

A RESOLUTION REGARDING A MINOR MODIFICATION TO THE CUP FOR
THE PACIFICA AIS SUBDIVISION TO ADD TEN PARKING SPACES TO THE
APPROVED PLANS

Resolution No. 50/2005-06

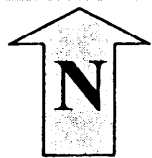
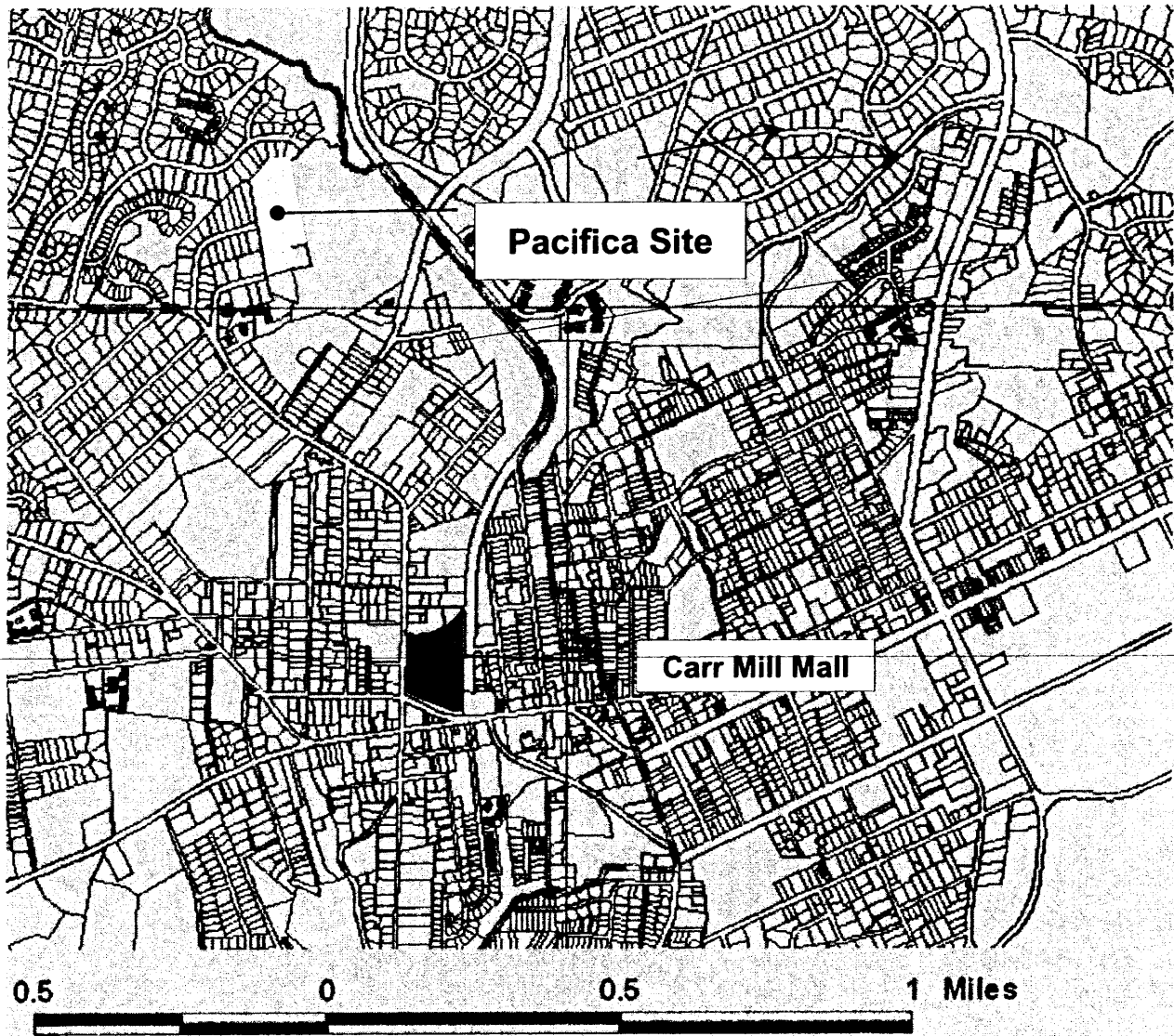
WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Pacifica Architecturally Integrated Subdivision located at 130 Hanna Street on June 24th, 2003; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any substantial change to the approved plans for a project shall constitute a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

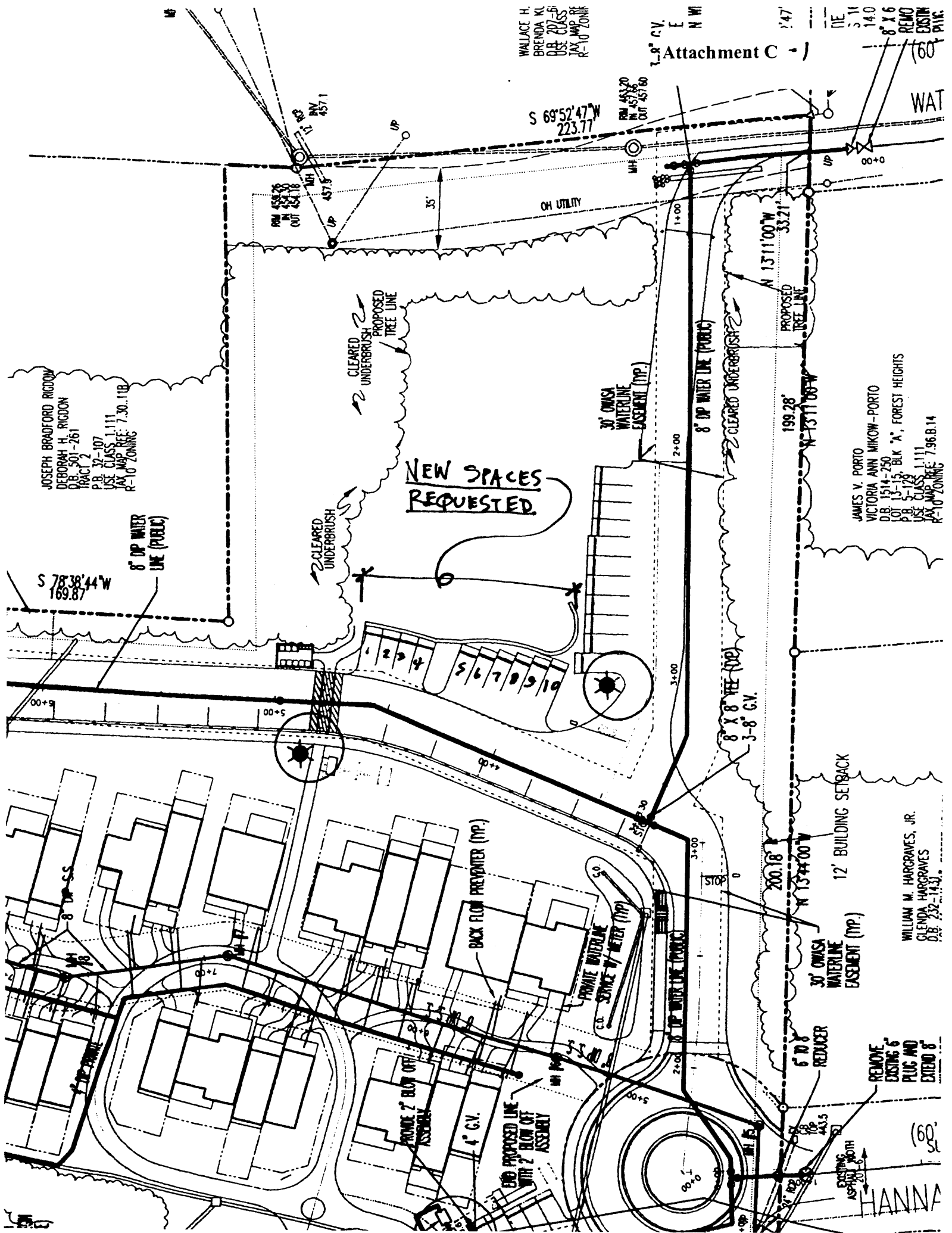
NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board of Aldermen approve the request made by the Carrboro Collaborative Development Association, Inc. to modify the permit with the addition of ten compact parking spaces subject to any conditions agreed upon during discussion of Section 3 of the Conditional Use Permit.

