan must be submitted for review and approval by the Town Manager and the Orange County Solid Waste and must show how demolition waste can be recycled. The Plan must include stabilization of the site during and after the demolition phase.
37. Construction Management Plan: That a Construction Management Plan, be approved by the Town Manager prior to 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) provide clear requirements regarding the timing of land clearing, delivery of concrete, and buffer installation, in substantial conformance with the terms stated in the letter dated March 9, 2009 from Psychology Associates submitted at the March 9, 2009 Town Council meeting, provided that the buffer installation may be deferred to the extent necessary for other site work or for maximizing viability of the plants to be installed.
38. Traffic and Pedestrian Control Plan: That a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a pedestrian management plan indicating how pedestrian movements, including pedestrians using the existing transit system, will be safely maintained. Pedestrian access along the Franklin Street frontage shall be maintained continuously throughout the construction process. The applicant shall apply to the Town Manager for a street closure permit at least 5 working days prior to closing the street.
39. 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. That the detail of the sign shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
40. Vested Rights: This Special Use Permit constitutes a site specific development plan establishing a vested rights as provided by N.C.G.S. Sec. 160A-185.1 and Appendix A of the Chapel Hill Land Use Management Ordinance.
41. Taxation: That during any time this property is exempt from ad valorem property taxes, the owner shall make annual payments-in-lieu of property taxes, the amount to be determined based on a valuation determined by the Orange County tax supervisor and the applicable year's established city and county tax rate.
42. Open Burning: That the open burning of trees, limbs, stumps and construction debris associated with this development is prohibited.
43. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
44. Non-severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

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 1609 East Franklin Street Office Development Special Use Permit covenant running with the land.

TOWN OF CHAPEL HILL

BY: [Signature]
Roger L. Stancil, Town Manager

KB PDK

ATTEST:

[Signature]
Sabrina Oliver, Town Clerk



NORTH CAROLINA
ORANGE COUNTY

I, Samantha Kryder, a Notary Public in and for said County and State do

hereby certify that Roger L. Stancil, Town Manager of the Town of Chapel Hill,

and Sabrina M. Oliver, 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

Roger L. Stancil, Town Manager of said Town of Chapel Hill, and

Sabrina M. Oliver, 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

25th day of September, 2009.



Samantha Kryder
Notary Public

My commission expires: February 27, 2013

ACCEPTED:

David N. Jones, Howard Perry & Walston Properties, LLC

By: [Signature]
David N. Jones

NORTH CAROLINA
ORANGE COUNTY

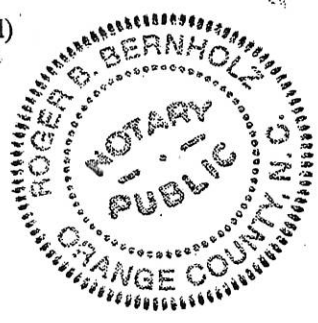
I certify that DAVID N. JONES personally appeared before me this day, acknowledging to me that she signed the foregoing document, on behalf of Howard Perry & Walston Properties, LLC.

[Signature]
Official Signature of Notary Public

Date: OCTOBER 9, 2009

ROGER B. BERNHOLZ
Notary's Printed or Typed Name, Notary Public

(Official Seal)



Prepared by: Kendal Brown, Chapel Hill Planning Department



TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL, NC 27514
(919) 968-2728

ORANGE COUNTY

NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS that the undersigned property owner, Howard Perry and Walston Properties, LLC, having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described as Orange County Parcel Identifier Numbers 9799-04-7995 and 9799-04-6951, the same was issued by the Town of Chapel Hill on March 9, 2009, the terms of the Special Use Permit as follows:

NAME OF PROJECT: 1609 East Franklin Street Office Development

NAME OF DEVELOPER: Howard Perry and Walston Properties, LLC

DESCRIPTION OF PREMISE

LOCATION: 1609 East Franklin Street

ORANGE COUNTY PARCEL IDENTIFIER NUMBERS: 9799-04-7995 and 9799-04-6951

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 1.9 Acres

MAXIMUM FLOOR AREA: 17,318 square feet

MINIMUM/MAXIMUM # OF PARKING SPACES: 50 Minimum/61 Maximum

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated September 3, 2008 and revised October 23, 2008, on file in the Chapel Hill Planning Department, and to the terms and conditions set forth below:

Stipulations Specific to the Development

1. Construction Deadline: That construction begin by February 23, 2012 and be completed by February 23, 2013.
2. Land Use Intensity: That this Special Use Permit authorizes construction of one building with:

Gross Land Area	1.9 acres
Maximum Business, Office-Type Floor Area	17,318 square feet
Vehicular Parking Spaces	Minimum 50/ Maximum 61
Minimum Bicycle Parking Spaces	7

3. Recombination Plat: That the two lots associated with this development (Orange County Parcel Identifier Numbers 9799-04-7995 and 9799-04-6951) be recombined to form one lot, and that the final plat be recorded at the Orange County Register of Deeds office prior to issuance of a Zoning Compliance Permit.

Transportation

4. Bicycle Parking: That the applicant comply with current regulations in place at time of approval.
5. Handicapped Parking: That the applicant comply with the requirements of the North Carolina Accessibility Code.
6. Access Easements: That a cross access easement, from the driveway off East Franklin Street to both the vehicular stub-out to the eastern property line and to the future vehicular connection to the west be identified on the final plat; and that the plat be recorded at the Orange County Register of Deeds Office prior to issuance of a Zoning Compliance Permit. The driveway and the stubouts shall be at least 20 feet wide with appropriate turning radii to accommodate large vehicles such as fire trucks and refuse collection vehicles.
7. NCDOT Approval: That the North Carolina Department of Transportation shall approve the plans and encroachment agreements for all work within the East Franklin Street right-of-way prior to the issuance of a Zoning Compliance Permit.
8. Velma Road Curb and Gutter: That the existing curb cut on Velma Road be replaced with Town standard curb and gutter.
9. Velma Road Sidewalk: That the applicant shall make a payment-in-lieu for construction of a sidewalk.
10. Pedestrian Crossing: That the applicant provide a payment-in-lieu of \$5,000 toward installation of a pedestrian crossing on East Franklin Street. That the location and construction date for the pedestrian crossing shall be approved by the Town Manager.
11. Transportation Management Plan: That prior to issuance of a Zoning Compliance Permit, the applicant shall prepare a Transportation Management Plan according to the Town's Transportation Management Plan Guidelines for approval by the Town Manager. The required components of the Transportation Management Plan shall include:
- ◆ Provision for designation of a Transportation Coordinator;
 - ◆ Provisions for an annual Transportation Survey and Annual Report to the Town Manager;
 - ◆ Quantifiable traffic reduction goals and objectives;
 - ◆ Ridesharing incentives;
 - ◆ Public transit incentives;
 - ◆ Traffic demand strategies for employees of the site, including items such as posted transit information;
 - ◆ Other measures subject to approval by the Town Manager.

Landscaping and Elevations

12. Landscape Plan Approval: That a detailed Landscape Plan, including landscape maintenance schedule, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. That several crape myrtle trees, of the Biloxi variety, be installed near the East Franklin street sidewalk in a location to be approved by the Town Manager.
13. Landscape Protection Plan: That a detailed Landscape Protection Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a note indicating that metal tree protection fencing will be installed prior to demolition of the existing buildings on the site.
14. Landscape Bufferyards: That the following landscape bufferyards shall be provided, and that if any existing vegetation is to be used to satisfy the buffer requirements, the vegetation shall be protected by fencing from adjacent construction:

Location	Bufferyard Required
Western property line (along Ballet School)	10 ft Type B
Western property line, southern portion	20 ft Type C
Southern property line (E. Franklin St.)	30 ft. Type D, alternative
Eastern property line	10 ft. Type B
Northeastern property line	20 ft. Type C
Northern property line	20 ft. Type C

15. Alternative Buffer: That prior to the issuance of a Zoning Compliance Permit, the applicant receive approval from the Community Design Commission for the alternative Type D bufferyard along East Franklin Street.
16. Building Elevations and Alternative Buffers: That the Community Design Commission shall approve alternative buffer plans and building elevations including the location and screening of all HVAC/Air Handling Units for this project, prior to issuance of a Zoning Compliance Permit.
17. 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.

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

Utilities

19. Utility/Lighting Plan Approval: That the final utility/lighting plans be approved by Orange Water and Sewer Authority, Duke Energy Company, Public Service Company, AT&T, Time Warner Cable and the Town Manager before issuance of a Zoning Compliance Permit.
20. 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.
21. Sewer Line: That all plans be approved by Orange Water and Sewer Authority and constructed according to their 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. Final plans shall be approved by OWASA and the Town Manager prior to issuance of a Zoning Compliance Permit.
22. Overhead Power Lines: That all proposed or relocated utility lines other than 3-phase electric power distribution lines shall be located underground.

Stormwater

23. Stormwater Management Plan: This project must comply with the stormwater management requirements of the Land Use Management Ordinance to provide for 85 percent total suspended solids removal, the retention of the increase in stormwater runoff volume for the 2-year storm for a period of 2-5 days, and the control of the stormwater runoff rate for the 1-year, 2-year, and 25-year storms.
24. Erosion and Sedimentation Controls: 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. Contact Larry Tucker, for further information at (919) 968-2833.

The applicant will need to provide a copy of the approved erosion and sediment control permit for each project from the Orange County Erosion Control Division prior to receiving a Zoning Compliance Permit.

25. Stormwater Operations and Maintenance Plan: Prior to issuance of a Certificate of Occupancy (C/O), a Stormwater Operations and Maintenance Plan, signed by the owner(s) and recorded by the County Register of Deeds, shall be provided for the proposed stormwater management facilities and submitted to the Stormwater Management Engineer for approval. A schedule of inspection and maintenance tasks shall be included.
26. As-Built Plans: 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.
27. 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.
28. Stormwater Management Structure Location: No stormwater management structures are permitted in the rights-of-way or building setbacks.
29. Stormwater Easements: All stormwater management, treatment and conveyance facilities located on and 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. 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.
 - Unless specifically designated as being "Public" and accepted by the Town of Chapel Hill, 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.

Miscellaneous Stipulations

30. Solid Waste Management Plan: That a Solid Waste Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
31. Heavy-Duty Pavement: That all drive aisles accessing the proposed refuse/recycling area shall be constructed of heavy-duty pavement.
32. 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.
33. 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.
34. 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; and that the property owner reports to the Town of Chapel Hill the actual energy efficiency achieved during the period ending one year after occupancy.
35. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
36. Demolition Plan: That if the applicant's construction plan includes a phasing plan, that includes a phase which delays site work or the construction of the proposed building for a period greater than 30 days, a separate Demolition Plan must be submitted for review and approval by the Town Manager and the Orange County Solid Waste and must show how demolition waste can be recycled. The Plan must include stabilization of the site during and after the demolition phase.
37. Construction Management Plan: That a Construction Management Plan, be approved by the Town Manager prior to 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) provide clear requirements regarding the timing of land clearing, delivery of concrete, and buffer installation, in substantial conformance with the terms stated in the letter dated March 9, 2009 from Psychology Associates submitted at the March 9, 2009 Town Council meeting, provided that the buffer installation may be deferred to the extent necessary for other site work or for maximizing viability of the plants to be installed.
38. Traffic and Pedestrian Control Plan: That a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a pedestrian management plan indicating how pedestrian movements, including pedestrians using the existing transit system, will be safely maintained. Pedestrian access along the Franklin Street frontage shall be maintained continuously throughout the construction process. The applicant shall apply to the Town Manager for a street closure permit at least 5 working days prior to closing the street.
39. 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. That the detail of the sign shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
40. Vested Rights: This Special Use Permit constitutes a site specific development plan establishing a vested rights as provided by N.C.G.S. Sec. 160A-185.1 and Appendix A of the Chapel Hill Land Use Management Ordinance.
41. Taxation: That during any time this property is exempt from ad valorem property taxes, the owner shall make annual payments-in-lieu of property taxes, the amount to be determined based on a valuation determined by the Orange County tax supervisor and the applicable year's established city and county tax rate.
42. Open Burning: That the open burning of trees, limbs, stumps and construction debris associated with this development is prohibited.
43. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
44. Non-severability: That 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 1609 East Franklin Street Office Development Special Use Permit covenant running with the land.

TOWN OF CHAPEL HILL

BY: [Signature]
Roger L. Stancil, Town Manager

KB PDK

ATTEST: [Signature]
Sabrina Oliver, Town Clerk



NORTH CAROLINA
ORANGE COUNTY

I, Samantha Kryder, a Notary Public in and for said County and State do

hereby certify that Roger L. Stancil, Town Manager of the Town of Chapel Hill,

and Sabrina M. Oliver, 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

Roger L. Stancil, Town Manager of said Town of Chapel Hill, and

Sabrina M. Oliver, 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

25th day of September, 2009.



Samantha Kryder
Notary Public

My commission expires: February 27, 2013

ACCEPTED:

David N. Jones, Howard Perry & Walston Properties, LLC

By: [Signature]
David N. Jones

NORTH CAROLINA
ORANGE COUNTY

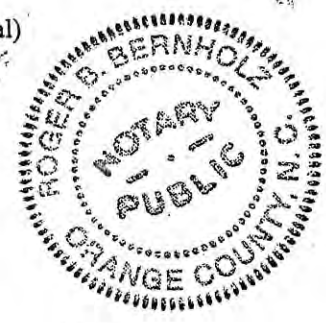
I certify that DAVID N. JONES personally appeared before me this day, acknowledging to me that she signed the foregoing document, on behalf of Howard Perry & Walston Properties, LLC.

[Signature]
Official Signature of Notary Public

ROGER B. BERNHOLZ
Notary's Printed or Typed Name, Notary Public

Date: OCTOBER 9, 2009

(Official Seal)



Mail TO:
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), Madison Partners, LLC, 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 11, 1999, the terms of which are as follows:

NAME OF PROJECT: 1609 East Franklin Street
NAME OF DEVELOPER: Richard Gurlitz Architects

DESCRIPTION OF PREMISE

LOCATION: North side of East Franklin Street, approximately 470 feet west of Elliott Road

TAX MAP REFERENCE : Chapel Hill Township Tax Map 46, Block A, Lots 4 and 5

DESCRIPTION OF DEVELOPMENT

9799-04-6951
9799-04-7995

GROSS LAND AREA: 82,900 sq. ft. OPEN SPACE: 73,674 sq. ft.
NUMBER OF BUILDINGS: 1 LIVABILITY SPACE: 47,974 sq. ft.
FLOOR AREA: 18,301 sq. ft. RECREATION SPACE: N/A
NUMBER OF PARKING SPACES: 59

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated June 18, 1998 (revised on April 5, 1999), 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 11, 2001 (two years from the date of Council approval) and be completed by October 11, 2002 (three years from the date of Council approval).
2. Land Use Intensity: That this Special Use Permit authorizes construction of an 18,301 square foot office building, including a maximum of 4,850 square feet of commercial space, and a 59-space parking lot.
3. Recombination Plat: That the two lots associated with this development (Chapel Hill Township Tax Maps 46.A.4 and 46.A.5) be recombined to form one lot, and that the final plat be recorded at the Orange County Register of Deeds office prior to issuance of a Zoning Compliance Permit.
4. Stub-out: That a vehicular stub-out shall be constructed to the eastern property line of the site, in a location to be approved by the Town Manager.
5. Access Requirements: That access from the driveway off East Franklin Street to the vehicular stub out to the eastern property line and to a future vehicular connection to the west be identified on the final plat along with the location of a future vehicular access easement to each stub. Each of these two vehicular access easements shall be recorded and become available for use at such time as the Town of Chapel Hill has required of the appropriate adjacent property owner, the dedication of a reciprocal vehicular access easement. Upon notification by the Town Manager of maturation of this condition for either/both of these adjacent properties, an easement(s) describing the property identified on the plat shall be recorded with the Orange County Register of Deeds. Failure to deliver such easement(s) to the Register of Deeds upon request of the Town Manager shall be a violation of this Special Use Permit. If this condition has not matured with 99 years of the date of approval of this permit for an adjacent property, the property owner's obligation to record such easement for that adjacent property shall expire.
6. NCDOT Approval: That the North Carolina Department of Transportation shall approve the plans and encroachment agreements for all work within the East Franklin Street right-of-way.
7. Velma Road: That the existing curb cut on Velma Road be replaced with Town standard curb and gutter.

8. Handicapped Parking Spaces: That the handicapped parking spaces located in the center island of the parking area shall be moved to a location closer to the building.

Stipulations Related to Landscape Elements

9. Landscape Plan Approval: That a detailed Landscape Plan, including landscape maintenance schedule, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
10. Landscape Protection Plan: That a detailed Landscape Protection Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall include a note indicating that tree protection fencing will be installed prior to demolition of the existing buildings on the site.
11. Landscape Bufferyards: That the following landscape bufferyards shall be provided, and that if any existing vegetation is to be used to satisfy the buffer requirements, the vegetation shall be protected by fencing from adjacent construction:
- ◆ Type B landscape bufferyard along the northern portion of the western property line. The plantings within the existing bufferyard on the adjacent property may be included to achieve the planting requirement.
 - ◆ Type C landscape bufferyard (minimum width 20 feet) along the southern portion of the western property line;
 - ◆ Type D landscape bufferyard (minimum width 65 feet) along the East Franklin Street frontage of the site;
 - ◆ Type B landscape bufferyard (minimum width 10 feet) along the eastern property line;
 - ◆ Type C landscape bufferyard (minimum width 30 feet) along the northeastern property line; and
 - ◆ Type C landscape bufferyard (minimum width 30 feet) along the northern property line.
12. Clump Magnolia: That efforts shall be made to preserve the existing clump magnolia near East Franklin Street.
13. Tree Installation: That several trees shall be installed near the East Franklin Street sidewalk in locations to be approved by the Town Manager.

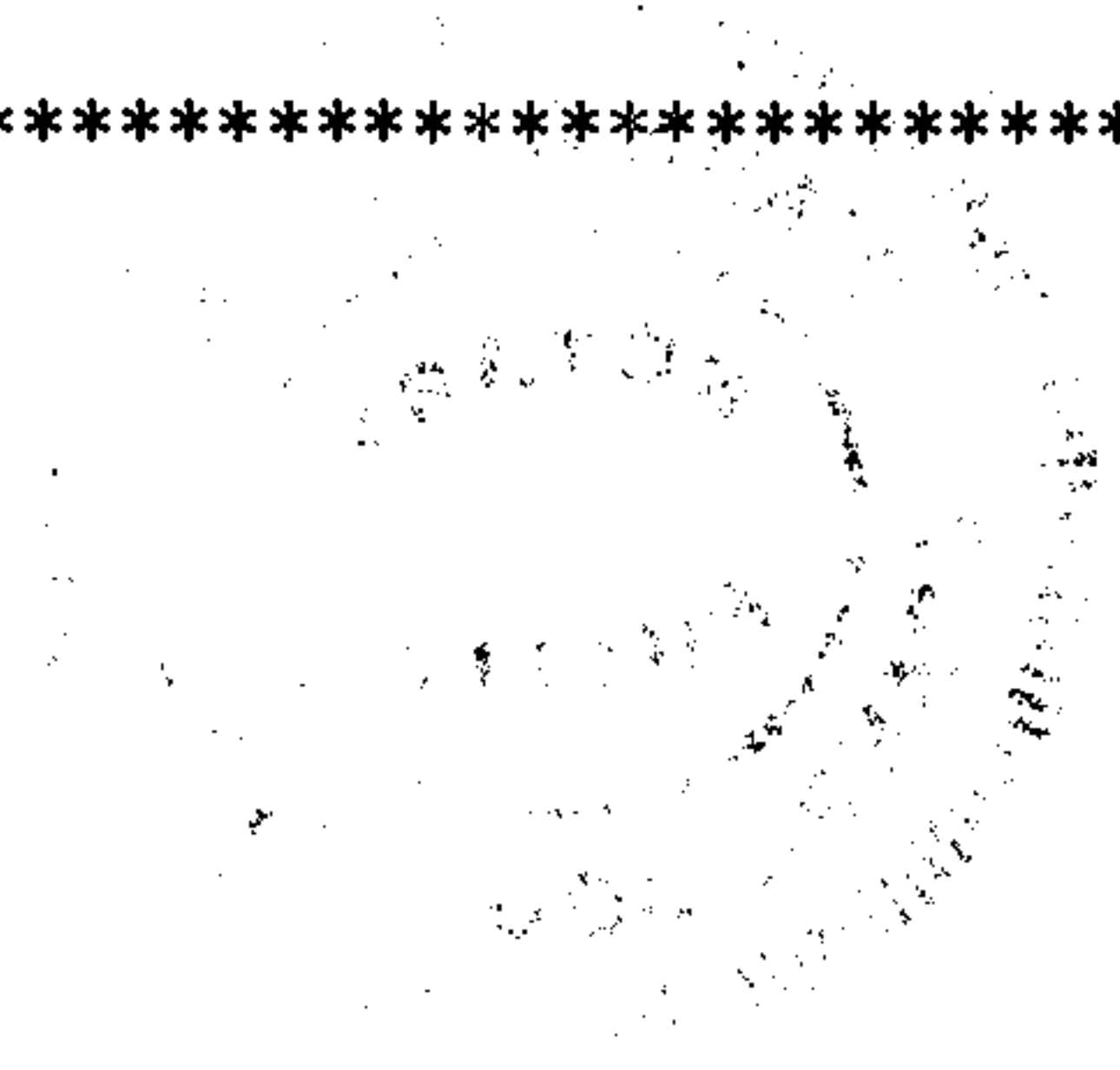
Stipulations Related to Utilities

14. Utility/Lighting Plan Approval: That the final utility/lighting plans be approved by Orange Water and Sewer Authority, Duke Power Company, Public Service Company, BellSouth, Time Warner Cable and the Town Manager before issuance of a Zoning Compliance Permit.
15. Fire Sprinkler System: That a fire sprinkler system shall be installed in the building, and that the Siamese connections to the sprinkler system be approved by the Fire Marshal prior to issuance of a Zoning Compliance Permit.
16. 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.

Miscellaneous Stipulations

17. Stormwater Management Plan: That a Stormwater Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. Based on a 25-year storm, the post-development stormwater run-off rate should not exceed the pre-development rate.
18. Solid Waste Management Plan: That a Solid Waste Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
19. Heavy-Duty Pavement: That all drive aisles accessing the proposed refuse/recycling area shall be constructed of heavy-duty pavement.
20. Building Elevations and Site Lighting: That the Community Design Commission shall approve building elevations and site lighting plans prior to issuance of a Zoning Compliance Permit.
21. 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, and that the plans shall demonstrate the provision of safe and secure bicycle storage facilities, and that a sidewalk be extended from the building to the eastern property line at a location to be approved by the Town Manager.

