



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705
phone (919) 968-2728
 www.townofchapelhill.org

THIS CERTIFIES THAT A
DEVELOPMENT AGREEMENT COMPLIANCE PERMIT
HAS BEEN ISSUED TO

Name of Permittee: Dillon Smith, Ballentine Associates on behalf of Glen Lennox Apartments South, LLC

Name of Development: Link Apartments Calyx II – Glen Lennox Block 4 (Project #22-007)

Date: October 14, 2022

For: Phase 1 of development of an apartment building on Block 4 of Glen Lennox Property, between Maxwell Road and Hamilton Road, south of Berkley Road Extension

Additional Impervious Surface	-33,639 SF post-construction
Land Disturbance	309,000 SF (7.09 acres) overall

All work to be completed in accord with the approved plans approved on October 13, 2022, on file in the Chapel Hill Planning Department.

Location: Glen Lennox Blocks 4 (Orange County Property Identifier Number 9798268189)

Zoning: Residential-3 (R-3)

NOTE: **Keep this document onsite for the duration of construction. Convey this permit and conditions to appropriate members of the development and construction teams so that all required conditions are addressed at the appropriate time.**

Expiration: **Construction must begin within one year (October 13, 2023).**

Urban Forestry Conditions

1. In any areas where disturbance is proposed in the critical root zones additional care will be required in order to properly care for the maintained trees. All impacted roots should be cleanly severed with a sharpened root pruning tool/saw where adjacent demo or reclamation

work is proposed (Ex. Sawcut and removal of concrete sidewalks). Air spades are strongly encouraged to ensure that roots are exposed to minimal damage during the demo phase. Any excavation or removal of the sidewalk portions or any demo or reclamation work should be directed away from any critical root zones. Any equipment used that might impact existing canopy and/or limbs during demolition should be operated with special care to maintain the existing canopy of the trees.

General Conditions

2. Any increase of land disturbance or impervious area that occurs as a result of construction over the permitted amount shall require a revised stormwater management report and plan, signed and sealed by a North Carolina-registered Professional Engineer, which shall be submitted to the Town Stormwater Engineer for review and approval prior to the issuance of a Certificate of Occupancy. [LUMO 5.4]
3. Additional post-construction drainage controls may be required if the runoff from the site is not discharged in a non-erosive and diffuse manner. The owner may be liable if adjoining properties receive substantial damage due to discharge of runoff from the property. [LUMO 5.4]
4. Sediment Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry sediments on adjacent roadways. [Town Code 5-86]
5. Erosion Control Inspections: In addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and maintain inspection logs documenting the daily inspections and any necessary repairs. [Orange County Erosion Control]
6. 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. [Town Code 5-98]
7. Storm Drain Inlets: The developer shall provide pre-cast inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-4A, SD-5A, SD-5C include all applicable details*, for all new inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]
8. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town of Chapel Hill Design Manual]
9. Stormwater Structure Locations: No stormwater structures are permitted in the building setbacks. Structures include pipe ends, flared end sections, underdrains, inlet structures, outlet structures, control structures, flow dissipation measures such as rip-rap aprons or stilling pools, rock splash pads, concrete splash blocks, and the downgradient toe of French drains. [LUMO 3.8]

10. The stormwater management facility(ies) shall be maintained by the property owner in accordance with the recorded Operations and Maintenance Plan. The breakdown of impervious treated on this site are as follows: 25,484 sq. ft. in the storm filter in Block 9A; Permeable Pavement SCM #1 treats 22,325 sq. ft. and Permeable Pavement SCM #2 treats 9,089 sq. ft. [LUMO 5.4]
11. Annual Report: An original inspection report shall be provided to the Town beginning one year from the date of the recorded inspection, operation, and maintenance plan and each year thereafter on or before that date recordation. The owner shall provide evidence of the renewal of the maintenance bond or surety or a certified statement of the escrow account.
12. Performance Guarantee: A performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirement of Section 4.9.3 of the Land Use Management Ordinance prior to the approval of final plat recordation. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping with size at least 12 inches and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

Upon completion of the storm water control measures(s) and related stormwater improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall submitted by the developer prior to the issuance of Certificate of Occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the stormwater control measures and conveyance to determine that they are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control measures(s) and conveyances are performing as required by this Ordinance, and after any repairs to the storm water infrastructures are made by the owner, shall release the remaining maintenance bond.

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the

stormwater infrastructure as required by the Town's Land Use Management Ordinance. [LUMO 4.9.3]

Prior to Land Disturbance Conditions

13. Erosion Control Bond: If one acre or more is to be uncovered by land-disturbing activities for the project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [Town Code 5-98]
14. A preconstruction meeting shall be held with the Stormwater Management Division on-site prior to land disturbance. Please contact the Stormwater Management office at 919-969-7246 to schedule the meeting at least 10 days prior to initial land disturbance.

Stormwater & Engineering Conditions

15. In compliance with the Noise Ordinance, Town Code Section 11-40, construction operations for which building permits have been issued, be limited to 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends.
16. Prior to any traffic lane/sidewalk closures, it will be necessary to contact the Chapel Hill Traffic
17. Engineering Division at 919-969-5093, at least 5 working days before the proposed work to apply for a lane and/or sidewalk closure permit.
18. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. The property owner shall dedicate Sight line easements and the easements recorded with the Orange County Register of Deeds. [Town Design Manual].
19. Prior to commencing site work, an Engineering Construction Permit shall be obtained, and all bonds approved by the Town of Chapel Hill Public Works Department. Please contact James Huggins at 919-969-5088 for the Engineering Construction Permit and bond approval.
20. An Orange County erosion control permit shall be obtained. Best practices for erosion control must be used. Silt Fencing and construction drive shall be inspected prior to land disturbing activity. Call the Stormwater Management Division at 919-969-7246 for a preconstruction meeting on-site.
21. A preconstruction meeting shall be held with the Stormwater Management and Engineering Division on-site after perimeter erosion control measures are installed and prior to land disturbance. Please contact the Stormwater Management office at 919-969-7246 to schedule the meeting at least 10 days in advance.
22. Additional post-construction drainage controls may be required if the runoff from the site is not discharged in a non-erosive and diffuse manner.

23. No portion of the drainage system may be located within the setbacks or rights-of-way.
24. Any modification to approved plan and design calculation will require Stormwater Management Division approval.
25. An erosion control surety bond shall be submitted to the Town of Chapel Hill Engineering Division prior to start demolition work.
26. Prior to any lane/sidewalk closure contact Dale May with the Traffic Engineering Division at 919-969-5096
27. The owner may be liable if adjoining properties receive substantial damage associated with the discharge of runoff from this property.

Council Approval

April 21, 2021

Administrative – Zoning Compliance Permit

October 14, 2022

A handwritten signature in black ink that reads "Anya E. Grahn". The signature is written in a cursive, flowing style.

Issued by: Anya Grahn, Principal Planner