

Final Plan – Zoning Compliance Permit

For:



Sorority House

219 East Rosemary Street
Chapel Hill, NC

PINs: 9788-48-5227 & 9788-48-4398

Applicant:

UNC Chapel Hill Alpha Phi House Corporation
1930 Sherman Ave.
Evanston, IL 60201
(502) 568-7951

Civil Engineer:



**Ballentine
Associates, P.A.**

221 Providence Road
Chapel Hill, NC 27514
(919) 929-0481

Architect:



ARCHITECTS
308 West Rosemary Street
Chapel Hill, N.C. 27516
919-929-7595 Fax 919-967-9636

Landscape Architect:



614 Morgan Creek Road Chapel Hill,
NC 27517
919-270-3731

Issue Dates Description

24 Aug 2018 ZCP Submittal #1
05 Dec 2018 ZCP Submittal #2

PROJECT NARRATIVE

Alpha Phi owns two lots located at 219 East Rosemary Street and 205 Friendly Lane, Chapel Hill and these two lots are indicated on the accompanying site plans. The East Rosemary Street lot was originally constructed as a single-family home and has been used for over 20 years as a sorority annex for other sororities or a congregate living facility leased to 4 to 6 women. Alpha Phi plans to expand the existing structure into a new sorority housing 26 to 30 women. Alpha Phi has expressed the strong desire for a sorority house with traditional design elements that is consistent with several of the other sorority houses in this district.

The rectangular shaped property is approximately 0.54 acres and consists of two existing lots, each with existing single-family homes. The larger lot is approximately 0.36 acres and fronts on East Rosemary Street. The smaller lot to the north is approximately 0.18 acres and has access off Friendly Lane. The developer plans to expand the existing 2 story structure located on the larger lot into a sorority house. The one-story home located on the smaller lot will be relocated. The site slopes to the northwest away from East Rosemary Street & Friendly Lane. The western edge of the building site is home to the Alpha Chi Omega Sorority. The eastern boundary of the building site is bordered by Friendly Lane. The northern boundary of the site is bordered by a duplex cottage and the southern boundary is bordered by East Rosemary Street.

There are three existing gravel driveways off Friendly Lane; one for each existing residence and a third for access to an existing gravel parking area. The existing drives will be removed, and a new vehicular access to the site will be through a new paved driveway connection to Friendly Lane. The developer plans to construct a parking lot, the majority of which will be located underneath the proposed building. A refuse and recycling area will be located beneath the building as well. Pedestrian circulation through the site will be made feasible by a series of walkways.

An underground stormwater facility has been designed in the northwest corner of the property. Water and sanitary sewer service connections will be made to existing Orange Water & Sewer Authority facilities located within the East Rosemary Street right-of-way.

The proposed building location is a northern extension and addition to an existing structure. Pedestrian access is from East Rosemary Street. Adequate parking is proposed. The parking area is designed to accommodate this proposed facility but not provide excessive parking or impervious surface.

STATEMENT OF COMPLIANCE WITH SUP STIPULATIONS **(PER RESOLUTION A – 25 Oct 2017)**

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated July 27, 2016, last revised August 25, 2017 (and on file in the Chapel Hill Planning Department), with the following modification of regulations:

1. Table 5.6.6.1: Reduced eastern landscape buffer yard (Friendly Lane) from the required 15 feet to 10 feet.

Response: Acknowledged.

2. Table 5.6.2(d): Section 5.6.2(d): Reduced planting requirements from those specified in the design manual as follows:
 - On the south side of the Friendly Lane driveway provide three large trees (10 required), 6 small trees (14 required), and 40 shrubs (26 required) and
 - On the north side of the driveway provide two large trees (4 required), three small trees (5 required), and 10 shrubs (10 required). Driveway movement requires that one tree be shifted from the south side of the driveway to the north side.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as these two proposed modifications to the Friendly Lane landscape buffer will not negatively impact the environment or aesthetics. The reduced landscape buffer yard and plantings along Friendly Lane accommodate the Fire Department's requirement for a 5-foot sidewalk, the Historic District Commission's interest in a side porch, as well as descriptions of the district setting described in the Design Guidelines for the Chapel Hill Historic Districts.