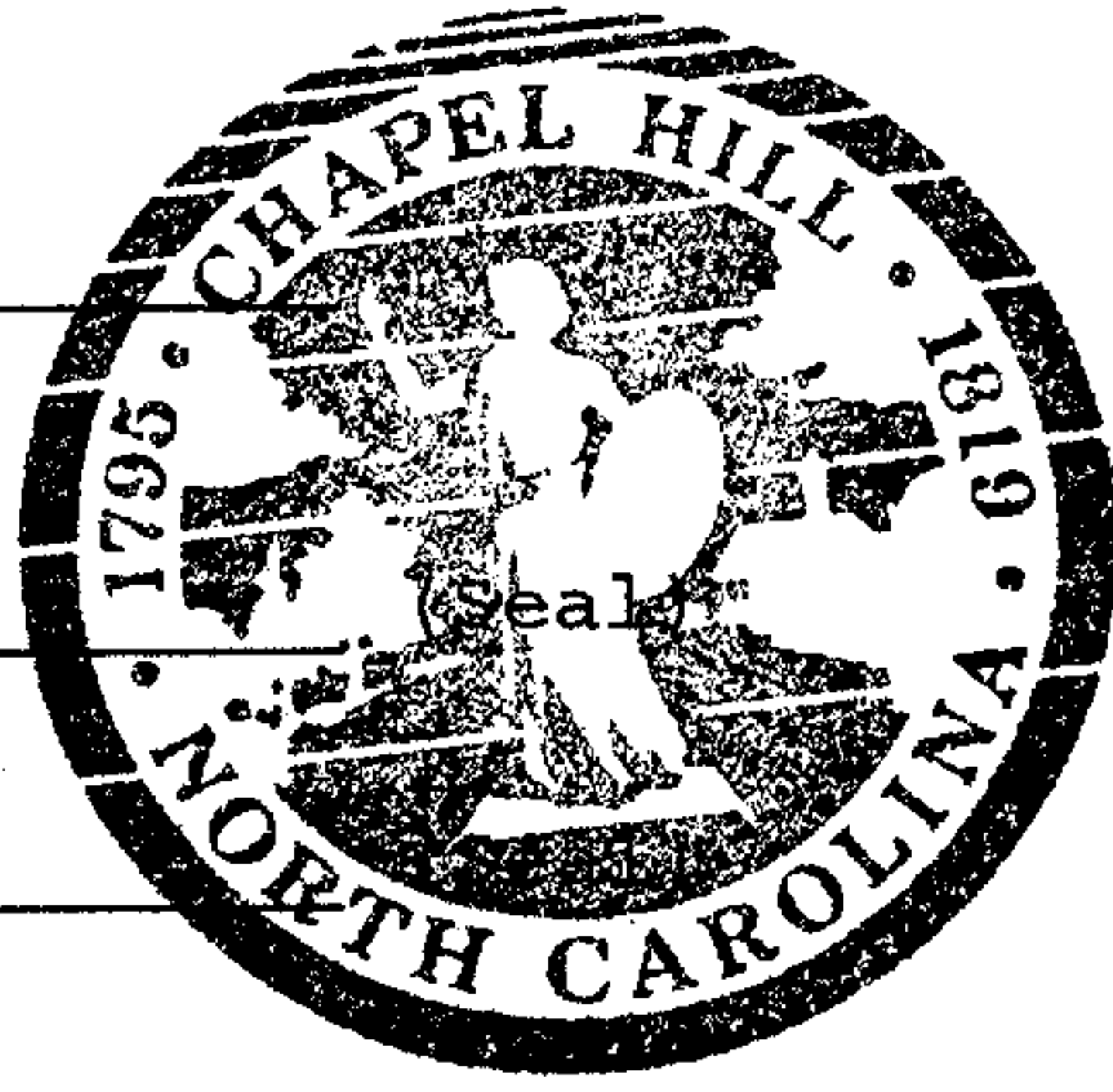
- 22. Erosion Control: That a soil erosion and sedimentation control plan, including provisions for maintenance of facilities and modifications of the plan if necessary, be approved by the Orange County Erosion Control Officer, and that a copy of the approval be provided to the Town Manager prior to issuance of a Zoning Compliance Permit.
- 23. Transportation Management Plan: That prior to issuance of a Zoning Compliance Permit, the applicant shall prepare a Transportation Management Plan for approval by the Town Manager. The required components of the Transportation Management Plan shall include:
 - ◆ Provision for designation of a Transportation Coordinator;
 - ◆ Provisions for an annual Transportation Survey and Annual Report to the Town Manager;
 - ◆ Quantifiable traffic reduction goals and objectives;
 - ◆ Ridesharing incentives; and
 - ◆ Public transit incentives.
- 24. Plan Revisions: That each of the plan sheets, submitted for final plan review, shall identify the location of the Residential-1 zoning district line in the northern portion of the site.
- 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. 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.
- 27. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 28. Non-severability: That 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 as covenant running with the land.

ATTEST

Joyce A. Smith
Town Clerk



The Town of Chapel Hill
BY W. Calvin Horton
Town Manager

ACCEPTED

David S. Kolk
Owner

ATTEST
XXXXXXX

Christa D. Barnett
~~Secretary~~ Manager

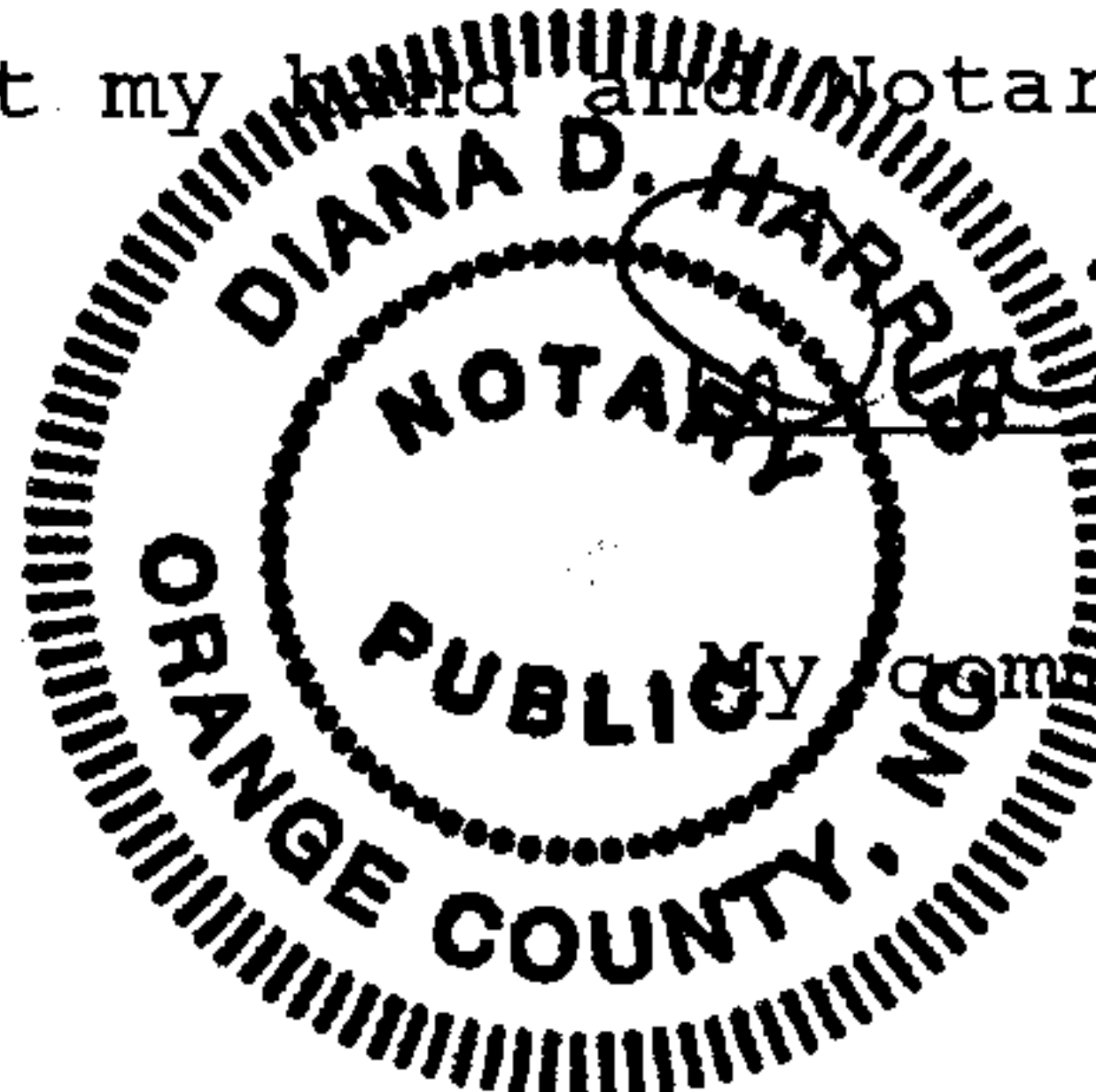
Madison Partners LLC.
Corporate Name
BY David S. Kolk
Manager

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 Joyce A. Smith, 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 Joyce A. Smith, 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 16th day of November, 1999.



Diana D. Harris
Notary Public
My commission expires: 10-26-2003.

ORANGE COUNTY

NORTH CAROLINA

I, Velma P. Belon, a Notary Public in and for said State and County do hereby certify that David S. Kolk / Christa D. Barnett owners, personally appeared before me and acknowledged the due execution of the foregoing instrument.

*Managers for Madison Partners, LLC
WITNESS my Hand and Notarial Seal, this 8 day of December, 1999

Velma P. Belon
Notary Public
My commission expires: 4/22/2000

NORTH CAROLINA

FILED
09 DEC 1999, at 10:20:26am
Book 2020, Page 464 - 467
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

personally come before me,
public of Orange County, North Carolina,
y me duly sworn, says that he knows the
_____, and is acquainted with
sident of said corporation and he,

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificates of Velma P. Belon and Diana D. Harris

NOTARIES Public of the designated Governmental units ARE certified to be correct. Filed for registration this the 9th day of Dec. 1999, at 10:20:26 o'clock, AM

in Record Book 2020 Page 464

Return: _____

Joyce H. Pearson, Register of Deeds
By Velma P. Belon
Assistant/Deputy
Register of Deeds

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): 9799-04-7995 and 9799-04-6951

Date: 12/29/2014

Section A: Project Information

Project Name: Mixed Use Hotel/Apartment Project

Property Address: 1609 E Franklin and 1605 E Franklin St. Zip Code: 27514

Use Groups (A, B, and/or C): B Existing Zoning District: NC-C / R1

Project Description: Mixed Use Bldg with Tier B Hotel/Apartments, surface parking and support appurtenances

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

Applicant Information (to whom correspondence will be mailed)

Name: Charles R. Walker III

Address: 275 North Pea Ridge Rd

City: Pittsboro State: NC Zip Code: 27312

Phone: 919-625-9760 Email: cwalker@epgrouponline.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: _____

Owner/Contract Purchaser Information:

Owner

Contract Purchaser

Name: HPW Properties LLC Attn: Sanjay Mundra

Address: 1001 Wade Avenue

City: Raleigh State: NC Zip Code: 27605

Phone: 919-573-8638 Email: smundra@hpwcommercial.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: _____



PROJECT FACT SHEET
 TOWN OF CHAPEL HILL
 Planning Department

Section A: Project Information

Application type: SUP and Rezoning Date: 12/29/2014
 Project Name: Mixed Used Hotel/Apartment Project

Use Type: (check/list all that apply)

Office/Institutional Residential Mixed-Use Other: Hotel & Apartments

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=	75,271	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=	7527	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	0	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	82,798	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)	75,271
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)	12,806	12,806	56,531	56,531
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	17%			68%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



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	2	2	1	1
Number of Floors	1	1	7	7
Recreational Space	0	0	3400	3400

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)	1,000	1,000	17,200	17,200
Total Square Footage of All Units	N/A			
Total Square Footage of Affordable Units	N/A	N/A	2,580	2,580
Total Residential Density	N/A	N/A	16.18/acre	16.18/acre
Number of Dwelling Units	1	1	28	28
Number of Affordable Dwelling Units	0	0	4.2	4.2
Number of Single Bedroom Units	0	0	24	24
Number of Two Bedroom Units	0	0	4	4
Number of Three Bedroom Units	0	0	0	0

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	0	50,412	# of Rooms	0	106
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	20		20
	Interior (neighboring property lines)	0		10
	Solar (northern property line)	0		45 min
Height (maximum)	Primary	70		57.5
	Secondary	114		66.9
Streets	Frontages			
	Widths			



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
East Franklin St.	100	varies	5	X Yes	X Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> 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
East Franklin St.	varies	concrete	X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	64		123
Handicap Spaces	3		4
Total Spaces	67		123
Loading Spaces	0		0
Bicycle Spaces	13		41
Surface Type	Asphalt /concrete		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Velma	25	35	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
North East West	8	10	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Franklin	20	22	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/>	<input type="checkbox"/>



PROJECT FACT SHEET
 TOWN OF CHAPEL HILL
 Planning Department

Section I: Land Use Intensity

Existing Zoning District: NC-C (73,395 SF)/ R1(1876 SF)
Proposed Zoning Change (if any): MU-V Arterial (73,395 SF) /R1 (1876 SF)

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
R1	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MU-V-Arterial	1.2				56,531	99,358	
TOTAL							
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



**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.

28th	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	28,070.60
12/16	Pre-application meeting – with appropriate staff		
Yes	Digital Files - provide digital files of all plans and documents		
Yes	Recorded Plat or Deed of Property		
Yes	Project Fact Sheet		
note	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
Yes	Description of Public Art Proposal		
Yes	Statement of Justification		
N/A	Response to Community Design Commission and Town Council Concept Plan comments		
fee	Affordable Housing Proposal, if applicable		
N/A	Provide existing Special Use Permit, if Modification		
Yes	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
Yes	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	166.32
Yes	Written Narrative describing the proposal		
N/A	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
yes	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



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

- 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



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

- 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



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 Standards1. LED Lighting 2. Enhanced Exterior Wall Insulation 3. Energy Recovery HVAC Systems 4. High Efficiency Hot Water System 5. Solar Intensive tinted Windows
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)Potential use of solar for hot water system is our only option to explore.
- c) Participation in NC GreenPower program Either probable contribution or solar.
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy 1. 100% outdoor air make-up system 2. All Guest Rooms & Lobby are open by outside windows for light.
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time The use of many LEEDS building materials and furnishings.
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community Being on the bus route for guests and employees and providing an airport shuttle for quests plus the various accommodations for bike riders.
- 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). Height from mean natural grade 57.5'

JUSTIFICATION STATEMENT 1 609 EAST FRANKLIN MIXED USE BUILDING

FEBRUARY 23, 2015

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.

THIS MIXED-USE BUILDING DESIGN WILL LOOK TO MINIMIZE ITS CARBON FOOTPRINT WITH THE TOWN THROUGH THE USE OF REGIONAL MATERIALS, OPEN-AIR CANOPY, OPEN-AIR BALCONY AND CLERESTORY WINDOWS FOR DAY-LIGHTING. THE MAJOR UTILITIES ALREADY NEAR THE SITE AND WILL ONLY REQUIRE ONLY MINIMAL EXTENSIONS FROM THE MAIN ROUTES TO SERVE THE NEW DEVELOPMENT. THE STORMWATER WILL BE TREATED WITH AN UNDERGROUND SYSTEM ON SITE.

FINDING #2: THAT THE USE OR DEVELOPMENT IS DESIGNED, AND COMPLIES WITH ALL REGULATIONS AND STANDARD OF CURRENT ORDINANCES AND PLANS.

THE AREA OF THIS PROPOSAL HAS BEEN DESIGNATED DIRECTLY AS COMMERCIAL USE. THE EPHEBUS FORDHAM OVERLAY DISTRICT AREA 1 IS ACROSS THE STREET. THAT PLAN SUGGESTS BUILDINGS ALONG THIS AREA OF FRANKLIN STREET BE CLOSE TO THE STREET AND FIVE TO SEVEN STORIES TALL. THIS SECTION OF THE OVERLAY DISTRICT IS CURRENTLY UNDER REVIEW; HOWEVER, THE AREA THAT HAS BEEN APPROVED IS APPROXIMATELY ONE BLOCK FROM THIS PROPOSAL. THIS PROPOSAL FOLLOWS THAT VISION.

FINDING #3: THAT THE USE OR DEVELOPMENT IS LOCATED, DESIGNED, AND PROPOSED TO BE OPERATED SO AS TO MAINTAIN OR ENHANCE THE VALUE OF THE CONTIGUOUS PROPERTY, OR THAT THE USE OR DEVELOPMENT IS A PUBLIC NECESSITY.

THIS MIXED-USE BUILDING DESIGN WILL EXPAND THE REDEVELOPMENT IN THE AREA. THERE ARE CURRENTLY NO TIER B HOTEL ROOMS OR EXECUTIVE RENTAL UNITS IN THE TOWN LIMITS. VISITORS WITH LESSER MEANS WOULD HAVE THE ABILITY TO STAY IN AND ENJOY THE TOWN PROPER. MIXED USE BUILDINGS ARE MORE EFFICIENT USE OF LAND PROVIDING A RANGE OF USES IN LIMITED SPACE. THE PROPOSAL IS ALSO LOCATED ON AN ARTERIAL ROAD MAKING THE USE OF MASS TRANSIT A BETTER ALTERNATIVE. FINALLY, THE CORPORATE APARTMENT COMPONENT OF THIS PROJECT MAKES TEMPORARY HOUSING WITHIN THE TOWN FOR VISITORS, PROFESSORS, EMPLOYEES OR EMPLOYERS AN OPTION.

FINDING #4: THAT THE USE OR DEVELOPMENT CONFORMS WITH THE GENERAL PLANS FOR THE PHYSICAL DEVELOPMENT OF THE TOWN AS EMBODIED IN THE ORDINANCE AND THE COMPREHENSIVE PLAN.

THE REZONING OF THESE PARCELS AND THE CONSTRUCTION OF THIS MIXED-USE BUILDING ON THIS PROPERTY MAINTAINS THE CURRENT COMMERCIAL REDEVELOPMENT USES ALONG THIS SECTION OF FRANKLIN STREET AND ADDRESSES THE FUTURE VISION OF THIS AREA BY COMPLIMENTING THE CURRENT GOALS OF THE NEARBY EPHEBUS FORDHAM OVERLAY PLAN.

Ms. Judy Johnson
Planning and Sustainability
Town of Chapel Hill, NC

April 8, 2015

Re: Mixed Use Project 1609 East Franklin St.-"Affordable Housing Stipulations"

Dear Judy:

Our project is a seven-story mixed use building with 106 hotel units on the lower five floors and 28, upscale, "Corporate Apartments" on the upper two floors, to satisfy extended visit needs of 30 days or more.

This project helps with fulfilling a need for "medium priced" hotel accommodations, in the area, to prevent visitors from migrating to the surrounding towns, but more importantly, it is bringing the first and only "Corporate Apartments", that will service a pent up demand for extended stay accommodations for: visiting professors, doing grant work; relocation needs; family members with patients, in area hospitals; long term research and technical specialists, at RTP and a multitude of other people requiring long term visits, to the Chapel Hill area. Based on our, comprehensive, research, there is not a single "Corporate Apartment" unit available in this town. This need is currently being served by the other surrounding areas or being forced to stay in "Extended-Stay" motels.

We are desirous of contributing to the Affordable Housing needs that are supported by the Chapel Hill Council and, as such, would, respectfully, like to offer the following proposal:

- A. 15% of our proposed 28 apartments equals 4.2 units.
- B. We propose to offer "Payment-In-Lieu" for the equivalent of 2.2 units at, \$6,000.00 each, equaling \$13,200.00, prior to issuance of our "Certificate of Occupancy".
- C. The remaining two units," fully furnished", would be made available as "Affordable Housing", that, hopefully, could be occupied by employees of the hotel, if they properly qualify, or other deserving parties.

Specifics of our "Affordable Housing Plan" , proposed, are as follows:

Affordable Units Designation:

- Considering the fact, that the apartment component of our project consists of only 28,upscale, fully furnished, Corporate Apartments, divided between, primarily, Studio (415 SF) and a limited number of one bedroom (545 SF)plans, we are offering to designate, one each, of the Studio and one bedroom units, as "Affordable Housing".

This number of total apartment units is based on our preliminary architectural drawings and should they ,ultimately, change, we will maintain the same percentage of Affordable Rental Units.

Rental Rates:

- Adhering to the town's "Inclusionary Zoning Ordinance", our Affordable Rental Units rents will be pricing in set at the 30%, then current, of the maximum, specified, income levels of renters and adjusted, annually, to reflect the "Annual Median Income" data from the U.S. Department of Housing and Urban Development.
- We have selected income levels at 60% of the HUD AMI, which are lower than those specified in the "Inclusionary Zoning Ordinance", which increases the pool of qualifying renters, in the workforce, who are earning less than the Town considers as an appropriate measure of affordability.
- Based on the 2014 rental rate: One person earning less than 60% of AMI, the rent, for our Studio unit, will be 30% of \$27,600 equals \$597 per month and the One Bedroom unit will be \$737 per month.

- If there is more than one person , in the household, then the rates will be adjusted to comply with the AMI rates for household sizes in the Durham-Chapel Hill MSA as determined by the US Department of Housing and Urban Development, as shown below:
 - Current Durham-Chapel Hill Average Median Income
 - Family Size One Two Three Four
 - **100% of AMI** \$46,000 \$52,563 \$59,125 \$65,688
 - **60% of AMI** \$27,600 \$31,538 \$35,475 \$39,413

Qualifying Candidates for Affordable Housing:

- We will take responsibility for qualifying tenants for the Affordable Rental Units.
- Affordable Rental Units will only be occupied by "income qualified" workforce applicants. Students will only be considered, unless no other workforce tenants are available and they will still need to meet qualifications for affordability to be considered.
- Rents will be inclusive of all utilities plus fully furnished.
- If we are unable a qualifying tenant, for an Affordable Unit, within 30 days, we will request the authority to lease the unit to any qualified for a one year term, at market rate. At the end of that one year term, the unit will revert back and we will market the unit to a qualified tenant.
- If the unit is rented for any amount above the appropriate affordable rental rate, all excess rents will be , promptly, paid to the Town's Affordable Housing Fund.

Management/Enforcement/Reporting:

- We will assume full responsibility for managing and administering this "Affordable Housing Plan".
- We will provide an "annual report" to the Town detailing compliance with this plan by listing:
 - Tenant's W-2's
 - HUD data
 - Copies of apartment leases
 - Reconciliations of any excess rents paid to the "Affordable Housing Fund"
- Relative to the longevity of our program, we commit to continue offering these "Affordable Rental Units", under the outlined parameters, for a period of 30 years.
 - We propose a stipulation in the "SUP", that requires any, subsequent owner of the this property, maintain this program, until it's completion.
 - A provision will be included in any Purchase & Sale Agreement, of this property, stipulating continuance of this program, as shown in the "SUP", until it's 30 year term.

