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STAFF REPORT

TO: Board of Aldermen

DATE: October 23, 2001

PROJECT: Conditional Use Permit to allow a Park and Ride Lot for Chapel Hill Transit consisting of 437 parking Spaces at 603 Berryhill Drive

APPLICANT: Town of Chapel Hill
Chapel Hill Transit
306 North Colombia Street
Chapel Hill, NC 27516

OWNER: Town of Chapel Hill, via a long-term lease from:
UNC-Chapel Hill
Property Control Section
PO Box 629
Raleigh, NC 27602-0629

CONSULTANT: Phil Post & Associates
401 Providence Road
Chapel Hill, NC 27514

PURPOSE: Mr. Greg Shepard, with Phil Post & Associates, representing the Town of Chapel Hill, has submitted an application for a Conditional Use Permit (CUP) to allow a park and ride facility (Use 10.100) at 603 Berryhill Drive. The request consists of a parking lot with 437 parking spaces, several bike racks, some covered bus shelters and a bus turnaround/pick-up/drop-off area.

EXISTING ZONING: R-10 – Residential

TAX MAP NUMBER: 7.116..10

LOCATION: 603 Berryhill Drive (across from Poplar Place Apartments on the corner of the road leading to University Lake and Berryhill Drive/Old Fayetteville Road Extension)

TRACT SIZE: 7.73 acres (336,719 square feet) **LEASED AREA**

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Use 10.100, Independent Automobile Parking Lot

SURROUNDING LAND USES: North: Berryhill Drive and R-3, Poplar Place Apartments
South: R-10 and C, Vacant and University Lake Property
East: R-10, Vacant (Proposed Morgan Ridge Project)
West: C, University Lake Property

ZONING HISTORY: R-10 since 1990

RELEVANT ORDINANCE SECTIONS: Section 15-146, Table of Permissible Uses

Section 15-243, Excessive Illumination
Section 15-263, Stormwater Management
Section 15-316, Tree Protection

ANALYSIS

Background

Mr. Greg Shepard, with Phil Post & Associates, representing the Town of Chapel Hill, has submitted an application for a Conditional Use Permit (CUP) to allow a park and ride facility (Use 10.100) at 603 Berryhill Drive. The request consists of a parking lot with 437 parking spaces, several bike racks, some covered bus shelters and a bus turnaround/pick-up/drop-off area. The property contains 7.73 acres and is listed on the Orange County Tax Map as numbers 7.116..10.

There has been some question raised about the need for a formal CUP. According to a memo from the Town Attorney (Attachment C), ground level facilities (projects involving no buildings) constructed by a political subdivisions of the state (i.e., the Town of Chapel Hill) may be exempt from local land use controls. The state statute has not been tested through case law on this particular aspect. As a result, the courts have not made a clear interpretation behind the intent of the statute. For this reason, staff requested that the applicant pursue the project as a CUP (go through the public hearing process, comply with the majority of the LUO, etc.) but the actual action/outcome will be more of an agreement between the two (2) entities (the Town of Chapel Hill and the Town of Carrboro). Such an arrangement does provide you with some flexibility to deviate from the recommended standards of the LUO, if you deem any such request is reasonable. In the spirit of cooperation and to allow for full public participation, the Town of Chapel Hill agreed to go through the Conditional Use Permit process for this project. The project complies with the requirements of the Land Use Ordinance (LUO) with three (3) exceptions: the R-10 zoning district does not permit independent parking facilities, the height of the site lights is higher than otherwise permitted and the size of the sign is larger than permitted in the R-10 zoning district.

The applicant requests that the Board of Aldermen consider, deliberate, and make a decision on the proposed CUP/Agreement to allow an independent automobile parking lot (Use 10.100) at the 603 Berryhill Drive property.

Vehicular Access, Transportation Impact and Parking

Vehicular Access:

The only means of ingress and egress for the proposed project is from Old Fayetteville Road Extension/Berryhill Drive. Old Fayetteville Road Extension originates at the Jones Ferry Road stop light and ends at the access road to University Lake. At this intersection, Berryhill Drive begins. Pending the future approval of the Morgan Ridge project to the east, Berryhill Drive will connect from this intersection into the existing portion of Berryhill Drive in Tennis Club Estates. The access point to the subject property is located on the opposite side of the street and midway between the two (2) access points for the Poplar Place Apartments. The proposed driveway is designed to handle all of the trips generated by the site and to accommodate the turning movements of the large buses. The Town of Carrboro has agreed to take over street maintenance of the section of roadway between the University Lake access road and the eastern terminus of the street. For this reason, no NCDOT driveway permit is needed. The Town of Carrboro will issue the driveway permit for this project. Carrboro Public Works has reviewed the plans and is satisfied with the driveway design and location.

Transportation Impact:

Old Fayetteville Road Extension/Berryhill Drive is considered a collector street per the Town of Carrboro Land Use Ordinance (LUO). Collector streets are designed to carry traffic between minor, local and subcollector streets and arterial streets but may also provide direct access to abutting properties. The

applicant has submitted a Transportation Impact Analysis (TIA) (**Attachment D**). The TIA states that the projected AM peak is 328 trips entering/exiting and the PM peak is 275 trips entering/exiting. According to the TIA, with the widened section of Berryhill Drive, the entire street section between Jones Ferry Road and the project will be of sufficient width (collector street width) to handle the existing and anticipated traffic volumes. Town staff has reviewed the proposed roadwork and finds that it is adequate and appropriate to handle the increased traffic associated with the project and to satisfy alternative forms of transportation through the inclusion of the proposed sidewalks, bike racks and the bus stop.

Parking:

The proposed park and ride facility will accommodate 437 parking spaces, twelve (12) of which are handicapped accessible. Additionally, the applicant proposes to add several bike racks and bike lockers on the site. There is no minimum or maximum recommended number of parking spaces for a park and ride facility in the LUO. Rather, the number of spaces provided is a function of need by the applicant and constraints on the site. The number of spaces proposed (437) will meet the needs of the Chapel Hill Transit and thus should be considered adequate. The applicant has also shown a willingness to accommodate alternative transportation modes by providing a bike rack.

