

## MEMORANDUM

TO: Chapel Hill Board of Adjustment

FROM: Ben Hitchings, Planning Director  
Phil Mason, Development Manager  
Michael Sudol, Planner II

SUBJECT: 108 Mt Carmel Church Road: Appeal  
(PINs 9787-29-6199, 9787-29-7266, 9787-29-9047, 9787-39-0045, Project #18-031)

DATE: May 3, 2018

## INTRODUCTION

Attached for consideration is an appeal of a Town decision that the site plan, approved by the Planning Commission on January 25, 2017, for the property located at 108 Mt Carmel Church Road (“Subject Property”) is not eligible to be extended under the Chapel Hill Land Use Management Ordinance section 4.7.5. The appellant, Maria Dickenson, (“Appellant”) is appealing the written determinations of Judy Johnson, the Planning and Development Services Operations Manager (“Operations Manager”) dated March 2, 2018. The appellant submitted a Final Plan – Zoning Compliance Permit application to the Town dated February 8, 2018, normally filed after a Site Plan approval is obtained, which prompted the Operations Manager’s written determination that is the subject of this appeal. The appellant subsequently filed an Appeal dated March 20, 2018 regarding the Operations Manager’s determination.

The Subject Property is located near the intersection of US 15-501, and is owned by Chapel Hill Cooperative Preschool (“Owner”). The Subject Property is in the Residential-1 (R-1) zoning district, and consists of four parcels, with Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9047, 9787-39-0045.

The appellant’s materials, including application form, statement of justification, Town approvals and associated materials, are attached for your consideration and review. A brief provided by Town staff is also attached (Attachment 6).

## PROCEDURE

State Statutes set forth the responsibilities of the Board of Adjustment. One of the responsibilities of the Board set forth in State Statutes is as follows:

*“The board of adjustment shall hear and decide appeals from decisions of administrative officials charged with the enforcement of the zoning or unified development ordinance . . . Any person who has standing under G.S. 160A-393(d) or the city may appeal a decision to the board of adjustment.”*

This particular responsibility to hear and decide appeals can involve 1) interpreting the meaning of provisions of the Ordinance that are unclear; 2) applying the meaning of the Ordinance to specific factual situations; and if necessary 3) correcting abuses of discretion or mistakes that may have occurred in administering the Ordinance.

Article 4.10 of the Chapel Hill Land Use Management Ordinance states that any decision of the Town Manager made in the administration of the provisions of this appendix may be appealed to the Board of Adjustment by any person aggrieved by such decision. The appellant filed an appeal dated March 20, 2018 of the Operations Manager's March 2, 2018 determination that the site plan approved by the Planning Commission on January 25, 2017 is not eligible to be extended under the Chapel Hill Land Use Management Ordinance section 4.7.5. (Attachment 3). Subsection 4.10.1(b) of the Land Use Management Ordinance provides that:

*“An application for appeal shall be filed, with the town clerk, within thirty (30) days of the filing of the decision being appealed or the delivery of any required written notice of the decision, whichever is later.”*

In addition, the Town is charged with transmitting to the Board all documents constituting the record on which the decision being appealed was based. The record is included in the meeting packet. Also included in your meeting packet is a copy of the Operations Manager's letter to the Appellant, as well as other materials provided by the Appellant (Attachment 3).

Article 4.12 of the Land Use Management Ordinance states that the hearing for the appeal shall be open to the public and interested persons shall be given the opportunity to present evidence and arguments as well as ask question of the persons who testify.

For the hearing, all witnesses will be sworn in. The case will be introduced by the Secretary to the Board of Adjustment. The Appellant and her representative will present information challenging the decision. The Operations Manager will be present at the hearing as a witness. The Owner and its representative will have an opportunity to cross-examine witnesses and offer evidence. Witnesses will have an opportunity to present evidence and arguments. Rebuttals will be heard. The Chairman of the Board of Adjustment will summarize the evidence and the hearing will adjourn. The Board members will then discuss the case and take action.

The Board of Adjustment may, by majority vote, reverse, affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision or determination that ought to be made.

### **VISITING THE SITE**

We ask that any Board member interested in visiting the Subject Property do so separately from other Board members. Or, if you would like to view the site as a group, please arrange the visit through the Planning Department so that proper procedure can be followed in accordance with the State's open meetings law.

Any member who visits the Subject Property prior to the hearing is urged to share information with the other Board members during the hearing.

The Subject Property is located at 108 Mt Carmel Church Road, near the intersection of US 15-501. For additional information please refer to the area map of the subject property (Attachment 6).

### **SUMMARY OF APPLICATION**

The Appellant is appealing a decision of the Town's Planning and Development Services Operations Manager that the site plan for the Subject Property is not eligible to be extended under the Chapel Hill Land Use Management Ordinance section 4.7.5. (Attachment 4):

- |                   |  |
|-------------------|--|
| March 20, 2018    | Appellant submitted the Chapel Hill Cooperative Preschool application (Attachment 3).  |
| March 2, 2018     | The Town's Planning and Development Services Operations Manager provided a letter of receipt for the Appellant's Zoning Compliance Permit application, stating that the Town was not authorized to accept the application due to the January 25, 2018 construction deadline on the Site Plan approval having passed. (Attachment 4). |
| February 23, 2018 | Appellant submitted an application for a Final Plans – Zoning Compliance Permit to the Town of Chapel Hill, requiring an active Site Plan approval (Attachment 4).   |
| January 25, 2018  | The Planning Commission approved Site Plan for the Chapel Hill Cooperative preschool expired.  |
| December 8, 2017  | The Orange County Superior Court vacated the Board of Adjustment's Decision, ruling favor of the Appellant.  |
| May 25, 2017      | Appellant appealed the Board of Adjustment's decision to add two conditions to the Orange County Superior Court.   |
| April 26, 2017    | The Board of Adjustment denied the appeal of the Planning Commission decision to approve the Site Plan Review application, upholding the Planning Commission's decision with the addition of a condition restricting enrollment to 80 students and 20 staff.   |
| February 24, 2017 | Julie Richardson, Marsha Warren, David Warren, Judy Raby, and Richard Hoffert submitted an application appealing the Chapel Hill Planning Commission decision to approve the application (Attachment 4).   |
| January 25, 2017  | The Chapel Hill Planning Commission approved the Chapel Hill Cooperative Preschool application (Attachment 4).   |

January 17, 2017	The Chapel Hill Planning Commission heard the Chapel Hill Cooperative Preschool application (Attachment 4).
August 25, 2016	Site Plan Review application for the Chapel Hill Cooperative Preschool at 108 Mt. Carmel Church Rd. was submitted by Philip Post & Associates to the Town of Chapel Hill for the staff review (Attachment 4).
February 27, 2008	Minor Subdivision approval.
1947	The original lot was created.

### **DISCUSSION**

The Subject Property is an approximately 3.97-acre assemblage located at 108 Mt Carmel Church Rd, near the intersection of US 15-501. The current use of the Subject Property is a single-family residence. The Subject Property was purchased by the current Owner on July 7, 2017.

The owner obtained a Site Plan approval from the Planning Commission on January 25, 2017 for construction of the Chapel Hill Cooperative Preschool on the Subject Property. An appeal application was submitted by the neighboring property owners on February 24, 2017, which was subsequently denied by the Board of Adjustment at the April 26, 2017 meeting. As a stipulation of this decision, the Board of Adjustment included a stipulation that enrollment be capped at 80 students and 20 staff. The Owner appealed this additional requirement to the Orange County Superior Court on May 25, 2017, and the Superior Court vacated the Board of Adjustment's decision on December 8, 2017. The Owner submitted a Final Plans – Zoning Compliance Permit application on February 23, 2018, but was informed by the Planning and Development Services Operations Manager on March 2, 2018 that the application could not be accepted due to the Site Plan approval having expired on January 25, 2018. The Appellant submitted an appeal application regarding this determination on March 20, 2018.

The Appellant claims that it “has standing to make this appeal because it was the applicant for and grantee of the Site Plan Approval issued by the Planning Commission dated January 25, 2017 and submitted to the Town a Final Plan – Zoning Compliance Permit Application.” Furthermore, the Appellant claims that the determination made by the Operations Manager was in error due to the following reasons:

- (1) Section 1.6 of the LUMO prescribes that the ordinance be liberally interpreted to further its purposes; and, where there is an ambiguity in the ordinance, the general principle is that the ordinance be construed in favor of effectuating the requested land use.
- (2) The stipulation about the construction start date in the Site plan Approval assumes the issuance of a zoning compliance permit (ZCP) because no construction can begin without first obtaining that permit. The Site Plan Approval does not specify any timeframe within which to apply for the ZCP.



- (3) In this case, has a ZCP been issued shortly after the Site Plan Approval and no construction had yet started, the manager would have had complete authority to extend the construction start time regardless of the stipulation in the Site Plan Approval.
- (4) Alternatively, the manager has the authority to extend the construction start time under Section 4.7.5 ("Minor Changes to Approved Site Plans"). Under this sections, the manager may approve minor changes "to plans approved under the site plan review as long as such changes continue to comply with the approving action of the planning commission and all other applicable requirements."
- (5) Finally, Section 4.7.6 specifies that Site Plan Approval only becomes void if construction is not started within 12 month of the date of issuance of the ZCP. No provision of the LUMO specifically vests the establishment of construction start times in the Planning Commission or specifies that the violation of a start time state in the Site Plan Approval voids the Site Plan Approval.

For additional details of the March 20, 2018 appeal, please see Attachment 3.

Documents and exhibits constituting the record are provided by the Town Staff (Attachment 4).

### **CONCLUSION**

Town Staff, by and through the Operations Manager and others, determined that a Site Plan Approval issued by the Planning Commission expired on January 25, 2018, and as such are not authorized to accept a Final Plans – Zoning Compliance Permit application based on the previous approval.

We recommend that the Board of Adjustment hear the case.

### **ATTACHMENTS**

The following materials are included as attachments pertaining to the case being appealed:

1. Resolution A - Upholding Town Staff Decision
2. Resolution B – Overruling Town Staff Decision
3. Appeal Application, Statement of Justification From Maria Dickenson, and Related Materials, Dated March 20, 2018
4. Record Provided by Town Staff
5. Brief Provided by Town Staff
6. Area Map of 108 Mt Carmel Church Road Site

**ATTACHMENT 1  
RESOLUTION A  
UPHOLDING TOWN STAFF DECISION**

**RESOLUTION UPHOLDING THE TOWN STAFF DECISION TO DETERMINE THAT THE SITE PLAN APPROVAL ISSUED BY THE CHAPEL HILL PLANNING COMMISSION ON JANUARY 25, 2017 EXPIRED ON JANUARY 25, 2018, AND THAT TOWN STAFF ARE NOT AUTHORIZED TO ACCEPT A FINAL PLANS – ZONING COMPLIANCE PERMIT APPLICATION AS A RESULT (PINS 9787-29-6199, 9787-29-7266, 9787-29-9047, 9787-39-0045, PROJECT #18-031)**

WHEREAS, having reviewed the applicant's argument and various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are supported by competent, material and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the March 2, 2018 decision by the Town Office of Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are not authorized to accept a Final Plans – Zoning Compliance Permit application as a result; and

WHEREAS, the Board of Adjustment concludes that the decision by the Town Office of Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are not authorized to accept a Final Plans – Zoning Compliance Permit application as a result, is therefore supported by substantial, material and competent evidence; and

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY UPHOLDS the decision by the Town of Chapel Hill Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are not authorized to accept a Final Plans – Zoning Compliance Permit application as a result.

BE IT FURTHER RESOLVED that the applicant's appeal is hereby denied.

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Signed - Board of Adjustment Chair, James A. Bartow

This the 3<sup>rd</sup> day of May, 2018.

**ATTACHMENT 2  
RESOLUTION B  
OVERRULING TOWN STAFF DECISION**

**RESOLUTION OVERRULING THE TOWN STAFF DECISION TO DETERMINE THAT THE SITE PLAN APPROVAL ISSUED BY THE CHAPEL HILL PLANNING COMMISSION ON JANUARY 25, 2017 EXPIRED ON JANUARY 25, 2018, AND THAT TOWN STAFF ARE NOT AUTHORIZED TO ACCEPT A FINAL PLANS – ZONING COMPLIANCE PERMIT APPLICATION AS A RESULT (PINS 9787-29-6199, 9787-29-7266, 9787-29-9047, 9787-39-0045, PROJECT #18-031)**

WHEREAS, having reviewed the appellant's argument and various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are supported by competent, material and substantial evidence presented to the Board; and

WHEREAS, in particular the Board does not find that the March 2, 2018 decision by the Town Office of Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are not authorized to accept a Final Plans – Zoning Compliance Permit application as a result; and

WHEREAS, the Board of Adjustment concludes that the decision by the Town Office of Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are not authorized to accept a Final Plans – Zoning Compliance Permit application as a result, is therefore not supported by substantial, material and competent evidence; and

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY OVERRULES the decision by the Town of Chapel Hill Planning & Development Services staff, Operations Manager, Ms. Judy Johnson, that the Site Plan Approval issued by the Town of Chapel Hill Planning Commission on January 25, 2017 expired on January 25, 2018, and that Town Staff are authorized to accept a Final Plans – Zoning Compliance Permit application as a result.

BE IT FURTHER RESOLVED that the applicant's appeal is hereby upheld.

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Signed - Board of Adjustment Chair, James A. Bartow

This the 3<sup>rd</sup> day of May, 2018.

# VARIANCE OR APPEAL APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9787-29-6199, 9787-29-7266, 9787-29-9047, 9787-39-0045 Date: 3/20/2018

## Section A: Project Information

Project Name: Chapel Hill Cooperative Preschool #18-031  
Property Address: 108 Mt Carmel Church Rd Zip Code: 27514  
Existing Zoning District: Residential -1 (R-1)  
Project Description: 9000 s.f. child day care and preschool facility

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

### Applicant Information (to whom correspondence will be mailed)

Name: Maria Dickenson, Director  
Address: 106 Purefoy Rd  
City: Chapel Hill State: NC Zip Code: 27514  
Phone: 919-942-0220 Email: chapelhillcooperativepreschool@gmail.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: Maria Dickenson Date: 3/22/18

### Owner/Contract Purchaser Information:

Owner  Contract Purchaser

Name: Chapel Hill Cooperative Preschool  
Address: 106 Purefoy Rd  
City: Chapel Hill State: NC Zip Code: 27514  
Phone: 919-942-0220 Email: chapelhillcooperativepreschool@gmail.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: Maria Dickenson Date: 3/22/18



VARIANCE OR APPEAL APPLICATION  
 SUBMITTAL REQUIREMENTS  
 TOWN OF CHAPEL HILL  
 Planning Department

Variances and Appeals may be granted by the Board of Adjustment for dimensional regulations, water and sewer regulations, steep slope regulations, house size limitations, Resource Conservation District regulations, Jordan Buffer regulations, and Watershed Protection District regulations. 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](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

n/a	<b>Application fee</b> <i>(refer to fee schedule)</i>	Amount Paid \$	<u>600.-</u>
n/a	<b>Digital Files</b> - provide digital files of all plans and documents		
n/a	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> <i>(see GIS notification tool)</i>		
n/a	<b>Mailing fee for above mailing list</b>	Amount Paid \$	<u>82.40</u>
n/a	<b>Written Narrative describing the proposal</b>		
n/a	<b>Statement of Justification</b> – see below for additional information		
n/a	<b>Recorded Plat or Deed of Property</b>		
n/a	<b>Stream Determination</b> - necessary for all submittals		
n/a	<b>Jurisdictional Wetland Determination</b> – if applicable		
n/a	<b>Reduced Site Plan Set (reduced to 8.5"x11")</b>		

Type of Variance or Appeal (Choose one of the following):

- Dimensional Variance**                       **Water and Sewer Variance**                       **Steep Slope Variance**  
 Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(a) of the Land Use Management Ordinance
- House Size Variance**  
 Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(b) of the Land Use Management Ordinance
- Resource Conservation District Variance**  
 Statement of Justification: Respond to parts A-I of Subsection 3.6.3(j)(4) of the Land Use Management Ordinance
- Jordan Watershed Riparian Buffer Variance**  
 Statement of Justification: Respond to parts A-C of Subsection 5.18.8(d)(1) of the Land Use Management Ordinance
- Watershed Protection District Variance**  
 Statement of Justification: Respond to parts 1-4 of Subsection 3.6.4(h)(2) of the Land Use Management Ordinance
- Appeal**  
 Standing: Explain to the Board how the applicant is an aggrieved party (NC General Statute Sec. 160A-388(b)(1))  
 Statement of Justification: Provide justification for decision that is being appealed \*See attached



VARIANCE OR APPEAL APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department

Plan Sets (2.0 copies to be submitted no larger than 24" x 36")

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

n/a

**Area Map**

- a) Overlay Districts
- b) 1,000 foot notification boundary

n/a

**Detailed Site Plan**



## GROUNDNS FOR APPEAL TO THE BOARD OF ADJUSTMENT

The grounds for the appeal of the Chapel Hill Cooperative Preschool to the Board of Adjustment from the Memorandum determination of Judy Johnson dated March 2, 2018 are summarized as follows:

The Chapel Hill Cooperative Preschool has standing to make this appeal because it was the applicant for and grantee of the Site Plan Approval issued by the Planning Commission dated January 25, 2017 and submitted to the Town a Final Plan-Zoning Compliance Permit application. The Memorandum determination of Judy Johnson was in error because:

(1) Section 1.6 of the LUMO prescribes that the ordinance be liberally interpreted to further its purposes; and, where there is an ambiguity in an ordinance, the general principle is that the ordinance be construed in favor of effectuating the requested land use.

(2) The stipulation about the construction start date in the Site Plan Approval assumes the issuance of a zoning compliance permit (ZCP) because no construction can begin without first obtaining that permit. The Site Plan Approval does not specify any timeframe within which to apply for the ZCP. The LUMO does not specifically vest construction start times in the Planning Commission, but, rather, establishes the start time based on the date of issuance of the ZCP by the town manager under Section 4.7.6. This same section specifically authorizes the manager to grant an extension of the construction start time, and the Section otherwise provides no express authority for the Planning Commission to establish a construction start time.

(3) In this case, had a ZCP been issued shortly after the Site Plan Approval and no construction had yet started, the manager would have had complete authority to extend the construction start time regardless of the stipulation in the Site Plan Approval. Thus, the construction start time specified in the Site Plan Approval cannot be read to override the manager's exclusive power and authority to extend the construction start time after the issuance of a ZCP. In short, the "purpose" of the LUMO provisions is to establish construction start times and extension of

construction start times in the manager alone (based on the issuance of a ZCP) and not the Planning Commission, and the LUMO therefore should be construed in a way that effectuates this purpose. This reasoning supports the view that the manager in this case has the authority to proceed with acting upon the ZCP application and extending the construction start time beyond the time specified in the Site Plan Approval.

(4) Alternatively, the manager has the authority to extend the construction start time under Section 4.7.5 (“Minor Changes to Approved Site Plans”). Under this Section, the manager may approve minor changes “to plans approved under site plan review as long as such changes continue to comply with the approving action of the planning commission and all other applicable requirements.” Any distinction between “plans” under site plan review or “conditions” in connection with such plans is ambiguous and undefined in the LUMO. If the term “plans” is construed to include the time for starting construction, extending that time is a change that still complies with “the approving action of the planning commission” (i.e., approving the overall project) and gives effect to the “other applicable requirements” of the LUMO (i.e., the necessity of a ZCP before construction can begin and the manager’s power to extend the construction start time after issuance of that permit). Even if extending the time for starting construction is deemed to be a “substantial change to plans,” such a substantial change is proper as being “required by a condition of [site plan] approval”—i.e., the condition of some start date—and extending the time to start construction is “required,” as a practical matter, to allow the manager to act upon a ZCP.

(5) Finally, Section 4.7.6 specifies that Site Plan Approval only becomes void if construction is not started within 12 months of the date of the issuance of the ZCP. No provision of the LUMO specifically vests the establishment of construction start times in the planning commission or specifies that the violation of a start time stated in the Site Plan Approval voids the Site Plan Approval. Thus, here, even though construction has not started by the date stated in the Site Plan Approval, that Approval did not become void under Section 4.7.6 and the manager had the authority to act upon the ZCP application, including extending the time for starting construction.



Finally the Chapel Hill Cooperative Preschool, by a Memo dated 3/8/18 to Judy Johnson, made a "Request for Hearing with the Planning Commission" to seek modification of the January 25, 2017 Site Plan Approval for the limited purpose of amending the "Construction Deadline" provided for in that Approval to provide "That construction begins by July 1, 2018, to be completed by July 1, 2020." The Chapel Hill Cooperative Preschool hereby notices that it will appeal any denial by the Planning Commission of this modification request.



**TOWN OF CHAPEL HILL**  
**Planning and Development Services**

405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514-5705

*phone* (919) 968-2728 *fax* (919) 969-2014  
[www.townofchapelhill.org](http://www.townofchapelhill.org)

MEMORANDUM

TO: Maria Dickinson, Chapel Hill Cooperative Preschool

FROM: Judy Johnson, Operations Manager, Planning and Development Services

DATE: March 2, 2018

SUBJECT: Chapel Hill Cooperative Preschool

We are in receipt of a Final Plan - Zoning Compliance Permit application for the Chapel Hill Cooperative Preschool. We are not authorized accept the application because the Resolution from the Planning Commission, dated January 25, 2017, granting approval of the Site Plan application contains the following stipulation:

1. “Construction Deadline: That construction begins by January 25, 2018, to be completed by January 25, 2020.”

Construction has not begun on the property. The Land Use Management Ordinance does not include any provision allowing for the Town Manager to grant an extension of the construction starting deadline established by a resolution of the Planning Commission approving a Site Plan application. As a result, the Site Plan Approval granted by the Planning Board has expired.

Further, we do not believe that a change to this stipulation in the Planning Commission’s approval resolution constitutes a Minor Change to the Site Plan Review, as defined in section 4.7.5 of the Ordinance. The Town Manager is not authorized to approve any change to the Site Plan Review other than a Minor Change.

Please note that this determination may be appealed to the Board of Adjustment in accordance with Section 4.10 of the Land Use Management Ordinance. An application for appeal must be filed within 30 days of delivery of this memorandum. Should you have any questions regarding this process, please contact the Planning Department at (919) 969-5066.

In the alternative, you may want to consider applying again to the Planning Commission for Site Plan Approval or modifying your pending Special Use Permit Application.

C: Ralph D. Karpinos, Town Attorney  
Aaron Bachenheimer, CHCP

**FINAL PLAN APPLICATION**

**TOWN OF CHAPEL HILL**  
**Planning Department**  
 405 Martin Luther King Jr. Blvd  
 Phone (919) 969-5066 fax (919) 969-2014  
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9787-29-6199; 9787-29-7266; 9787-29-9047; 9787-39-0045 Date: February 8, 2018

**Section A: Project Information**

Project Name: Chapel Hill Cooperative Preschool

Property Address: 108 Mt. Carmel Church Road, Chapel Hill, NC Zip Code: 27516

Use Groups (A, B, and/or C): B Existing Zoning District: R-1

Project Description: Construction of a ±9,000 SF Preschool building and associated site improvements including but not limited to a fenced play area, off-street parking, stormwater management systems, lighting, landscaping and supporting utility services.

**Section B: Applicant, Owner, and/or Contract Purchaser Information****Applicant Information (to whom correspondence will be mailed)**

Name: Pennoni- Peter Bellantoni, PE  
 Address: 401 Providence Road, Suite 200  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: 919-230-9214 Email: Pbellantoni@pennoni.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: *Peter Bellantoni* Date: 2/15/18

**Owner/Contract Purchaser Information:**

**Owner**  **Contract Purchaser**

Name: Chapel Hill Cooperative Preschool (Maria Dickinson)  
 Address: 106 Purefoy Road  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: (919) 942-3955 Email: chapelhillcooperativepreschool@gmail.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: *Maria Dickinson* Date: 2/15/18

Click here <http://chplan.us/TechnicalReviewSubmittals> for application submittal instructions.



# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section A: Project Information

Application Type:

Date: February 8, 2018

Project Name: Chapel Hill Cooperative Preschool

**Use Type:** (check/list all that apply)

Office/Institutional    Residential    Mixed-Use    Other: Pre-school

**Overlay District:** (check all that apply)

Historic District    Neighborhood Conservation District    Airport Hazard Zone

## Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	172,960	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=	10% NLA	sq. ft.
	b) Credit Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	10% NLA	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	190,256	sq. ft.

## Section C: Special Protection Areas, Land Disturbance, and Impervious Areas

**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)	172,960
Area of Land Disturbance within RCD	492
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)	7,618	7,352	29,436	27,264
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	4.00%	3.86%	15.47%	14.33%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	4.00%	N/A	N/A	N/A



# 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	4 (3,053)	3 (2,787)	1 (9,000)	9,266
Number of Floors	1 Each	3	1 Each	2 (1 Each)
Recreational Space	N/A	N/A	N/A	N/A

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)	3,053	2,787	0	266
Total Square Footage of All Units	3,053	2,787	0	266
Total Square Footage of Affordable Units	N/A	N/A	N/A	N/A
Total Residential Density	1	1	0	0
Number of Dwelling Units	1	1	0	0
Number of Affordable Dwelling Units	N/A	N/A	N/A	N/A
Number of Single Bedroom Units	N/A	N/A	N/A	N/A
Number of Two Bedroom Units	N/A	N/A	N/A	N/A
Number of Three Bedroom Units	N/A	N/A	N/A	N/A

Non-Residential Space (Gross Floor Area in Square Feet)					
Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	0	9,000		N/A	N/A
Restaurant	N/A	N/A	# of Seats		
Government	N/A	N/A			
Institutional	N/A	N/A			
Medical	N/A	N/A			
Office	N/A	N/A		N/A	N/A
Hotel	N/A	N/A	# of Rooms		
Industrial	N/A	N/A		N/A	N/A
Place of Worship	N/A	N/A	# of Seats		
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	28'	47'	104' +/-
	Interior (neighboring property lines)	14'	18'	43' +/-
	Solar (northern property line)	17'	120'	144' +/-
Height (maximum)	Primary	29'		17
	Secondary	40'		N/A
Streets	Frontages	64'	>64'	>64'
	Widths	80'	>80'	>80'



# PROJECT FACT SHEET

TOWN OF CHAPEL HILL  
Planning Department

## Section E: 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
Mt. Carmel Church Road	Varies	Varies	Varies 2 to 4	<input type="checkbox"/> Yes	<input type="checkbox"/> 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
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

## Section F: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	20	25	29
Handicap Spaces	2	2	2
Total Spaces	22	27	31
Loading Spaces	N/A	N/A	N/A
Bicycle Spaces	8	8	4
Surface Type	Asphalt		

## Section G: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South (Street)	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
East	20'	14'	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
West (Street)	30'	30'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



# PROJECT FACT SHEET

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## Section H: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

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
R-1	0.0564	N/A	N/A	N/A	0.156	10,730 SF	
<b>TOTAL</b>							
RCD Streamside	0.0564	0.01		N/A	0.156	10,730 SF	
RCD Managed	0.076	0.019					
RCD Upland	0.076						

## Section I: Utility Service

Check all that apply:

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



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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) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

NA	<b>Application fee</b> ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	5,240.00
X	<b>Digital Files</b> – provide digital files of all plans and documents		
X	<b>Recorded Plat or Deed of Property</b>		
X	<b>Project Fact Sheet</b>		
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )		
X	<b>Mailing fee for above mailing list</b>	Amount Paid \$	179.20
X	<b>Written Narrative describing the proposal</b>		
X	<b>Stream Determination</b> – necessary for all submittals		
NA	<b>Jurisdictional Wetland Determination</b> – if applicable		
X	<b>Resource Conservation District Encroachment Exemption or Variance</b> (determined by Planning)		
NA	<b>Jordan Buffer Authorization Certificate or Mitigation Plan</b> (determined by Planning)		
X	<b>Reduced Site Plan Set</b> (reduced to 8.5" x 11")		

**Stormwater Impact Statement (1 copy to be submitted)**

- a) Written narrative describing existing and 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
- 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)





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### Recorded Documents

- a) HOA Documents
- b) Special Use Permit
- c) Utility Easements
- d) ROW Plats
- e) Access Easements
- f) Drainage Easements
- g) Any other easement or document

### Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set 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

### 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
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines



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- 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 buffers (or proposed alternate 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

### Roadway Design Plan

- a) Horizontal alignment with curve data (if applicable)
- b) Vertical alignment (profile, curve length, grades, k-values, PVI stations)
- c) Typical street cross-section
- d) Cut and fill limits on topography
- e) Intersection curb radii
- f) Driveway locations and widths
- g) Sight distance triangles at intersections
- h) Geotechnical analysis (if applicable)
- i) Right-of-way widths
- j) Easements
- k) Drainage facilities (materials used, slopes, invert elevations, HGL, spread/intercepted flow, pipe & channel size calculations for 10 and 25-year storm, pertinent off-site drainage features)
- l) Work zone traffic control plan
- m) Pavement removals/demolitions



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### Traffic Plans

- a) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan
- b) Traffic Sign, Street Name Sign, and Pavement Marking Plan – in accordance with Manual on Uniform Traffic Control Devices. Street name signs in accordance with Town of Chapel Hill standards.
- c) Traffic Signal Plan – in accordance with Manual on Uniform Traffic Control Devices and NCDOT traffic signal design standards (prepared by licensed professional engineer)

### Street Light Plan/Streetscape Plan

- a) In accordance with Town of Chapel Hill and Duke Energy standards; sealed by professional engineer
- b) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- c) Description and/or detail of proposed light poles, fixture, watts, lumens, and spacing
- d) Other improvements, such as benches or bus stops, if proposed within public right-of-way
- e) If Downtown Streetscape area, utilize standard downtown conduit detail
- f) Location of street edge of pavement and/or curb and gutter, sidewalk, and property lines

### 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
- i) Detailed tree protection fencing
- j) Landscape protection supervisor note
- k) Existing and proposed tree canopy calculations, if applicable



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### Steep Slopes 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) Cut and fill lines
- c) Cross-sections (Streets)
- d) Detailed drawings of infrastructure (BMPs, curb inlets, infiltration systems, erosion control, etc.)
- e) Limits of Disturbance
- f) Pertinent off-site drainage features
- g) Existing and proposed impervious surface tallies
- h) Ground cover
- i) Spot elevations when necessary
- j) Size calculations

### Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planning)
- c) Off-site buffer easement, if applicable
- d) Detailed buffer planting plan
- e) Detailed parking lot shading/screening plan
- f) Detailed composite plant list with installation sizes
- g) Landscape installation details and maintenance plan

### Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape 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

### Phasing Plan (if applicable)



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### Solid Waste Plan

- a) Solid Waste Management Plan approval by Orange County
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed dumpster pad construction section
- e) Proposed dumpster pad protective bollard and screening fence details
- f) Proposed heavy duty pavement locations and pavement construction detail
- g) Existing pavement damage waiver note
- h) Refuse facility lighting plan
- i) Shared dumpster agreement, in lieu of above

### Fire Protection and Utility Plan

- a) Fire Flow Report: for a fire hydrant within 500 feet of each building, provide that the calculated gallons per minute of residual pressure is 20 pounds per square inch. The calculations should be sealed by a licensed professional engineer in North Carolina and accompanied by a water supply flow test conducted within one year of the submittal (see Town of Chapel Hill Design Manual for required gallons per minute)
- b) Indicate location and size of water, sewer, electric, cable, telephone, gas, and fire safety apparatus.

### Transportation Management Plan

A Transportation Management Plan (TMP), for the development process, shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. This plan shall be updated annually and approved by the Town Manager.

- a) Installation of a shower for use by any building employees utilizing alternative transportation.
- b) Designated spaces will be provided for car poolers as well as alternative fuel vehicles.
- c) Designation of a Transportation Management Plan (TMP) Coordinator – name, title, email, phone, and address to be provided
  - 1. Regularly communicate and promote alternate modes of transportation, year round, to all those employed in the building.
  - 2. Attend the annual Go Chapel Hill TMP Conference to receive updates and training regarding TMP information distribution and application.
  - 3. Submit to the Town of Chapel Hill Planning Department an Occupancy Survey due 90 days after issuance of the final Certificate of Occupancy.
  - 4. Submit to the Town of Chapel Hill Planning Department an updated annual Transportation Management Plan Report.
  - 5. Conduct Employee and Resident surveys during survey years. Employee surveys will be distributed to each employee working in the building and then returned to the Town of Chapel Hill Planning Department by the specified deadline.
  - 6. Will take steps to gradually attain the goals of the Go Chapel Hill TMP Program.
  - 7. Conduct annual survey of employees for any increased demand for additional bicycle parking and installation of those facilities on an as-needed basis, if determined to be appropriate by the Town Manager.

**MEMORANDUM**

TO: Chapel Hill Board of Adjustment

FROM: Ben Hitchings, Director of Planning and Development Services  
Phil Mason, Planning Manager

SUBJECT: Appeal of Planning Commission Decision - Chapel Hill Cooperative Preschool,  
108 Mt. Carmel Church Rd. (PINs 9787-29-6199, 9787-29-7266, 9787-29-9047  
and 9787-39-0045, Project #17-019)

DATE: April 12, 2017

**INTRODUCTION**

The Town has received an appeal from Julie Richardson, and others, including Marsha Warren, David Warren, Judy Raby, and Richard Hoffert appealing a decision to approval a Site Plan Review application, submitted by Philip Post & Associates, by the Planning Commission on January 25, 2017. The application is to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road. The property is located in the Residential-1 (R-1) zoning district and is identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9047 and 9787-39-0045.

Application materials are attached including an appeal application form, arguments regarding standing and basis for appeal, and exhibits including staff memoranda to the Planning Commission, with attachments.

Attached are two resolutions for the Board's consideration: Resolution 1 (Attachment 1) would uphold the Planning Commission's decision and Resolution 2 (Attachment 2) would overrule the Planning Commission's decision.

**PROCEDURE**

A decision of the Planning Commission in granting or denying a site plan approval may be appealed to the Board of Adjustment as a "new case". (Town of Chapel Hill Land Use Management Ordinance (LUMO) Sec. 4.10.1 (a)).

Because this is a "new case", the Board of Adjustment (the Board) acts as the Planning Commission (the Commission) and hears the request for site plan approval in the same manner as would the Commission. After an introduction by the Planning Staff of the case, the applicant before the Commission presents its information. Then, persons in opposition to the application would then have an opportunity to present their information. (It is possible that preliminary procedural issues would be raised by either party and could be considered by the Board prior to the Board's hearing the merits of the application.)

The Commission may be represented as a witness before the Board (N.C. General Statute Sec. 160A-388(b1)(8)) but is not a party and need not defend its decision.

Unlike the hearing before the Commission, all witnesses who present information before the Board are required to be sworn because the Board is required to follow quasi-judicial procedures. (N.C. G.S. Sec. 160A-388(a1)).

The Board has all of the powers of the Commission and may reverse, affirm, wholly or partly, or may modify the decision appealed from. (N.C.G.S. Sec. 160A-388(b1)(8)).

The Board's decision in this case is based on a majority vote (6) of Board members.

### **VISITING THE SITE**

We ask that any Board member interested in visiting the site do so separately from other Board members. Or, if you would like to view the site as a group, please arrange the visit through the Planning Department so that proper procedure can be followed in accordance with the State's open meetings law. Any member who visits the site prior to the hearing is urged to share information with the other Board members during the hearing.

The property is located at 108 Mt. Carmel Church Road, between the intersections of Old Bridge Lane and U.S. 15-501 South. For additional information please refer to the area map of the subject property (Attachment 7).

### **SUMMARY OF APPLICATION**

The appellants are appealing the decision by the Planning Commission to approve a Site Plan Review application to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, between the intersections of Old Bridge Lane and U.S. 15-501 South.

See appeal application materials including an appeal application form, arguments regarding standing and basis for appeal, and exhibits including staff memoranda to the Planning Commission, with attachments (Attachment 3). Town staff have provided a Planning & Sustainability staff memorandum with a recommendation, analysis and associated attachments in (Attachment 4).

The appellants' make an argument for standing in their case. As noted above, procedural issues would be raised by either party can be considered by the Board prior to the Board's hearing the merits of the application.

The appellants' argue that the Chapel Hill Cooperative Preschool development application, approved by the Planning Commission on January 25, 2017, should be overturned by the Board of Adjustment. They have claimed the following reasons in their appeal:

1. The project as presented to the Planning Commission does not meet the Town's guidelines for a Traffic Impact Assessment (TIA) waiver; and

2. The Town failed to communicate vital traffic safety information to the Planning Commission.

### **BACKGROUND**

For background information on this appeal, please see the information below or Attachments 3 and 4:

- |                   |   |
|-------------------|---|
| February 24, 2017 | Appellants Julie Richardson, Marsha Warren, David Warren, Judy Raby, and Richard Hoffert submitted the Chapel Hill Cooperative Preschool application (Attachment 3).  |
| January 25, 2017  | The Chapel Hill Planning Commission approved the Chapel Hill Cooperative Preschool application (Attachment 4).  |
| January 17, 2017  | The Chapel Hill Planning Commission heard the Chapel Hill Cooperative Preschool application (Attachment 4).   |
| August 25, 2016   | Site Plan Review application for the Chapel Hill Cooperative Preschool at 108 Mt. Carmel Church Rd. was submitted by Philip Post & Associates to the Town of Chapel Hill for the staff review (Attachment 3). |
| November 15, 2006 | Minor Subdivision approval.   |
| 1947              | The lot was originally created.   |

### **DISCUSSION**

As previously stated, the applicant is appealing the Planning Commission decision to approve a Site Plan Review application to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road.

Zoning regulations allow the proposed use and intensity in the Residential-1 (R-1) zoning district is allowed, per Resolution A as approved by the Planning Commission on January 25, 2017. Please refer to the Planning & Sustainability Staff Memorandum and various attachments for more detail (Attachment 4). The Planning & Sustainability staff will also provide a presentation at the Board of Adjustment meeting, referencing these materials.

The Board of Adjustment's review and determination in this appeal is "new case" and the Board is acting as the Planning Commission per Town of Chapel Hill Land Use Management Ordinance (LUMO) Sec. 4.10.1 (a)).

The Board has all of the powers of the Commission and may reverse, affirm, wholly or partly, or may modify the decision appealed from. (N.C.G.S. Sec. 160A-388(b1)(8)).

In the event the Board of Adjustment believes that the evidence is inadequate it may request additional information and continue the hearing on a subsequent date.



## CONCLUSION

The Planning Commission approved a Site Plan Review application on January 25, 2017 to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, between the intersections of Old Bridge Lane and U.S. 15-501 South. The Planning Commission decision has been appealed by property owners Julie Richardson, and others, including Marsha Warren, David Warren, Judy Raby, and Richard Hoffert.

We recommend that the Board of Adjustment review the case.

## ATTACHMENTS

1. Resolution 1, Upholding the Planning Commission's decision, denying the appeal (p. 5).
2. Resolution 2, Overruling the Planning Commission's decision, approving the appeal (p. 6).
3. Appeal application materials including an appeal application form, arguments regarding standing and basis for appeal, and exhibits including staff memoranda to the Planning Commission, with attachments (pp. 7-70).
4. Planning & Sustainability staff Site Plan Review memo and attachments, January 17 Planning Commission meeting (pp. 71-126).
5. Notification of Planning Commission approval of Site Plan Review application, with approved resolution attached, dated March 31, 2017 (pp. 72-136).
6. NCDOT traffic impact letter, dated March 31, 2017 (pp. 137-141).
7. Area Map of the subject property (p. 142).

**ATTACHMENT 1****RESOLUTION 1  
(UPHOLDING THE PLANNING COMMISSION'S DECISION)****RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE A SITE PLAN REVIEW APPLICATION, TO CONSTRUCT A 9,000 S.F. CHILD DAY CARE FACILITY, LOCATED AT 108 MT. CARMEL CHURCH ROAD, AND FURTHER IDENTIFIED AS ORANGE COUNTY PARCEL IDENTIFIER NUMBERS 9787-29-6199, 9787-29-7266, 9787-29-9047 AND 9787-39-0045.**

WHEREAS, Having reviewed the appellants' argument, the Planning & Sustainability presentation, various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are supported by competent, material and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the appellants' argument to overrule the January 25, 2017 decision by the Chapel Hill Planning Commission, to approve the Site Plan Review application for the Chapel Hill Cooperative Preschool, a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, does not have merit.

THE BOARD FURTHER concludes that the evidence before the Board of Adjustment supports the determination of the Planning Commission that the Site Plan Review application, to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, complies with applicable provisions of the Chapel Hill Land Use Management Ordinance and Town Design Manual and adopts the decision and reasons of the Commission as the determination and reasons of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY UPHOLDS the Planning Commission's decision (adoption of Resolution A, as amended) on January 25, 2017 to approve the Site Plan Review application for the Chapel Hill Cooperative Preschool, a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, and further identified as Orange County parcel identifier numbers 9787-29-6199, 9787-29-7266, 9787-29-9047 and 9787-39-0045, and furthermore approves the following conditions:

BE IT FURTHER RESOLVED that the applicant's appeal is hereby denied.

---

Signed - Board of Adjustment Chair, Phillip J. Lyons

This the 12<sup>th</sup> day of April 2017.

**ATTACHMENT 2****RESOLUTION 2  
(OVERRULING THE PLANNING COMMISSION'S DECISION)****RESOLUTION OVERRULING THE PLANNING COMMISSION'S DECISION TO APPROVE A SITE PLAN REVIEW APPLICATION, TO CONSTRUCT A 9,000 S.F. CHILD DAY CARE FACILITY, LOCATED AT 108 MT. CARMEL CHURCH ROAD, AND FURTHER IDENTIFIED AS ORANGE COUNTY PARCEL IDENTIFIER NUMBERS 9787-29-6199, 9787-29-7266, 9787-29-9047 AND 9787-39-0045.**

WHEREAS, Having reviewed the appellants' argument, the Planning & Sustainability presentation, various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are not supported by competent, material and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the appellants' argument to overrule the January 25, 2017 decision by the Chapel Hill Planning Commission, to approve the Site Plan Review application for the Chapel Hill Cooperative Preschool, a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, does have merit.

THE BOARD FURTHER concludes that the evidence before the Board of Adjustment does not support the determination of the Planning Commission that the Site Plan Review application, to construct a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, and does not comply with applicable provisions of the Chapel Hill Land Use Management Ordinance and Town Design Manual and does not adopt the decision and reasons of the Commission as the determination and reasons of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY OVERRULES the Planning Commission's decision (adoption of Resolution A, as amended) on January 25, 2017 to approve the Site Plan Review application for the Chapel Hill Cooperative Preschool, a 9,000 s.f. child day care facility, located at 108 Mt. Carmel Church Road, and further identified as Orange County parcel identifier numbers 9787-29-6199, 9787-29-7266, 9787-29-9047 and 9787-39-0045 and hereby denies the Appeal.

BE IT FURTHER RESOLVED that the applicant's appeal is hereby approved.

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Signed - Board of Adjustment Chair, Phillip J. Lyons

This the 12<sup>th</sup> day of April 2017.

# VARIANCE OR APPEAL APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): \_\_\_\_\_

Date: 2/24/17

## Section A: Project Information

Project Name:

Chapel Hill Cooperative Preschool

Property Address:

108 Mt. Carmel Church Rd

Zip Code:

27517

Existing Zoning District:

R-1

Project Description:

Child daycare facility

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

**Applicant Information** (to whom correspondence will be mailed)

*\* see back for additional signees →*

Name:

Julie Richardson

Address:

105 Miramar Place

City:

Chapel Hill

State:

NC

Zip Code:

27517

Phone:

919-673-5710

Email:

julierich@nc.rr.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:

Julie Richardson

Date:

2/24/17

**Owner/Contract Purchaser Information:**

Owner

Contract Purchaser

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

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: \_\_\_\_\_



VARIANCE OR APPEAL APPLICATION  
 SUBMITTAL REQUIREMENTS  
 TOWN OF CHAPEL HILL  
 Planning Department

Plan Sets (20 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



**Area Map**

- a) Overlay Districts
- b) 1,000 foot notification boundary



**Detailed Site Plan**



standing & basis for appeal  
 outlined on attached document.





**VARIANCE OR APPEAL APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning Department

Variances and Appeals may be granted by the Board of Adjustment for dimensional regulations, water and sewer regulations, steep slope regulations, house size limitations, Resource Conservation District regulations, Jordan Buffer regulations, and Watershed Protection District regulations. 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](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

<input checked="" type="checkbox"/>	<b>Application fee</b> ( <a href="#">refer to fee schedule</a> )	Amount Paid \$ <input style="width: 100px;" type="text" value="600"/>
<input checked="" type="checkbox"/>	<b>Digital Files</b> - provide digital files of all plans and documents	
<input type="checkbox"/>	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )	
<input type="checkbox"/>	<b>Mailing fee for above mailing list</b>	Amount Paid \$ <input style="width: 100px;" type="text"/>
<input type="checkbox"/>	<b>Written Narrative</b> describing the proposal	
<input checked="" type="checkbox"/>	<b>Statement of Justification</b> – see below for additional information	
<input type="checkbox"/>	<b>Recorded Plat or Deed of Property</b>	
<input type="checkbox"/>	<b>Stream Determination</b> - necessary for all submittals	
<input type="checkbox"/>	<b>Jurisdictional Wetland Determination</b> – if applicable	
<input type="checkbox"/>	<b>Reduced Site Plan Set</b> (reduced to 8.5"x11")	

**Type of Variance or Appeal (Choose one of the following):**

- Dimensional Variance**       **Water and Sewer Variance**       **Steep Slope Variance**  
Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(a) of the Land Use Management Ordinance
- House Size Variance**  
Statement of Justification: Respond to parts 1-7 of Subsection 4.12.2(b) of the Land Use Management Ordinance
- Resource Conservation District Variance**  
Statement of Justification: Respond to parts A-I of Subsection 3.6.3(j)(4) of the Land Use Management Ordinance
- Jordan Watershed Riparian Buffer Variance**  
Statement of Justification: Respond to parts A-C of Subsection 5.18.8(d)(1) of the Land Use Management Ordinance
- Watershed Protection District Variance**  
Statement of Justification: Respond to parts 1-4 of Subsection 3.6.4(h)(2) of the Land Use Management Ordinance
- Appeal**  
Standing: Explain to the Board how the applicant is an aggrieved party (NC General Statute Sec. 160A-388(b1)(1))  
Statement of Justification: Provide justification for decision that is being appealed

Marsha Warren  
 Marsha Warren  
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Marsha Warren 2.24.17

David Warren  
~~D. Warren~~ 2-24-17  
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 919-942-2480 davidawarren@duke.edu

Judy Raby  
 120 Old Bridge Lane  
 Chapel Hill NC 27517  
 310 299 2192 amalia49@hotmail.com

Jeff Raby 2.24.17

RICHARD R HOFFERT  
 100 Old Bridge Ln  
 Chapel Hill NC 27517  
 919-240-7335 rhoffert@aol.com  
 Rich Hoffert 2/24/17

**Project CHP16-088****Appeal of Planning Commission Decision**

The property is identified as Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047 and is located at 108 Mt. Carmel Church Rd.