VERTICAL DATUM - NAVD88
HORIZONTAL DATUM - NAD83

1609 E. FRANKLIN ST.

A SPECIAL USE PERMIT FOR A HOTEL

CHAPEL HILL, NORTH CAROLINA

PROJECT STATISTICS

13-089

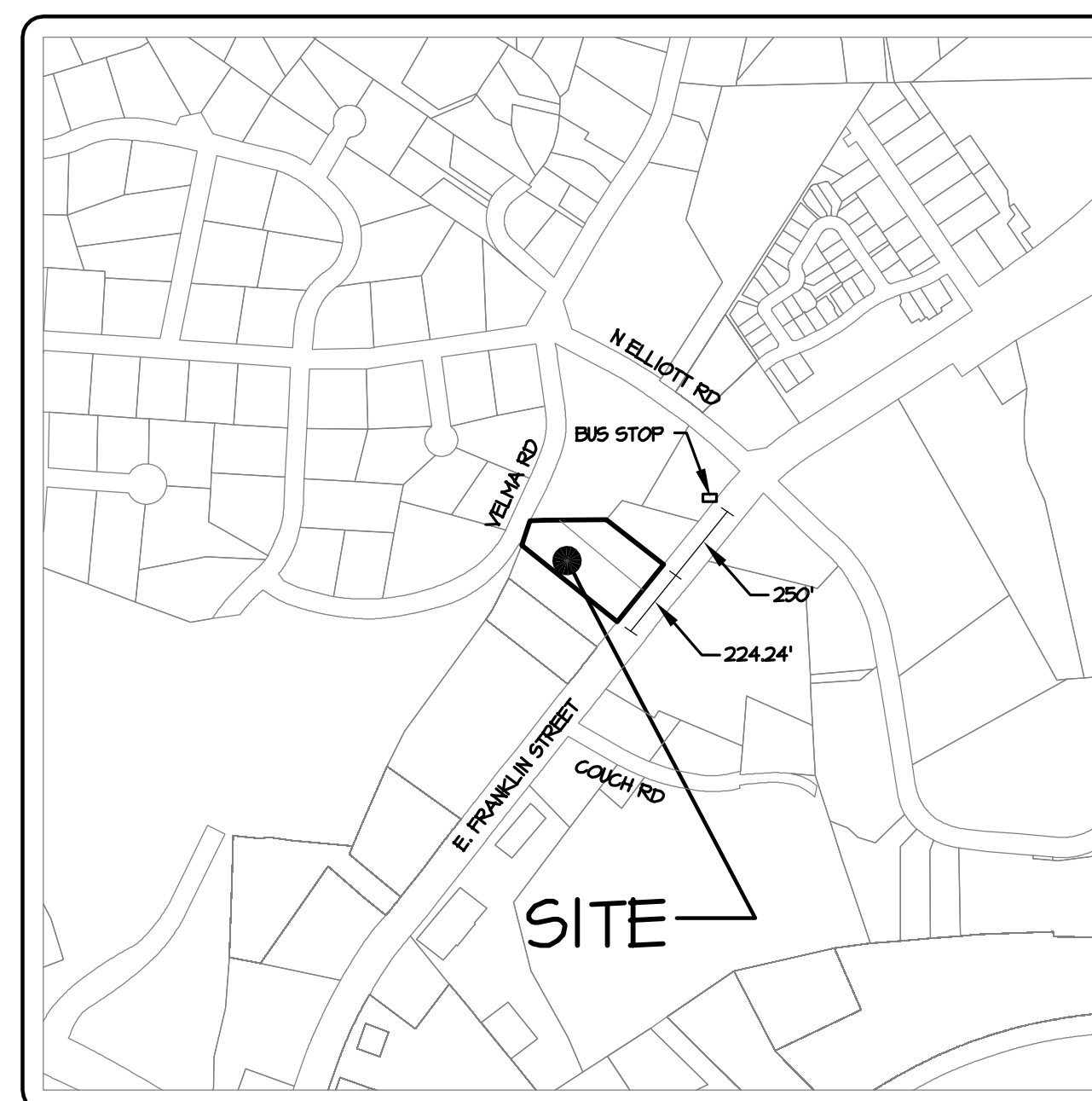
PROPERTY OWNER / ADDRESS	HPW PROPERTIES LLC 1609 AND 1605 E. FRANKLIN STREET CHAPEL HILL NC 9799-04-7995, 9799-04-6951
WAKE COUNTY PINS	9799-04-7995, 9799-04-6951
EXISTING ZONING	NC-C & R-1
AREA IN NC-C	73945 SF
AREA IN R-1	1076 SF
PROPOSED ZONING	MU-V ARTERIAL AND R-1
GROSS PROJECT AREA	1.128 AC
EXISTING USE	VACANT RESIDENTIAL
PROPOSED USE	HOTEL / APARTMENTS
EXISTING BLDGS	3416 SF TO BE DEMOLISHED
PROPOSED BLDG GROSS FLOOR AREA	67612 SF
PROPOSED NUMBER OF HOTEL ROOMS	106
PROPOSED NUMBER OF APARTMENTS	28
PARKING CALCULATIONS	
REQUIRED	
PROVIDED	123
COMPACT SPACES	28
HANDICAP	4
BICYCLE PARKING CALCULATIONS	
1 PER APT UNIT	28
10% OF 123 VEHICLE PARKING SPACES	13
20% CLASS 1	3
80% CLASS 2	10
BICYCLE REPAIR STANDS	1
IMPERVIOUS AREA CALCULATIONS	
TOTAL SITE AREA	75,271 SF
EXISTING IMPERVIOUS AREA	12,806 SF
ALLOWABLE IMPERVIOUS AREA	(70% (75,271 - 12,806) + 12,806)
PROPOSED IMPERVIOUS AREA	56,531 SF
FEMA FLOODPLAIN (PANEL 3710479400J)	NO FEMA ZONES ONSITE
FLOOR AREA RATIO	
TOTAL SITE AREA	75,271 SF
FAR	1.2
ALLOWABLE BUILDING AREA	40,325 SF
TOTAL BUILDING AREA	67,612 SF
ACTUAL FAR	0.75
RECREATION AREA CALCULATIONS	
APARTMENT AREA	17,200 SF
REQUIRED RECREATION AREA	17,200 * .046
POOL WITH DECK	1,650 SF
FITNESS ROOM	400 SF
ROOF GARDEN	1,350 SF
TOTAL RECREATION AREA PROVIDED	3,400 SF

GENERAL NOTES:

- BOUNDARY INFORMATION IS TAKEN FROM A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- SITE TOPOGRAPHIC INFORMATION IS TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- EXISTING STREETS AND BUILDING INFORMATION TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- ALL MATERIALS AND CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE TOWN OF CHAPEL HILL, NCDOT, AND NCDENR STANDARDS AND SPECIFICATIONS.
- FEMA DESIGNATED FLOOD ZONES ARE NOT LOCATED ON THIS PROPERTY.
- STREAM BUFFERS AND WETLANDS ARE NOT LOCATED ON THIS PROPERTY.
- THIS SITE IS NOT LOCATED WITHIN ANY RESOURCE CONSERVATION DISTRICT.

REVISIONS:

REVISION #1	TOWN STAFF REVIEW	2-23-2015
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VICINITY MAP

SHEET INDEX:

- | | |
|----|--|
| 01 | AREA MAP |
| 02 | TOWN COMMENTS AND RESPONSE SHEET |
| 03 | EXISTING CONDITIONS SHEET |
| 04 | PRELIMINARY SITE LAYOUT PLAN |
| 05 | PRELIMINARY SITE UTILITY PLAN |
| 06 | PRELIMINARY GRADING AND EROSION CONTROL PLAN |
| 07 | PRELIMINARY STORMWATER MANAGEMENT PLAN |
| 08 | PRELIMINARY LANDSCAPE PLAN |
| 09 | PRELIMINARY SLOPE ANALYSIS |
| 10 | PRELIMINARY CONSTRUCTION MANAGEMENT PLAN |
| 11 | TREE PRESERVATION PLAN |
| 12 | BUILDING ELEVATION |
| 13 | SITE CROSS SECTION |
| 14 | KEY PLANS |



ORIGINAL DATE: APRIL 8, 2014

PROJECT ID: 13-089 E FRANKLIN STREET

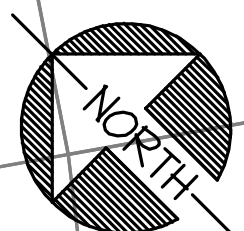
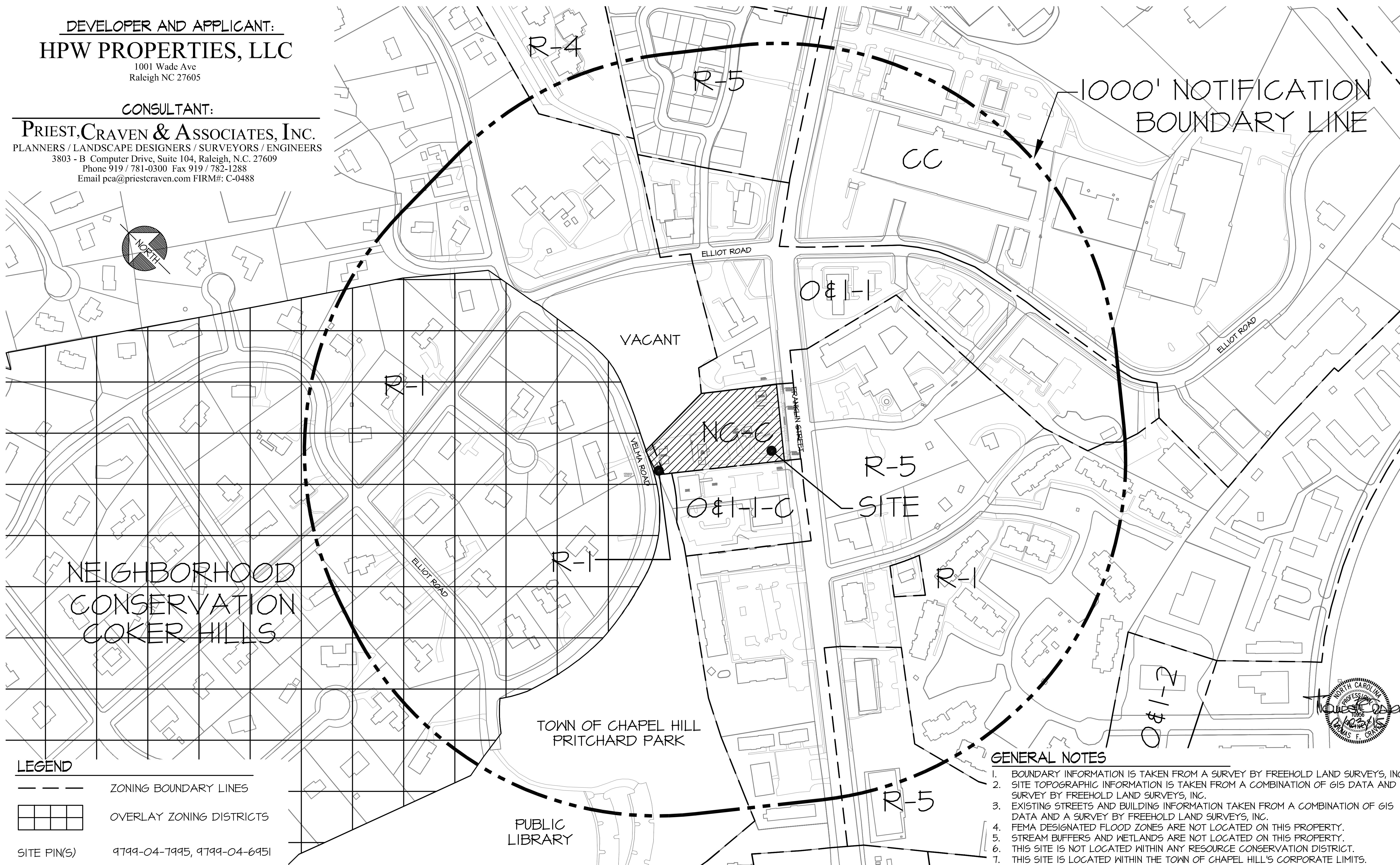
DEVELOPER AND APPLICANT:
HPW PROPERTIES, LLC

1001 Wade Ave
 Raleigh NC 27605

CONSULTANT:

PRIEST, CRAVEN & ASSOCIATES, INC.

PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
 3803 - B Computer Drive, Suite 104, Raleigh, N.C. 27609
 Phone 919 / 781-0300 Fax 919 / 782-1288
 Email pca@priestcraven.com FIRM#: C-0488



NEIGHBORHOOD
 CONSERVATION
 COKER HILLS

LEGEND

- ZONING BOUNDARY LINES
- OVERLAY ZONING DISTRICTS
- SITE PIN(S) 9799-04-7995, 9799-04-6951

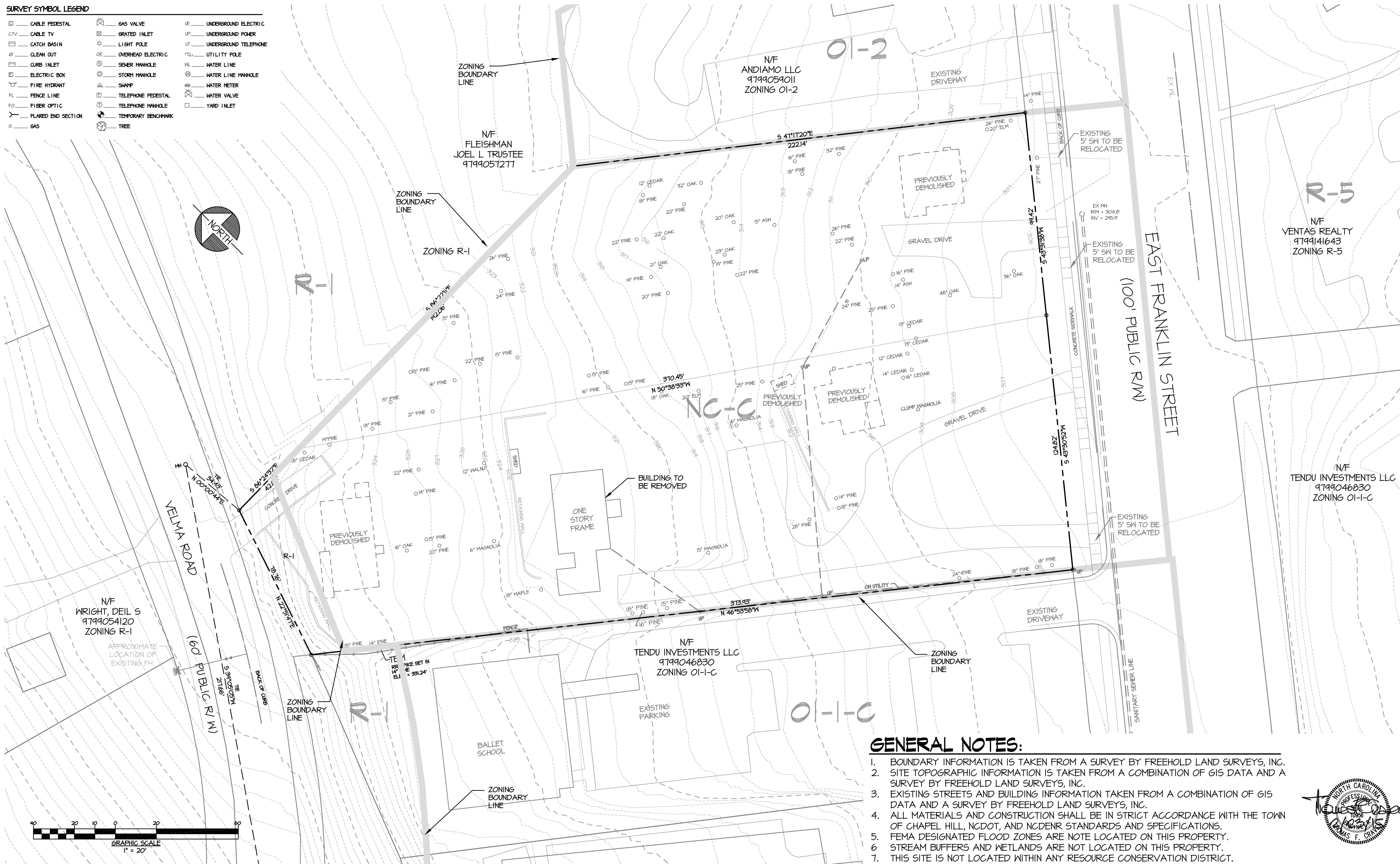
GENERAL NOTES

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3. EXISTING STREETS AND BUILDING INFORMATION TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
4. FEMA DESIGNATED FLOOD ZONES ARE NOT LOCATED ON THIS PROPERTY.
5. STREAM BUFFERS AND WETLANDS ARE NOT LOCATED ON THIS PROPERTY.
6. THIS SITE IS NOT LOCATED WITHIN ANY RESOURCE CONSERVATION DISTRICT.
7. THIS SITE IS LOCATED WITHIN THE TOWN OF CHAPEL HILL'S CORPORATE LIMITS.



<p>SPECIAL USE PERMIT 1609 E FRANKLIN ST SPONSORED BY: TBD CHAPEL HILL, NORTH CAROLINA</p>	<p>SCALE: 1"=120' DATE: DECEMBER 29, 2014 PROJECT: 2014-004.001</p>	<p>AREA MAP</p>	<p>REVISION #1 TOWN STAFF REVIEW 2-23-2015</p>	<p>PRIEST, CRAVEN & ASSOCIATES, INC. LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS 3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488</p>	<p>02</p>
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SURVEY SYMBOL LEGEND



GENERAL NOTES:

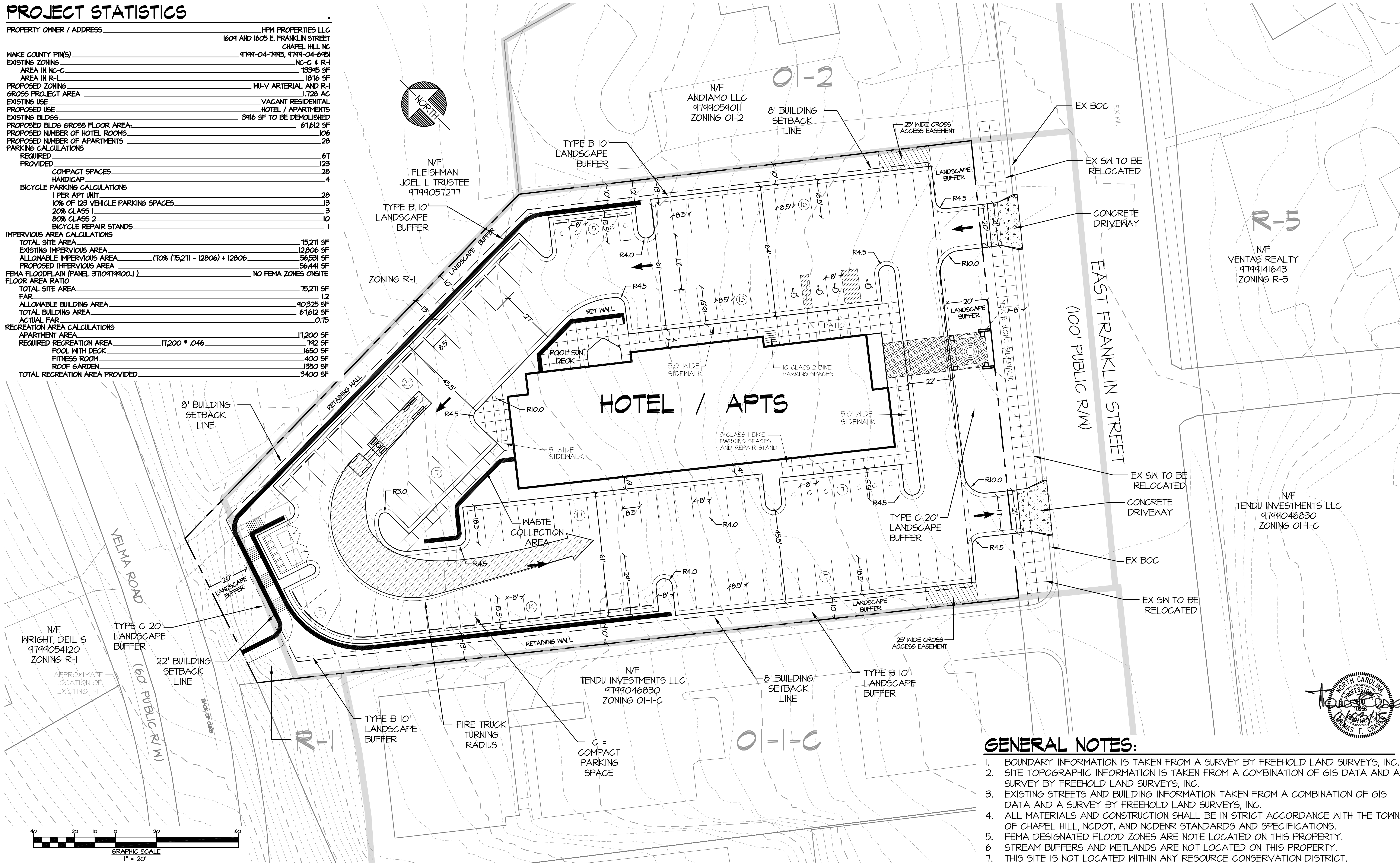
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<p>SPECIAL USE PERMIT</p> <h1 style="margin:0;">1609 E FRANKLIN ST</h1> <p style="margin:0;">SPONSORED BY: TBD CHAPEL HILL, NORTH CAROLINA</p>	<p>SCALE: 1" = 20'</p> <p>DATE: DECEMBER 29, 2014</p> <p>PROJECT: 2014-004.001</p>	<h2 style="margin:0;">EXISTING CONDITIONS</h2>	<p>REVISION #1 TOWN STAFF REVIEW 2-23-2015</p>	<p>PRIEST, CRAVEN & ASSOCIATES, INC.</p> <p style="font-size: small;">LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS</p> <p style="font-size: x-small;">3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488</p>	<p>03</p>
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PROJECT STATISTICS

PROPERTY OWNER / ADDRESS	HFM PROPERTIES LLC 1609 AND 1605 E. FRANKLIN STREET CHAPEL HILL, NC
WAKE COUNTY PIN(S)	9799-04-1945, 9799-04-6451
EXISTING ZONING	NC-C & R-1
AREA IN NC-C	13345 SF
AREA IN R-1	1876 SF
PROPOSED ZONING	MU-V ARTERIAL AND R-1
GROSS PROJECT AREA	1.728 AC
EXISTING USE	VACANT RESIDENTIAL
PROPOSED USE	HOTEL / APARTMENTS
EXISTING BLDGS	3416 SF TO BE DEMOLISHED
PROPOSED BLDG GROSS FLOOR AREA	67162 SF
PROPOSED NUMBER OF HOTEL ROOMS	106
PROPOSED NUMBER OF APARTMENTS	28
PARKING CALCULATIONS	
REQUIRED	67
PROVIDED	123
COMPACT SPACES	28
HANDICAP	4
BICYCLE PARKING CALCULATIONS	
1 PER APT UNIT	28
10% OF 123 VEHICLE PARKING SPACES	13
20% CLASS 1	3
80% CLASS 2	10
BICYCLE REPAIR STANDS	1
IMPERVIOUS AREA CALCULATIONS	
TOTAL SITE AREA	75,271 SF
EXISTING IMPERVIOUS AREA	12,806 SF
ALLOWABLE IMPERVIOUS AREA (10% (75,271 - 12,806) + 12,806)	56,531 SF
PROPOSED IMPERVIOUS AREA	56,441 SF
FEMA FLOODPLAIN (PANEL 3710419400J)	NO FEMA ZONES ON-SITE
FLOOR AREA RATIO	
TOTAL SITE AREA	75,271 SF
FAR	1.2
ALLOWABLE BUILDING AREA	90,325 SF
TOTAL BUILDING AREA	67,162 SF
ACTUAL FAR	0.75
RECREATION AREA CALCULATIONS	
APARTMENT AREA	17,200 SF
REQUIRED RECREATION AREA (17,200 * .046)	742 SF
POOL WITH DECK	1650 SF
FITNESS ROOM	400 SF
ROOF GARDEN	1350 SF
TOTAL RECREATION AREA PROVIDED	3400 SF



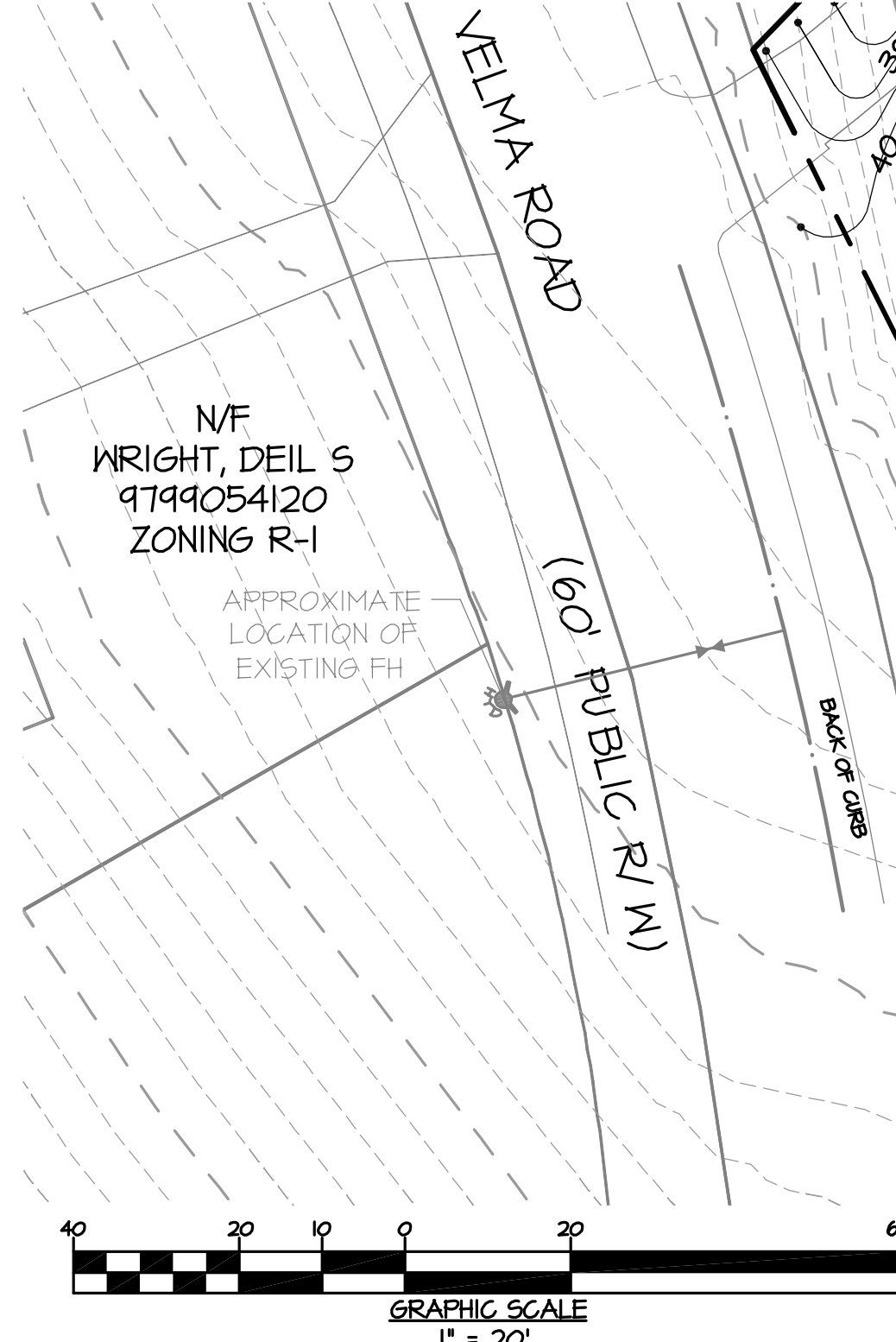
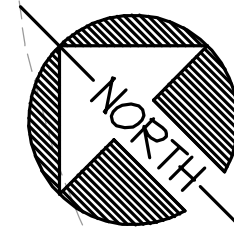
GENERAL NOTES:

- BOUNDARY INFORMATION IS TAKEN FROM A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- SITE TOPOGRAPHIC INFORMATION IS TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- EXISTING STREETS AND BUILDING INFORMATION TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- ALL MATERIALS AND CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE TOWN OF CHAPEL HILL, NCDOT, AND NCDENR STANDARDS AND SPECIFICATIONS.
- FEMA DESIGNATED FLOOD ZONES ARE NOTE LOCATED ON THIS PROPERTY.
- STREAM BUFFERS AND WETLANDS ARE NOT LOCATED ON THIS PROPERTY.
- THIS SITE IS NOT LOCATED WITHIN ANY RESOURCE CONSERVATION DISTRICT.

