



**TOWN OF CHAPEL HILL**  
**Planning & Sustainability Department**

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

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

**THIS CERTIFIES THAT A**  
**CONDITIONAL ZONING COMPLIANCE PERMIT**  
**FOR DEMOLITION AND CONSTRUCTION**  
**HAS BEEN ISSUED TO**

**Name of Applicant:** Gordon Merklein, UNC Real Estate Development

**Name of Development:** Carolina Square, formerly 123 West Franklin Street

**For:** **Zoning Compliance Permit-1 / Phase I** – Demolition and construction on the South site including a new signalized intersection on Cameron Ave, with sidewalk and lane closures, including a driveway connection at Granville Towers and modifications to the drive aisle/parking areas with restriping. Full access to Cameron Ave. will be constructed prior to restricting access to existing access points on W Franklin St.

**Phase II** - Demolition activity on the Carolina Square-North site including removal of 5 existing buildings, retaining walls, and sidewalks along the West Franklin Street frontage and site preparation for proposed construction of the Carolina Square development as specified in Zoning Compliance Permit-2 (North), as well as a temporary pedestrian crosswalk as noted on ZCP-2 plans. Work to include closure of public access on Franklin Street with 2 construction entrances.

All work to be completed in accord with approved plans (Tracking #OHZ51V, Project Nos. 12-028 and 11-0226), dated 8/5/2014, last revised 2/17/2015, on file in the Chapel Hill Planning & Sustainability Office.

All ZCP-1 phases to precede ZCP-2 construction on the Northern site.

**Location:** 123 and 125 West Franklin St. and identified as Orange County Property Identifier Numbers 9788-26-8572.001, 9788-26-8572.002, 9788-26-8572.003, and 9788-26-8572.004.

**Zoning:** Town Center-3-Conditional (TC-3-C), Town Center-2 (TC-2) and Office Institutional-1 (OI-1)

**NOTE:** **This permit includes detailed conditions that must be met prior to 1) any site work, 2) prior to closure of West Franklin Street public access, 3) work in the public right-of-way, and 4) prior to issuance of the first Certificate of Occupancy. Please convey this Zoning Compliance Permit and its detailed conditions to appropriate members of the development and construction teams so that required conditions can be satisfied in advance of proposed site work.**

**Conditions Prior to Beginning Site Work:**

1. Prior to beginning site work, the applicant shall provide revised plan sheets that satisfactorily address comments from the March 3 Technical Review Team Meeting, including:
  - A. Streetscape revisions requested by Emily Cameron, Public Works;
  - B. Hydrant relocation, (move hydrant near Granville West to the North, on appropriate plan sheet) as directed by Todd Jaeger, Fire Department; and
  - C. Add note with detailed bicycle parking counts for class I and II bicycle parking spaces, with totals, to plan sheet H1.03N, or other bicycle parking sheet as appropriate, as requested by Phil Mason, Development Services.

Once revised sheets are approved a complete revised planset (with a new revision date on the cover sheet) should be provided to Phil Mason in digital format, and with one hardcopy full-size and one half-size planset.

2. Prior to commencing land disturbing activity, the applicant shall provide a performance bond for disturbing one-acre or more. Please contact Larry Tucker in the Engineering field Operations Division (919-969-5084). This financial guarantee is intended to cover the costs of restoration of failed or failing soil erosion and sedimentation controls, and/or to remedy damages resulting from land-disturbing activities, should the responsible party or parties fail to provide prompt and effective remedies acceptable to the Town.
3. Prior to commencing land-disturbing activity, the applicant shall provide a \$5,000 signal timing fee for retiming signals in proximity to the site.
4. Prior to beginning site work, the applicant shall provide a updated letter from the private collection contractor for solid waste and recycling collection services, verifying horizontal and vertical clearances for access to waste and recycling facilities, referencing the date and sheet number of the appropriate approved plan sheet.
5. Prior to beginning site work, the applicant shall provide and obtain approval of a revised fire flow report per instructions form the Fire Department and Engineering Division (i.e. 2,500 gpm @ 20 PSI).
6. Prior to beginning site work, the applicant shall obtain all necessary permits from the Town of Chapel Hill Inspections Division.
7. Prior to beginning site work, including demolition, conference(s) shall be held with:
  - a. The Town of Chapel Hill Engineering & Design Services Department Field Operations Division (919-969-5084);
  - b. The Town of Chapel Hill Stormwater Management Division (919-969-7246);
  - c. The Orange County Erosion Control Division (919-245-2575);
  - d. The Orange County Solid Waste Department (919-996-2788);
  - e. The Town of Chapel Hill Urban Forester (919-969-5116);
  - f. The Town of Chapel Hill Inspections Division; and

- g. The Town of Chapel Hill Office of the Fire Marshal Life Safety Division (919-968-2781).
- 8. Prior to beginning site work, the applicant shall submit 3 sets of plans to the Town of Chapel Hill Engineering Division for an Engineering Construction Permit approval and stamping.
- 9. Prior to beginning site work, the developer shall notify students in Granville Towers of impending demolition and construction activity.
- 10. Prior to beginning site work, and staging of materials or equipment on abutting properties the applicant shall provide documentation of approval from the affected property owner(s).
- 11. Prior to beginning site work, the applicant shall post a construction sign that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information, prior to the commencement of any land disturbing activities. The construction sign design shall be in accordance with Section 5.14.3(g) of the Land Use Management Ordinance.