Section 5.6.4: Allow a trellis with stone pillars and a low rock wall to encroach into the Friendly Lane landscape buffer. The applicant proposes a six-foot encroachment for the trellis and pillars. The rock wall proposes a one-foot encroachment. The trellis will be replaced by a low ornamental metal gate as per the HDC recommendations. I would like to reduce the wall height to 12" to avoid site distance complications with 18" columns as originally noted. No stone columns will be used to mount the gate as the proper mounting height for the gate would interfere with the site distance if made of stone.

Allow a rock wall to encroach into the landscape buffer along East Rosemary Street by one foot.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the trellis provides an overhead transition from the house to the sidewalk and adds to the appearance of the side of the house. The low rock walls are a familiar feature of many properties in the historic district and should be preserved and rebuilt when possible.

Response: Acknowledged.

STIPULATIONS SPECIFIC TO THE
ALPHA PHI SORORITY

1. Construction Deadline: That construction begin by October 25, 2019 (2 years from the date of approval), to be completed by October 25, 2021 (4 years from the date of approval). [LUMO 4.5.5]

Response: Construction is scheduled to start immediately following ZCP approval.

2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Sorority Dwelling	
Gross Land Area	25,693 square feet
Total Floor Area Allowed	7,750 square feet
Maximum Vehicular Parking Spaces	11
Minimum Bicycle Parking Spaces	12
Total Impervious Surface Area Allowed	10,308 square feet
Number of Residents	31

[LUMO Articles 3.4.5]

Response: The above intensities are consistent with the ZCP plans. Note that we are proposing impervious surface area of 10,202 SF, however the stormwater control measure has been conservatively designed to accommodate an allowance of 598 SF of additional impervious area.

3. Minimum Floor Area Requirement: Section 6.3 of the Land Use Management Ordinance requires that Fraternity and Sorority houses have a minimum of 250 sq. ft. of floor area for each resident. The sorority proposes to have 31 residents and 7,750 sq. ft. of floor area. A minimum of 7,750 sq. ft. of floor area would be needed for 31 residents.

Response: Acknowledged; 7,750 SF of floor area will be constructed.

Access and Transportation

4. Friendly Lane Improvements: Prior to issuance of a Certificate of Occupancy, the developer shall improve Friendly Lane along the property frontage to provide a 16-foot-wide public alley with full asphalt overlay measured from the edge of pavement on the east side of Friendly Lane to the face of a 24-inch curb along the west side of Friendly Lane. The developer shall also construct a five-foot-wide concrete sidewalk to Town standard along west side of Friendly Lane along the full length of the site frontage and dedicate sufficient public right-of-way along the Friendly Lane frontage to provide a right-of-way line one foot behind the proposed sidewalk. [LUMO 4.5.2]

Response: Friendly Lane improvements will be constructed, and additional right-of-way dedicated as described above. Per Town of Chapel Hill Fire Department requirements, a roll curb and heavy-duty sidewalk will be installed along the western edge of Friendly Lane.

5. Accessibility across Friendly Lane: Prior to issuance of a Certificate of Occupancy, the developer shall reconstruct the Friendly Lane intersection with Rosemary Street to provide American with Disabilities Act (ADA) compliance accessibility across Friendly Lane. [LUMO 4.5.2]

Response: A new concrete driveway will be constructed at the Friendly Lane & East Rosemary intersection and new accessible ramps with detectable warning domes per Town standard details will be provided.