Vicinity



WALLACE H.
BRENDA K.
D.B. 202-51
TAX MAP REF.
R-10 ZONING

Attachment C -)
1.8" C.V. E N W
1.47
1.11
1.40
8" X 6
REMO
EXIST
PLUG



JOSEPH BRADFORD RIGDON
DEBORAH H. RIGDON
D.B. 501-261
P.B. 32-107
USE CLASS 1.111
TAX MAP REF. 7.30.11B
R-10 ZONING

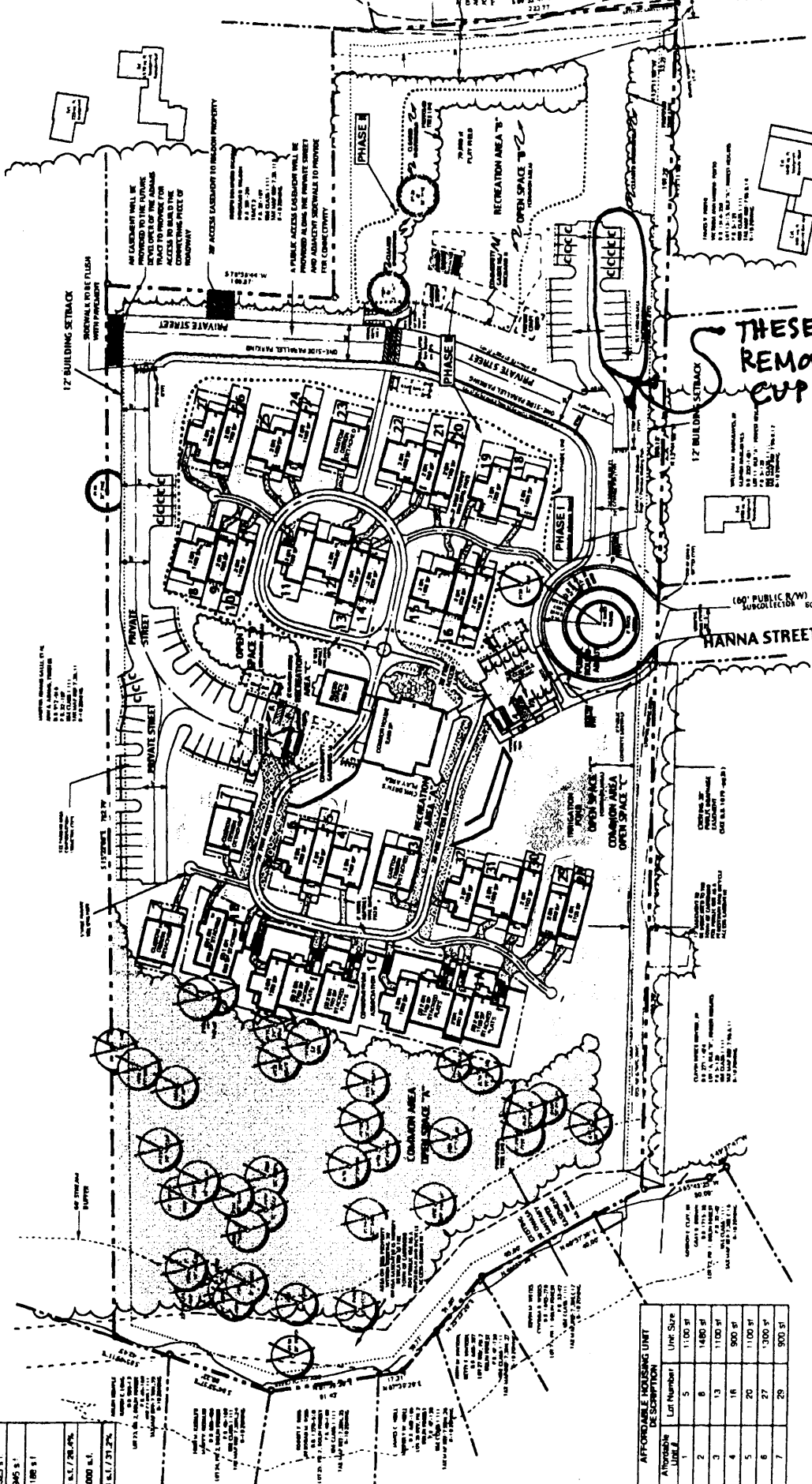
JAMES V. PORTO
VICTORIA ANN MIKOW-PORTO
D.B. 1514-250
T.O. 13-15, BLK "A", FOREST HEIGHTS
P.B. 5-129
USE CLASS 1.111
TAX MAP REF. 7.96.8.14
R-10 ZONING

WILLIAM M. HARGRAVES, JR.
GLENDA HARGRAVES
D.B. 232-143
R-10 ZONING

NEW SPACES
REQUESTED

HANNA
160'
EXISTING ASPHALT PAVEMENT
20'-0"

PROPOSED IMPERVIOUS SURFACE TOTALS	
Along Road Shoulder	3,723 s.f.
Along Road Shoulder	38,325 s.f.
Along Road Shoulder	5,945 s.f.
Along Road Shoulder	60,188 s.f.
Along Road Shoulder	102,458 s.f. / 28.4%
Along Road Shoulder	10,000 s.f.
Along Road Shoulder	112,458 s.f. / 31.2%

