

BOARD OF ALDERMEN

ITEM NO. E(2)

AGENDA ITEM ABSTRACT

MEETING DATE: JUNE 10, 2003

SUBJECT: CONTINUATION OF THE PUBLIC HEARING FOR THE PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT, 130 HANNA STREET

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. ADVISORY BOARD RECOMMENDATIONS B. CUP WORKSHEET	FOR INFORMATION CONTACT: JEFF KLEAVELAND, 918-7332

PURPOSE

To continue the hearing that began on June 3rd, 2003 regarding the Pacifica Conditional Use Permit proposal. This project is a major subdivision on the property located at the eastern terminus of Hanna Street. The subdivision includes town homes, apartments and single family detached residences. The development contains a total of 46 dwelling units. At this time, the Board should continue to receive public comment, ask questions of staff and the applicant, and continue to consider the rezoning request and conditional use permit application.

INFORMATION

The Carrboro Collaborative Development Association has submitted an application for construction of a 32-lot, 46 dwelling-unit Architecturally Integrated Subdivision (AIS) on the parcel located at the eastern terminus of Hanna Street, (off of North Greensboro Street)(Attachment C). The Conditional Use Permit, if approved, would involve a major subdivision (Use 26.100) consisting of 27 town-home lots (Use 1.321), 4 single-family-detached lots (Use 1.111), and, 1 condominium lot (with 15 dwelling units) (Use 1.331) with associated infrastructure. The subject property is zoned R-10, Residential, contains 8.3 acres (360,600 sf) and is listed on the Orange County Tax Map as number 7.30..12.

The hearing on the conditional use permit application began on June 3, 2003.

RECOMMENDATION

At this time, the Board should continue to receive public comment, ask questions of staff and the applicant, and continue to consider the conditional use permit application.

Should the Board move to vote on the permit, the Administration recommends that the Board of Aldermen approve the Conditional Use Permit for the Pacifica AIS subject to the conditions below. However, the Administration recommends denial if the applicant is unwilling to incorporate a public street as detailed in condition number four (4). Should the Board approve the CUP, the Administration recommends that the following conditions be attached to the permit.

1. The continued affordability of the units (lots 5, 8, 13, 16, 20, 27 and 29) must be specified in the Homeowner's Association documents per the provisions of Section 15-182.4 of the Land Use Ordinance. These documents must be approved by the Town Attorney prior to construction plan approval.
2. Certificates of Occupancy for each of the six bonus 'market-rate' units may not be issued until such time as the corresponding affordable unit (lots 5, 8, 13, 16, 20, 27 and 29) is constructed and offered for sale or rent for an amount consistent with the language found in Section 15-182.4 of the Town of Carrboro Land Use Ordinance.
3. No additions or interior renovations designed to increase the heated square footage of the size-restricted units (lots 1, 5, 6, 13, 16, 19, 21, 24, 27, 28, 29, 32) can be approved/completed within the first year following the issuance of the Certificate of Occupancy (CO) per Section 15-188(e). This statement must also be included on the recorded final plat.
4. That the private drive be replaced with a public right-of-way that meets the Alternative Street Standards of Section 15-216.1 of the Land Use Ordinance. The public street must be shown on the construction plans for the project and must meet all applicable requirements related to public streets.
5. That the Board hereby allows a deviation from the parking requirements of 15-291(g), finding that 71 spaces (excluding the parallel on-street parking) are sufficient to serve the Pacifica development. Per 15-292(a), the board makes this finding based on evidence submitted by the applicant mentioning the developments demographic, close proximity to bus stops and the central business district and the considerable bicycle accommodations provided on site as referenced in Attachments L and M of the staff report.
6. That the applicant modifies the Homeowners Association Documents to include a notice for prospective residents disclosing the terms of the above-mentioned parking deviation.
7. That the applicant obtains a permit from NCDEHR/DEH Public Water Supply Section authorizing the operation of Pacifica's private water distribution system prior to construction plan approval.
8. That fire flow calculations and building-sprinkler design must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
9. That Pacifica enters into an encroachment agreement with the Town regarding maintenance and care of private water-quality check-dams encroaching upon the public R/W prior to construction plan approval.
10. That in the event of a failure of the private water-quality check-dams or a compromise of the street integrity adjacent to said BMP, the Town may elect at any time to remove the facilities and restore the R/W elements to the standard illustrated in Alternate Street Designs detail No. 27. Further, an adequate security must be submitted by the applicant prior to construction plan approval sufficient to cover the cost of reparations to the R/W area, including but not limited to the street itself, required as a result of damage created by the check-dams being located in the R/W. The cost to remove the check-dams and restore the integrity of the R/W shall be paid by the Homeowner's Association.
11. That the two adjacent bioretention areas encroaching into the public right-of-way be relocated outside of the right-of-way so as not to compromise the roadway structure.
12. 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.

13. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners' association documentation.
14. That the affordable housing units conform to the town's recommended "Village Mixed Use and Affordable Housing Vernacular Architectural Standards" per Section 15-182.4 of the Land Use Ordinance.