6. East Rosemary Street Sidewalk: Prior to issuance of a Certificate of Occupancy, the developer shall construct a five-foot-wide sidewalk (brick or Chapel Hill gravel (grit), subject to approval of the Historic District Commission) along the property frontage along East Rosemary Street. The developer shall dedicate sufficient public right-of-way along the East Rosemary Street frontage to provide a right-of-way line one foot behind the proposed sidewalk. The developer shall provide any easement necessary to avoid removal of significant trees where possible. [LUMO 4.5.2]

Response: A new 5' wide Chapel Hill gravel sidewalk with variable width grass strip is proposed along the East Rosemary Street frontage.

7. Low Vision Design Features: Pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]

Response: Acknowledged; pedestrian facilities (accessible ramps) will have detectable warning domes per Town Standards.

8. Electric Car Charging Station: Prior to issuance of a Certificate of Occupancy, the applicant shall dedicate two electric car charging parking spaces (one charging station) and lay conduit for future electric car station expansion during the parking lot configuration. [LUMO 5.9.2]

Response: Acknowledged. An electric car charging pedestal is shown underneath the building, between the accessible parking space and the space immediately to the north of the HC space. The pedestal will have dual charging capabilities and will be protected from moving vehicles by bollards. Additional conduit will be provided (see architectural plans) for future dedicated electric car charging spaces.

Landscaping and Elevations

9. Landscape Bufferyards: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a site plan that includes the following landscape bufferyards:

Location	Buffer Type
Eastern Property Line	10-Foot Buffer and reduced plantings and widths
Northern Property Line (Single Family Residential)	20-Foot Internal Type "C"
Western Property Line (Alpha Chi Omega Sorority)	10-Foot Internal Type "B"
Southern Property Line (East Rosemary Street)	15-Foot External Type "A"

Response: Landscape buffer yards in compliance with the above table are shown on the Site and Landscape Plan. Several minor adjustments to the location of the trees and shrubs were necessary to accommodate grading and drainage. No changes of quantities from the SUP were necessary.

10. Alternative Buffers: Prior to issuance of a Zoning Compliance Permit, the developer shall obtain Historic District Commission approval for any alternative buffers. [LUMO 8.4.6]

Response: Acknowledged; the COA was approved by the Historic District Commission on January 9, 2018.

Public Art

11. Public Art: The developer is encouraged to work with the Town of Chapel Hill Public Arts Officer to develop a public arts plan. [LUMO 4.5.2]

Response: The design team is in communication with the Town Public Arts Officer to develop a public arts plan for the project.

Environment

12. Cross Drainage Easement and Maintenance Agreement: Prior to issuance of a Zoning Compliance Permit, the developer shall provide documentation of a cross drainage easement and maintenance agreement with the adjacent owner (Alpha Chi Omega) for connection to the private storm sewer system and the agreed upon standards of construction. [LUMO 4.5.2]

Response: Attached please find a copy of the Agreement for Storm Drainage and Stormwater Maintenance Easement on record at Orange County Register of Deeds in Deed Book 6386, Pages 547-557.

13. Energy Mangement Plan: That prior to issuance of a Zoning Compliance Permit, the developer shall provide an Energy Management Plan (EMP) for Town approval. The plan shall incorporate a “20 percent more energy efficient” feature to outperform the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) energy efficiency standard in place at the time of approval. The developer shall provide, by the Certificate of Occupancy date, a letter sealed by a licensed professional engineer showing the anticipated energy performance of the buildings, as designed and built, satisfies the “20 percent more energy efficient” expectation. [LUMO 4.5.2]

Response: The Energy Management Plan is in development and will be submitted shortly under separate cover.

14. Storm Sewer System Agreement: Prior to issuance of a Zoning Compliance Permit, the developer shall provide documentation of agreement(s) with Alpha Chi Omega for connection to a private storm sewer system and agreed upon standards of construction.

Response: The storm sewer system agreement language is incorporated in the document on record in Deed Book 6386 Pages 547-557 as noted in response to stipulation #12.