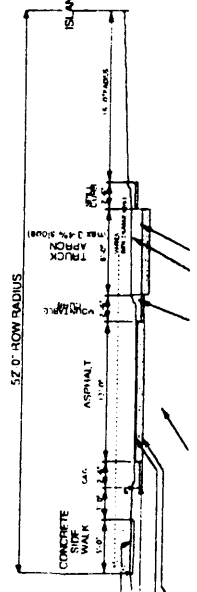


AFFORDABLE HOUSING UNIT	
Unit #	Unit Size
1	1,100 sq ft
2	1,400 sq ft
3	1,100 sq ft
4	900 sq ft
5	20
6	27
7	200 sq ft

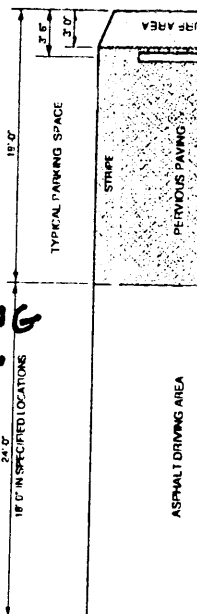
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 UWAY
 STRUCTION
 N PERMIT AT

S	
1	15
2	60 spaces
3	2 spaces
4	3 spaces
5	1 space
6	27 spaces
7	40 spaces
8	71 spaces
9	113 spaces

SECTION OF PROPOSED 24' PRIVATE STREET CONNECTOR
 SCALE 1/4" = 1'-0"



TYPICAL 26' PRIVATE STREET & PERVIOUS WALKING PATH SECTION
 SCALE 1/4" = 1'-0"



Attachment D	
10	17
18	36
26	55
34	74
42	93
50	112
58	131
66	150
74	169
82	188
90	207
98	226
106	245
114	264
122	283
130	302
138	321
146	340
154	359
162	378
170	397
178	416
186	435
194	454
202	473
210	492
218	511
226	530
234	549
242	568
250	587
258	606
266	625
274	644
282	663
290	682
298	701
306	720
314	739
322	758
330	777
338	796
346	815
354	834
362	853
370	872
378	891
386	910
394	929
402	948
410	967
418	986
426	1005
434	1024
442	1043
450	1062
458	1081
466	1100
474	1119
482	1138
490	1157
498	1176
506	1195
514	1214
522	1233
530	1252
538	1271
546	1290
554	1309
562	1328
570	1347
578	1366
586	1385
594	1404
602	1423
610	1442
618	1461
626	1480
634	1499
642	1518
650	1537
658	1556
666	1575
674	1594
682	1613
690	1632
698	1651
706	1670
714	1689
722	1708
730	1727
738	1746
746	1765
754	1784
762	1803
770	1822
778	1841
786	1860
794	1879
802	1898
810	1917
818	1936
826	1955
834	1974
842	1993
850	2012
858	2031
866	2050
874	2069
882	2088
890	2107
898	2126
906	2145
914	2164
922	2183
930	2202
938	2221
946	2240
954	2259
962	2278
970	2297
978	2316
986	2335
994	2354
1002	2373
1010	2392
1018	2411
1026	2430
1034	2449
1042	2468
1050	2487
1058	2506
1066	2525
1074	2544
1082	2563
1090	2582
1098	2601
1106	2620
1114	2639
1122	2658
1130	2677
1138	2696
1146	2715
1154	2734
1162	2753
1170	2772
1178	2791
1186	2810
1194	2829
1202	2848
1210	2867
1218	2886
1226	2905
1234	2924
1242	2943
1250	2962
1258	2981
1266	3000
1274	3019
1282	3038
1290	3057
1298	3076
1306	3095
1314	3114
1322	3133
1330	3152
1338	3171
1346	3190
1354	3209
1362	3228
1370	3247
1378	3266
1386	3285
1394	3304
1402	3323
1410	3342
1418	3361
1426	3380
1434	3399
1442	3418
1450	3437
1458	3456
1466	3475
1474	3494
1482	3513
1490	3532
1498	3551
1506	3570
1514	3589
1522	3608
1530	3627
1538	3646
1546	3665
1554	3684
1562	3703
1570	3722
1578	3741
1586	3760
1594	3779
1602	3798
1610	3817
1618	3836
1626	3855
1634	3874
1642	3893
1650	3912
1658	3931
1666	3950
1674	3969
1682	3988
1690	4007
1698	4026
1706	4045
1714	4064
1722	4083
1730	4102
1738	4121
1746	4140
1754	4159
1762	4178
1770	4197
1778	4216
1786	4235
1794	4254
1802	4273
1810	4292
1818	4311
1826	4330
1834	4349
1842	4368
1850	4387
1858	4406
1866	4425
1874	4444
1882	4463
1890	4482
1898	4501
1906	4520
1914	4539
1922	4558
1930	4577
1938	4596
1946	4615
1954	4634
1962	4653
1970	4672
1978	4691
1986	4710
1994	4729
2002	4748
2010	4767
2018	4786
2026	4805
2034	4824
2042	4843
2050	4862
2058	4881
2066	4900
2074	4919
2082	4938
2090	4957
2098	4976
2106	4995
2114	5014
2122	5033
2130	5052
2138	5071
2146	5090
2154	5109
2162	5128
2170	5147
2178	5166
2186	5185
2194	5204
2202	5223
2210	5242
2218	5261
2226	5280
2234	5299
2242	5318
2250	5337
2258	5356
2266	5375
2274	5394
2282	5413
2290	5432
2298	5451
2306	5470
2314	5489
2322	5508
2330	5527
2338	5546
2346	5565
2354	5584
2362	5603
2370	5622
2378	5641
2386	5660
2394	5679
2402	5698
2410	5717
2418	5736
2426	5755
2434	5774
2442	5793
2450	5812
2458	5831
2466	5850
2474	5869
2482	5888
2490	5907
2498	5926
2506	5945
2514	5964
2522	5983
2530	6002
2538	6021
2546	6040
2554	6059
2562	6078
2570	6097
2578	6116
2586	6135
2594	6154
2602	6173
2610	6192
2618	6211
2626	6230
2634	6249
2642	6268
2650	6287
2658	6306
2666	6325
2674	6344
2682	6363
2690	6382
2698	6401
2706	6420
2714	6439
2722	6458
2730	6477
2738	6496
2746	6515
2754	6534
2762	6553
2770	6572
2778	6591
2786	6610
2794	6629
2802	6648
2810	6667
2818	6686
2826	6705
2834	6724
2842	6743
2850	6762
2858	6781
2866	6800
2874	6819
2882	6838
2890	6857
2898	6876
2906	6895
2914	6914
2922	6933
2930	6952
2938	6971
2946	6990
2954	7009
2962	7028
2970	7047
2978	7066
2986	7085
2994	7104
3002	7123
3010	7142
3018	7161
3026	7180
3034	7199
3042	7218
3050	7237
3058	7256
3066	7275
3074	7294
3082	7313
3090	7332
3098	7351
3106	7370
3114	7389
3122	7408
3130	7427
3138	7446
3146	7465
3154	7484
3162	7503
3170	7522
3178	7541
3186	7560
3194	7579
3202	7598
3210	7617
3218	7636
3226	7655
3234	7674
3242	7693
3250	7712
3258	7731
3266	7750
3274	7769
3282	7788
3290	7807
3298	7826
3306	7845
3314	7864
3322	7883
3330	7902
3338	7921
3346	7940
3354	7959
3362	7978
3370	7997
3378	8016
3386	8035
3394	8054
3402	8073
3410	8092
3418	8111
3426	8130
3434	8149
3442	8168
3450	8187
3458	8206
3466	8225
3474	8244
3482	8263
3490	8282
3498	8301
3506	8320
3514	8339
3522	8358
3530	8377
3538	8396
3546	8415
3554	8434
3562	8453
3570	8472
3578	8491
3586	8510
3594	8529
3602	8548
3610	8567
3618	8586
3626	8605
3634	8624
3642	8643
3650	8662
3658	8681
3666	8700
3674	8719
3682	8738
3690	8757
3698	8776
3706	8795
3714	8814
3722	8833
3730	8852
373	