Address 108 Mt. Carmel Church Rd.  
 Owner Chapel Hill Cooperative Preschool  
 Location Description Northeast corner of the intersection of U.S. 15-501 south and Mt. Carmel Church Rd. Refer to location map on item

County Parcel Identifier Numbers  
 Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047

Property Description Predominantly undeveloped property. Lot contains a single family structure and accessory structures. The remaining three lots are vacant single-family lots that were subdivided in 2008.

Existing Zoning Residential-1 (R-1)

Proposed Land Use Child Day Care Facility, permitted in R-1 zoning district provided that access is available to a collector or arterial street.

**Surroundings**

General Development Pattern Single family residential development to south, east and west, and park / open space to the north

**Current Site Conditions**

Lot Size (Net Land Area) 172,960 square feet (3.97 acres)

Lot Size (Gross Land Area) 190,256 square feet (4.36 acres)

Structures One single family dwelling with three accessory structures.

Vegetation Predominantly wooded.

Access Single shared driveway providing access for all four lots to Mt. Carmel Church Rd.

Utility Easements Existing sewer main within an easement serving vacant residential lots.

Existing Impervious Surface 7,896 square feet



Resource Conservation District Perennial stream on northern lot line, 150-foot wide buffer applies from the top of bank and extends south into the site.

Watershed Protection District Site is inside the Watershed Protection District

Jordan Riparian Buffer Perennial stream on northern lot line, 50-foot wide buffer applies from top of bank and extends south into the site.

Wetlands N/A

Steep Slopes Site contains 50,356 square feet of moderate slopes with a grade between 15% and 25% and 91,307 square feet of steep slopes with a grade of 25% or more.

100-year floodplain The northern portion of the site, adjacent to the stream, is within the 100-year floodplain.

\* Standing for Appeal:

We are Chapel Hill residents who live in neighborhoods along Mt. Carmel Church Road. Failure of this project to provide functional and safe entry and exit into the preschool site will impact us along with the hundreds of families who live between the Preschool site and the Mt. Carmel Church/Bennett intersection.

\* Basis for Appeal

On January 17, 2017 and January 25, 2017 the Town of Chapel Hill Planning Commission reviewed the site plan and approved the project based upon town staff's recommendation. We believe that this was an error for two reasons and should be overturned.

- 1) The project as presented to the Planning Commission did not meet the Town's guidelines for a waiver of TIA and thus requires a full TIA as specified under Section 5.8 of the Town's Land Use Management Ordinance (LUMO). The original May 4, 2016 certification of waiver of a TIA was based upon a previous project description and site plan submitted on April 26<sup>th</sup> and amended on April 27<sup>th</sup>. The site plan and narrative submitted to the Town Planning Commission was from November 18, 2016 (stamped November 21, 2016 by Peter Bellantoni) was significantly different and does not qualify for a waiver of a TIA for reasons outlined below.

LUMO Section 5.8 Access and circulation.

(c) Principal vehicular access points to the development shall be designed to encourage smooth traffic flow with minimum hazards to pedestrian, bicycle, and other vehicle traffic. Accommodations for controlled turning movements into and out of the development and improvement of the approach street shall be provided where existing or anticipated heavy traffic flows *indicate need*.

*(g) Traffic impacts of proposed new development and redevelopment shall be considered in the review of applications. A traffic impact analysis is required to identify and quantify the traffic impacts of proposed developments, and to identify facility improvements necessary to maintain acceptable levels of service. A traffic impact analysis is required for the following applications, unless affirmatively exempted by the town manager: major subdivision, special use permit, special use permit modification, and site plan review. Guidelines and requirements for conducting traffic impact analyses are available in the town engineering department. The guidelines provide a standard process, set of assumptions, set of analytical techniques, and presentation format to be used in an analysis. A set of criteria for exempting an application from the analysis requirement is included in the guidelines. Traffic impact analyses will be prepared by consultants under contract with the town and the costs of the analyses will be included in the development application fees. (Ord. No. 2004-02-23/O-2)*

Further section 5.8.2 specifies requirements regarding

#### 5.8.2. Internal Circulation.

Purpose statement: The provisions of this section are designed to ensure that internal circulation systems provide the types, amounts, and locations of accessibility appropriate to the type and size of the development, are designed so as to facilitate the movement of persons, goods, services, and waste products in a safe and efficient manner, maximize pedestrian and bicycle orientation with a minimum of impermeable surface, and provide safe and convenient vehicular access for emergency and service vehicles.

The Town of Chapel Hill Guidelines for Traffic Impact Analysis effective October 1, 2001 states

## II. REQUIREMENTS FOR TRAFFIC IMPACT ANALYSIS

The Town of Chapel Hill considers the traffic impacts of proposed new development during its review process. Therefore, the preparation of a traffic impact analysis is typically required to quantify impacts of the proposed development and to identify facility improvements needed to maintain acceptable level of service standards. Under the following circumstances, a traffic impact analysis is typically required:

- A. Submittal of a development proposal requesting a change in zoning.
- B. Submittal of an application for a major subdivision, special use permit, or site plan review. Typically, a full traffic impact analysis as detailed herein is required

for all these development requests. The requirement to prepare a full traffic impact analysis may be waived by the Town Manager only if all of the following conditions are met:

- Daily trip generation is less than 500 (or, for a change to an existing property that does not require rezoning, difference in daily trip generation is less than 500); and
- No more than 250 vehicles per day (or, for a change to an existing property that does not require rezoning, no more than 250 vehicles per day in difference) access an existing collector or local road; and
- The total traffic, including background traffic and additional traffic from proposed new site or redeveloped property does not exceed an average of 150 vehicles per day on any unpaved road; and
- The applicant submits a written request for a Traffic Impact Analysis waiver with appropriate supporting documentation including pedestrian/bicycle analysis, if applicable; and
- The Town Manager concurs with the request.

**History:**

On April 26, 2016 (and revised on April 27<sup>th</sup>) Phil Post and Peter Bellantoni submitted a request for waiver of TIA for project CHCP 1601. (See attachment 1) The project at that time was described as providing child care for 80 students and having 8-10 employees. It also described and showed a site plan that would allow for 24-25 cars to queue on site. (original site plan attached)



The applicant calculated that the 80 students would generate 372 trips per day.

Based upon these facts provided by the applicant; the applicant calculated that the 10 employees would generate 332 trips per day.

The applicant petitioned based on this calculation that the Town TIA policy for a waiver was met as the 332 employee trips fell below the threshold of 500 trips as did the student trip calculation above.

The Town issued a waiver of a TIA based on this original project description and a maximum of 360 trips per day based on 11 employees on May 4, 2016. (Attachment 1)

The projected Narrative and Site Plan was changed on November 18, 2016 and stamped on November 21, 2016. The new project site plan and description changed to include 20 employees and was part of the official application to the Town Planning Commission, (See attachment A page 25-27) but the application relied upon the May 4, 2016 waiver for the original application (attachment A page 24). The application also included the "Narrative Summary (talking points)" (attachment A p 28) which further states "80 children and 20 teachers/staff (maximum enrollment and staff size due to five star certification)".

Based on trip generation methodology used in the applicant's April submission, the trip generation for the new project which now included 20 employees would increase the estimated visits per day to 720 which exceed the Town's criteria for an exemption from a TIA of 500 trips per day.

In addition, the new plan included significant changes to the driveway which reduced queueing from 24 cars to a maximum of 7 cars. The new submission also included a desire to "stack the cars" in the parking area further indicating that the applicant knew there was a significant lack of parking. This request for stacking did not meet Town Guidelines and was not allow by the Town's Planning Commission.

Questions and concerns about both of these changes were raised by NCDOT during a meeting on November 22, 2016 and communicated to town staff on November 26, 2016 via e-mail (see attachment 2).

At the September 22 Technical/Development Review Meeting the District office expressed additional concerns with traffic operation. Please find below a summary of those concerns.

1. The ITE Trip Generator indicates that the 8,900 square foot Day Care facility may generate 700 trips daily with 60 trips entering at the morning peak and 60 trips exiting during evening peak. During the meeting, it was said that the preschool would only generate about 200 trips daily which is a significant decrease than

- anticipated. Please provide data supporting the difference in trips generated by this development.
2. It seems that the arrival time for all students is at 7:30 am according to the narrative provided. How will student arrival operate? Will parents park and walk students inside or will there be a designated car loading zone? What is the arrival time for teachers and staff? If student arrival will operate by drop off/pick up please provide location of car loading zone.
  3. The driveway stem is approximately 85' long. This will allow a queue of 3 to 4 vehicles. If students will be dropped at a car loading zone, please address potential of cars queuing onto Mt. Carmel Church Road.

If you have any questions please contact the District Office at (336)570-6833.

Thanks

**DeAngelo J. Jones**  
 Assistant District Engineer  
 North Carolina Department of Transportation

Specifically, NCDOT questioned the applicant's employee trip generation data of 200 trips. NCDOT's calculations showed that the project would generate 700 trips, a number that further supports that this project did not qualify for a waiver and required a TIA.

Based on these facts we ask that you overturn the Planning Commission approval and that the Town and the applicant follow all Town Policies and Procedures including but not limited to a full TIA and a SUP if warranted, based on the required mitigations delineated by the TIA before reconsideration by the Planning Commission.

- 2) The Town failed to communicate vital traffic safety information to the Planning Commission.

The NCDOT did further analysis (see below and attached email-attachment 3 and analysis: MSTA comments 12-20-2016 attachment 4) of the project and raised concerns about the traffic data, parking, and queueing that were communicated to the Town on December 22, 2016.

"Per your request, NCDOT District and MSTA staff have reviewed the proposed site plan and traffic information provided by the applicant. MSTA has also performed additional traffic analysis per NCDOT guidelines. We offer the following comments:

- The applicant has conducted traffic observations at the two existing campus locations and provided an estimated aggregate trip generation and parking demand for the proposed new site with the apparent assumption that traffic volumes and arrival/departure times will remain the same and are representative of the operations at the new site. The narrative provided indicates that parents will utilize a parking lot shared with staff to park and escort students to and from the building. Based on the traffic information provided by the applicant and MSTA analysis it does not appear that adequate parking is provided by the current design. The applicant's data indicates that parking demand as high as 30 parent and staff vehicles were observed during the AM peak period on the days of the counts, exceeding the proposed 24 spaces provided. The data indicates that staff parking demand during the AM reached as high as 20 vehicles leaving 4 spaces available for parents and other visitors. No parking demand information was provided for the PM peak. Similarly, analysis performed by MSTA indicated that potential peak parent parking demand exceeded the number of spaces provided with 29 parent vehicles in the AM and 21 parent vehicles in the PM respectively. Fluctuations in arrival and departure schedules would substantially impact parking demand. Based on the available information, it is apparent that the proposed parking does not meet the anticipated routine needs of the site and even more so in the case of special events where additional trip generation would be expected. Additional parking is needed to adequately accommodate anticipated traffic demands to avoid spill back and other operational problems that may affect operation and safety on the adjacent road network.
- The applicant indicates biking and walking to the facility will be encouraged to reduce vehicle trips, however, no such facilities exist on the public network and none appear to be proposed on the site plan.
- MSTA has made additional recommendations for improved safety and operation internally as follows (See attached):

  - Provide minimum 9' wide parking stalls to facilitate child assist door opening.
  - Provide walking routes in the parking lot and adequate sidewalks to and from the building
  - Provide wider sidewalk in the area of the traffic circle to accommodate quick drop off
  - Locate proposed bike racks so as to provide adequate sidewalk clearance.

Charles N. Edwards Jr., PE (Chuck)  
 District Engineer  
 N. C. Department of Transportation

Division of Highways  
Division 7, District 1

This comprehensive analysis was not included in the staff's written or verbal information that was presented to the Town Planning Commission during their evaluation of the project even after repeated questions from the Commission and the public. The Town Staff did acknowledge that traffic along this stretch of Mt. Carmel Road had increased by 50% between 2010 and 2014 from 10,487 to 15,500 and that traffic routinely backs up to the intersection of Mt. Carmel Church and Bennett Roads in the mornings which supported Commission and public concern about the decreased queueing length and insufficient on-site parking which was evidenced in diagrams showing valet-style parking for eight employee cars. (Attachment A page 31)

Specifically, NCDOT's calculations suggested the need for four times the amount of queueing (462' as opposed to 100') and the amount of on-site parking (40 spaces as opposed to 23).

At the time that the Planning Commission was reviewing the application, they were not informed that NCDOT still had concerns and needed further information to complete their analysis and recommendations on several key items related to the safety and function of the project both internal and external to the site. This information was a critical piece of information to the discussion and decision making process. Absent this information the Board could not have made an informed decision and thus the approval should be overturned on these grounds alone.

On May 20, 2016, subsequent to the Planning Commission's approval, the Town Council approved an amendment to the site plan approval by the addition of at least five and up to eight additional parking spaces within the entry circle during a closed session of the Town Council. The Council agreed to a limited Special Use Permit process for 4 additional spaces as well. Given that this approval was based upon an invalid Planning Commission approval and did not have the benefit of the required TIA or the NCDOT analysis, we believe that this approval was invalid as well. As of the date of this filing we have not seen the new site plan used for this approval but do not believe that this use of a band-aid approach will resolve the safety issues and is not consistent with the intent of the LUMO.

In conclusion, based on these facts we again ask that you overturn the Planning Commission approval and that the Town and the applicant follow all Town Policies and Procedures including but not limited to a full TIA and SUP, if warranted based on the required mitigations delineated by the TIA before reconsideration by the Planning Commission.

Monte Brown

---

**From:** Deangelo Jones <djjones1@ncdot.gov>  
**Sent:** Monday, September 26, 2016 9:34 AM  
**To:** Jay Heikes; Eric Feld  
**Cc:** Chuck Edwards; Chris Jensen; Kumar Neppalli; pbellantoni@pennoni.com  
**Subject:** Chapel Hill Cooperative Preschool

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

At the September 22 Technical/Development Review Meeting the District office expressed additional concerns with traffic operation summary of those concerns.

1. The ITE Trip Generator indicates that the 8,900 square foot Day Care facility may generate 700 trips daily with 60 trips exiting during evening peak. During the meeting, it was said that the preschool would only generate about 200 trips, a decrease than anticipated. Please provide data supporting the difference in trips generated by this development.
2. It seems that the arrival time for all students is at 7:30 am according to the narrative provided. How will student arrival be managed? Will students walk inside or will there be a designated car loading zone? What is the arrival time for teachers and staff? If students are dropped off/pick up please provide location of car loading zone.
3. The driveway stem is approximately 85' long. This will allow a queue of 3 to 4 vehicles. If students will be dropped off at the end of the driveway there is a potential of cars queuing onto Mt. Carmel Church Road.

If you have any questions please contact the District Office at (336)570-6833.

Thanks

**DeAngelo J. Jones**  
Assistant District Engineer  
North Carolina Department of Transportation

336 570 6833 office  
[djjones1@ncdot.gov](mailto:djjones1@ncdot.gov)

PO Box 766  
115 E. Crescent Square Drive  
Graham, NC 27253-0766



 Nothing Compares

*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*



**Monte Brown**

**From:** Edwards, Charles N <cnedwards@ncdot.gov>  
**Sent:** Thursday, December 22, 2016 10:49 AM  
**To:** Kumar Neppalli; Peter Bellantoni; Jay Heikes  
**Cc:** Philip Post; Jones, DeAngelo J; Cranford, Joel C  
**Subject:** RE: Chapel Hill Cooperative Preschool - Mt. Carmel Church Road  
**Attachments:** 06- Site Plan.pdf; Narrative with Traffic.pdf; Chapel Hill Cooperative Preschool - MSTA Comm

Per your request, NCDOT District and MSTA staff have reviewed the proposed site plan and traffic information provided by th performed additional traffic analysis per NCDOT guidelines. We offer the following comments:

- The applicant has conducted traffic observations at the two existing campus locations and provided an estimated agg demand for the proposed new site with the apparent assumption that traffic volumes and arrival/departure times wi representative of the operations at the new site. The narrative provided indicates that parents will utilize a parking lo escort students to and from the building. Based on the traffic information provided by the applicant and MSTA analys adequate parking is provided by the current design. The applicant's data indicates that parking demand as high as 30 observed during the AM peak period on the days of the counts, exceeding the proposed 24 spaces provided. The data demand during the AM reached as high as 20 vehicles leaving 4 spaces available for parents and other visitors. No pa provided for the PM peak. Similarly, analysis performed by MSTA indicated that potential peak parent parking deman provided with 29 parent vehicles in the AM and 21 parent vehicles in the PM respectively. Fluctuations in arrival and substantially impact parking demand. Based on the available information, it is apparent that the proposed parking do needs of the site and even more so in the case of special events where additional trip generation would be expected. adequately accommodate anticipated traffic demands to avoid spill back and other operational problems that may af adjacent road network.
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- MSTA has made additional recommendations for improved safety and operation internally as follows (See attached):
  - Provide minimum 9' wide parking stalls to facilitate child assist door opening.
  - Provide walking routes in the parking lot and adequate sidewalks to and from the building
  - Provide wider sidewalk in the area of the traffic circle to accommodate quick drop off
  - Locate proposed bike racks so as to provide adequate sidewalk clearance.

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 N. C. Department of Transportation  
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 Division 7, District 1

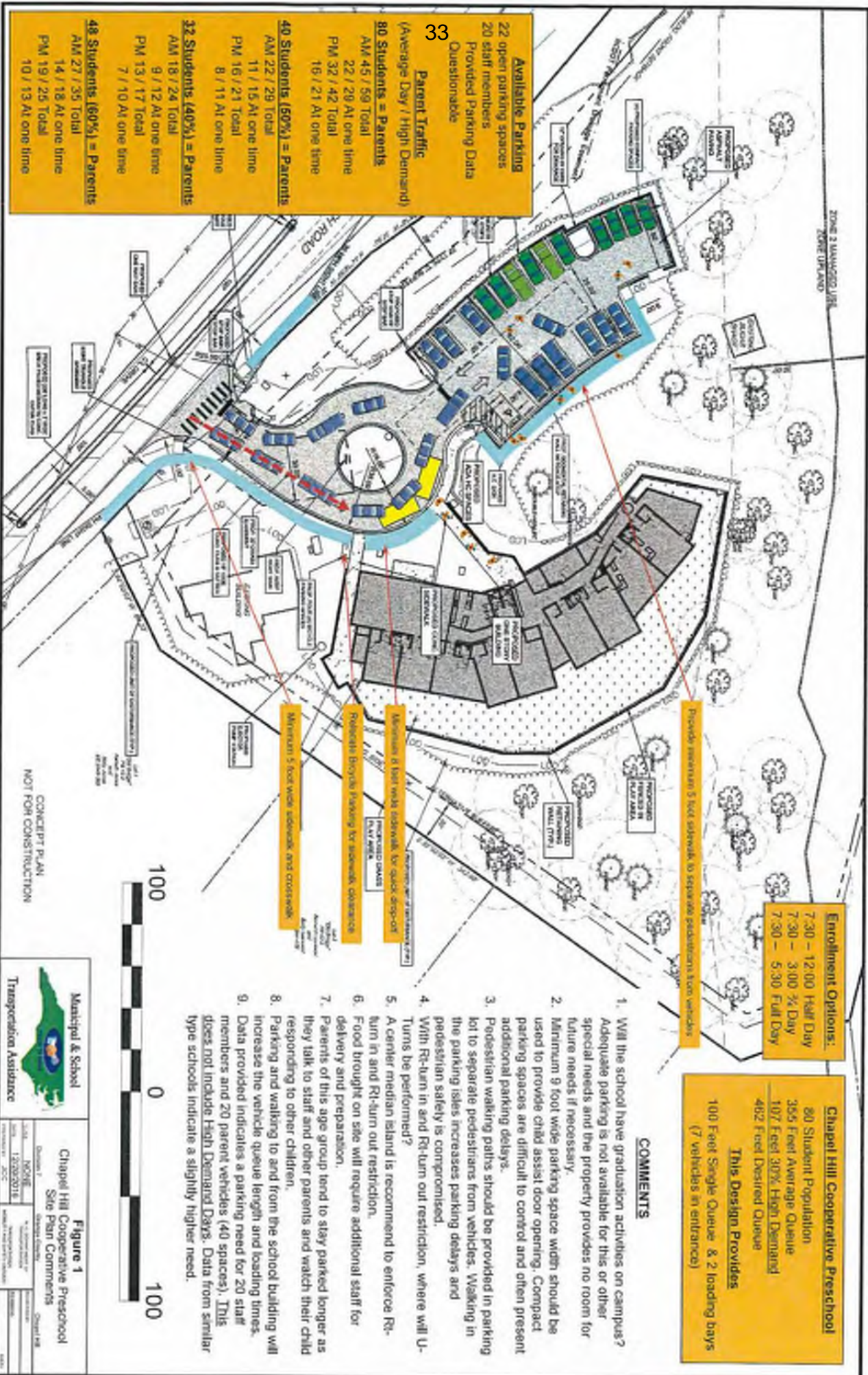
336 570 6833  
[cnedwards@ncdot.gov](mailto:cnedwards@ncdot.gov)

115 East Crescent Square Drive  
 P. O. Box 766  
 Graham, NC 27253



Nothing Compares

Handwritten: #4  
A Hadamant



**Available Parking**  
22 open parking spaces  
20 staff members  
Provided Parking Data  
Questionable

**Parent Traffic**  
(Average Day / High Demand)  
80 Students = Parents  
AM 45 / 59 Total  
22 / 28 At one time  
PM 32 / 42 Total  
16 / 21 At one time

**40 Students (50%) = Parents**  
AM 22 / 29 Total  
11 / 15 At one time  
PM 16 / 21 Total  
8 / 11 At one time

**32 Students (40%) = Parents**  
AM 18 / 24 Total  
9 / 12 At one time  
PM 13 / 17 Total  
7 / 10 At one time

**48 Students (60%) = Parents**  
AM 27 / 35 Total  
14 / 18 At one time  
PM 19 / 26 Total  
10 / 13 At one time

**Enrollment Options:**

7:30 - 12:00	Half Day
7:30 - 3:00	3/4 Day
7:30 - 5:30	Full Day

**Chapel Hill Cooperative Preschool**

80 Student Population
355 Feet Average Queue
107 Feet 30% High Demand
492 Feet Desired Queue

**This Design Provides**

100 Feet Single Queue & 2 loading bays  
(7 vehicles in entrance)

**COMMENTS**

1. Will the school have graduation activities on campus? Adequate parking is not available for this or other special needs and the property provides no room for future needs if necessary.
2. Minimum 9 foot wide parking space width should be used to provide child assist door opening. Compact parking spaces are difficult to control and often present additional parking delays.
3. Pedestrian walking paths should be provided in parking lot to separate pedestrians from vehicles. Walking in the parking isles increases parking delays and pedestrian safety is compromised.
4. With Rt-turn in and Rt-turn out restriction, where will U-Turns be performed?
5. A center median island is recommend to enforce Rt-turn in and Rt-turn out restriction.
6. Food brought on site will require additional staff for delivery and preparation.
7. Parents of this age group tend to stay parked longer as they talk to staff and other parents and watch their child responding to other children.
8. Parking and walking to and from the school building will increase the vehicle queue length and loading times.
9. Data provided indicates a parking need for 20 staff members and 20 parent vehicles (40 spaces). This does not include High Demand Days. Data from similar type schools indicate a slightly higher need.

Municipal & School Transportation Assistance

**Figure 1**  
Chapel Hill Cooperative Preschool Site Plan Comments

DATE	NOISE	DATE	NOISE
12/20/2018	12/20/2018	12/20/2018	12/20/2018

CONCEPT PLAN  
NOT FOR CONSTRUCTION





PHILIP POST  
 & ASSOCIATES  
 A Division of  
 PERROW ASSOCIATES INC.  
 4000 FARMERS ROAD #200  
 CHAPEL HILL, NC 27514  
 P 919.487.1173 F 919.487.1184

CHapel Hill Cooperative Preschool  
 PRELIMINARY SITE PLAN  
 CHapel Hill, North Carolina  
 CHapel Hill, NC 27514

NO.	DATE	DESCRIPTION
1	10/15/10	PRELIMINARY SITE PLAN
2	11/15/10	REVISIONS
3	12/15/10	REVISIONS
4	01/15/11	REVISIONS
5	02/15/11	REVISIONS
6	03/15/11	REVISIONS
7	04/15/11	REVISIONS
8	05/15/11	REVISIONS
9	06/15/11	REVISIONS
10	07/15/11	REVISIONS
11	08/15/11	REVISIONS
12	09/15/11	REVISIONS
13	10/15/11	REVISIONS
14	11/15/11	REVISIONS
15	12/15/11	REVISIONS
16	01/15/12	REVISIONS
17	02/15/12	REVISIONS
18	03/15/12	REVISIONS
19	04/15/12	REVISIONS
20	05/15/12	REVISIONS
21	06/15/12	REVISIONS
22	07/15/12	REVISIONS
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26	11/15/12	REVISIONS
27	12/15/12	REVISIONS
28	01/15/13	REVISIONS
29	02/15/13	REVISIONS
30	03/15/13	REVISIONS
31	04/15/13	REVISIONS
32	05/15/13	REVISIONS
33	06/15/13	REVISIONS
34	07/15/13	REVISIONS
35	08/15/13	REVISIONS
36	09/15/13	REVISIONS
37	10/15/13	REVISIONS
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44	05/15/14	REVISIONS
45	06/15/14	REVISIONS
46	07/15/14	REVISIONS
47	08/15/14	REVISIONS
48	09/15/14	REVISIONS
49	10/15/14	REVISIONS
50	11/15/14	REVISIONS
51	12/15/14	REVISIONS
52	01/15/15	REVISIONS
53	02/15/15	REVISIONS
54	03/15/15	REVISIONS
55	04/15/15	REVISIONS
56	05/15/15	REVISIONS
57	06/15/15	REVISIONS
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59	08/15/15	REVISIONS
60	09/15/15	REVISIONS
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99	12/15/18	REVISIONS
100	01/15/19	REVISIONS

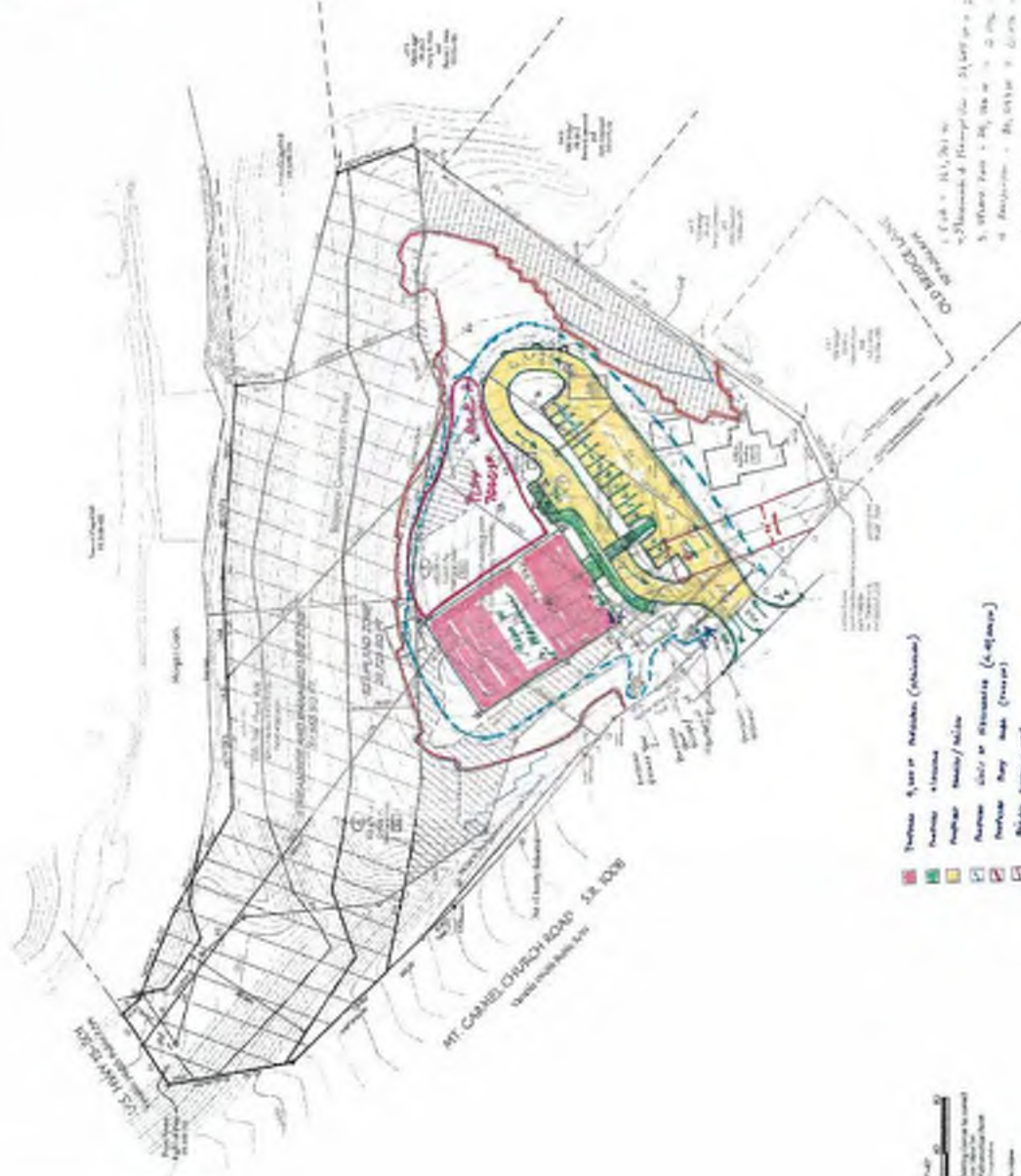
CHapel Hill Cooperative Preschool  
 PRELIMINARY SITE PLAN  
 CHapel Hill, North Carolina  
 CHapel Hill, NC 27514

C-1

SHEET 1 OF 1



VICINITY MAP



- 1. 9787-39-0097
- 2. 9787-39-0107
- 3. 9787-39-0117
- 4. 9787-39-0127



1. 9787-39-0097  
 2. 9787-39-0107  
 3. 9787-39-0117  
 4. 9787-39-0127

PRELIMINARY FOR REVISION PURPOSES ONLY

TOTAL AREA OF SITE: 3.995 ACRES (147,001 S.F.)

PRELIMINARY FOR REVISION PURPOSES ONLY



**EXEMPTION FORM  
ENGINEERING DEPARTMENT**

**Request for exemption received from:** Philip Post and Associates, 401 Providence Road, Chapel Hill, NC 27714; Telephone: (919)929-1173

**Date:** May 4, 2016

**Type of exemption requested:** **TRAFFIC IMPACT ANALYSIS (TIA)**

**Type of justification submitted:** a) Written Request with Trip Analysis  
b) Site Plan

**Key reasons why we support this exemption:**

- Net trip generation increase due to the proposed preschool: 360 trips/day. Town Consultant conducted a trip generation study and determined the above trip generation numbers.
- Meets the Town TIA Guidelines for an Exemption.

**Based upon the attached request for exemption and supporting information, we recommend that the Town Manager approve an exemption for:**

**Chapel Hill Cooperative Preschool**

Signed: \_\_\_\_\_

*AK Neppalli*  
Traffic Engineer

\_\_\_\_\_

5/4/16

Approved: \_\_\_\_\_

*Joe R. Long*  
Public Works Director

\_\_\_\_\_

5/4/16

**Attachment(s):** a) Written request from the Applicant/Developer  
b) Site Plan and Fee

**RETURN TO ENGINEERING DEPARTMENT WHEN SIGNED**



# MEMORANDUM

Date: April 26, 2016 (Revised April 27, 2016)  
 To: Kumar Nepalli – Town of Chapel Hill  
 From: Phil Post and Peter Bellantoni  
 RE: Chapel Hill Cooperative Preschool – Requested Waiver for Traffic Impact Analysis  
 Project: CHCP1601



The existing site consists of four (4) lots within the R-1 Residential zoning district. Presently the site contains a single-family dwelling and three (3) accessory structures. Access to the site is located off of Mt. Carmel Church Road (classified as a Thoroughfare/Arterial) at the southerly end of the property.

The proposed development would remove the existing residential dwelling and accessory structures and construct a proposed (+/-) 9200 square foot five (5) star preschool facility with associated site improvements. Proposed site access will remain in the general vicinity of the existing site access (off of Mt. Carmel Church Road), however it will be regulated with a brick in-lay median (along the Mt. Carmel Church Road centerline) to restrict access to Right In/Right Out (see attached Preliminary Site Plan). This (access) design will minimize the development impact on the existing signal located at the 15-501/Mt. Carmel Church Road intersection. The proposed facility will accommodate 80 students and will be staffed with 8 to 10 full time employees. Typically, student drop-off starts around 7:30 AM weekdays and is staggered throughout the day; like-wise student pickup is also staggered. This COOP operational practice will help minimize any peak hour traffic impacts. The proposed site layout will allow 24 to 25 cars to que on-site; this design will provide adequate on-site storage to permit drop-offs/pick-ups without impacting Mt. Carmel Church Road.

### Trip Generation

ITE Trip Generation figures are not available for a preschool use, consequently the most similar ITE figures (Land Use Code # 565 - Day Care) will be used for this analysis. Based on the proposed Preschool use, only weekday figures will be analyzed. Copies of the ITE Trip Generation Rates used have been attached to this memorandum.

### Traffic Impact

- Based upon the proposed number of students (80), the average number of trips generated will be: 372 trips (80 x 4.65).
- Based upon the proposed number of employees (10 max), the average number of trips generated will be: 332 trips (10 x 33.20).
- Please note that if this site was developed to its full residential potential (in-lieu of the current proposal), the average number of trips generated would be: 39 trips (4 x 9.55).

Conclusion and Request for Exemption from Traffic Impact Analysis

The TIA Policy allows for a waiver if all of the following conditions are met:

1. Difference of ADT of less than 500. ADT in both cases (372 and 332) is significantly less than the 500 trip threshold. Consequently, this criterion is satisfied.
2. No more than 250 ADT added to an existing collector or local road. Mt. Carmel Church Road is classified as a Thoroughfare/Arterial. Consequently, this criterion does not apply.
3. As identified above, please note that 39 ADT would be generated if four (4) residential dwellings were constructed on this site. Consequently, the proposed Preschool proposal would only generate an additional 293 to 333 ADT from what would be permitted as a residential use.
4. Applicant submits a written request for a Traffic Impact Analysis waiver. We believe that this submission fulfills this criterion.
5. Town Manager concurs with the request. We respectfully request approval by the Manager based upon the foregoing.

## Day Care Center (565)

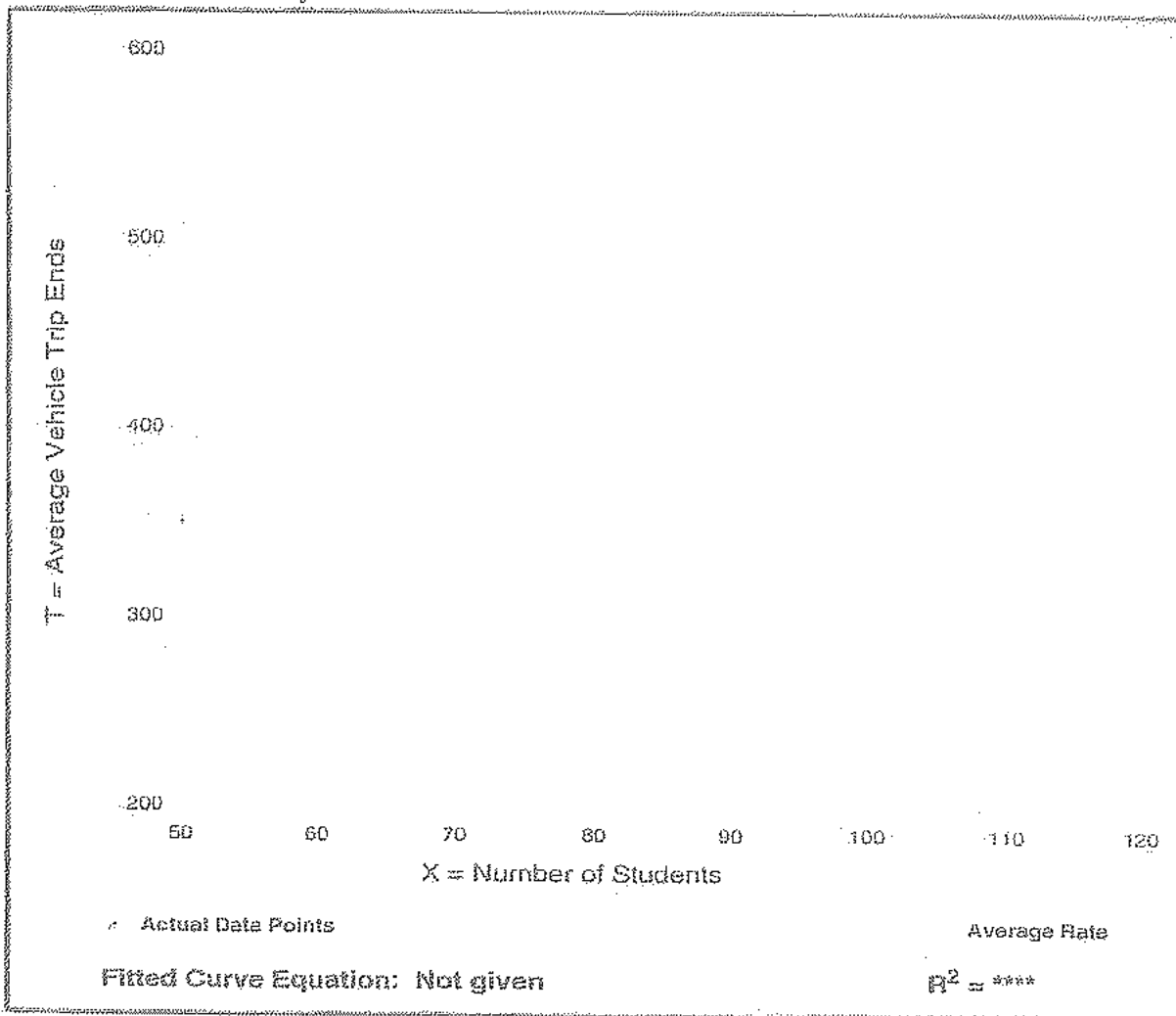
Average Vehicle Trip Ends vs: Students  
On a: Weekday

Number of Studies: 6  
Average Number of Students: 81  
Directional Distribution: 50% entering, 50% exiting

### Trip Generation per Student

Average Rate	Range of Rates	Standard Deviation
4.65	3.54 - 7.06	2.41

### Data Plot and Equation



## Day Care Center (565)

Average Vehicle Trip Ends vs: Employees  
On a: Weekday

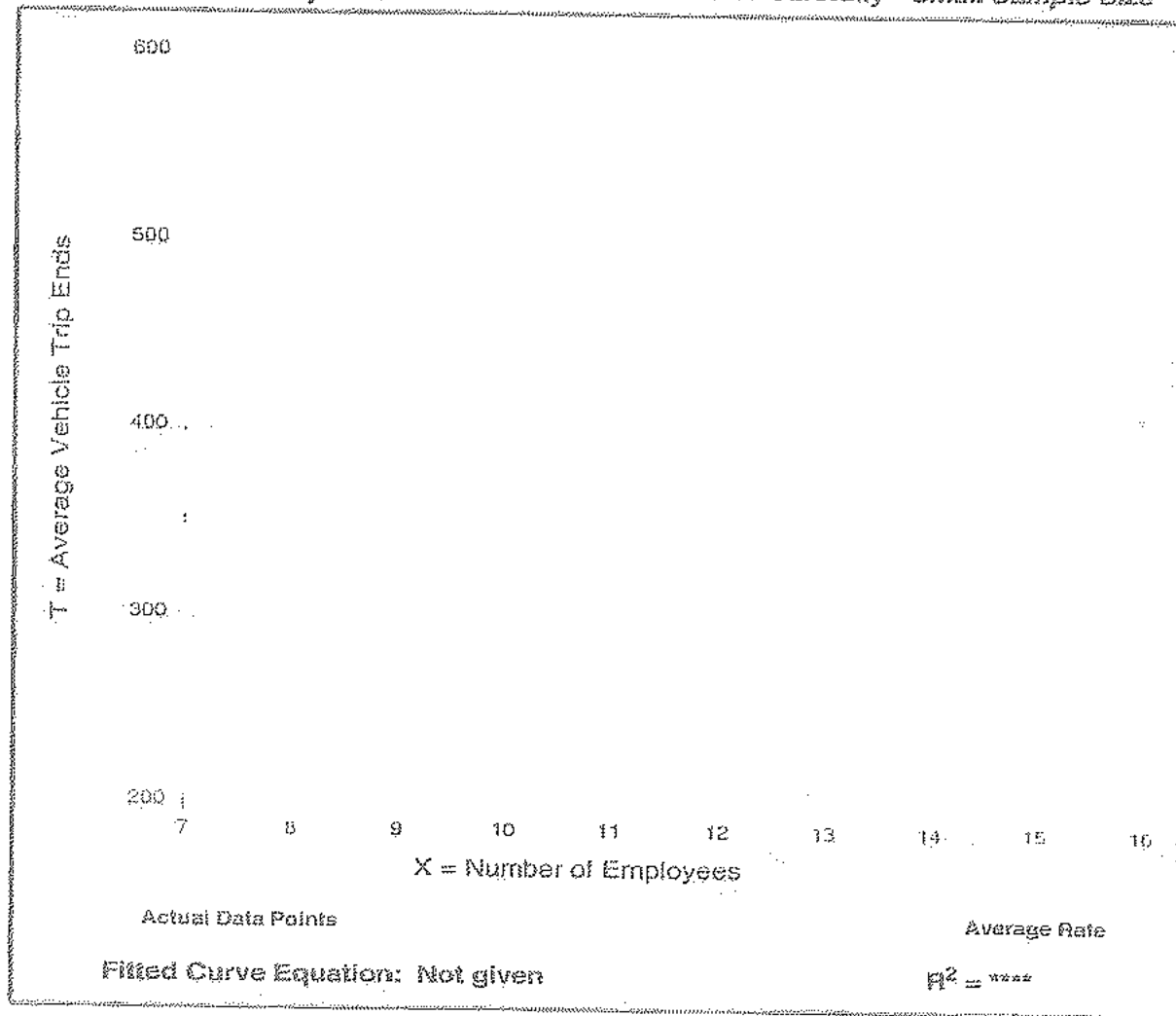
Number of Studies: 5  
Average Number of Employees: 11  
Directional Distribution: 50% entering, 50% exiting

### Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
→ 33.20 ←	25.56 - 50.43	11.98

### Data Plot and Equation

*Caution - Use Carefully - Small Sample Size*





## Single-Family Detached Housing (210)

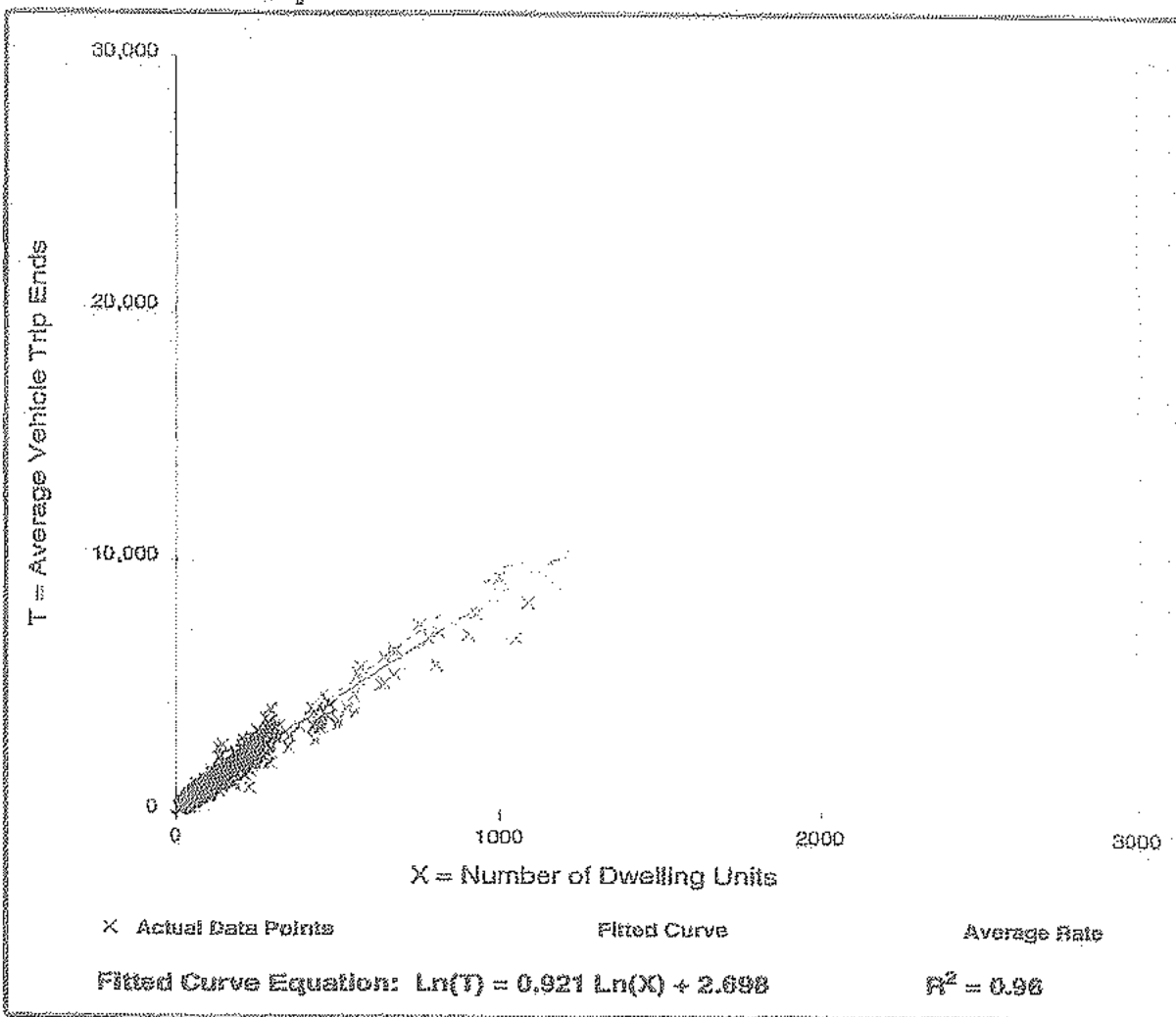
Average Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Number of Studies: 348  
Average Number of Dwelling Units: 206  
Directional Distribution: 50% entering, 50% exiting

### Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
→ 9.55 ←	4.31 - 21.85	3.66

### Data Plot and Equation







## Memorandum

Planning Commission 01/17/2017

**Subject:** Site Plan Review Application – Chapel Hill Cooperative Preschool, 108 Mt. Carmel Church Rd. (Project #16-088)

**Staff:**  
Gene Poveromo, Development Manager  
Jay Heikes, Planner II

**Office:**  
Planning and Sustainability

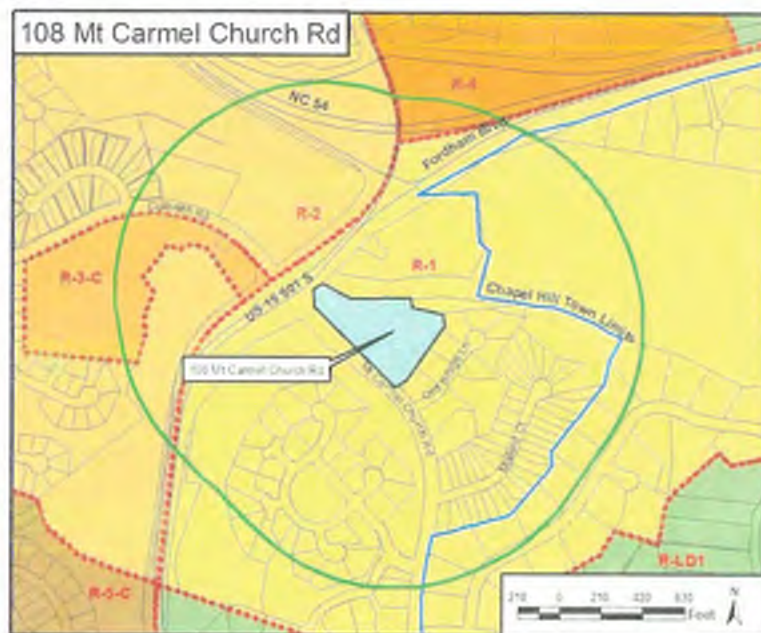
**Overview:** The applicant is proposing to construct an approximately 9000 square foot child day care facility for 80 children and 20 staff with 23 parking spaces.