<p>SPECIAL USE PERMIT</p> <h1 style="margin:0;">1609 E FRANKLIN ST</h1> <p>CHAPEL HILL, NORTH CAROLINA</p> <p>SPONSORED BY: TBD</p>	<p>SCALE: 1" = 20'</p> <p>DATE: DECEMBER 24, 2014</p> <p>PROJECT: 2014-004.001</p>	<h2 style="margin:0;">PRELIMINARY SITE LAYOUT PLAN</h2>	<p>REVISION #1 TOWN STAFF REVIEW 2-23-2015</p>	<h2 style="margin:0;">PRIEST, CRAVEN & ASSOCIATES, INC.</h2> <p>LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS</p> <p>3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488</p>	04
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UTILITY NOTES

- A. ALL LAND DISTURBING ACTIVITIES SHALL BE CONDUCTED IN ACCORDANCE WITH AN APPROVED EROSION CONTROL PLAN.
- B. ALL CONSTRUCTION AND MATERIALS TO BE IN STRICT ACCORDANCE WITH TOWN OF CHAPEL HILL, NCDOT, DMO, AND NCDENR STANDARDS.
- C. HORIZONTAL RELATION OF WATER MAINS TO SEWERS
LATERAL SEPARATION OF SEWERS AND WATER MAINS. WATER MAINS SHALL BE LAID AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SEWERS, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT LATERAL SEPARATION -- IN WHICH CASE:
1. THE WATER MAIN IS LAID IN A SEPARATE TRENCH WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER; OR
2. THE WATER MAIN IS LAID IN THE SAME TRENCH AS THE SEWER WITH THE WATER MAIN LOCATED AT ONE SIDE ON A BENCH OF UNDISTURBED EARTH, AND WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER.
- D. VERTICAL RELATION OF WATER MAINS TO SEWERS
CROSSING A WATER MAIN OVER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN 18 INCH VERTICAL SEPARATION -- IN WHICH CASE BOTH THE WATER MAIN AND SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
CROSSING A WATER MAIN UNDER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER A SEWER, BOTH THE WATER MAIN AND THE SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. A SECTION OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING.
- E. VERTICAL RELATION OF SANITARY SEWER MAINS TO STORM SEWER
WHEN A SANITARY SEWER IS CROSSING OVER OR UNDER A STORM SEWER, A VERTICAL SEPARATION OF 24 INCHES SHALL BE MAINTAINED UNLESS BOTH LINES ARE OF A FERROUS MATERIAL.
- F. GENERAL VERTICAL CLEARANCE
WHEN OTHER UNDERGROUND UTILITIES ARE ENCOUNTERED, 12 INCHES OF SEPARATION SHALL BE MAINTAINED.
- G. SEWER SERVICES
SEE PLAN.
- H. WATER SERVICE
SEE PLAN.
- K. EXISTING UTILITIES
EXISTING UTILITIES SHOWN ARE APPROXIMATE AND ALL MAY NOT BE SHOWN. CONTRACTOR SHALL VERIFY EXACT LOCATION AND GRADE OF ALL EXISTING UTILITIES AND COORDINATE ANY REQUIRED RELOCATION OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
- L. ALL PRIVATE STORM SEWER LINES TO BE LOCATED WITHIN A PRIVATE 10', 15', OR 20' UTILITY EASEMENT DEPENDING ON SIZE, DEPTH, AND LOCATION IN RELATION TO STRUCTURES.
- M. BASE OF PROPOSED RETAINING WALLS TO BE A MINIMUM OF 2' FROM REQUIRED RIPARIAN BUFFERS TO ALLOW FOR STAGING & FOOTINGS.
- N. SPILL GUTTER TO BE INSTALLED IN AREAS AS INDICATED ON PLAN AND/OR IN AREAS AS REQUIRED TO PROVIDE ADEQUATE DRAINAGE AND TO PREVENT PONDING OF WATER.
- O. NO INFRASTRUCTURE TO BE CONSTRUCTED PRIOR TO CONSTRUCTION PLAN APPROVAL AND UTILITY PERMIT ISSUANCE BY THE CITY OF RALEIGH PUBLIC UTILITIES DEPARTMENT.
- P. LOCATIONS AND SIZES SHOWN FOR STORM WATER DEVICES ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL LAYOUT AND DESIGN.
- Q. THESE PLANS ARE FOR PRELIMINARY PURPOSES AND IS NOT INTENDED AS A FINAL DESIGN. PROPOSED GRADES SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL LAYOUT AND FINAL DESIGN.
- R. NO NEW IMPACTS TO EXISTING WETLANDS AND EXISTING NEUSE RIVER BUFFERS SHALL TAKE PLACE WITHOUT APPROVAL BY THE U.S. ARMY CORPS OF ENGINEERS, NCDENR, AND THE CITY OF RALEIGH. NO DISTURBANCE SHALL TAKE PLACE WITHIN JURISDICTIONAL WETLANDS AND NEUSE RIVER BUFFERS PRIOR TO RECEIPT OF ALL U.S. ARMY CORPS OF ENGINEERS & N.C. DIVISION OF WATER QUALITY PERMITS. THESE AREAS WILL BE FLAGGED AS "DO NOT ENTER" AREAS PRIOR TO RECEIPT OF PERMITS.
- S. PROPOSED GRADES SHOWN ARE APPROXIMATE. ACTUAL FINAL GRADES TO BE BASED ON FINAL APPROVED CONSTRUCTION PLAN DRAWINGS.
- T. ALL STREETS SHOWN ON THESE PLANS SHALL HAVE THE FULL WIDTH OF THE RIGHT-OF-WAY CLEARED AND GRADED WITHIN 50 FEET OF ALL STREET INTERSECTIONS.



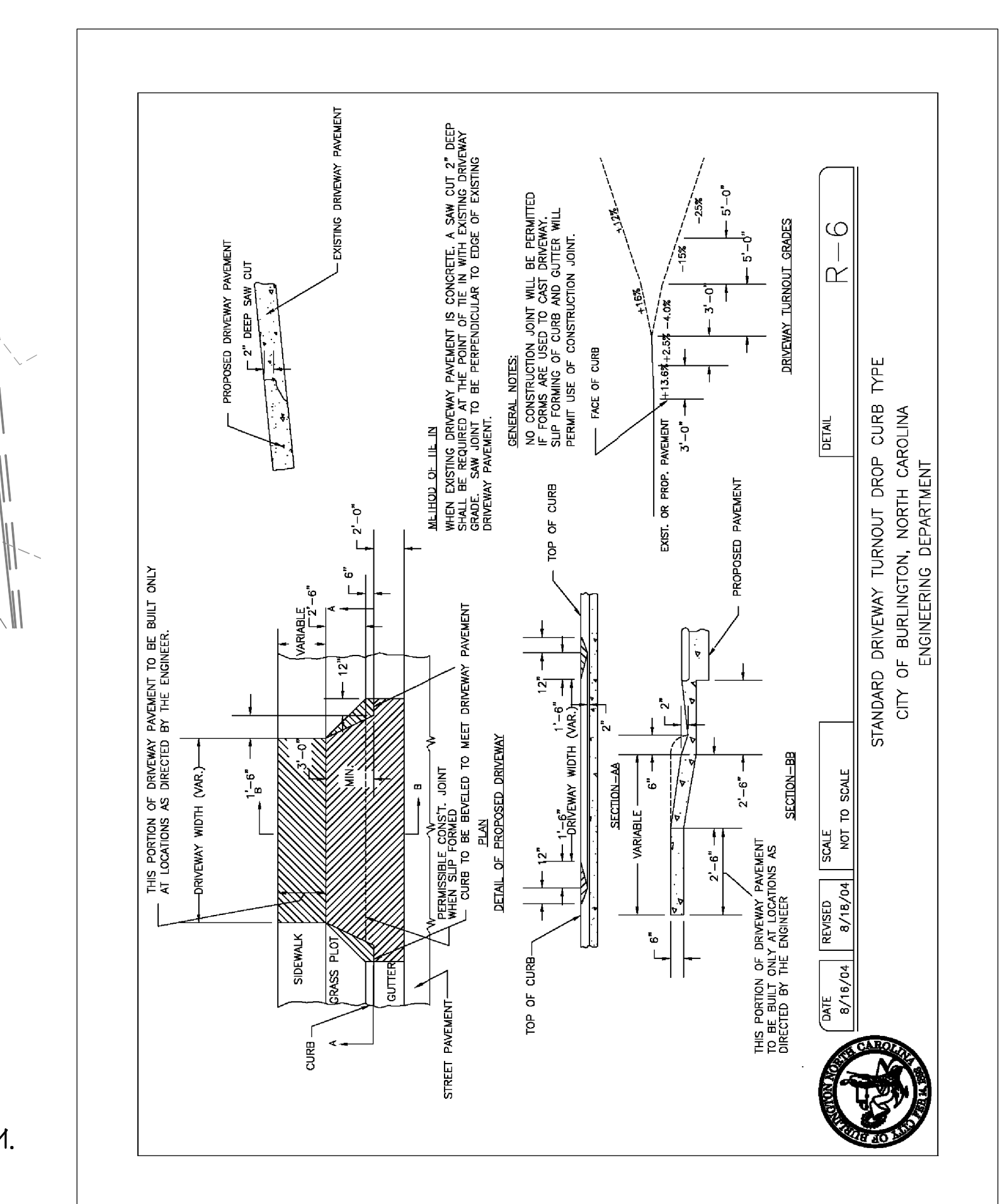
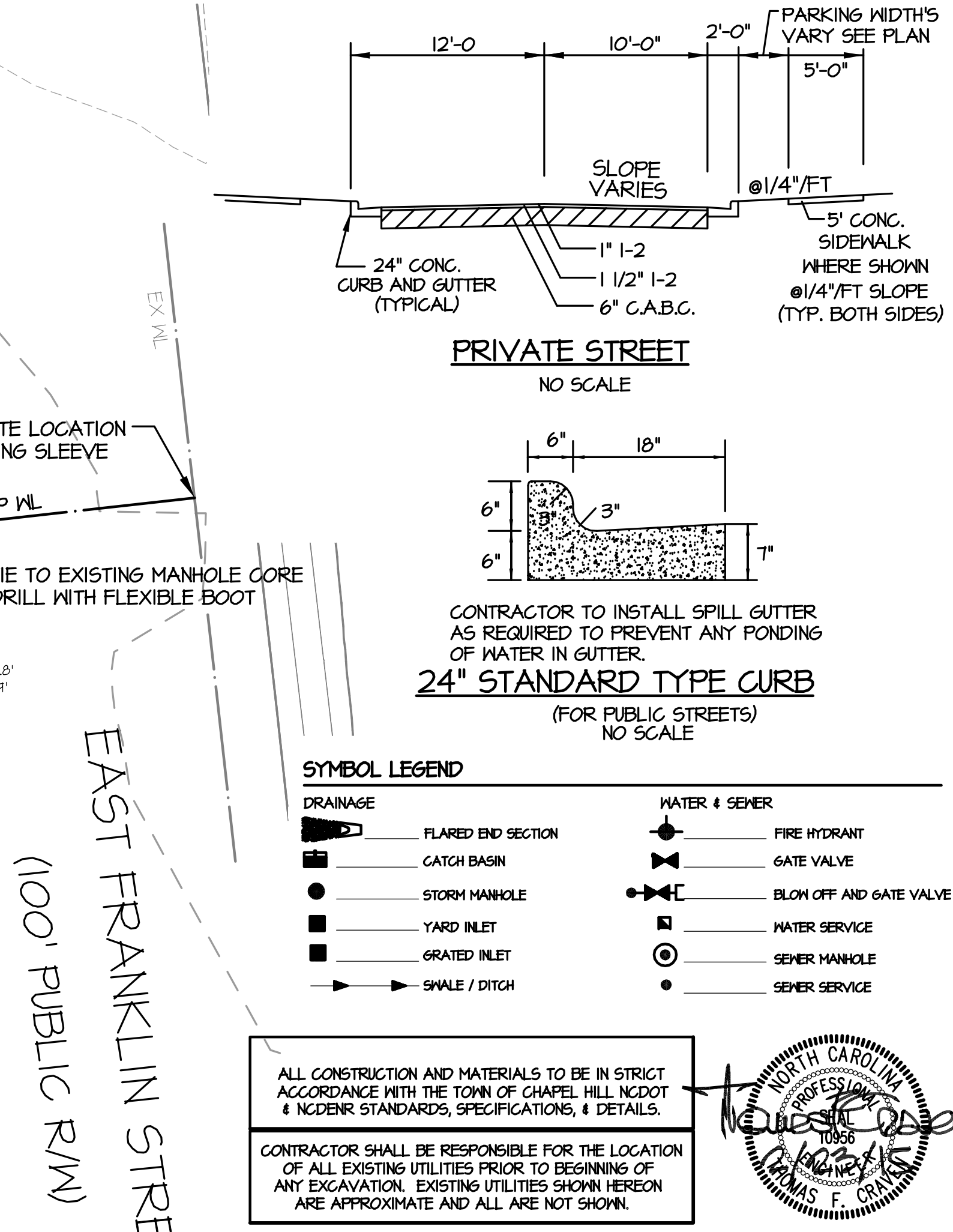
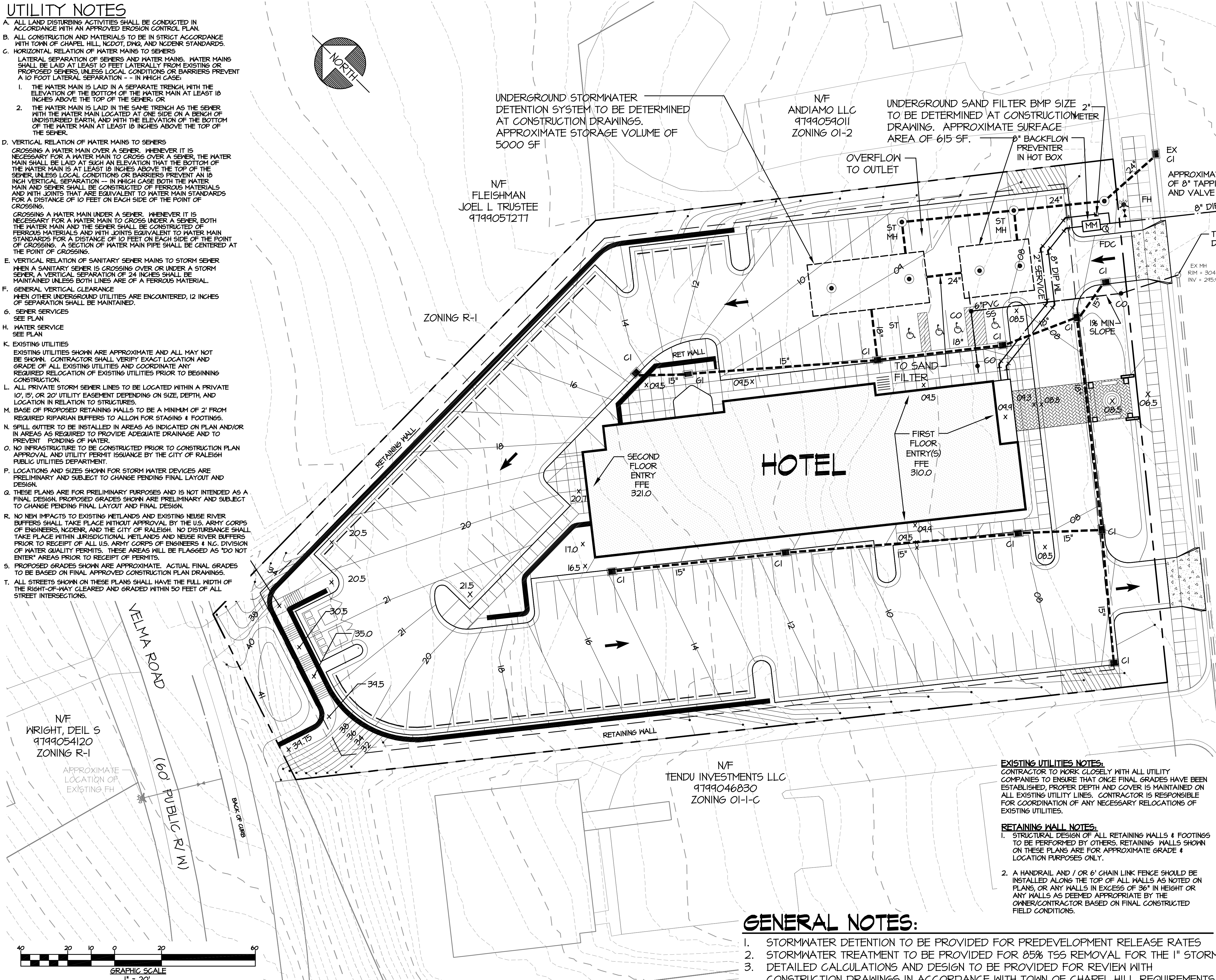
SPECIAL USE PERMIT
1609 E FRANKLIN ST
 CHAPEL HILL, NORTH CAROLINA
 SPONSORED BY: TBD

SCALE: 1" = 20'
 DATE: DECEMBER 24, 2014
 PROJECT: 2014-004.001

PRELIMINARY SITE UTILITY PLAN

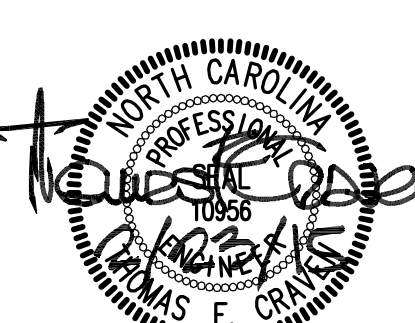
REVISION #1 TOWN STAFF REVIEW 2-23-2015

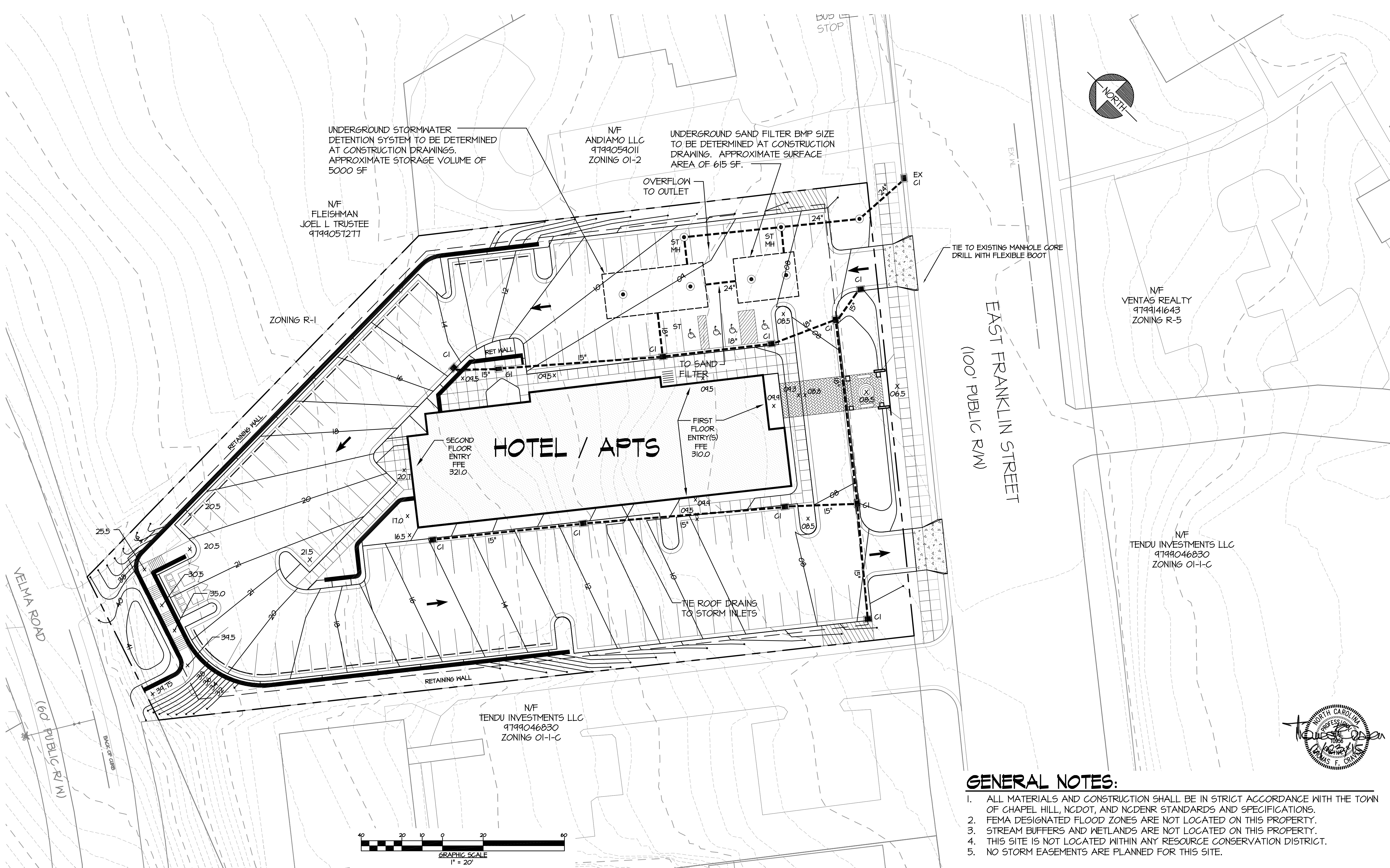
PRIEST, CRAVEN & ASSOCIATES, INC.
 LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
 3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488



- GENERAL NOTES:**
1. STORMWATER DETENTION TO BE PROVIDED FOR PREDEVELOPMENT RELEASE RATES
 2. STORMWATER TREATMENT TO BE PROVIDED FOR 85% TSS REMOVAL FOR THE 1" STORM.
 3. DETAILED CALCULATIONS AND DESIGN TO BE PROVIDED FOR REVIEW WITH CONSTRUCTION DRAWINGS IN ACCORDANCE WITH TOWN OF CHAPEL HILL REQUIREMENTS.

- EXISTING UTILITIES NOTES:**
 CONTRACTOR TO WORK CLOSELY WITH ALL UTILITY COMPANIES TO ENSURE THAT ONCE FINAL GRADES HAVE BEEN ESTABLISHED, PROPER DEPTH AND COVER IS MAINTAINED ON ALL EXISTING UTILITY LINES. CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF ANY NECESSARY RELOCATIONS OF EXISTING UTILITIES.
- RETAINING WALL NOTES:**
1. STRUCTURAL DESIGN OF ALL RETAINING WALLS & FOOTINGS TO BE PERFORMED BY OTHERS. RETAINING WALLS SHOWN ON THESE PLANS ARE FOR APPROXIMATE GRADE & LOCATION PURPOSES ONLY.
 2. A HANDRAIL AND / OR 6' CHAIN LINK FENCE SHOULD BE INSTALLED ALONG THE TOP OF ALL WALLS AS NOTED ON PLANS, OR ANY WALLS IN EXCESS OF 36" IN HEIGHT OR ANY WALLS AS DEEMED APPROPRIATE BY THE OWNER/CONTRACTOR BASED ON FINAL CONSTRUCTED FIELD CONDITIONS.