Pacifica Bicycle/Transportation Survey Results

There were 30 responses from 29 households (1 on the waiting list, 28 with deposits.)

Method:

I took the survey data and made the following modifications:

- Changed responses to numbers when possible. For example, if someone put "1-2" cars, I changed it to 1.5 cars. 2 trips per week was changed to 0.286 trips per day.
- Used given numbers when uncertainty expressed. "2?" became 2, etc.
- One household had two responses. I converted it to one response, assuming the larger number when there was conflict.
- I used my judgment to make some data consistent (e.g. one person said they would travel by bike (1 trip/day) and store a bike outside, but left number of bikes blank. I made this 1.) I did not change any values that were "intentional" regardless of inconsistencies. So a 0 would remain zero no matter what.

Calculation:

- I summed the responses (number of adults, number of trips, number of cars) and scaled up from the 29 households to 46 households by multiplying by 46/29.

So the numbers shown are estimates scaled to 46 households:

Results:

Question 1: Expected number of:

Adults:	73
Children 0-5:	8
Children 6-10:	3
Children 11-16:	2

Question 2: Expected trips per day by:

Car:	57
Bicycle:	31
Bus:	13
Motorcycle:	0
Walking:	25

Question 3: Expected number of:

cars:	64
adult bikes:	85
children's bikes:	11
motorcycles:	2
Shoes:	5 pair to something less than Imelda

Question 4a: Do you expect to store anything else in the parking area?

yes:	10
no:	27
no response:	9

4b: What?

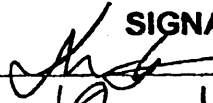
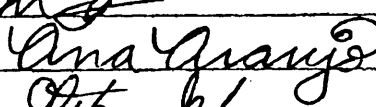
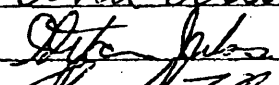
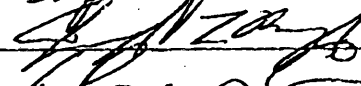


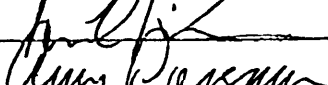
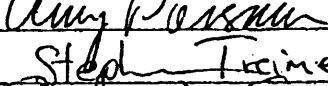
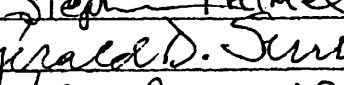
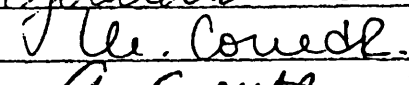
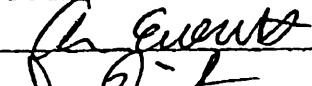



utility trailer, engine block, sea kayak, canoe/kayak, sailboat, boat (future), tools

January 17, 2003

We, the future residents of Pacifica, concur that the proposed 1.5 spaces per household plus the unmarked parallel spaces on the access road will accommodate our vehicles for the following reasons:

- Approximately 1/3 of the households have only one adult.
- The considerable bicycle accommodations will make it easier to have and maintain quality bicycles and will promote a culture of bicycle riders.
- The major shopping areas are only a ten-minute walk from the proposed neighborhood.
- There is a bus line on North Greensboro Street, a few minutes walk away.
- We actively promote alternatives to automobile transportation.

We support the sidewalk proposed for Hanna Street, and mentioned on the web site, and would like to pay for it but find that the cost is in direct conflict with our desire to provide affordable housing. The sidewalk would marginally benefit us since it is quicker in most cases to walk down Watters Road. There are many streets in Carrboro that do not have sidewalks and as far as we know there is not a public policy for the town to remedy this which would indicate that the public at large does not consider this a health and safety priority. It is not clear how many homes will be approved for this site after the public hearing process. Therefore, we feel our interest in affordable housing outweighs the desire to upgrade the public infrastructure on Hanna Street. Should the final project costs prove able to accommodate both affordability and the sidewalk we will agree to pay for some reasonable portion of the cost.

NAME	SIGNATURE
Tom Zito	
ANA ARAUJO	
Stephen Jenks	
JOSEPH LOBUELO	
Denise Caignon	
Andrea Treimel	
Paul Piersma	
Amy Piersma	
Stephen Treimel	
Gerald Surh	
Magda Corredor	
Anne Everitt	
SASON MORNINGSTAR	
Ronni Zuckerman	

Debra Beddingfield, a resident of the northern transition area, asked if residents would be represented like other Lake Hogan Farms residents.

MOTION WAS MADE BY ALEX ZAFFRON AND DULY SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING PHASES 4E, 4F AND 6B OF THE LAKE HOGAN FARMS SUBDIVISION." VOTE: AFFIRMATIVE SIX, ABSENT ONE (BROUN)



PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

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. It is necessary for the Board of Aldermen to hold a public hearing on this request before taking action.

Jeff Kleaveland, one of the town's Planning and Zoning Specialists, was sworn in and made the presentation.

[Alderman Broun arrived at the meeting.]

Giles Blunden, the applicant, was sworn in and made a presentation.

Nancy White, Associate Professor, NCSU, was sworn in. She gave her perspective on the stormwater management design and stated that the project is thoroughly put together.

Joanna Massey, with the Carrboro Collaborative Development Association and future resident, was sworn in. She spoke about the storm water component; stated that a storm water manual will be developed and submitted to Town; stated that they will take a leadership role in stormwater management; and stated that she is proud to see the project happening.

Russell Dawton, with Kimberly Horn Associates, was sworn in. He stated that they had based their traffic study on the traffic counts in Arcadia, which is a similar type development. He provided an overview of the findings of the traffic study.