**Recommendation:**

We recommend that the Planning Commission adopt Resolution A, approving this Site Plan Review application, with the stipulations noted.

**Area Map:**



**Application Description:** The application before you tonight proposes to construct a 9,000 square foot child day care center on a 3.97 acre property for 80 children and 20 staff with 23 parking spaces. This proposal includes 26,684 square feet of impervious surface and 39,942 square feet of land disturbance. The zoning district is Residential-1 (R-1). The property also contains Resource Conservation District (RCD), steep slopes and is partly within the 100-year floodplain.

**Attachments:**

1. Staff Analysis
2. Resolution A Site Plan Review Approval

3. Resolution B Site Plan Review Denial
4. Traffic Impact Analysis Exemption
5. Applicant's Combined Materials

**STAFF REPORT**

**SUBJECT:** Application for Site Plan Review – Chapel Hill Cooperative Preschool, 108 Mt. Carmel Church Rd. (Project #16-088)

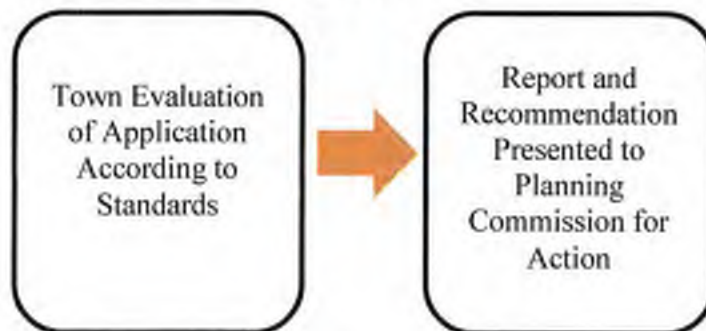
**DATE:** January 17, 2017

**INTRODUCTION**

The Site Plan Review application submitted by Philip Post and Associates, on behalf of the Chapel Hill Cooperative Preschool, seeks approval for construction of a new building containing a child day care facility with 23 vehicular parking spaces. The property is identified as Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047 and is located at 108 Mt. Carmel Church Rd.

**PROCESS**

Where proposed construction of new floor area in excess of 2,500 square feet, but less than 20,000 square feet, a Site Plan Review is required. In this case, a 9,000 square foot child day care facility is proposed. We note that a child day care facility is a permitted use in the Residential-1 (R-1) zoning district, provided that the lot has access to a collector or arterial street. The Land Use Management Ordinance necessitates Planning Commission approval of a site plan review application. A site plan review is an administrative or by-right approval; if the application is found to be compliant with applicable regulations, including the Land Use Management Ordinance, then the application should be approved.





## STAFF ANALYSIS OF THE APPLICATION

Address	108 Mt. Carmel Church Rd.
Owner	Chapel Hill Cooperative Preschool
Location Description	Northeast corner of the intersection of U.S. 15-501 south and Mt. Carmel Church Rd. Refer to location map on item overview sheet.
County Parcel Identifier Numbers	Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047
Property Description	Predominantly undeveloped property. Lot contains a single-family structure and accessory structures. The remaining three lots are vacant single-family lots that were subdivided in 2008.
Existing Zoning	Residential-1 (R-1)
Proposed Land Use	Child Day Care Facility, permitted in R-1 zoning district provided that access is available to a collector or arterial street.
<b>Surroundings</b>	
General Development Pattern	Single family residential development to south, east and west, and park / open space to the north
<b>Current Site Conditions</b>	
Lot Size (Net Land Area)	172,960 square feet (3.97 acres)
Lot Size (Gross Land Area)	190,256 square feet (4.36 acres)
Structures	One single family dwelling with three accessory structures.
Vegetation	Predominantly wooded.
Access	Single shared driveway providing access for all four lots to Mt. Carmel Church Rd.
Utility Easements	Existing sewer main within an easement serving vacant residential lots.
Existing Impervious Surface	7,896 square feet
Resource Conservation District	Perennial stream on northern lot line, 150-foot wide buffer applies from the top of bank and extends south into the site.
Watershed Protection District	Site is inside the Watershed Protection District
Jordan Riparian Buffer	Perennial stream on northern lot line, 50-foot wide buffer applies from top of bank and extends south into the site.
Wetlands	N/A
Steep Slopes	Site contains 50,356 square feet of moderate slopes with a grade between 15% and 25% and 91,307 square feet of steep slopes with a grade of 25% or more.
100-year floodplain	The northern portion of the site, adjacent to the stream, is within the 100-year floodplain.

**Site Plan Review:** The Planning Commission has the authority to approve new developments if the proposal involves less than 20,000 square feet of floor area and less than 40,000 square feet of land disturbance, and if the proposed use is permitted in the zoning district. The proposed child day care facility is a permitted use. This application proposes 9,000 square feet of floor

area and 39,942 square feet of land disturbance. This preliminary calculation includes all land disturbance associated with the project located within the project site.

We have included a stipulation in Resolution A that limits all associated on-site land disturbance to less than 40,000 square feet. We note that if 40,000 square feet or more of land disturbance is proposed, the application will require approval of a Special Use Permit by the Town Council. We have also included this as a stipulation in Resolution A.

### **Proposed Development**

The applicant is proposing the demolition of two existing accessory structures and construction of a new one-story 9,000 square foot building at 108 Mt. Carmel Church Rd. The existing house is proposed to remain for use as a construction trailer and demolition will be proposed by the applicant at a later date.

The Town staff has reviewed this application for compliance with [Land Use Management Ordinance](#)<sup>1</sup> and the [Design Manual](#)<sup>2</sup> and offers the following evaluation:

**Development Use and Intensity:** The following table provides details regarding proposed development intensity.

Standard	Residential-1 (R-1) Zoning Requirements	Site Plan Review Application
Floor Area Maximum (sq. ft.)	10,730	9,000*
Maximum Primary Height (ft.)	29	N/A
Maximum Secondary Height (ft.)	40	16
Minimum Solar Setback (northern property line) (ft.)	17	144
Minimum Interior Setback (ft.)	14	43
Minimum Street Setback (ft.)	28	104
Maximum Impervious Surface (sq. ft.)	133,179 (70%)	26,684 (14%)
Vehicular Parking Spaces	undefined for use	23 (incl. 1 HC)
Bicycle Parking Spaces	undefined for use	4 (0 Class I and 4 Class II)

\*The applicant is proposing to keep the existing 1,900 square foot single family house and use it as a construction office but demolish it after construction is completed. This demolition is necessary because the total floor area on the lot would be 10,900 square feet which is in excess of the allowable floor area of 10,730 square feet. The applicant has expressed concerns with the sequencing of construction and obtaining funding necessary to demolish the house prior to occupancy of the child day care facility. We believe this constraint is reasonable and that the applicant's proposal to cease use of the house prior to occupancy and demolish the house or a portion of the house after occupancy to comply with the floor area requirement is also reasonable. We have included a stipulation to this effect in Resolution A.

<sup>1</sup> [https://www.municode.com/library/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>2</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

### **Transportation**

***Traffic Impact:*** The proposed daycare is expected to generate approximately 360 daily trips, which is below the 500 daily trip threshold for a Traffic Impact Analysis (TIA). The Town granted a TIA exemption for this project (see attached). As this project was exempted from a TIA, the traffic impact of this project does not require mitigation measures to be constructed.

***Town Roadway Improvements:*** However, we note that morning congestion on Mt. Carmel Church Rd. exists with vehicles queuing beyond the proposed site driveway to make a right turn onto northbound US 15-501. The Town Traffic Engineer and NCDOT have identified a measure from a previous Traffic Impact Analysis in response to concerns and ideas from neighboring residents that would address the existing and future congestion. The Town is planning to reconfigure the Mt. Carmel Church Rd. leg of the intersection that would result one shared lane for left turns and thru traffic and two dedicated right turn lanes from Mt. Carmel Church Rd onto northbound US 15-501 and accompanying traffic signal improvements and retiming. This work is scheduled to be completed by May of 2017.

***Mt. Carmel Church Rd. Median:*** A single point of access to the site is proposed to Mt. Carmel Church Rd., with a new driveway to the southeast of the existing gravel driveway, which is proposed to be removed. NCDOT driveway permit standards require that a raised center median island be installed in the existing paved median in Mt. Carmel Church Rd. to prevent left turns into and out of the site; restricting the driveway to right-in-right-out movements only.

***Vehicular Access and Circulation:*** Section 6.1 of the Land Use Management Ordinance requires that a child day care facility have access to an arterial or collector street when located in the Residential-1 or Residential-2 zoning districts. The proposed development is located in the Residential-1 zoning district and is located on an arterial street. Circulation through the site is proposed via a single drive aisle with a fire truck turn-around in front of the building.

***Transportation Management Plan:*** In response to concerns from residents of Old Bridge Ln. that the street may be used as a turn-around and/or a parking area for the preschool, The Chapel Hill Cooperative Preschool is proposing a "Traffic and Parking Operations Plan" that will address the following: 1) access routes to the site to prevent use of Old Bridge Ln by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) Onsite parking management, and 4) windows of time for parents to drop-off and pick-up their children. All of these things will serve to reduce the number of trips to the site. We believe that including this information in a transportation management plan that will allow for Town monitoring and enforcement, is a reasonable solution and have included a stipulation to this effect in Resolution A.

A Transportation Management Plan is not required with Site Plan Review approvals, but the applicant has voluntarily agreed to such a condition to reduce parking demand. We have included a stipulation requiring the property owner to submit a Transportation Management Plan, with detailed elements, including a vehicle access plan for parents and staff, in Resolution A.



***Bike and Pedestrian Access and Circulation:*** Section 5.8.1 of the Land Use Management Ordinance requires that development front streets that meet Town Standards and require that bike and pedestrian facilities be provided to the extent practicable. Mt. Carmel Church Rd. is an arterial and requires both a five foot wide bike lane and a five foot wide sidewalk to be constructed along the property's frontage.

***Sidewalk and Bike Lane:*** The adopted Bike Plan shows bike lanes on this segment of Mt. Carmel Church Rd. The Town's sidewalk prioritization program also includes a sidewalk on this segment of Mt Carmel Church Rd. We note that the mobility plan, which is under development, may include additional bike and pedestrian improvements in this area to provide better access to the Morgan Creek Trail system including Merritt's Pasture and provide additional connectivity between UNC's campus and the neighborhoods in southern Chapel Hill along US 15-501 south and Mt Carmel Church Rd.

***Sidewalk Payment-in-Lieu:*** We note that a payment-in-lieu of \$32,831 was submitted as a part of the 2008 Minor Subdivision approval for construction of a sidewalk on Mt. Carmel Church Rd. The applicant is requesting credit for this payment and not proposing an additional payment in lieu for sidewalk. We believe this request is reasonable and have not included a condition requiring a payment-in-lieu for construction of sidewalk.

***Bike Lane Payment-in-Lieu:*** The estimated cost of constructing a five-foot wide bike lane on Mt. Carmel Church Rd. along the property's frontage is \$36,575. We believe that a payment-in-lieu of this amount satisfies the requirement in section 5.8.1 of the Land Use Management Ordinance for the applicant to provide bike facilities to the extent practicable. We have included a stipulation to this effect in Resolution A.

***Future Greenway Easement:*** A future greenway side path paralleling Mt. Carmel Church Rd. from Bennet Rd, passing along this property and under US 15-501 to connect with the existing Morgan Creek trail system is proposed by staff as a future amendment to the adopted Greenway Master Plan to provide safe and legal access to the Morgan Creek Trail system and Merritt's Pasture for residents of the neighborhoods along Mt. Carmel Church Rd. The applicant has agreed to dedicate a reserved easement for construction and maintenance of a greenway along the property and we have included a stipulation to this effect in Resolution A.

***Vehicular Parking:*** The Land Use Management Ordinance does not specify vehicular parking standards for the child daycare use. In such cases, the number of parking spaces is to be determined during review of the application. The application proposes 23 regular parking spaces including 1 handicapped parking space. The applicant proposes to combine and relocate two existing daycare operations at this site and has provided parking survey information from those two sites demonstrating parking demand for staff and for parents. The operations plan, as noted above, provides additional information to justify this number of spaces. We have also reviewed three other recently constructed child day care facilities and found the proposed parking ratio to be in line with those facilities. We believe this parking count is reasonable and have included a stipulation to this effect in Resolution A.

**Bicycle Parking:** The Land Use Management Ordinance does not specify bicycle parking standards for child day care facility use. In such cases, the number of parking spaces is to be determined during review of the application. The developer is proposing to provide 4 Class II, uncovered spaces in compliance with the Design Manual. Based on the number of staff at this facility and comparison to other recently approved child day care facilities, we believe this number is reasonable and have included a stipulation to this effect in Resolution A.

### Landscape and Architecture

**Landscape Buffers:** The required and proposed buffers are as follows:

Location	Required Buffers	Proposed Buffer
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

The developer is requesting an alternative buffer of variable width buffer along the southeastern property line shared with one single family property at 101 Old Bridge Ln. An alternate buffer is necessary as there is only fourteen feet of width between the existing structure and the adjoining property. The Community Design Commission must approve the detailed plantings and screening associated with any alternative buffer. Detailed plans for landscape buffers are required prior to issuance of a Zoning Compliance Permit. We have included a stipulation with these detailed requirements in Resolution A.

**Parking Landscape:** The application must meet the parking lot landscaping standards of Section 5.9.6 of the Land Use Management Ordinance. We have included this as a stipulation in Resolution A.

**Building Elevations and Lighting Plan:** We recommend that a condition of approval require that the applicant obtain approval from the Community Design Commission for detailed building elevations and site lighting plans. We have included this as a stipulation in Resolution A.

### Environment / Stormwater Management

**Canopy Tree Requirements:** The minimum tree canopy coverage requirement for a child day care facility is 40% of the lot. The applicant is proposing 66% (114,000 square feet) of total post construction canopy coverage. This calculation accounts for existing tree canopy to be preserved as a part of development. We have included a stipulation demonstrating protection of this area as a part of the required Landscape Protection Plan in Resolution A.

**Land Disturbance and Impervious Surface:** Currently, the site is predominantly undeveloped property with an existing single-family structure with three accessory structures. As noted above, we have included stipulation limiting land disturbance in Resolution A.

**Land Area/Proposed Development**

	Square Feet	Acres	Percentage of GLA
Gross Land Area (GLA)	190,256	4.36	100%
Proposed Land Disturbance	39,942	0.91	23%
Proposed Net New Impervious Surface	26,684	0.61	14%

**Stormwater Management Plan:** Most stormwater runoff from this site is proposed to be routed to stormwater management structures located under the parking lot drive aisle. Additionally, the applicant proposes to reuse captured rainwater for irrigation.

Prior to the issuance of a Zoning Compliance Permit, the applicant must submit a Stormwater Management Plan for review and approval by the Town Manager. This project must comply with the stormwater management requirements of the Land Use Management Ordinance to provide for 85% total suspended solids removal from the increased impervious area, retention for 2-5 days of the increased volume of stormwater runoff from the 2-year, 24-hour storm, and control of the stormwater runoff rate for the 1-year, 2-year, and 25-year storms. We have included a stipulation with detailed requirements in Resolution A.

**Stormwater Facilities, Reservations, and Operations and Maintenance Plans:** All stormwater facilities shall be within a reserved area or easement where no development would impede the facilities' proper functioning. We have included a stipulation with detailed requirements in Resolution A.

Prior to building occupancy, a Stormwater Operations and Maintenance Plan, signed by the owner, 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. We have included a stipulation with detailed requirements in Resolution A.

**Steep Slopes:** The site contains significant steep slopes, defined as 25% or more, on the northern portion of the lot above the bank of Morgan Creek and the southwestern portion of the lot along Mt. Carmel Church Rd. Section 5.3.2 of the Land Use Management Ordinance requires special construction techniques for slopes in excess of a 15% grade and restricts development on slopes with a grade of 25% or more. Land disturbance is limited to 25% of the area containing steep slopes with a grade of 25% or more. The application proposes to limit disturbance in the areas containing steep slopes by siting the building and parking area on a relatively flat portion of the lot.

Slope Category	Net Land Area (square feet)	Area Disturbed (Square Feet)	Percentage of Slope Category Disturbed
0-15%	31,297	11,643	37%
15-25%	50,356	26,414	52%
>25%	91,307	1,885	2% (25% limit)
<b>Total</b>	172,960	39,942	NA

We believe the application minimizes land disturbance in areas that contain steep slopes and have included a condition in Resolution A to this effect, requiring that steep slopes construction techniques be utilized during construction and demonstrated on the Final Plans prior to issuance of a Zoning Compliance Permit.

**Resource Conservation District:** The northern portion of the property is within a 150 foot wide Resource Conservation District (RCD) stream buffer that extends south from the bank of Morgan Creek. Section 3.6.3 of the Land Use Management Ordinance limits development activities within the RCD. The application does not propose any new permanent improvements within the RCD. An existing accessory structure that is 266 square feet in size is proposed to remain within the upland zone of the RCD, which is the outermost 50 feet of the buffer. A portion of a play area and a retaining wall ranging in height from zero feet to four feet are located just outside the RCD boundary. Approximately 350 feet of land disturbance within the RCD is necessary to construct these improvements. We believe this application minimizes land disturbance within the RCD and have included a condition requiring review and approval of a Resource Conservation District Encroachment Permit in accord with section 3.6.3 of the Land Use Management Ordinance prior to issuance of a Zoning Compliance Permit

**Jordan Riparian Buffer:** The northern portion of the property is within a 50 foot wide Jordan Watershed Riparian stream buffer that extends south from the bank of Morgan Creek. This application does not propose any activities or land disturbance within the Jordan Riparian Buffer.

**100 Year Floodplain:** The northern portion of the property is within the 100 year floodplain. However, the developed portion of the site and the proposed finished floor elevation of the proposed building are approximately 65 feet above the base flood elevation for the 100 year flood. This application does not propose any activities or land disturbance within the 100 year floodplain.

**Energy Management Plan:** In 2007, the Council adopted a resolution specifying the Council's expectations for energy efficiency and an energy management plan for applicants seeking approval of rezoning applications. No rezoning is proposed with this application. No Energy Management Plan is required. However, the applicant is encouraged to create an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

- Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

We have included a stipulation in Resolution A encouraging the applicant to consider these energy management features.

### **Utilities and Services**

**Utilities:** A new 30-foot public OWASA water main easement is proposed along the driveway. A portion of an existing 30-foot sewer main is proposed to remain at the southeastern edge of the property. All permits and plan approvals will need to be approved by Orange Water and Sewer Authority, Duke Energy, PSNC Energy and other utility providers as appropriate. We have included stipulations with detailed requirements in Resolution A.

**Fire/Emergency Access and Protection:** A fire hydrant must be located within 500 feet of the proposed building, as required by the Land Use Management Ordinance. Approval of a fire flow report is required by the Town and OWASA, showing the Town's 2,500 gallons per minute standard can be met, prior to issuance of a Zoning Compliance Permit. We have included stipulations with detailed requirements in Resolution A.

**Refuse / Recycling Collection:** Recycling is proposed to be collected by means other than public recycling collection. The Preschool is proposing to request a waiver from Orange County Solid Waste to allow private collection. The preschool is also proposing to reduce refuse generation by composting on site. The remaining refuse is proposed to be collected by either the Town or a private service. The detailed solid waste management plans for Orange County Solid Waste and the Town, including confirmation of service will be reviewed and approved prior to issuance of a Zoning Compliance Permit. We have included stipulations to this effect in Resolution A.

### **Additional Stipulations in Resolution A (see resolution for detailed requirements)**

<b><i>Accessibility Requirements</i></b>	Prior to issuance of the Certificate of Occupancy the applicant shall provide the minimum required handicapped facilities and infrastructure required Americans with Disabilities codes and standards.
<b><i>Engineering Construction Permit</i></b>	After issuance of a Zoning Compliance Permit and prior to construction, the applicant shall obtain an Engineering Construction Permit.
<b><i>NCDOT Approvals Required</i></b>	Prior to initiation of work in the public right-of-way, the applicant shall obtain NCDOT permission.
<b><i>Final Site Design</i></b>	Prior to the issuance of a Zoning Compliance Permit the final design is subject to approval by the Town Manager.
<b><i>Landscape Protection, Screening and Shading Plan</i></b>	We have included our standard stipulation regarding approval of a Landscape Plan, including screening of parking areas and buildings, a maintenance schedule and shading plan.
<b><i>Canopy Trees</i></b>	The applicant has provided a landscape plan that proposes 66% total post construction tree canopy to comply with the Town's Tree Ordinance, made up of existing trees to be preserved.
<b><i>Significant Tree Stands</i></b>	N/A
<b><i>Building Elevation, Lighting Plans, and Alternative Buffer Plan</i></b>	Prior to the issuance of a Zoning Compliance Permit, we recommend that detailed building elevations, lighting plans, and alternative buffer plans be approved by the Community Design Commission.

<b><i>Erosion Control</i></b>	An Orange County Erosion Control permit is required when 20,000 square feet or more is uncovered. This project proposes more than 20,000 square feet of land disturbance, so an Erosion Control Permit is required.
<b><i>Lighting Plan</i></b>	Prior to issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance, subject Town Manager approval.
<b><i>Utilities</i></b>	Prior to issuance of a Zoning Compliance Permit, the applicant shall provide documentation that all utility providers have approved the final plans.
<b><i>Fire</i></b>	Prior to the issuance of a Certificate of Occupancy, the applicant shall be required to obtain Fire Marshal approval for required fire safety features and infrastructure, such as fire hydrants and 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.
<b><i>Schools Adequate Public Facilities Ordinance</i></b>	N/A
<b><i>Construction Management Plan</i></b>	Prior to issuance of a Zoning Compliance Permit, a Construction Management Plan shall be approved by the Town Manager.

### CONCLUSION

We believe the proposal, with the conditions in Resolution A, meets the requirements of the applicable sections of the Land Use Management Ordinance and the Design Manual.

Resolution A would approve the application with conditions.

Resolution B would deny the application.

### RECOMMENDATION

Staff Recommendation: We recommend that the Planning Board adopt Resolution A, approving the Chapel Hill Cooperative Preschool Site Plan Review application with conditions.

**PROJECT FACT SHEET REQUIREMENTS**  
**Checklist of Regulations and Standards**

**Chapel Hill Cooperative Preschool Site Plan Review Application**

108 Mt. Carmel Church Rd	STAFF EVALUATION ON R-1 ZONING	
	COMPLIANCE	NON-COMPLIANCE
Use Permitted in R-1 Zone	✓	
Gross Land Area	✓	
Minimum Lot Width	✓	
Maximum Floor Area	✓ (with conditions of approval)	
Impervious Surface Limits	✓	
Maximum # Dwelling Units	N/A	
Minimum Recreation Space	N/A	
Minimum # Vehicular Parking Spaces	Use not indicated in Parking Requirements – Staff believes compliance demonstrated adequately	
Minimum # Bicycle Parking Spaces	Use not indicated in Parking Requirements – Staff believes compliance demonstrated adequately	
Minimum Setbacks (Street, Interior, Solar)	✓	
Maximum Height Limits (Primary, Secondary)	✓	
Minimum Landscape Bufferyards	✓ with approval of alternate buffers by CDC	
Land Disturbance Minimized	✓	
Minimum Land Disturbance in the Resource Conservation District	✓ (with conditions of approval)	
Steep Slopes Compliance	✓	
Stormwater Management	✓ (with conditions of approval)	
Parking lot screening	✓ (with conditions of approval)	
Public water and sewer	✓	
Adequate public schools facilities	N/A	

N/A = Not Applicable

\* Denotes nonconforming feature

The chart shows that the application is compliant with the regulations.

ATTACHMENT 2  
RESOLUTION A  
(Approving the Site Plan Review Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-29-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by January 17, 2018, to be completed by January 17, 2020.
2. Land Use Intensity: This Site Plan Review authorizes the following:

<b>Use: Child Day Care Facility:</b>	
Floor Area Permitted	9,000 square feet
Vehicular Parking Spaces	23
Minimum Bicycle Parking Spaces	4
Maximum Impervious Surface	26,684 square feet
Maximum Land Disturbance	39,942 square feet

3. Demolition of existing house: That a demolition permit for demolition of the existing house, or a portion thereof, be submitted and approved, and that the house, or a portion thereof, be demolished within three years of the date of the final Certificate of Occupancy and the property brought into compliance with the floor area requirement. That the use of the house cease prior to Certificate of Occupancy.

Land Disturbance

4. Land Disturbance Survey: That prior to the issuance of a Certificate of Occupancy, it will be necessary to provide a survey confirming the amount of land disturbance associated with all on-site improvements. If land disturbance exceeds 40,000 square feet, the application will require approval of a Special Use Permit by the Town Council.



Access

5. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant 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.

Transportation

6. Payment in Lieu for Bicycle Facilities: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a payment-in-lieu of \$36,575 to the Town of Chapel Hill for the construction of a five-foot wide bike lane on Mt. Carmel Church Rd. along the frontage of the property.
7. Dedication of Future Greenway Easement: That the applicant agrees to dedicate a variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek. Conditions of the easement will allow for construction and maintenance of a path that is 10-12 feet in width, with additional room for 3 foot shoulders, retaining walls, drainage structures, and other improvements needed to comply with AASHTO and NCDOT standards. The easement will allow access and use by Town maintenance vehicles and personnel, pedestrians, non-motorized vehicles, and reasonable use of motorized vehicles for those with disabilities. The Final Plans submitted for the Zoning Compliance Permit shall designate the specific location of the area to be dedicated as a variable-width pedestrian and non-motorized vehicle easement. The easement must be recorded prior to issuance of the Zoning Compliance Permit.
8. Acceptance of Future Greenway Easement That the Town agrees to accept the dedicated variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek.
9. Parking Lot/Drive Aisles Town Standards: Prior to a Certificate of Occupancy, the applicant shall construct the parking lot and drive aisles to Town standard, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
10. Bicycle Access and Parking: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details for a minimum of four (4) bicycle parking spaces (four (4) Class II) 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 bicycle parking standards required by the Town Design Manual.
11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit that the applicant submits a Transportation Management Plan for review and approval by the Town

Manager. These plans are updated annually and approved by the Town Manager. The plan shall include an operations plan that addresses 1) access routes to the site to prevent use of Old Bridge Ln. by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) Onsite parking management, and 4) windows of time for parents to drop-off and pick-up their children. Additional required components of the Transportation Management Plan typically include:

- a. A Transportation Coordinator to communicate and promote alternate modes of transportation;
- b. Submission of an Occupancy Survey due 90 days after building expansion occupancy;
- c. Submission of an updated annual Transportation Management Plan Report;
- d. Submission of Resident, Business and Employee Surveys during survey years; and
- e. Measures to gradually attain the goals of the program.

#### Landscaping and Landscape Protection

12. Landscape Buffers: That the Landscape Planting Plan demonstrate compliance with the required buffers as described in the chart below:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt. Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

13. Alternate Buffers: That unless the applicant obtains alternate bufferyard approval from the Community Design Commission, that the standard buffers be provided continuously along all property lines. It will be necessary for the Community Design Commission to make the determination that any proposed alternative buffer shall provide the same degree of visual and noise obstruction as the required buffer.
14. Landscape Protection: That a detailed Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit. The plan shall include critical root zones of all rare and specimen trees, and clearly indicate names and species. The plan shall indicate the area and percentage of existing tree canopy on the site to be preserved. The Plan shall also include details showing tree protection fencing around construction limits, areas designated for construction parking, materials staging/storage areas, and shall include Town standard landscaping protection notes.

15. 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.
16. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall meet the required parking landscape requirements in LUMO 5.9.6.

#### Environment

17. Steep Slopes Ordinance Compliance: That the final plans application delimit areas containing steep slopes and include construction techniques for areas with steep slopes in accord with Section 5.3.2 of the LUMO.
18. Resource Conservation District Encroachment Permit Required: That prior to issuance of a Zoning Compliance Permit that a Resource Conservation District Encroachment Permit application be submitted for review and approval by the Town Manager in accord with section 3.6.3 of the LUMO for work occurring within the Resource Conservation District.
19. Energy Management Plan: That the applicant consider providing an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:
  - Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

#### Stormwater Management and Erosion Control

20. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of a Zoning Compliance Permit.
21. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
22. 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.

23. 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.
24. As-Built Plans: That prior to 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 related to infrastructure development, 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.
25. 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.
26. 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.
27. P.E. Certification: 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.
28. 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 Town accepting the streets into its maintenance system.

#### Water, Sewer, and Other Utilities

29. Detailed Construction Drawings: Detailed construction drawings shall be submitted to OWASA for review and approval prior to issuance of a Zoning Compliance Permit.
30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, Time Warner, AT&T or other applicable utility providers and the Town Manager before issuance of a Zoning Compliance Permit.
31. Utility Easement Plats: Prior to issuance of a Zoning Compliance Permit, easement and documentation shall be approved by the Town and OWASA and recorded by the applicant.

32. Lighting Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance, including submission of a lighting plan sealed by a Professional Engineer, to be reviewed and approved by the Town Manager. The lighting plan shall also address the requirements of Section 5.11.5 of the Land Use Management Ordinance.

#### Fire Safety

33. Hydrants Active: It will be necessary to have 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. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
34. Fire Hydrant and FDC Locations: That the Final Plans 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.
35. Firefighting Access During Construction: During demolition and/or construction, all aspects of Chapter 14 of the NC Fire Prevention shall be followed. The owner/developer shall designate one person to be the Fire Prevention Program Superintendent who shall be responsible for enforcing Chapter 14 of the NCFPC and the on-site fire prevention program and ensure that it is carried out through completion of the project.
36. Fire Flow Report: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a fire flow report sealed by an engineer licensed in North Carolina certifying that the water supply available at the nearest fire hydrant(s) will meet the Town's fire flow requirements, 20 psi residual pressure. An Orange Water and Sewer flow test must be included with the report.
37. Fire Access: Any and all roads, driveways or dedicated fire lanes used for fire department access shall be all-weather and designed to support to carry the imposed load of fire apparatus weighing at least 75,000 lbs. Fire access roads shall have a minimum width of 20 feet with overhead clearance of 13ft. 6 in for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Proximity to the building for aerial apparatus shall have at least one of the required access routes be located within 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted.

Emergency access designation for apparatus shall be provided. FDC 's shall not be obstructed by landscaping or hindered by parking spaces.

#### Solid Waste Management and Recycling

38. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit a Solid Waste Management Plan for managing solid waste shall be approved by Orange County Solid Waste Management and the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse collection areas, associated screening, gate opening areas, and protective bollards, if applicable.
39. 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.
40. Deconstruction/Demolition: That the applicant shall hold a deconstruction assessment meeting with Orange County Solid Waste Management staff (919-968-2800) concerning the buildings to be removed from this site, with the following note on plans: "Prior to any demolition or construction activity on the site the applicant will hold a deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site. Prior to issuance of a Demolition Permit, the developer shall provide a demolition waste management plan.

#### State and Federal Approvals

41. State or Federal Approvals: That prior to issuance of a Zoning Compliance Permit, the applicant shall obtain approval of any required State or federal permits or encroachment agreements from the Town Manager and NCDOT and/or OWASA, where necessary.
42. 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

43. 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.
44. 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.

45. Community Design Commission Approval: That the developer obtain Community Design Commission approval of the alternative landscape buffers, building elevations and lighting, including the location and screening of all HVAC/Air Handling Units and refuse/recycling facility for this project, prior to issuance of a Zoning Compliance Permit.
46. Recombination Plat Recordation: That prior to issuance of a Zoning Compliance Permit an administrative recombination application for the four residential lots into one lot shall be reviewed and approved by the Town Manager and recorded in the Orange County Register of Deeds office.
47. Engineering Construction Permit Required: That following issuance of a Zoning Compliance Permit and prior to beginning land disturbing activity the applicant submit an Engineering Construction Permit application and four (4) sets plans for stamping to the Development Services Division. Contact Engineering and Design Services 919-969-5084 to discuss the requirements of an Engineering Construction Permit.
48. Traffic and Pedestrian Control Plan: That the applicant 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 applicant must apply to the Town Manager for a lane or street closure permit.
49. Construction Sign Required: That the applicant 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. 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.
50. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
51. 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.

52. 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 Planning Commission hereby approves the application for a Site Plan Review for Chapel Hill Cooperative Preschool in accordance with the plans and conditions listed above.

This the 17<sup>th</sup> day of January, 2017.



**RESOLUTION B**  
(Denying the Site Plan Review Application)

**A RESOLUTION DENYING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-29-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would not comply with the provisions of the Chapel Hill Land Use Management Ordinance and Design Manual:

(INSERT REASON FOR DENIAL)

BE IT FURTHER RESOLVED that the Planning Commission hereby denies the Site Plan Review application for Chapel Hill Cooperative Preschool, located at 108 Mt. Carmel Church Rd.

This the 17<sup>th</sup> day of January, 2017.



**EXEMPTION FORM  
ENGINEERING DEPARTMENT**

**Request for exemption received from:** Philip Post and Associates, 401 Providence Road, Chapel Hill, NC 27714; Telephone: (919)929-1173

**Date:** May 4, 2016

**Type of exemption requested:** TRAFFIC IMPACT ANALYSIS (TIA)

**Type of justification submitted:** a) Written Request with Trip Analysis  
b) Site Plan

**Key reasons why we support this exemption:**

- a) Net trip generation increase due to the proposed preschool: 360 trips/day. Town Consultant conducted a trip generation study and determined the above trip generation numbers.
- b) Meets the Town TIA Guidelines for an Exemption.

**Based upon the attached request for exemption and supporting information, we recommend that the Town Manager approve an exemption for:**

**Chapel Hill Cooperative Preschool**

Signed:  5/4/16  
Traffic Engineer Date

Approved:  5/4/16  
Public Works Director Date

**Attachment(s):** a) Written request from the Applicant/Developer  
b) Site Plan and Fee

**RETURN TO ENGINEERING DEPARTMENT WHEN SIGNED**

### **Narrative Describing Proposed Chapel Hill Cooperative Preschool**

The Chapel Hill Cooperative Preschool was originally organized in 1960 by the Community Church in Chapel Hill as a parent cooperative and the first integrated preschool in the area. The Preschool is a non-profit childcare center governed by a board of directors, including parents and community representative(s). The preschool first extended its enrollment to the full year in 1972. The two (2) year old and Infant/Toddler programs were started in 1980 and 1997 respectively.

Currently there are two (2) school locations. Both Sites are state licensed through the Division of Child Development and accredited by the National Association for the Education of Young Children. The Preschool site is located at the Community Church (106 Purefoy Road, Chapel Hill) and the Infant/Toddler site is located at the Church of Reconciliation (110 N. Elliott Road, Chapel Hill). These two facilities contain a maximum of eighty (80) children and twenty (20) teachers (including the Executive Director). These existing facilities will be combined at the proposed Mt. Carmel Church Road site.

The Chapel Hill Cooperative Preschool is proposing to construct an 8,929-sf one-story building with an adjacent playground, a 23-space off-street parking area and associated site improvements.

The hours of operation for the school is 7:30-5:30. Families begin dropping off students between 7:30am and 9:00am and pick up times is between 12:00-5:30. There are several enrollment options for families to choose; consequently, it is not unusual to have fewer than 80 students and 20 staff on-site. Enrollment options (i.e.: duration of day) for the children are: half day (7:30-12:00), ¾ day (7:30-3:00), and full day (7:30-5:30). Additionally, students can be enrolled on a full-time (5 days a week) or on a part-time basis (2 to 3 days per week). Staff have staggered work schedules; there are morning and afternoon shift teachers. The staggering of staff and children will minimize the traffic impact to the surrounding area. This as well as site access will be discussed in more detail in the Traffic section of this narrative.

CHCP offer a breakfast snack, lunch and afternoon snack to the children. Food preparation on-site is limited; most food is brought to the site prepared and only requires warming and portioning for the students.

The Chapel Hill Cooperative Preschool and the design team have thoroughly reviewed the site and the present/future needs for the school. The application being presented has been designed to utilize the character of this site while minimize the impact (to the site) and the surrounding area. A few examples of this are as follows:



- Existing on-site structures such as the “Sugar Shack” and the dwelling are being re-used. The “Sugar Shack” will be utilized by the staff/children for activities and learning opportunities within the woods.
- The existing dwelling will be used during construction as a construction office for the contractor(s). This has been reviewed with the Chapel Hill Inspections Department and found to be acceptable as a temporary use. Once the proposed preschool building has sufficiently progressed, the construction office will be relocated into the new building and the dwelling will be vacated. The dwelling will then be demolished to the existing foundation prior to obtaining a certificate of occupancy for the new preschool building.
- An effort was made to maintain as many existing trees as possible and to integrate them into the design of the site. Specifically, the 20” double Hemlock tree at the center of the site was the major factor for the placement of the proposed building and parking area. This CHCP wants to utilize this tree and the immediate area around it as another learning opportunity which is unique to this site.
- Land disturbance was minimized and kept below 40,000 sf.

### Traffic

During the TRT meeting (including the comments issued by the TRT) the following topics were identified as concerns:

- Trip generation,
- The arrive/departure times of staff/students, and
- The concern of cars potentially queuing onto Mt. Carmel Church road if students are dropped off at a car loading zone within the driveway circle on-site

Based upon the comments received and discussions held during the TRT meeting, traffic counts were performed at both CHCP sites on Monday October 3, 2016, Tuesday October 4, 2016 & Wednesday October 5, 2016. The results of these counts have been attached to this narrative. These results indicate the following:

- On average, the majority of students arrive on-site between 8:00 and 9:10 with the peak occurring between 8:40 am to 9:00 am.
- Staff starts arriving on site around 7:00 am and is staggered throughout the morning.
- Approximately 40% of the students and approximately half of the staff (8-10) leave the site for the day by 4 pm.
- Based upon these counts, traffic generation is distributed throughout the day; this will minimize traffic impacts to the surrounding area/neighborhoods.
- To eliminate the concern of cars potentially queuing onto Mt. Carmel Church Road, the CHCP will have all parents park their cars on-site and walk the children into the building. To accommodate this volume of cars, the parking lot has been expanded to 23 spaces (including four (4) compact spaces). Operationally, the CHCP staff will occupy the westerly most spaces, this will also include temporary stacking of staff vehicles within the westerly end drive aisle during the peak morning time. The operational moving of staff vehicles is similar to how the current sites operate. This approach is being used to minimize the impervious area on-site.

- Proposed access to the site will be restricted to right turns into the site and right turns out of the site. This will be accomplished using a raised brick median within Mt. Carmel Church Road. CHCP staff and families will be instructed to access the site via Bennett Road and not utilize the surrounding residential street such as Old Bridge Lane for any of their traffic movements (i.e.: U-turns). CHCP will work with families/neighborhood to enforce this policy.

Deliveries to the site are infrequent. Refuse collection will be coordinated with the private collection company (or town) to minimize traffic impacts to the surrounding area.

In conjunction with the development of this site, the CHCP is committed to working with the NCDOT and Town during the Mobility Plan update. This will include the institution of a Transportation Management Plan; said plan will encourage the staff/parents to carpool, possible use of an off-site parking areas for staff with shuttle service to/from the site and to use the walking/biking infrastructure in the area (once constructed) to the maximum extent practicable. As previously indicated, the parents will be instructed to utilize the Bennett Road roundabout (once constructed) to not impact the adjacent residential neighborhoods.

### Solid Waste

Due to the uniqueness of the site and how the CHCP is attempting to minimizing the impact of the development on the site; consequently, alternative methods of recycling/trash pick-up are being proposed. CHCP will be requesting a waiver from Orange County picking up the site recyclables; this will be accomplished by use of a private company or families taking the recyclables off-site to an Orange County facility. Regarding trash pickup, the CHCP is proposing to compost on-site to reduce the volume generated by the school; a preliminary composting plan has been prepared by the CHCP and has been attached to this narrative. The remaining trash from the site will need to be picked up. The CHCP would request to discuss the possibility with the Town of an alternative trash collection vehicle serving this site; if this is not possible then the CHCP will contract this service with a private collector.

Amended November 18, 2016



## Chapel Hill Cooperative Preschool Traffic and Parking Operations Plan

### Summary Narrative (talking points)

- It is in school's best short and long-term interest for teacher and family satisfaction and retention to have a safe, efficient, and low-stress arrival/departure and parking plan for the new school site
- Consolidating schools will reduce overall local and school site traffic and parking needs from current two-school situation
- 80 children and 20 teachers/staff (maximum enrollment and staff size due to 5-star certification) do not all arrive, stay, and depart at the same time every day
- CHCP's peak-time trip patterns do not overlap with the 15-501/Mt. Carmel Church Rd corridor peak-time travel patterns
- A round-a-bout at Mt. Carmel Church Rd (MCCR) and Bennett Rd will be constructed by NCDOT; this will improve traffic safety/flow in the area
- On-site parking combined with parking mitigation planning will provide ample capacity for peak-arrival and departure needs for both teachers/staff and families

### Intro

In anticipation of a move to our new consolidated school site in early 2018, the Board of Directors, in partnership with the teachers/staff of the school, have developed the following operations plan. The plan's goal is to create a safe and efficient protocol for access and egress from the new school site, as well as an orderly and coordinated approach to parking for all school participants.

### Traffic Management Plan

#### ***School traffic schedule***

- Hours of operation for the school is 7:00am-5:30pm.
- Staff start to arrive on-site around 7:00am. Families drop off students between 7:30am and 9:30am and pick up times are between 12:00-5:30pm.
- There are several enrollment options for families to choose from, including full-day (7:30-5:30), ¾ day (7:30-3), and half-day (7:30-12), and some students attend full-time (5 days a week), while others attend MWF or T/Th.
- On average, the majority of students arrive on-site between 8:00 and 9:10 with a peak arrival time between 8:40-9am (average of 10-11 student trips).
- Teacher schedules are staggered to meet the demands of the enrollment, arriving between 7:00-9am and leaving between 3:30-6pm.
- Approximately 40% of the students and half the staff leave the site by 4pm each day.

#### ***Traffic Mitigation***

- Parents and teachers will be expected to arrive and depart the site via Mt. Carmel Church Rd using right-in and right-out turns with fines in place for failure to adhere to this stipulation
- Fines will also be levied if vehicles use Old Bridge Lane in order to turn around or park

- The Town of Chapel Hill and NCDOT are scheduled to begin construction of a round-a-bout at the intersection of Mt. Carmel Church Rd and Bennett Rd in October 2017
- Prior to the completion of the Bennett Rd. round-a-bout, if the school is operational, parents and teachers will be instructed to take 15-501 to Bennett Rd, and turn left off Bennett Rd onto Mt. Carmel to arrive
- After the completion of the round-a-bout, parents and teachers may use either Mt. Carmel or Bennett to arrive
- Parents will be assigned arrival windows based on enrollment plans in order to maintain a consistent arrival pattern that does not add to the current peak AM travel period for the 15-501/Mt Carmel corridor (7-8am)

### **Parking Management Plan**

The new school site is scheduled to have 23 parking spaces (including 1 Handicapped Accessible space)

Note: The new school site will allow 3-5 families with more than 1 child who previously visited both sites for drop off/pick up to consolidate to one trip, reducing the max trips as indicated by the parking study

### **Parking Mitigation**

- The Handicapped Accessible space will be used daily by a current staff member with disability parking credentials
- 10 of the west-side parking spaces will be dedicated for staff/teacher AM parking (\*\*see Parking Exhibit 001)
- 8 additional staff/teacher vehicles will be able to "stack" in the west-side of the lot in the AM for a total of 19 dedicated staff/teacher spaces
- 11 spaces will be dedicated parent AM "drop-off" spaces (equivalent to the current avg peak-time need)
- A new parent volunteer role (consistent with the school's cooperative mission and volunteer hours program) will be dedicated to AM and PM parking monitoring, with a focus on efficient use of drop-off/pick-up spaces and managing any potential "queue" of vehicles that arrive when all spaces are taken
- Staff/teachers will be provided with carpool credits\* as an incentive to ride-share or use public and alternative transportation (e.g., bus, bike) to/from work, which we expect to reduce parking needs by up to 2-3 vehicles per day
- School will purchase staff/teacher parking spaces at both Merritt's and the Southern Village Park and Ride as needed or requested by staff, and staff using these parking options will also receive carpool credits as incentives
- Parents will be assigned arrival windows based on enrollment plans in order to maintain a consistent arrival pattern that:
  - o does not exceed a max trips on site of more than 13 vehicles at any given 10 min window (current trip patterns indicate only one 10 min time period in excess of 10—AM or PM—trips on average)
- The school parking area will be closed off on weekends by a drop bar/chain
- Fines are in place if parents or teachers use Old Bridge Lane for parking



\*carpool credits- teachers will accumulate 1 credit for every day they carpool, use public transportation, bike, or use a park and ride option; every 50 credits = annual end-of-year bonus

**Future Considerations**

The school's Board of Directors anticipates the development and submission of a Special Use Permit application to the Town of Chapel Hill within the next 3 years to address the existing remaining dwelling and potential future parking needs.