All of the parking spaces comply with the minimum requirements of the LUO (width, depth, striping, wheelstops, etc.). Where parking spaces are provided, the parking access aisles meet the 24' width required by the LUO. Additionally, the ratio of the number of Handicapped Spaces to the number of spaces provided complies with the requirements of the North Carolina State Building Code.

Conclusion:

All of the provisions of the LUO pertaining to vehicular access, transportation impact and parking have been met by the applicant.

Tree Protection, Screening and Shading

Tree Protection:

Section 15-316 of the LUO specifies that all trees greater than eighteen (18) inches in diameter and all rare tree species must be preserved, to the extent practicable. An evaluation of the site (and within 50' of the site on properties surrounding the site) reveals that there are 47 specimen trees on the proposed project site (and within 50' of the site). The proposed plans show the removal of twenty (20) of the 47 specimen trees. The applicant has provided a tree removal justification letter (**Attachment E**). Staff has evaluated the tree removal justification letter and finds that the reasons stated for removing the trees are consistent with accepted planning and site design practices as well as accepted methods for effective tree preservation. The applicant cites the desire to "depress the bus plaza below the adjacent grade for aesthetic appeal, to preserve certain clusters of specimen trees and to provide natural buffers around the perimeter of the project" as some of the driving factors in the decision making process for tree retention/removal.

The elevation of the subject property near the northwestern property line is between 426. At the southeastern extent of disturbance, the elevation is 354. This approximate 72-foot change in elevation requires substantial cutting and filling to achieve a developable site. This cut and fill requires the removal of vegetation, including 20 specimen trees. Since these specimen trees were contained within a wooded environment, they have long trunks with limbs at the top of the wooded canopy, thus creating a 'top-heavy' situation that make the trees more susceptible to storm damage once the surrounding vegetation is removed. The trees that are proposed to remain are clustered along the eastern and western property lines. These trees consist of the specimen trees and other understory trees that will be maintained in their existing state (i.e., as a wooded area).

Screening:

The required screenings for this project are based on the requirements of Section 15-308. Section 15-308 specifies that an independent automobile parking facility (Use 10.100) should provide a type 'B' screen between it and the adjacent street rights-of-ways. A type 'B' screen has been provided along Berryhill

Drive and University lake Access Road. The type 'B' screen will consist of a mixture of existing and proposed plant material that will provide intermittent visual obstruction up to a height of twenty (20) feet and semi-opaqueness to a height of three (3) feet. The proposed configuration of the type 'B' screen is in compliance with the requirements of the LUO. Further, Section 15-308 specifies that an independent automobile parking facility should provide a type 'A' screen between it and adjacent residential developments. Although there currently is not a residential development surrounding the project, the applicant has agreed to provide a type 'A' screen along the eastern property line. This would provide an opaque screen between this project and the proposed townhome project that the Board will consider later this year. The proposed configuration of the type 'A' screen is in compliance with the requirements of the LUO.

Shading:

Section 15-317 of the LUO requires that 20% of all vehicle accommodation areas be shaded with shade trees complying with the species listed in Appendix E-10. There is 172,219 square feet of vehicle accommodation area on the site. Twenty percent of this area, or 34,444 square feet, must be shaded by existing or proposed trees. The proposed planting schedule includes Laurel Oaks, Pin Oaks, Scarlet Oaks, Lacebark Elms, London Planes and Crape Myrtles. These trees are located in perimeter (1/2 credit), island (3/4 credit) and interior (full credit) planting situations. The total amount of shading provided is 43,954 square feet. The proposed planting configuration complies with the shading requirements of Section 15-317. Additionally, the applicant has provided ten (20) large evergreen shade trees (out of a total of 66). The planting palette consists of a wide variety of planting species that will provide a good mixture of deciduous and evergreen shrubs and trees, most of which are recommended in Appendix E.

Conclusion:

The proposed project complies with the requirements of the LUO pertaining to tree protection, screening and shading.

Drainage, Grading, Stream Buffer and Erosion Control

Drainage:

The construction of the proposed park and ride facility at 603 Berryhill Drive will create a large amount of impervious surface that will increase the amount, and degrade the quality, of stormwater runoff. In order to address the water quantity and water quality issues, an on-site drainage system must be installed to direct water off of the site in a uniform and safe manner. Section 15-262 of the LUO specifies that all development shall be provided with a stormwater management system containing drainage facilities that are adequately designed and constructed to prevent the undue retention of surface water on the site. Furthermore, all drainage facilities must meet the specifications set forth in Appendix C and Appendix I of the LUO.

The proposed stormwater management system is designed to handle all on-site stormwater through a series of curb inlets, pipes and swales. All of the on-site stormwater will further be run through water quality and water quantity devices. The Town Engineer (Sungate Design Group, PA) has reviewed the proposed plans and drainage calculations and has concluded that the project complies with the requirements of the LUO (Attachment F). Per Sungate, all water quantity and water quality concerns have been addressed. Water quantity concerns have been addressed by using an underground detention system consisting of a gallery of eight (8) foot diameter corrugated metal pipes. The pre-construction rate of runoff in the 10-year storm is 42 cubic feet per second (cfs). The detention will limit the post-construction rate of runoff in the 10-year storm to 32 cfs. As a result, the peak rate of flow for the 10-year storm is not increased (it is actually decreased) as a result of the proposed project. Thus, the requirements of Section 15-263 related to stormwater quantity have been satisfied.

Water quality concerns have been addressed through the introduction of a mechanical device called a 'stormceptor'. The stormwater runoff from the developed areas of the site will be treated prior to discharge through three 'stormceptor' devices. It has been shown through documentation provided by the project

engineer that the proposed 'stormceptor' devices will reduce the amount of contaminants in the stormwater by 85%. It has been determined that by following the minimum requirements as set forth by NCDENR in their publication entitled Stormwater Best Management Practices, the requirements of Section 15-263 related to stormwater quality has been satisfied.

