

751 Assemblage

Development Plan Committed Elements

1. Maximum number of residential units is 1,300.
2. Maximum office floor area is 300,000 square feet.
3. Maximum commercial floor area is 300,000 square feet.
4. Widening of NC Hwy 751 along the site frontage to a four-lane divided cross section with bike lanes, to include curb and gutter for frontage of the site along NC 751.
5. Donation of property to the Durham Public Schools (DPS), subject to acceptance by DPS, of approximately 10.5 acres for use as an elementary school, or a donation of approximately 22.5 acres of an elementary/middle school campus, with such property being located within Element J on sheet DP-2.1 of this development plan. And with such donation to occur within 90 days after the effective date of annexation by the City of Durham of the project in accordance with Z0800003.
6. Donation of property, labeled as Element K on sheet DP-2.1 of this development plan, to Parkwood Volunteer Fire Department, Inc. (“PVFD”) (or the Durham Fire Department) for an fire station and/or an emergency medical services facility, subject to acceptance by PVFD (or the Durham Fire Department), with such donation to occur prior to the issuance of the first certificate of occupancy.
7. Donation of a 20-year lease for up to 1,500 square feet of space to the Durham County Sheriff’s Department (or Durham Police Department) for use as a Sheriff’s Department (or Police) substation to provide administrative facilities for Sherriff’s Deputies (or Durham Police) subject to acceptance by the Durham County Sherriff (or Durham Police Department), with such substation to be located within a mutually-agreed upon space within Element A, B, C, E, F, or G. Such donation and acceptance shall occur within 90 days after the submittal of the site plan for the phase within which the Sherriff’s Department Substation shall be located. In the event that the Sheriff’s Department (or Police Department) determines that it no longer requires the administrative facilities provided by the substation prior to the expiration of the lease, the substation space shall revert to the building owner.
8. Dedication of right-of-way for the frontage of the site to provide a minimum of 55 feet from the centerline of NC 751 and 10 feet from back of curb, prior to issuance of the first building permit.
9. This mixed use development will have at least one structure containing vertical integration of residential and non-residential uses pursuant to UDO Sec. 6.11.7.D.2.A, so that residential density up to 10.5 units per acre in the MU

district within the development would be permitted based on UDO section 6.3 and such density may be calculated upon the entire site acreage, including areas typically precluded from consideration for density in UDO Article 8, Environmental Protection. Notwithstanding the number of residential units permitted pursuant to UDO Sec. 6.11.7.D.2, the total number of residential units shall be capped at 1,300, as stated in committed element 1 above.

10. A minimum of one pedestrian trail access will stub to the adjacent US Army Corps of Engineers (USACOE) property. The trail will connect to the existing Eagle Spur Trail if permitted by the USACOE. The trail stub and, if permitted by the USACOE, the connection to the Eagle Spur will be completed prior to the issuance of the first certificate of occupancy for "The Hollows Phase". The trail stub connection to the Eagle Spur trail will be built or dedicated to the Army Corps property line if the trail cannot be built on Army Corps property.
11. The area identified as "committed bottomlands offset area" and "committed bottomlands offset tree save deed restriction on single family lot" (offset from the 100-year floodway fringe), as identified on sheet DP-2.0, shall be undisturbed.
12. The area identified as "committed bottomlands offset revegetation area" as identified on sheet DP-2.0 shall be revegetated according to the "Wildlife-Friendly Landscaping: Use only Native Plants" guidelines in the NC Wildlife Resources Commission's Green Growth Toolbox and the "School Site Bottomlands Offset Revegetation Planting Specification" detail on sheet DP-2.0. NCDENR shall be invited to review the revegetation plan. This revegetation shall occur prior to the issuance of the first certificate of occupancy for the school site. No field adjustments to be made without City-County Planning Department approval.
13. The project will provide a 10-foot wide paved trail/walkway route, excluding street or driveway crossings, that will connect the northern and southern property boundaries of the site to facilitate off-road walking, jogging, biking within the site.
14. There will be no fence around the perimeter of the project except as shown on sheet DP-2.0 adjacent to the proposed school site and labeled "committed bottomlands offset fence limits". The fence shall be installed prior to issuance of the first certificate of occupancy for the school site and shall be vinyl coated chain link.
15. Street crossings of the two natural drainage corridors between elements "F" and "G" and element "I" shall be constructed in a manner that provide underpasses that are suitable for various small and medium size wildlife species to cross under the roadway on a ground surface that is either natural or suitable for wildlife to traverse even during rainfall events.
16. The internal trail network will connect to the Colvard Farms property line
17. A minimum of 41.0 acres of preserved Tree Coverage in the locations shown on Development Plan sheet DP-2.3. Preserved tree coverage areas may be

maintained as necessary according to accepted forestry management practices.