Mayor Nelson requested that Mr. Blunden provide information to the Board on the amount of contribution that could be made toward construction of the sidewalk along Hanna Street based on the number of houses that would be constructed.

Alderman Gist encouraged Pacifica to seriously consider the sidewalk.

The following speakers were sworn in:

Bob Joyner, project civil engineer, spoke about the Hanna Street construction. He stated that Hanna Street is in good condition, but may require spot repairs. The next projected maintenance is in 2005 which is near the end of the project construction.

John Marshall, Planning Board Chair, stated that the Planning Board unanimously endorsed the project with three conditions.

Marty Mandell, read a statement from Rich Shaw as follows: I've been informed by Marti Mandell that tonight's public hearing on the proposed Bolin Creek co-housing development (end of Hannah Street) is not scheduled early on the agenda. As such, I will not be able to attend the meeting and make comments because I am already making a presentation this evening to the Orange County board of commissioners.

Had I been able to comment, I would have said that Orange County would like the Carrboro planning board (and board of alderman) to keep in mind that the proposed development is adjacent to the Adams Tract; and that Orange County (in cooperation with the Town of Carrboro) is negotiating the potential purchase of the Adams property as a permanent natural area.

The Adams Tract Preservation Committee (of which I am a member) developed a conceptual plan for the Adams property, which suggests that the entire tract be maintained as a mature forest with no active recreation areas, parking or connector roads. The Committee suggested that the Adams tract be kept in a natural state with limited low-impact recreation (nature trails, interpretive signage). Ample parking and active recreation opportunities are available at Wilson Park, adjacent to the Adams property.

She circulated a map showing the proximity of the Adams and Hanna Street properties. She stated that this land is from same farm as the Adams Tract; development poses an ecological threat; suggested swapping of the Hanna Street property for Hillsborough Road park land; requested more time to talk to surrounding residents; and stated that she had a letter of support from the Friends of Bolin Creek supporting this idea

Alderman Broun stated that she would like to know about the legality of using the Hillsborough Road Park property bought with payment-in-lieu of funds to build the Pacifica project.

Cliff Haac, Milrock Court resident, gave several reasons that the project is too dense. He proposed lower density, Hanna Street enhancement, and limited access from the Adams Tract.

Walt Martin, Bolin Forest Phase II, spoke about the cost of a sidewalk on Hanna Street.

Bob Ross expressed his confusion about a sidewalk on Hanna Street. He does not believe this street is suitable for the expected traffic. He suggested that lowering the density would resolve the problem.

Linda Haac, a resident of Bolin Forest Phase II, spoke about affordability and community. She defined affordable as moderate square footage for a moderate price; thinks square footage cost is high; asked how is affordable housing is tracked; and asked if city services are available for this project.

Amy Piersma, a future Pacifica resident, addressed a *Vision 2020* statement. She stated that she is struck by congruence of Pacifica and *Vision 2020* statements and believes Pacifica is a model for *Vision 2020* implementation.

Stephen Treimel, spoke about property borders. He expressed concern about the lack of buffers, trespassing, parking, noise, headlights, flow of water, and child safety. He showed a proposal for an alternative walkway, screening, and stormwater management plan that would address his concerns. He stated that if Pacific were required to have a public road, he would like the town's permission to encroach upon the public right-of-way in order to provide plantings to serve as the visual buffer.

Mary Walsh, spoke on the three-generation impact of the Pacifica development. She said that she would be able to live near her daughter and grandchild, could live independently, and would be in an environment where she could know her neighbors.

Maria Owens, a Hanna Street homeowner, stated that she is happy about the Pacifica project; does not feel the sidewalk is needed and that wide roads will encourage speeding.

Andrea Treimel, stated that she had met with neighbors about starting a community garden - gardens create opportunities for neighbors to work together.

Joel Bulio, a future Pacifica resident, stated that he is a 15-year bicycle commuter; stated that a survey of future Pacifica residents revealed that 25% of their trips will be made by bicycle; 50% of their trips would be made without the use of an automobile; 93% support alternative transportation and car sharing. He stated that with the residents would be using high-speed Internet for telecommuting at home. This is a unique co-housing opportunity that will not impact traffic

Scott Morningstar, a future Pacifica resident, encouraged the Board to follow through on *Vision 2020*.

Carol Wilburn, a future resident of Pacifica, stated that she would benefit from the Pacifica affordable housing component. She also spoke about access for EZ Rider patrons and a bicycle shed and pedestrian shelter.

Ken Moore thanked the Board for sending notice to adjacent property owners. He stated that he was thrilled about the potential of Pacifica and challenged the Board to continue considering alternative approaches to housing.

Bree Kalb, future Pacifica resident, gave an overview of future resident characteristics and how they came to be. She stated that she was attracted by the project's four core values, and that the ages of residents will range from the 20's to retirement with various occupations.

James Carnahan, stated that he has no financial or professional relationship with Carrboro Collaborative Development Association and does not plan to live there. He spoke about the importance of reversing sprawl and pollution and higher density.

Jim Porto, a resident of Watters Road, stated that he has no problem with cars but he does have a problem with the density. He stated that Mr. Blunden has set the precedent for future developments by selling units first and then have future owners come to Board. He stated that he supports development if there is a way to limit the use of automobiles, and their impact on neighbors. He presented information on 1999 traffic counts for North Greensboro.

David Belline, a member of various housing boards, real estate professional, and future Pacifica resident, expressed concern about the affect on nearby property values – should be rapid appreciation; there will be very little likelihood of absentee rentals to students; easements will discourage trespassing; this neighborhood will be very much like Arcadia that will provide affordable housing.

Steve Rose, a resident of Hanna Street requested that the June 22, August 18 and September 7, 1999 minutes of the Board of Aldermen be made a part of tonight's public hearing. He stated that he is not against infill development or density, or different types of infrastructure. Hanna Street is a very dense and diverse street. He stated that Hanna Street is 20.8 feet with no shoulders and a steep drop on each side with a blind curve with on-street parking. Rollout carts have to be placed on the pavement on garbage pickup days. Two cars cannot pass each other on Hanna Street. He stated that he has seen many near misses with cars and pedestrians, cars and bikes, moving cars and parked cars. The traffic trips will be increased from the current number of 282 trips per day to and estimated 767 trips per day. All of the new trips will be coming from the end of Hanna Street from the Pacifica project. He suggested that the developer be required to construct a driveway from their parking facility to Watters Road to split the traffic. He also suggested that the density be lowered.

Martha Lee, who is on the waiting list for a Pacifica home, stated that this is a community already with conservation and land stewardship at its core.

Brad Rigdon, a resident of 114 Watters Road, stated that Watters Road is not a safe road. He presented a petition from the residents of Watters Road stating concern for the safety of the residents of their neighborhood and the proposed Pacifica development. The petition states that Watters Road for pedestrian and bicycle traffic is not safe; use of the eastern end of Watters Road by bicycles and pedestrians to access Wilson Park and other paths results in trespassing on private property; and a sidewalk needs to be constructed along Hanna Street for the safety of the residents of Hanna Street, Watters Road and Pacifica.

