

<p>PREPARED BY AND RETURN TO:</p> <p>TOWN CLERK TOWN OF CARRBORO 301 West Main Street CARRBORO, NORTH CAROLINA 27510</p>



ORANGE COUNTY
NORTH CAROLINA

TOWN OF CARRBORO
CONDITIONAL USE PERMIT GRANTED
1001 Homestead Road - Claremont South Subdivision - Mixed Use
Building

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Parker Louis, LLC
OWNERS: Parker Louis, LLC
PROPERTY LOCATION (Street Addresses): 1001 Homestead Road
TAX MAP, BLOCK, LOT(S): PIN #: 9779-37-0476
PROPOSED USE OF PROPERTY: Mixed Use Building – 1 st floor to be office space (use 3.120) and 2 nd floor to be four (4) residential units
CARRBORO LAND USE ORDINANCE USE CATEGORY: 3.120
MEETING DATES: February 27, 2018

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development

Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2. If any of the conditions affixed hereto or any part thereof be held invalid or void, then this permit shall be void and of no effect.
3. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
4. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
5. That the construction plans must be revised to incorporate the adjusted location of the storm drain system to further minimize impacts to the root zone to the 52 inch Oak Tree, as specifically shown on the site plan exhibit presented during the February 27, 2018 meeting.
6. That during construction plan review, the Town of Carrboro and Orange County Staff shall further review any feasible locations for waste and recycling services to occur in the least intrusive manner related to the Oak Tree. If an alternative location is identified, then it shall be approvable without further review by the Board of Aldermen.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

NORTH CAROLINA

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IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

THE TOWN OF CARRBORO

ATTEST:

Town Clerk

BY _____
Town Manager

I, _____, a Notary Public in and for said County and State, do hereby certify that Catherine Dorando, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that David Andrews, Town Manager of said Town of Carrboro and Catherine Dorando, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the ____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires:_____

IN TESTIMONY WHEREOF, the undersigned Limited Liability Company Grantor has caused this instrument to be executed in the appropriate partnership name by the duly authorized general partner, and has adopted as its seal the word “Seal” appearing beside its name and their signature(s), this sealed instrument being executed and delivered on the date first above written.

(SEAL)Parker Louis, LLC

By:_____

Title:_____

_____(STATE)

_____(COUNTY)

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged that he is _____ of _____, and that by authority duly given and as the act of the limited partnership, the foregoing instrument was signed in its name by him as _____ on behalf of the limited partnership as _____ thereof all by authority duly given.

Witness my hand and official seal, this _____ day of _____, 20_____.

(SEAL)_____

Notary Public

My commission expires: _____

(Not valid until fully executed and recorded)

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