18. A maximum of 81.1 acres of Impervious Surface in the MU(D) zoning district as shown on sheet DP-2.0.(55.0% of proposed MU(D) zoning district).
19. A minimum of 49.92 acres of total project open space.
20. Project will meet the proposed 15A NCAC 02B.0265 Jordan Water Supply Nutrient Strategy : Stormwater Management for New Development and the City of Durham's Amended Stormwater Performance Standards for the Upper New Hope Arm by committing not to exceed limits of 2.2 lbs/acre/year of nitrogen and 0.5 lbs/acre/year of phosphorous. . In the case that there is a conflict between 15A NCAC 02B.0265 Jordan Water Supply Nutrient Strategy : Stormwater Management for New Development and the City of Durham's Amended Stormwater Performance Standards and a limit of 2.2 lbs/acre/year of nitrogen and 0.5 lbs/acre/year of phosphorous, the more stringent standard shall apply. This committed element is enforceable by County Engineering if in the County or City Stormwater Services if annexed.
21. Construction of a neighborhood amenities center with clubhouse, pool and playground prior to issuance of a certificate of occupancy for the 650th residential unit.
22. Street layout as shown on the Development Plan sheet DP-2.0, along with sidewalks on both sides of all streets except for alleys and where adjacent to natural storm water infiltration areas and tree save areas as shown on Development Plan sheet DP-2.3, all subject to acceptance of the NCDOT TND Street Guidelines from August 2000 or similar street design standards by the City of Durham unless otherwise required by City and/or County ordinance or Departmental policy
23. No single retail tenant shall occupy a space larger than 75,000 sf
24. 100 foot-wide vegetated landscape area along NC 751 opposite the Chancellors Ridge Townhome area as shown on Development Plan sheet DP-2.3 to be provided prior to the first certificate of occupancy for the corresponding Block Elements that this area is adjacent to as shown on sheet DP-2.1.
25. Transit/bus shelters with roof, seating, wi-fi, real time arrival display and solar lighting within 90 days of a public transit route serving the property becoming operational. If transit service is not established prior to the CO for the 1,300th residential unit, a payment will be made to the appropriate transit provider for the aforementioned transit / bus shelter and related improvements, pending acceptance of such funds by the appropriate transit service provider
26. At least 10% of the residential units will be affordable based on the HUD Low Income housing standard (80% of Median Family Income) for the Durham MSA. Prior to annexation, the applicant will record restrictive covenants enforcing the above provision. Such restrictive covenants will be reviewed and accepted as sufficient by the County Attorney and a certified copy will be presented to the

Planning Department prior to the issuance of the first residential building permit. The type and location of the affordable housing units shall be at the discretion of the developer. At least sixty-five of the affordable housing units shall be completed prior to issuance of the certificate of occupancy for the 650th residential unit. Affordability limits in rental units shall be adhered to for a minimum of 15 years. An annual report shall be provided by the project developer or manager to the Housing and Community Development Director, for sites within the City's jurisdiction, or to the County Manager, for sites within the County's jurisdiction, which identifies the incomes of persons residing in the affordable units, and the rents or initial sales price being charged, to verify these are within the established limits.

27. A minimum of 75,000 square feet of the commercial space will be in vertically integrated buildings containing upper level residential and/or office uses.

SUMMARY OF REQUIRED TIA IMPROVEMENTS

General

1. Upgrade existing signal heads and timing plans to accommodate the recommended improvements at all signalized intersections.
2. Provide a signal warrant analysis and install a traffic signal (or roundabout) if warranted and approved by NCDOT prior to full build-out for the following intersections:
 - a. NC 751 and Massey Chapel Road;
 - b. Stagecoach Road and Farrington Road;
 - c. NC 751 and Student Place/Site Access #2;
 - d. NC 751 and Site Access #3;
 - e. NC 751 and O'Kelly Chapel Road;
 - f. Fayetteville Road and Massey Chapel Road (North);
 - g. Massey Chapel Road/Barbee Road and Herndon Road.
3. Widen NC 751 to a four-lane divided cross-section form south of Site Access #5 to north of Stagecoach Road to provide two through lanes with outside bike lanes in each direction.
4. Reduce the speed limit on NC 751 for the proposed widening area from 55 MPH to 45 MPH, due to the change in the nature of the roadway environment with this development (subject to approval by NCDOT).
5. Acquire and dedicate additional right-of-way as necessary to construct all required off-site roadway improvements.