Robert Dowling, Executive Director of Orange Community Housing and Land Trust; stated that he would be pleased to work with Giles Blunden on the affordable housing units. As a Carrboro resident, he spoke about the safety of Hanna Street.

Carolyn Marlon, a Hanna Street resident, stated that affordable housing should not come at the expense of safety; and the Town is not prompt in picking up debris on Hanna Street. She stated that Savannah Scarborough, a resident of 115 Hanna Street, has the same concerns.

David Wohl, a resident of Watters Road, spoke regarding the impact of development on the surrounding forest. He urged that the safety issues of Watters Road to be considered.

Jonathan Fischer, a resident of Watters Road, stated that he lives in fear of the turn on Watters Road and asked future residents of Pacifica to consider other options for their children.

Kevin Weeks requested two changes to the plan: 1) an alternative to handle water runoff; and 2) a different color for building exteriors.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROWN TO CONTINUE THIS PUBLIC HEARING ON JUNE 10, 2003. VOTE: AFFIRMATIVE ALL



CONTINUATION OF THE PUBLIC HEARING: WINMORE VILLAGE MIXED USE CONDITIONAL USE DISTRICT REZONING AND WINMORE VILLAGE MIXED USE ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

The public hearing on the Winmore rezoning and conditional use permit application held on May 27, 2003 was continued to allow time for additional public comment and consideration. A resolution was recommended for the Board's adoption that provides an opportunity for the Board of Aldermen to specify follow-up action and to schedule this item for further consideration on June 24, 2003.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROWN TO CONTINUE THIS PUBLIC HEARING AT 6:00 P.M. ON WEDNESDAY, JUNE 4, 2003. THIS MEETING WILL END AT 8:00 P.M. VOTE: AFFIRMATIVE ALL

Mayor Nelson requested that staff contact key community organizers about the Board's action.

ORDINANCE REPEALING TOWN CODE PROVISIONS RELATING TO SEVERANCE PAY FOR THE TOWN MANAGER

- 3 That fully shielded lighting fixtures be installed along public streets, rather than cobra heads, to reduce light pollution and that the lights be similar in look and function to the lights being used along the private streets within the development. And, that the applicant modify the lighting plan to the satisfaction of the Public Works Department with regard to the developer and homeowner's association being responsible for the additional costs associated with the placement of full cut-off decorative lights around the main roundabout traffic circle prior to construction plan approval.

VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROWN TO GRANT THE PERMIT PURSUANT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)



PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

The Board of Aldermen continued 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.

Vickie Porto, a resident of 107 Watters Road, was sworn in. She stated that safety is the issue with this project. If the developer accesses Watters Road, they need to do it safely, requested only 30 housing units be allowed, that the 23-space parking lot be deleted, requested a drainage pipe be placed along the north side of Watters Road with a gravel sidewalk over the pipe, that a sidewalk be required on the lower side of Hanna Street.

Jim Sadler was sworn in. He stated that he does not feel the project should be so dense, expects the project will produce much more traffic than they are indicating, feels Hanna Street is already diverse in its housing types and residents. He stated that the Carrboro Board of Aldermen has achieved a reputation as a progressive group of community leaders, but feels that there is nothing progressive about an overbuilt cul-de-sac housing development that stresses and overburdens its surrounding neighborhoods and environment.

Giles Blunden proposed that they not be required to designate a right-of-way for the connector road until it is actually determined what it will connect to, and to allow the overflow parking area on the south side of the road to be grass on a structural base and not paved. This will allow the developer to contribute \$50,000 toward the construction of the sidewalk on Hanna Street.

Alderman Herrera stated that he feels the sidewalk on Hanna Street is important and needs to be constructed

Alderman Gist expressed concern that Hanna Street will require major improvements if this development goes in, does not want the stub-out to the Adams Tract, feels 46 units is too many.

Alderman McDuffee asked the town staff to determine the feasibility of placing the gravel path along Watters Road, requested an updated cost of the sidewalk for Hanna Street, asked that the minutes be checked to see if a stub-out required for the Hanna Ridge conditional use permit,

Alderman Broun expressed concern about the traffic (vehicular and pedestrian) generated by this development and asked if a covenant could be imposed that would limit the number of cars that could be owned by residents of this development. She stated that Hanna Street needs improvements without the proposed development.

Mayor Nelson stated his desire to see the Hanna Street, does not want to see a stub out to the Adams tract, but would like to see the entrance road to Pacifica built to local street standards, and requested Board authorization to send a letter to Mrs. Adams attempting to get a commitment on her part to sell her property to the town.

It was the consensus of the Board to authorize the Mayor to send a letter to Mrs. Adams.

Alderman Dorosin asked the town staff to determine whether the developer's request not be required to designate the right-of-way for the connector road until it is actually determined what it will connect to, and to allow the overflow parking area on the south side of the road to be grass on a structural base and not paved is feasible. He also stated that he feels sidewalks are needed on both Watters Road and Hanna Street.

Alderman Zaffron asked the town staff to bring back a mechanism for both scenarios—whether to require the right-of-way with a stub-out reserved, asked the town staff to respond to Kimley, Horn and Associates' traffic analysis for Hanna Street and whether the staff concurs with that analysis, and that the developer respond to the idea of eliminating the secondary parking lot.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO
CONTINUE THIS PUBLIC HEARING TO JUNE 24TH. VOTE: AFFIRMATIVE ALL



REQUEST FROM ARTS COMMITTEE

Mayor Nelson stated that the Arts Committee has requested authorization to purchase a piece of sculpture (sunflower) for \$900.00.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO
AUTHORIZE THE ARTS COMMITTEE TO PURCHASE THE SCULPTURE. VOTE: AFFIRMATIVE
ALL

POET LAURETE

Alderman Gist stated that the poet laureate's term has expired and her service needs to be recognized and the town needs to find a replacement.

LETTER TO HANGERS CLEANERS

Alderman Zaffron asked the Board for authorization to send a letter to Hangers Cleaners asking that they respond to questions from neighbors.

Mike Brough stated that there is a process to address this matter. The interpretation of the Zoning Administrator can be appealed to the Board of Adjustment.

CONFLICT OF INTEREST POLICY

Alderman Zaffron expressed concern that Carrboro has not been included in these discussions from the beginning.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROWN TO AUTHORIZE MAYOR NELSON TO SEND A LETTER TO THE TOWN OF CHAPEL HILL EXPRESSING THE TOWN'S INTEREST AND EXPECTATION TO BE INCLUDED IN FUTURE DISCUSSIONS AND DECISIONS REGARDING THE TRIANGLE REGION TRANSIT CONSOLIDATION/IMPLEMENTATION PLAN. VOTE: AFFIRMATIVE ALL



CONTINUATION OF PUBLIC HEARING: PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

This was a continuation of the June 3, 2003 public hearing on the Pacifica conditional use permit request. 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.