- GENERAL NOTES:**
1. ALL MATERIALS AND CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE TOWN OF CHAPEL HILL, NCDOT, AND NCDENR STANDARDS AND SPECIFICATIONS.
 2. FEMA DESIGNATED FLOOD ZONES ARE NOT LOCATED ON THIS PROPERTY.
 3. STREAM BUFFERS AND WETLANDS ARE NOT LOCATED ON THIS PROPERTY.
 4. THIS SITE IS NOT LOCATED WITHIN ANY RESOURCE CONSERVATION DISTRICT.
 5. NO STORM EASEMENTS ARE PLANNED FOR THIS SITE.



<p>SPECIAL USE PERMIT</p> <p>1609 E FRANKLIN ST</p> <p>SPONSORED BY: TBD</p> <p>CHAPEL HILL, NORTH CAROLINA</p>		<p>SCALE: 1" = 20'</p> <p>DATE: DECEMBER 29, 2014</p> <p>PROJECT: 2014-004.001</p>	<p>PRELIMINARY STORMWATER MANAGEMENT PLAN</p>	<p>REVISION #1 TOWN STAFF REVIEW 2-29-2015</p>	<p>PRIEST, CRAVEN & ASSOCIATES, INC.</p> <p>LAND USE CONSULTANTS PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS</p> <p>3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PrestCraven.com / Firm #: C-0488</p>	<p>07</p>
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LANDSCAPE CALCULATIONS:

PER 3.11(G) OF THE TOWN OF CHAPEL HILL DESIGN MANUAL

BUFFER PLANTINGS

TYPE 1 st BUFFER (0' WIDE - NORTHEAST SIDE OF PROPERTY)		
LARGE TREES REQUIRED:	(202/100)*4	8 TREES
SMALL TREES REQUIRED:	(202/100)*1	14 TREES
SHRUBS REQUIRED:	(202/100)*2	24 SHRUBS
TYPE 1 st BUFFER (0' WIDE - NORTHEAST SIDE OF PROPERTY)		
LARGE TREES REQUIRED:	(212/100)*4	8 TREES
SMALL TREES REQUIRED:	(212/100)*1	14 TREES
SHRUBS REQUIRED:	(212/100)*2	24 SHRUBS
TYPE 1 st BUFFER (20' WIDE - ADJACENT TO VELMA RD)		
LARGE TREES REQUIRED:	(80/100)*5	4 TREES
SMALL TREES REQUIRED:	(80/100)*10	8 TREES
SHRUBS REQUIRED:	(80/100)*36	24 SHRUBS
TYPE 1 st BUFFER (0' WIDE - SOUTHWEST SIDE OF PROPERTY)		
LARGE TREES REQUIRED:	(575/100)*4	19 TREES
SMALL TREES REQUIRED:	(575/100)*1	23 TREES
SHRUBS REQUIRED:	(575/100)*2	40 SHRUBS
TYPE 1 st BUFFER (20' WIDE - ADJACENT TO EAST FRANKLIN ST)		
LARGE TREES REQUIRED:	(170/100)*5	4 TREES
SMALL TREES REQUIRED:	(170/100)*10	11 TREES
SHRUBS REQUIRED:	(170/100)*36	61 SHRUBS
TOTAL BUFFER PLANTINGS PROVIDED:		44 TREES
LARGE TREES PROVIDED:		16 TREES
SMALL TREES PROVIDED:		17 TREES
SHRUBS PROVIDED:		74 SHRUBS

BUFFER LARGE TREE PLANT LIST

2.5' CALIPER TREES (28)			
NYSSA SYLVATICA	BLACK GUM	SYL	8
PNUS VIRGINIANA	VIRGINIA PINE	VIR	4
MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	GRA	4
QUERCUS LAURIFOLIA	LAUREL OAK	LAU	4
4' CALIPER TREES (16)			
ULMUS PARVIFOLIA	CHINESE ELM	ELM	8
ACER FLORIDANUM	SOUTHERN SUGAR MAPLE	SUG	8

BUFFER SMALL TREE PLANT LIST (16)

LAGERSTROEMIA INDICA	GRAPE MYRTLE	IND	16
PRUNUS CAROLINIANA	CHERRY LAUREL	CAR	16
MAGNOLIA VIRGINIANA	SWEET BAY MAGNOLIA	MAG	16
QUERCUS PAUCIFOLIA	CHESTNUT OAK	PAG	16

BUFFER SHRUB PLANT LIST (218)

ILEX GLABRA	INKBERRY HOLLY	GLA	54
MYRICA CERIFERA 'NANA'	DWARF WAXMYRTLE	GER	56
ILEX VERTICILLATA	WINTERBERRY HOLLY	VER	54
HYDRANGEA QUERCIFOLIA	OAKLEAF HYDRANGEA	QUE	54

VEHICULAR SURFACE AREAS:

TOTAL AREA IN VSA		34,880 SF
TREES REQUIRED:	34,880 / 2000	17 TREES
LARGE TREES PROVIDED:		10
SMALL TREES PROVIDED:		12

*THE AMOUNT OF BUFFER AREA LARGE TREES MEET THE ABOVE REQUIREMENT

VSA LARGE TREE PLANT LIST

NYSSA SYLVATICA	BLACK GUM	SYL	10
MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	GRA	10
QUERCUS LAURIFOLIA	LAUREL OAK	LAU	10

VSA SMALL TREE PLANT LIST

LAGERSTROEMIA INDICA	GRAPE MYRTLE	IND	10
PRUNUS CAROLINIANA	CHERRY LAUREL	CAR	10
QUERCUS PAUCIFOLIA	CHESTNUT OAK	PAG	10

(25) SHRUBS
INSTALL 8'-9' WAX MYRTLE IN SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

(29) SHRUBS
INSTALL 8'-9' WAX MYRTLE IN SEE LANDSCAPE CALCULATIONS

(3) TYPE C 20' LANDSCAPE BUFFER

(6) LARGE TREES (4" CAL)
(4 - 4" CAL, 2 - 2.5" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

(8) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

(4) TYPE B 10' LANDSCAPE BUFFER

(13) LARGE TREES (2.5" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

(40) SHRUBS
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

TOWN STANDARD MINIMUM PLANTING SIZES
PER 3.11(G) OF THE TOWN OF CHAPEL HILL DESIGN MANUAL
LARGER SIZES MAY BE REQUIRED, HOWEVER, FOR SPECIFIC LANDSCAPE APPLICATIONS INCLUDING PARKING LOT SCREENING.

GROUND COVER:	2' POTS
SHRUBS:	18" IN HEIGHT
SMALL TREES:	5' IN HEIGHT
LARGE TREES:	2' CALIPER
STREET TREES:	12' IN HEIGHT, LIMBED UP TO A MINIMUM OF 7' IN AREAS OF PEDESTRIAN TRAFFIC.

TREE PLACEMENT REQUIREMENTS

PER 3.11(G) OF THE TOWN OF CHAPEL HILL DESIGN MANUAL

- LARGE TREES: ARE TREES REACHING A MATURE HEIGHT OF THIRTY FIVE (35) FEET OR MORE AND SHALL BE PLANTED A MINIMUM OF:
 - 3 1/2 FEET FROM BACK OF CURB, OR EDGE OF STREET PAVEMENT AND DRIVEWAYS (ALLOW FOR ANY PROPOSED FUTURE STREET WIDENING);
 - 3-1/2 FEET FROM SIDEWALKS AND OTHER PAVED PEDESTRIAN SURFACES EXCEPT WHERE URBAN CONDITIONS WOULD PROHIBIT ANY PLANTING;
 - 10 FEET FROM ALL BUILDINGS;
 - 15 FEET FROM STREETLIGHTS, UTILITY POLES AND ABOVEGROUND UTILITY WIRE;
 - 10 FEET FROM ALL UNDERGROUND UTILITIES; AND
 - 10 FEET FROM UTILITY VAULTS AND GROUND LEVEL UTILITY SURFACES
- SMALL TREES: ARE TREES REACHING A MATURE HEIGHT OF LESS THAN 35 FEET AND SHALL BE PLANTED A MINIMUM OF:
 - 3 1/2 FEET FROM BACK OF CURB, OR EDGE OF STREET PAVEMENT, AND DRIVEWAYS (ALLOW FOR ANY PROPOSED FUTURE STREET WIDENING);
 - 2-1/2 FEET FROM SIDEWALKS AND OTHER PAVED PEDESTRIAN SURFACES EXCEPT WHERE URBAN CONDITIONS WOULD PROHIBIT ANY PLANTING;
 - 5 FEET FROM ALL BUILDINGS;
 - 10 FEET FROM STREETLIGHTS, UTILITY POLES AND ABOVEGROUND UTILITY WIRE;
 - 5 FEET FROM ALL UNDERGROUND UTILITIES; AND
 - 5 FEET FROM UTILITY VAULTS AND GROUND LEVEL UTILITY SURFACES

- TYPE B 10' LANDSCAPE BUFFER
 - 3 1/2 FEET FROM BACK OF CURB, OR EDGE OF STREET PAVEMENT, AND DRIVEWAYS (ALLOW FOR ANY PROPOSED FUTURE STREET WIDENING);
 - 2-1/2 FEET FROM SIDEWALKS AND OTHER PAVED PEDESTRIAN SURFACES EXCEPT WHERE URBAN CONDITIONS WOULD PROHIBIT ANY PLANTING;
 - 5 FEET FROM ALL BUILDINGS;
 - 10 FEET FROM STREETLIGHTS, UTILITY POLES AND ABOVEGROUND UTILITY WIRE;
 - 5 FEET FROM ALL UNDERGROUND UTILITIES; AND
 - 5 FEET FROM UTILITY VAULTS AND GROUND LEVEL UTILITY SURFACES

- TYPE C 20' LANDSCAPE BUFFER
 - 3 1/2 FEET FROM BACK OF CURB, OR EDGE OF STREET PAVEMENT, AND DRIVEWAYS (ALLOW FOR ANY PROPOSED FUTURE STREET WIDENING);
 - 2-1/2 FEET FROM SIDEWALKS AND OTHER PAVED PEDESTRIAN SURFACES EXCEPT WHERE URBAN CONDITIONS WOULD PROHIBIT ANY PLANTING;
 - 5 FEET FROM ALL BUILDINGS;
 - 10 FEET FROM STREETLIGHTS, UTILITY POLES AND ABOVEGROUND UTILITY WIRE;
 - 5 FEET FROM ALL UNDERGROUND UTILITIES; AND
 - 5 FEET FROM UTILITY VAULTS AND GROUND LEVEL UTILITY SURFACES

- (8) LARGE TREES (2.5" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (8) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (13) LARGE TREES (2.5" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (40) SHRUBS
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (17) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (14) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

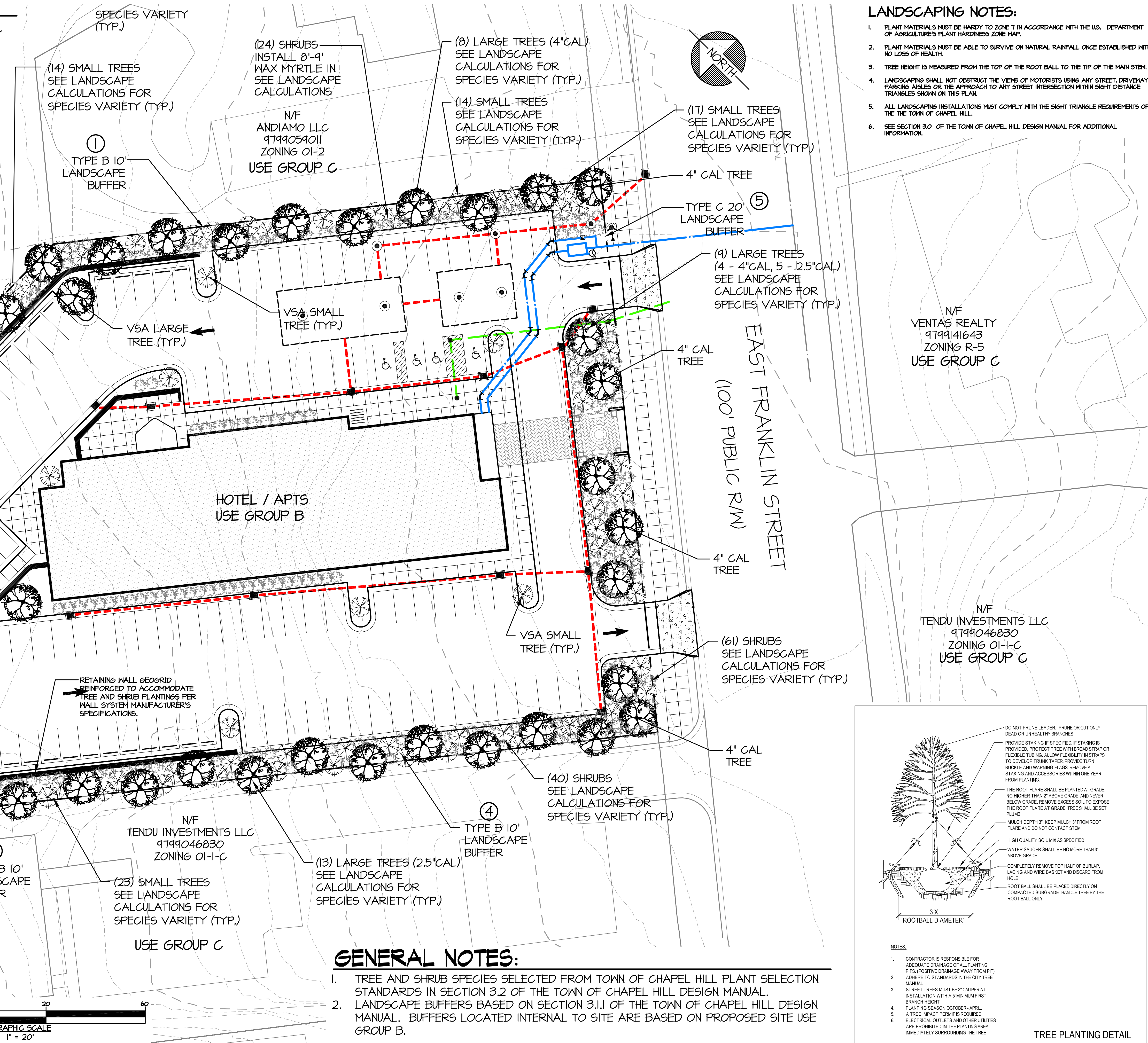
- (24) SHRUBS
INSTALL 8'-9' WAX MYRTLE IN SEE LANDSCAPE CALCULATIONS

- (14) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (8) LARGE TREES (4" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (9) LARGE TREES (4 - 4" CAL, 5 - 2.5" CAL)
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)

- (23) SMALL TREES
SEE LANDSCAPE CALCULATIONS FOR SPECIES VARIETY (TYP.)



LANDSCAPING NOTES:

- PLANT MATERIALS MUST BE HARDY TO ZONE 7 IN ACCORDANCE WITH THE U.S. DEPARTMENT OF AGRICULTURE'S PLANT HARDINESS ZONE MAP.
- PLANT MATERIALS MUST BE ABLE TO SURVIVE ON NATURAL RAINFALL ONCE ESTABLISHED WITH NO LOSS OF HEALTH.
- TREE HEIGHT IS MEASURED FROM THE TOP OF THE ROOT BALL TO THE TIP OF THE MAIN STEM.
- LANDSCAPING SHALL NOT OBSTRUCT THE VIEWS OF MOTORISTS USING ANY STREET, DRIVEWAY, PARKING AISLES OR THE APPROACH TO ANY STREET INTERSECTION WITHIN SIGHT DISTANCE TRIANGLES SHOWN ON THIS PLAN.
- ALL LANDSCAPING INSTALLATIONS MUST COMPLY WITH THE SIGHT TRIANGLE REQUIREMENTS OF THE TOWN OF CHAPEL HILL.
- SEE SECTION 3.0 OF THE TOWN OF CHAPEL HILL DESIGN MANUAL FOR ADDITIONAL INFORMATION.

N/F
VENTAS REALTY
9799141643
ZONING R-5
USE GROUP C

N/F
TENDU INVESTMENTS LLC
9799046830
ZONING 01-I-C
USE GROUP C

N/F
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ZONING 01-I-C
USE GROUP C

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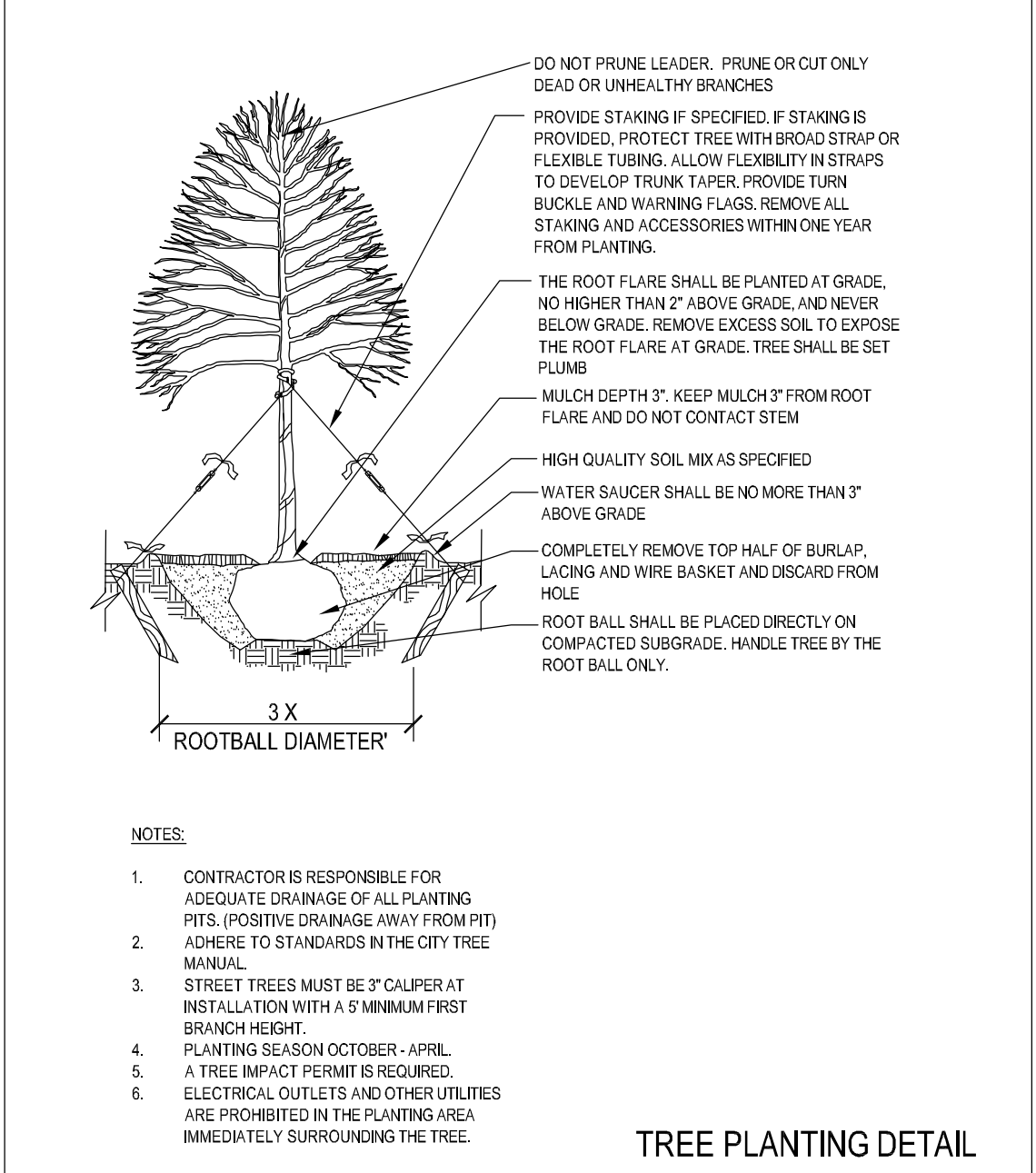
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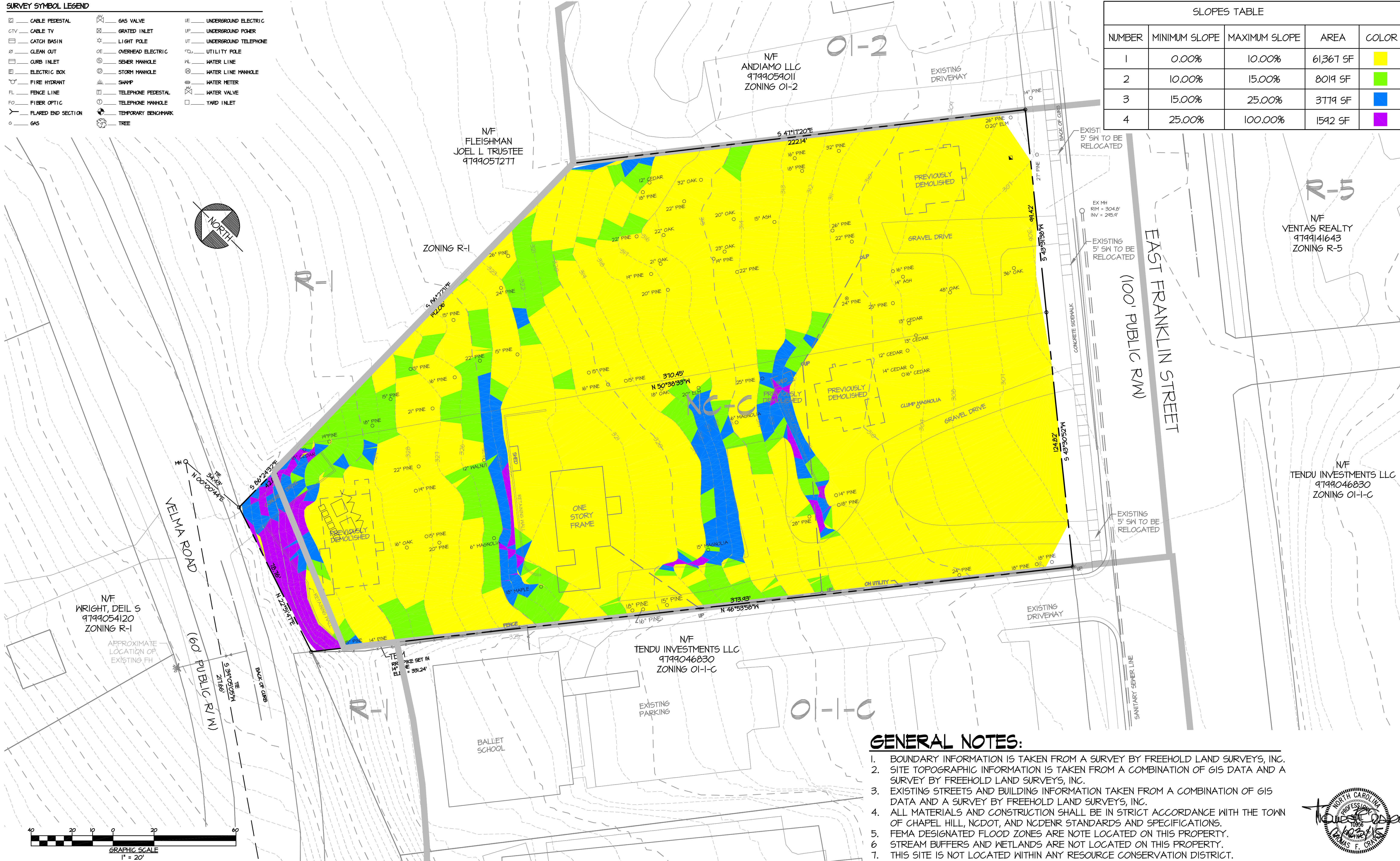


- GENERAL NOTES:**
- TREE AND SHRUB SPECIES SELECTED FROM TOWN OF CHAPEL HILL PLANT SELECTION STANDARDS IN SECTION 3.2 OF THE TOWN OF CHAPEL HILL DESIGN MANUAL.
 - LANDSCAPE BUFFERS BASED ON SECTION 3.11 OF THE TOWN OF CHAPEL HILL DESIGN MANUAL. BUFFERS LOCATED INTERNAL TO SITE ARE BASED ON PROPOSED SITE USE GROUP B.