The school's Director will conduct an evaluation after move-in of parking and site access and make recommendations to the Board for additional mediation solutions as necessary.

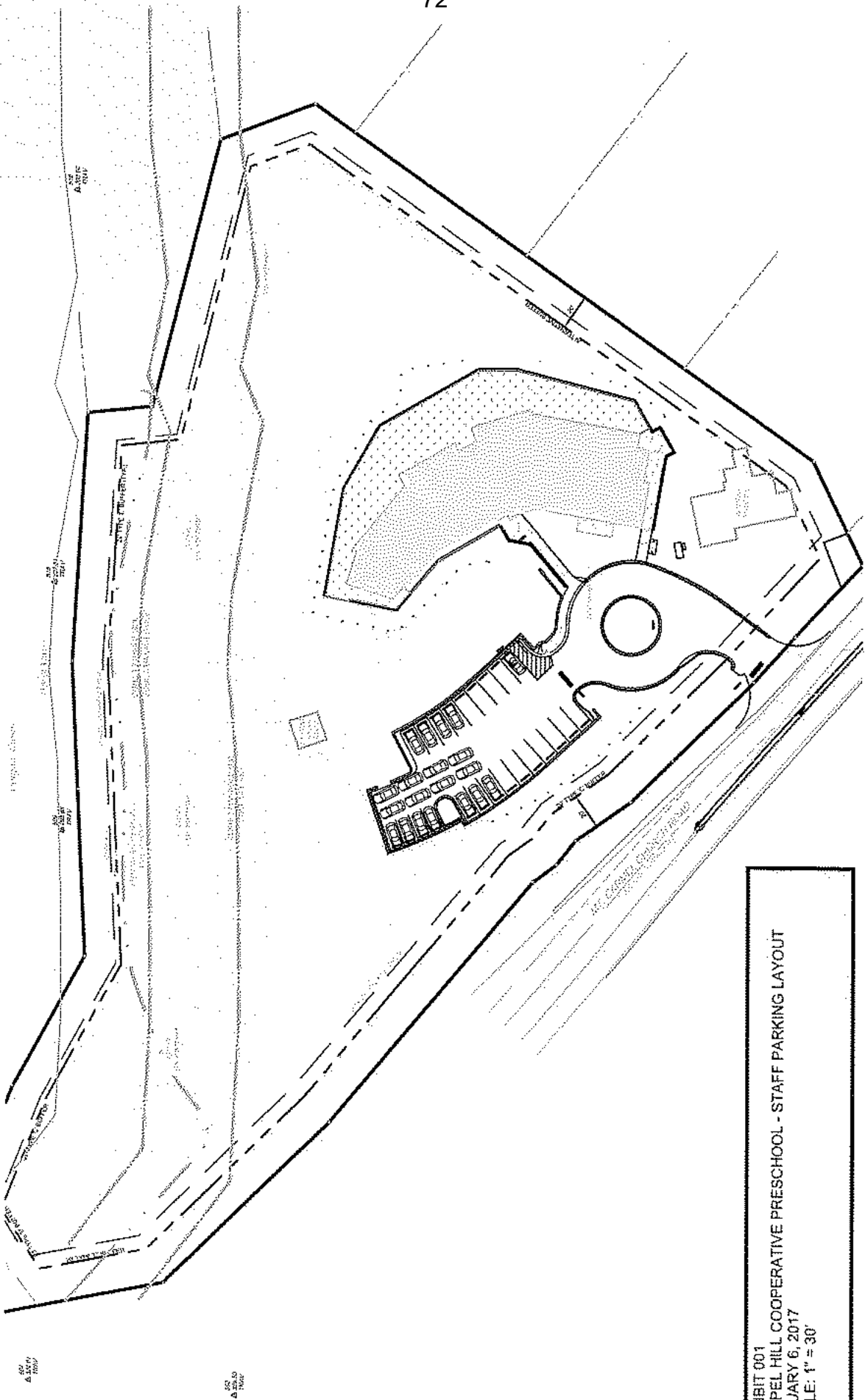


EXHIBIT 001  
CHAPEL HILL COOPERATIVE PRESCHOOL - STAFF PARKING LAYOUT  
JANUARY 6, 2017  
SCALE: 1" = 30'

## SITE PLAN REVIEW APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9787-29-6199; 9787-29-7266; 9787-29-9047; 9787-39-0045 Date: Amended November 18, 2016

### Section A: Project Information

Project Name: Chapel Hill Cooperative Preschool  
 Property Address: 108 Mt. Carmel Church Road Zip Code: 27516  
 Use Groups (A, B, and/or C): B Existing Zoning District: R-1  
 Project Description: Construction of proposed 8,929 sf preschool and associated site improvements, including the preservation of the existing Sugar Shack structure.

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

#### Applicant Information (to whom correspondence will be mailed)

Name: Philip Post & Associates, a Division of Pennoni (Peter Bellantoni)  
 Address: 401 Providence Road, Suite 200  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: 919-929-1173 Email: pbellantoni@pennoni.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: *Peter Bellantoni* Date: 11/18/16

#### Owner/Contract Purchaser Information:

Owner  Contract Purchaser

Name: Chapel Hill Cooperative Preschool  
 Address: 106 Purefoy Road  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: 919-942-3955 Email: chapelhillcooperativepreschool@gmail.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: *Maia Dawson* Date: 11/10/16



**PROJECT FACT SHEET**  
TOWN OF CHAPEL HILL  
Planning Department

**Section A: Project Information**

Application type: Site Plan Review Date: Amended November 18, 2016  
Project Name: Chapel Hill Cooperative Preschool

Use Type: (check/list all that apply)

Office/Institutional  Residential  Mixed-Use  Other: Preschool

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=	172,960	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 1/2 width of public right-of-way	CSA=	10% NLA	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x 1/2 public or dedicated open space	COS=	10% NLA	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	190,256	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)	39,942 SF (Zoning)
Area of Land Disturbance within RCD	349 SF
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)	7,896	-	18,788	26,684
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	4.41%	-	9.88%	14.03%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	4.41%	-	N/A	N/A





**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	4 (3,053 SF)	3 (2,787 SF)	1 New (8,929)	9,195
Number of Floors	1 Each	3	1 Each	2 (1 Each)
Recreational Space	N/A	N/A	N/A	N/A

**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)	3,053	2,787	0	266
Total Square Footage of All Units	3,053	2,787	0	266
Total Square Footage of Affordable Units	N/A	N/A	N/A	N/A
Total Residential Density	1	1	0	0
Number of Dwelling Units	1	1	0	0
Number of Affordable Dwelling Units	N/A	N/A	N/A	N/A
Number of Single Bedroom Units	N/A	N/A	N/A	N/A
Number of Two Bedroom Units	N/A	N/A	N/A	N/A
Number of Three Bedroom Units	N/A	N/A	N/A	N/A

**Non-Residential Space (Gross Floor Area in Square Feet)**

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	N/A	N/A			
Restaurant	N/A	N/A	# of Seats	N/A	N/A
Government	N/A	N/A			
Institutional	N/A	8,929			
Medical	N/A	N/A			
Office	N/A	N/A			
Hotel	N/A	N/A	# of Rooms	N/A	N/A
Industrial	N/A	N/A			
Place of Worship	N/A	N/A	# of Seats	N/A	N/A
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	New Building Proposed
Setbacks (minimum)	Street	28'	47'	104' +/-
	Interior (neighboring property lines)	14'	18'	43' +/-
	Solar (northern property line)	17'	120'	144' +/-
Height (maximum)	Primary	29'		<29'
	Secondary	40'		<40'
Streets	Frontages	64'	>64'	>64'
	Widths	80'	>80'	>80'



**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
Mt. Carmel Church Road	Varies	Varies	Varies 2 to 4	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name): 108 Mt. Carmel Church Road

\*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information: N/A

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> 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	19	23	23 (18 std+5 compact)
Handicap Spaces	1	2	1
Total Spaces	20	25	24
Loading Spaces	N/A	N/A	N/A
Bicycle Spaces	8	N/A	4
Surface Type	Asphalt		

\* Based on Elementary/Middle School

**Section H: Landscape Buffers**

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South (Street)	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
East	20'	20'/Varies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
West (Street)	30'	30'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes





**PROJECT FACT SHEET**  
TOWN OF CHAPEL HILL  
Planning Department

**Section I: Land Use Intensity**

Existing Zoning District: R-1  
Proposed Zoning Change (if any): N/A

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
R-1	0.076 Max	N/A	0.1222				
<b>TOTAL</b>				N/A	N/A	11,308 SF	
RCD Streamside	0.01	0.01					
RCD Managed	0.019	0.019					
RCD Upland	0.076						

**Section J: Utility Service**

Check all that apply

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





**SITE PLAN REVIEW 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](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

✓	Application fee (including <a href="#">Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	5,673.70
Done	Pre-application meeting – with appropriate staff		
✓	Digital Files - provide digital files of all plans and documents		
✓	Recorded Plat or Deed of Property		
✓	Project Fact Sheet		
Exempt	Traffic Impact Statement – completed by Town's consultant (or exemption)		
✓	Mailing list of owners of property within 1,000 feet perimeter of subject property ( <a href="#">see GIS notification tool</a> )		
✓	Mailing fee for above mailing list (mailing fee is double due to 2 mailing)	Amount Paid \$	179.20
✓	Written Narrative describing the proposal		
✓	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)		
✓	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
- 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



**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

- 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

**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
- 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



**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

- 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
- e) Preliminary Shared dumpster agreement, if applicable

### 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 Standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

### Exterior Elevations

- 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).



# Memorandum

Planning Commission 01/17/2017

**Subject:** Site Plan Review Application – Chapel Hill Cooperative Preschool, 108 Mt. Carmel Church Rd. (Project #16-088)

**Staff:**  
Gene Poveromo, Development Manager  
Jay Heikes, Planner II

**Office:**  
Planning and Sustainability

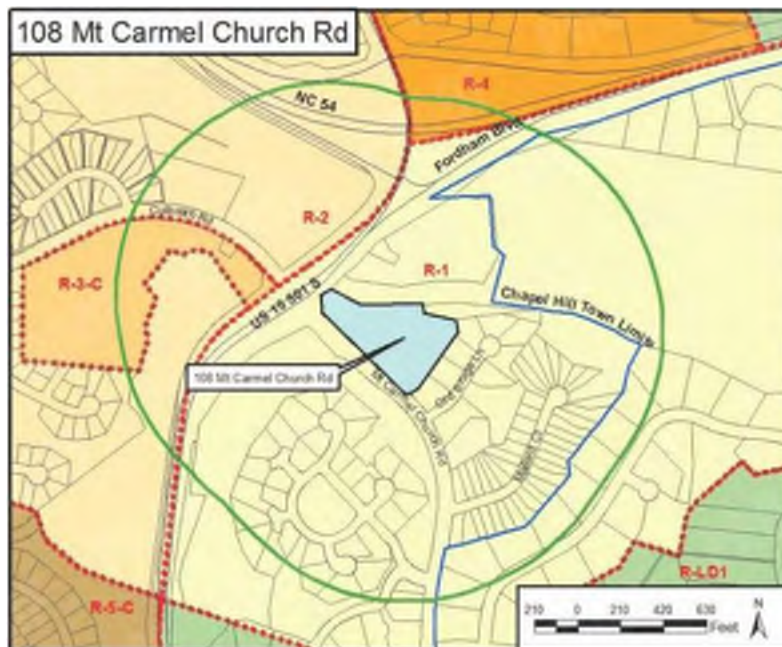
**Overview:** The applicant is proposing to construct an approximately 9000 square foot child day care facility for 80 children and 20 staff with 23 parking spaces.



**Recommendation:**

We recommend that the Planning Commission adopt Resolution A, approving this Site Plan Review application, with the stipulations noted.

**Area Map:**



**Application Description:** The application before you tonight proposes to construct a 9,000 square foot child day care center on a 3.97 acre property for 80 children and 20 staff with 23 parking spaces. This proposal includes 26,684 square feet of impervious surface and 39,942 square feet of land disturbance. The zoning district is Residential-1 (R-1). The property also contains Resource Conservation District (RCD), steep slopes and is partly within the 100-year floodplain.

**Attachments:**

1. Staff Analysis
2. Resolution A Site Plan Review Approval

3. Resolution B Site Plan Review Denial
4. Traffic Impact Analysis Exemption
5. Applicant's Combined Materials



**STAFF REPORT**

**SUBJECT:** Application for Site Plan Review – Chapel Hill Cooperative Preschool, 108 Mt. Carmel Church Rd. (Project #16-088)

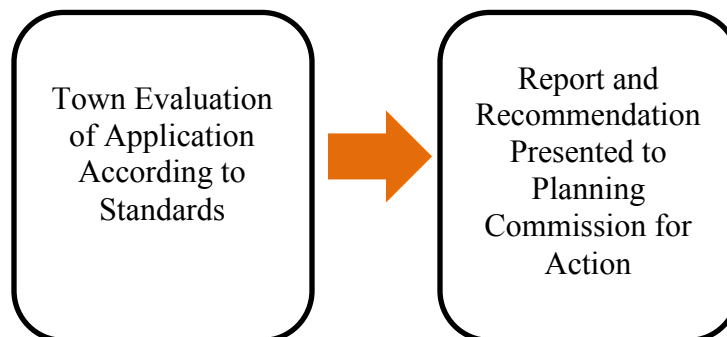
**DATE:** January 17, 2017

**INTRODUCTION**

The Site Plan Review application submitted by Philip Post and Associates, on behalf of the Chapel Hill Cooperative Preschool, seeks approval for construction of a new building containing a child day care facility with 23 vehicular parking spaces. The property is identified as Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-39-9045, 9787-29-0047 and is located at 108 Mt. Carmel Church Rd.

**PROCESS**

Where proposed construction of new floor area in excess of 2,500 square feet, but less than 20,000 square feet, a Site Plan Review is required. In this case, a 9,000 square foot child day care facility is proposed. We note that a child day care facility is a permitted use in the Residential-1 (R-1) zoning district, provided that the lot has access to a collector or arterial street. The Land Use Management Ordinance necessitates Planning Commission approval of a site plan review application. A site plan review is an administrative or by-right approval; if the application is found to be compliant with applicable regulations, including the Land Use Management Ordinance, then the application should be approved.



### STAFF ANALYSIS OF THE APPLICATION

Address	108 Mt. Carmel Church Rd.
Owner	Chapel Hill Cooperative Preschool
Location Description	Northeast corner of the intersection of U.S. 15-501 south and Mt. Carmel Church Rd. Refer to location map on item overview sheet.
County Parcel Identifier Numbers	Orange County Parcel Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-39-9045, 9787-29-0047
Property Description	Predominantly undeveloped property. Lot contains a single-family structure and accessory structures. The remaining three lots are vacant single-family lots that were subdivided in 2008.
Existing Zoning	Residential-1 (R-1)
Proposed Land Use	Child Day Care Facility, permitted in R-1 zoning district provided that access is available to a collector or arterial street.
<b>Surroundings</b>	
General Development Pattern	Single family residential development to south, east and west, and park / open space to the north
<b>Current Site Conditions</b>	
Lot Size (Net Land Area)	172,960 square feet (3.97 acres)
Lot Size (Gross Land Area)	190,256 square feet (4.36 acres)
Structures	One single family dwelling with three accessory structures.
Vegetation	Predominantly wooded.
Access	Single shared driveway providing access for all four lots to Mt. Carmel Church Rd.
Utility Easements	Existing sewer main within an easement serving vacant residential lots.
Existing Impervious Surface	7,896 square feet
Resource Conservation District	Perennial stream on northern lot line, 150-foot wide buffer applies from the top of bank and extends south into the site.
Watershed Protection District	Site is inside the Watershed Protection District
Jordan Riparian Buffer	Perennial stream on northern lot line, 50-foot wide buffer applies from top of bank and extends south into the site.
Wetlands	N/A
Steep Slopes	Site contains 50,356 square feet of moderate slopes with a grade between 15% and 25% and 91,307 square feet of steep slopes with a grade of 25% or more.
100-year floodplain	The northern portion of the site, adjacent to the stream, is within the 100-year floodplain.

**Site Plan Review:** The Planning Commission has the authority to approve new developments if the proposal involves less than 20,000 square feet of floor area and less than 40,000 square feet of land disturbance, and if the proposed use is permitted in the zoning district. The proposed child day care facility is a permitted use. This application proposes 9,000 square feet of floor

area and 39,942 square feet of land disturbance. This preliminary calculation includes all land disturbance associated with the project located within the project site.

We have included a stipulation in Resolution A that limits all associated on-site land disturbance to less than 40,000 square feet. We note that if 40,000 square feet or more of land disturbance is proposed, the application will require approval of a Special Use Permit by the Town Council. We have also included this as a stipulation in Resolution A.

### **Proposed Development**

The applicant is proposing the demolition of two existing accessory structures and construction of a new one-story 9,000 square foot building at 108 Mt. Carmel Church Rd. The existing house is proposed to remain for use as a construction trailer and demolition will be proposed by the applicant at a later date.

The Town staff has reviewed this application for compliance with [Land Use Management Ordinance](#)<sup>1</sup> and the [Design Manual](#)<sup>2</sup> and offers the following evaluation:

**Development Use and Intensity:** The following table provides details regarding proposed development intensity.

<b>Standard</b>	<b>Residential-1 (R-1) Zoning Requirements</b>	<b>Site Plan Review Application</b>
Floor Area Maximum (sq. ft.)	10,730	9,000*
Maximum Primary Height (ft.)	29	N/A
Maximum Secondary Height (ft.)	40	16
Minimum Solar Setback (northern property line) (ft.)	17	144
Minimum Interior Setback (ft.)	14	43
Minimum Street Setback (ft.)	28	104
Maximum Impervious Surface (sq. ft.)	133,179 (70%)	26,684 (14%)
Vehicular Parking Spaces	undefined for use	23 (incl. 1 HC)
Bicycle Parking Spaces	undefined for use	4 (0 Class I and 4 Class II)

\*The applicant is proposing to keep the existing 1,900 square foot single family house and use it as a construction office but demolish it after construction is completed. This demolition is necessary because the total floor area on the lot would be 10,900 square feet which is in excess of the allowable floor area of 10,730 square feet. The applicant has expressed concerns with the sequencing of construction and obtaining funding necessary to demolish the house prior to occupancy of the child day care facility. We believe this constraint is reasonable and that the applicant's proposal to cease use of the house prior to occupancy and demolish the house or a portion of the house after occupancy to comply with the floor area requirement is also reasonable. We have included a stipulation to this effect in Resolution A.

<sup>1</sup> [https://www.municode.com/library/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>2</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

## **Transportation**

***Traffic Impact:*** The proposed daycare is expected to generate approximately 360 daily trips, which is below the 500 daily trip threshold for a Traffic Impact Analysis (TIA). The Town granted a TIA exemption for this project (see attached). As this project was exempted from a TIA, the traffic impact of this project does not require mitigation measures to be constructed.

***Town Roadway Improvements:*** However, we note that morning congestion on Mt. Carmel Church Rd. exists with vehicles queuing beyond the proposed site driveway to make a right turn onto northbound US 15-501. The Town Traffic Engineer and NCDOT have identified a measure from a previous Traffic Impact Analysis in response to concerns and ideas from neighboring residents that would address the existing and future congestion. The Town is planning to reconfigure the Mt. Carmel Church Rd. leg of the intersection that would result one shared lane for left turns and thru traffic and two dedicated right turn lanes from Mt. Carmel Church Rd onto northbound US 15-501 and accompanying traffic signal improvements and retiming. This work is scheduled to be completed by May of 2017.

***Mt. Carmel Church Rd. Median:*** A single point of access to the site is proposed to Mt. Carmel Church Rd., with a new driveway to the southeast of the existing gravel driveway, which is proposed to be removed. NCDOT driveway permit standards require that a raised center median island be installed in the existing paved median in Mt. Carmel Church Rd. to prevent left turns into and out of the site; restricting the driveway to right-in-right-out movements only.

***Vehicular Access and Circulation:*** Section 6.1 of the Land Use Management Ordinance requires that a child day care facility have access to an arterial or collector street when located in the Residential-1 or Residential-2 zoning districts. The proposed development is located in the Residential-1 zoning district and is located on an arterial street. Circulation through the site is proposed via a single drive aisle with a fire truck turn-around in front of the building.

***Transportation Management Plan:*** In response to concerns from residents of Old Bridge Ln. that the street may be used as a turn-around and/or a parking area for the preschool, The Chapel Hill Cooperative Preschool is proposing a "Traffic and Parking Operations Plan" that will address the following: 1) access routes to the site to prevent use of Old Bridge Ln by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) Onsite parking management, and 4) windows of time for parents to drop-off and pick-up their children. All of these things will serve to reduce the number of trips to the site. We believe that including this information in a transportation management plan that will allow for Town monitoring and enforcement, is a reasonable solution and have included a stipulation to this effect in Resolution A.

A Transportation Management Plan is not required with Site Plan Review approvals, but the applicant has voluntarily agreed to such a condition to reduce parking demand. We have included a stipulation requiring the property owner to submit a Transportation Management Plan, with detailed elements, including a vehicle access plan for parents and staff, in Resolution A.

***Bike and Pedestrian Access and Circulation:*** Section 5.8.1 of the Land Use Management Ordinance requires that development front streets that meet Town Standards and require that bike and pedestrian facilities be provided to the extent practicable. Mt. Carmel Church Rd. is an arterial and requires both a five foot wide bike lane and a five foot wide sidewalk to be constructed along the property's frontage.

***Sidewalk and Bike Lane:*** The adopted Bike Plan shows bike lanes on this segment of Mt. Carmel Church Rd. The Town's sidewalk prioritization program also includes a sidewalk on this segment of Mt Carmel Church Rd. We note that the mobility plan, which is under development, may include additional bike and pedestrian improvements in this area to provide better access to the Morgan Creek Trail system including Merritt's Pasture and provide additional connectivity between UNC's campus and the neighborhoods in southern Chapel Hill along US 15-501 south and Mt Carmel Church Rd.

***Sidewalk Payment-in-Lieu:*** We note that a payment-in-lieu of \$32,831 was submitted as a part of the 2008 Minor Subdivision approval for construction of a sidewalk on Mt. Carmel Church Rd. The applicant is requesting credit for this payment and not proposing an additional payment in lieu for sidewalk. We believe this request is reasonable and have not included a condition requiring a payment-in-lieu for construction of sidewalk.

***Bike Lane Payment-in-Lieu:*** The estimated cost of constructing a five-foot wide bike lane on Mt. Carmel Church Rd. along the property's frontage is \$36,575. We believe that a payment-in-lieu of this amount satisfies the requirement in section 5.8.1 of the Land Use Management Ordinance for the applicant to provide bike facilities to the extent practicable. We have included a stipulation to this effect in Resolution A.

***Future Greenway Easement:*** A future greenway side path paralleling Mt. Carmel Church Rd. from Bennet Rd, passing along this property and under US 15-501 to connect with the existing Morgan Creek trail system is proposed by staff as a future amendment to the adopted Greenway Master Plan to provide safe and legal access to the Morgan Creek Trail system and Merritt's Pasture for residents of the neighborhoods along Mt. Carmel Church Rd. The applicant has agreed to dedicate a reserved easement for construction and maintenance of a greenway along the property and we have included a stipulation to this effect in Resolution A.

***Vehicular Parking:*** The Land Use Management Ordinance does not specify vehicular parking standards for the child daycare use. In such cases, the number of parking spaces is to be determined during review of the application. The application proposes 23 regular parking spaces including 1 handicapped parking space. The applicant proposes to combine and relocate two existing daycare operations at this site and has provided parking survey information from those two sites demonstrating parking demand for staff and for parents. The operations plan, as noted above, provides additional information to justify this number of spaces. We have also reviewed three other recently constructed child day care facilities and found the proposed parking ratio to be in line with those facilities. We believe this parking count is reasonable and have included a stipulation to this effect in Resolution A.

***Bicycle Parking:*** The Land Use Management Ordinance does not specify bicycle parking standards for child day care facility use. In such cases, the number of parking spaces is to be determined during review of the application. The developer is proposing to provide 4 Class II, uncovered spaces in compliance with the Design Manual. Based on the number of staff at this facility and comparison to other recently approved child day care facilities, we believe this number is reasonable and have included a stipulation to this effect in Resolution A.

### **Landscape and Architecture**

***Landscape Buffers:*** The required and proposed buffers are as follows:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

The developer is requesting an alternative buffer of variable width buffer along the southeastern property line shared with one single family property at 101 Old Bridge Ln. An alternate buffer is necessary as there is only fourteen feet of width between the existing structure and the adjoining property. The Community Design Commission must approve the detailed plantings and screening associated with any alternative buffer. Detailed plans for landscape buffers are required prior to issuance of a Zoning Compliance Permit. We have included a stipulation with these detailed requirements in Resolution A.

***Parking Landscape:*** The application must meet the parking lot landscaping standards of Section 5.9.6 of the Land Use Management Ordinance. We have included this as a stipulation in Resolution A.

***Building Elevations and Lighting Plan:*** We recommend that a condition of approval require that the applicant obtain approval from the Community Design Commission for detailed building elevations and site lighting plans. We have included this as a stipulation in Resolution A.

### **Environment / Stormwater Management**

***Canopy Tree Requirements:*** The minimum tree canopy coverage requirement for a child day care facility is 40% of the lot. The applicant is proposing 66% (114,000 square feet) of total post construction canopy coverage. This calculation accounts for existing tree canopy to be preserved as a part of development. We have included a stipulation demonstrating protection of this area as a part of the required Landscape Protection Plan in Resolution A.

***Land Disturbance and Impervious Surface:*** Currently, the site is predominantly undeveloped property with an existing single-family structure with three accessory structures. As noted above, we have included stipulation limiting land disturbance in Resolution A.

### Land Area/Proposed Development

	Square Feet	Acres	Percentage of GLA
Gross Land Area (GLA)	190,256	4.36	100%
Proposed Land Disturbance	39,942	0.91	23%
Proposed Net New Impervious Surface	26,684	0.61	14%

**Stormwater Management Plan:** Most stormwater runoff from this site is proposed to be routed to stormwater management structures located under the parking lot drive aisle. Additionally, the applicant proposes to reuse captured rainwater for irrigation.

Prior to the issuance of a Zoning Compliance Permit, the applicant must submit a Stormwater Management Plan for review and approval by the Town Manager. This project must comply with the stormwater management requirements of the Land Use Management Ordinance to provide for 85% total suspended solids removal from the increased impervious area, retention for 2-5 days of the increased volume of stormwater runoff from the 2-year, 24-hour storm, and control of the stormwater runoff rate for the 1-year, 2-year, and 25-year storms. We have included a stipulation with detailed requirements in Resolution A.

**Stormwater Facilities, Reservations, and Operations and Maintenance Plans:** All stormwater facilities shall be within a reserved area or easement where no development would impede the facilities' proper functioning. We have included a stipulation with detailed requirements in Resolution A.

Prior to building occupancy, a Stormwater Operations and Maintenance Plan, signed by the owner, 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. We have included a stipulation with detailed requirements in Resolution A.

**Steep Slopes:** The site contains significant steep slopes, defined as 25% or more, on the northern portion of the lot above the bank of Morgan Creek and the southwestern portion of the lot along Mt. Carmel Church Rd. Section 5.3.2 of the Land Use Management Ordinance requires special construction techniques for slopes in excess of a 15% grade and restricts development on slopes with a grade of 25% or more. Land disturbance is limited to 25% of the area containing steep slopes with a grade of 25% or more. The application proposes to limit disturbance in the areas containing steep slopes by siting the building and parking area on a relatively flat portion of the lot.

Slope Category	Net Land Area (square feet)	Area Disturbed (Square Feet)	Percentage of Slope Category Disturbed
<b>0-15%</b>	31,297	11,643	37%
<b>15-25%</b>	50,356	26,414	52%
<b>&gt;25%</b>	91,307	1,885	2% (25% limit)
<b>Total</b>	172,960	39,942	NA



We believe the application minimizes land disturbance in areas that contain steep slopes and have included a condition in Resolution A to this effect, requiring that steep slopes construction techniques be utilized during construction and demonstrated on the Final Plans prior to issuance of a Zoning Compliance Permit.

***Resource Conservation District:*** The northern portion of the property is within a 150 foot wide Resource Conservation District (RCD) stream buffer that extends south from the bank of Morgan Creek. Section 3.6.3 of the Land Use Management Ordinance limits development activities within the RCD. The application does not propose any new permanent improvements within the RCD. An existing accessory structure that is 266 square feet in size is proposed to remain within the upland zone of the RCD, which is the outermost 50 feet of the buffer. A portion of a play area and a retaining wall ranging in height from zero feet to four feet are located just outside the RCD boundary. Approximately 350 feet of land disturbance within the RCD is necessary to construct these improvements. We believe this application minimizes land disturbance within the RCD and have included a condition requiring review and approval of a Resource Conservation District Encroachment Permit in accord with section 3.6.3 of the Land Use Management Ordinance prior to issuance of a Zoning Compliance Permit

***Jordan Riparian Buffer:*** The northern portion of the property is within a 50 foot wide Jordan Watershed Riparian stream buffer that extends south from the bank of Morgan Creek. This application does not propose any activities or land disturbance within the Jordan Riparian Buffer.

***100 Year Floodplain:*** The northern portion of the property is within the 100 year floodplain. However, the developed portion of the site and the proposed finished floor elevation of the proposed building are approximately 65 feet above the base flood elevation for the 100 year flood. This application does not propose any activities or land disturbance within the 100 year floodplain.

***Energy Management Plan:*** In 2007, the Council adopted a resolution specifying the Council's expectations for energy efficiency and an energy management plan for applicants seeking approval of rezoning applications. No rezoning is proposed with this application. No Energy Management Plan is required. However, the applicant is encouraged to create an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

We have included a stipulation in Resolution A encouraging the applicant to consider these energy management features.

**Utilities and Services**

***Utilities:*** A new 30-foot public OWASA water main easement is proposed along the driveway. A portion of an existing 30-foot sewer main is proposed to remain at the southeastern edge of the property. All permits and plan approvals will need to be approved by Orange Water and Sewer Authority, Duke Energy, PSNC Energy and other utility providers as appropriate. We have included stipulations with detailed requirements in Resolution A.

***Fire/Emergency Access and Protection:*** A fire hydrant must be located within 500 feet of the proposed building, as required by the Land Use Management Ordinance. Approval of a fire flow report is required by the Town and OWASA, showing the Town’s 2,500 gallons per minute standard can be met, prior to issuance of a Zoning Compliance Permit. We have included stipulations with detailed requirements in Resolution A.

***Refuse / Recycling Collection:*** Recycling is proposed to be collected by means other than public recycling collection. The Preschool is proposing to request a waiver from Orange County Solid Waste to allow private collection. The preschool is also proposing to reduce refuse generation by composting on site. The remaining refuse is proposed to be collected by either the Town or a private service. The detailed solid waste management plans for Orange County Solid Waste and the Town, including confirmation of service will be reviewed and approved prior to issuance of a Zoning Compliance Permit. We have included stipulations to this effect in Resolution A.

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

<b><i>Accessibility Requirements</i></b>	Prior to issuance of the Certificate of Occupancy the applicant shall provide the minimum required handicapped facilities and infrastructure required Americans with Disabilities codes and standards.
<b><i>Engineering Construction Permit</i></b>	After issuance of a Zoning Compliance Permit and prior to construction, the applicant shall obtain an Engineering Construction Permit.
<b><i>NCDOT Approvals Required</i></b>	Prior to initiation of work in the public right-of-way, the applicant shall obtain NCDOT permission.
<b><i>Final Site Design</i></b>	Prior to the issuance of a Zoning Compliance Permit the final design is subject to approval by the Town Manager.
<b><i>Landscape Protection, Screening and Shading Plan</i></b>	We have included our standard stipulation regarding approval of a Landscape Plan, including screening of parking areas and buildings, a maintenance schedule and shading plan.
<b><i>Canopy Trees</i></b>	The applicant has provided a landscape plan that proposes 66% total post construction tree canopy to comply with the Town’s Tree Ordinance, made up of existing trees to be preserved.
<b><i>Significant Tree Stands</i></b>	N/A
<b><i>Building Elevation, Lighting Plans, and Alternative Buffer Plan</i></b>	Prior to the issuance of a Zoning Compliance Permit, we recommend that detailed building elevations, lighting plans, and alternative buffer plans be approved by the Community Design Commission.

<b><i>Erosion Control</i></b>	An Orange County Erosion Control permit is required when 20,000 square feet or more is uncovered. This project proposes more than 20,000 square feet of land disturbance, so an Erosion Control Permit is required.
<b><i>Lighting Plan</i></b>	Prior to issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance, subject Town Manager approval.
<b><i>Utilities</i></b>	Prior to issuance of a Zoning Compliance Permit, the applicant shall provide documentation that all utility providers have approved the final plans.
<b><i>Fire</i></b>	Prior to the issuance of a Certificate of Occupancy, the applicant shall be required to obtain Fire Marshal approval for required fire safety features and infrastructure, such as fire hydrants and 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.
<b><i>Schools Adequate Public Facilities Ordinance</i></b>	N/A
<b><i>Construction Management Plan</i></b>	Prior to issuance of a Zoning Compliance Permit, a Construction Management Plan shall be approved by the Town Manager.

### **CONCLUSION**

We believe the proposal, with the conditions in Resolution A, meets the requirements of the applicable sections of the Land Use Management Ordinance and the Design Manual.

Resolution A would approve the application with conditions.

Resolution B would deny the application.

### **RECOMMENDATION**

Staff Recommendation: We recommend that the Planning Board adopt Resolution A, approving the Chapel Hill Cooperative Preschool Site Plan Review application with conditions.

**PROJECT FACT SHEET REQUIREMENTS**  
**Checklist of Regulations and Standards**

**Chapel Hill Cooperative Preschool Site Plan Review Application**

108 Mt. Carmel Church Rd	STAFF EVALUATION ON R-1 ZONING	
	COMPLIANCE	NON-COMPLIANCE
Use Permitted in R-1 Zone	✓	
Gross Land Area	✓	
Minimum Lot Width	✓	
Maximum Floor Area	✓ (with conditions of approval)	
Impervious Surface Limits	✓	
Maximum # Dwelling Units	N/A	
Minimum Recreation Space	N/A	
Minimum # Vehicular Parking Spaces	Use not indicated in Parking Requirements – Staff believes compliance demonstrated adequately	
Minimum # Bicycle Parking Spaces	Use not indicated in Parking Requirements – Staff believes compliance demonstrated adequately	
Minimum Setbacks (Street, Interior, Solar)	✓	
Maximum Height Limits (Primary, Secondary)	✓	
Minimum Landscape Bufferyards	✓ with approval of alternate buffers by CDC	
Land Disturbance Minimized	✓	
Minimum Land Disturbance in the Resource Conservation District	✓ (with conditions of approval)	
Steep Slopes Compliance	✓	
Stormwater Management	✓ (with conditions of approval)	
Parking lot screening	✓ (with conditions of approval)	
Public water and sewer	✓	
Adequate public schools facilities	N/A	

N/A = Not Applicable

\* Denotes nonconforming feature

The chart shows that the application is compliant with the regulations.

ATTACHMENT 2  
**RESOLUTION A**  
 (Approving the Site Plan Review Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-39-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-39-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by January 17, 2018, to be completed by January 17, 2020.
2. Land Use Intensity: This Site Plan Review authorizes the following:

<b>Use: Child Day Care Facility:</b>	
Floor Area Permitted	9,000 square feet
Vehicular Parking Spaces	23
Minimum Bicycle Parking Spaces	4
Maximum Impervious Surface	26,684 square feet
Maximum Land Disturbance	39,942 square feet

3. Demolition of existing house: That a demolition permit for demolition of the existing house, or a portion thereof, be submitted and approved, and that the house, or a portion thereof, be demolished within three years of the date of the final Certificate of Occupancy and the property brought into compliance with the floor area requirement. That the use of the house cease prior to Certificate of Occupancy.

Land Disturbance

4. Land Disturbance Survey: That prior to the issuance of a Certificate of Occupancy, it will be necessary to provide a survey confirming the amount of land disturbance associated with all on-site improvements. If land disturbance exceeds 40,000 square feet, the application will require approval of a Special Use Permit by the Town Council.

### Access

5. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant 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.

### Transportation

6. Payment in Lieu for Bicycle Facilities: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a payment-in-lieu of \$36,575 to the Town of Chapel Hill for the construction of a five-foot wide bike lane on Mt. Carmel Church Rd. along the frontage of the property.
7. Dedication of Future Greenway Easement: That the applicant agrees to dedicate a variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek. Conditions of the easement will allow for construction and maintenance of a path that is 10-12 feet in width, with additional room for 3 foot shoulders, retaining walls, drainage structures, and other improvements needed to comply with AASHTO and NCDOT standards. The easement will allow access and use by Town maintenance vehicles and personnel, pedestrians, non-motorized vehicles, and reasonable use of motorized vehicles for those with disabilities. The Final Plans submitted for the Zoning Compliance Permit shall designate the specific location of the area to be dedicated as a variable-width pedestrian and non-motorized vehicle easement. The easement must be recorded prior to issuance of the Zoning Compliance Permit.
8. Acceptance of Future Greenway Easement That the Town agrees to accept the dedicated variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek.
9. Parking Lot/Drive Aisles Town Standards: Prior to a Certificate of Occupancy, the applicant shall construct the parking lot and drive aisles to Town standard, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
10. Bicycle Access and Parking: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details for a minimum of four (4) bicycle parking spaces (four (4) Class II) 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 bicycle parking standards required by the Town Design Manual.
11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit that the applicant submits a Transportation Management Plan for review and approval by the Town

Manager. These plans are updated annually and approved by the Town Manager. The plan shall include an operations plan that addresses 1) access routes to the site to prevent use of Old Bridge Ln. by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) Onsite parking management, and 4) windows of time for parents to drop-off and pick-up their children. Additional required components of the Transportation Management Plan typically include:

- a. A Transportation Coordinator to communicate and promote alternate modes of transportation;
- b. Submission of an Occupancy Survey due 90 days after building expansion occupancy;
- c. Submission of an updated annual Transportation Management Plan Report;
- d. Submission of Resident, Business and Employee Surveys during survey years; and
- e. Measures to gradually attain the goals of the program.

Landscaping and Landscape Protection

12. Landscape Buffers: That the Landscape Planting Plan demonstrate compliance with the required buffers as described in the chart below:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt. Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

13. Alternate Buffers: That unless the applicant obtains alternate bufferyard approval from the Community Design Commission, that the standard buffers be provided continuously along all property lines. It will be necessary for the Community Design Commission to make the determination that any proposed alternative buffer shall provide the same degree of visual and noise obstruction as the required buffer.

14. Landscape Protection: That a detailed Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit. The plan shall include critical root zones of all rare and specimen trees, and clearly indicate names and species. The plan shall indicate the area and percentage of existing tree canopy on the site to be preserved. The Plan shall also include details showing tree protection fencing around construction limits, areas designated for construction parking, materials staging/storage areas, and shall include Town standard landscaping protection notes.



15. 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.
16. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall meet the required parking landscape requirements in LUMO 5.9.6.

### Environment

17. Steep Slopes Ordinance Compliance: That the final plans application delimit areas containing steep slopes and include construction techniques for areas with steep slopes in accord with Section 5.3.2 of the LUMO
18. Resource Conservation District Encroachment Permit Required: That prior to issuance of a Zoning Compliance Permit that a Resource Conservation District Encroachment Permit application be submitted for review and approval by the Town Manager in accord with section 3.6.3 of the LUMO for work occurring within the Resource Conservation District.
19. Energy Management Plan: That the applicant consider providing an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

### Stormwater Management and Erosion Control

20. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of a Zoning Compliance Permit.
21. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
22. 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.

23. 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.
24. As-Built Plans: That prior to 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 related to infrastructure development, 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.
25. 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.
26. 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.
27. P.E. Certification: 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.
28. 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 Town accepting the streets into its maintenance system.

#### Water, Sewer, and Other Utilities

29. Detailed Construction Drawings: Detailed construction drawings shall be submitted to OWASA for review and approval prior to issuance of a Zoning Compliance Permit.
30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, Time Warner, AT&T or other applicable utility providers and the Town Manager before issuance of a Zoning Compliance Permit.
31. Utility Easement Plats: Prior to issuance of a Zoning Compliance Permit, easement and documentation shall be approved by the Town and OWASA and recorded by the applicant.

32. Lighting Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance, including submission of a lighting plan sealed by a Professional Engineer, to be reviewed and approved by the Town Manager. The lighting plan shall also address the requirements of Section 5.11.5 of the Land Use Management Ordinance.

#### Fire Safety

33. Hydrants Active: It will be necessary to have 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. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
34. Fire Hydrant and FDC Locations: That the Final Plans 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.
35. Firefighting Access During Construction: During demolition and/or construction, all aspects of Chapter 14 of the NC Fire Prevention shall be followed. The owner/developer shall designate one person to be the Fire Prevention Program Superintendent who shall be responsible for enforcing Chapter 14 of the NCFPC and the on-site fire prevention program and ensure that it is carried out through completion of the project.
36. Fire Flow Report: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a fire flow report sealed by an engineer licensed in North Carolina certifying that the water supply available at the nearest fire hydrant(s) will meet the Town's fire flow requirements, 20 psi residual pressure. An Orange Water and Sewer flow test must be included with the report.
37. Fire Access: Any and all roads, driveways or dedicated fire lanes used for fire department access shall be all-weather and designed to support to carry the imposed load of fire apparatus weighing at least 75,000 lbs. Fire access roads shall have a minimum width of 20 feet with overhead clearance of 13ft. 6 in for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Proximity to the building for aerial apparatus shall have at least one of the required access routes be located within 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted.

Emergency access designation for apparatus shall be provided. FDC 's shall not be obstructed by landscaping or hindered by parking spaces.

### Solid Waste Management and Recycling

38. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit a Solid Waste Management Plan for managing solid waste shall be approved by Orange County Solid Waste Management and the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse collection areas, associated screening, gate opening areas, and protective bollards, if applicable.
39. 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.
40. Deconstruction/Demolition: That the applicant shall hold a deconstruction assessment meeting with Orange County Solid Waste Management staff (919-968-2800) concerning the buildings to be removed from this site, with the following note on plans: "Prior to any demolition or construction activity on the site the applicant will hold a deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site. Prior to issuance of a Demolition Permit, the developer shall provide a demolition waste management plan.

### State and Federal Approvals

41. State or Federal Approvals: That prior to issuance of a Zoning Compliance Permit, the applicant shall obtain approval of any required State or federal permits or encroachment agreements from the Town Manager and NCDOT and/or OWASA, where necessary.
42. 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

43. 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.
44. 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.

45. Community Design Commission Approval: That the developer obtain Community Design Commission approval of the alternative landscape buffers, building elevations and lighting, including the location and screening of all HVAC/Air Handling Units and refuse/recycling facility for this project, prior to issuance of a Zoning Compliance Permit.
46. Recombination Plat Recordation: That prior to issuance of a Zoning Compliance Permit an administrative recombination application for the four residential lots into one lot shall be reviewed and approved by the Town Manager and recorded in the Orange County Register of Deeds office.
47. Engineering Construction Permit Required: That following issuance of a Zoning Compliance Permit and prior to beginning land disturbing activity the applicant submit an Engineering Construction Permit application and four (4) sets plans for stamping to the Development Services Division. Contact Engineering and Design Services 919-969-5084 to discuss the requirements of an Engineering Construction Permit.
48. Traffic and Pedestrian Control Plan: That the applicant 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 applicant must apply to the Town Manager for a lane or street closure permit.
49. Construction Sign Required: That the applicant 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. 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.
50. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
51. 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.

52. 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 Planning Commission hereby approves the application for a Site Plan Review for Chapel Hill Cooperative Preschool in accordance with the plans and conditions listed above.

This the 17<sup>th</sup> day of January, 2017.



**RESOLUTION B**  
(Denying the Site Plan Review Application)

**A RESOLUTION DENYING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-39-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-39-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would not comply with the provisions of the Chapel Hill Land Use Management Ordinance and Design Manual:

(INSERT REASON FOR DENIAL)

BE IT FURTHER RESOLVED that the Planning Commission hereby denies the Site Plan Review application for Chapel Hill Cooperative Preschool, located at 108 Mt. Carmel Church Rd.

This the 17<sup>th</sup> day of January, 2017.



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**TRAFFIC IMPACT ANALYSIS ( )**

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**Chapel Hill Cooperative Preschool**

Signed:

*AK Neff*  
Traffic Engineer

5/4/16

Date

Approved:

*Jim Non*  
Public Works Director

5/4/16

Date

**Attachment(s):**

- a) Written request from the Applicant/Developer
- b) Site Plan and Fee

### **Narrative Describing Proposed Chapel Hill Cooperative Preschool**

The Chapel Hill Cooperative Preschool was originally organized in 1960 by the Community Church in Chapel Hill as a parent cooperative and the first integrated preschool in the area. The Preschool is a non-profit childcare center governed by a board of directors, including parents and community representative(s). The preschool first extended its enrollment to the full year in 1972. The two (2) year old and Infant/Toddler programs were started in 1980 and 1997 respectively.