**Prior to Closure of West Franklin Street Site Access**

- 12. Provide confirmation that Cameron Avenue driveway/access is functional prior to any closure of access off of West Franklin street.

**Prior to Work in the Public Right-Of-Way**

- 13. Prior to beginning work in the public right-of-way, the applicant shall provide a performance bond to insure the construction and installation of the improvements in accordance with the standards and provisions approved by the Town. Please contact Larry Tucker in the Engineering field Operations Division (919-969-5084).
- 14. Prior to work in the public right-of-way, the applicant shall obtain an encroachment agreement from the Town. Please contact Mike Taylor (919-969-5083).
- 15. Prior to installing traffic signals or related equipment in the Cameron Avenue public right-of-way, contact the Town for tree pruning, as needed. Please contact Emily Cameron (919-969-5114). *No tree removals are allowed in the public R/W for installing guy wires/anchors.*
- 16. Only one 10" cherry tree is approved for removal on the south side of Cameron Avenue between the curb and sidewalk.

**Miscellaneous Conditions**

- 17. No construction-related parking is allowed in residential neighborhoods.
- 18. The applicant shall design, build, and install the minimum handicapped parking spaces and all other associated infrastructure according to the Americans with Disabilities Act, North Carolina Building Code (NCBC), American National Standards Institute (ANSI) Code, and the Town of Chapel Hill standards. Where a sign is required by code, it must conform to


signage standards per NCBC, ANSI, or MUTCD (Manual on Uniform Traffic Control Devices), whichever is most restrictive.

19. Prior to any traffic lane closures, it will be necessary to contact the Town of Chapel Hill Traffic Engineering Technician (919-969-5085), at least 5 working days before the proposed work to apply for a lane closure permit.
20. 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 of Chapel Hill Land Use Management Ordinance, Erosion and Sediment Control Ordinance, and state law.
21. Additional post-construction drainage controls may be required if the runoff from the site is not discharged in a non-erosive and diffuse manner.
22. The owner may be liable if adjoining properties receive substantial damage associated with the discharge of stormwater from this property.

**Prior to Issuance of a Certificate of Completion**

23. Prior to a issuance of a Certificate of Completion, the applicant shall provide to the Town of Chapel Hill a \$30,000 payment-in-lieu of drainage infrastructure on the Cameron Avenue frontage, as agreed to at the February 11, 2015 site meeting.
24. Prior to issuance of a Certificate of Completion, the applicant shall complete the following at least three (3) days in advance of requesting the Zoning Final Inspection:
  - a. Submit certified as-built plans, signed and sealed by a North Carolina-registered Professional Land Surveyor, to the Town of Chapel Hill Inspections Division and the Town of Chapel Hill Stormwater Management Engineer showing parking lots, drive aisles, street improvements, building footprints, and all other impervious surfaces with a tally of the constructed impervious area, as well as building heights and any drainage/conveyance piping and structures. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88,
  - b. Contact the Town of Chapel Hill Engineering and Design Services Division (919-969-5084) to schedule a final engineering and drainage inspection, and
  - c. Contact the Town of Chapel Hill Inspections Division (919-968-2718) to schedule a Zoning Inspection.
25. Prior to issuance of a Certificate of Completion, the applicant shall record a right-of-way dedication plat for approval by the Town Manager to dedicate public right-of-way, where necessary, along the Cameron Avenue frontage to accommodate infrastructure design and configuration as provided in the approved Zoning Compliance Permit plans.
26. Prior to issuance of a Certificate of Completion, the applicant shall provide an easement plat for recordation, after Town review and approval, for traffic equipment and pavement marking of the Cameron Avenue / proposed driveway intersection.

27. Prior to issuance of a Certificate of Completion, the applicant shall record a plat, to reserve a 32.8-foot wide strip of land, measured from the eastern property line, for the future dedication of a public right-of-way intended for two travel lanes and parking on the west side of the street. The applicant shall be required to reserve the right of way for a period of 30 years from the date of the Special Use Permit approval. The right-of-way is to be conveyed to the Town of Chapel Hill or assigns when provisions for a through street connection between Franklin Street and Cameron Avenue have been acquired by the Town or North Carolina Department of Transportation. At such time that the West Franklin St / Cameron Avenue connection is established, the right-of-way shall be dedicated to the public. Prior to recordation, the right-of-way reservation plat, including the design and location of the right-of-way, shall be reviewed and approved by the Town Manager. Should an alternate right-of-way be approved by the Chapel Hill Town Council that connects West Franklin Street and Cameron Avenue, through the 123 West Franklin Street site, this stipulation requiring right-of-way on the eastern property line may be waived by Council.
  
28. Prior to a issuance of a Certificate of Completion, it will be necessary to repair all damage for work in the public right-of-way related to the construction of this project, which may including pavement milling and overlay. The design must be reviewed and approved by the Town Manager prior to a Zoning Compliance Permit.
  
29. Prior to the issuance of a Certificate of Completion, the applicant shall provide certified as-built plans, limited to the disturbed area for this site, for parking lots, street improvements, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.
  
30. Prior to the issuance of a Certificate of Completion, 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.

Council - Special Use Permit Approval	February 11, 2013
Administrative – Zoning Compliance Permit	March 9, 2015
 Issued by Phil Mason, AICP	