SPECIAL USE PERMIT		SCALE: 1" = 20'	PRELIMINARY SITE LANDSCAPE PLAN	REVISION #1	TOWN STAFF REVIEW	2-23-2015	PRIEST, CRAVEN & ASSOCIATES, INC. LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS 3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 782-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488	08
1609 E FRANKLIN ST CHAPEL HILL, NORTH CAROLINA		DATE: DECEMBER 24, 2014		PROJECT: 2014-004.001				

SURVEY SYMBOL LEGEND

SLOPES TABLE				
NUMBER	MINIMUM SLOPE	MAXIMUM SLOPE	AREA	COLOR
1	0.00%	10.00%	61,367 SF	Yellow
2	10.00%	15.00%	8,019 SF	Light Green
3	15.00%	25.00%	3,779 SF	Blue
4	25.00%	100.00%	1,592 SF	Purple

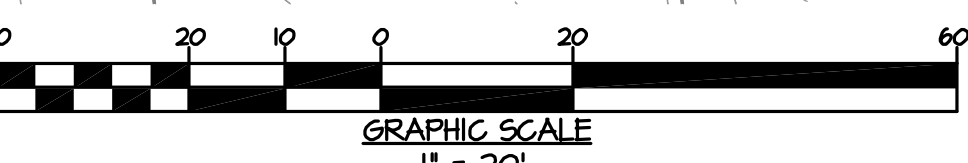
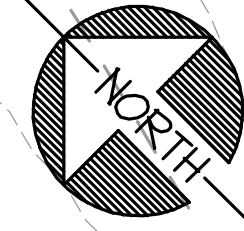


GENERAL NOTES:

- BOUNDARY INFORMATION IS TAKEN FROM A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- SITE TOPOGRAPHIC INFORMATION IS TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- EXISTING STREETS AND BUILDING INFORMATION TAKEN FROM A COMBINATION OF GIS DATA AND A SURVEY BY FREEHOLD LAND SURVEYS, INC.
- ALL MATERIALS AND CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE TOWN OF CHAPEL HILL, NCDOT, AND NCDENR STANDARDS AND SPECIFICATIONS.
- FEMA DESIGNATED FLOOD ZONES ARE NOTE LOCATED ON THIS PROPERTY.
- STREAM BUFFERS AND WETLANDS ARE NOT LOCATED ON THIS PROPERTY.
- THIS SITE IS NOT LOCATED WITHIN ANY RESOURCE CONSERVATION DISTRICT.



<p>SPECIAL USE PERMIT</p> <p>1609 E FRANKLIN ST</p> <p>SPONSORED BY: TBD</p> <p>CHAPEL HILL, NORTH CAROLINA</p>		<p>SCALE: 1" = 20'</p> <p>DATE: DECEMBER 29, 2014</p> <p>PROJECT: 2014-004.001</p>	<p>SLOPE ANALYSIS</p>	<p>REVISION #1 TOWN STAFF REVIEW 2-23-2015</p>	<p>PRIEST, CRAVEN & ASSOCIATES, INC.</p> <p>LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS</p> <p>3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488</p>	<p>09</p>
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ALL LOCATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE. EXACT LOCATIONS WILL BE DETERMINED WITH CONSTRUCTION DRAWING PREPARATION.

N/F FLEISHMAN JOEL L TRUSTEE 9799051277

N/F ANDIAMO LLC 9799059011 ZONING 01-2

N/F VENTAS REALTY 9799141643 ZONING R-5

N/F TENDU INVESTMENTS LLC 9799046830 ZONING 01-I-C

N/F WRIGHT, DEIL S 9799054120 ZONING R-1

N/F TENDU INVESTMENTS LLC 9799046830 ZONING 01-I-C

ZONING R-1

EAST FRANKLIN STREET (100' PUBLIC R/W)

VELMA ROAD

(90' PUBLIC R/W)

STAGING, STORAGE AND STOCKPILE AREA

CONSTRUCTION TRAILER

CONSTRUCTION PARKING

DELIVERY AND EMERGENCY ACCESS ROUTE

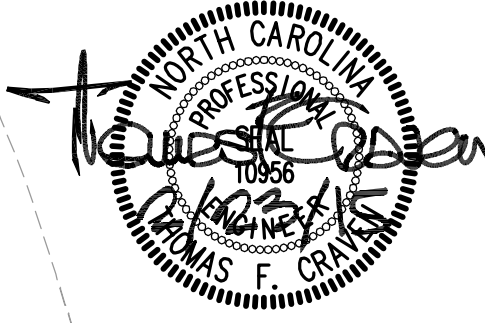
BUILDING LOCATION

STAGING, STORAGE AND STOCKPILE AREA

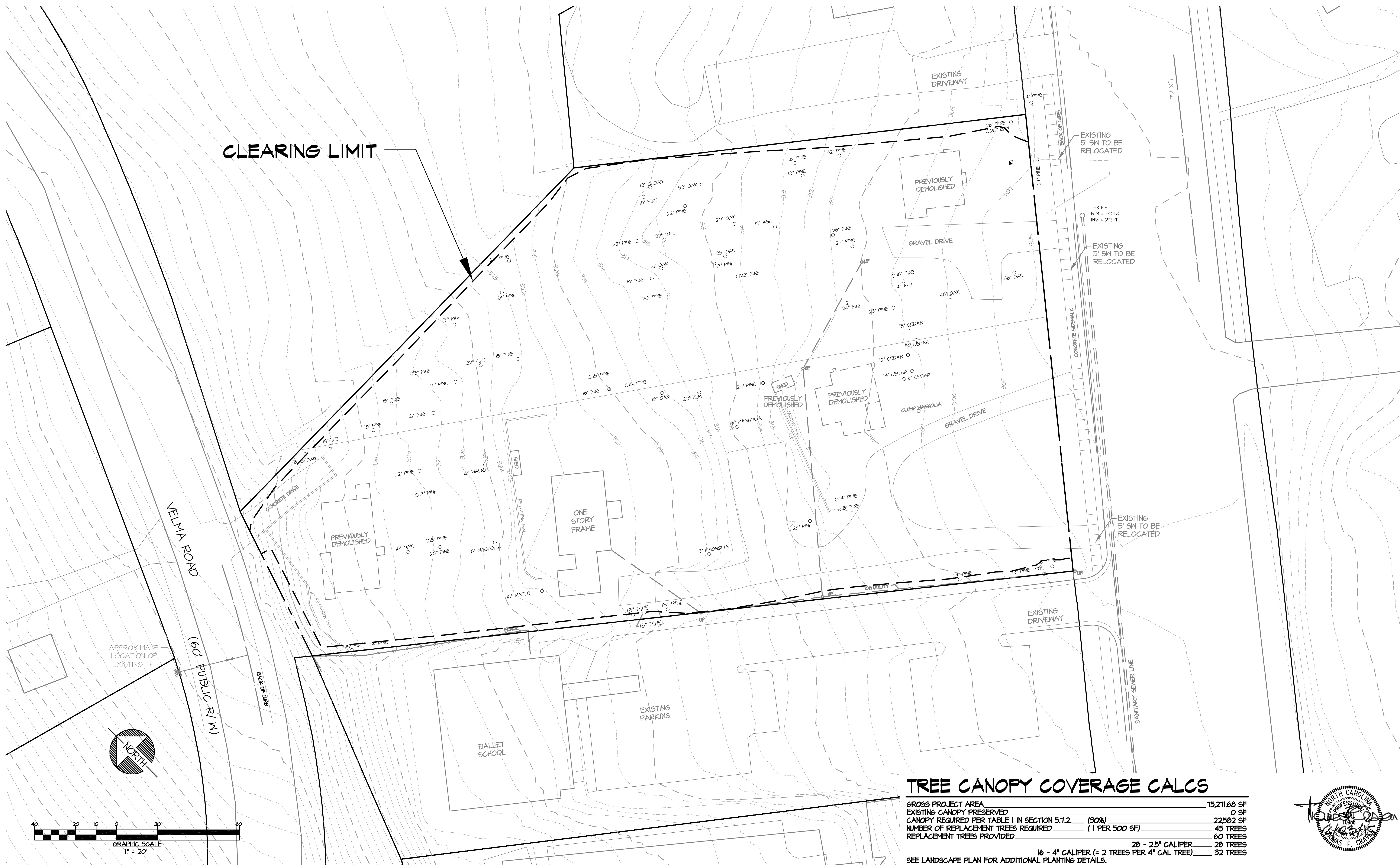
DELIVERY AND EMERGENCY ACCESS ROUTE

CONSTRUCTION ENTRANCE AT EXISTING DRIVEWAY

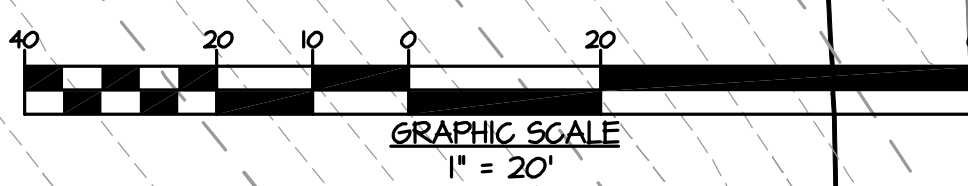
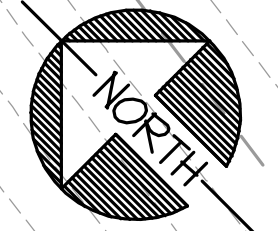
CONSTRUCTION ENTRANCE AT EXISTING DRIVEWAY



<p>SPECIAL USE PERMIT</p> <h1>1609 E FRANKLIN ST</h1> <p>SPONSORED BY: TBD</p> <p>CHAPEL HILL, NORTH CAROLINA</p>		<p>SCALE: 1" = 20'</p> <p>DATE: DECEMBER 29, 2014</p> <p>PROJECT: 2014-004.001</p>	<h2>PRELIMINARY CONSTRUCTION MANAGEMENT PLAN</h2>	<p>REVISION #1 TOWN STAFF REVIEW 2-23-2015</p>	<p>PRIEST, CRAVEN & ASSOCIATES, INC.</p> <p>LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS</p> <p>3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488</p>	<p>10</p>
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APPROXIMATE LOCATION OF EXISTING FH



TREE CANOPY COVERAGE CALCS

GROSS PROJECT AREA	75,271.68 SF
EXISTING CANOPY PRESERVED	0 SF
CANOPY REQUIRED PER TABLE I IN SECTION 5.1.2. (30%)	22,582 SF
NUMBER OF REPLACEMENT TREES REQUIRED (1 PER 500 SF)	45 TREES
REPLACEMENT TREES PROVIDED	60 TREES
	28 - 25" CALIPER
	28 TREES
	16 - 4" CALIPER (= 2 TREES PER 4" CAL TREE)
	32 TREES

SEE LANDSCAPE PLAN FOR ADDITIONAL PLANTING DETAILS.



SPECIAL USE PERMIT
1609 E FRANKLIN ST
 SPONSORED BY: TBD
 CHAPEL HILL, NORTH CAROLINA

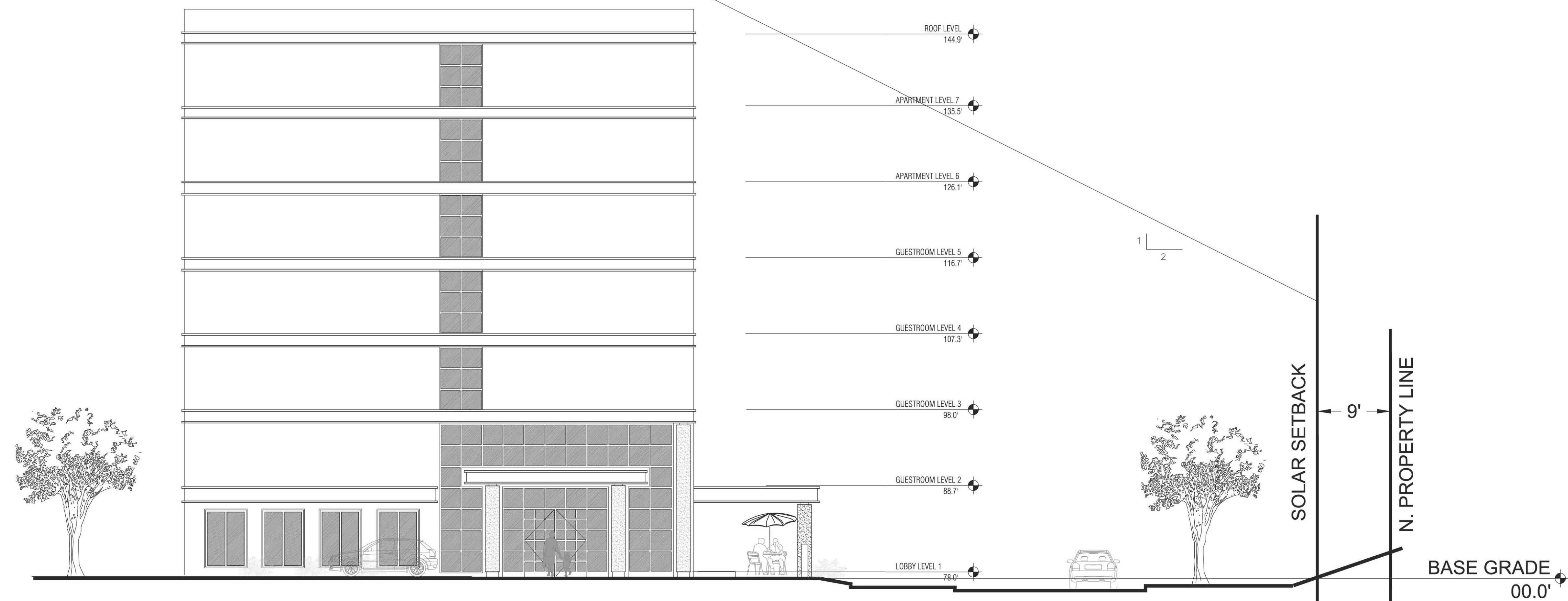
SCALE: 1"=20'
 DATE: DECEMBER 29, 2014
 PROJECT: 2014-004.001

TREE PRESERVATION PLAN AND CANOPY CALCULATIONS

REVISION #1 TOWN STAFF REVIEW 2-25-2015

PRIEST, CRAVEN & ASSOCIATES, INC.
 LAND USE CONSULTANTS / PLANNERS / LANDSCAPE DESIGNERS / SURVEYORS / ENGINEERS
 3803 - B Computer Drive, Suite 104 Raleigh, N.C. 27609 . Phone 919 / 781-0300 . Fax 919 / 782-1288 . Email PCA@PriestCraven.com / Firm #: C-0488

REVISIONS	DATE



1 SOLAR SETBACK DIAGRAM
SCALE: 1" = 20'-0"

MIXED USE - HOTEL / APARTMENT DEVELOPMENT
1609 E. FRANKLIN STREET
CHAPEL HILL, NC



2 POOL SIDE ELEVATION
SCALE: 1/8" = 1'-0"

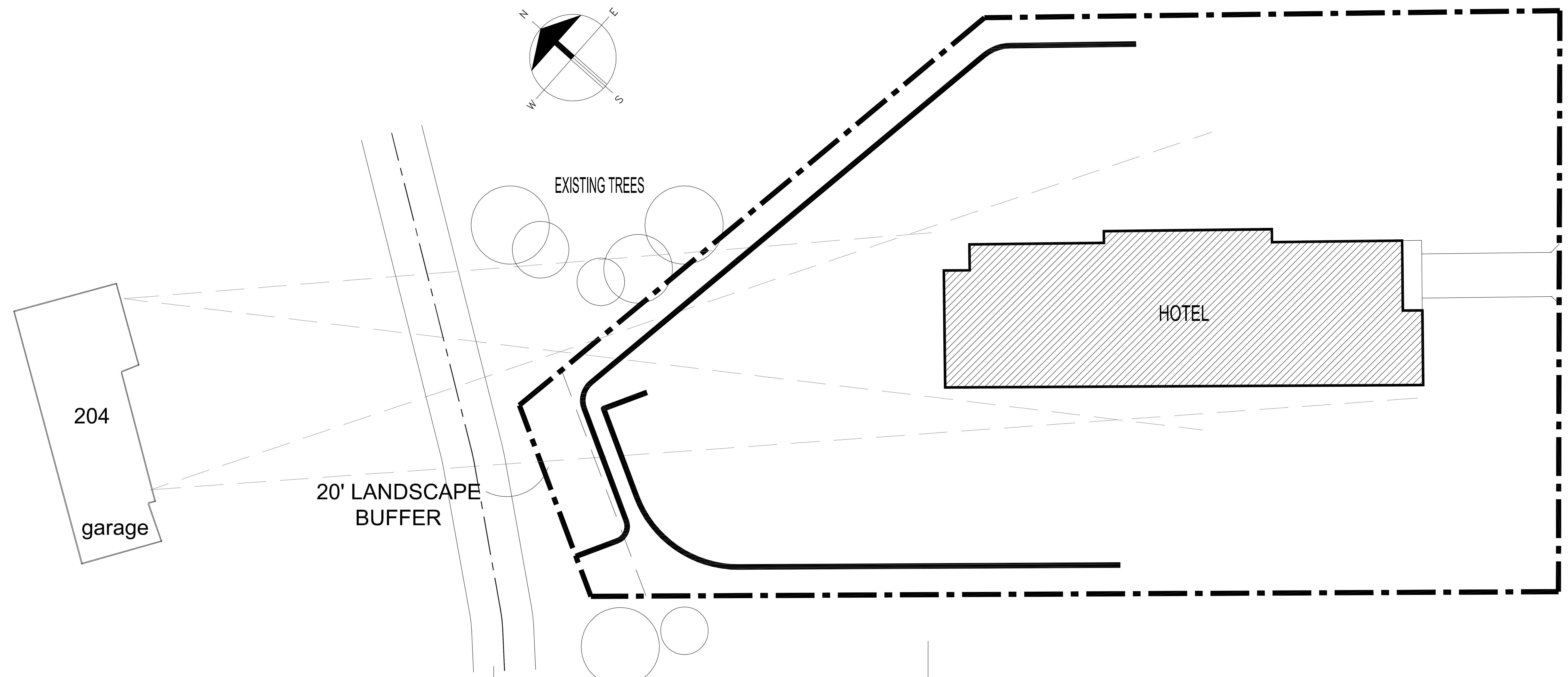
DANIEL LEMBERG - ARCHITECT
3445 CONCORD CORNER
CONYERS, GA 30013
(770) 922-8322

DRAWN
DLL
DATE
12-18-2014
JOB NO.

SHEET
ELEV.

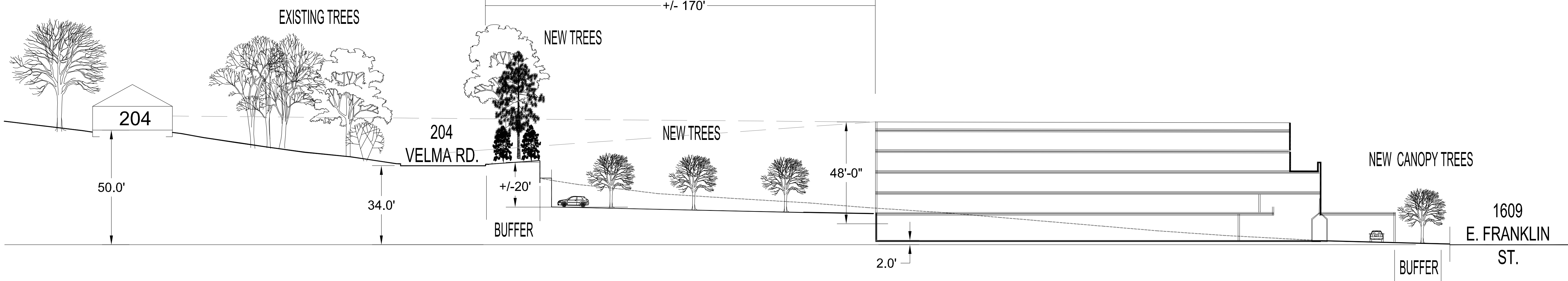
ALL DRAWINGS ARE THE INTELLECTUAL PREPARE OF DANIEL L. LEMBERG

REVISIONS	DATE



ONE HUNDRED TEN ROOM HOTEL
 1609 E. FRANKLIN STREET
 CHAPEL HILL, NC

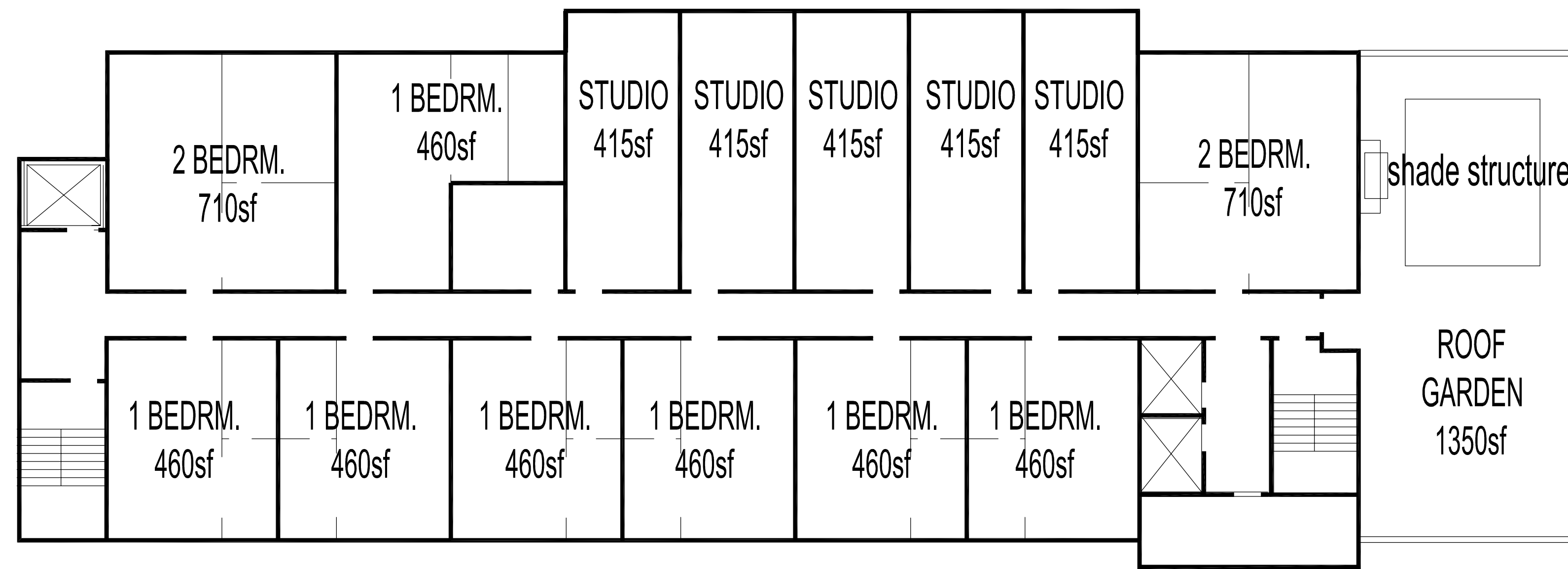
DANIEL LEMBERG - ARCHITECT & ASSOCIATES
 3445 CONCORD CORNER
 CONYERS, GA 30013
 (770) 922-8322



PROPOSED SITE SECTION
 SCALE 1"=20'