Currently there are two (2) school locations. Both Sites are state licensed through the Division of Child Development and accredited by the National Association for the Education of Young Children. The Preschool site is located at the Community Church (106 Purefoy Road, Chapel Hill) and the Infant/Toddler site is located at the Church of Reconciliation (110 N. Elliott Road, Chapel Hill). These two facilities contain a maximum of eighty (80) children and twenty (20) teachers (including the Executive Director). These existing facilities will be combined at the proposed Mt. Carmel Church Road site.

The Chapel Hill Cooperative Preschool is proposing to construct an 8,929-sf one-story building with an adjacent playground, a 23-space off-street parking area and associated site improvements.

The hours of operation for the school is 7:30-5:30. Families begin dropping off students between 7:30am and 9:00am and pick up times is between 12:00-5:30. There are several enrollment options for families to choose; consequently, it is not unusual to have fewer than 80 students and 20 staff on-site. Enrollment options (i.e.: duration of day) for the children are: half day (7:30-12:00), ¾ day (7:30-3:00), and full day (7:30-5:30). Additionally, students can be enrolled on a full-time (5 days a week) or on a part-time basis (2 to 3 days per week). Staff have staggered work schedules; there are morning and afternoon shift teachers. The staggering of staff and children will minimize the traffic impact to the surrounding area. This as well as site access will be discussed in more detail in the Traffic section of this narrative.

CHCP offer a breakfast snack, lunch and afternoon snack to the children. Food preparation on-site is limited; most food is brought to the site prepared and only requires warming and portioning for the students.

The Chapel Hill Cooperative Preschool and the design team have thoroughly reviewed the site and the present/future needs for the school. The application being presented has been designed to utilize the character of this site while minimize the impact (to the site) and the surrounding area. A few examples of this are as follows:



- Existing on-site structures such as the “Sugar Shack” and the dwelling are being re-used. The “Sugar Shack” will be utilized by the staff/children for activities and learning opportunities within the woods.
- The existing dwelling will be used during construction as a construction office for the contractor(s). This has been reviewed with the Chapel Hill Inspections Department and found to be acceptable as a temporary use. Once the proposed preschool building has sufficiently progressed, the construction office will be relocated into the new building and the dwelling will be vacated. The dwelling will then be demolished to the existing foundation prior to obtaining a certificate of occupancy for the new preschool building.
- An effort was made to maintain as many existing trees as possible and to integrate them into the design of the site. Specifically, the 20” double Hemlock tree at the center of the site was the major factor for the placement of the proposed building and parking area. This CHCP wants to utilize this tree and the immediate area around it as another learning opportunity which is unique to this site.
- Land disturbance was minimized and kept below 40,000 sf.

### Traffic

During the TRT meeting (including the comments issued by the TRT) the following topics were identified as concerns:

- Trip generation,
- The arrive/departure times of staff/students, and
- The concern of cars potentially queuing onto Mt. Carmel Church road if students are dropped off at a car loading zone within the driveway circle on-site

Based upon the comments received and discussions held during the TRT meeting, traffic counts were performed at both CHCP sites on Monday October 3, 2016, Tuesday October 4, 2016 & Wednesday October 5, 2016. The results of these counts have been attached to this narrative.

These results indicate the following:

- On average, the majority of students arrive on-site between 8:00 and 9:10 with the peak occurring between 8:40 am to 9:00 am.
- Staff starts arriving on site around 7:00 am and is staggered throughout the morning.
- Approximately 40% of the students and approximately half of the staff (8-10) leave the site for the day by 4 pm.
- Based upon these counts, traffic generation is distributed throughout the day; this will minimize traffic impacts to the surrounding area/neighborhoods.
- To eliminate the concern of cars potentially queuing onto Mt. Carmel Church Road, the CHCP will have all parents park their cars on-site and walk the children into the building. To accommodate this volume of cars, the parking lot has been expanded to 23 spaces (including four (4) compact spaces). Operationally, the CHCP staff will occupy the westerly most spaces, this will also include temporary stacking of staff vehicles within the westerly end drive aisle during the peak morning time. The operational moving of staff vehicles is similar to how the current sites operate. This approach is being used to minimize the impervious area on-site.



- Proposed access to the site will be restricted to right turns into the site and right turns out of the site. This will be accomplished using a raised brick median within Mt. Carmel Church Road. CHCP staff and families will be instructed to access the site via Bennett Road and not utilize the surrounding residential street such as Old Bridge Lane for any of their traffic movements (i.e.: U-turns). CHCP will work with families/neighborhood to enforce this policy.

Deliveries to the site are infrequent. Refuse collection will be coordinated with the private collection company (or town) to minimize traffic impacts to the surrounding area.

In conjunction with the development of this site, the CHCP is committed to working with the NCDOT and Town during the Mobility Plan update. This will include the institution of a Transportation Management Plan; said plan will encourage the staff/parents to carpool, possible use of an off-site parking areas for staff with shuttle service to/from the site and to use the walking/biking infrastructure in the area (once constructed) to the maximum extent practicable. As previously indicated, the parents will be instructed to utilize the Bennett Road roundabout (once constructed) to not impact the adjacent residential neighborhoods.

### Solid Waste

Due to the uniqueness of the site and how the CHCP is attempting to minimizing the impact of the development on the site; consequently, alternative methods of recycling/trash pick-up are being proposed. CHCP will be requesting a waiver from Orange County picking up the site recyclables; this will be accomplished by use of a private company or families taking the recyclables off-site to an Orange County facility. Regarding trash pickup, the CHCP is proposing to compost on-site to reduce the volume generated by the school; a preliminary composting plan has been prepared by the CHCP and has been attached to this narrative. The remaining trash from the site will need to be picked up. The CHCP would request to discuss the possibility with the Town of an alternative trash collection vehicle serving this site; if this is not possible then the CHCP will contract this service with a private collector.

Amended November 18, 2016



## **Chapel Hill Cooperative Preschool Traffic and Parking Operations Plan**

### **Summary Narrative (talking points)**

- It is in school's best short and long-term interest for teacher and family satisfaction and retention to have a safe, efficient, and low-stress arrival/departure and parking plan for the new school site
- Consolidating schools will reduce overall local and school site traffic and parking needs from current two-school situation
- 80 children and 20 teachers/staff (maximum enrollment and staff size due to 5-star certification) do not all arrive, stay, and depart at the same time every day
- CHCP's peak-time trip patterns do not overlap with the 15-501/Mt. Carmel Church Rd corridor peak-time travel patterns
- A round-a-bout at Mt. Carmel Church Rd (MCCR) and Bennett Rd will be constructed by NCDOT; this will improve traffic safety/flow in the area
- On-site parking combined with parking mitigation planning will provide ample capacity for peak-arrival and departure needs for both teachers/staff and families

### **Intro**

In anticipation of a move to our new consolidated school site in early 2018, the Board of Directors, in partnership with the teachers/staff of the school, have developed the following operations plan. The plan's goal is to create a safe and efficient protocol for access and egress from the new school site, as well as an orderly and coordinated approach to parking for all school participants.

### **Traffic Management Plan**

#### ***School traffic schedule***

- Hours of operation for the school is 7:00am-5:30pm.
- Staff start to arrive on-site around 7:00am. Families drop off students between 7:30am and 9:30am and pick up times are between 12:00-5:30pm.
- There are several enrollment options for families to choose from, including full-day (7:30-5:30),  $\frac{3}{4}$  day (7:30-3), and half-day (7:30-12), and some students attend full-time (5 days a week), while others attend MWF or T/Th.
- On average, the majority of students arrive on-site between 8:00 and 9:10 with a peak arrival time between 8:40-9am (average of 10-11 student trips).
- Teacher schedules are staggered to meet the demands of the enrollment, arriving between 7-9am and leaving between 3:30-6pm.
- Approximately 40% of the students and half the staff leave the site by 4pm each day.

#### ***Traffic Mitigation***

- Parents and teachers will be expected to arrive and depart the site via Mt. Carmel Church Rd using right-in and right-out turns with fines in place for failure to adhere to this stipulation
- Fines will also be levied if vehicles use Old Bridge Lane in order to turn around or park



- The Town of Chapel Hill and NCDOT are scheduled to begin construction of a round-a-bout at the intersection of Mt. Carmel Church Rd and Bennett Rd in October 2017
- Prior to the completion of the Bennett Rd. round-a-bout, if the school is operational, parents and teachers will be instructed to take 15-501 to Bennett Rd, and turn left off Bennett Rd onto Mt. Carmel to arrive
- After the completion of the round-a-bout, parents and teachers may use either Mt. Carmel or Bennett to arrive
- Parents will be assigned arrival windows based on enrollment plans in order to maintain a consistent arrival pattern that does not add to the current peak AM travel period for the 15-501/Mt Carmel corridor (7-8am)

### **Parking Management Plan**

The new school site is scheduled to have 23 parking spaces (including 1 Handicapped Accessible space)

Note: The new school site will allow 3-5 families with more than 1 child who previously visited both sites for drop off/pick up to consolidate to one trip, reducing the max trips as indicated by the parking study

### ***Parking Mitigation***

- The Handicapped Accessible space will be used daily by a current staff member with disability parking credentials
- 10 of the west-side parking spaces will be dedicated for staff/teacher AM parking (\*\*see Parking Exhibit 001)
- 8 additional staff/teacher vehicles will be able to “stack” in the west-side of the lot in the AM for a total of 19 dedicated staff/teacher spaces
- 11 spaces will be dedicated parent AM “drop-off” spaces (equivalent to the current avg peak-time need)
- A new parent volunteer role (consistent with the school’s cooperative mission and volunteer hours program) will be dedicated to AM and PM parking monitoring, with a focus on efficient use of drop-off/pick-up spaces and managing any potential “queue” of vehicles that arrive when all spaces are taken
- Staff/teachers will be provided with carpool credits\* as an incentive to ride-share or use public and alternative transportation (e.g., bus, bike) to/from work, which we expect to reduce parking needs by up to 2-3 vehicles per day
- School will purchase staff/teacher parking spaces at both Merritt’s and the Southern Village Park and Ride as needed or requested by staff, and staff using these parking options will also receive carpool credits as incentives
- Parents will be assigned arrival windows based on enrollment plans in order to maintain a consistent arrival pattern that:
  - o does not exceed a max trips on site of more than 13 vehicles at any given 10 min window (current trip patterns indicate only one 10 min time period in excess of 10—AM or PM—trips on average)
- The school parking area will be closed off on weekends by a drop bar/chain
- Fines are in place if parents or teachers use Old Bridge Lane for parking

\*carpool credits- teachers will accumulate 1 credit for every day they carpool, use public transportation, bike, or use a park and ride option; every 50 credits = annual end-of-year bonus

**Future Considerations**

The school's Board of Directors anticipates the development and submission of a Special Use Permit application to the Town of Chapel Hill within the next 3 years to address the existing remaining dwelling and potential future parking needs.

The school's Director will conduct an evaluation after move-in of parking and site access and make recommendations to the Board for additional mediation solutions as necessary.

Morgan Creek

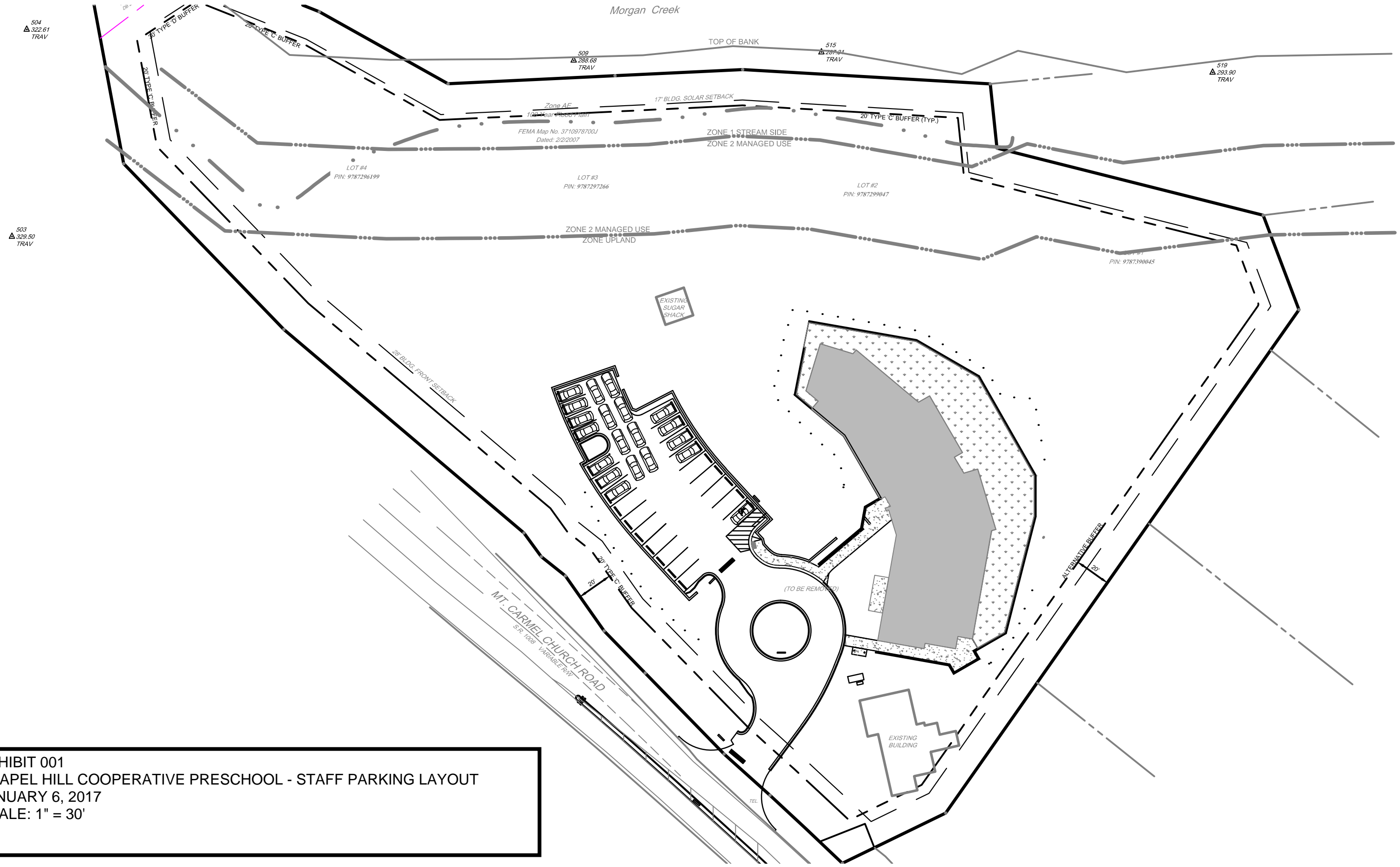


EXHIBIT 001  
 CHAPEL HILL COOPERATIVE PRESCHOOL - STAFF PARKING LAYOUT  
 JANUARY 6, 2017  
 SCALE: 1" = 30'

## SITE PLAN REVIEW APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
 405 Martin Luther King Jr. Blvd  
 phone (919) 968-2728 fax (919) 969-2014  
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9787-29-6199; 9787-29-7266; 9787-29-9047; 9787-39-0045 Date: Amended November 18, 2015

### Section A: Project Information

Project Name: Chapel Hill Cooperative Preschool  
 Property Address: 108 Mt. Carmel Church Road Zip Code: 27516  
 Use Groups (A, B, and/or C): B Existing Zoning District: R-1  
 Project Description: Construction of proposed 8,929 sf preschool and associated site improvements, including the preservation of the existing Sugar Shack structure.

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

#### Applicant Information (to whom correspondence will be mailed)

Name: Philip Post & Associates, a Division of Pennoni (Peter Bellantoni)  
 Address: 401 Providence Road, Suite 200  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: 919-929-1173 Email: pbellantoni@pennoni.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: *Peter Bellantoni* Date: 11/18/16

#### Owner/Contract Purchaser Information:

Owner  Contract Purchaser

Name: Chapel Hill Cooperative Preschool  
 Address: 106 Purefoy Road  
 City: Chapel Hill State: NC Zip Code: 27514  
 Phone: 919-942-3955 Email: chapelhillcooperativepreschool@gmail.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: *Mania Dawson* Date: 11/10/16





## PROJECT FACT SHEET

TOWN OF CHAPEL HILL  
Planning Department

### Section A: Project Information

Application type: Site Plan Review Date: Amended November 18, 2016

Project Name: Chapel Hill Cooperative Preschool

Use Type: (check/list all that apply)

Office/Institutional  Residential  Mixed-Use  Other: Preschool

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=	172,960	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 1/2 width of public right-of-way	CSA=	10% NLA	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x 1/2 public or dedicated open space	COS=	10% NLA	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	190,256	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)	39,942 SF (Zoning)
Area of Land Disturbance within RCD	348 SF
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)	7,888	-	10,788	28,684
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	4.41%	-	9.88%	14.03%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	4.41%	-	N/A	N/A



## 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	4 (3,053 SF)	3 (2,787 SF)	1 New (8,929)	9,195
Number of Floors	1 Each	3	1 Each	2 (1 Each)
Recreational Space	N/A	N/A	N/A	N/A

#### 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)	3,053	2,787	0	266
Total Square Footage of All Units	3,053	2,787	0	266
Total Square Footage of Affordable Units	N/A	N/A	N/A	N/A
Total Residential Density	1	1	0	0
Number of Dwelling Units	1	1	0	0
Number of Affordable Dwelling Units	N/A	N/A	N/A	N/A
Number of Single Bedroom Units	N/A	N/A	N/A	N/A
Number of Two Bedroom Units	N/A	N/A	N/A	N/A
Number of Three Bedroom Units	N/A	N/A	N/A	N/A

#### Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	N/A	N/A			
Restaurant	N/A	N/A	# of Seats	N/A	N/A
Government	N/A	N/A			
Institutional	N/A	8,929			
Medical	N/A	N/A			
Office	N/A	N/A			
Hotel	N/A	N/A	# of Rooms	N/A	N/A
Industrial	N/A	N/A			
Place of Worship	N/A	N/A	# of Seats	N/A	N/A
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	New Building Proposed
Setbacks (minimum)	Street	28'	47'	104' +/-
	Interior (neighboring property lines)	14'	18'	43' +/-
	Solar (northern property line)	17'	120'	144' +/-
Height (maximum)	Primary	29'		<29'
	Secondary	40'		<40'
Streets	Frontages	64'	>64'	>64'
	Widths	80'	>80'	>80'





## 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
Mt. Carmel Church Road	Varies	Varies	Varies 2 to 4	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name): 108 Mt. Carmel Church Road

\*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information: N/A

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> 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	19	23	23 (18 std+5 compact)
Handicap Spaces	1	2	1
Total Spaces	20	25	24
Loading Spaces	N/A	N/A	N/A
Bicycle Spaces	8	N/A	4
Surface Type	Asphalt		

\* Based on Elementary/Middle School

### Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South (Street)	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
East	20'	20'/Varies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
West (Street)	30'	30'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



**PROJECT FACT SHEET**  
TOWN OF CHAPEL HILL  
Planning Department

**Section I: Land Use Intensity**

Existing Zoning District: R-1  
Proposed Zoning Change (if any): N/A

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
R-1	0.076 Max	N/A	0.1222				
<b>TOTAL</b>				N/A	N/A	11,308 SF	
RCD Streamside	0.01	0.01					
RCD Managed	0.019	0.019					
RCD Upland	0.076						

**Section J: Utility Service**

Check all that apply

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





**SITE PLAN REVIEW 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](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

✓	Application fee (including <a href="#">Engineering Review fee</a> ) (refer to fee schedule)	Amount Paid \$	5,673.70
Done	Pre-application meeting – with appropriate staff		
✓	Digital Files - provide digital files of all plans and documents		
✓	Recorded Plat or Deed of Property		
✓	Project Fact Sheet		
Exempt	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
✓	Mailing list of owners of property within 1,000 feet perimeter of subject property ( <a href="#">see GIS notification tool</a> )		
✓	Mailing fee for above mailing list (mailing fee is double due to 2 mailing)	Amount Paid \$	179.20
✓	Written Narrative describing the proposal		
✓	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)		
✓	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
- 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



**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

- 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

**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
- 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







**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

- 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





**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

**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
- e) Preliminary Shared dumpster agreement, if applicable

**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 Standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

**Exterior Elevations**

- 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).



# CHAPEL HILL COOPERATIVE PRESCHOOL SITE PLAN APPROVAL

108 MT. CARMEL CHURCH ROAD  
2016-08-24

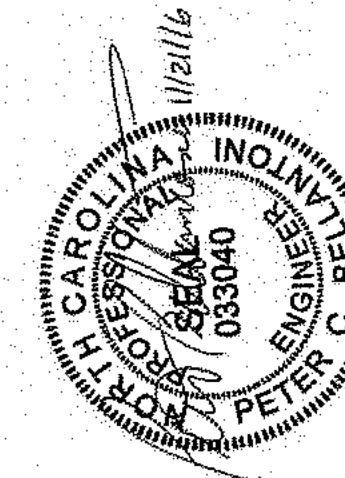
PREPARED FOR:

# CHAPEL HILL COOPERATIVE PRESCHOOL

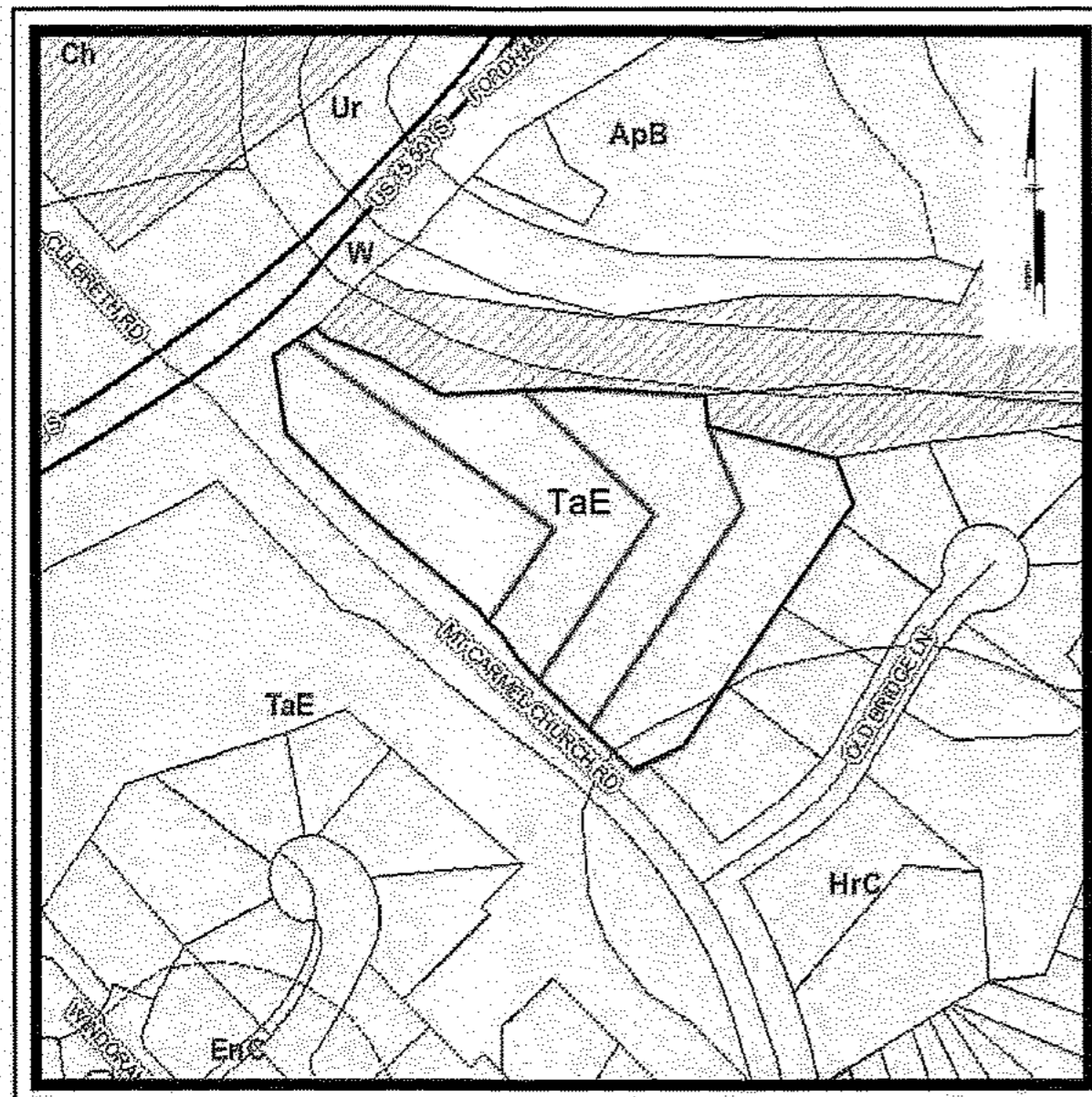
106 PUREFOY ROAD  
CHAPEL HILL, NC 27514  
(919) 942-3955

Sheet List Table		
SHEET NAME	Sheet Number	Sheet Title
CS001	1	COVER SHEET
CS002	2	GENERAL NOTES AND LEGENDS
CS0201	3	EXISTING CONDITIONS PLAN
CS0202	4	SLOPE ANALYSIS PLAN
CS0501	5	DEMOLITION PLAN
CS1001	6	SITE PLAN
CS1501	7	SITE GRADING & DRAINAGE PLAN
CS1701	8	SITE UTILITY PLAN
CS2001	9	LANDSCAPE & LIGHTING PLAN
CS6001	10	SITE DETAILS
CS8001	11	EROSION CONTROL PLAN
CS8002	12	CONSTRUCTION MANAGEMENT PLAN
CS9001	13	EXISTING PLAT
A1.02		FIRST FLOOR PLAN
A1.03		ROOF PLAN
A2.01		3D EXTERIOR VIEWS
A2.02		3D EXTERIOR VIEWS

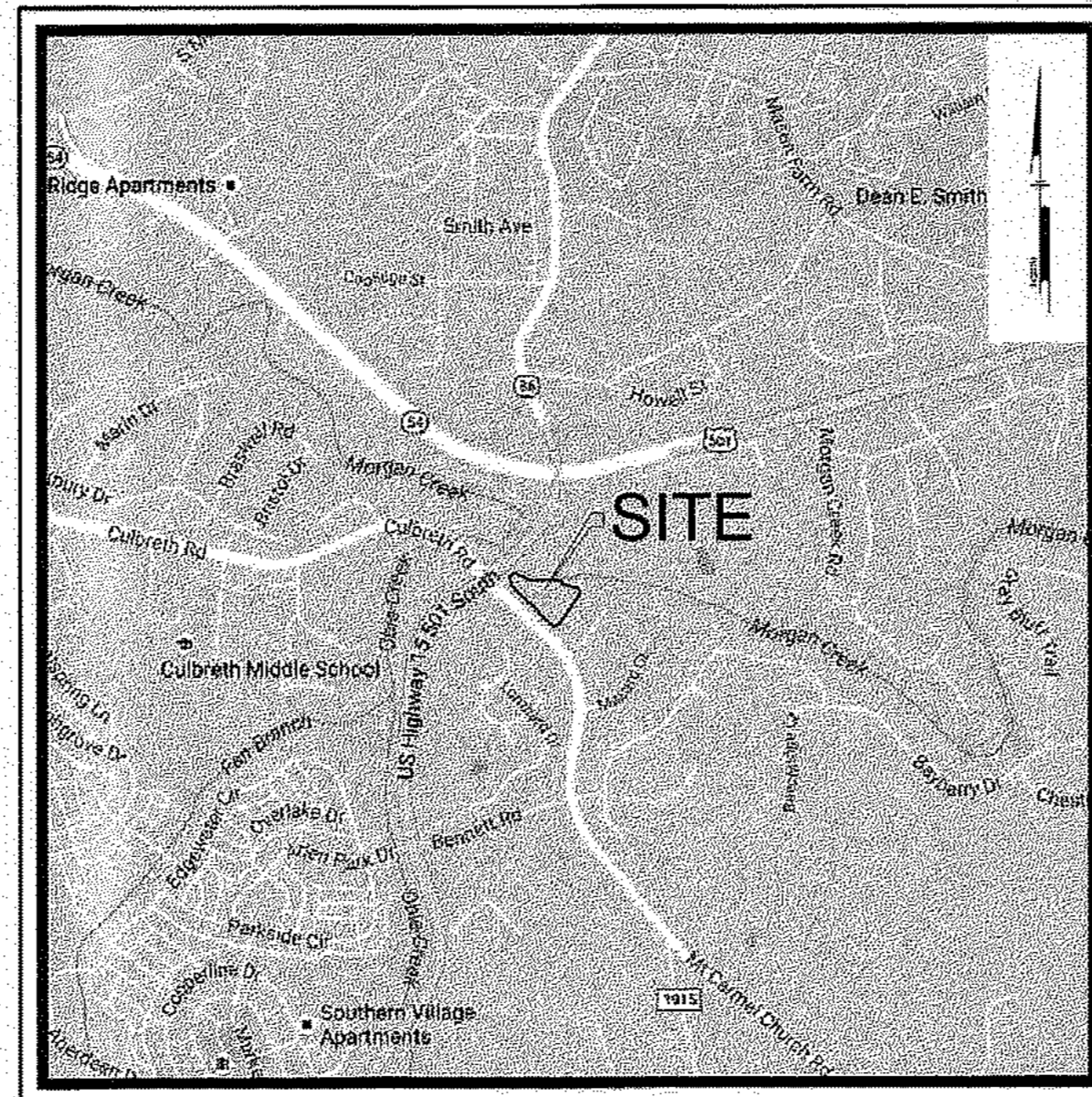
ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK



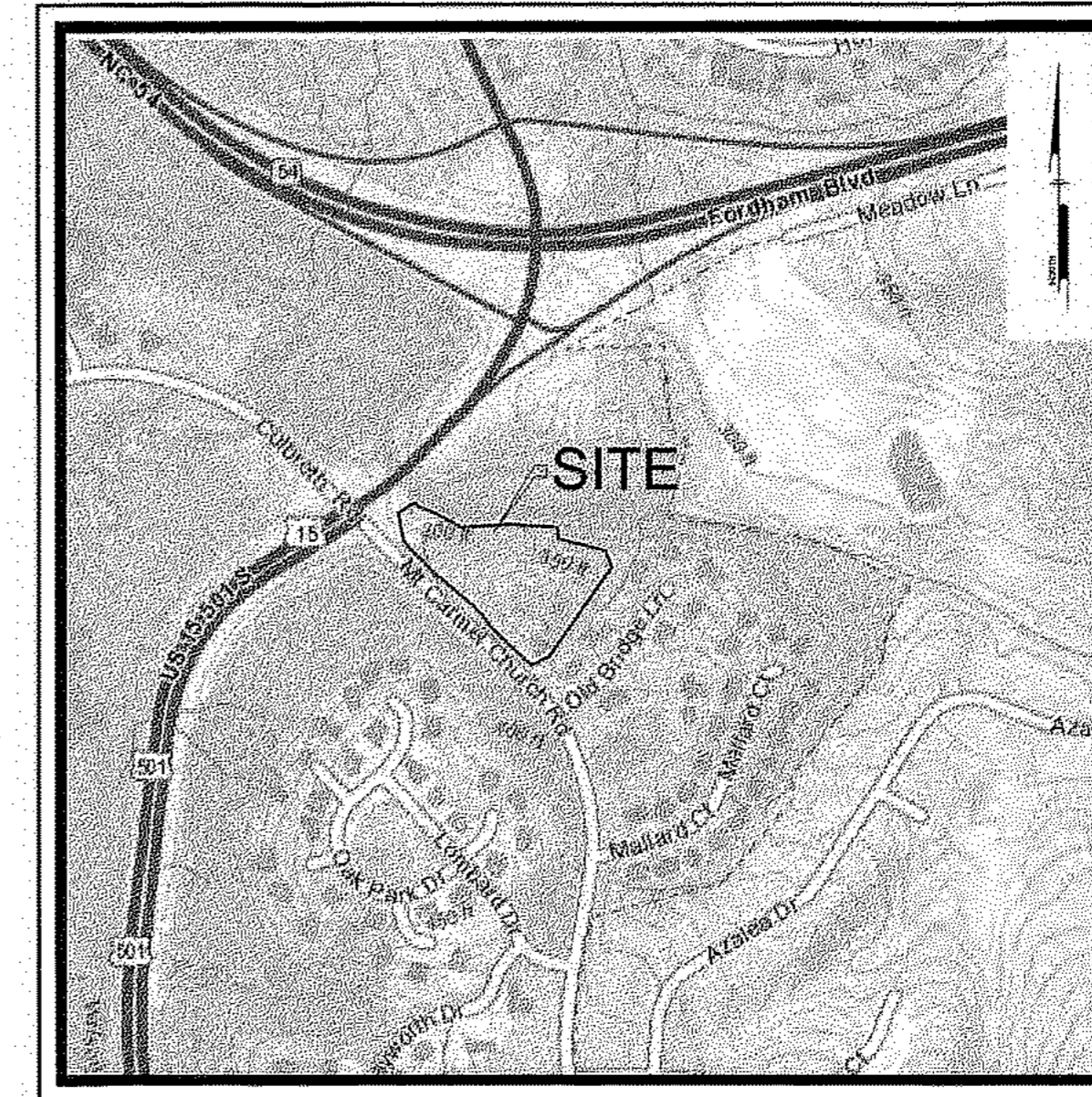
R-1 (RESIDENTIAL)	REQUIRED	PROPOSED
MIN. LOT AREA	17,000 SF	172,960
MIN. LOT FRONTAGE	56 FT	>64 FT
MIN. LOT WIDTH	80 FT	>60 FT
MAX. BUILDING HEIGHT	29 FT (P/PM/R/R)	<29 FT (P/PM/R/R)
MAX. FLOOR AREA RATIO	40 FT (P/PM/R/R)	<40 FT (P/PM/R/R)
MAX. LOT COVERAGE	0.7	26,884 SF (14.03% IMPERVIOUS)
<b>BUILDING SETBACK</b>		
MIN. FRONT STREET YARD SETBACK	28 FT	104 FT +/-
MIN. SIDE YARD SETBACK	14 FT	43 FT +/-
MIN. REAR (NORTHERN REAR) YARD SETBACK	17 FT	144 FT +/-
<b>BUFFER YARD SETBACK</b>		
MIN. FRONT YARD SETBACK	20 FT	20 FT
MIN. SIDE YARD SETBACK	20 FT	20 FT / ALT. BUFFER
MIN. REAR YARD SETBACK	20 FT	20 FT
<b>VEHICLE PARKING</b>		
VEHICLE PARKING	20 min / 25 max	23
BIKE PARKING	6	4
<b>TOTAL IMPERVIOUS AREA (CFGL)</b>		
TOTAL IMPERVIOUS AREA (CFGL)	7,896 SF (4.15%)	26,689 SF (14.03%)
<b>NON-IMP. ZONE IMPERVIOUS AREA</b>		
NON-IMP. ZONE IMPERVIOUS AREA	7,896 SF (4.15%)	26,689 SF (14.03%)
<b>ZONE 1 IMPERVIOUS AREA</b>		
ZONE 1 IMPERVIOUS AREA	0 SF (0.0%)	0 SF (0.0%)
<b>ZONE 2 IMPERVIOUS AREA</b>		
ZONE 2 IMPERVIOUS AREA	0 SF (0.0%)	0 SF (0.0%)
<b>ZONE 3 IMPERVIOUS AREA</b>		
ZONE 3 IMPERVIOUS AREA	266 SF (0.15%)	266 SF (0.15%)
<b>TOTAL LAND DISTURBANCE AREA</b>		
TOTAL LAND DISTURBANCE AREA	N/A	39,942 SF (23.09%)
<b>NON-IMP. ZONE LAND DISTURBANCE AREA</b>		
NON-IMP. ZONE LAND DISTURBANCE AREA	N/A	39,942 SF (23.09%)
<b>ZONE 1 LAND DISTURBANCE AREA</b>		
ZONE 1 LAND DISTURBANCE AREA	N/A	0 SF (0.0%)
<b>ZONE 2 LAND DISTURBANCE AREA</b>		
ZONE 2 LAND DISTURBANCE AREA	N/A	0 SF (0.0%)
<b>ZONE 3 LAND DISTURBANCE AREA</b>		
ZONE 3 LAND DISTURBANCE AREA	N/A	348 SF (0.20%)
<b>SLOPE CATEGORY</b>		
SLOPE CATEGORY	DESIGNATED AREAS	DISTURBED AREAS
0% TO 14.99%	31,297 SF (18.09%)	11,649 SF (6.72%)
15% TO 24.99%	50,355 SF (29.11%)	26,414 SF (15.27%)
25% & GREATER	93,307 SF (52.79%)	1,685 SF (0.99%)
<b>FLOOR AREA CALCULATIONS</b>		
GROSS LAND AREA (GLA)	172,960 sf x 1.10 = 190,256 sf	
NON-IMP. ZONE	87,212 sf (50.42%)	87,212 sf (45.82%)
ZONE 1	34,311 sf (19.89%)	34,311 sf (18.03%) = 343 sf
ZONE 2	31,349 sf (18.13%)	31,349 sf (16.47%) = 592 sf
ZONE 3	30,288 sf (17.51%)	30,288 sf (15.83%) = 2,303 sf
EFFECTIVE FLOOR AREA RATIO (EFAR)		8,765 sf (172,960 sf) = 0.0564
ALLOWABLE FLOOR AREA (MIM/LMGLA x EFAR)		(190,256 sf x 0.0564) = 10,730 sf
PROPOSED FLOOR AREA		9,196 sf
<b>TREE CANOPY AREA TO REMAIN</b>		
TREE CANOPY AREA TO REMAIN	128,708 SF (74.41%)	114,088 SF (65.95%)



**SOILS MAP**  
Scale: 1" = 250'



**LOCATION MAP**  
Scale: 1" = 2000'



**USGS MAP**  
Scale: 1" = 700'

PREPARED BY:

**PHILIP POST  
& ASSOCIATES**

A Division of **Pennoni** Firm License F-1267

401 Providence Road #200  
Chapel Hill, NC 27514  
T 919.929.1173  
F 919.493.6548



**NOT FOR CONSTRUCTION**

CHAPEL HILL COOPERATIVE PRESCHOOL  
108 MT. CARMEL CHURCH ROAD  
CHAPEL HILL, NC 27514

COVER SHEET

CHAPEL HILL COOPERATIVE PRESCHOOL  
106 PUREFOY ROAD  
CHAPEL HILL, NC 27514

DATE	NO.	REVISIONS	BY
2016-11-17	2	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
2016-11-09	1	REVISED PER 10/31/16 C.H. MEMO	PCB

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT: CHCP1601  
DATE: 2016-08-24  
DRAWING SCALE: ---  
DRAWN BY: DMC  
APPROVED BY: PCB

**CS0001**  
SHEET 1 OF 13



LEGEND		
EXISTING	PROPOSED	DESCRIPTION
		CABLE TV, JUNCTION BOX
		CABLE TV, MANHOLE
		CABLE TV, OVERHEAD
		CABLE TV, PANEL BOX
		CABLE TV, PEDESTAL
		CABLE TV, STUB OUT
		CABLE TV, UNDERGROUND
		CABLE TV, WITNESS POST
		CHANNEL
		COMMUNICATION, HANDHOLE
		COMMUNICATION, JUNCTION BOX
		COMMUNICATION, MANHOLE
		COMMUNICATION, OVERHEAD
		COMMUNICATION, PANEL BOX
		COMMUNICATION, PEDESTAL
		COMMUNICATION, STUB OUT
		COMMUNICATION, UNDERGROUND
		COMMUNICATION, WITNESS POST
		CONTROL, BENCHMARK
		CONTROL, GPS
		CONTROL, MAPPING
		CONTROL, REFERENCE
		CONTROL, TRAVERSE
		CURB
		CURB DEPRESSION
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		EASEMENT
		FENCE
		FIBER OPTIC, HANDHOLE
		FIBER OPTIC, JUNCTION BOX
		FIBER OPTIC, MANHOLE
		FIBER OPTIC, OVERHEAD
		FIBER OPTIC, PANEL BOX
		FIBER OPTIC, PEDESTAL
		FIBER OPTIC, STUB OUT
		FIBER OPTIC, UNDERGROUND
		FIBER OPTIC, WITNESS POST
		FLOODPLAIN
		FUEL, MANHOLE
		FUEL, OVERHEAD
		FUEL, PLUG
		FUEL, PUMP
		FUEL, UNDERGROUND
		GUIDE RAIL
		MARKING, HANDICAP PARKING
		NATURAL GAS, METER
		NATURAL GAS, MANHOLE
		NATURAL GAS, OVERHEAD
		NATURAL GAS, STUB OUT
		NATURAL GAS, VALVE
		NATURAL GAS, UNDERGROUND
		NATURAL GAS, WITNESS POST
		PHONE, HANDHOLE
		PHONE, JUNCTION BOX
		PHONE, MANHOLE
		PHONE, OVERHEAD
		PHONE, PANEL BOX
		PHONE, PEDESTAL
		PHONE, STUB OUT
		PHONE, UNDERGROUND
		PHONE, WITNESS POST
		POWER, GUY POLE
		POWER, GUY WIRE
		POWER, HANDHOLE
		POWER, JUNCTION BOX
		POWER, SINGLE HEAD LIGHT
		POWER, DOUBLE HEAD LIGHT
		POWER, THREE HEAD LIGHT
		POWER, FOUR HEAD LIGHT
		POWER, LIGHT
		POWER, SPOT LIGHT
		POWER, LIGHT POLE SINGLE
		POWER, LIGHT POLE DOUBLE
		POWER, MANHOLE
		POWER, OVERHEAD
		POWER, METER
		POWER, PANEL BOX
		POWER, PEDESTAL
		POWER, STUB OUT
		POWER, TRANSFORMER
		POWER, UNDERGROUND
		POWER, UTILITY POLE
		POWER, WITNESS POST
		POWER, YARD LIGHT
		PROPERTY, LINE
		LEGAL RIGHT-OF-WAY
		PROPERTY, CORNER FOUND
		PROPERTY, CORNER FOUND (OTHERS)
		PROPERTY, CONCRETE MONUMENT
		PROPERTY, ADJOINING LINED
		PROPERTY, LINE RESERVED
		RAIL, MILE MARKER
		RAIL, PANEL BOX
		RAIL, TRACK
		SITE, AIR COMPRESSOR
		SITE, AIR CONDITIONER
		SITE, BOLLARD
		SITE, BORING LOCATION BUILDING
		SITE, FLAG POLE
		SITE, HEAD STONE
		SITE, MAIL BOX
		SITE, MONITOR WELL
		SITE, PARKING METER
		SITE, POST
		SITE, SIGN POST AND BOARD
		SITE, TRAFFIC SIGN
		SOIL BOUNDARY
		SOIL LABEL

GENERAL NOTES:

- APPLICANT: CHAPEL HILL COOPERATIVE PRESCHOOL, 106 PUREFOY ROAD, CHAPEL HILL, NORTH CAROLINA 27514. RESPONSIBLE OFFICER: MARA DICKINSON.
- EXISTING TOPOGRAPHIC FEATURES WERE TAKEN FROM A TOPOGRAPHIC SURVEY PLAN PROVIDED BY PHILIP POST & ASSOC. DATED 6/14/2016.
- UTILITY NOTES:
  - COMPLETENESS OR ACCURACY OF LOCATION AND DEPTH OF UNDERGROUND UTILITIES AND STRUCTURES IS NOT GUARANTEED.
  - LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND SHALL BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION. SANITARY SEWER AND ALL OTHER UTILITY SERVICE CONNECTION POINTS SHALL BE CONFIRMED INDEPENDENTLY BY THE CONTRACTOR IN THE FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. ALL DISCREPANCIES SHALL BE REPORTED IMMEDIATELY IN WRITING TO THE ENGINEER. CONSTRUCTION SHALL COMMENCE BEGINNING AT THE LOWEST INVERT (POINT OF CONNECTION) AND PROGRESS UP GRADIENT. PROPOSED INTERFACE POINTS (CROSSINGS) WITH EXISTING UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
  - ALL UTILITIES AND SERVICES INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC, ETC. WITHIN THE LIMITS OF DISTURBANCE SHALL BE VERTICALLY AND HORIZONTALLY LOCATED. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION AT NO COST TO THE OWNER.
- AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR ORANGE COUNTY, NC, MAP #437108760J (PANEL 9787J), EFFECTIVE DATE 2/23/2017 THE SITE AREA PROPOSED TO BE DEVELOPED LIES WITHIN "ZONE X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 100 YEAR FLOOD PLAIN.
- FIRE WATCH: DURING CONSTRUCTION AND DEMOLITION WHERE HOT WORK, MATERIALS SUBJECT TO SPONTANEOUS COMBUSTION, OR OTHER HAZARDOUS CONSTRUCTION OR DEMOLITION IS OCCURRING, THE OWNER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR MAINTAINING A FIRE WATCH. THE FIRE WATCH SHALL CONSIST OF AT LEAST ONE PERSON WITH A MEANS OF COMMUNICATING AN ALARM TO 911. SHALL A WRITTEN ADDRESS POSTED IN A CONSPICUOUS LOCATION AND SHALL MAINTAIN CONSTANT PATROLS. NO FFC 2012 SECTION 1404.
- CONSTRUCTION / DEMOLITION: ALL CONSTRUCTION AND DEMOLITION CONDUCTED SHALL BE IN COMPLIANCE OF THE CURRENT EDITION OF CHAPTER 14 OF THE NC FFC.
- PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY APPLICANT SHALL REPLACE ANY TREES SHOWN AS PRESERVED-PROTECTED ON THE LANDSCAPE PROTECTION PLAN THAT HAVE DIED OR ARE IN POOR HEALTH AS A RESULT OF LAND DISTURBING ACTIVITIES.
- PRIOR TO ISSUANCE OF A ZONING COMPLIANCE PERMIT APPLICANT SHALL RECORD A RECOMBINATION PLAN FOR THE FOUR PROPERTIES WITH THE ORANGE COUNTY REGISTRY. AN EXEMPT PLAN APPLICATION TO BE REVIEWED AND APPROVED BY THE TOWN IS REQUIRED FOR THIS ACTION.
- SITE LAND DISTURBANCE CALCULATIONS
  - OVERALL LAND DISTURBANCE
  - SITE LAND DISTURBANCE: 39,942 SQ. FT.
  - OFF-SITE LAND DISTURBANCE: 828 SQ. FT.
  - TOTAL LAND DISTURBANCE: 40,770 SQ. FT.