Grading:

As mentioned previously in this report, the proposed plans show that there will be a large amount of cutting and filling necessary for this project. Upon completion of the proposed project, the elevation of the developed portion of the project at the northwestern corner of the property (at the curb line) will be 408. This represents a cut of approximately 12 feet (the pre-construction elevation at the curb line in this location is 420). On the other hand, upon completion of this project, the elevation of the developed portion of this project at the eastern edge of the curb line (in the center of the parking lot) will be 384. This represents a fill of 18 feet (the pre-construction elevation at the curb line in this location is 366).

Please note that there are no specific standards in the LUO pertaining to site grading, so compliance with specific ordinance provisions is not an issue (please note, however, that there are general standards in the LUO such as erosion control requirements, minimum and maximum slope percentages, etc.). Staff (including the Town Engineer) has reviewed the grading plan and finds that it is a reasonable plan.

Stream Buffer:

There is a stream buffer located on this site. The stream buffer on the site is shown in the southeast corner of the property. For this project, there is some disturbance proposed within the stream buffer. Disturbance within stream buffers is allowed per Section 15-268(f) and (g) of the LUO. These LUO sections authorize drainage improvements and other stormwater facilities to be located within the stream buffer area. In the case of this project, there is some fill within the stream buffer, the storm drainage system outlets into the stream buffer and the erosion control device is located within the stream buffer. All of these items are consistent with the provisions of Section 15-268(f) and (g) of the LUO. It should be noted that two of the purposes for a stream buffer are to protect property owners and downstream properties from nuisance flooding and to improve water quality. The proposed water quantity and water quality devices proposed as part of this project fulfill the purpose of protecting the property owner and downstream properties from nuisance flooding and improving overall water quality.

Erosion Control:

Per Section 15-264 of the LUO, the project must receive an erosion control permit issued by either the Orange County Erosion Control Officer or the North Carolina Sedimentation Control Commission prior to beginning construction. NCDENR, Division of Land Resources, has issued an erosion control permit for the proposed project (**Attachment G**).

Conclusion:

All of the provisions of the LUO pertaining to drainage, grading and erosion control have been met by the applicant.

Utilities

Water/Sewer:

There is no water or sewer necessary to serve this project. There are some existing water meters and services along the western property line that will be removed as part of this project. OWASA has reviewed the proposed plans and have approved of the proposed removals. No further OWASA review is necessary.

Site Lighting:

Section 15-242 and Section 15-243 of the LUO governs exterior lighting requirements. Section 15-242 requires that exterior lighting be provided for the safety of the general public. Exterior lighting is proposed for the site. The lights will be pole mounted, 'shoebox' lights with a cut-off type lens. Section 15-243 of the LUO contains provisions for the design of the lighting system. The lights will be mounted at a height of

between eighteen (18) feet and twenty-four (24) feet. Given the remote nature of this lot, the Board's past exception granted for the Park and Ride facility at Carrboro Plaza and the fact that the requested permit is an 'agreement', the Administration has conveyed to the Town of Chapel Hill that taller lights may be acceptable in this location, as well. In order to allow the taller lights, the Administration did stress that the illumination levels at the property line meet the requirements of Section 15-243(d) (the 0.2 footcandle must be contained on the property). This requirement has not been met. The 0.2 footcandle limit is exceeded in the northwestern portion of the site. In order for the Board to consider the taller lights, the Administration recommends that the plans be revised to contain the 0.2 footcandle on the subject property. If this requirement is met, the Administration further recommends that the lights be allowed to be no taller than twenty-four (24) feet.

Street Lighting:

The applicant has agreed to provide street lights along Berryhill Drive in the area where the street is to be widened. Carrboro Public Works has reviewed the street lighting layout and has found that the location meets the requirements of the Town's street lighting policy.

A telephone is being provided on the site in the vicinity of the bus shelters. The project is being designed to allow security cameras to be provided on the site at some point in the future.

Conclusion:

All of the provisions of the LUO relating to Utilities have not been met by the applicant. As a result, the Administration recommends:

- That the plans be revised to contain the 0.2 footcandle on the subject property. If this requirement is met, the Administration further recommends that the height of the lights be increased to be no taller than twenty-four (24) feet.

Miscellaneous Issues

The bus shelters for the park and ride facility will be located internal to the site. The applicant is proposing to use two (2) "Design Works" shelters. The "Design Works" shelter is the type of shelter seen along the NC Highway 54 Bypass and at the current park and ride facility.

A sign is being proposed as part of this project. The sign will be located at the entrance to the site. The detail for the sign is found on sheet C-7. The sign area actually exceeds the allowable square footage for the R-10 zoning district. The sign is 18 square feet and the R-10 zoning district only allows a sign four (4) square feet in size. Given the need to adequately notify the general public of the location of the park and ride facility and given the fact that the requested action is an 'agreement', the Administration recommends that the Board allow the sign to be the size and design indicated on the plans.

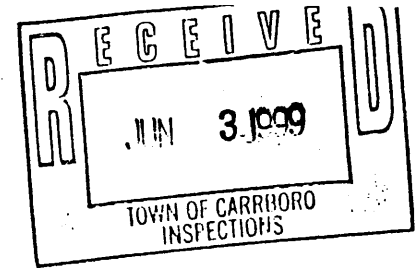
A 'neighborhood informational meeting' for all property owners within 1,000 feet of the proposed project site was held on September 13, 2001. A copy of the announcement that was mailed to the property owners is included as **Attachment H**. Likewise, the 'neighborhood information meeting' form, along with a list of attendees, has been completed by the applicant and is included as **Attachment I**.

RECOMMENDATION

The Administration recommends that the Board of Aldermen approve the conditional use permit/agreement request to allow an independent automobile parking facility (Use 10.100) at the 603 Berryhill Drive property (TM# 7.116..10), subject to the following conditions:

1. That the plans be revised to contain the 0.2 footcandle on the subject property. If this requirement is met, the Administration further recommends that the height of the lights be increased to allow lights no taller than twenty-four (24) feet on this particular property;
2. That proposed sign to be the size and design indicated on the plans.