DRAWN DLL
DATE 2-23-2015
JOB NO.
SHEET
SITE

REVISIONS	DATE

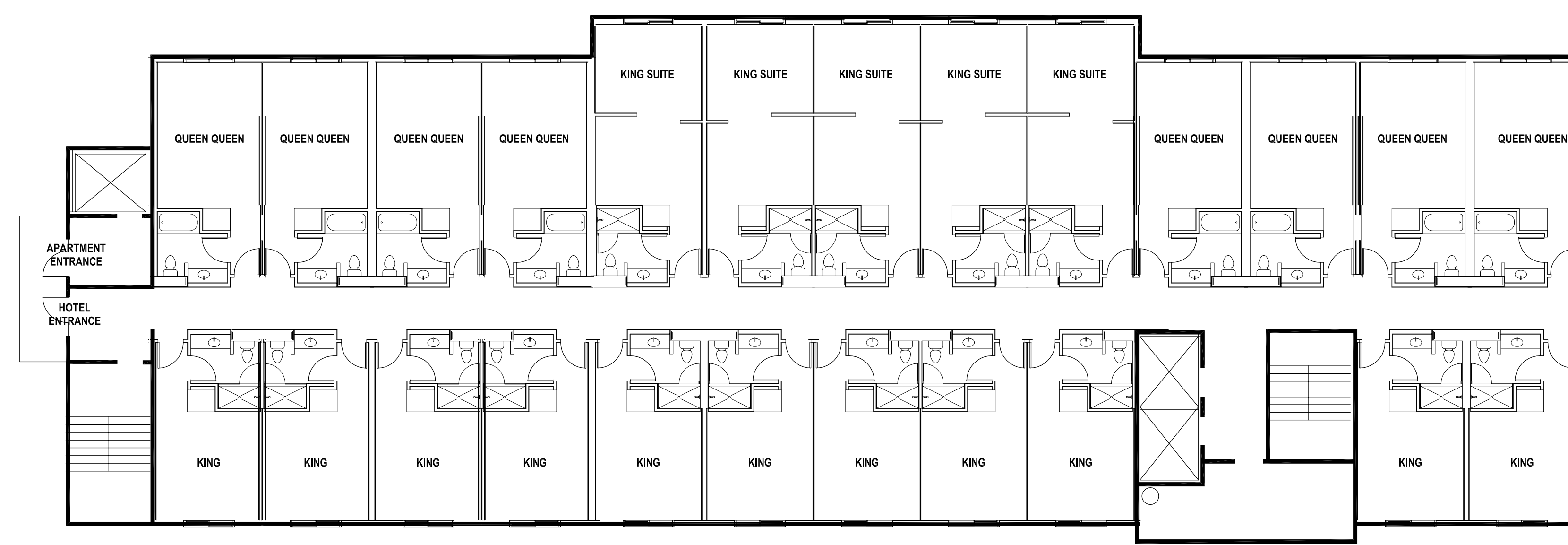


APARTMENT FLOORS 6-7
28 APARTMENTS

8,600 sf/floor = 17,200 sf

APARTMENT AREA = 25.4% of total building area

MIXED USE - HOTEL/APARTMENT DEVELOPMENT
1609 E. FRANKLIN STREET
CHAPEL HILL, NC

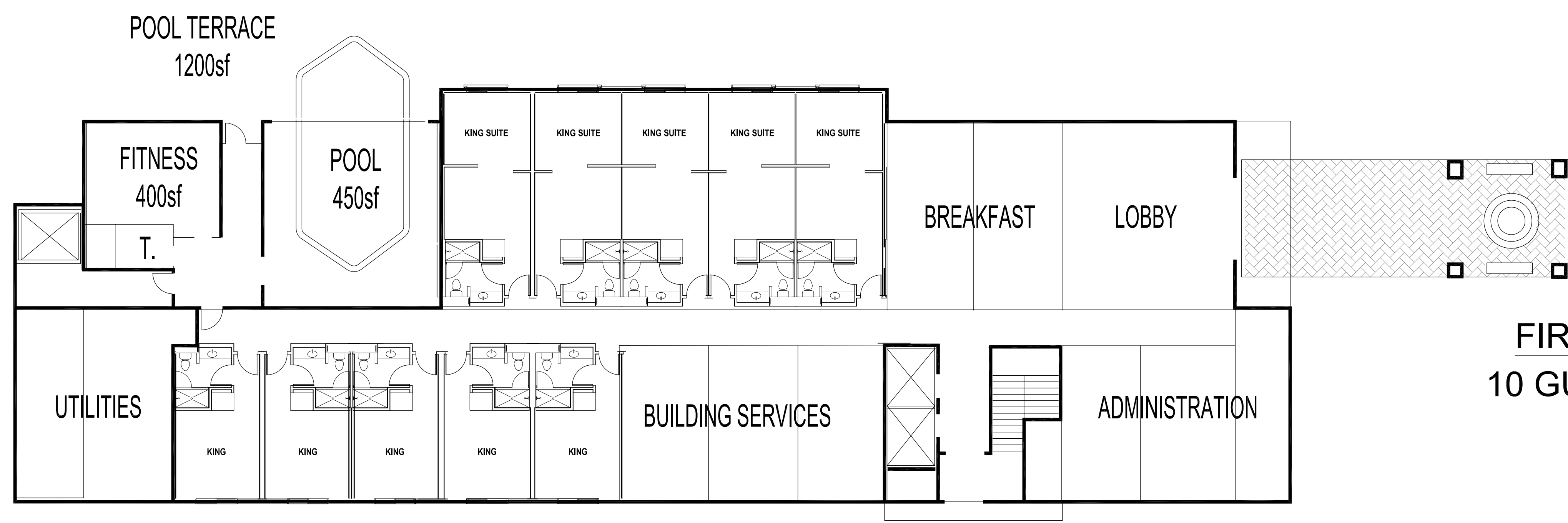


HOTEL FLOORS 2-5

96 GUESTROOMS

10,041 sf/floor = 40,164 sf

DANIEL LEMBERG - ARCHITECT
3445 CONCORD CORNER
CONYERS, GA 30013
(770) 922-8322



FIRST FLOOR

10 GUESTROOMS

10,248 sf

TOTAL BUILDING AREA = 67,612 sf

DRAWN DLL
DATE 12-18-2014
JOB NO.
SHEET
KEY PLANS



E FRANKLIN HOTEL - AERIAL VIEW LEFT/FRONT

SCHEMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - AERIAL VIEW RIGHT/FRONT

SCHEMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - DANCE STUDIO PKG VIEW

SCHEMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - RIGHT/FRONT

SCHEMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - FRONT/RIGHT

SCHMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - INTERIOR LOBBY LOOKING OUT

SCHEMATIC DESIGN - 2015.04.29



E FRANKLIN HOTEL - VELMA ST/EXIST MAILBOX

SCHEMATIC DESIGN - 2015.04.29

MICHAEL G. THOMAS
843.715-9434/OFC
843.816.0678/CELL
MTHOMAS.ICON@GMAIL.COM

ICON
ARCHITECTURE / PLANNING



E FRANKLIN HOTEL - VELMA ST/EXIST WOODS

SCHEMATIC DESIGN - 2015.04.29

MICHAEL G. THOMAS
843.715-9434/OFC
843.816.0678/CELL
MTHOMAS.ICON@GMAIL.COM

ICON
ARCHITECTURE / PLANNING

Summary of Council Minutes, 1/22/14 1609 Franklin Street Concept Plan*

**Note the following responses are based on the latest revised Mixed-Use Building Proposal. Staff did not require this proposal go back before Council for another Concept Review. Some of the meeting comments may now not be applicable because of the latest Proposal.*

Development Manager Gene Poveromo gave a PowerPoint presentation regarding a proposed five- to six-story hotel on 2.7 acres. He showed an area map, an aerial photo and a land use map, and noted that the 110-room hotel would be adjacent to the Coker Hills Neighborhood Conservation District. If the applicant decided to move ahead with a formal application, staff would return to the Town's advisory boards and the Council, and neighbors would be notified of a public information meeting, Mr. Poveromo said. *Current proposal is now a seven story Mixed-Use Building.*

Council Member Harrison confirmed with Mr. Poveromo that the zoning for the proposed use might be Community Commercial. *Current application is for MU-V (Arterial)*

Charles Walker, representing Howard Perry and Walton (HPW) Commercial, gave a PowerPoint presentation regarding the fiscal impact of the proposed project. He estimated the tax value at approximately \$16 million and said there would be 40 to 50 permanent jobs plus approximately 100 construction jobs created. Mr. Perry predicted that the hotel would generate about \$1/2 million in occupancy and sales taxes. He showed a list of community Design Commission (CDC) suggestions as well as staff and public review comments. Mr. Perry discussed moving the building forward, eliminating some parking, adding more recycling bins, adding detail along Franklin Street, diminishing the impact on Velma Street, stepping the building back from the street, removing houses from the site, and adherence to the Town's shade ordinance. *The fiscal impact has changed along with the application. The applicant has consulted with Town Staff and has created a revised report. See supporting documents in package.*

Anthony Carey, Siena Hotel manager, said that hotel projects that had already planned in Town would more than meet the needs. He stated that current hotels had been sold out only once between July and December of 2013 and provided other statistics to support his argument that a new hotel was not needed. Mr. Carey said that the proposed hotel would create an oversupply, which would spread tax dollars rather than increase them. *At the time, the public thought the proposal was for another boutique hotel. It was not. The hotel component of the Mixed-Use Proposal is a Tier B chain style hotel. Rates are predicted to be closer to 110.00/night. Not the more expensive Carolina Inn, Sienna etc. That need, within Town Limits is not currently being met.*

Terry Vance, a psychotherapist at Psychology Associates, pointed out that her work depended upon having a small, intimate atmosphere that was quiet and private. Aside from not needing another hotel in town, the proposal would increase traffic on Franklin Street, create noise and make her work impossible, she said. Psychology Associates was a long established independent business that had been in that location for 40 years, Ms. Vance pointed out. *The Applicant has met with Ms. Vance and offered ways to try and address her concerns.*

Erin Langston, the Coker Hills Neighborhood Association president, said that residents of Velma Drive and others who were adjacent to this property felt that a five-story hotel was completely incompatible with the area, and they were concerned about the plan to cram 110 parking spots on that small piece of land. He discussed potential noise and light pollution problems and urged the Council to consider the impact on property values and neighboring businesses and request a further reduction in size. *The revised Proposal addresses those concerns with items such as directed outdoor lighting, increased buffers/plantings and a revised parking lot layout.*

Vivian Foushee, a long-time Chapel Hill resident, said she was disturbed by the proposed hotel for the same reasons that Dr. Vance had mentioned. She asked the Council to keep citizens' needs in mind and she characterized the proposal as an attempt to rule citizens out of the process. *Since this meeting, a portion of the Ephesus Fordham Overlay has been adopted in the area. This proposal is more in response to the future of the area. The applicant has followed all meeting and notification recommendations.*

Karyn Traut, a Chapel Hill resident, explained the importance of privacy and quiet to her and other clients of Psychology Associates. She asked the Council to not consider the proposed hotel. *The revised Proposal addresses those concerns with items such as directed outdoor lighting, increased buffers/plantings and a revised parking lot layout.*

Laurel Goldman, a writer who conducts work groups at Physiology Associates, explained why having quiet was absolutely necessary for her work. *The Applicant has met with Ms. Vance and offered ways to try and address her concerns.*

Bob Vaillancourt, a partner at Psychology Associates, discussed potential traffic problems related to left turns out from the hotel parking area. He expressed concern about stormwater run-off and the height of the proposed hotel as well. *A TIA has been done based on the current proposal. It shows very little effect on the traffic or movements on Franklin Street. The Plan has also been revised to have two drives on Franklin, one in one out. This has been approved by NCDOT Staff. Current stormwater proposal meets Town requirements. Proposal also meets current Solar setback regulations.*

Rudy Juliano, a Chapel Hill resident, said that the Coker Hills Community Association was adamantly opposed to the project because there was no need for another hotel, the building would loom over Velma Drive, there would be noise and light pollution, the project would seriously degrade the quality of life for some residents, and there was very little redeeming value. He asked Council members to think carefully and to do no harm. *The proposed building will not "loom over" the neighborhood. It is over 100 ft away from Velma Street right of way and the parking lot at its closest point to the neighborhood is approximately 20 ft below the street and behind a retaining wall, berm and plantings.*

Mr. Walker noted that the property had an approved SUP for a two-office building and that the proposed hotel height was exactly what the Ephesus-Fordham Overlay District was specifying on the other side of Franklin Street. The applicant had pulled the plan away from Velma, he said, adding that the office building approval included shielded, low-level lights. Mr. Walker stated that

the proposed setbacks, heights, and stormwater regulations adhered to the Town's rules. *According to Town Staff, that section of the Overlay directly across to street was broken out of the approval for more discussion. The Proposal does adhere to current regulations.*

Council Member Palmer said that the Downtown Partnership and others had reported a growing need for office space. She noted that there was a shortage of workforce housing in Town and asked if the applicant might provide housing for the estimated 40-50 new hotel workers. *The original office proposal was on the market for over four years with no offers to build. The current proposal only used approximately 12 Staff per shift. Two of the apartment units are to be set aside as per the Town Affordable Housing Policy. Staff is available to apply for those units. The Applicant is also making a contribution to the Housing Fund.*

Mr. Walker replied that there would be a fairly large component of multi-family residential housing in a proposed development across the street. *It is our understanding that is still the case.*

Council Member Czajkowski remarked that the applicant had not responded to Council Member Palmer's question, which was whether or not HPW would be willing to build housing for its employees. *See Answer above.*

Council Member Cianciolo confirmed with Mr. Walker that there would be an in-building restaurant that would have some outdoor dining capabilities. *Not a destination restaurant. Proposal only serves guests of the Hotel.*

Council Member Cianciolo asked if the hotel restaurant would serve dinner. He expressed concern about people who were not staying at the hotel creating extra traffic and using the parking spaces. *See Answer above.*

Mr. Walker replied that the restaurant, in general, would be geared toward hotel residents.

Council Member Cianciolo said that the applicant had addressed some of the issues raised. However, he did not see how they would handle traffic without an agreed-upon solution from the NC Department of Transportation (DOT), he said. *NCDOT has agreed to new driveway configuration.*

Mr. Walker replied a next step would be to do a traffic impact analysis (TIA) and discuss mitigation with DOT. *Done*

Mayor pro tem Greene asked where employees would park during times when the hotel was full. *Applicant promotes using public transportation. There is an existing bus stop nearby and money will be paid to improve it.*

Mr. Walker replied that HPW would handle that internally with the business model.

Mayor pro tem Greene asked Mr. Walker for a response to the comments that those from Psychology Associates had made. *The Applicant has met with Ms. Vance and offered ways to try and address her concerns.*

Mr. Walker said that the HPW understood the concerns about being as quiet as possible during construction and not making noise too early, too late, or on weekends. He said that screening between the two buildings could be beefed up and that plant materials could create a green wall between the two. The noise from the hotel, where everything would be internal, should not be overwhelming, Mr. Walker said. *Current application shows items to minimize those issues.*

Mayor Kleinschmidt pointed out that the decision about whether or not to go forward belonged to the applicant. Mr. Walker should note that if the project did go forward, comments made tonight would be among the issues the Council would want addressed. *Understood.*

Council Member Ward verified that the HVAC system would be on the hotel roof and that the estimate of \$1/2 million annual sales and room taxes was based on \$130 to \$150 room rates and an average occupancy of 67-68 percent, at minimum. *Consult new fiscal impact statement.*

Council Member Ward said he had found Mr. Carey's testimony compelling. It was not the first time he had heard such data regarding the occupancy of existing hotels, and a new hotel might just cannibalize existing demand, he said. Council Member Ward said he would need to be convinced that there was pent up demand before he would look favorably on a new hotel at that location. *At the time, the public thought the Proposal was for another boutique hotel. It was not. The hotel component of the Mixed-Use Proposal is a Tier B chain style hotel. Rates are predicted to be closer to 110.00/night. Not the more expensive Carolina Inn, Sienna etc. That need, within Town Limits is not currently being met.*

Council Member Ward ascertained that HPW had not had local hotel experience. He also expressed concern about the past financial difficulties of one of its principals. *HPW will not own the Building, if approved. An experienced NC-based Company is the contract purchaser.*

Mr. Walker replied that the financial backing and partnership would be completely different with this project.

Council Member Storrow asked staff if there was a reason why properties at this location had not been included in the Town's Ephesus-Fordham discussions.

Mr. Poveromo replied that the Ephesus-Fordham focus area, which was included in the Chapel Hill 2020 Comprehensive Plan, did not extend down Franklin Street to this location.

Council Member Storrow said that he appreciated the applicant's attempt to mirror what was happening in other parts of Town but would not encourage spending a lot of time and money on

this project. He was not excited about the concept and did not think it made sense at this location, he said. Council Member Storrow noted that the applicant would need at least five votes for approval. There seemed to be many things in the way of a successful outcome, he said. *Understood, that is one of the reasons the proposal was changed to a Mixed-Use Building with both Hotel rooms and Apartments.*

Mayor Kleinschmidt pointed out that Chapel Hill did lack a moderately priced hotel. He noted that those who cannot afford high-end and boutique hotels look for lodging in other counties. Mayor Kleinschmidt clarified that he was not suggesting that the applicant propose such a hotel at this location. He was merely expressing doubt about how many more \$150-room hotels the Town could sustain.

Council Member Harrison said that HVACs on roofs work well when there is a noise wall around them. He said that 54 hours a week of construction was a lot, and he expressed concern about traffic problems resulting from a possible pork chop island. Council Member Harrison said that the applicant probably would end up having to do a median rather than a pork chop island. *Driveway access was revised as per NCDOT and TIA report.*

Mr. Walker replied that they would do so if that was what DOT required.

Council Member Jim Ward MOVED, SECONDED BY Council Member Lee Storrow, TO Adopt R-1. THE MOTION WAS ADOPTED UNANIMOUSLY (8-0).



PLANNING
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

phone (919) 968-2728 fax (919) 969-2014
www.townofchapelhill.org

**CONCEPT PLAN REVIEW SUMMARY MINUTES
COMMUNITY DESIGN COMMISSION
WEDNESDAY, NOVEMBER 20, 2013, 6:00 P.M.**

Please note the proposal and the zoning application has changed since this meeting. The current proposal is for a Mixed-Use Bldg in MU-V Arterial Zoning.

Chairman Jason Hart called the meeting to order at 6:00 p.m. Commission members present were Dianne Bachman, John Gualtieri (Deputy Vice-Chair), Joan Guilkey, Jason Hart (Chair), Jennifer Hoffman, Patric Le Beau, Melissa McCullough, Laura Moore, Beth Mueller (Vice-Chair), Sean Murphy, Martin Rody, Whit Rummel, and Polly van de Velde

Staff members present were Kay Pearlstein and Liz Jones.

CONCEPT PLAN REVIEW
1609 EAST FRANKLIN STREET HOTEL

A Concept Plan has been submitted to the Town by HPW Properties, LLC for a 110 unit hotel with five stories and 13,146 square feet on a 1.7 acre site. Parking spaces for 110 parking spaces is also proposed. The property is located in the Residential-1 (R-1) and Neighborhood Commercial-Conditional (R-5-C) zoning districts (Project Number 13-089). A portion of the site adjoins Velma Road.

CONCEPT PLAN PRESENTATION

Jerry Thomas made a PowerPoint presentation on behalf of Sanjay Mundra of HPW Properties introducing the project for a 110 room hotel.

CITIZEN COMMENTS

1. Shauna Farmer, the Coker Hills HOA president, believed the hotel was out of keeping with the neighborhood on Velma Road and that it should be more in scale with the surrounding houses. She was also concerned about lighting in the parking lot and how it may affect the adjacent homes. She believed that the view into the site from the neighborhood should be better screened.

Additional screening has been shown to address the concerns of Velma Road residents. When our lighting plan is done, all lighting will be directed away from neighboring properties, with proper shielding complying with current Town Ordinance. We have also committed to larger plant screening than required.

COMMISSIONER COMMENTS

1. Commissioner Laura Moore asked about the pedestrian circulation in front of the hotel and how it interfaced with Franklin Street. She wanted to see additional information for pedestrian movements. She was also concerned about delivery and service areas and if there would be conflicts. She also believed that the elevation from the lobby to tower portions of the building were abrupt and needed transition.

Will better depict pedestrian access from Franklin Street and circulation plus locate delivery points away from front of building. Additional Bldg stepbacks have been added to the façade of the Bldg. We have also added a small square in front of the Bldg to allow art/fountain installation.

2. Commissioner Polly van de Velde thought there was a lot of parking and recommended the applicant look at placing parking underground, noting that much of the site was impervious surfaces. She stated that a creative design for the hotel would be necessary.

Underground parking is cost prohibitive and, especially, because of the dramatic slope, from the rear to the front. The current design treats and directs stormwater underground and meets Twon Standards.

3. Commissioner John Gualtieri commented on the citizen letter and worried about views from Velma Street. He noted that the hotel would be a bookend on E. Franklin Street between Estes Drive and Elliott Road.

In conjunction with the plant materials as mentioned in response one, The parking has been lowered and is now behind a retaining wall that is over fifteen tall.

4. Commissioner Beth Mueller commented that a hotel is the first “door” into Chapel Hill and wanted to see a hotel that used architecture that was representative of Chapel Hill. She was also concerned about lighting and noise levels as they impact the adjacent neighborhood. She thought the handicapped parking was in a good location.

The exact architecture of the building will be discussed and addressed during the Building Permit/ Approval Process. At this time, the massing has been modified in response to comments. As with most hotels/apartments, the majority of the bldg. will be service by individual HVAC systems. Noise will be minimal. Light levels will adhere to current Town Standards.

5. Commissioner Whit Rummel was concerned about the applicant’s design for deliveries at the hotel entrance in the building front. He suggested investigating deliveries to the side or rear of the building. He asked the applicant if there was demand for a hotel and the applicant replied that there was. Commissioner Rummel also believed a traffic analysis would be needed.

TIA has been completed. Site Plan adheres to its recommendations. Deliveries will be in the rear.

6. Commissioner Martin Rody liked the port-cochere for scale.

Thank you.

7. Commissioner Patric Le Beau was concerned about building height and asked the applicant to construct a building envelope for the building. He believed that it was important for the hotel to stay within the envelope. He asked if the proposed fence was an important element and the applicant replied that it was to better screen the view from Velma Road.

Building is in compliance with current setback standards.

He was also concerned about the amount of impervious surfaces and asked how often it filled up. He suggested the applicant look at ways to add additional pervious area.

Stormwater Design currently meets Town Ordinance.

8. Commissioner Jennifer Hoffman believed he was a pioneer for architecture in this end of E. Franklin Street and hoped that it would be a high bar. She suggested the applicant look at ways to articulate the building front and rear as well as the fence along Velma Road rather than making it all flat surfaced.

Plan revisions have addressed these comments.

9. Commissioner Melissa McCullough noted that this building will be outside the Ephesus-Fordham Focus Area however the hotel should be place-making representing and reflecting the character of Chapel Hill and not be a hotel branding. She encouraged the applicant to maximize the use of evergreen trees. She encouraged the applicant to consider ways to improve the rear of the hotel including a mural, vines and a green roof.

This application takes its overall design from the Ephesus Fordham Overlay. The zoning plan is currently under review directly across the street; however, he have incorporated items in the Overlay that has been approved further down Franklin Street.

10. Commissioner Dianne Bachman recommended the applicant hire an architect to help with a creative design.

Agreed

11. Commissioner Jason Hart appreciated the thoughtfulness the applicant had used in creating the design and continued to stress the importance of the rear elevation and building height.

Agreed,

COMMISSIONER COMMENTS SUMMARY

The Commission's summary comments are listed below:

- The height of the building was a concern for the neighbors so look to better screening or way to lower the height.
- Creative and keeping the vernacular of Chapel Hill buildings was very important in this location.
- Look for ways to reduce impervious surfaces and add trees.
- Pedestrian circulation and interaction with E. Franklin Street important.
- Relocate deliveries from front to side or rear.
- Noise and lighting was a factor for the adjacent neighborhood.
- Coker Hills neighborhood was concerned about views from Velma Road.
- Transition between the 2-story lobby and 5-6 story hotel needed to be created.
- Rear elevation was an important element of the building façade.
- Better articulation of the building.

Prepared for: Jason Hart, Chair

Prepared by: Kay Pearlstein, Staff

1609 E. FRANKLIN STREET HOTEL

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

1609 E. FRANKLIN STREET HOTEL

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January 2015



1-19-15



EXECUTIVE SUMMARY

Project Overview

A new mixed-use development, known for this study as the 1609 E. Franklin Street Hotel, located along E. Franklin Street near its intersection with Elliott Road is being proposed in Chapel Hill. The project proposes to construct a 106 room hotel and 28 rental apartments on two existing parcels on the west side of E. Franklin Street. **Figure ES-1** shows the general location of the site. The project is anticipated to be fully complete by late 2016. This report analyzes the complete 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 two full movement access driveways along E. Franklin Street. No other vehicular access connections are proposed. **Figure ES-2** displays the preliminary concept plan of the 1609 E. Franklin Street Hotel and nearby land uses and roadways. The project is expected to provide 123 parking spaces on a surface parking lot. This report analyzes and presents the transportation impacts that the 1609 E. Franklin Street Hotel will have on the following intersections in the project study area:

- East Franklin Street and Eastgate Shopping Center Access Driveway
- East Franklin Street and Elliott Road
- East Franklin Street and Proposed Site Driveways
- East Franklin Street and Estes Drive

The impacts of the proposed site at the study area intersections will be evaluated during the AM, noon, and PM peak hours of an average weekday. The study is based on background traffic for the existing year, 2014, the year following the estimated site build out year of 2016, as well as the estimated site-generated traffic produced by the hotel development.