GENERAL CONSTRUCTION AND GRADING NOTES:

- ALL WORK SHALL COMPLY WITH APPLICABLE STATE, FEDERAL AND LOCAL CODES AND OSHA STANDARDS. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER/DEVELOPER.
- THE CONTRACTOR SHALL BE REQUIRED TO REVIEW AND ABIDE BY SPECIFICATIONS OF THE PLAN AND ALL SUPPORTING DOCUMENTS, PERMITS, AND REPORTS FOR THIS SITE, INCLUDING BUT NOT LIMITED TO:
  - EROSION AND SEDIMENTATION CONTROL PLAN
  - STORMWATER MANAGEMENT PLAN
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERROR THEY DISCOVER IN THE PLANS.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE OF THE WORK TO BE UNACCEPTABLE.
- UTILITY COORDINATION SHALL BE INCLUDED IN THE PROJECT SCHEDULE AND IT IS THE EXPLICIT RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE PROJECT SCHEDULE INCLUDES THE NECESSARY RELOCATIONS. THE CONTRACTOR WILL NOT BE PAID ADDITIONALLY FOR THIS COORDINATION. THE CONTRACTOR SHOULD SEEK ASSISTANCE FROM ALL UTILITY COMPANIES TO LOCATE AND PROTECT THEIR FACILITIES. IF CONFLICTS ARE FOUND, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND DESIGN ENGINEER FOR INSTRUCTION BEFORE PROCEEDING WITH WORK.
- ALL MATERIALS SHALL BE NEW UNLESS USED OR SALVAGED MATERIALS ARE AUTHORIZED BY THE OWNER AND APPLICANT.
- TRAFFIC CONTROL METHODS, SUCH AS BARRICADES, SUFFICIENT LIGHTS, SIGNS, ETC., MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC SHALL BE PROVIDED AND MAINTAINED THROUGHOUT THE CONSTRUCTION IN ACCORDANCE WITH CURRENT AND MCDOT STANDARDS.
- CONTRACTOR SHALL FURNISH AND MAINTAIN ALL NECESSARY BARRICADES, FENCING AND OTHER APPROPRIATE SAFETY MEASURES NECESSARY TO PROTECT THE PUBLIC FROM THE WORK AREA CONSTRUCTION ACTIVITIES.
- HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM PUBLIC VIEW AND FROM ADJACENT RESIDENTIAL PROPERTY AND DOES NOT INTERFERE WITH TRAFFIC.
- THE CONTRACTOR SHALL MAINTAIN ACCESS FOR EMERGENCY VEHICLES AROUND AND TO ALL BUILDINGS UNDER CONSTRUCTION. IN TIME OF RAIN OR MUD, ROADS SHALL BE ABLE TO CARRY A FIRE TRUCK BY BEING PAVED OR HAVING A CRUSHED STONE BASE, ETC. WITH A MINIMUM WIDTH OF 20 FEET. ACCESS TO BUILDINGS THAT HAVE SPRINKLER OR STANDPIPE SYSTEMS SHALL BE WITHIN 40 FEET OF THE FIRE DEPARTMENT CONNECTOR. (NFPA 1141.3-1)
- BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONALLY BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK.
- BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D998). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE LAYERS NOT TO EXCEED SIX (6) INCHES IN COMPACTED FILL THICKNESS. A REPORT FROM A GEOTECHNICAL ENGINEER MAY BE REQUIRED BY THE PUBLIC WORKS INSPECTOR. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR WILL ENSURE THAT POSITIVE AND ADEQUATE DRAINAGE IS MAINTAINED AT ALL TIMES WITHIN THE PROJECT LIMITS. THIS MAY INCLUDE, BUT NOT BE LIMITED TO, A) REPLACEMENT OR RECONSTRUCTION OF EXISTING DRAINAGE STRUCTURES THAT HAVE BEEN DAMAGED OR REMOVED, OR B) REGRADING AS REQUIRED BY THE ENGINEER, EXCEPT FOR THOSE DRAINAGE STRUCTURES IDENTIFIED AT SPECIFIC LOCATIONS AND HAVING SPECIFIC PAY COSTS IN THE DETAILED ESTIMATE. NO SEPARATE PAYMENT WILL BE MADE FOR ANY ITEMS INCURRED TO COMPLY WITH THIS REQUIREMENT.
- THE CONTRACTOR SHALL PROVIDE ANY AND ALL EXCAVATION AND MATERIAL SAMPLES NECESSARY TO CONDUCT REQUIRED SOIL TESTS. ALL ARRANGEMENTS AND SCHEDULING FOR THE TESTING SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- SOIL TESTING AND ON-SITE INSPECTION SHALL BE PERFORMED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. A GEOTECHNICAL ENGINEER IS REQUIRED TO INSPECT, TEST AND CERTIFY TO THE COMPACTION OF ALL LOAD BEARING FILLS. THE GEOTECHNICAL ENGINEER SHALL PROVIDE COPIES OF TEST REPORTS TO THE CONTRACTOR, THE OWNER AND TO THE OWNER'S REPRESENTATIVE AND SHALL PROMPTLY NOTIFY THE OWNER, HIS REPRESENTATIVE AND THE CONTRACTOR, SHOULD WORK PERFORMED BY THE CONTRACTOR FAIL TO MEET THESE SPECIFICATIONS.
- ALL PERMITS MUST BE OBTAINED PRIOR TO THE START OF CONSTRUCTION.
- ALL PAVEMENT MARKINGS AND REGULATORY SIGNS ON PRIVATE PROPERTY SHALL CONFORM TO CURRENT MUTCD STANDARDS.

WATER AND SEWER SERVICE NOTES:

- HORIZONTAL AND VERTICAL SEPARATION
  - SANITARY SEWERS SHALL BE LAID AT LEAST 10-FOOT HORIZONTALLY FROM ANY EXISTING OR PROPOSED WATER MAIN. THE DISTANCE SHALL BE MEASURED EDGE TO EDGE. IN CASES WHERE IT IS NOT PRACTICAL TO MAINTAIN A 10-FOOT SEPARATION, THE PUBLIC WORKS SUPPLY MAY ALLOW DEVIATION A CASE-BY-CASE BASIS, IF SUPPORTED BY DATA FROM THE DESIGN ENGINEER. SUCH DEVIATION MAY ALLOW THE INSTALLATION OF THE SANITARY SEWER CLOSER TO A WATER MAIN, PROVIDED THAT THE WATER MAIN IS IN A SEPARATE TRENCH OR ON AN UNDISTURBED EARTH SHELF LOCATED ON ONE SIDE OF THE SANITARY SEWER AND AT AN ELEVATION SO THE BOTTOM OF THE WATER MAIN IS AT LEAST 18-INCHES ABOVE THE TOP OF THE SEWER.
  - IF IT IS IMPOSSIBLE TO OBTAIN PROPER HORIZONTAL AND VERTICAL SEPARATION AS DESCRIBED ABOVE OR ANYTIME THE SANITARY SEWER IS OVER THE WATER MAIN, BOTH THE WATER MAIN AND SANITARY SEWER MUST BE CONSTRUCTED OF FERROUS PIPE COMPLYING WITH THE PUBLIC WATER SUPPLY DESIGN STANDARDS AND BE PRESSURE TESTED TO 150PSI TO ASSURE WATER TIGHTNESS BEFORE BACKFILLING.
  - A 24-INCH VERTICAL SEPARATION SHALL BE PROVIDED BETWEEN STORM SEWER AND SANITARY SEWER LINES OR FERROUS PIPE SPECIFIED. A 12-INCH VERTICAL SEPARATION SHALL BE PROVIDED BETWEEN STORM SEWER AND WATER MAIN.
    - IF A 12-INCH VERTICAL SEPARATION IS NOT MAINTAINED AT A CROSSING BETWEEN STORM SEWER AND WATER MAINS (OR PRESSURE SEWERS), THE WATER MAIN SHALL BE CONSTRUCTED OF FERROUS PIPE AND A CONCRETE COLLAR SHALL BE FORMED AROUND WATER MAINS AND STORM SEWER TO IMMOBILIZE THE CROSSING.
- CROSSINGS
  - SANITARY SEWER CROSSING WATER MAINS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 18-INCHES BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SANITARY SEWER. THE CROSSING SHALL BE ARRANGED SO THAT THE SANITARY SEWER JOINTS WILL BE EQUIDISTANT AND AS FAR AS POSSIBLE FROM THE WATER MAIN JOINTS.
  - WHEN IT IS IMPOSSIBLE TO OBTAIN PROPER HORIZONTAL AND VERTICAL SEPARATION AS STIPULATED ABOVE, ONE OF THE FOLLOWING METHODS MUST BE SPECIFIED:
    - THE SANITARY SEWER SHALL BE DESIGNED AND CONSTRUCTED OF FERROUS PIPE AND SHALL BE PRESSURE TESTED AT 150-PSI TO ASSURE WATER TIGHTNESS PRIOR TO BACKFILLING, OR
    - EITHER THE WATER MAIN OR THE SANITARY SEWER LINE MAY BE ENCASED IN A WATER-TIGHT CARRIER PIPE, WHICH EXTENDS 10 FEET ON BOTH SIDES OF THE CROSSING, MEASURED PERPENDICULAR TO THE WATER MAIN. THE CARRIER PIPE SHALL BE OF MATERIALS APPROVED BY THE PUBLIC WATER SUPPLY FOR USE IN WATER MAIN CONSTRUCTION.

GENERAL UTILITY NOTES:

- ALL UTILITIES AND SERVICES INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC, ETC. WITHIN THE LIMITS OF DISTURBANCE SHALL BE VERTICALLY AND HORIZONTALLY LOCATED BY THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION AT NO COST TO THE OWNER.
- UTILITY COORDINATION SHALL BE INCLUDED IN THE PROJECT SCHEDULE AND IT IS THE EXPLICIT RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE PROJECT SCHEDULE INCLUDES THE NECESSARY RELOCATIONS. THE CONTRACTOR WILL NOT BE PAID ADDITIONALLY FOR THIS COORDINATION.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE LOCATIONS AND DEPTHS OF ALL EXISTING UNDERGROUND UTILITIES AND STRUCTURES BEFORE THE START OF WORK AND TO TAKE WHATEVER STEPS NECESSARY TO PROVIDE FOR THEIR PROTECTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND DESIGN ENGINEER OF ANY DISCREPANCIES OR ERROR THEY DISCOVER IN THE PLANS. THIS INFORMATION IS SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF UTILITIES SHOWN OR NOT SHOWN. COMPLETENESS OR ACCURACY OF LOCATION AND DEPTH OF UNDERGROUND UTILITIES AND STRUCTURES IS NOT GUARANTEED.
- THE CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES FOR EXACT LOCATION AND PROTECTION OF THEIR UTILITIES PRIOR TO STARTING CONSTRUCTION. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR AND REPLACE ANY AND ALL DAMAGE MADE TO UTILITIES BY THE CONTRACTOR.
- CONTRACTOR MUST APPLY FOR ALL UTILITY CONNECTION APPLICATIONS. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY CONNECTION FEES FOR CONSTRUCTION. REFER TO COVER SHEET FOR AVAILABLE UTILITY COMPANY LIST.
- CONTRACTOR MUST OBTAIN ANY REQUIRED UTILITY DETAILS FOR RECONNECTION OF EXISTING SERVICES AND IS RESPONSIBLE FOR THE CONSTRUCTION OF EACH NEW SERVICE PER THE APPROPRIATE UTILITY COMPANY'S SPECIFICATIONS.
- THE CONTRACTOR SHALL COORDINATE LOCATION AND INSTALLATION OF ALL UNDERGROUND UTILITIES AND APPLIANCES TO MINIMIZE DISTURBANCE TO CURBING, PAVING, AND COMPACTED SUB-GRADE.
- IF CONFLICTS ARE FOUND, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND ENGINEER FOR INSTRUCTION BEFORE PROCEEDING WITH WORK.
- ALL PIPE LENGTHS AND DISTANCES BETWEEN STRUCTURES ARE MEASURED FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE ALONG A HORIZONTAL PLANE.
- THE CONTRACTOR SHALL PROVIDE ANY AND ALL EXCAVATION AND MATERIAL SAMPLES NECESSARY TO CONDUCT REQUIRED SOIL TESTS. ALL ARRANGEMENTS AND SCHEDULING FOR THE TESTING SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- SOIL TESTING AND ON-SITE INSPECTION SHALL BE PERFORMED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. A GEOTECHNICAL ENGINEER IS REQUIRED TO INSPECT, TEST AND CERTIFY TO THE COMPACTION OF ALL LOAD BEARING FILLS. THE GEOTECHNICAL ENGINEER SHALL PROVIDE COPIES OF TEST REPORTS TO THE CONTRACTOR, THE OWNER AND THE OWNER'S REPRESENTATIVE AND SHALL PROMPTLY NOTIFY THE OWNER, HIS REPRESENTATIVE AND THE CONTRACTOR, SHOULD WORK PERFORMED BY THE CONTRACTOR FAIL TO MEET THESE SPECIFICATIONS.
- CONTRACTOR SHALL EXCAVATE ONLY ENOUGH TRENCH FOR WHICH PIPE CAN BE INSTALLED AND TRENCH BACKFILLED BY THE END OF EACH WORK DAY.
- BEDDING REQUIREMENTS SPECIFIED HEREIN ARE TO BE CONSIDERED AS MINIMUMS FOR RELATIVELY DRY, STABLE EARTH CONDITIONS. ADDITIONALLY BEDDING SHALL BE REQUIRED FOR ROCK TRENCHES AND WET AREAS. CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO PROVIDE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK.
- COMPACTION OF THE BACKFILL OF ALL TRENCHES SHALL BE COMPACTED TO THE DENSITY OF 95% OF THEORETICAL MAXIMUM DRY DENSITY (ASTM D998). BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS AND SHALL BE PLACED IN LIFTS NOT TO EXCEED 6 INCHES IN COMPACTED FILL THICKNESS. A REPORT FROM A GEOTECHNICAL ENGINEER MAY BE REQUIRED BY THE PUBLIC WORKS INSPECTOR. CORRECTION OF ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- RUNOFF FROM IMPERVIOUS AREAS SHALL NOT BE DIRECTED INTO THE SANITARY SEWER NOR ON ADJACENT PROPERTIES.
- ALL JOINTS ON THE STORM WATER CONVEYANCE SYSTEM SHALL BE WATER-TIGHT.
- ALL CONSTRUCTION ASSOCIATED WITH WATER AND SANITARY SEWER SHALL BE IN ACCORDANCE WITH O.W.A.S.A. STANDARDS AND SPECIFICATIONS.
- ALL ELECTRICAL SERVICE LINES TO OR AROUND THE PROPOSED STRUCTURE SHALL BE UNDERGROUND.

ADA INSTRUCTIONS TO CONTRACTOR:

- CONTRACTORS MUST EXERCISE APPROPRIATE CARE AND PRECISION IN CONSTRUCTION OF ADA (HANDICAP) ACCESSIBLE COMPONENTS AND ACCESS ROUTES FOR THE SITE. THESE COMPONENTS, AS CONSTRUCTED, MUST COMPLY WITH THE CURRENT ADA STANDARDS AND REGULATIONS' BARRIER FREE ACCESS AND ANY MODIFICATIONS, REVISIONS OR UPDATES TO SAME SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. TRAVEL FROM PARKING SPACES), PUBLIC TRANSPORTATION, PEDESTRIAN ACCESS, INTER-BUILDING ACCESS, TO POINTS OF ACCESSIBLE BUILDING ENTRANCE/EXIT, MUST COMPLY WITH THESE ADA CODE REQUIREMENTS. THESE INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
- PARKING SPACES AND PARKING AISLES - SLOPE SHALL NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN ANY DIRECTION.
  - CURB RAMP - SLOPE MUST NOT EXCEED 1:12 (8.3%) FOR A MAXIMUM OF SIX (6) FEET.
  - LANDINGS - MUST BE PROVIDED AT EACH END OF RAMPS. MUST PROVIDE POSITIVE DRAINAGE, AND MUST NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN ANY DIRECTION.
  - PATH OF TRAVEL ALONG ACCESSIBLE ROUTE - MUST PROVIDE A 36-INCH OR GREATER UNOBSTRUCTED WIDTH OF TRAVEL (CAR OVERHANGS AND HANDRAILS CANNOT REDUCE THIS MINIMUM WIDTH). THE SLOPE MUST BE GREATER THAN 1:20 (5.0%) IN THE DIRECTION OF TRAVEL, AND MUST NOT EXCEED 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) IN CROSS SLOPE. WHERE PATH OF TRAVEL WILL BE GREATER THAN 1:20 (5.0%), ADA RAMP REGULATIONS MUST BE ADHERED TO. A MAXIMUM SLOPE OF 1:12 (8.3%) FOR A MAXIMUM RISE OF 2.8 FEET, MUST BE PROVIDED. THE RAMP MUST HAVE ADA HAND RAILS AND "LEVEL" LANDINGS ON EACH END THAT ARE CROSS SLOPED NO MORE THAN 1:50 IN ANY DIRECTION (1/4" PER FOOT OR NOMINALLY 2.0%) FOR POSITIVE DRAINAGE.
  - DOORWAYS - MUST HAVE A "LEVEL" LANDING AREA ON THE EXTERIOR SIDE OF THE DOOR THAT IS SLOPED AWAY FROM THE DOOR NO MORE THAN 1:50 (1/4" PER FOOT OR NOMINALLY 2.0%) FOR POSITIVE DRAINAGE. THIS LANDING AREA MUST BE NO LESS THAN 60 INCHES (5 FEET) LONG, EXCEPT WHERE OTHERWISE PERMITTED BY ADA STANDARDS FOR ALTERNATIVE DOORWAY OPENING CONDITIONS. (SEE ICC/ANSI A117.1-2003 AND OTHER REFERENCED INCORPORATED BY CODE.)
  - WHEN THE PROPOSED CONSTRUCTION INVOLVES RECONSTRUCTION, MODIFICATION, REVISION OR EXTENSION OF OR TO ADA COMPONENTS FROM EXISTING DOORWAYS OR SURFACES, CONTRACTOR MUST VERIFY EXISTING ELEVATIONS SHOWN ON THE PLAN. NOTE THAT TABLE 405.2 OF THE DEPARTMENT OF JUSTICE'S ADA STANDARDS FOR ACCESSIBLE DESIGN ALLOWS FOR STEEPER RAMP SLOPES, IN RARE CIRCUMSTANCES. PRIOR TO THE COMMENCEMENT OF WORK, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE DESIGN ENGINEER IN WRITING OF ANY DISCREPANCIES AND/OR FIELD CONDITIONS THAT DIFFER IN ANY WAY OR FROM ANY RESPECT FROM WHAT IS SHOWN ON THE PLANS, IN WRITING, BEFORE COMMENCEMENT OF WORK. CONSTRUCTED IMPROVEMENTS MUST FALL WITHIN THE MAXIMUM AND MINIMUM LIMITATIONS IMPOSED BY THE BARRIER FREE REGULATIONS AND THE ADA REQUIREMENTS.
  - THE CONTRACTOR MUST VERIFY THE SLOPES OF CONTRACTOR'S FORMS PRIOR TO POURING CONCRETE. IF ANY NON-COMFORMANCE IS OBSERVED OR EXISTS, CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER PRIOR TO POURING CONCRETE. CONTRACTOR IS RESPONSIBLE FOR ALL COSTS TO REMOVE, REPAIR AND REPLACE NON-COMFORMING CONCRETE.
  - THE SITE SHALL BE FULLY COMPLIANT WITH THE NORTH CAROLINA ACCESSIBILITY CODES (AND 117.1-2003 AND CHAPTER 11 OF THE NCBC) UNLESS AND EXCEPT IN AREAS WHERE AN APPROVED STATEMENT FROM A SITE ENGINEER, SURVEYOR OR ARCHITECT VERIFIES THAT SITE CONDITIONS EXIST WHERE THE TOPOGRAPHY OF THE SITE IS EXTREME AND ONLY ALTERNATE METHODS OF COMPLIANCE ARE POSSIBLE.
  - ACCESSIBILITY REQUIREMENTS: THAT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT 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 1. PARKING - NUMBER OF SPACES TO COMPLY WITH NCBC 2012 SECTION 1108.1. 1 PER 60 COM PLANT SPACES PORTION THEREOF MUST BE VAN ACCESSIBLE, NO SLOPE TO EXCEED 2 PERCENT IN ANY DIRECTION. SIGNAGE PER NC REQUIREMENTS, MUTCD AND ICC A 117.1.2. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2003 ED. CROSS SLOPE TESTED TO 2 PERCENT. CALL FOR INSPECTION BEFORE PLACEMENT OF CONCRETE. SLOPE GREATER THAN 5 PERCENT REQUIRES CONSTRUCTION AS A RAMP.
- IT IS STRONGLY RECOMMENDED THAT THE CONTRACTOR REVIEW THE INTENDED CONSTRUCTION WITH THE LOCAL BUILDING CODE PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ORANGE COUNTY SOLID WASTE NOTES:

- CONSTRUCTION WASTE
  - ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER SHALL BE ASSESSED PRIOR TO ISSUANCE OF A DEMOLITION PERMIT TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DEMOLITION AND/OR THE REUSE OF SALVAGEABLE MATERIALS.
  - PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
  - PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
  - ALL HAZARDOUS MATERIALS (ACM) AND/OR OTHER HAZARDOUS MATERIALS SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

INSPECTION NOTES

- A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE THE STRUCTURE WITH THE EXCEPTION IF A FIRE PUMP WAS REQUIRED. ARTICLE 230.2.2 A 2014 EDITION OF NORTH CAROLINA ELECTRIC CODE.
- ADDRESS NUMBERS MUST BE A MINIMUM OF 4 INCHES HIGH AND OF CONTRASTING COLOR TO THEIR BACKGROUND. REFLECTIVE NUMBERS ARE PREFERRED. WHEN THE DISTANCE FROM THE STREET TO THE ADDRESS IS GREATER THAN 10 FEET, THE ADDRESS OR ADDRESS SIDE OF THE BUILDING EXCEEDS 25 FEET, LARGER NUMBERS ARE REQUIRED. 26 FEET TO 50 FEET SHALL HAVE 8 INCH NUMBERS, 51-75 FEET SHALL HAVE 12 INCH NUMBERS AND OVER 75 FEET SHALL HAVE 18 INCH NUMBERS. WHERE ACCESS IS BY PRIVATE MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE.
- KEY BOXES SHALL BE RECORDED ON ANY BUILDING THAT HAS A FIRE ALARM SYSTEM. A FIRE SPRINKLER SYSTEM, AN ELEVATOR, OR SPECIAL LOCKING ARRANGEMENTS. THE KEY BOX SHALL BE OF AN APPROVED TYPE AS REQUIRED FROM THE CHAPEL HILL FIRE DEPARTMENT. THE SIZE OF THE KEY BOX WILL BE DETERMINED BY THE NUMBER OF KEYS NECESSARY TO MITIGATE ANY EMERGENCY SITUATION BASED ON THE BUILDING AND ITS OCCUPANCY. AN APPROVED LOCK SHALL BE INSTALLED ON GATES OR SIMILAR BARRIERS WHEN REQUIRED BY THE FIRE CODE OFFICIAL. KEYS SHALL BE CHANGED IMMEDIATELY UPON OCCUPANCY AND THE BUILDING OFFICIAL. ALL FENCE GATES IN PLAYGROUND AREA SHALL OPEN IN THE DIRECTION OF EGRESS TRAVEL WITH PANIC HARDWARE.
- OWASA REQUIRES A LEAD-FREE RPZ WITH BYPASS FOR THE BACKFLOW PROTECTION. ENSURE AT LEAST 18 INCHES OF WORKING CLEARANCE IS PROVIDED AROUND OR MORE IF MANUFACTURER'S INSTRUCTIONS REQUIRE MORE. DEMOLITION OF THE EXISTING STRUCTURES WILL REQUIRE AN ASBESTOS TEST PRIOR TO DEMOLITION AND A SECOND ASBESTOS TEST OF THE SOIL AFTER THEY HAVE BEEN REMOVED.
- THE PROPOSED BUILDING SHALL BE PROTECTED BY NFPA 13 SPRINKLER SYSTEM

FIRE DEPARTMENT NOTES

- FIRE APPARATUS ACCESS ROADS: ANY FIRE APPARATUS ACCESS ROADS, ANY PUBLIC UTILITY STREETS, PARKING SPACES, DRIVEWAYS, AND ACCESS ROADS/ROADWAYS, USED FOR FIRE DEPARTMENT ACCESS SHALL BE ALL WEATHER AND DESIGNED TO CARRY THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 8,000 LBS. FIRE APPARATUS ACCESS ROADS SHALL HAVE A MINIMUM WIDTH OF 20' EXCLUSIVE OF SHOULDER WITH AN OVERHEAD CLEARANCE OF AT LEAST 10' FOR STRUCTURES NOT EXCEEDING 30' IN HEIGHT AND SHALL PROVIDE ACCESS TO WITHIN 150' OF ALL EXTERIOR PORTIONS OF THE BUILDING. STRUCTURES EXCEEDING 30' IN HEIGHT SHALL BE PROVIDED WITH AN AERIAL APPARATUS ACCESS ROAD 26' IN WIDTH IN THE IMMEDIATE VICINITY OF THE BUILDING OR PORTION THEREOF AND SHALL PROVIDE AT LEAST ONE OF THE REQUIRED ACCESS ROADS TO BE LOCATED NOT LESS THAN 15' AND NOT MORE THAN 30' FROM THE STRUCTURE PARALLEL TO ONE ENTIRE SIDE OF THE STRUCTURE. NC FPC 2012, 503.1.1, 503.2.1, D101.2
- GRADE AND APPROACH: FIRE APPARATUS ACCESS ROADS SHALL NOT EXCEED 10% IN GRADE UNLESS APPROVED BY THE FIRE CHIEF AND ALL APPROACH AND DEPARTURE ANGLES SHALL BE WITHIN THE LIMITS ESTABLISHED BASED ON THE DEPARTMENT'S APPARATUS. NC FPC 2012, 503.2.7, 503.2.8 and D103.2
- GATES AND BARRICADES: WHERE REQUIRED OR AUTHORIZED BY THE FIRE CODE OFFICIAL, ENFORCEMENT OR TEMPORARY CONSTRUCTION, ANY GATES ACROSS FIRE APPARATUS ACCESS ROADS SHALL BE A MINIMUM WIDTH OF 20 FEET, BE OF SWINGING OR SLIDING TYPE, HAVE AN EMERGENCY MEANS OF OPERATION,





**PARCEL CURVE TABLE**

CURVE #	RADIUS	DELTA	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	2487.85'	000°47'42"	34.52'	17.28'	34.52'	N 47°54'22" W
C2	2310.18'	001°22'34"	55.48'	27.74'	55.48'	N 46°47'39" W
C3	1319.46'	002°37'17"	60.37'	30.18'	60.36'	N 55°44'48" E

- NOTES:**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON OBTAINED FROM ORANGE COUNTY GIS.
  2. SUBJECT LOTS ARE LOCATED WITHIN THE WATERSHED PROTECTION DISTRICT.
  3. SOUTHERN TOP OF MORGAN CREEK BANK OBTAINED IN THE FIELD BY PHILIP POST & ASSOC. ON 10/12/2016.

**LEGEND**

	EXISTING 2' CONTOURS
	EXISTING OVERHEAD UTILITY LINES
	EXISTING UNDERGROUND POWER
	EXISTING SANITARY SEWER MAIN
	EXISTING STORM SEWER
	EXISTING TREE LINE
	EXISTING CONIFER TREE AND CANOPY
	EXISTING DECIDUOUS TREE AND CANOPY
	100 YEAR FLOOD PLAIN LINE
	MANAGED USE ZONE

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ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR  
 UNLESS OTHERWISE NOTED. BE AWARE OF ANY  
 DISCREPANCIES BEFORE PROCEEDING WITH WORK.

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 MT. CARMEL CHURCH ROAD  
 CHAPEL HILL, NC 27514

**EXISTING CONDITIONS PLAN**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 PUREFOY ROAD  
 CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
1	2016-11-08	REVISED PER 10/31/16 C.H. MEMO	PCB

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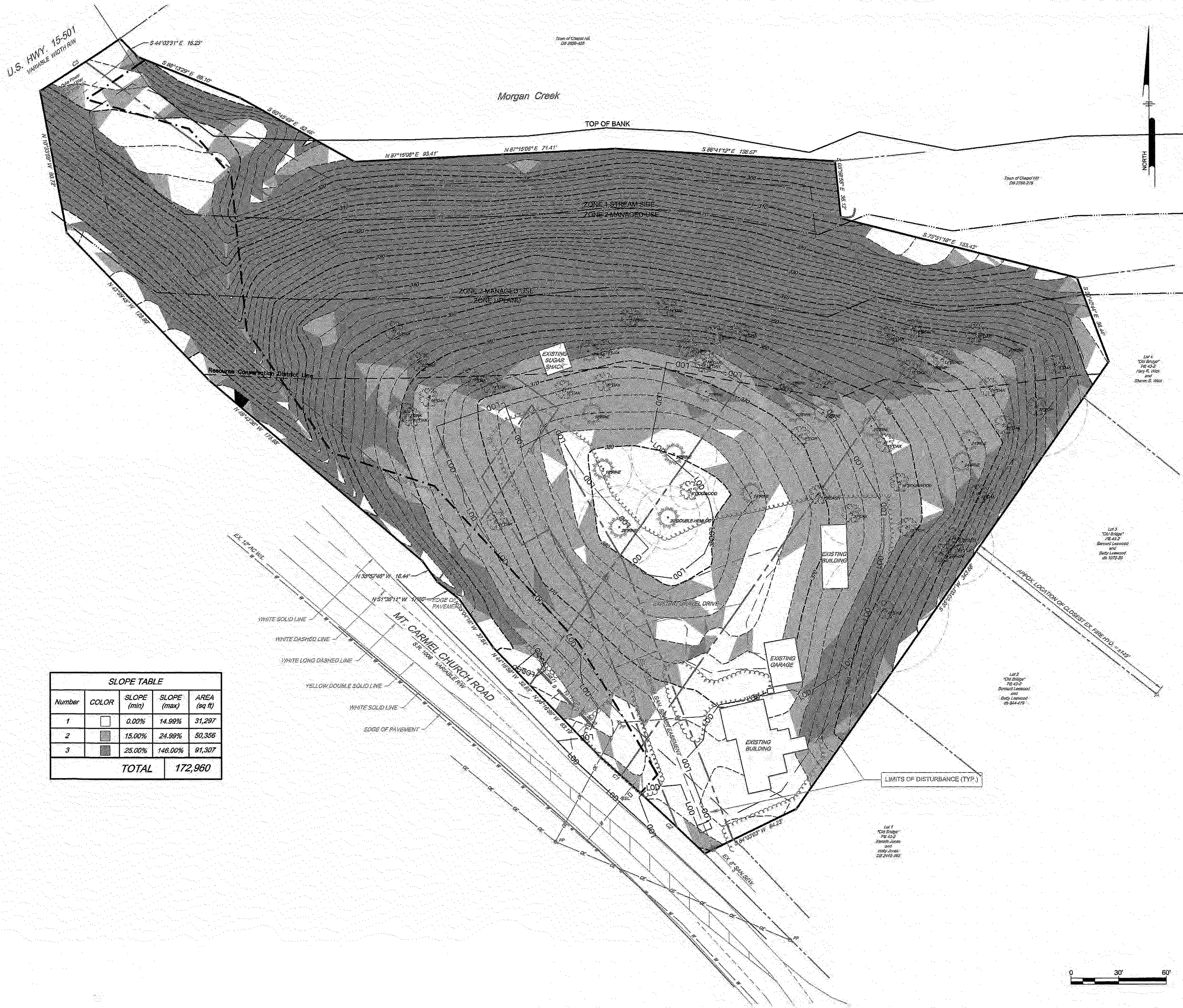
PROJECT: CHCP1601  
 DATE: 2016-08-24  
 DRAWING SCALE: 1"= 30'  
 DRAWN BY: DMC  
 APPROVED BY: PCB

**CS0201**  
 SHEET 3 OF 13

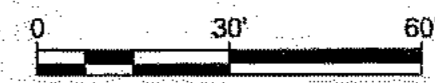
**NOT FOR CONSTRUCTION**

P:\Projects\CS0201\CHCP1601.dwg: 11/17/2016 10:42 AM: T:\Dwork\Chy... PROJECT STATUS: SITE PLAN APPROVAL...





SLOPE TABLE				
Number	COLOR	SLOPE (min)	SLOPE (max)	AREA (sq ft)
1		0.00%	14.99%	31,297
2		15.00%	24.99%	50,356
3		25.00%	146.00%	91,307
TOTAL				172,960



**PHILIP POST & ASSOCIATES**  
 A Division of Pennoni Associates, Inc.  
**PENNONI ASSOCIATES, INC.**  
 401 Providence Road #200  
 Chapel Hill, NC 27514  
 T 919.929.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR  
 DISCREPANCIES BEFORE PROCEEDING WITH WORK

Professional Engineer Seal: Peter C. B...  
 License No. 033040  
 State of North Carolina  
 Date: 11/21/16

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 MT. CARMEL CHURCH ROAD  
 CHAPEL HILL, NC 27514

**SLOPE ANALYSIS PLAN**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 PUREFOY ROAD  
 CHAPEL HILL, NC 27514

DATE	NO.	REVISIONS	BY
2016-11-17	2	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
2016-11-09	1	REVISED PER 10/29/16 CH. MEMO	PCB

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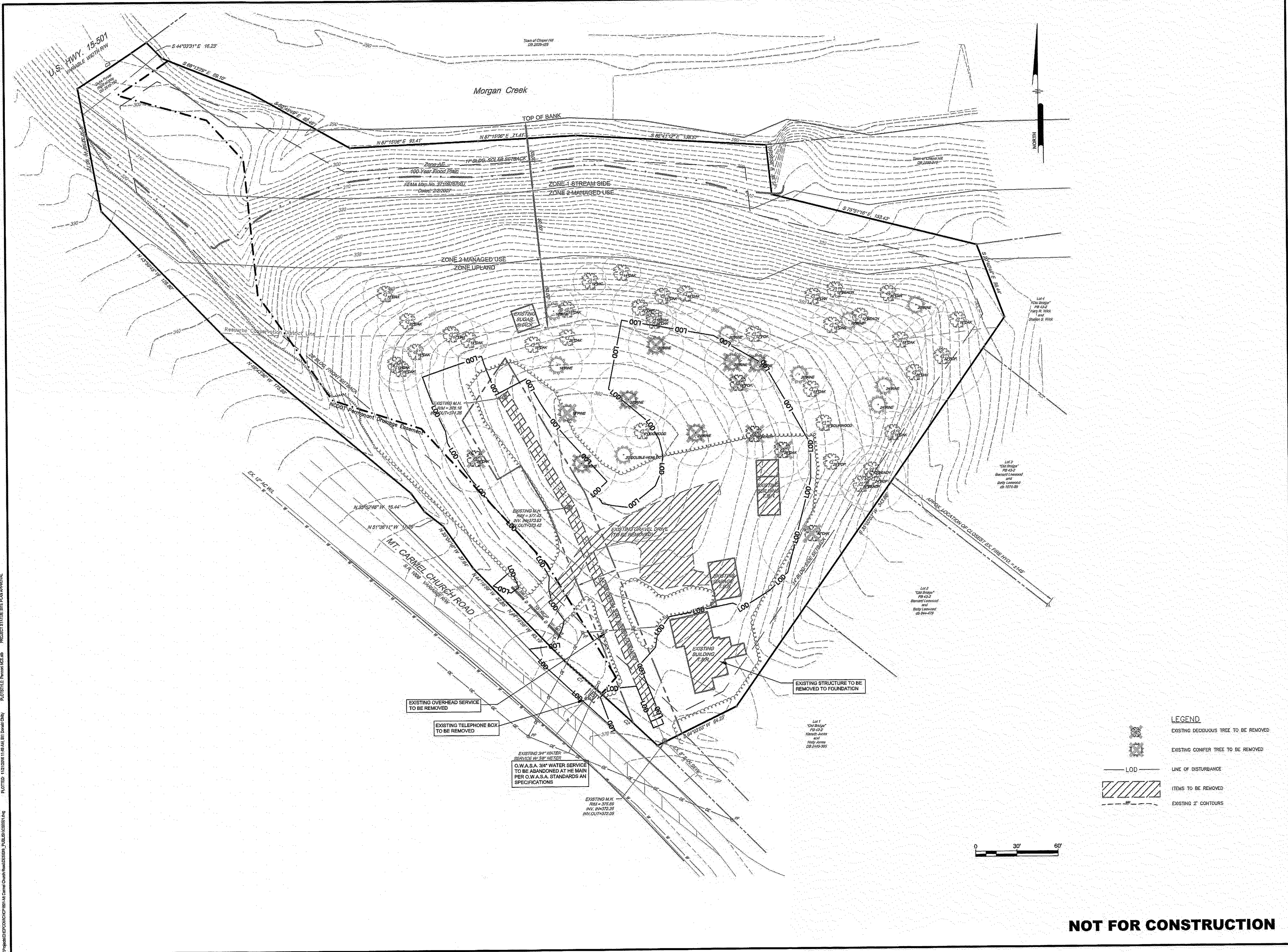
PROJECT	CHCP1601
DATE	2016-08-24
DRAWING SCALE	1" = 30'
DRAWN BY	DMC
APPROVED BY	PCB

**CS0202**  
 SHEET 4 OF 13

**NOT FOR CONSTRUCTION**

PROJECT: 11/01/2016 1:57 PM, Mr. David Ohly, ROTHVILLE, North Carolina, PROJECT ESTIMATE SHEET FOR APPROVAL





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 FIRM LICENSE F-1287  
**PENNONI ASSOCIATES, INC.**  
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 T 919.929.1173 F 919.493.6548

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Professional Engineer Seal: Peter C. Blanton, License No. 033040, State of North Carolina, dated 11/21/14.

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 MT. CARMEL CHURCH ROAD  
 CHAPEL HILL, NC 27514

**DEMOLITION PLAN**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
 108 RIVERFOY ROAD  
 CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
1	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
2	2016-11-17	REVISED PER 10216 CH. MEMO	PCB

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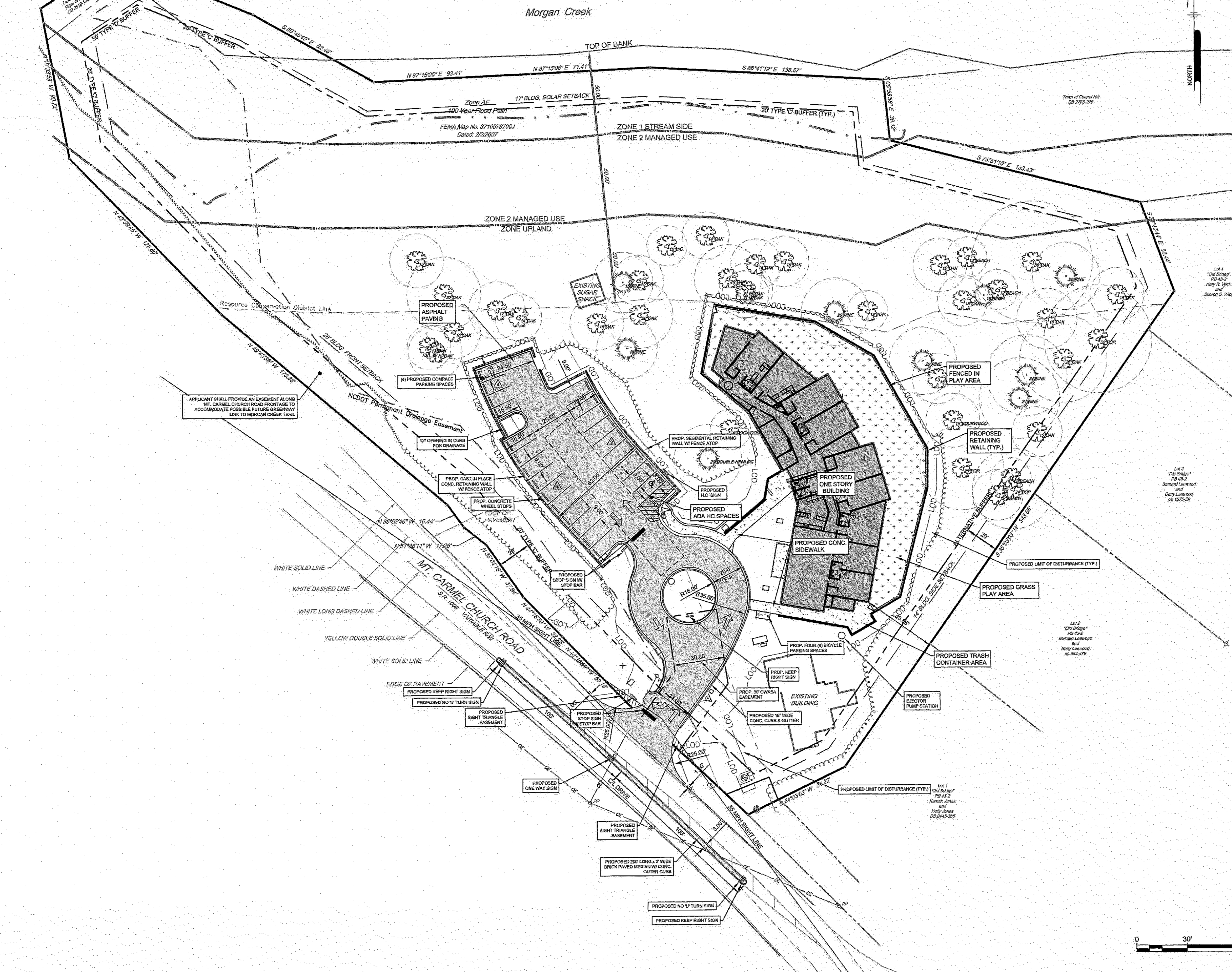
PROJECT: **CHCP1601**  
 DATE: 2016-05-24  
 DRAWING SCALE: 1" = 30'  
 DRAWN BY: DMC  
 APPROVED BY: PCB

**CS0501**  
 SHEET 5 OF 13

P:\Projects\CHCP1601\CHCP1601.Mt Carmel Church Redevelopment\_Plan\CS0501.dwg  
 PLOTTED: 11/22/2016 11:58 AM BY: DMC/CHC  
 PROJECT STATUS: SITE PLAN APPROVAL  
 PLOTTED BY: PHILIP POST & ASSOCIATES



U.S. HWY. 15-501  
VARIABLE WIDTH ROW

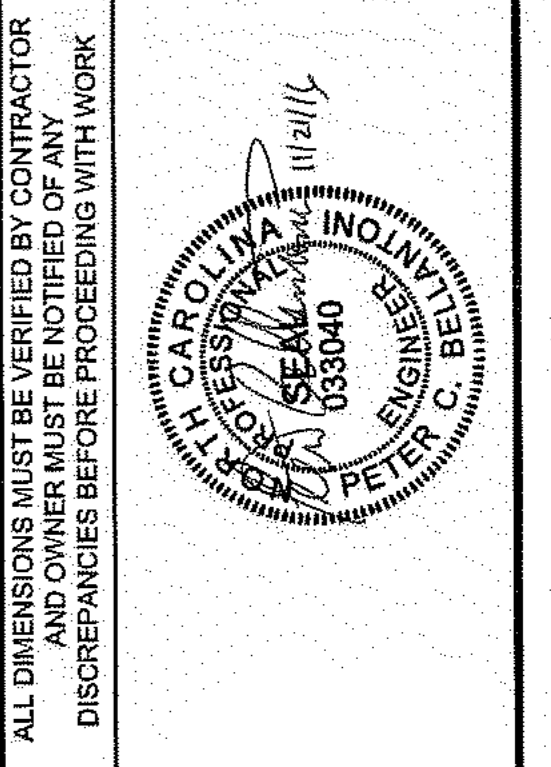


REQUIREMENT	REQUIRED	PROPOSED
MIN. LOT AREA:	17,000 SF	172,460
MIN. LOT FRONTAGE:	64 FT	64 FT
MIN. LOT WIDTH:	60 FT	140 FT
MAX. BUILDING HEIGHT:	29 FT (PRIMARY)	40 FT (PRIMARY)
MAX. FLOOR AREA RATIO:	SEE BELOW	SEE BELOW
MAX. LOT COVERAGE:	0.7	26,684 SF (14.03% IMPERVIOUS)
BUILDING SETBACK:		
MIN. FRONT STREET YARD SETBACK:	38 FT	104 FT +/-
MIN. SIDE YARD SETBACK:	14 FT	43 FT +/-
MIN. SQUARE (NORTHERN REAR) YARD SETBACK:	17 FT	144 FT +/-
BUFFER YARD SETBACK:		
MIN. FRONT YARD SETBACK:	10 FT	20 FT
MIN. SIDE YARD SETBACK:	10 FT	20 FT / ALT. BUFFER
MIN. REAR YARD SETBACK:	10 FT	20 FT
VEHICLE PARKING:	20 min / 75 max	22
BICYCLE PARKING:	8	4
TOTAL IMPERVIOUS AREA (SI) (SL)	7,866 SF (4.15%)	25,684 SF (14.03%)
NON-IMP. ZONE IMPERVIOUS AREA:	7,839 SF (4.14%)	26,418 SF (13.89%)
ZONE 1 IMPERVIOUS AREA:	0 SF (0.0%)	0 SF (0.0%)
ZONE 2 IMPERVIOUS AREA:	0 SF (0.0%)	0 SF (0.0%)
ZONE 3 IMPERVIOUS AREA:	266 SF (0.15%)	266 SF (0.15%)
TOTAL LAND DISTURBANCE AREA:		39,942 SF (23.09%)
NON-IMP. ZONE LAND DISTURBANCE AREA:	N/A	39,942 SF (23.09%) ZONING
ZONE 1 LAND DISTURBANCE AREA:	N/A	0 SF (0.0%)
ZONE 2 LAND DISTURBANCE AREA:	N/A	0 SF (0.0%)
ZONE 3 LAND DISTURBANCE AREA:	N/A	349 SF (0.20%)
SLOPE CATEGORY:	DESIGNATED AREAS	DESIGNATED AREAS
0% TO 14.99%:	81,297 SF (48.69%)	11,643 SF (6.73%)
15% TO 24.99%:	50,336 SF (29.11%)	26,414 SF (15.27%)
25% & GREATER:	91,207 SF (52.20%)	1,885 SF (1.09%)
FLOOR AREA CALCULATIONS:		
GROSS LAND AREA (SL)	177,950 sf x 1.10 = 195,745 sf	
NON-IMP. ZONE:	87,332 sf (44.1%)	87,217 sf (44.0%)
ZONE 1:	24,351 sf (12.4%)	24,351 sf (12.4%)
ZONE 2:	31,149 sf (15.8%)	31,149 sf (15.8%)
ZONE 3:	30,288 sf (15.3%)	30,288 sf (15.3%)
EFFECTIVE FLOOR AREA (BY FAR):		8,765 sf (4.4%)
ALLOWABLE FLOOR AREA MAXIMUM (SL & FAR):		119,016 sf (60.4%)
PROPOSED FLOOR AREA:		9,195 sf
THREE CANOPY AREA TO REMAIN:	128,705 sf (64.4%)	124,068 sf (62.9%)