MEMORANDUM



TO: Chris Murphy

FROM: Michael B. Brough *MBB*

RE: Application of Land Use Ordinance to the Smith School

DATE: June 3, 1999

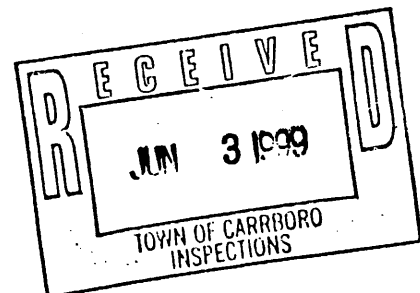
You have asked whether the town's Land Use Ordinance applies to the proposed athletic and other facilities (other than buildings) located at the proposed new Smith Middle School. The answer remains uncertain, but, as I have explained in the past in similar contexts, it appears that the Town does not have authority to apply its zoning regulations to the use of land by the State or another political subdivision, to the extent that the use does not involve the construction of buildings.

The uncertain state of the law arises out of the case of Davidson County v. City of High Point, 85 N.C.App. 26, 354 S.E.2d 280, modified and aff'd, 321 N.C.252, 362 S.E.2d 553 (1987). In that case, the City of High Point had obtained a special use permit to expand a wastewater treatment facility located within the county's jurisdiction. The permit was issued, but the county imposed a condition providing that the county had to approve the extension of sewer lines to residents of the county. When the city later sought to ignore that condition, the county filed suit against the city. The trial court ruled in favor of the county, but the Court of Appeals reversed. The Court of Appeals cited a treatise on municipal law for the general proposition that city and county zoning regulations generally do not apply to the State or any of its agencies or political subdivisions unless the legislature has clearly stated a contrary intent. The Court reviewed two sections of the Zoning Enabling Act with this general statement of law in mind. The first section (found in the County Enabling Act at G.S. § 153A-347 and in the City Zoning Enabling Act at G.S. § 160A-392) states that a county's and city's zoning regulations are "applicable to the erection, construction, and use of *buildings* by the State of North Carolina and its political subdivisions." (Emphasis added). The Court concluded that, since the waste treatment facility did not constitute a "building," the County's zoning ordinance did not apply to it. The Court also looked at the general grant of zoning authority in G.S. § 153A-340 (the identical provision for municipalities is found in G.S. 160A-381), which provides that cities and counties may "regulate and restrict . . . the location and use of buildings, structures, and land for *trade, industry, residence or other purposes*. . ." (Emphasis added). The Court noted that at least one other jurisdiction had interpreted the identical language as not authorizing a local government to regulate the use of land for governmental purposes. This reasoning supports the conclusion that the Town of Carrboro does not have the authority to regulate the use and development of property by the School Board, to the extent that no buildings are involved.

I should add that this conclusion is by no means free from doubt because of two factors. First, the Court of Appeals focuses extensively on the fact that, in the High Point case, the particular use proposed by the city involved a "public enterprise" that the city was specifically authorized to engage in outside the corporate limits. Thus, one reading of the case would limit its holding to uses involving "public enterprises" as that term is defined in the General Statutes. Under this interpretation, the school facilities in question would not be exempt from the town's regulations. Second, while the result of the Court of Appeals decision was affirmed by the North Carolina Supreme Court, the Court did so upon a different basis than the Court of Appeals. In fact, the Supreme Court specifically stated that: "We express no opinion as to the correctness of the Court of Appeals' conclusion that a city-owned public enterprise located outside corporate limits is not subject to the County's zoning laws." 362 S.E.2d at 556. This weakens the opinion somewhat, and provides an entirely legitimate basis for the town to contend that its land use ordinance does apply to the use of property by another political subdivision irrespective of whether or not buildings are involved.

In summary, while the town has in the past followed the Court of Appeals' interpretation (i.e. has concluded that the Land Use Ordinance does not apply to the use of property by other local governments, so long as no buildings are involved), I believe the town has room to reach the contrary conclusion.

Please let me know if you have additional questions:



PHILIP
POST
&
ASSOCIATES

JONES FERRY ROAD PARK AND RIDE LOT

Tax Reference 7.116..10

Prepared: February 28, 2001

TRAFFIC IMPACT ANALYSIS REPORT

1.0 PROPOSED DEVELOPMENT

1.2 Land Use/Zoning

The proposed Park and Ride facility is located in the southeast quadrant of the intersection of Old Fayetteville Road Extension (NCSR 1937) and the University Lake Access Road. Vehicular access will be provided at a single point along Old Fayetteville Road Extension.

1.3 Conformance with Regulations

The proposed development plans will be in conformance with the development regulations of the Carrboro Land Use Ordinance.

2.0 TRAFFIC IMPACT

2.1 Trip Generation

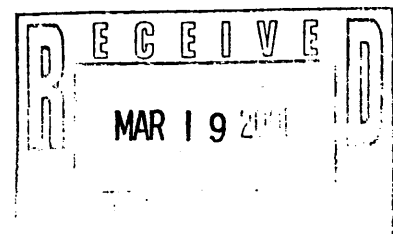
The proposed Park and Ride Lot Facility will contain 437 parking spaces. The facility is in an area of the community where there is a perceived need; the primary users will be from outlying areas both south and west of the town. When the facility is first opened, it is anticipated that the majority of users will be those currently using other Park and Ride facilities that are not in their direct travel pattern. Some new users are, of course, also anticipated; however, it is projected that full utilization of the facility will not occur for some significant period of time.

7-9 AM Peak Hour

Trips Entering	262
Trips Exiting	<u>66</u>
Total Trips	328

4-6 PM Peak Hour

Trips Entering	61
Trips Exiting	<u>214</u>
Total Trips	275



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&
ASSOCIATES

2.2 Roadway Improvements

The Town of Carrboro has requested, as a part of the Park and Ride project, that Old Fayetteville Road Extension (NCSR 1937) along the property's frontage shall be widened to a "Collector" street classification (35' BB cross-section). This collector street will be designed to adequately handle the projected volume of traffic.