Solid Waste

15. Private Solid Waste Collection: Prior to issuance of a Zoning compliance Permit the developer shall provide a letter from a private solid waste collection indicating they will service the site on-site and not in the public right-of-way. [LUMO 5.13]

Response: A letter from a private solid waste collection vendor will be provided to Orange County Solid Waste Management Department and the Town under separate cover.

Miscellaneous

16. Public Safety Survey: Prior to issuance of the Certificate of Occupancy, the developer shall hold a security survey with the Police Department to identify and consider opportunities for public safety improvements. [LUMO 4.5.2]

Response: Acknowledged; the developer will meet this requirement prior to C of O.

STANDARD STIPULATIONS

Access and Transportation

17. Performance Bond: Prior to performing any work in the public right-of-way, the developer shall contact the Town's Engineering and Design Services Division to submit a performance bond for 125% of the estimated construction cost, schedule a preconstruction conference, and apply for an Engineering Construction Permit. [LUMO 4.5.2]

Response: Acknowledged, an ECP will be obtained prior to construction in the R/W.

18. Off-site Construction Easements: Prior to performing any land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]

Response: Acknowledged; as noted in response to Stipulation #12, attached please find a copy of the Agreement for Storm Drainage and Stormwater Maintenance Easement on record at Orange County Register of Deeds in Deed Book 6386, Pages 547-557. Incorporated in this agreement is documentation of approval from Alpha Chi Omega to perform the necessary construction on their property.

19. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped parking spaces and design all required 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.

- Parking - number of spaces to comply with NCBC 2012 section 1106.1, 1 per 6 compliant spaces or portion thereof must be van accessible, No slope to exceed 2% in any direction. Signage per NC requirements, MUT-CD and ICC A 117.1.
- Curb cuts and accessible routes Per ICC A117.1 2009 Ed. Cross slope limited to 2%, call for inspection before placement of concrete.
- Slope greater than 5% requires construction as a ramp. [LUMO 5.9.5]

Response: Acknowledged; the site design is in compliance with Stipulation #19.

20. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, the developer shall repair all damage for work in the public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design must be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [TOWN CODE 6.10]

Response: Acknowledged.

21. Street Closure Plan: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager and North Carolina Department of Transportation (NCDOT) approval, for any work requiring street, sidewalk, or lane closures. [TOWN CODE 21-7.1]

Response: Acknowledged; a Traffic and Pedestrian Control Plan is included and demonstrates how street and lane closures will be managed.

22. Parking Lot: The parking lot and drive aisles shall be constructed to Town standards for dimensions and pavement design as shown in the Town's Design Manual. An alternate nationally accepted standard may be used in lieu of the Town standard, subject to the approval of the Town. [TOWN CODE 5.9.5]

Response: Acknowledged; the parking lot design is in compliance with the Town Design Manual as required.

23. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, to the developer must provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [TOWN CODE 17-47]

Response: Acknowledged; a Traffic and Pedestrian Control Plan is included and demonstrates how vehicular and pedestrian traffic will be managed during construction. Construction management notes are included on C1301.

24. Bicycle Parking: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for the bicycle parking spaces that comply with Town parking standards. The spaces shall be located near the entrance of the facility. The bicycle parking design must comply

with the spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines, and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 5.9.7]

Response: Please see A1/C5001 Inverted “U” Bike Rack Detail for Class II bicycle parking as located near the main building entrance. Class I and additional Class II bicycle parking facilities are located beneath the building as shown on architectural drawings.

25. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan, subject to Town Manager approval. [LUMO 4.5.2]

Response: Attached please find the Transportation Management Plan.

Landscaping and Elevations

26. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved by the Town Manager. The plan shall include which trees will be removed and which will be preserved, critical root zones of all rare and specimen trees, and clearly indicate names and species. [LUMO 5.7.3]

Response: Landscape Protection is shown on C0101.

27. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site and include Town standard landscaping protection notes. Tree protection fencing shall be provided around construction limits, indicated construction parking, and materials staging/storage areas, and shall be subject to Town Manager approval. [LUMO 5.7.3]

Response: Please see Landscape Protection Note #1 on C0101. Please see C3/C5301 for Tree Protection Fence detail.

28. Tree Canopy: Prior to issuance of a Zoning Compliance Permit, a minimum 40% canopy coverage be provided through a combination of retained and replanted trees. Calculations for the required shrubs, small trees, and canopy trees shall be included. [LUMO 5.7.2]

Response: Acknowledged. Please see L1001.

29. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall include canopy trees that are proposed to shade any surface parking areas. [LUMO 4.5.3.m]

Response: See sheet L1001.

30. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a lighting plan for this site and shall take additional care during review to ensure that the

proposed lighting plan will minimize 1) upward light pollution and 2) offsite spillage of light.
[LUMO 8.5.5]

Response: A Lighting Plan showing compliance with LUMO 8.5.5 will be provided with our 2nd submittal.

31. Historic District Commission Approval: Prior to issuance of a Zoning Compliance Permit, the developer shall obtain Historic District Commission approval of a Certificate of Appropriateness.
[LUMO 8.5.5]

Response: Attached please find a copy of the Certificates of Appropriateness.

Environment

32. Stormwater Management Plan: This project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance. [LUMO 8.5]

Response: Acknowledged; the Stormwater Impact Analysis and plans demonstrate compliance with the LUMO.

33. Erosion Control Inspections: That, in addition to the requirement during construction for inspection after every rainfall, the property owner shall inspect the erosion and sediment control devices and offsite roadways daily, make any necessary repairs or adjustments to the devices, remove deposition of wet or dry silt on adjacent roadways, and maintain inspection logs documenting the daily inspections and any necessary repairs. [LUMO 4.5.2]

Response: Acknowledged.

34. Phasing Plan: Prior to issuance of a Zoning Compliance Permit, the property owner shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The phasing plan shall detail public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases are complete, with a note to this effect on the final plans and plats. [LUMO 4.9.2]

Response: This project will be constructed in a single phase.

35. Erosion Control Bond: If one acre or more is uncovered by land-disturbing activities for this project, then a performance guarantee in accordance with *Section 5-97.1 Bonds* of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [LUMO 4.5.2]

Response: Less than an acre will be disturbed with this project.

Water, Sewer, and Other Utilities

36. Utility/Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other local utility service providers, and the Town Manager. The developer shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.3]

Response: Acknowledged; submittals will be made to the appropriate utility providers and permits will be obtained as required.

37. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit for Town Manager approval site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; demonstrating compliance with Town standards; and sealed by a Professional Engineer. [LUMO 5.11]

Response: A Lighting Plan showing compliance with LUMO 8.5.5 will be provided with our 2nd submittal.

38. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer will install underground all public utilities that are currently located overhead on the site except for 3-phase or greater electric lines. [LUMO 5.12.2]

Response: Acknowledged; the plans show compliance with this stipulation.

39. Water/Sewer Line Construction: All public water and sewer plans shall be approved by OWASA and constructed according to their standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed, to ensure that sewer lines will not be damaged by heavy service vehicles. Prior to issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager. [LUMO 5.12.1]

Response: Acknowledged.

40. Recordation of Documents: Prior to issuance of a Zoning Compliance Permit, easement plats and documentation as required by OWASA and the Town Manager shall be recorded if necessary. [LUMO 5.12.1]

Response: Acknowledged.

Fire Safety

41. Fire Sprinklers: Prior to issuance of a Certificate of Occupancy, the developer shall install sprinklers under the North Carolina Fire Code. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]

Response: Acknowledged. Mechanical Plans and specifications include an NFPA 13 Automatic Sprinkler System.

42. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC Fire Protection Code 2012, Section 505.1]

Response: Acknowledged.

43. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC Fire Protection Code Section 506]

Response: Acknowledged. Specific key box location will be determined at rough framing, on site, with Fire Marshall.

44. Firefighting Access During Construction: As required by NC Fire Code (Section 1410.1 Required Access), vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC Fire Code, Section 1410.1]

Response: Acknowledged.

45. Fire Flow Report: The Final Plan application shall include a Fire Flow Report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]

Response: Attached please find the Fire Flow Report.

46. Fire Lane: Prior to issuance of a Certificate of Occupancy, where required, approved marking signs including the words NO PARKING-FIRE LANE shall be provided to identify fire apparatus access roads. [NC Fire Code, Sections 503.3, D103.6, D103.6.1, D103.6.2]

Response: As required by the Town of Chapel Hill Fire Department and as shown on the Site Plan, NO PARKING-FIRE LANE signs will be provided along Friendly Lane.

Solid Waste Management and Recycling

47. Solid Waste Management Plan: Prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective

bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected.

Response: Please see Sheet C1002 Solid Waste Management Plan.

48. 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. [Orange County Solid Waste]

Response: This note is included on C0101, C1001 & C1002.

State and Federal Approvals

49. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]

Response: Acknowledged NCDOT encroachment agreements and driveway permits are currently being processed.

Miscellaneous

50. Recombination Plat: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a recombination plat to the Town for comment and provide proof of recordation with the Orange County Register of Deeds. [LUMO 4.6]

Response: The recombination Plat will be submitted under separate cover.

51. Public Safety Survey: Prior to issuance of the Certificate of Occupancy, the developer shall hold a security survey with the Police Department to identify and consider opportunities for public safety improvements. [LUMO 4.5.2]

Response: Acknowledged.

52. Temporary Construction Access Agreements: Prior to issuance of a Zoning Compliance Permit, the developer shall provide construction agreements with adjacent property owners where necessary, subject to Town Manager approval. If the abutting property is to be used as part of construction access, the developer shall provide documentation of permission from the owner of said property. [LUMO 5.12.2.]

Response: Acknowledged.

53. Construction Management Plan: A Construction Management Plan shall 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. [LUMO 4.5.2, TOWN CODE 17-42]

Response: As noted in response to Stipulation #23, a Traffic and Pedestrian Control Plan is included and demonstrates how vehicular and pedestrian traffic will be managed during construction. Construction management notes are included on C1301.

54. Traffic and Pedestrian Control Plan: That the developer shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least five working days prior to any proposed lane or street closure, the developer must apply to the Town Manager for a lane or street closure permit. [LUMO 4.5.2, TOWN CODE 17-42]

Response: Acknowledged, and as noted in response to Stipulation #23, a Traffic and Pedestrian Control Plan is included and demonstrates how vehicular and pedestrian traffic will be managed during construction.

55. Construction Sign Required: Prior to the commencement of any land disturbing activities, the developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit,. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (§5.14.3(g) of Land Use Management Ordinance). The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.3(g)]

Response: The Temporary Construction sign is shown on the Site Plan and detailed in the Site Details.

56. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited. [TOWN CODE, Article 9-158]

Response: The above note is shown on the Site Plan.

57. Detailed Plans: Prior to 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 design standards of the Land Use Management Ordinance and the Town Design Manual. [LUMO 4.5.3]

Response: Detailed plans demonstrating compliance are included with this submittal.

58. As-Built Plans: Prior to issuance of Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [LUMO 4.5.3]

Response: Acknowledged.

59. Vested Right: This Special Use Permit constitutes a site specific development plan establishing a vested right as provided by North Carolina General Statutes Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.

Response: Acknowledged.

60. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

Response: Acknowledged.

61. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

Response: Acknowledged.

Thank you for reviewing our Final Plan/ZCP drawings and documents. Please don't hesitate to contact me with any questions or comments.

Yours very truly,
BALLENTINE ASSOCIATES, PA



Dave Ballentine
Project Manager