NC 751 and I-40 Westbound Ramps

6. Construct an additional westbound right-turn lane with adequate storage and taper

NC 751 and I-40 Eastbound Ramps

7. Restripe southbound approach to provide dual left-turn lanes with adequate storage and taper.
8. Widen the I-40 eastbound on-ramp to accommodate a second receiving lane, tapering back to a single lane prior to its merge with I-40 Eastbound.
9. Extend the outer eastbound right-turn lane to provide adequate storage and taper.

NC 751 and Renaissance Parkway

10. Extend the existing southbound through lane as a second through lane south of the intersection with adequate storage and appropriate tapers.

NC 751 and Massey Chapel Road

11. Construct a westbound right-turn lane with adequate storage and taper.

NC 751 and Stagecoach Road

12. Widen NC 751 to provide two through lanes and a bicycle lane in each direction. The additional lanes must extend north of the intersection to provide adequate storage and tapers.
13. Construct a northbound left-turn lane with adequate storage and taper.

Stagecoach Road and Farrington Road

14. Construct a westbound right-turn lane with adequate storage and taper.
15. Construct a northbound right-turn lane with adequate storage and taper.

NC 751 and Student Place/Site Access #2

16. Widen NC 751 to provide two through lanes and a bicycle lane in each direction.
17. Construct a southbound right-turn lane with adequate storage and taper.
18. Construct a northbound left-turn lane with adequate storage and taper.
19. Construct Site Access #2 to accommodate one ingress lane and three egress lanes allowing for dual left-turn lanes and a shared through/right-turn lane.

NC 751 and Higher Learning Drive

20. Widen NC 751 to provide two through lanes and a bicycle lane in each direction.

NC 751 and Site Access #3

21. Widen NC 751 to provide two through lanes and a bicycle lane in each direction.
22. Construct a southbound right-turn lane with adequate storage and taper.

23. Construct a northbound left-turn lane with adequate storage and taper.
24. Construct Site Access #3 to accommodate one ingress lane and three egress lanes allowing for a dual left-turn lane and an exclusive right-turn lane.

NC 751 and Fayetteville Road/Site Access #4

25. Widen NC 751 to provide two through lanes and a bicycle lane in each direction.
26. Construct a southbound right-turn lane with adequate storage and taper.
27. Construct a northbound left-turn lane with adequate storage and taper.
28. Construct a northbound right-turn lane with adequate storage and taper.
29. Construct dual westbound left-turn lanes with adequate storage and taper.
30. Construct a westbound right-turn lane with adequate storage and taper.
31. Construct site access #4 to accommodate one ingress lane and four egress lanes allowing for dual left-turn lanes, a through lane, and exclusive right-turn lane.

NC 751 and Site Access #5

32. Widen NC 751 to provide two through lanes and a bicycle lane in each direction. The additional lanes must extend south of the intersection to provide adequate storage and tapers.
33. Construct a southbound right-turn lane with adequate storage and taper.
34. Construct a Site Access #5 with appropriate channelization and signage to restrict movements to right-in/right-out.

NC 751 and O'Kelly Chapel Road

35. Construct a westbound right-turn lane with adequate storage and taper.
36. Construct a southbound left-turn lane with adequate storage and taper.

Fayetteville Road and Massey Chapel Road (North)

37. Construct a westbound right-turn lane with adequate storage and taper.
38. Construct a northbound right-turn lane with adequate storage and taper.
39. Signalize this intersection when warranted and coordinate with Massey Chapel Road South intersection.

Fayetteville Road and Massey Chapel Road (South)

40. Construct an eastbound right-turn lane with adequate storage and taper.
41. Signalize this intersection when warranted and coordinate with Massey Chapel Road North intersection.

Fayetteville Road and Scott King Road

42. Construct a southbound left-turn lane with adequate storage and taper.

43. Construct a westbound right-turn lane with adequate storage and taper.

44. Construct a northbound right-turn lane with adequate storage and taper.

Barbee Road and Grandale Drive

45. Construct a northbound right-turn lane with adequate storage and taper.

NC 751 and Chancellor's Ridge Drive

46. Widen NC 751 to provide two through lanes and a bicycle lane in each direction.