2.3 Bicycle Access

When Old Fayetteville Road Extension (NCSR 1937) is widened to a "Collector" street classification, the roadway will be striped with bicycle lanes for access to the proposed Park and Ride Lot facility.

2.4 Transit Service

There will be a bus plaza area constructed as part of the proposed facility, and Chapel Hill Transit will provide bus services to the Park and Ride Lot.

Carrboro Park & Ride
 Summary of Trip Generation Calculation
 For 437 Parking Spaces of Park and Ride Lot with Bus Service
 February 28, 2001

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	4.50	2.26	1.00	1967
7-9 AM Peak Hour Enter	0.60	0.00	1.00	262
7-9 AM Peak Hour Exit	0.15	0.00	1.00	66
7-9 AM Peak Hour Total	0.75	0.87	1.00	328
4-6 PM Peak Hour Enter	0.14	0.00	1.00	61
4-6 PM Peak Hour Exit	0.49	0.00	1.00	214
4-6 PM Peak Hour Total	0.63	0.81	1.00	275
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.

Source: Institute of Transportation Engineers
 Trip Generation, 6th Edition, 1997.

TRIP GENERATION BY MICROTRANS

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&
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JONES FERRY ROAD PARK AND RIDE LOT
CARRBORO, NORTH CAROLINA

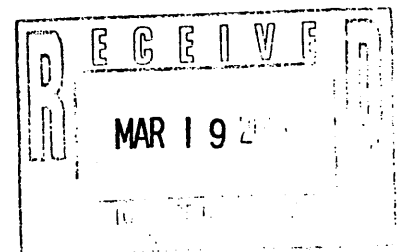
TREE REMOVAL JUSTIFICATION STATEMENT

Prepared: February 23, 2001

A detailed specimen tree schedule is included on Sheet C-2 of the site development plans. The schedule identifies each tree that was located by field survey and indicates those that will be removed and those that will be retained.

The Park and Ride Lot facility has been carefully designed for maximum retention of trees in the proposed buffers and to only remove trees that are internal to the site where significant grading cuts or fills necessitate their removal. The Carrboro Land Use Ordinance does not specify minimum widths for buffers; however, this plan proposes buffers of generous width. Some of the design decisions implemented in creation of this plan include the following:

- Depress the bus plaza below the adjacent street grades for aesthetic appeal.
- Minimize clearing and grading within the buffers.
- Eliminate grading within the tree canopy area of any identified specimen trees to be retained.
- Preserve some existing vegetation in the northwest corner of the site at the intersection of SR 1937 and the University Lake Access Road.
- Preserve cluster of significantly sized hardwoods in the southwest corner of the site adjacent to the Access Road.
- Preserve a large wooded area on the east side of the property that contains the stream buffer area and provides an expansive buffer for the adjacent property to the east that is zoned R-10.
- Provide driveway access to SR 1937 that is not opposite any of the existing Archstone Apartment buildings.
- Preserve a significant number of specimen trees around the perimeter of the site to compensate for those internal to the site that need to be removed.





Sungate Design Group, P.A.

ENGINEERING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL

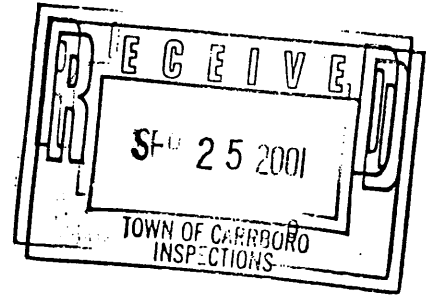
915 Jones Franklin Road • Raleigh, NC 27606 • Phone 919.859.2243 • Fax 919.859.6258

September 25, 2001

Memorandum

To: Chris Murphy
Development Review Administrator

From: Henry Wells
Town Engineer



Re: Chapel Hill Park & Ride, Old Fayetteville Road Extension – Stormwater quantity and quality.

We have completed the review of the design for the stormwater facility for the proposed Chapel Hill Park & Ride. We have determined that the revised design submitted for review has now satisfactorily addressed Section 15-263 of the Town of Carrboro Land Use Ordinance. Details of the design are outlined below:

Stormwater Quantity

The design engineer has performed a Stormwater analysis comparing the pre and post construction Stormwater for the Chapel Hill Park & Ride property. The Chapel Hill Park & Ride has a total drainage area of 8.84 acres and a pre construction peak rate of flow during the 10-year storm of 42 cubic feet per second (cfs). An underground detention system consisting of a gallery of 8-foot diameter corrugated metal pipes will provide detention. This detention will limit the post construction peak rate of flow to 32 cfs. By providing onsite detention, the peak rate of flow during the 10-year storm will not be increased.

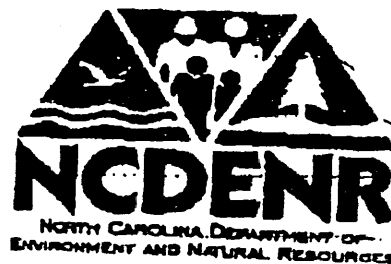
Stormwater Quality

The stormwater runoff from the developed areas of the site will be treated prior to discharge using "Stormceptor" water quality structures in three locations. All of the surface area from the project will be collected and piped through one of the "Stormceptor" units. According to the documentation provided by the design engineer, the "Stormceptors" will reduce the amount of contaminants in the stormwater by 85%. It has been determined that by following the minimum requirements as set forth by Department of Environment and Natural Resources (NCDENR), the requirements of Section 15-263 has been satisfied.

If you have any questions or need further information, please contact me.