**LEGEND**

- PROPOSED ASPHALT PAVING
- PROPOSED CONCRETE SIDEWALK
- GRASS PLAY AREA
- PROPOSED FENCE
- PROPOSED RETAINING WALL
- PROPOSED PAINT DIRECTIONAL ARROWS
- PROPOSED NEW TREE LINE

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**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 MT. CARMEL CHURCH ROAD  
CHAPEL HILL, NC 27514

**SITE PLAN**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 PUREFOY ROAD  
CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
1	2016-11-09	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB

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PROJECT: **CHCP1601**  
DATE: 2016-08-24  
DRAWING SCALE: 1"= 30'  
DRAWN BY: DMC  
APPROVED BY: PCB

**CS1001**  
SHEET 6 OF 13

**NOT FOR CONSTRUCTION**



U.S. HWY. 15-501  
VARIABLE WIDTH ROW

Morgan Creek

TOP OF BANK

20' BLDG. SOLAR SETBACK  
100 Year Flood Firm  
FEMA Map No. 3710578700  
Date: 2/2/2017

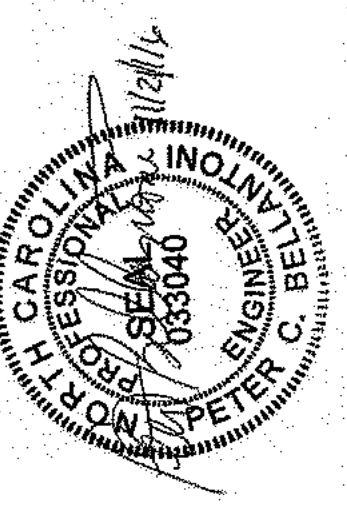
ZONE 1 STREAM SIDE  
ZONE 2 MANAGED USE

ZONE 2 MANAGED USE  
ZONE UPLAND

NORTH

8-1 (RESIDENTIAL)	REQUIRED	PROPOSED
MIN. LOT AREA:	17,000 SF	172,960
MIN. LOT FRONTAGE:	64 FT	34 FT
MIN. LOT WIDTH:	80 FT	80 FT
MAX. BUILDING HEIGHT:	29 FT (PRIMARY)	<29 FT (PRIMARY)
MAX. FLOOR AREA RATIO:	40 FT (SECONDARY)	<40 FT (SECONDARY)
MAX. LOT COVERAGE:	SEE BELOW	SEE BELOW
BUILDING SETBACK:	0.7	26,684 SF (14.03% IMPERVIOUS)
MIN. FRONT YARD SETBACK:	28 FT	104 FT +/-
MIN. SIDE YARD SETBACK:	14 FT	43 FT +/-
MIN. REAR (NORTHERN REAR) YARD SETBACK:	17 FT	144 FT +/-
MIN. FRONT YARD SETBACK:	20 FT	20 FT
MIN. SIDE YARD SETBACK:	20 FT	20 FT / ALT. BUFFER
MIN. REAR YARD SETBACK:	20 FT	20 FT
VEHICLE PARKING:	20 min/25 max	73
BICYCLE PARKING:	0	4
TOTAL IMPERVIOUS AREA (GLA):	7,206 SF (1.15%)	76,684 SF (14.03%)
NON-ICD IMPERVIOUS AREA:	7,206 SF (1.15%)	26,416 SF (13.69%)
ZONE 1 IMPERVIOUS AREA:	0 SF (0.0%)	0 SF (0.0%)
ZONE 2 IMPERVIOUS AREA:	0 SF (0.0%)	0 SF (0.0%)
ZONE 3 IMPERVIOUS AREA:	266 SF (0.15%)	266 SF (0.15%)
TOTAL LAND DISTURBANCE AREA:	N/A	39,942 SF (23.09%)
NON-ICD LAND DISTURBANCE AREA:	N/A	39,942 SF (23.09%)
ZONE 1 LAND DISTURBANCE AREA:	N/A	0 SF (0.0%)
ZONE 2 LAND DISTURBANCE AREA:	N/A	0 SF (0.0%)
ZONE 3 LAND DISTURBANCE AREA:	N/A	349 SF (0.20%)
SI CPE CATEGORY:	UNLINED AREAS	DISTURBED AREAS
0.1% TO 14.99%:	33,297 SF (16.09%)	11,643 SF (6.73%)
15% TO 24.99%:	30,326 SF (14.13%)	26,414 SF (13.73%)
25% & GREATER:	91,307 SF (42.78%)	1,885 SF (1.09%)
FLOOR AREA CALCULATIONS:		
GRASSLAND AREA (GLA):	172,960 SF x 1.10 = 190,256 SF	
NON-ICD ZONE:	87,212 SF (50.42%)	87,212 SF (50.42%)
ZONE 1:	24,211 SF (14.06%)	(24,211 SF) = 243 SF
ZONE 2:	33,148 SF (19.02%)	(33,148 SF) = 592 SF
ZONE 3:	30,788 SF (17.51%)	(30,788 SF) = 2,302 SF
EFFECTIVE FLOOR AREA (EFA) (GLA x EFA):	87,945 SF (172,960 SF) = 0.0564	
ALLOWABLE FLOOR AREA (GLA x EFA):	(190,256 SF x 0.0564) = 10,730 SF	
PROPOSED FLOOR AREA:		5,129 SF
TREE CANOPY AREA TO REMAIN:	135,708 SF (74.81%)	114,058 SF (65.95%)

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CHAPEL HILL COOPERATIVE PRESCHOOL  
108 MT. CARMEL CHURCH ROAD  
CHAPEL HILL, NC 27514

SITE GRADING & DRAINAGE PLAN

CHAPEL HILL COOPERATIVE PRESCHOOL  
106 PUREFOY ROAD  
CHAPEL HILL, NC 27514

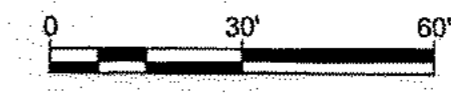
NO.	DATE	REVISIONS	BY
2016-11-17		REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
2016-11-08		REVISED PER 10/27/16 C.H. MEMO	PCB

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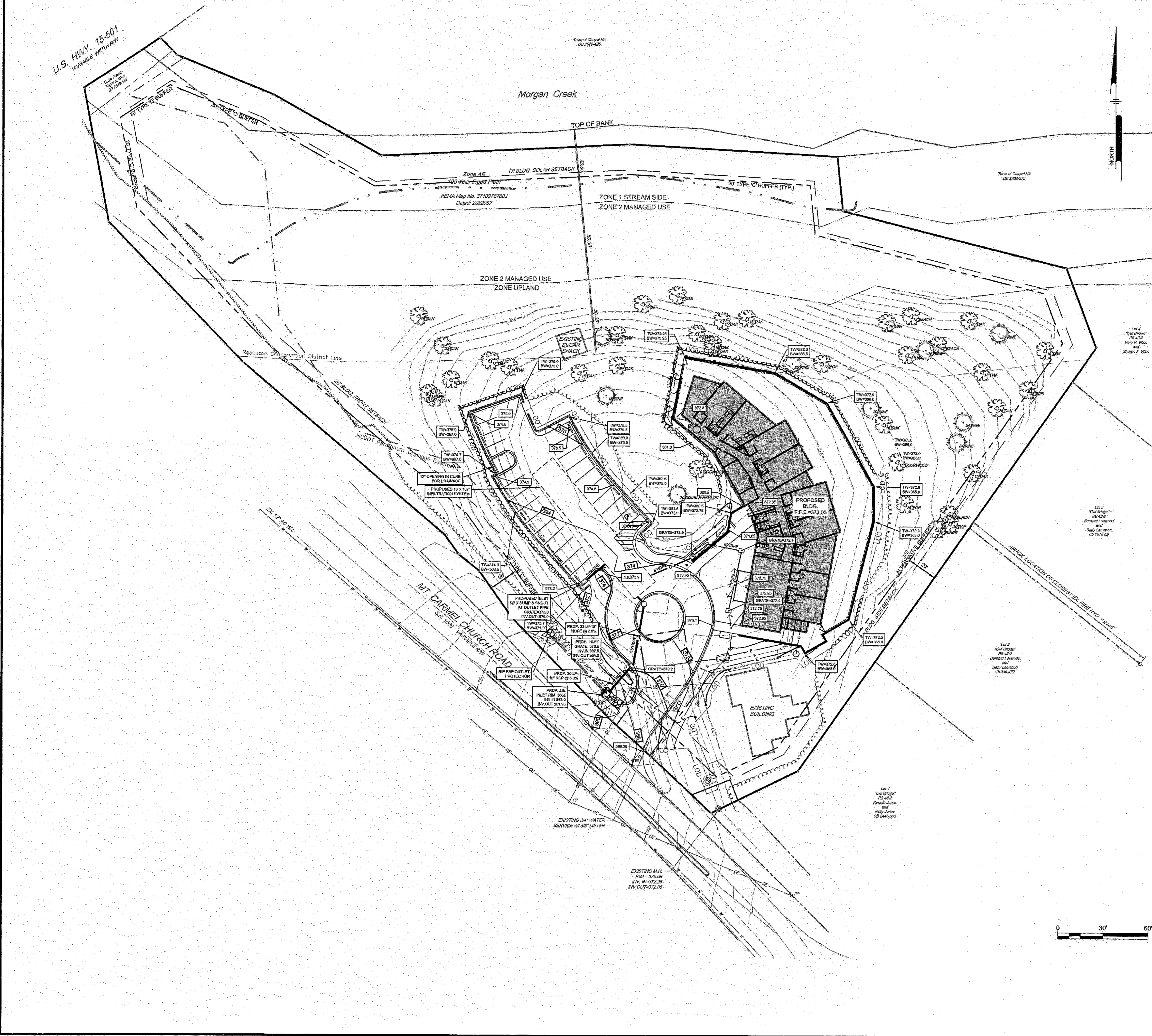
PROJECT	CHCP1601
DATE	2016-08-24
DRAWING SCALE	1" = 30'
DRAWN BY	DMC
APPROVED BY	PCB

**CS1501**  
SHEET 7 OF 13

NOTE:  
TOPOGRAPHIC INFORMATION WITHIN DEVELOPMENT AREA OBTAINED FROM A FIELD SURVEY PROVIDED BY:  
PHILIP POST & ASSC.  
401 PROVIDENCE ROAD, STE 200  
CHAPEL HILL, NC 27514  
TEL. 919.929.1173



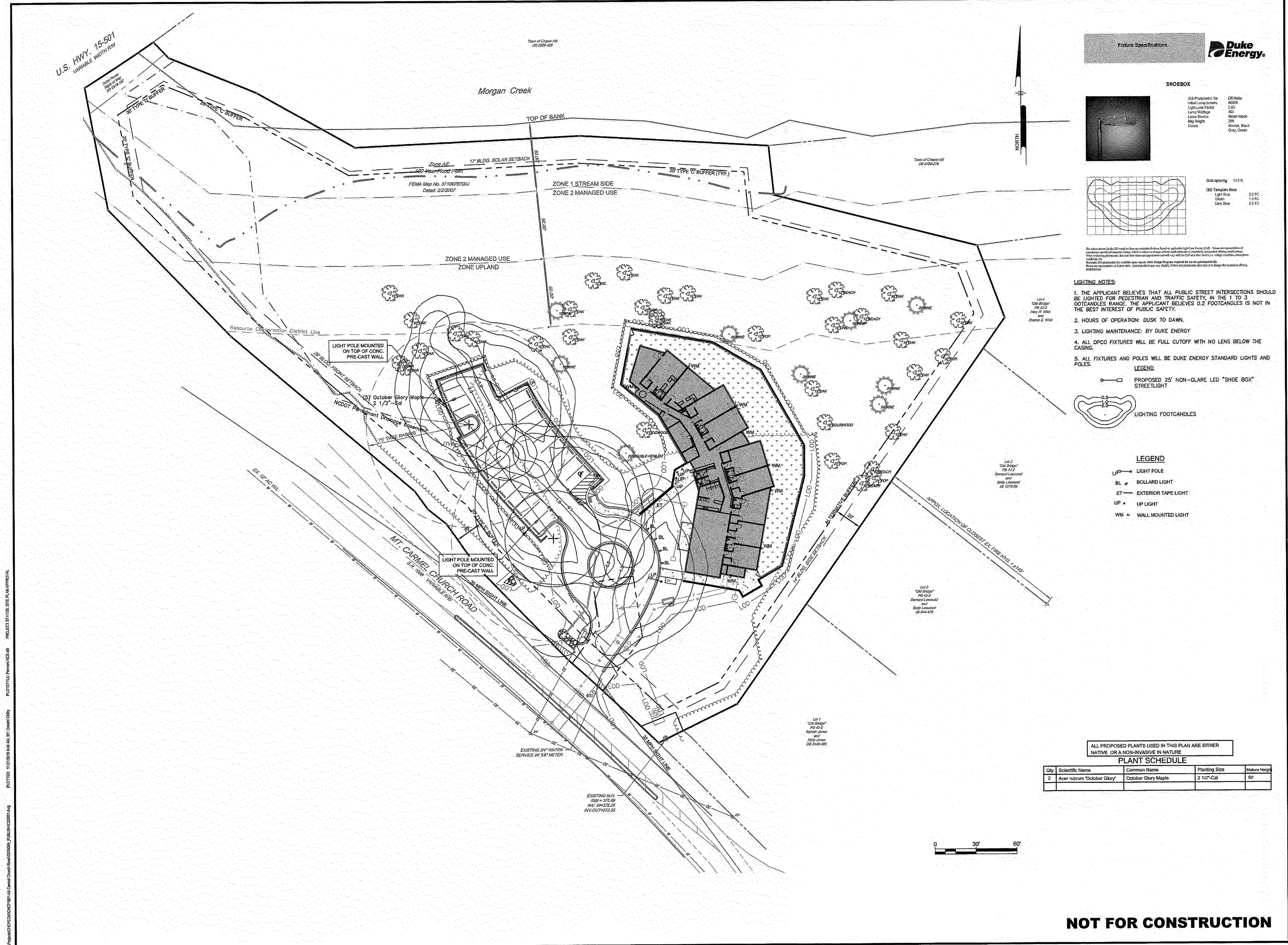
PROJECT: 11/2/2016 12:59 PM BY: David Cray PROJECT STATUS: SITE PLAN APPROVAL  
P:\Projects\CHCP\CHCP1601\AM Conrad Church Building\CS1501.dwg











**Fixture Specifications**

**SHOEBOX**

185 Photometric  
Initial Lamp Lumens  
Light Loss Factor  
Lamp Wattage  
Lamp Source  
May Height  
Colors

DE Model  
40000  
0.82  
400  
Metal HMI  
200  
Bronze Black  
Gray, Green

Grid spacing: 12.5 ft.

ISO Template lines:  
Light Blue: 2.0 FC  
Green: 1.9 FC  
Dark Blue: 0.5 FC

The values shown on this lighting plan are based on a standard 100-watt high-pressure sodium lamp. The values are representative of a standard 100-watt high-pressure sodium lamp, which is a common lamp used in street lighting. The values are based on a standard 100-watt high-pressure sodium lamp, which is a common lamp used in street lighting. The values are based on a standard 100-watt high-pressure sodium lamp, which is a common lamp used in street lighting.

- LIGHTING NOTES:**
1. THE APPLICANT BELIEVES THAT ALL PUBLIC STREET INTERSECTIONS SHOULD BE LIGHTED FOR PEDESTRIAN AND TRAFFIC SAFETY, IN THE 1 TO 3 FOOTCANDLES RANGE. THE APPLICANT BELIEVES 0.2 FOOTCANDLES IS NOT IN THE BEST INTEREST OF PUBLIC SAFETY.
  2. HOURS OF OPERATION: DUSK TO DAWN.
  3. LIGHTING MAINTENANCE: BY DUKE ENERGY
  4. ALL DPCO FIXTURES WILL BE FULL CUTOFF WITH NO LENS BELOW THE CASING.
  5. ALL FIXTURES AND POLES WILL BE DUKE ENERGY STANDARD LIGHTS AND POLES.

**LEGEND**

○ PROPOSED 25' NON-GLARE LED "SHOE BOX" STREETLIGHT

LIGHTING FOOTCANDLES

**LEGEND**

- LP LIGHT POLE
- BL BOLLARD LIGHT
- ET EXTERIOR TAPE LIGHT
- UP UP LIGHT
- WM WALL MOUNTED LIGHT

ALL PROPOSED PLANTS USED IN THIS PLAN ARE EITHER NATIVE OR A NON-INVASIVE IN NATURE.

**PLANT SCHEDULE**

Qty.	Scientific Name	Common Name	Planting Size	Mature Height
2	Acer rubrum "October Glory"	October Glory Maple	2 1/2" Cal	50'

**PHILIP POST & ASSOCIATES**  
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Firm License F-287  
**PENNONI ASSOCIATES INC.**  
401 Providence Road #200  
Chapel Hill, NC 27514  
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**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 MT. CARMEL CHURCH ROAD  
CHAPEL HILL, NC 27514

**LANDSCAPE & LIGHTING PLAN**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 PUREFOY ROAD  
CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
1	2016-11-09	REVISED PER 100318 CH. MEMO	PCB

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PROJECT: **CHCP1601**  
DATE: 2016-08-24  
DRAWING SCALE: 1" = 30'  
DRAWN BY: DMC  
APPROVED BY: PCB

**CS2001**  
SHEET 9 OF 13

**NOT FOR CONSTRUCTION**

PROJECT STATUS: SITE PLAN APPROVAL  
PROJECT STYLE: PENNONI NCS 48  
PROJECT DATE: 11/20/16 10:48 AM  
BY: DAVID CHRY  
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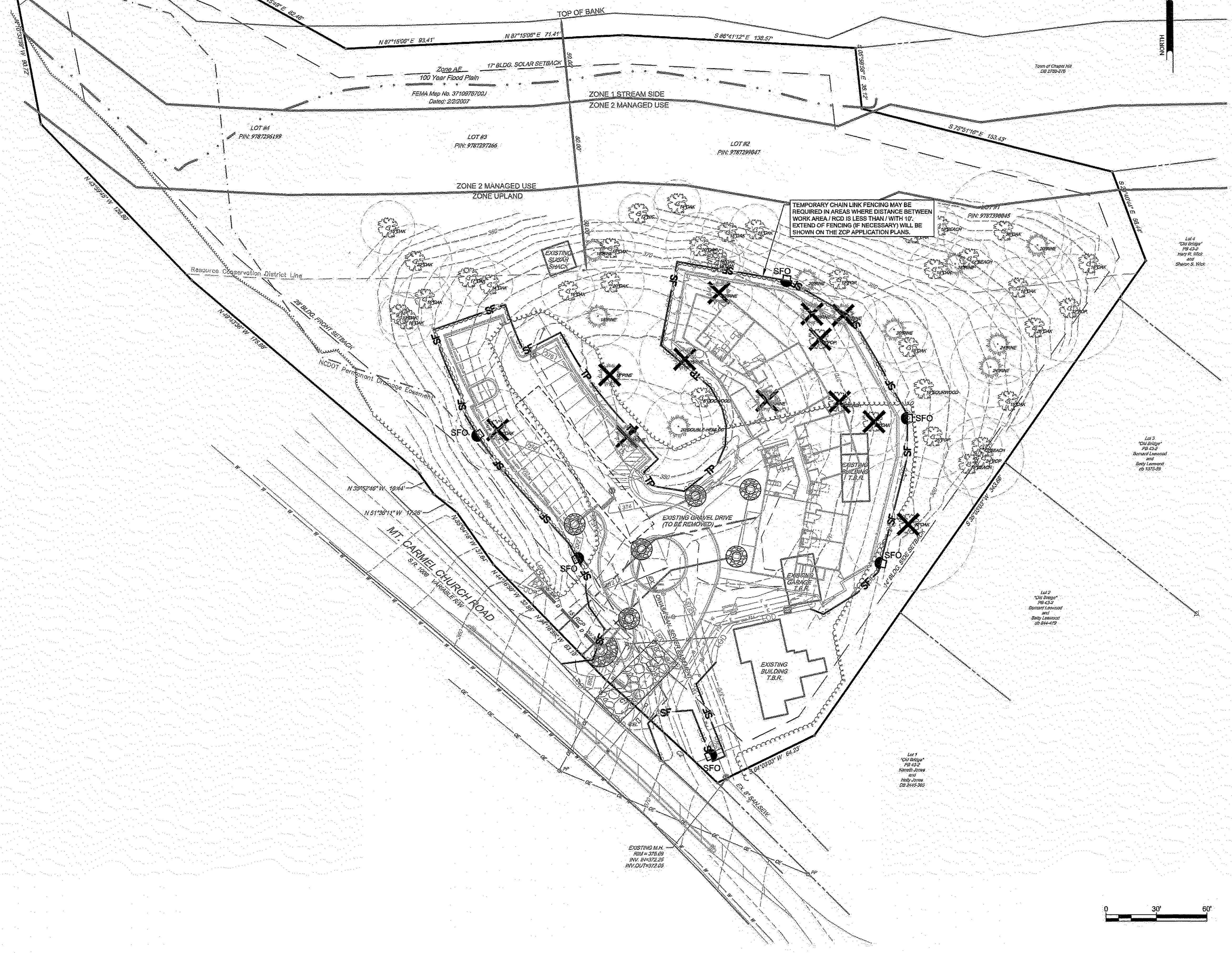






U.S. HWY 15-501  
VARIABLE WIDTH RW

Morgan Creek



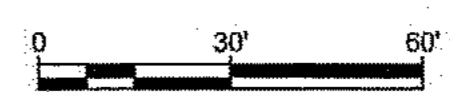
TEMPORARY CHAIN LINK FENCING MAY BE REQUIRED IN AREAS WHERE DISTANCE BETWEEN WORK AREA / RCD IS LESS THAN / WITH 10'. EXTEND OF FENCING (IF NECESSARY) WILL BE SHOWN ON THE ZCP APPLICATION PLANS.

EXISTING GRAVEL DRIVE (TO BE REMOVED)

MT. CARMEL CHURCH ROAD  
SR 1088 VARIABLE WIDTH RW

LEGEND

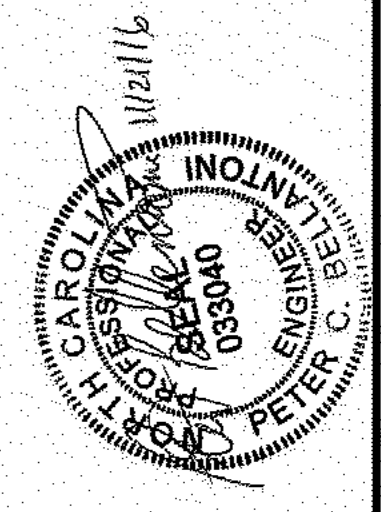
- CONSTRUCTION ENTRANCE
- SILT FENCE
- TREE PROTECTION FENCE
- INLET PROTECTION
- EXISTING PIPE INLET PROTECTION
- SFO SILT FENCE OUTLET



NOT FOR CONSTRUCTION

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 Chapel Hill, NC 27514  
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CHAPEL HILL COOPERATIVE PRESCHOOL  
108 MT. CARMEL CHURCH ROAD  
CHAPEL HILL, NC 27514

EROSION CONTROL PLAN

CHAPEL HILL COOPERATIVE PRESCHOOL  
108 PUREFOY ROAD  
CHAPEL HILL, NC 27514

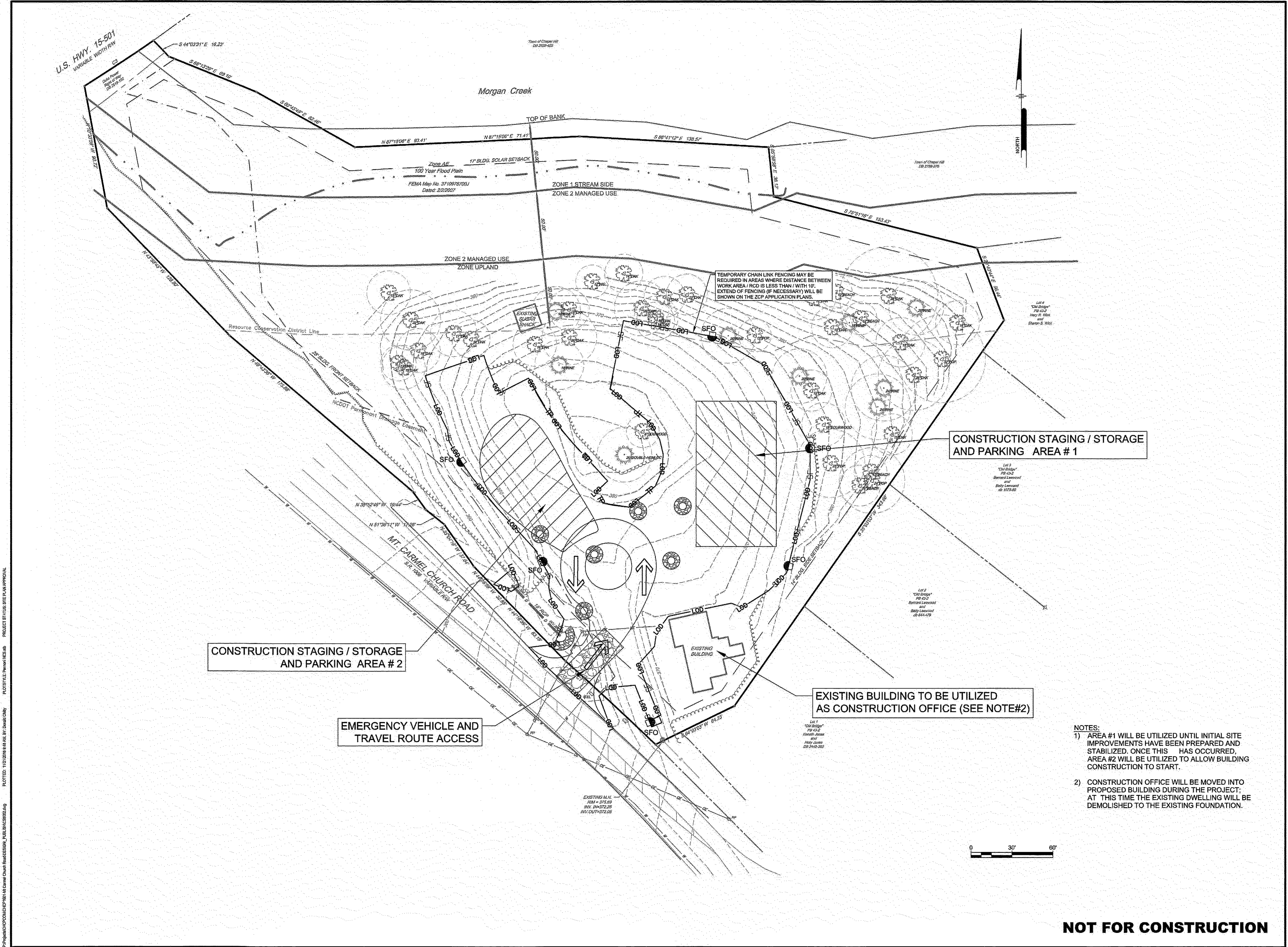
NO.	DATE	REVISIONS	BY
1	2016-11-09	REVISED PER 100316 C.H. MEMO	PCB
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB

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PROJECT	CHCP1601
DATE	2016-08-24
DRAWING SCALE	1" = 30'
DRAWN BY	DMC
APPROVED BY	PCB

**CS8001**  
SHEET 11 OF 13





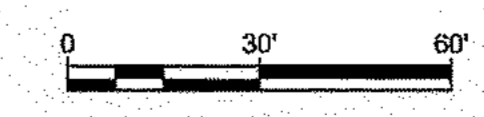
CONSTRUCTION STAGING / STORAGE AND PARKING AREA # 1

CONSTRUCTION STAGING / STORAGE AND PARKING AREA # 2

EMERGENCY VEHICLE AND TRAVEL ROUTE ACCESS

EXISTING BUILDING TO BE UTILIZED AS CONSTRUCTION OFFICE (SEE NOTE#2)

- NOTES:
- 1) AREA #1 WILL BE UTILIZED UNTIL INITIAL SITE IMPROVEMENTS HAVE BEEN PREPARED AND STABILIZED. ONCE THIS HAS OCCURRED, AREA #2 WILL BE UTILIZED TO ALLOW BUILDING CONSTRUCTION TO START.
  - 2) CONSTRUCTION OFFICE WILL BE MOVED INTO PROPOSED BUILDING DURING THE PROJECT; AT THIS TIME THE EXISTING DWELLING WILL BE DEMOLISHED TO THE EXISTING FOUNDATION.



**PHILIP POST & ASSOCIATES**  
 A Division of Pennoni  
**PENNONI ASSOCIATES INC.**  
 401 Providence Road #200  
 Chapel Hill, NC 27514  
 T 919.929.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

Professional Engineer Seal: Peter C. Petter, License No. 033040, State of North Carolina, dated 11/21/16.

CHAPEL HILL COOPERATIVE PRESCHOOL  
 108 MT. CARMEL CHURCH ROAD  
 CHAPEL HILL, NC 27514

**CONSTRUCTION MANAGEMENT PLAN**

CHAPEL HILL COOPERATIVE PRESCHOOL  
 108 PUREFOXY ROAD  
 CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
1	2016-11-09	REVISED PER 10/20/16 C.H. MEMO	PCB

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PROJECT: CHCP1601  
 DATE: 2016-08-24  
 DRAWING SCALE: 1" = 30'  
 DRAWN BY: DMC  
 APPROVED BY: PCB

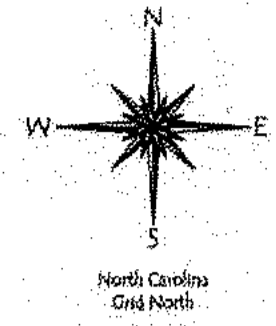
**CS8002**  
 SHEET 12 OF 13

**NOT FOR CONSTRUCTION**

PROJECT: 11/21/2016 10:41 AM BY: Derek Chisholm  
 PLOTFILE: Pennoni\NSA-8  
 PROJECT BRIDGES SITE PLAN APPROVAL  
 PROJECT: 11/21/2016 10:41 AM BY: Derek Chisholm  
 PLOTFILE: Pennoni\NSA-8  
 PROJECT BRIDGES SITE PLAN APPROVAL

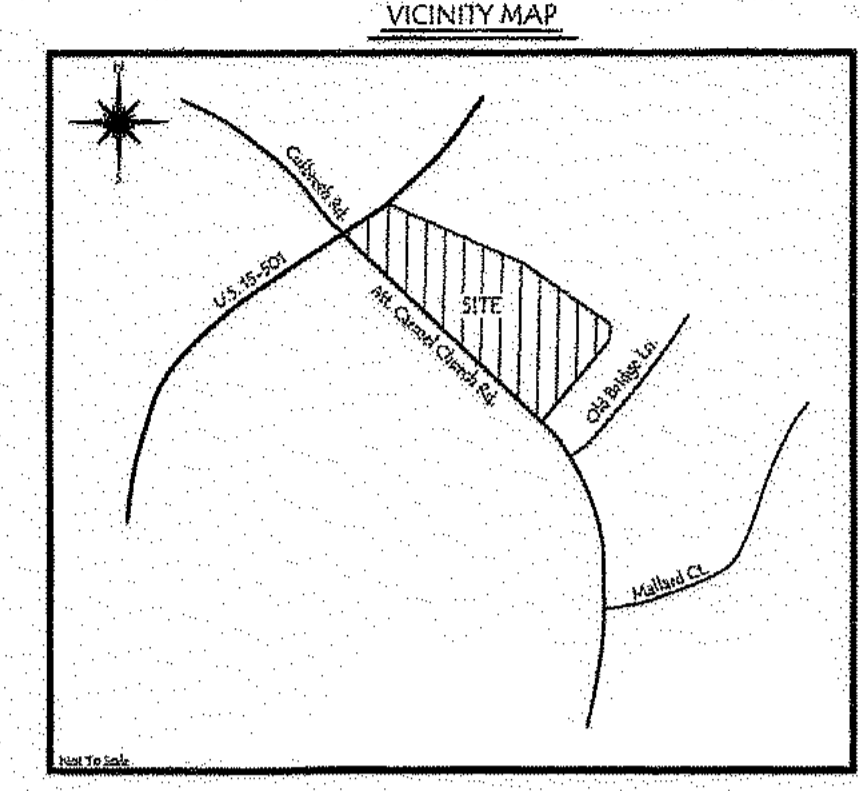


13  
6/28



FILED JOHN H. PERRY  
Surveyor General  
Chapel Hill, NC  
2016-08-28

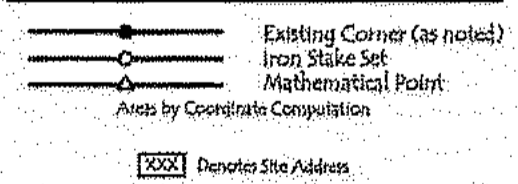
ENGINEERING & SURVEYING  
1000 PROUDEN ROAD, SUITE 201  
CHAPEL HILL, NC 27514  
919.928.1173



LINE	BEARING	DISTANCE
L1	S89°49'38"W	2.74
L2	S75°51'17"	12.29
L3	S71°58'11"E	14.03
L4	N44°03'31"W	16.25
L5	N89°52'27"W	4.76
L6	S44°02'41"W	15.93
L7	N42°15'37"W	39.47
L8	N93°59'07"W	47.27
L9	S90°02'22"E	69.92
L10	S81°18'31"E	50.94
L11	N80°11'12"E	39.74
L12	N90°07'59"E	56.46
L13	N80°11'12"E	50.22
L14	N80°11'12"E	28.54
L15	S84°21'48"E	29.50
L16	S60°07'36"E	47.27
L17	N80°11'12"E	44.45
L18	N80°11'12"E	7.31
L19	N80°11'12"E	26.27
L20	N80°11'12"E	22.72
L21	N81°48'12"E	63.05
L22	S10°02'38"E	16.99
L23	S80°15'22"E	59.61
L24	N80°11'12"E	20.00
L25	S80°15'22"E	30.20
L26	N80°15'35"E	35.05
L27	S80°15'22"E	113.89
L28	N80°15'35"E	188.59
L29	N80°15'35"E	73.25
L30	S80°15'22"E	63.19
L31	S78°10'04"W	24.36
L32	N46°42'27"E	73.25
L33	N44°16'59"W	63.19
L34	N80°15'35"E	22.89
L35	N80°15'35"E	14.44
L36	N42°45'30"W	173.68

CURVE	DELTA	RAADIUS	ARC	TANGENT	BEARING	CHORD
C1	122°54'	280.18	52.49	27.74	N44°47'39"W	53.42
C2	0°54'38"	280.18	16.49	8.25	N47°41'52"W	16.69
C3	27°29'50"	280.18	18.05	9.01	N48°07'19"W	18.95
C4	149°24'	280.18	71.54	34.77	N49°15'17"W	75.82
C5	44°15'29"	1702.38	144.11	73.10	S49°31'11"E	141.07
C6	127°52'	1882.81	34.07	17.09	N87°18'05"E	34.06
C7	103°08'	1882.81	24.30	13.16	N80°02'19"E	24.30
C8	74°43'	1247.89	70.54	35.39	N51°44'19"E	70.54
C9	198°57'	1802.81	44.64	22.30	N88°09'29"E	44.64

FINAL PLAT  
MINOR SUBDIVISION OF  
PROPERTY OF  
**RICHARD L. PERRY**  
CHAPEL HILL TWP., ORANGE CO., NORTH CAROLINA  
FEBRUARY 14, 2008



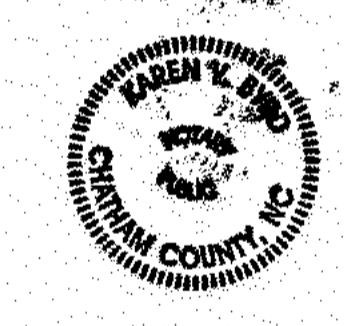
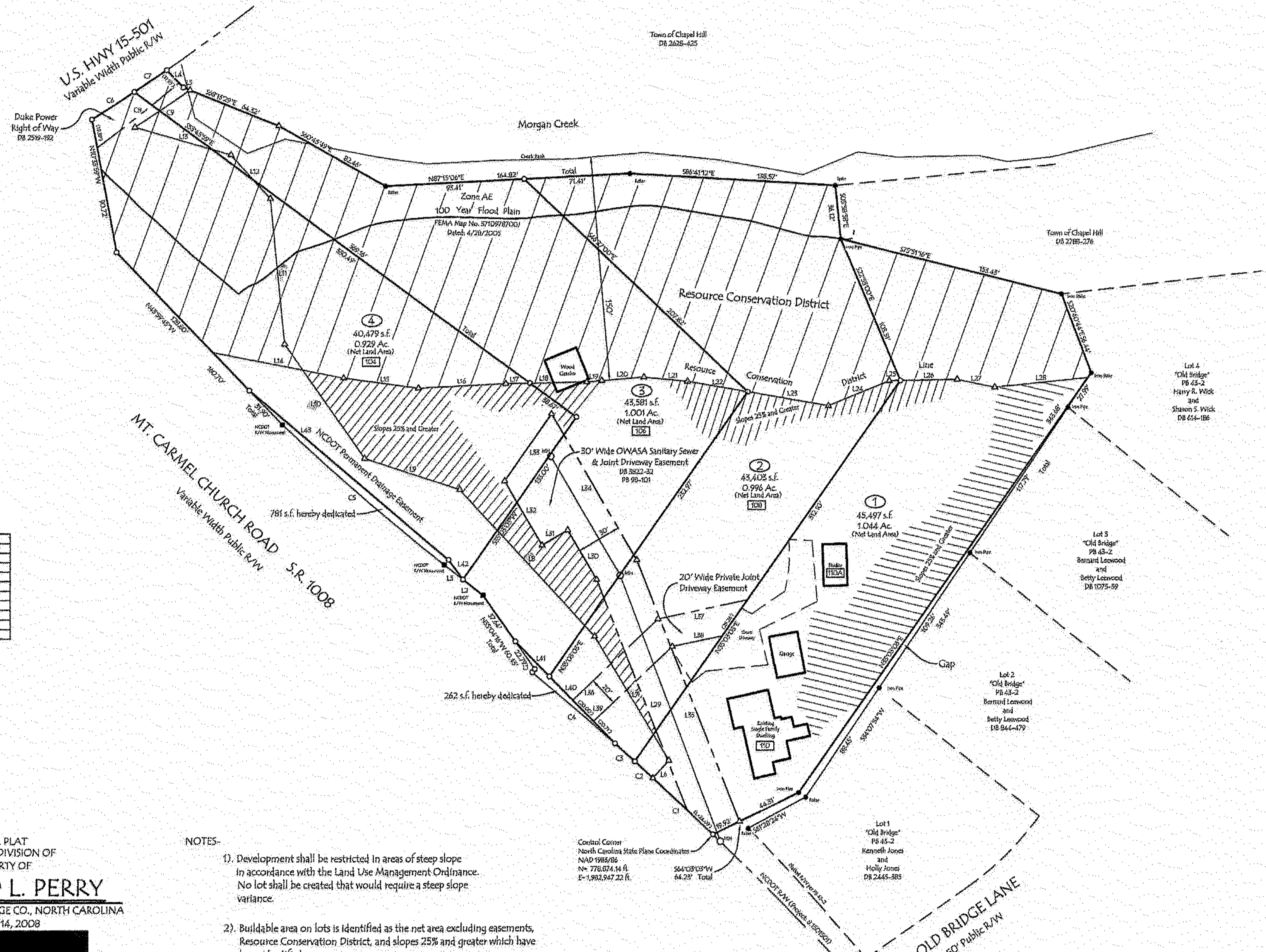
- NOTES:
1. Development shall be restricted in areas of steep slope in accordance with the Land Use Management Ordinance. No lot shall be created that would require a steep slope variance.
  2. Buildable area on lots is identified as the net area excluding easements, Resource Conservation District, and slopes 25% and greater which have been identified.
  3. No additional driveway access shall be allowed on Mount Carmel Church Road.
  4. The lots shown hereon are within the Watershed Protection District and subject to the regulations of the Land Use Management Ordinance.
  5. The impervious surface of each lot shown hereon shall not exceed 50 percent of the gross land area for each lot.

1= 9787-39-0045  
2= 9787-29-9047  
3= 9787-29-7266  
4= 9787-29-6199 *mmb*

OWNER:  
Richard L. Perry  
486 Walnut Branch  
Chapel Hill, NC 27516

SITE REFERENCES:  
D3 2644-375; P9 98-101  
PIN 9787-29-8200; TM 7326.D.10 (PARENT TWP)  
CURRENT ZONING: R-1 *mmb*

Bk 103 pg 93



Provided that the applicant has filed this plat with the County Clerk within 30 days of final approval. Approved by: *[Signature]* Date: *2/14/2016*

Certification of Dedication and Maintenance:  
The undersigned owner hereby dedicates all rights of way easements, streets, recreation area, open space, common area, utilities and other improvements to public or multiple common use as outlined on this plat, and further assumes full responsibility for the maintenance and control by an appropriate public body or by an incorporated neighborhood or homeowner's association or similar organization.  
*Richard L. Perry*  
Owner

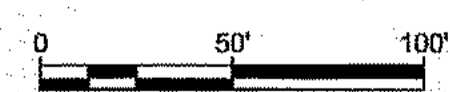
Notary Public:  
Chatham County  
*Harvey V. Pines*  
Notary Public

Personally appeared before me this day and acknowledged the execution of the foregoing certificate:  
Witness my hand and seal this day of *February* 2016.  
*Richard L. Perry*  
Notary Public  
My commission expires: *5-4-2021*

REVIEW OFFICER CERTIFICATION  
State of North Carolina  
County of Orange

I, *Michael A. Burton, Sr.* Review Officer of Orange County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording for which the Review Officer has responsibility as provided by law.  
*Michael A. Burton, Sr.*  
Review Officer - Orange County Land Records/GIS  
Date of Certification: *02/14/2016*

I, Terry L. Westendorf, L-3220, certify that this plat was drawn from an initial field survey performed under my direction and supervision, the ratio of precision is 1:250,000, lines not surveyed are shown broken, and plotted from the referenced information. This map was prepared in accordance with G.S. 47-30, as amended. This survey creates a subdivision of land within a plat of a county or municipality that has an ordinance that requires plats of this nature.  
Witness my original signature, license number, and seal this day of *February* 2016.  
*Terry L. Westendorf, P.A.*



NOT FOR CONSTRUCTION

**PHILIP POST & ASSOCIATES**  
A Division of **Pennoni Associates, Inc.**  
Firm License F-1267  
PENNONI ASSOCIATES, INC.  
401 Providence Road #200  
Chapel Hill, NC 27514  
T 919.928.1173 F 919.493.6548

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 MT. CARMELO CHURCH ROAD  
CHAPEL HILL, NC 27514

**EXISTING PLAT**

**CHAPEL HILL COOPERATIVE PRESCHOOL**  
108 PUREFOY ROAD  
CHAPEL HILL, NC 27514

NO.	DATE	REVISIONS	BY
2	2016-11-17	REVISED PER AMENDED LAND DISTURBANCE RULING	PCB
1	2016-11-09	REVISED PER 10/13/2016 CH. MEMO	PCB
			NO.

