

Attachment 2 1995 Revised Special Use Permit

Prepared by: Beverly Kawalec, Town of Chapel Hill

BOOK 1437 PAGE 33

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23 FEB 1996, at 11:21:02am
Book 1437, Page 33 - 35
Betty June Hayes,
Register of Deeds,
Orange County, N. C.

TOWN OF CHAPEL HILL

306 NORTH COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27516

Return to: *Attn: Planning Dept.*

ORANGE COUNTY

Telephone (919) 968-2700
NORTH CAROLINA

MODIFICATION OF SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Mr. John Link for Orange County having applied to the Town of Chapel Hill for modification of the existing Special Use Permit recorded on September 1, 1994 in Book 1283, Page 256 at the Office of the Register of Deeds, said modification was granted by the Town of Chapel Hill on November 13, 1995, the terms of said modification being as follows:

NAME OF PROJECT: Project Homestart

TYPE OF SPECIAL USE: Modification of July 5, 1994 Special Use Permit

NAME OF DEVELOPER: Mr. Chris Moran, Interfaith Council for Social Services

DESCRIPTION OF PREMISE

LOCATION: Southern Orange Human Services Property - South side of Homestead Road

TAX MAP REFERENCE : Chapel Hill Township Tax Map 24, Lot 42 9880-00-8527

7.24.42A

DESCRIPTION OF PROJECT HOMESTART DEVELOPMENT

GROSS LAND AREA: 1,503,691 sq. ft.

OPEN SPACE: 1,457,306 sq. ft.

NUMBER OF BUILDINGS: 4

LIVABILITY SPACE: 1,329,315 sq. ft.

FLOOR AREA: 45,450 sq. ft.

NUMBER OF PARKING SPACES: 206

SPECIAL TERMS AND CONDITIONS

Development according to the Site Plan dated June 26, 1995 and revised August 30, 1995, on file in the Chapel Hill Planning Department, and the terms of the Special Use Permit with the following modification of regulation:

1. Modification to Article 12.3, the Schedule of Permitted Uses, which stipulates that shelters are not permitted uses in the Residential-5-Conditional (R-5-C) zoning district.

Conditioned on the following additional stipulations to be applied to the terms of the original July 5, 1994 Special Use Permit, recorded in Book 1283, Page 256 at the Office of the Register of Deeds:

Stipulations Specific To The Development

1. That construction begin by November 13, 1997 (two years from the date of Council approval) and be completed by November 13, 1998 (three years from the date of Council approval).

Required Improvements

2. Parking Lot to Town Standards: That the internal drive aisles, and parking lot be constructed to Town standards and that any alternate paving used in the parking lot have the same load bearing capacity as the Town's standard pavement design.

Stipulations Related to the Resource Conservation District

3. Boundaries: That the boundaries of the Resource Conservation District be shown on the final plat and final plans with a note indicating that "Development shall be restricted within the Resource Conservation District in accordance with the Development Ordinance."

4. Variances: That all variances necessary for development within the Resource Conservation District be obtained before application for final plat or final plan approval.

Stipulations Related to State and Federal Governments Approvals

5. Approval of Encroachment Agreements: That any required State permits or encroachment agreements 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.

- 6. Landscape Plan Approval: That a detailed landscape plan, landscape maintenance plan, and lighting plan be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit.
- 7. Landscape Protection Plan: That a Landscape Protection Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

Stipulations Related to Building Elevations

- 8. Building Elevation Approval: That detailed building elevations be approved by the Appearance Commission prior to issuance of a Zoning Compliance Permit.
- 9. Fire Flow: That a fire flow report prepared by a registered professional engineer, showing that flows meet the minimum requirements of the Design Manual, be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
- 10. Utility/Lighting Plan Approval: That the final utility/lighting plan be approved by Orange Water and Sewer Authority, Duke Power, Public Service Company, Southern Bell, applicable cable supplier, and the Town Manager before issuance of a Zoning Compliance Permit.

Miscellaneous Stipulations

- 11. Solid Waste Management Plan: That a detailed solid waste management plan, including a recycling plan and plan for management of construction debris, be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.
- 12. Detailed Plans: That final detailed site plan, grading plan, utility/lighting plans, stormwater management plan (with hydraulic calculations), which shows the method(s) of conveying the storm water around the building site, and a landscape plan and landscape management plan be approved by the Town Manager before issuance of a Zoning Compliance Permit, and that such plans conform to the plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the Development Ordinance and the Design Manual.
- 13. Erosion Control: That a soil erosion and sedimentation control plan be approved by the NC Department of Environment, Health and Natural Resources and the Town Manager before issuance of a Zoning Compliance Permit.
- 14. Silt Control: That the applicant take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
- 15. Continued Validity: That continued validity and effectiveness of this approval is expressly conditioned on the continued compliance with the plans and conditions listed above.
- 16. Non-severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

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

ATTEST
[Signature]
Town Clerk

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

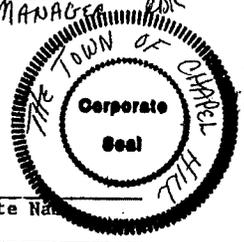
ACCEPTED
[Signature] (Seal)
Owner

[Signature] (Seal)
Owner

ATTEST

Secretary

BY _____
Corporate Name
Title



ORANGE COUNTY

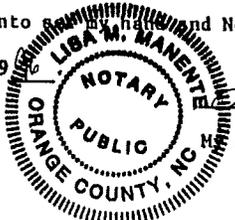
NORTH CAROLINA

I, Lisa M. Manente, a Notary Public in and for said County and State do hereby certify that W. Calvin Horton, Town Manager of the Town of Chapel Hill, and Peter M J Richardson, Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of

Chapel Hill, that W. Calvin Horton, Town Manager of said Town of Chapel Hill, and Peter M J Richardson, Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the

14th day of February, 1996



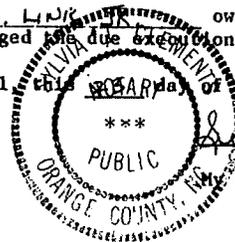
Lisa M. Manente
Notary Public
commission expires: 9-23-98

ORANGE COUNTY

NORTH CAROLINA

I, SYLVIA T. CLEMENTS, a Notary Public in and for said State and County do hereby certify that JOHN M. LUK owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal this 23rd day of February, 1996



Sylvia T. Clements
Notary Public
commission expires: 12-10-2000

ORANGE COUNTY

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NORTH CAROLINA - ORANGE COUNTY

The foregoing certificates of LISA M. MANENTE AND SYLVIA T. CLEMENTS

~~Notary~~ (or Notaries) Public of the designated Governmental units (are) certified to be correct. Filed for registration this the 23rd day of February, 1996, at 11:21:02 o'clock, a.m. in Record Book 1437 Page 33.

Return: _____

By: Betsy June Hayes
Register of Deeds
Frisella D. Payne
Deputy Register of Deeds