Existing Conditions

Study Area

The site is located in east/central Chapel Hill along E. Franklin Street just south of Elliott Road. The study area contains three signalized intersections along E. Franklin Street. It also includes the two future unsignalized stop-controlled site driveway intersections along E. Franklin Street.

E. Franklin Street is a major arterial facility providing connectivity between downtown Chapel Hill, eastern areas of Chapel Hill and the US 15-501 corridor. Estes Drive is a minor east-west arterial providing connectivity throughout Chapel Hill. Remaining study area network roadways are either collector streets or local neighborhood/commercial access streets.

Site Traffic Generation

With the addition of new peak hour trips during the weekday AM, noon, and PM peak hours, 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*.



Table ES-1
Weekday Vehicle Trip Generation Summary
1609 E. Franklin Street Hotel

Time Period	Enter	Exit	Total
Daily	580	580	1,160
AM Peak Hour	36	37	73
Noon Peak Hour*	45*	40*	85*
PM Peak Hour	54	43	97

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

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, no Town-approved development projects in the project study area are either under construction or planned to be complete by the 2017 analysis year. All 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 1.4 percent per year was applied to existing traffic volumes based on information from the historic daily traffic growth patterns in the project study (NCDOT and Town of Chapel Hill daily traffic information) and consistent with recent traffic impact studies completed near the project study area.

Impact Analysis

Peak Hour Intersection Level of Service

Study results indicate existing traffic operations at all study area intersections are acceptable during all three peak hours analyzed, except for the E. Franklin Street and Estes Drive intersection in the noon and PM peak hours. The projected ambient background traffic growth will marginally increase impacts by 2017. Even with the addition of peak hour site-generated trips to the projected 2017 background traffic volumes, no additional study area intersections are expected to experience deficient traffic operations in any 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** on the following page.

Access Analysis

Vehicular site access is to be accommodated by two full movement access driveways connecting to E. Franklin Street about 450 feet to the south/west of its signalized intersection with the Elliott Road. Design details related to driveway throat lengths are shown on the concept plan and assume an approximate 25 foot driveway throat at each driveway. A two-way internal driveway circulation system to all surface parking areas is also shown on the plans.

Driveway distances along E. Franklin Street from the signalized intersections at Estes Drive and Elliott Road are approximately 2,000 feet and 450 feet, respectively, 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 250 foot minimum along arterial streets specified in the 2005 *Town of Chapel Hill Design Manual*



**Table ES-2. 1609 E. Franklin Street Hotel
 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
E. Franklin Street & Eastgate Shopping Center Driveway	AM	A	7.5	A	7.6	A	7.6	A	8.3
	NOON	B	13.2	B	13.6	B	13.6	B	15.4
	PM	B	11.9	B	12.4	B	12.6	B	13.4
E. Franklin Street & Elliott Road	AM	C	21.7	C	22.0	C	22.1	C	22.4
	NOON	C	31.0	C	31.7	C	31.9	C	30.2
	PM	C	31.8	C	33.6	C	34.0	C	29.0
E. Franklin Street & Estes Drive	AM	D	51.0	D	53.1	D	53.7	D	50.6
	NOON	E	55.5	E	57.0	E	57.3	E	56.2
	PM	E	65.9	E	72.0	E	74.6	E	69.0
E. Franklin Street & Site Driveway #1*	AM	N/A	N/A	N/A	N/A	C*	17.0*	C*	22.2*
	NOON	N/A	N/A	N/A	N/A	C*	17.3*	C*	23.6*
	PM	N/A	N/A	N/A	N/A	C*	21.7*	D*	32.4*
E. Franklin Street & Site Driveway #2*	AM	N/A	N/A	N/A	N/A	C*	16.7*	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	C*	17.3*	N/A	N/A
	PM	N/A	N/A	N/A	N/A	C*	22.0*	N/A	N/A

N/A – Not Applicable or No Improvements Necessary

BOLD/ITALICS – Critical Movement or Overall Intersection Requires Mitigation Per Town TIS Guidelines

* - Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

The proposed spacing between the proposed driveways (140 feet) and between the proposed driveways and adjacent existing driveways (approximately 50-75 feet) is less than the recommended 750 foot spacing along arterial roadways found in 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 E. Franklin Street adjacent to the site and exists along the major street connections along E. Franklin Street. Crosswalk and pedestrian signals exist across the three major signalized study area intersections near the 1609 E. Franklin Street Hotel site. No specific bicycle amenities are present along E. Franklin Street, but no restrictions to bicycle usage are present either.

Crash Analysis

Data from the NCDOT Traffic Safety Unit was provided for the five-year period 3/1/2009 to 2/28/2014 for the segment of E. Franklin Street in the vicinity of the proposed site and for all existing major study area intersections. There were 160 crashes reported along E. Franklin Street in the study area corridor between Estes Drive and Eastgate Shopping Center over the five year period. The primary crash type was rear-end crashes. Overall, the number and severity of crashes along E. Franklin Street in the project study area is higher than state-wide averages for similar facilities.



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** on the following page are germane to the scope of this study.

Table ES-3. Other Transportation-Related Analyses

Analysis	Comment
Daily Volume / Capacity Analysis	Due to the fact that the proposed site will add only approximately 1,000 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 95 th percentile (max) queue length estimates for the 2017 Build Scenario. The E. Franklin Street/Estes Drive intersection eastbound approach has existing and projected queues that exceed its current storage bays that may need additional geometric improvement in the future. Left-turn bays at Elliot Road and the Eastgate Shopping Center may not provide adequate storage during peak hour conditions, based on existing storage distances and projected queue lengths. However, options to extend these storage distances are limited by the presence of nearby existing full access driveways. No other recommendations for improvements to storage bays are expected, based on the analysis results.
Appropriateness of Acceleration/Deceleration Lanes	The site concept plan shows no specifics related to acceleration/deceleration lanes. Based on existing cross-section details, corridor speeds on E. Franklin Street and capacity analysis results, no specific acceleration or deceleration lanes are recommended at proposed site access points. No other specific acceleration/deceleration lane issues were analyzed in the project study area.
Sight Distance Analysis	In general, sight distance issues entering/exiting the existing 1609 E. Franklin Street Hotel driveway would be minimal, considering the fact that E. Franklin Street has no horizontal curvature in the vicinity of proposed access locations and vertical curvature at these locations is minimal, giving exiting traffic adequate sight distance in both directions.
Signal Warrant Analysis	Based on projected 2017 traffic volumes and current/proposed access plans, no unsignalized intersection in the project study area would potentially warrant the installation of a traffic signal based on analysis results using the 2009 <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> signal warrant methodology.
Pedestrian and Bicycle Analysis	Existing pedestrian and bicycle access and connectivity is adequate along the E. Franklin Street corridor adjacent to the site. Sidewalk exists along major connecting streets along the corridor and pedestrian crossings and signals are present at signalized intersection. An additional mid-block crosswalk exists 750 feet to the south of the proposed site along E. Franklin Street. No delineated bicycle lanes or wide outside lanes are present in the project study area. The Lower Booker Creek Trail Greenway terminates along E. Franklin Street just north of the Eastgate Shopping Center Driveway intersection, providing additional bicycle and pedestrian connectivity to the area.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site, is excellent with multiple bus stops and multiple local and regional bus routes on E. Franklin Street proximate to the site.



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. To make a comparative assessment of changes in traffic operations between the 2014 existing year, 2017 No-Build Scenario and 2017 Build Scenario, it is not assumed that signal timing reoptimization would occur for the E. Franklin Street corridor by the year 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 1609 E. Franklin Street Hotel.

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 11**).

- 1) Retime the E. Franklin Street and Estes Drive intersection to optimize overall capacity given the existing intersection geometrics and progression along E. Franklin Street. Also, retime the upstream signals at Elliot Drive and the Eastgate Shopping Center access driveway to promote coordinated traffic operations along E. Franklin Street. Current information from the Town of Chapel Hill suggests that the Estes Drive corridor may not be coordinated with the E. Franklin Street intersections at Elliot Drive and the Eastgate Shopping Center. Bringing those two intersections into coordination with the Estes Drive corridor may marginally improve operations at the critical E. Franklin Street/Estes Drive intersection. If additional measures are required to improve traffic operations at this intersection, geometric improvements may likely be needed. Since the recommended signal timing improvements allow the intersection to operate slightly better than the 2017 No-Build operations analysis results, and thus meet Town requirements for mitigation, no additional geometric improvements were tested.

The proposed signal timing improvements are recommended in order to mitigate impacts from the 1609 E. Franklin Street Hotel site and improve conditions to at least 2017 No-Build levels.

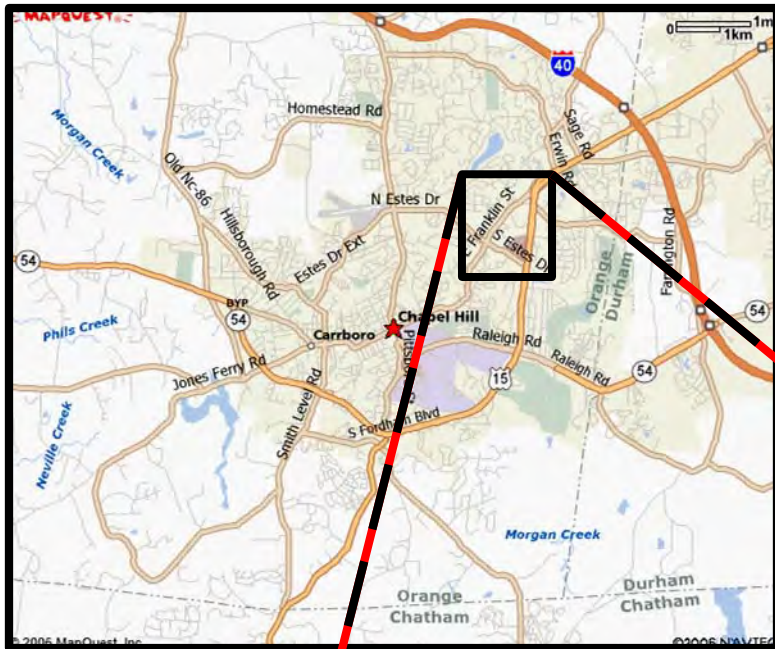
- 2) Due to the fact that the proposed site access driveways do not meet Town design standards for adequate driveway separation, and the fact that their proposed locations do not align with the existing Chapel Hill Health and Rehabilitation Center driveway on the opposite side of E. Franklin Street, it is recommended that the Applicant consider revising the site plan for a single full movement access driveway that would be located immediately opposite the Chapel Hill Health and Rehabilitation driveway. This improvement would reduce the number of vehicular conflict points in this vicinity and



improve safety along the E. Franklin Street corridor, which has a history of high numbers of vehicle crashes due to a continuous center left-turn lane and multiple driveway access points.

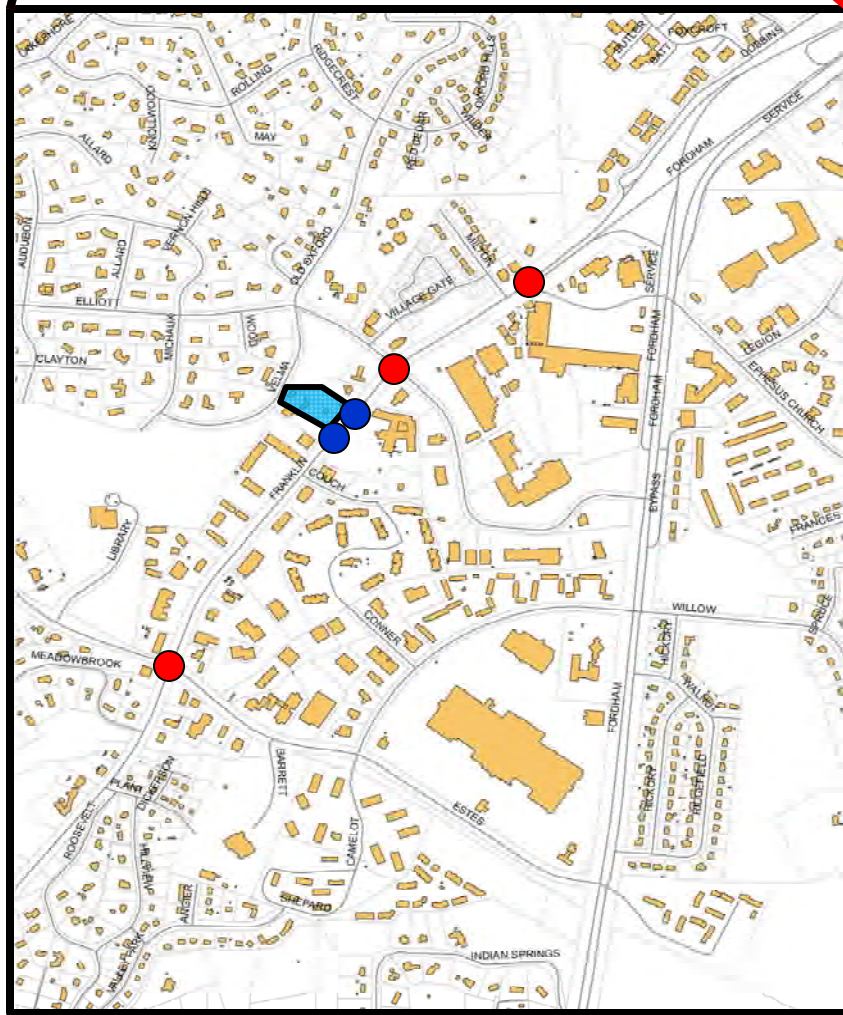
Capacity analysis results indicate that a single full movement access driveway, with separate left-turn and right-turn lanes, will still provide adequate traffic operations in the 2017 analysis year and not cause undesirable on-site vehicular queues.

This improvement is recommended specifically for the 1609 E. Franklin Street Hotel project.



LEGEND

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

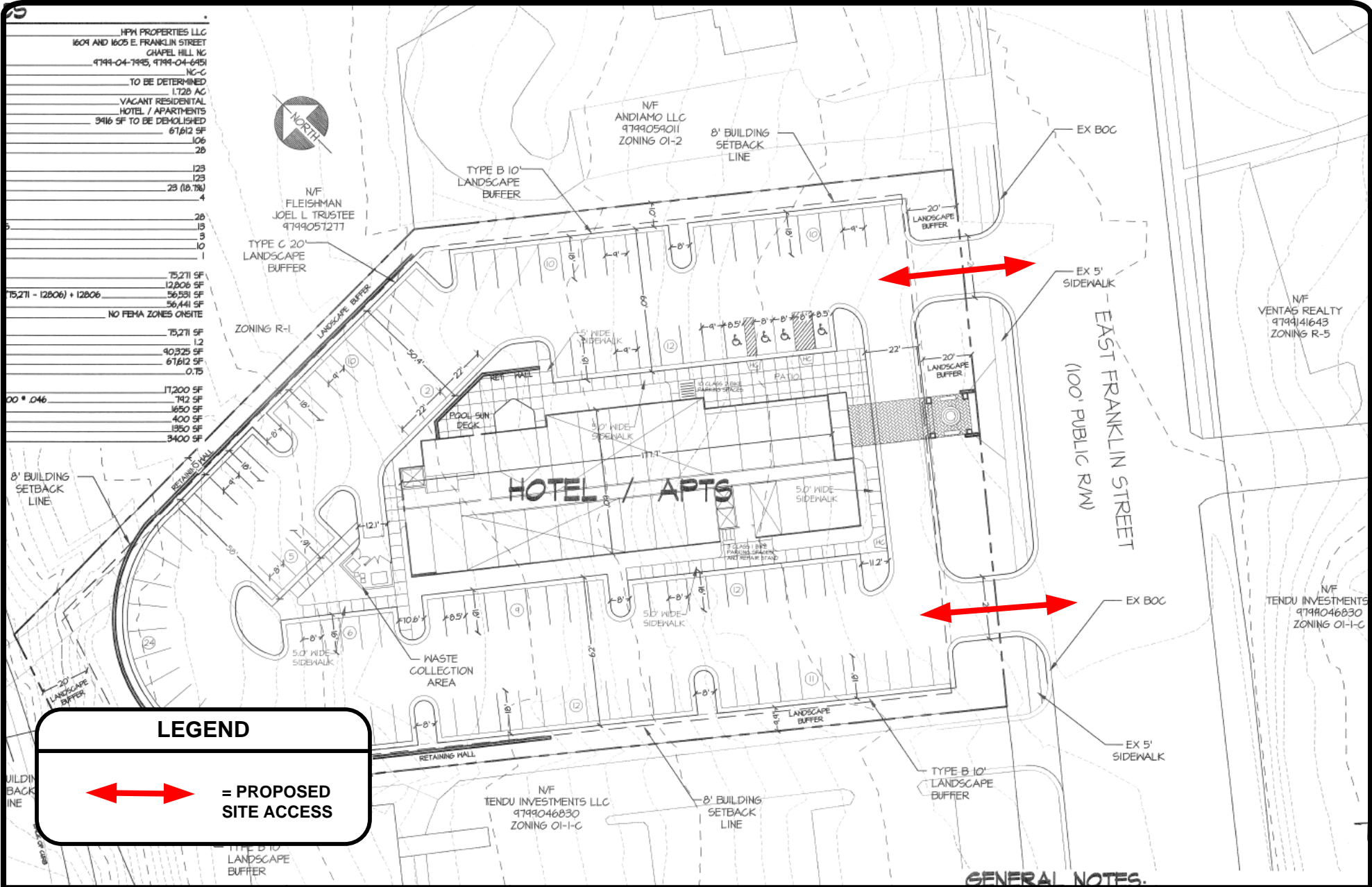


**1609 E. Franklin Street Hotel
Traffic Impact Study**

PROJECT STUDY AREA MAP

DATE: January 2015

FIGURE ES-1



NOT TO SCALE



**1609 E. Franklin Street Hotel
Traffic Impact Study**

SITE PLAN

DATE: January 2015

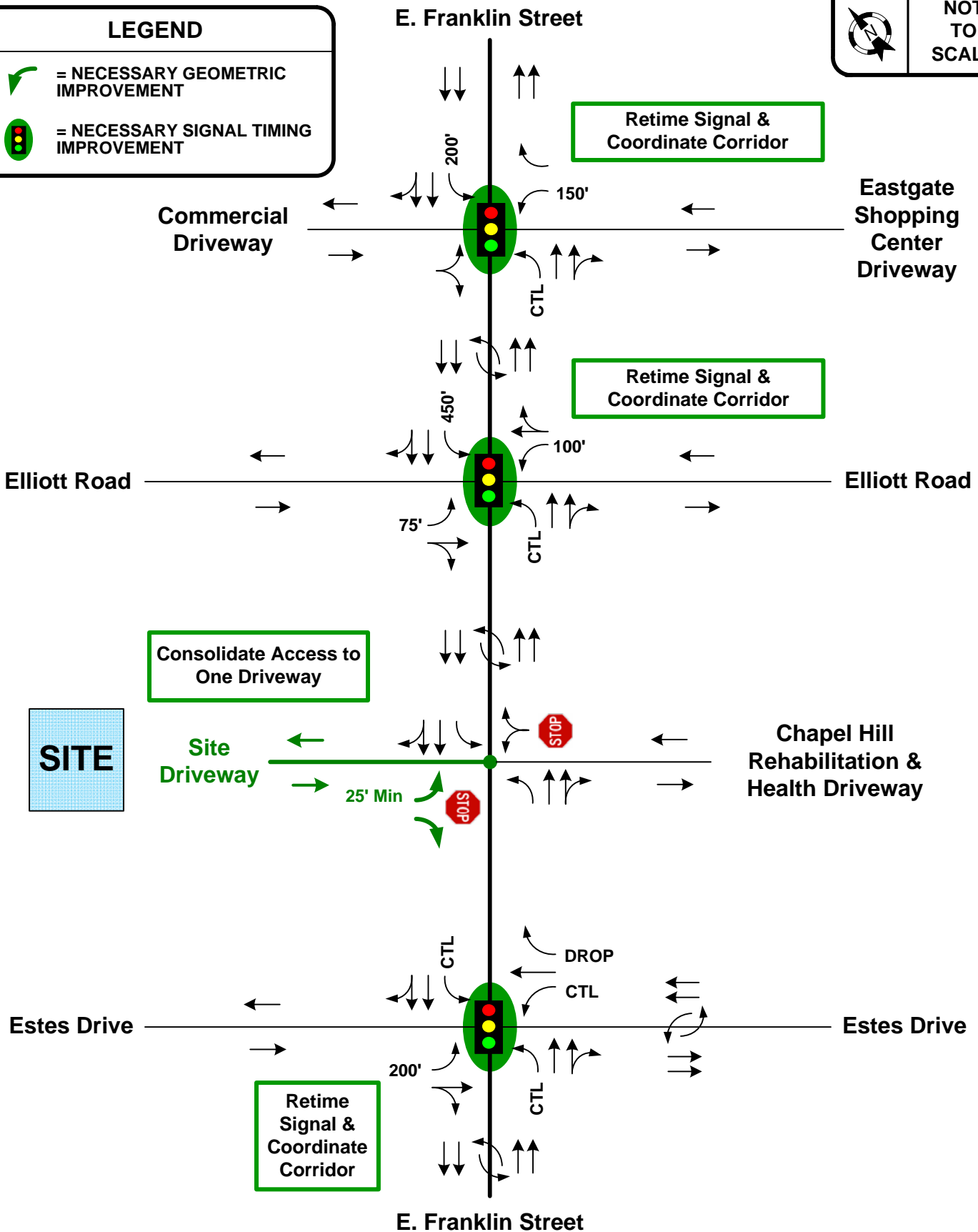
FIGURE ES-2

LEGEND

-  = NECESSARY GEOMETRIC IMPROVEMENT
-  = NECESSARY SIGNAL TIMING IMPROVEMENT



NOT TO SCALE



**1609 E. Franklin Street Hotel
Traffic Impact Study**

DATE: January 2015

COMMITTED AND RECOMMENDED IMPROVEMENTS

FIGURE ES-3

1. Planning

Please provide a fiscal statement - Proposed Fiscal Impact Estimate for Special Use Permit Projects

1. Context of the overall Development including any relevant history of the project, existing uses, or special considerations that would impact the fiscal impact. **Currently there is only 1 remaining rental house. Three others have already been removed. The current fiscal contribution to the Town is negligible. The proposed use will bring jobs and a substantial new tax base to the area with minimal new expenses to the Town.**
2. Describe assumptions regarding the nature of the development including:
 - a) Proposed use by square foot **17,200 sq ft Residential-Corporate Apartments**
50,412 sq ft 106 unit hotel building
 - b) Site improvements needed to facilitate project **Grading, underground storm water detention, 123 parking spaces, landscaping & buffers and a seven story, 67,612 sq ft building.**
 - c) Timeline for completion of project **From the issuance of permits, 12-14 months**
 - d) Source of assumptions **Experience in development of numerous similar projects, over 40 yr period**
3. Estimated revenue
 - a) Based on best information for current tax rates and fees, estimate the amount of both one-time and annual revenue that will be produced by the completed development. **Permitting fees, including water & sewer assessments \$540,000 to \$845,000 subject to final sizing of taps.**
Annual Sales & Occupancy taxes of approx. \$500,000
 - b) Provide separate revenue estimates for overlapping jurisdictions (School District and County) as appropriate. **Property taxes; \$257,664, based on project cost of \$16,000,000, including Chapel Hill \$83,840, Orange County \$140,480 and Schools \$33,280.**
4. Estimated Costs **(See comment below)**
 - a) Provide a breakdown (by service) of the cost of providing Town services to the new development at full-build-out.
 - b) Cost of services should be based on current costs and service levels and should include the following service categories:
 - i. Public Works
 1. Solid waste collection
 2. Street maintenance services
 3. Stormwater
 - ii. Parks & Recreation
 - iii. Library Services
 - iv. Police Services
 - v. Fire Services
 - vi. Public Transportation/Transit
 - vii. Planning/Inspections
 - viii. General Government
5. Calculation of net revenues/cost to the Town of Chapel Hill on an annual basis after full build-out. **Town Staff has offered to coordinate this examination. We have projected overall revenue amounts. Cost analysis by Town.**

1609 East Franklin St.

1000' Notification Line

Elliott Rd

R-4

R-5

Franklin Village

R-1

WX7

Village Plaza

OI-2

1609 E. Franklin proposed hotel site

NC-C

OI-1-C

Chapel Hill Public Library

R-5

Chapel Hill Rehabilitation Center

Franklin Forest

E Franklin St

Couch Rd

Elliott Rd

R-5

OI-1

R-5

Sunstone Apts

Winchester Court

OI-2-C

0 125 250 500 Feet



93