**State of North Carolina
Department of Environment
and Natural Resources
Raleigh Regional Office**

**Michael F. Easley, Governor
William G. Ross, Jr., Secretary**



DIVISION OF LAND RESOURCES

April 20, 2001

LETTER OF APPROVAL

Chapel Hill Transit
306 N. Columbia St.
Chapel Hill, NC 27516
ATTN: Mary Lou Kuschatka

RE: Project Name: Jones Ferry Rd. Lot
County: Orange
Submitted by: Philip Post & Assoc.
Date Received: 4-10-01
Date Processing Initiated: 4-10-01
Watershed: Cape Fear #1/03-06-06
New Submittal () Revised (x)

Dear Ms. Kuschatka:

This office has reviewed the subject Erosion and Sedimentation Control Plan. We find the plan to be acceptable and hereby issue this letter of approval. If any modifications, performance reservations, or recommendations are applicable, a list is enclosed and is incorporated as a part of this letter of approval. The enclosed Certificate of Approval should be posted at the job site. In addition, it should be noted that this plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, in accordance with Title 15A, North Carolina Administrative Code (NCAC) 4B.0029.

If any modifications are not incorporated into the plan and implemented in the field, the site will be in violation of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute (NCGS), 113A-61.1).

15A NCAC 4B.0018(a) requires that a copy of the approved plan be on file at the job site. Also, this letter gives the notice required by NCGS 113A-61.1(a) concerning our right to perform periodic inspections to ensure compliance with the approved plan.

North Carolina's sedimentation pollution control program is performance oriented, requiring protection of the natural resources and adjoining properties. If at any time during this project it is determined that the Erosion and Sedimentation Control Plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (NCGS 113A-51 through 66), this office may require revisions in the plan and its implementation to ensure compliance with the Act.

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Ms. Kuschatka

April 20, 2001

Page 2

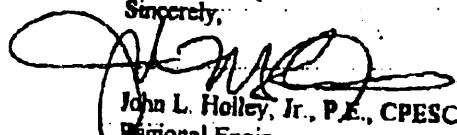
Acceptance and approval of this plan is conditioned upon your compliance with applicable federal and state water quality laws, regulations and rules. This could include the Division of Water Quality under stormwater or other specific water quality standards, and the U.S. Army Corps of Engineers under Article 404 jurisdiction. Our approval does not supersede any other required permit or approval.

Since this project disturbs five or more acres, one such approval relates to the stormwater that will discharge from your project. This runoff is permitted pursuant to the National Pollutant Discharge Elimination System (NPDES) administered in North Carolina by the Division of Water Quality (DWQ). Attached is the General Stormwater NPDES Permit, NCG010000, as revised July 1, 1995, covering your activity. You are responsible for complying with the General Permit requirements and are subject to enforcement by DWQ for any violations of the General Permit.

Please note that this approval is based in part on the accuracy of the information provided concerning financial responsibility. You are requested to file an amended Financial Responsibility Form if any changes become necessary. In addition, it would be helpful if you would notify this office when the proposed land-disturbing activity covered by this plan is initiated.

Your cooperation is appreciated and we look forward to working with you on this project. If there are any questions, please do not hesitate to contact this office.

Sincerely,



John L. Holley, Jr., P.E., CPESC
Regional Engineer
Land Quality Section
Raleigh Regional Office

JLH

cc: Mr. Ernest Dodson, P.E.

Mr. Ken Schuster, P.E.

**PHILIP
POST
&
ASSOCIATES**

September 6, 2001

Dear Neighbor:

This an invitation to please join us, Philip Post and Associates and Chapel Hill Transit for a neighborhood information meeting on **Thursday, September 13, 2001 at 7:30 P.M. in Room 110 of the Carrboro Town Hall**. We will be presenting our proposed plans for a new Park and Ride Lot that will be operated by Chapel Hill Transit.

The facility will be located on approximately 8 acres of land along the south side of Old Fayetteville Road immediately before the end of the road. Please join us at the Carrboro Town Hall to see the plans. The meeting will be conducted in an informal manner starting with a brief presentation that will lead into any questions, comments or concerns that you may have.

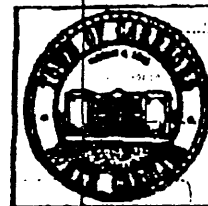
Thank you for your time, and we look forward to this meeting with you.

Sincerely,

GREGORY SPARKS

Gregory Shepard, Project Manager

TOWN OF CARRBORO



TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

DUE TO PROPOSED LAND DISTURBING ACTIVITY TO TAKE PLACE ON PROPERTY LOCATED AT:

Old Fayetteville Road Extension (SR 1937)

TO BE CALLED Jones Ferry Road Park & Ride Lot

AND TAX MAP REFERENCED AS 7.116..10;

I, Greg Shepard, REPRESENTING Chapel Hill Transit,

SUBMIT THIS NEIGHBORHOOD MEETING FORM TO ACKNOWLEDGE THAT:

[PLEASE CHECK THE APPROPRIATE BOX BELOW.]

☒

A MEETING WAS HELD WITH THE MEMBERS OF THE NEIGHBORHOOD ON Thursday, Sept. 13, 2001.

☒

Residents, up to 1000 feet of the property, were notified of the neighborhood meeting.

☐

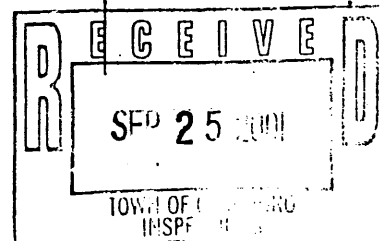
A MEETING WAS NOT HELD WITH THE MEMBERS OF THE NEIGHBORHOOD.

THIS NEIGHBORHOOD MEETING FORM IS RESPECTFULLY SUBMITTED TO THE TOWN STAFF ON THIS 25th DAY OF September, 2001.

By affixing my signature, I attest to the accuracy of the submitted information.

Greg Shepard
Philip Post & Associates, Inc.