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PROJECT: **CHCP1601**  
DATE: **2016-08-24**  
DRAWING SCALE: **1"= 50'**  
DRAWN BY: **DMC**  
APPROVED BY: **PCB**


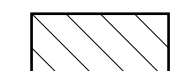
**CS9001**  
SHEET 13 OF 13

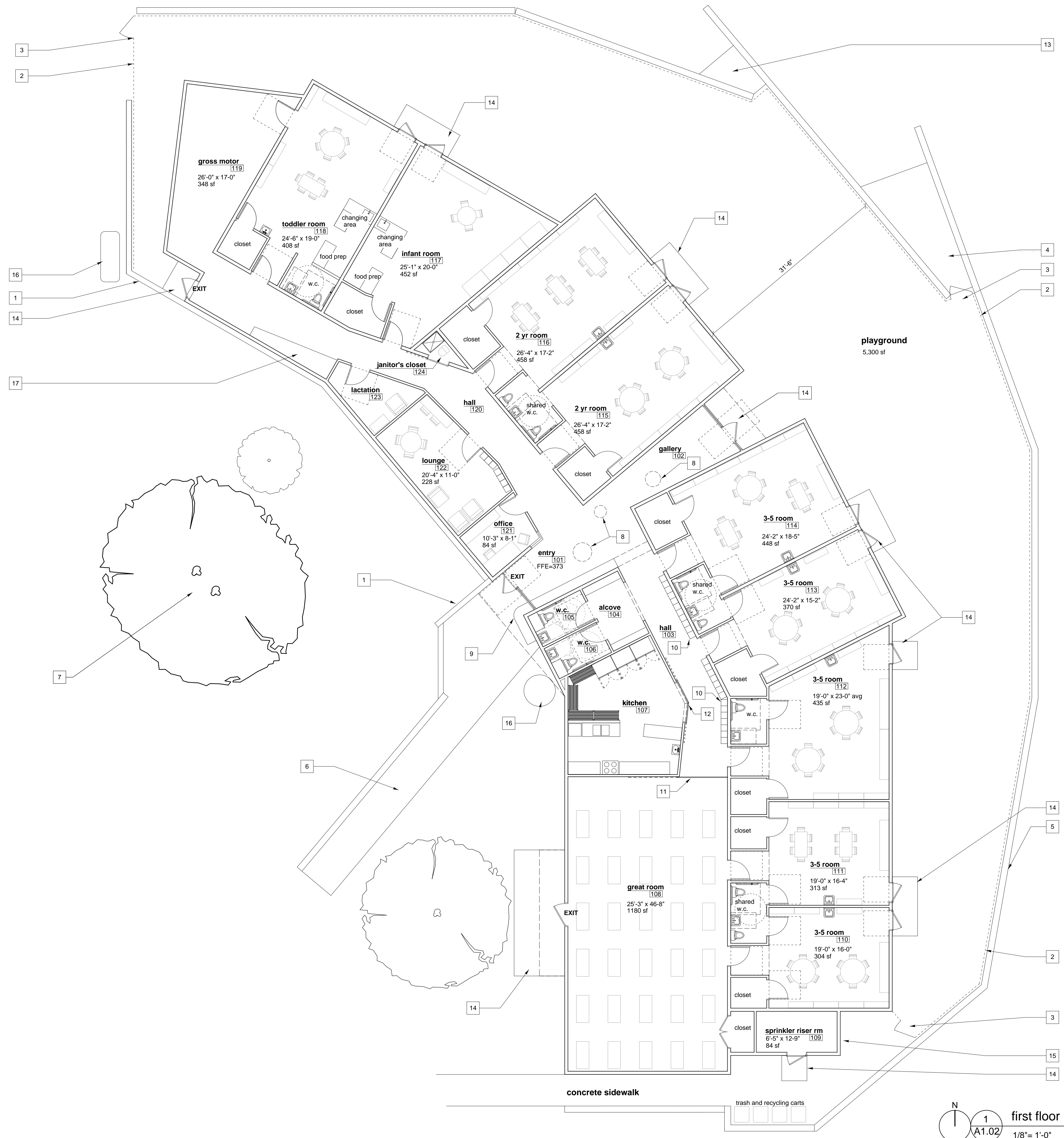


floor plan key notes

- 1 concrete retaining wall
- 2 fence around playground
- 3 gate in fence
- 4 mulch ramp into natural area; see site plan for grading here
- 5 retaining wall to make level area for playground
- 6 concrete path to front entry, see site plan for additional path to parking
- 7 existing double 20" hemlock tree to remain
- 8 round skylight above
- 9 wood bench wraps around corner and extends into building
- 10 cubbies
- 11 8' wide sliding barn style door
- 12 pair of sliding barn style doors
- 13 sloped planting bed between retaining walls to help connect playground level with natural area, fence remains continuous
- 14 concrete pad/stoop
- 15 utility services to come in to building here, meters mounted in this vicinity
- 16 cistern for rainwater harvesting
- 17 storage for car seats

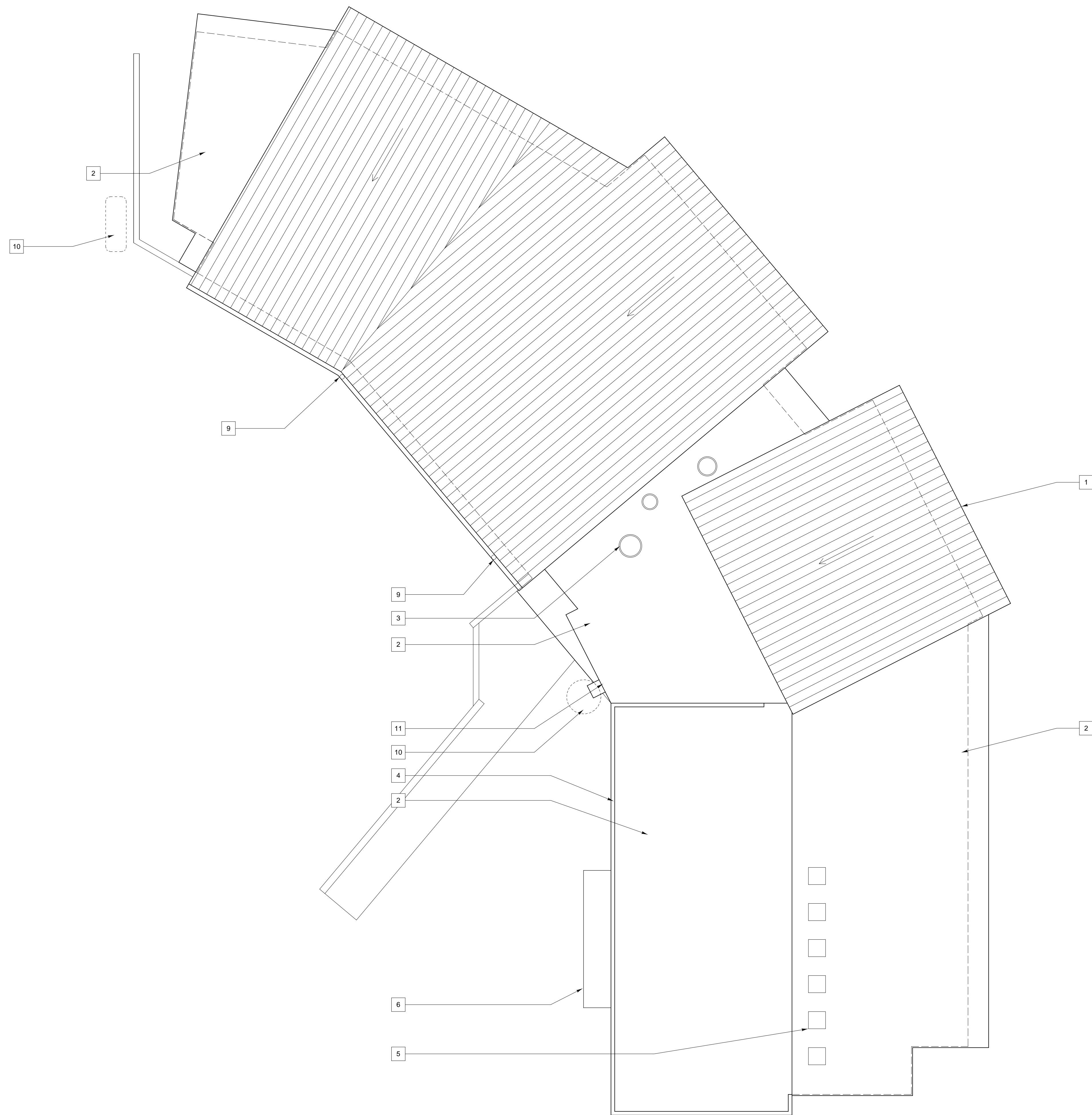
floor plan legend

-  indicates new frame wall
-  no work in this area



1 first floor plan  
A1.02 1/8" = 1'-0"

heated, finished area = 8,945 sf

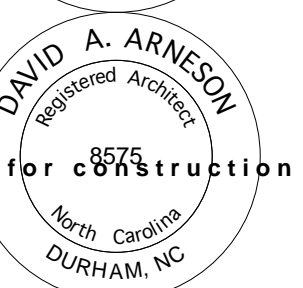
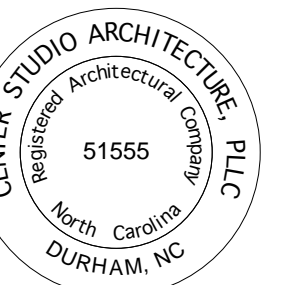


roof plan key notes

- 1 standing seam galvalume roof
- 2 white TPO roof
- 3 round skylights
- 4 parapet wall
- 5 hvac equipment mounted on roof
- 6 wood awning below
- 7 existing double 20" hemlock tree to remain
- 8 round skylight above
- 9 downspout
- 10 cistern below for rainwater harvesting
- 11 scupper

roof plan legend

- indicates extent of roof
- - - indicates exterior wall below



not for construction

preliminary 08.24.2016

**Phil Mason**

---

**From:** Jay Heikes  
**Sent:** Friday, March 31, 2017 1:09 PM  
**To:** Phil Mason <pmason@townofchapelhill.org>  
**Cc:** Gene Poveromo <gpoveromo@townofchapelhill.org>  
**Subject:** RE: Materials for CH Coop School Appeal

Hi Phil,

Please see attached email to the applicant confirming Site Plan Review approval and the staff memo presented at to the Planning Commission at their January 17, 2017 and January 25, 2017 meetings. We are also expecting an additional attachment from NCDOT today that includes NCDOTs requirements to be addressed as a part of final Plans for the driveway permit.

Jay



**Jay Heikes, Planner**

Development Services Division | Planning and Sustainability  
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | [www.townofchapelhill.org](http://www.townofchapelhill.org)  
t: 919-969-5082 | [jheikes@townofchapelhill.org](mailto:jheikes@townofchapelhill.org)



**RESOLUTION A**  
(Approving the Site Plan Review Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-29-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by January 25, 2018, to be completed by January 25, 2020.
2. Land Use Intensity: This Site Plan Review authorizes the following:

<b>Use: Child Day Care Facility:</b>	
Floor Area Permitted	9,000 square feet
Vehicular Parking Spaces	23
Minimum Bicycle Parking Spaces	4
Maximum Impervious Surface	26,684 square feet
Maximum Land Disturbance	39,942 square feet

3. Demolition of existing house: That a demolition permit for demolition of the existing house, or a portion thereof, be submitted and approved, and that the house, or a portion thereof, be demolished within three years of the date of the final Certificate of Occupancy and the property brought into compliance with the floor area requirement. That the use of the house cease prior to Certificate of Occupancy.

Land Disturbance

4. Land Disturbance Survey: That prior to the issuance of a Certificate of Occupancy, it will be necessary to provide a survey confirming the amount of land disturbance associated with all on-site improvements. If land disturbance exceeds 40,000 square feet, the application will require approval of a Special Use Permit by the Town Council.

Access

5. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant 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.

Transportation

6. Payment in Lieu for Bicycle Facilities: ~~Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a payment in lieu of \$36,575 to the Town of Chapel Hill for the construction of a five foot wide bike lane on Mt. Carmel Church Rd. along the frontage of the property.~~
7. Dedication of Future Greenway Easement: That the applicant agrees to dedicate a variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek. Conditions of the easement will allow for construction and maintenance of a path that is 10-12 feet in width, with additional room for 3 foot shoulders, retaining walls, drainage structures, and other improvements needed to comply with AASHTO and NCDOT standards. The easement will allow access and use by Town maintenance vehicles and personnel, pedestrians, non-motorized vehicles, and reasonable use of motorized vehicles for those with disabilities. The Final Plans submitted for the Zoning Compliance Permit shall designate the specific location of the area to be dedicated as a variable-width pedestrian and non-motorized vehicle easement. The easement must be recorded prior to issuance of the Zoning Compliance Permit.
8. Acceptance of Future Greenway Easement That the Town agrees to accept the dedicated variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek.
9. Parking Lot/Drive Aisles Town Standards: Prior to a Certificate of Occupancy, the applicant shall construct the parking lot and drive aisles to Town standard, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
10. Bicycle Access and Parking: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details for a minimum of four (4) bicycle parking spaces (four (4) Class II) 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 bicycle parking standards required by the Town Design Manual.
11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit that the applicant submits a Transportation Management Plan for review and approval by the Town

Manager. These plans are updated annually and approved by the Town Manager. The plan shall include an operations plan that addresses 1) access routes to the site to prevent use of Old Bridge Ln. by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) ~~onsite~~ offsite parking management and 4) windows of time for parents to drop-off and pick-up their children. Additional required components of the Transportation Management Plan typically include:

- a. A Transportation Coordinator to communicate and promote alternate modes of transportation;
- b. Submission of an Occupancy Survey due 90 days after building expansion occupancy;
- c. Submission of an updated annual Transportation Management Plan Report;
- d. Submission of Resident, Business and Employee Surveys during survey years; and
- e. Measures to gradually attain the goals of the program.

11.5 The onsite staking of parked cars in the parking lot drive aisle is prohibited.

Landscaping and Landscape Protection

12. Landscape Buffers: That the Landscape Planting Plan demonstrate compliance with the required buffers as described in the chart below:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt. Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

13. Alternate Buffers: That unless the applicant obtains alternate bufferyard approval from the Community Design Commission, that the standard buffers be provided continuously along all property lines. It will be necessary for the Community Design Commission to make the determination that any proposed alternative buffer shall provide the same degree of visual and noise obstruction as the required buffer.

14. Landscape Protection: That a detailed Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit. The plan shall include critical root zones of all rare and specimen trees, and clearly indicate names and species. The plan shall indicate the area and percentage of existing tree canopy on the site to be preserved. The Plan shall also include details showing tree protection fencing around construction limits, areas designated for construction parking, materials staging/storage areas, and shall include Town standard landscaping protection notes.

15. 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.
16. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall meet the required parking landscape requirements in LUMO 5.9.6.

### Environment

17. Steep Slopes Ordinance Compliance: That the final plans application delimit areas containing steep slopes and include construction techniques for areas with steep slopes in accord with Section 5.3.2 of the LUMO
18. Resource Conservation District Encroachment Permit Required: That prior to issuance of a Zoning Compliance Permit that a Resource Conservation District Encroachment Permit application be submitted for review and approval by the Town Manager in accord with section 3.6.3 of the LUMO for work occurring within the Resource Conservation District.
19. Energy Management Plan: That the applicant consider providing an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

### Stormwater Management and Erosion Control

20. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of a Zoning Compliance Permit.
21. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
22. 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.

23. 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.
24. As-Built Plans: That prior to 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 related to infrastructure development, 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.
25. 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.
26. 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.
27. P.E. Certification: 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.
28. 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 Town accepting the streets into its maintenance system.

#### Water, Sewer, and Other Utilities

29. Detailed Construction Drawings: Detailed construction drawings shall be submitted to OWASA for review and approval prior to issuance of a Zoning Compliance Permit.
30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, Time Warner, AT&T or other applicable utility providers and the Town Manager before issuance of a Zoning Compliance Permit.
31. Utility Easement Plats: Prior to issuance of a Zoning Compliance Permit, easement and documentation shall be approved by the Town and OWASA and recorded by the applicant.

32. Lighting Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance, including submission of a lighting plan sealed by a Professional Engineer, to be reviewed and approved by the Town Manager. The lighting plan shall also address the requirements of Section 5.11.5 of the Land Use Management Ordinance.

#### Fire Safety

33. Hydrants Active: It will be necessary to have 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. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
34. Fire Hydrant and FDC Locations: That the Final Plans 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.
35. Firefighting Access During Construction: During demolition and/or construction, all aspects of Chapter 14 of the NC Fire Prevention shall be followed. The owner/developer shall designate one person to be the Fire Prevention Program Superintendent who shall be responsible for enforcing Chapter 14 of the NCFPC and the on-site fire prevention program and ensure that it is carried out through completion of the project.
36. Fire Flow Report: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a fire flow report sealed by an engineer licensed in North Carolina certifying that the water supply available at the nearest fire hydrant(s) will meet the Town's fire flow requirements, 20 psi residual pressure. An Orange Water and Sewer flow test must be included with the report.
37. Fire Access: Any and all roads, driveways or dedicated fire lanes used for fire department access shall be all-weather and designed to support to carry the imposed load of fire apparatus weighing at least 75,000 lbs. Fire access roads shall have a minimum width of 20 feet with overhead clearance of 13ft. 6 in for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Proximity to the building for aerial apparatus shall have at least one of the required access routes be located within 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted. Emergency access designation for apparatus shall be provided. FDC 's shall not be obstructed by landscaping or hindered by parking spaces.

Solid Waste Management and Recycling

38. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit a Solid Waste Management Plan for managing solid waste shall be approved by Orange County Solid Waste Management and the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse collection areas, associated screening, gate opening areas, and protective bollards, if applicable.
39. 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.
40. Deconstruction/Demolition: That the applicant shall hold a deconstruction assessment meeting with Orange County Solid Waste Management staff (919-968-2800) concerning the buildings to be removed from this site, with the following note on plans: "Prior to any demolition or construction activity on the site the applicant will hold a deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site. Prior to issuance of a Demolition Permit, the developer shall provide a demolition waste management plan.

State and Federal Approvals

41. State or Federal Approvals: That prior to issuance of a Zoning Compliance Permit, the applicant shall obtain approval of any required State or federal permits or encroachment agreements from the Town Manager and NCDOT and/or OWASA, where necessary.
42. 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

43. 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.
44. 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.

45. Community Design Commission Approval: That the developer obtain Community Design Commission approval of the alternative landscape buffers, building elevations and lighting, including the location and screening of all HVAC/Air Handling Units and refuse/recycling facility for this project, prior to issuance of a Zoning Compliance Permit.
46. Recombination Plat Recordation: That prior to issuance of a Zoning Compliance Permit an administrative recombination application for the four residential lots into one lot shall be reviewed and approved by the Town Manager and recorded in the Orange County Register of Deeds office.
47. Engineering Construction Permit Required: That following issuance of a Zoning Compliance Permit and prior to beginning land disturbing activity the applicant submit an Engineering Construction Permit application and four (4) sets plans for stamping to the Development Services Division. Contact Engineering and Design Services 919-969-5084 to discuss the requirements of an Engineering Construction Permit.
48. Traffic and Pedestrian Control Plan: That the applicant 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 applicant must apply to the Town Manager for a lane or street closure permit.
49. Construction Sign Required: That the applicant 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. 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.
50. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
51. 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.
52. 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 Planning Commission hereby approves the application for a Site Plan Review for Chapel Hill Cooperative Preschool in accordance with the plans and conditions listed above.

This the 25<sup>th</sup> day of January, 2017.



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

March 31, 2017

**ORANGE COUNTY**

Mr. Peter Bellantoni, P.E.  
Pennoni  
401 Providence Road, Suite 200  
Chapel Hill, NC 27514

Subject: Proposed Chapel Hill Cooperative Preschool  
Located on SR 1008, Mt. Carmel Church Road  
**Site Traffic Impact and Operational Assessment**

Dear Mr. Bellantoni,

NCDOI staff has reviewed the submitted materials for the above referenced development which include: site plan, project narrative, request for Town of Chapel Hill waiver for traffic impact analysis, traffic and parking demand counts, and traffic and parking operations plan. Based on the information provided, we offer the following comments relative to the State road network.

**General:**

According to the information provided, the applicant proposes to construct an 8929 SF preschool to accommodate consolidation of two existing campus locations elsewhere in Chapel Hill. The site is located on Mt. Carmel Church Road at the southeast quadrant of the U.S. 15-501/Mt. Carmel Church Road intersection. The proposed site is served by a single right-in/right-out access on Mt. Carmel Church Road located approximately 570' from U.S. 15-501. The site is expected to be completed in 2018. The project narrative states that, consistent with current operations, the maximum capacity of the new school is 80 students and 20 teachers/staff and that several enrollment options are available to families resulting in staggered arrival and departure times for students and staff.

**Traffic Analysis:**

The applicant was not required to perform a comprehensive traffic impact analysis by virtue of the original estimate of 372 site trips falling far short of the NCDOT policy threshold of 3000 VPD. In response to NCDOT's request, the applicant provided trip generation and parking demand information based on data collected at the two existing schools on three consecutive days; October 3, 2016 thru October 5, 2016. NCDOT staff utilized this data along with the NCDOT MST A school traffic calculator and analysis models from recently completed traffic studies prepared for the approved Obey Creek mixed use development and the NCDOT roundabout project (U-5854) at the Mt. Carmel Church Road/Bennett Road intersection to assess traffic operations at the site access and nearby significant intersections.

**Methodology:**

NCDOT staff identified the following intersections for assessment:

U.S. 15-501 and Mount Carmel Church Road/Culbreth Road  
U.S. 15-501 and Arlen Park Drive/Bennett Road  
Mount Carmel Church Road and Bennett Road  
Mount /Carmel Church Road and Site Access

NCDOT staff selected the Synchro analysis for the 2022 AM No Build scenario from the Obey Creek traffic study as the baseline for comparison of the build and no-build scenarios for this development. This analysis was previously reviewed by NCDOT and found to be consistent with NCDOT guidelines and is believed to be a conservatively accurate and appropriate representation of expected background traffic operations at the study intersections in the buildout year. Synchro was modified to reflect improvements previously committed by the Town of Chapel Hill and NCDOT; specifically modification of the existing lane configuration on westbound Mount Carmel Church Road at the approach to U.S. 15-501 to provide for dual right turn lanes and a combination through-left turn lane. These improvements are scheduled for installation by Summer 2017.

In review of the raw trip data provided by the applicant, a distinct morning peak hour period between 8:00 A. M and 9:00 A. M was identified with approximately 51 vehicles entering and 39 vehicles exiting with relatively uniform distribution during the peak hour. This data agrees well with independent MST A calculations which estimated 55 vehicles arriving and 45 vehicles exiting during the A.M. peak. As a conservative approach, the MST A trip generation data was selected for use in the analysis.

For the future AM Build scenario, site trips were input into Synchro utilizing distributions from the Obey Creek traffic study. Additionally, the Mount Carmel Church Road/Bennett Road intersection was analyzed as a roundabout utilizing Sidra analysis prepared for the NCDOT roundabout project scheduled for construction in 2018.

**Findings and Requirements:****U. S. 15-501 and Mount Carmel Church Road/Culbreth Road Intersection:**

With implementation of the committed geometric changes to provide dual exclusive right turn lanes from Mt. Carmel Church Road to U.S. 15-501, the intersection is expected to operate at an overall LOS of D and the existing problematic right turn queues are expected to be mitigated so as to not block the proposed site access in the No Build scenario. The addition of site traffic is not expected to significantly impact operation, with only minimal increase in delay and queues noted. No additional improvements are warranted due to anticipated site traffic.

**U. S. 15-501 and Bennett Road/Arlen Park Drive Intersection:**

This intersection is expected to operate at an overall LOS of B in the No Build scenario. The addition of site traffic is not expected to significantly impact operation, with only minimal increase in delay and queues noted. No improvements are warranted due to anticipated site traffic.

**Mount Carmel Church Road and Bennett Road Intersection:**

This intersection was analyzed in both the existing configuration and as a single lane roundabout which is scheduled for construction by NCDOT in 2018. The analysis indicates that the intersection, in the current configuration, would be expected to operate at an overall LOS of C in the No Build Scenario with side streets operating with minimal delay. With the addition of site traffic, the intersection, in the current configuration, would be expected to degrade to an overall LOS of D with significant delay on the eastbound approach on Bennett Road. This is attributable to the expected increase in left turn movements on that approach. The analysis indicates that with construction of the roundabout, the intersection is expected to operate at an overall LOS of A with individual approaches operating at LOS C or better in both the No Build and Build scenarios. Additionally, the analysis indicates that the roundabout is expected to operate at an acceptable level through and beyond the 2040 design year. No additional improvements are warranted to mitigate the anticipated site traffic impacts.

**Mount Carmel Church Road and Proposed Site Access Intersection:**

The proposed right in-right out access is expected to operate at an overall LOS of A. The right turn egress movement is expected to operate at LOS C with an approximate 16 second delay and queuing of 1-2 vehicles. A plot of volumes on the turn lane warrant nomograph published in the NCDOT *Policy on Street and Driveway Access to North Carolina Streets and Highways* indicates that a warrant for a right turn deceleration lane/taper is satisfied. As a condition of the pending driveway permit the applicant shall:

- Construct a two-way right in-right out access with a single ingress lane and a single egress lane with a minimum of 75' internal protected stem.



- Construct a monolithic concrete median island on Mount Carmel Church Road to effectively redirect left turn movements.
- Construct a 100' right turn deceleration taper on Mount Carmel Church Road subject to availability of right of way.

#### Internal Circulation and Parking:

The parking data provided by the applicant indicates that approximately 31 on-site parking spaces will be needed to accommodate daily peak parking demand based on maximums observed during the data collection period at the existing sites. The original site plan indicated that 23 parking spaces were provided. NCDOT staff previously raised concern that, based on the information provided, the site did not provide sufficient parking to meet the anticipated demand. The applicant has since stated that the total number of parking spaces provided will be increased to between 33 and 35 and has developed a traffic operation and parking plan. The plan indicates that student loading and unloading will be accommodated with parents parking on-site in the parking lot and escorting students to and from the building. Teacher/staff parking will be accommodated by a mix of on-site parking and nearby park and ride lots with use of carpooling and transit incentivized. Parent arrival times will be assigned and regulated based on individual enrollment plans to further minimize on-site parking demand. The plan also indicates that staff will be assigned to manage parking lot operations to increase efficiency. The project narrative indicates that special events and gatherings that may result in higher parking demands are held off-site. As a condition of the pending NCDOT site plan approval and driveway permit, the applicant shall:

- Provide a minimum of 31 on-site parking spaces to meet the anticipated demand
- Implement the Traffic and Parking Operations Plan developed for the site and implement modifications to the plan and/or site to ensure internal operations do not adversely affect traffic operation and safety on the adjacent roadway.
- Provide adequate aisle widths to ensure accommodation of unimpeded bypass circulation around parked or queued vehicles within the roundabout and parking lot.
- Provide adequate accommodation of pedestrian circulation to and from the parking areas and the building entrance.

#### Multi-modal and Streetscape Enhancements:

Any locally stipulated multi-modal enhancements including but not limited to sidewalk, bike lanes, bus pull offs, lighting, landscaping etc. on State maintained routes are subject to NCDOT requirements and approval through the encroachment process.

#### General Requirements:

All work within the NCDOT right of way shall meet current NCDOT design and construction standards.

The applicant shall dedicate any additional right of way necessary to accommodate the required road improvements or future improvements as stipulated.

Intersection radii and geometry shall be designed to accommodate turning movements of the largest anticipated vehicle.

All pavement markings shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadway.

The permittee shall be responsible for the installation and relocation of any additional highway signs that may be necessary due to these improvements and shall comply with the requirements of the MUTCD.

It is necessary to obtain an approved driveway permit and/or encroachment agreement prior to performing work on the NCDOT right of way. An approved permit will be issued upon receipt of approved site and roadway plans, inspection fee, and any necessary performance and indemnity bonds.

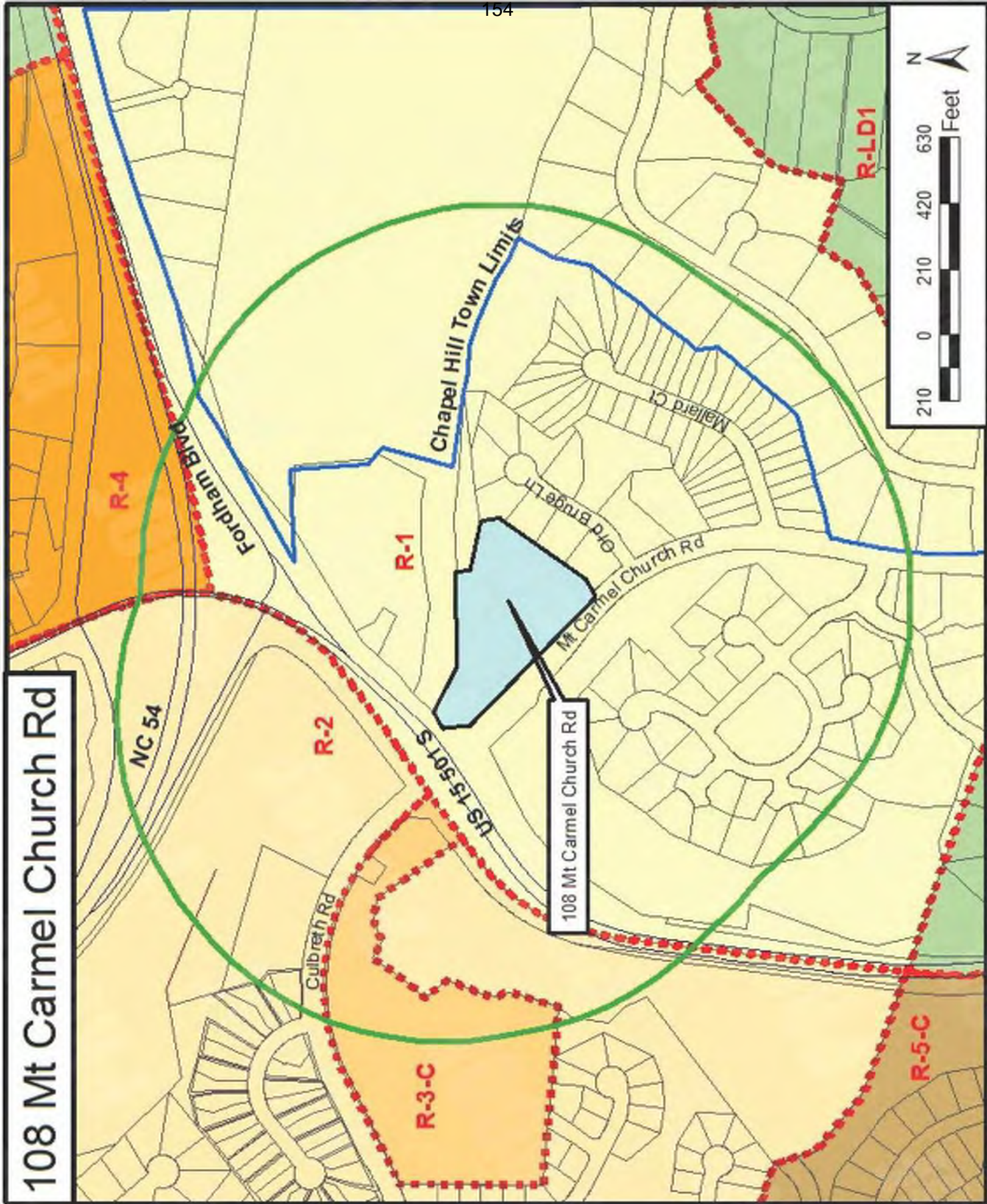
Feel free to contact me if you have any questions

Sincerely,



C. N. Edwards Jr., PE  
District Engineer

Cc: J. M. Mills, PE, Division Engineer  
Dawn McPherson, Division Traffic Engineer  
Doumit Ishak, PE, Regional Congestion Management Engineer  
Town of Chapel Hill



108 Mt Carmel Church Rd

108 Mt Carmel Church Rd

**RESOLUTION A**  
(Approving the Site Plan Review Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-29-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by January 25, 2018, to be completed by January 25, 2020.
2. Land Use Intensity: This Site Plan Review authorizes the following:

<b>Use: Child Day Care Facility:</b>	
Floor Area Permitted	9,000 square feet
Vehicular Parking Spaces	23
Minimum Bicycle Parking Spaces	4
Maximum Impervious Surface	26,684 square feet
Maximum Land Disturbance	39,942 square feet

3. Demolition of existing house: That a demolition permit for demolition of the existing house, or a portion thereof, be submitted and approved, and that the house, or a portion thereof, be demolished within three years of the date of the final Certificate of Occupancy and the property brought into compliance with the floor area requirement. That the use of the house cease prior to Certificate of Occupancy.

Land Disturbance

4. Land Disturbance Survey: That prior to the issuance of a Certificate of Occupancy, it will be necessary to provide a survey confirming the amount of land disturbance associated with all on-site improvements. If land disturbance exceeds 40,000 square feet, the application will require approval of a Special Use Permit by the Town Council.

Access



5. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant 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.

#### Transportation

6. ~~Payment in Lieu for Bicycle Facilities: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a payment in lieu of \$36,575 to the Town of Chapel Hill for the construction of a five-foot wide bike lane on Mt. Carmel Church Rd. along the frontage of the property.~~
7. Dedication of Future Greenway Easement: That the applicant agrees to dedicate a variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek. Conditions of the easement will allow for construction and maintenance of a path that is 10-12 feet in width, with additional room for 3 foot shoulders, retaining walls, drainage structures, and other improvements needed to comply with AASHTO and NCDOT standards. The easement will allow access and use by Town maintenance vehicles and personnel, pedestrians, non-motorized vehicles, and reasonable use of motorized vehicles for those with disabilities. The Final Plans submitted for the Zoning Compliance Permit shall designate the specific location of the area to be dedicated as a variable-width pedestrian and non-motorized vehicle easement. The easement must be recorded prior to issuance of the Zoning Compliance Permit.
8. Acceptance of Future Greenway Easement That the Town agrees to accept the dedicated variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek.
9. Parking Lot/Drive Aisles Town Standards: Prior to a Certificate of Occupancy, the applicant shall construct the parking lot and drive aisles to Town standard, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
10. Bicycle Access and Parking: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details for a minimum of four (4) bicycle parking spaces (four (4) Class II) 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 bicycle parking standards required by the Town Design Manual.
11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit that the applicant submits a Transportation Management Plan for review and approval by the Town Manager. These plans are updated annually and approved by the Town Manager. The plan

shall include an operations plan that addresses 1) access routes to the site to prevent use of Old Bridge Ln. by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) ~~onsite~~ offsite parking management and 4) windows of time for parents to drop-off and pick-up their children. Additional required components of the Transportation Management Plan typically include:

- a. A Transportation Coordinator to communicate and promote alternate modes of transportation;
- b. Submission of an Occupancy Survey due 90 days after building expansion occupancy;
- c. Submission of an updated annual Transportation Management Plan Report;
- d. Submission of Resident, Business and Employee Surveys during survey years; and
- e. Measures to gradually attain the goals of the program.

11.5 The onsite staking of parked cars in the parking lot drive aisle is prohibited.

Landscaping and Landscape Protection

12. Landscape Buffers: That the Landscape Planting Plan demonstrate compliance with the required buffers as described in the chart below:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt. Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

13. Alternate Buffers: That unless the applicant obtains alternate bufferyard approval from the Community Design Commission, that the standard buffers be provided continuously along all property lines. It will be necessary for the Community Design Commission to make the determination that any proposed alternative buffer shall provide the same degree of visual and noise obstruction as the required buffer.

14. Landscape Protection: That a detailed Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit. The plan shall include critical root zones of all rare and specimen trees, and clearly indicate names and species. The plan shall indicate the area and percentage of existing tree canopy on the site to be preserved. The Plan shall also include details showing tree protection fencing around construction limits, areas designated for construction parking, materials staging/storage areas, and shall include Town standard landscaping protection notes.

15. 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.
16. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall meet the required parking landscape requirements in LUMO 5.9.6.

### Environment

17. Steep Slopes Ordinance Compliance: That the final plans application delimit areas containing steep slopes and include construction techniques for areas with steep slopes in accord with Section 5.3.2 of the LUMO
18. Resource Conservation District Encroachment Permit Required: That prior to issuance of a Zoning Compliance Permit that a Resource Conservation District Encroachment Permit application be submitted for review and approval by the Town Manager in accord with section 3.6.3 of the LUMO for work occurring within the Resource Conservation District.
19. Energy Management Plan: That the applicant consider providing an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

### Stormwater Management and Erosion Control

20. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of a Zoning Compliance Permit.
21. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
22. 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.

23. 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.
24. As-Built Plans: That prior to 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 related to infrastructure development, 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.
25. 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.
26. 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.
27. P.E. Certification: 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.
28. 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 Town accepting the streets into its maintenance system.

#### Water, Sewer, and Other Utilities

29. Detailed Construction Drawings: Detailed construction drawings shall be submitted to OWASA for review and approval prior to issuance of a Zoning Compliance Permit.
30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, Time Warner, AT&T or other applicable utility providers and the Town Manager before issuance of a Zoning Compliance Permit.
31. Utility Easement Plats: Prior to issuance of a Zoning Compliance Permit, easement and documentation shall be approved by the Town and OWASA and recorded by the applicant.



32. Lighting Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall submit site plans and other required documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance, including submission of a lighting plan sealed by a Professional Engineer, to be reviewed and approved by the Town Manager. The lighting plan shall also address the requirements of Section 5.11.5 of the Land Use Management Ordinance.

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### Solid Waste Management and Recycling

38. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit a Solid Waste Management Plan for managing solid waste shall be approved by Orange County Solid Waste Management and the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse collection areas, associated screening, gate opening areas, and protective bollards, if applicable.
39. 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.
40. Deconstruction/Demolition: That the applicant shall hold a deconstruction assessment meeting with Orange County Solid Waste Management staff (919-968-2800) concerning the buildings to be removed from this site, with the following note on plans: "Prior to any demolition or construction activity on the site the applicant will hold a deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site. Prior to issuance of a Demolition Permit, the developer shall provide a demolition waste management plan.

### State and Federal Approvals

41. State or Federal Approvals: That prior to issuance of a Zoning Compliance Permit, the applicant shall obtain approval of any required State or federal permits or encroachment agreements from the Town Manager and NCDOT and/or OWASA, where necessary.
42. 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

43. 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.
44. 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.

45. Community Design Commission Approval: That the developer obtain Community Design Commission approval of the alternative landscape buffers, building elevations and lighting, including the location and screening of all HVAC/Air Handling Units and refuse/recycling facility for this project, prior to issuance of a Zoning Compliance Permit.
46. Recombination Plat Recordation: That prior to issuance of a Zoning Compliance Permit an administrative recombination application for the four residential lots into one lot shall be reviewed and approved by the Town Manager and recorded in the Orange County Register of Deeds office.
47. Engineering Construction Permit Required: That following issuance of a Zoning Compliance Permit and prior to beginning land disturbing activity the applicant submit an Engineering Construction Permit application and four (4) sets plans for stamping to the Development Services Division. Contact Engineering and Design Services 919-969-5084 to discuss the requirements of an Engineering Construction Permit.
48. Traffic and Pedestrian Control Plan: That the applicant 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 applicant must apply to the Town Manager for a lane or street closure permit.
49. Construction Sign Required: That the applicant 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. 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.
50. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
51. 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.

52. 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 Planning Commission hereby approves the application for a Site Plan Review for Chapel Hill Cooperative Preschool in accordance with the plans and conditions listed above.

This the 25<sup>th</sup> day of January, 2017.



NORTH CAROLINA)

ORANGE COUNTY)

BEFORE THE CHAPEL HILL BOARD OF ADJUSTMENT

CASE # 18-031

In Re: Appeal of Town Staff Decision: 108 Mt. Carmel Church Road  
Application of Chapel Hill Cooperative Preschool

MEMORANDUM ON BEHALF OF JUDY JOHNSON  
PLANNING AND DEVELOPMENT SERVICES OPERATIONS MANAGER

Introduction

The purpose of this memorandum is to present to the Chapel Hill Board of Adjustment the position of the Town Staff on the appeal of Chapel Hill Cooperative Preschool.

Question Presented

Does the Town of Chapel Hill Land Use Management Ordinance (the LUMO) give the Town Manager the authority to extend the construction beginning date established by a resolution of the Chapel Hill Planning Commission granting Site Plan Approval?

Statement of the Case

This matter comes before the Board of Adjustment as an appeal of a decision by Judy Johnson, Planning and Development Services Operations Manager, acting as designee of the Town Manager (Johnson).<sup>1</sup>

The issue in this specific appeal is whether Johnson was correct, based on terms of the Planning Commission's Site Plan Approval Resolution and the provisions of LUMO, in her memorandum of March 2, 2018, to Maria Dickinson, Chapel Hill Cooperative Preschool, (attached). In that memorandum Johnson stated that the staff was not authorized to accept for processing an application from the Preschool for a Final Plan-Zoning Compliance Permit.

The Board of Adjustment has the authority and jurisdiction under LUMO and N.C.G.S. Sec. 160A-388(b1) to hear this appeal. As the owner of the property which is the subject of the appeal, the Chapel Hill Cooperative Preschool (the Preschool) has standing to file this appeal.

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<sup>1</sup> LUMO defines Town Manager as the manager or his or her designee.

## Factual Background

Although there are a number of complications and a lengthy history to the particular application involved in this case, the specific facts relevant to this narrow issue on appeal are relatively straight forward:

1. On January 25, 2017, the Chapel Hill Planning Commission (the Commission) adopted a resolution granting approval of a Site Plan application for Chapel Hill Cooperative Preschool's plan for 108 Mt. Carmel Church Rd.
2. The Resolution of the Commission approving the Site Plan Application stated that the approval was conditioned on a list of stipulations.
3. The first stipulation listed in the Commission's resolution reads as follows:  
  
**"1. Construction Deadline: That construction begins by January 25, 2018, to be completed by January 25, 2020."**<sup>2</sup>
4. The Preschool did not begin construction by January 25, 2018.
5. The Town staff declined to accept for processing the Preschool's application for a Final Plan-Zoning Compliance Permit because the start date stipulated by the Commission had passed.
6. The Preschool has appealed this Town staff decision to the Board of Adjustment.

## Argument

### Introduction:

The Town staff decision should be upheld because the Town Manager does not have the authority to extend a deadline tied to Site Plan approval set out in a resolution of the Commission. Once that deadline had passed, any extension would need to be granted by the Commission.

### Discussion:

Johnson's determination that the Final Plan-Zoning Compliance Permit Application could not be accepted was consistent with the determination of the Commission and was required by the language in the Town's LUMO.

1. Manager's Authority under LUMO.

The Town Manager has limited and specific authority under the LUMO, as set out in Section 8.6:

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<sup>2</sup> Although, as indicated in the Planning Staff report, this case has a complicated history including a prior appeal by neighbors to this Board of the Planning Commission's Site Plan Approval, the Preschool itself took no action to seek any change to this stipulation at the time it was included in the Commission's Resolution.

8.6. - Town manager.

The provisions of this appendix shall be administered by the town manager or his/her designee. All references in this appendix to "town manager" shall be construed to mean "town manager or his/her designee."

The town manager shall have the following powers and duties in the administration of the provisions of this appendix:

- (a) To grant zoning compliance permits;
- (b) To make inspections of buildings or premises as necessary in the performance of his or her duties in the enforcement of this appendix;
- (c) To make all necessary determinations and interpretations as required by this appendix; and
- (d) To propose and promulgate administrative regulations necessary to implement the provisions of this appendix.

Under no circumstance is the town manager permitted to make changes in this appendix or to grant exceptions (a) to the actual meaning of any clause, standard, or regulation contained in this appendix, or (b) from any clause, standard, or regulation contained in this appendix. The town manager does not have authority to approve exceptions to or vary from any regulations stated in this appendix.

As explained in Johnson's memorandum of March 2, 2018 the LUMO does not include any provision allowing for the manager to grant an extension of a construction deadline established by the Commission approving a Site Plan Application. Johnson goes on to explain in that memorandum that a change to this stipulation does not fall within the definition of a minor change which the Town Manager can approve. Accordingly, Johnson advised the Preschool that the request for an extension should be made to the Commission.

2. LUMO Provisions.

Under 4.7.1 of the LUMO, Site plan review and approval by the Commission is required prior to issuance of a zoning compliance permit for this project. LUMO 4.7.1

The Commission takes final action on an application and may approve an application subject to reasonable conditions. LUMO 4.7.2(b)

In this case, the Commission acted on January 25, 2017 to approve the Site Plan application with conditions.

Under 4.7.5 of LUMO, the Town Manager is authorized to approve minor changes to plans approved under site plan review:

*4.7.5. Minor Changes to Approved Site Plans.*

The town manager may approve minor changes to plans approved under site plan review as long as such changes continue to comply with the approving action of the planning commission and all other applicable requirements. The town manager shall not have the authority to approve any substantial changes to plans approved under site plan review

unless such changes are specifically required by a condition of approval. If a substantial change is proposed, the town manager shall require the filing of an application for approval of the modification. An application for modification of a zoning compliance permit shall be reviewed in accord with the procedures established in subsections 4.7.1 and 4.7.2.

In this case, the specific time period is set out by the Commission's resolution. An amendment to that time period would constitute a change that would not "comply with the approving action of the planning commission" and, accordingly, cannot be authorized by the Town Manager.

After the Commission has approved a Site Plan application, the applicant is to submit final plans to the Town Manager for approval. LUMO 4.7.3.

#### *4.7.3. Actions Subsequent to Decision.*

In the case of approval or approval with conditions, the applicant shall subsequently submit final plans to the town manager for approval, in a form and content prescribed by the town manager. Approval of such plans shall be based on compliance with all applicable regulations and requirements, including all conditions attached to the site plan approval. After final plan approval, the town manager may issue a zoning compliance permit.

No deadline for submittal of final plans, following Site Plan approval, is provided in the LUMO.

Under 4.7.6 of the LUMO, an applicant has 12 months to start construction after approval authorized by a zoning compliance permit.<sup>3</sup>

#### *4.7.6. Expiration of Site Plan Review Approval.*

##### *(a) Starting time limit.*

If the use, construction, or activity authorized by approval of an application for a zoning compliance permit or modification of zoning compliance permit is not started within twelve (12) months of the date of approval, or within such further time stipulated in the approval, the approval shall expire and any town permit issued pursuant to the approval shall be void. The town manager may grant a single extension of the starting time limit for up to twelve (12) months, unless he/she determines that paramount considerations of health, the general welfare, or public safety require planning commission re-approval. The town manager shall determine whether the use, construction, or activity has started.

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<sup>3</sup> Although 4.7.6 is titled "Expiration of Site Plan Review Approval", the text of the section refers to time limits based on approval of a zoning compliance permit, not a site plan. Captions of Sections are by law generally not considered part of the text of a regulation. See *Town of Blowing Rock v. Gregorie*, 243 N.C. 364, 371, 90 S.E.2d 898, 903-04 (1956) In this case, reference to the caption is unnecessary because the text of this section specifically says what time limits are established by the LUMO which can be extended by the Town Manager. When there is not language in LUMO to authorize the Town Manager to extend a time period, the language in the Commission's resolution should control. The Commission, as the body which established the time limit in this case, should be the body which is asked to grant any extension.



3. Johnson's determination.

The Town Manager is specifically authorized by Section 4.7.6 to grant an extension of time to start after an application of a zoning compliance permit has been issued, but not after site plan approval and before issuance of a zoning compliance permit. Johnson correctly concluded that she, on behalf of the Town Manager, could not continue to process an application for a zoning compliance permit because the construction starting period set by the Commission had passed without the initiation by the Preschool of construction.

**Summary of Staff Reasoning**

1. The resolution of the Planning Commission set out a specific deadline for construction to begin following approval of the Preschool's Site Plan Application.
2. The Town's Land Use Management Ordinance does not authorize the Town Manager to extend a time limit set by the Commission linked to approval of a Site Plan Application.
3. The Town Manager does not have the authority to revise the express wording and limits to the Town Manager's own authority set out in the LUMO.
4. Inasmuch as the Commission approved the Site Plan and included the start deadline, the Commission should be the body asked to grant any extension of that start deadline.
5. In the absence of any LUMO authority to permit the Town Manager to take action to extend the start date in this case which was expressly established by the Commission, Johnson was correct in declining to accept the application for a zoning compliance permit until the Site Plan had been revived by action of the Commission.

**Conclusion**

Wherefore, on behalf of Johnson, the undersigned respectfully asks the Board of Adjustment to affirm Johnson's determination that the Town staff is not able to accept an application for Final Plan-Zoning Compliance Permit at this time from the Preschool.

This the 24<sup>th</sup> day of April, 2018.

Ralph D. Karpinos

Ralph D. Karpinos  
Chapel Hill Town Attorney