Jeff Kleaveland, one of the town's Planning/Zoning Development Specialists, made the presentation.

Giles Blunden discussed sharing the cost of installing the sidewalk along Hanna Street.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (BROWN)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT 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 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 shall be held invalid or void, then this permit shall be void and of no effect.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY DIANA MCDUFFEE THAT 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 CARRBORO LAND USE ORDINANCE. THE MANAGEMENT OF THESE UNITS WILL BE GIVEN TO ORANGE COUNTY COMMUNITY HOUSING AND LAND TRUST OR THE TOWN AT THE TIME THE CERTIFICATE OF OCCUPANCY IS ISSUED. THESE DOCUMENTS MUST BE APPROVED BY THE TOWN ATTORNEY PRIOR TO CONSTRUCTION PLAN APPROVAL. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT 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 CARRBORO LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT 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 AND 32) CAN BE APPROVED/COMPLETED WITHIN THE FIRST YEAR FOLLOWING THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY (CO) PER SECTION 15-188(E) OF THE CARRBORO LAND USE ORDINANCE. THIS STATEMENT MUST ALSO BE INCLUDED ON THE RECORDED FINAL PLAT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT STREETS BE ALLOWED TO REMAIN PRIVATE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (ZAFFRON)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE BOARD HEREBY ALLOWS A DEVIATION FROM THE PARKING REQUIREMENTS OF SECTION 15-291(G) OF THE CARRBORO LAND USE ORDINANCE, FINDING THAT 75 SPACES ARE SUFFICIENT TO SERVE THE PACIFICA DEVELOPMENT. PER SECTION 15-292(A) OF THE CARRBORO LAND USE ORDINANCE, THE BOARD MAKES THIS FINDING BASED ON EVIDENCE SUBMITTED BY THE APPLICANT MENTIONING THE DEVELOPMENT'S DEMOGRAPHIC, CLOSE PROXIMITY TO BUS STOPS AND THE CENTRAL BUSINESS DISTRICT AND THE CONSIDERABLE BICYCLE ACCOMMODATIONS PROVIDED ONSITE AS REFERENCED IN ATTACHMENTS L AND M OF THE STAFF REPORT. IN ADDITION, THAT THE ELEVEN (11) WESTERN PARKING SPACES OF THE 23-SPACE AUXILLIARY PARKING AREA BE ELIMINATED AND THAT AN EMERGENCY-ONLY ACCESS DRIVE BE PROVIDED TO THE PROPERTY FROM WATTERS ROAD. THIS DRIVE IS TO INCLUDE A COLLAPSIBLE BOLLARD AND AN "ALL-WEATHER" TRAVEL SURFACE SUBJECT TO THE TOWN'S APPROVAL. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BROUN, GIST)

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE APPLICANT MODIFY THE HOMEOWNER'S ASSOCIATION DOCUMENTS TO INCLUDE A NOTICE TO PROSPECTIVE RESIDENTS DISCLOSING THE TERMS OF THE ABOVE-MENTIONED PARKING DEVIATION. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE APPLICANT OBTAIN A PERMIT FROM NCDEHR/DEH PUBLIC WATER SUPPLY SECTION AUTHORIZING THE OPERATION OF PACIFICA'S PRIVATE WATER DISTRIBUTION SYSTEM PRIOR TO CONSTRUCTION PLAN APPROVAL. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE 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. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE APPLICANT PROVIDE 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. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE DEVELOPER SHALL INCLUDE A 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 THE TOWN ENGINEER AND ENVIRONMENTAL PLANNER FOR APPROVAL PRIOR TO CONSTRUCTION PLAN APPROVAL. UPON APPROVAL, THE PLANS SHALL BE INCLUDED IN THE HOMEOWNER'S ASSOCIATION DOCUMENTATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE AFFORDABLE HOUSING UNITS CONFORM TO THE TOWN'S RECOMMENDED "VILLAGE MIXED USE AND AFFORDABLE HOUSING VERNACULAR ARCHITCTURAL STANDARDS" PER SECTION 15-182.4 OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE DEVELOPER SHALL REIMBURSE THE TOWN OF CARRBORO FOR 50% OF THE COST OF DESIGNING AND INSTALLING AN INTEGRAL POUR SIDEWALK ON THE LOW SIDE OF HANNA STREET EXTENDING FROM THE PACIFICA PROPERTY TO THE INTERSECTION WITH NORTH GREENSBORO STREET. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GIST, BROWN)

MOTION WAS MADE BY JOAL HALL BROUN THAT THE NUMBER OF VEHICLES BE LIMITED TO 30 WITHIN THE DEVELOPMENT. MOTION DIED FOR THE LACK OF A SECOND.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY DIANA MCDUFFEE THAT THE DEVELOPER PREPARE AN OPEN SPACE MANAGEMENT PLAN TO BE SUBMITTED WITH THE CONSTRUCTIONS PLANS TO BE INCLUDED AS PART OF THE HOMEOWNER'S ASSOCIATION DOCUMENTS. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JOHN HERRERA THAT THE PRIVATE FIRE LANE ACCESS WAYS REMAIN FREE OF OBSTRUCTIONS DURING AND AFTER CONSTRUCTION TO ENSURE THE ONGOING SAFETY OF THE RESIDENTS OF THE DEVELOPMENT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY MARK DOROSIN THAT THE APPLICATION IS GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (BROUN, GIST)

FILED Joyce H. Pearson
Register of Deeds Orange County NC
BY
Deputy *[Signature]*

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

TOWN OF CARRBORO
CONDITIONAL USE PERMIT GRANTED

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: Carrboro Collaborative Development Association, Inc.
OWNER: Green Equity, LLC
PROPERTY LOCATION (Street Address): 130 Hanna Street
TAX MAP, BLOCK, LOT(S): 7.30..12 <i>9779.70.4802 mab</i>
PROPOSED USE OF PROPERTY: Major subdivision consisting of the following uses: single-family detached, multi-family town homes, multi-family apartments (condominiums))
CARRBORO LAND USE ORDINANCE USE CATEGORY: 26.100, 1.111, 1.321, 1.331
MEETING DATES: June 3, 10, 24, 2003

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 pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

TOWN OF CARRBORO
CONDITIONAL USE PERMIT (con't)
Page #2

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.

3) That 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 Carrboro Land Use Ordinance. The management of these units will be given to Orange County Community Housing and Land Trust or the Town Manager at the time the certificate of occupancy is issued. These documents must be approved by the Town Attorney prior to construction plan approval.

4) That 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 Carrboro Land Use Ordinance.

5) That 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 and 32) can be approved/completed within the first year following the issuance of the certificate of occupancy per section 15-188(e) of the Carrboro Land Use Ordinance. This statement must also be included on the recorded final plat.

6) That streets be allowed to remain private per the specifications of the approved conditional use permit plans.