Signature

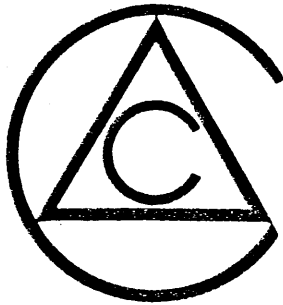


SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS

CONDITIONAL USE PERMIT— CHAPEL HILL PARK AND RIDE FACILITY PROJECT

Recommended by	Recommendations
1. Staff, AC, EAB, PB & TAB	THE ADMINISTRATION RECOMMENDS THAT THE BOARD OF ALDERMEN APPROVE THE CONDITIONAL USE PERMIT/AGREEMENT REQUEST TO ALLOW AN INDEPENDENT AUTOMOBILE PARKING FACILITY (USE 10.100) AT THE 603 BERRYHILL DRIVE PROPERTY (TM# 7.116..10), SUBJECT TO THE FOLLOWING CONDITIONS:
2. Staff, AC, EAB, PB & TAB	THAT THE PLANS BE REVISED TO CONTAIN THE 0.2 FOOT-CANDLE ON THE SUBJECT PROPERTY. IF THIS REQUIREMENT IS MET, THE ADMINISTRATION FURTHER RECOMMENDS THAT THE HEIGHT OF THE LIGHTS BE INCREASED TO ALLOW LIGHTS NO TALLER THAN TWENTY-FOUR (24) FEET ON THIS PARTICULAR PROPERTY;
3. Staff, AC, EAB, PB & TAB	THAT THE PROPOSED SIGN BE THE SIZE AND DESIGN INDICATED ON THE PLANS;
4. AC	THAT ANISE BUSH (ILICUM FLORADANUM OR ILICUM PARBIFLORUM) SHOULD BE SUBSTITUTED FOR THE PROPOSED THORNY ELEAGNUS (ELEAGNUS PUNGENS);
5. AC	THAT VIRGINIA-WILLOW (ITEA VIRGINICA) SHOULD BE SUBSTITUTED FOR THE PROPOSED YUNNAN HONEYSUCKLE (LONICERA YUNNANENSIS);
6. AC	THAT ADDITIONAL EASTERN RED CEDAR TREES (JUNIPERUS VIRGINIANA) WOULD BE PREFERRED INSTEAD OF THE PROPOSED LEYLAND CYPRESS TREES (CUPRESSOCYPARIS LEYLANDI);
7. EAB	THAT THE CREPE MYRTLES THAT ARE PROVIDED WITHIN ISLANDS AS PART OF THE SHADING REQUIREMENT FOR THE SITE BE REPLACED WITH TREES THAT WILL BE TALLER AND LESS BUSHY AT MATURITY IN ORDER TO PROVIDE IMPROVED SHADING AND SECURITY, AND;
8. EAB	THAT AN APPROPRIATE STORMCEPTOR MAINTENANCE SCHEDULE BE PROVIDED AND THAT REPORTS AS TO COMPLIANCE WITH THE SCHEDULE BE REGULARLY PROVIDED, AND;
9. EAB	THAT A MIXTURE OF COMPACT AND STANDARD PARKING SPACES BE DISTRIBUTED THROUGHOUT THE SITE;
10. EAB	THAT THE STORMWATER SYSTEM BE EVALUATED FOR ITS ABILITY TO HANDLE UP TO A 25-YEAR STORM EVENT WITH THE SUGGESTION THAT CHECK DAMS BE PLACED BELOW THE OUTLET OF THE UNDERGROUND DETENTION SYSTEM TO ADD A MEASURE OF SECURITY TO LIMIT EROSION THAT MIGHT OCCUR WITH EITHER A STORM EVENT LARGER THAN THE 10-YEAR DESIGN STORM OR A RAPID SERIES OF 10-YEAR DESIGN STORMS;
11. TAB	THAT THE PROJECT INCLUDE EAST-WEST CROSSWALKS ACROSS THE CENTRAL ENTRY CORRIDOR OF THE PARKING LOT AT THE FRONT AND REAR OF THE CORRIDOR;
12. TAB	THAT THE TWO (2) BUS SHELTERS, CURRENTLY OF THE "MEDIUM" SIZE BE ENLARGED TO THE NEXT "LARGER" SIZE.

Town of Carrboro / Carrboro Appearance Commission / Carrboro, North Carolina 27510



THURSDAY, OCTOBER 4, 2001

**CHAPEL HILL TRANSIT PARK AND RIDE LOT, JONES FERRY ROAD
(INCLUDING FREESTANDING SIGN PERMIT)**

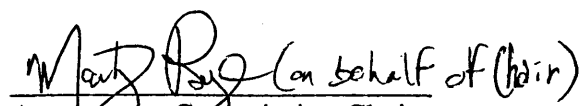
The Appearance Commission Advisory Board supports approval of the project, subject to staff's recommendations, plus the following conditions:

- 1) Anise Bush (*Illicium floridanum* or *Illicium parviflorum*) should be substituted for the proposed Thorny Eleagnus (*Eleagnus pungens*);
- 2) Virginia-Willow (*Itea virginica*) should be substituted for the proposed Yunnan Honeysuckle (*Lonicera yunnanensis*);
- 3) Additional Eastern Red Cedar trees (*Juniperus virginiana*) would be preferred instead of the proposed Leyland Cypress trees (*Cupressocyparis leylandi*).

The Appearance Commission Advisory Board supports approval of the freestanding sign, as presented.

Members Present (6): Richard Taylor, Chuck Morton, Gail Gillespie, Catherine Devine, Wendy Wenck, and Ruben Hayes

Members Absent or Excused (3): Leslie Rountree, Karin Mills, and Joal Hall Broun (Board Liaison)



Appearance Commission Chair

10-8-01
Date

TOWN OF CARRBORO



ENVIRONMENTAL ADVISORY BOARD

Meeting on October 8, 2001 at 7:30 p.m.
at the Carrboro Town Hall
Carrboro, North Carolina

RECOMMENDATION

CUP REQUEST – CHAPEL HILL TRANSIT PARK AND RIDE FACILITY

MOTION WAS MADE BY SCOTT POHLMAN AND SECONDED BY JOHN GALLAGHER THAT THE ENVIRONMENTAL ADVISORY BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN APPROVE THE CONDITIONAL USE PERMIT APPLICATION TO ALLOW THE DEVELOPMENT OF THE CHAPEL HILL TRANSIT PARK AND RIDE FACILITY AT 603 BERRYHILL DRIVE SUBJECT TO THE FOLLOWING:

- 1) THAT THE CREPE MYRTLES THAT ARE PROVIDED WITHIN ISLANDS AS PART OF THE SHADING REQUIREMENT FOR THE SITE BE REPLACED WITH TREES THAT WILL BE TALLER AND LESS BUSHY AT MATURITY IN ORDER TO PROVIDE IMPROVED SHADING AND SECURITY, AND;
- 2) THAT AN APPROPRIATE STORMCEPTOR MAINTENANCE SCHEDULE BE PROVIDED AND THAT REPORTS AS TO COMPLIANCE WITH THE SCHEDULE BE REGULARLY PROVIDED, AND;
- 3) THAT A MIXTURE OF COMPACT AND STANDARD PARKING SPACES BE DISTRIBUTED THROUGHOUT THE SITE, AND;
- 4) THAT THE STORMWATER SYSTEM BE EVALUATED FOR ITS ABILITY TO HANDLE UP TO A 25-YEAR STORM EVENT WITH THE SUGGESTION THAT CHECK DAMS BE PLACED BELOW THE OUTLET OF THE UNDERGROUND DETENTION SYSTEM TO ADD A MEASURE OF SECURITY TO LIMIT EROSION THAT MIGHT OCCUR WITH EITHER A STORM EVENT LARGER THAN THE 10-YEAR DESIGN STORM OR A RAPID SERIES OF 10-YEAR DESIGN STORMS.

VOTE: AYES (4) (Brown, Gallagher Gore, Pohlman); NOES (0); ABSENT/EXCUSED (3) (Burwell, High, Matthews).

Glynis Gore 10/10/01
Glynis Gore, Chair (date)



TOWN OF CARRBORO PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

OCTOBER 4, 2001

Conditional Use Permit Request:
Chapel Hill Transit Park and Ride Lot
At 603 Berryhill Drive

MOTION WAS MADE BY SUSAN POULTON AND SECONDED BY ROB HOGAN THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN APPROVE THE CONDITIONAL USE PERMIT TO ALLOW A CHAPEL HILL TRANSIT PARK AND RIDE LOT TO BE LOCATED AT 603 BERRYHILL DRIVE SUBJECT TO THE FOLLOWING CONDITIONS:

- I. THAT THE PLANS BE REVISED TO CONTAIN THE 0.2 FOOTCANDLE ON THE SUBJECT PROPERTY. IF THIS REQUIREMENT IS MET, THE ADMINISTRATION FURTHER RECOMMENDS THAT THE HEIGHT OF THE LIGHTS BE INCREASED TO ALLOW LIGHTS NO TALLER THAN TWENTY-FOUR (24) FEET ON THIS SPECIFIC PROPERTY.
- II. THAT THE PROPOSED SIGN BE THE SIZE AND DESIGN INDICATED ON THE PROJECT PLANS

VOTE: AYES (7) (BABISS, HAVEN-O'DONNELL, HOGAN, MARSHALL, POULTON, SEARING, AND TREAT; NOES (0); ABSENT/EXCUSED (3) (BATESON, SNIDER AND WEST).

Adam Searing / *ms* 10/19/01
Adam Searing, Chair (date)

TRANSPORTATION ADVISORY BOARD

RECOMMENDATION

October 4, 2001

SUBJECT: Chapel Hill Transit Park & Ride Lot at 603 Berryhill Drive

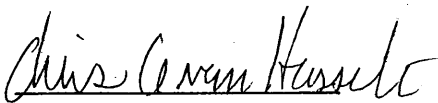
Motion: That TAB recommend the Conditional Use Permit with two recommendations. Those recommendations being:

- 1. That the project include East-West crosswalks across the central entry corridor of the parking lot at the front and rear of the corridor.
- 2. That the two (2) bus shelters, currently of the "medium" size be enlarged to the next "larger" size.

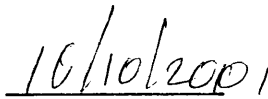
Moved: Ms. Shirley Marshall

Second: Ms. Ellen Perry

VOTE: Ayes (Marshall, Lane, Shay, van Hasselt, Perry), Noes (None)



Chair of Board



Date

TOWN OF CARRBORO



CONDITIONAL OR SPECIAL USE PERMIT WORKSHEET

I. COMPLETENESS OF APPLICATION

- ☐ The application is complete.
- ☐ The application is incomplete.

II. COMPLIANCE WITH THE ORDINANCE REQUIREMENTS

- ☐ The application complies with all applicable requirements of the Land Use Ordinance.
- ☐ The application is not in compliance with all applicable requirements of the Land Use Ordinance for the following reasons:

III. CONSIDERATION OF PROPOSED CONDITIONS

If the application is granted, the permit shall be issued subject to 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 Zoning 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 shall be held invalid or void, then this permit shall be void and of no effect.

IV. GRANTING THE APPLICATION

- ☐ The application is granted, subject to the conditions agreed upon under Section III of this worksheet.

V. DENYING THE APPLICATION

- ☐ The application is denied because it is incomplete for the reasons set forth above in Section I.
- ☐ The application is denied because it fails to comply with the Ordinance requirements set forth above in Section II.
- ☐ The application is denied because, if completed as proposed, the development more probably than not:

(Over)

WORKSHEET: CONDITIONAL/SPECIAL USE PERMIT (con't)
Page # 2

DENYING THE APPLICATION (con't)

1. *Will materially endanger the public health or safety for the following reasons:*

2. *Will substantially injure the value of adjoining or abutting property for the following reasons:*

3. *Will not be in harmony with the area in which it is to be located for the following reasons:*

4. *Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen for the following reasons:*