7) That the Board hereby allows a deviation from the parking requirements of Section 15-291(g) of the Carrboro Land Use Ordinance, finding that 73 spaces are sufficient to serve the Pacifica development. per Section 15-292(a) of the Carrboro Land Use Ordinance. The Board makes this finding based on evidence submitted by the applicant mentioning the development's demographic, close proximity to bus stops and the central business district and the considerable bicycle accommodations provided onsite as referenced in Attachments L and M of the staff report. In addition, that the eleven (11) western parking spaces of the 23-space auxiliary parking area be eliminated and that an emergency-only access drive be provided to the property from Watters Road. This drive is to include a collapsible bollard and an "all-weather" travel surface subject to the town's approval.

8) That the applicant modify the homeowner's association documents to include a notice to prospective residents disclosing the terms of the above-mentioned parking deviation.

9) That the applicant obtain a permit from NCDEHR/DEH Public Water Supply Section authorizing the operation of Pacifica's private water distribution system prior to construction plan approval.

10) 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.

11) That the applicant provide 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.

12) That the developer shall include a 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, bio-retention 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 the Town Engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowner's association documentation.

TOWN OF CARRBORO
CONDITIONAL USE PERMIT (con't)
Page #3

13) 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 Carrboro Land Use Ordinance.

14) That the developer shall reimburse the Town of Carrboro for 50% of the cost of designing and installing an integral pour sidewalk on the low side of Hanna street extending from the Pacifica property to the intersection with North Greensboro Street.

15) That the developer prepare an open space management plan to be submitted with the constructions plans to be included as part of the homeowner's association documents.

16) That the private fire lane access ways remain free of obstructions during and after construction to ensure the ongoing safety of the residents of the development.

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.

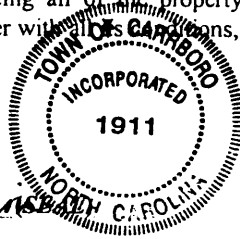
If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded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

NORTH CAROLINA
ORANGE COUNTY

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.

ATTEST:

Sarah C. Williamson
Town Clerk
NORTH CAROLINA-ORANGE COUNTY



THE TOWN OF CARRBORO

BY

Michael B. Brough
Interim Town Manager

I, Jane L. Tuohy, a Notary Public in and for said County and State, do hereby certify that Sarah C. Williamson, 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 Michael B. Brough, Interim Town Manager of said Town of Carrboro and Sarah C. Williamson, 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 WHEREOF, I have hereunto set my hand and notarial seal this the 12 day of September, 2003.



Jane L. Tuohy (SEAL)
Notary Public

My Commission Expires: 12-01-2003

TOWN OF CARRBORO
 CONDITIONAL USE PERMIT (con't)
 Page #4

I Paul Pierman, Principal of Green Equity, LLC,
 do hereby acknowledge receipt of this Conditional Use Permit. The undersigned Principal do
 further acknowledge that no work may be done pursuant to this permit except in accordance with
 all of its conditions and requirements and that this restriction shall be binding upon them and their
 successors in interest.

Paul Pierman Manager
 Principal of Green Equity LLC

STATE OF NC
 COUNTY OF Orange

I, Gena C. Wicker, a Notary Public for said County and State, do hereby
 certify that Paul Pierman, Manager of Green Equity, LLC, a
 limited liability company, personally appeared before me this day and acknowledged the due
 execution of the foregoing instrument on behalf of the company.

Gena C. Wicker
 Notary Public
 3-24-08
 (SEAL)
 NOTARY
 PUBLIC
 STATE OF NORTH CAROLINA

Witness my hand and official seal or stamp, this
 The 10th day of Sept., 2003.

(Not valid until fully executed and recorded)

STATE OF NORTH CAROLINA
 COUNTY OF ORANGE

The foregoing certificate of _____, Notary Public of the
 designated governmental units is certified to be correct.

This the ____ day of _____, A.D., 2003.

 Register of Deeds

By _____
 Assistant/Deputy Register of Deeds

PREPARED BY AND RETURN TO:

TOWN CLERK
 TOWN OF CARRBORO
 301 West Main Street
 CARRBORO, NORTH CAROLINA 27510

MEMORANDUM

TO: Property Owners in the vicinity of the Pacifica AIS project located at the end of Hanna Street. The Pacifica AIS is currently under construction.

FROM: Carrboro Collaborative Development Association

DATE: August 12, 2005

SUBJECT: **Neighborhood Information Meeting** for a proposed modification to the Conditional Use Permit for the **Pacifica Architecturally Integrated Subdivision** at the above mentioned location.

You are cordially invited by the future residents of Pacifica and the Carrboro Collaborative Development Association to attend a Neighborhood Information Meeting. The purpose of the meeting is to provide you with information about our proposal to modify the Pacifica Conditional Use Permit so as to accommodate nine additional parking spaces for visitors and guests, and to discuss any concerns you may have.

The Neighborhood Information meeting will be held on Monday, August 22nd, 2005 at 7:30 PM in Room 100 of the Carrboro Town Hall. You are invited to attend this meeting if you like, or, if you are unable to attend, written comments may be submitted to the Zoning Division at the below address.

Town of Carrboro
Zoning Division
Attn: Jeff Kleaveland
301 West Main Street
Carrboro, NC 27510



TOWN OF CARRBORO
NORTH CAROLINA
WWW.TOWNOFCARRBORO.ORG

ATTACHMENT H - 2

Subject: Meeting Minutes
Re: Pacifica Minor Modification Neighborhood Information Meeting
When: August 22, 2005
Where: Town Hall, Rm 100

Neighbors Present

Vicky Porto
Jim Porto
Steve Rose

Applicants Present

Various members from the Carrboro Collaborative Development Association (CCDA)

Staff Present

Jeff Kleaveland, Planning Zoning Development Specialist

Staff Note

The comments below are paraphrased and not verbatim. Also, the comments are grouped into defining statements but do not represent the actual meeting dialog.

Applicant Comments

The CCDA conducted a post-permitting survey of the parking provision of the permit and concluded that there would be insufficient parking for guests.

Even though a resident may not use their car daily, it will still remain at Pacifica, using up a parking space, still leaving the problem of no guest parking regardless of the bicycle orientation of the community.

The parking reduction made during the public hearing was prematurely agreed to by the developer. The members of the CCDA parking subcommittee consider this a mistake. Still the CCDA believes that it will not be typical in its traffic impact and that the extra spaces do not directly represent increased traffic impact.

The CCDA is still dedicated to pursuing reduced car use, but the storage of cars is a basic problem. Currently the parking ratio is 1.5 cars per household. This leaves very few parking options for guests except to overflow onto neighborhoods.

Neighbor Comments

Vicky Porto

We appreciate the design of the relocated, new parking spaces, but we also feel that the reduction of spaces made during the hearing was the only concession granted (by the Board of Aldermen) to the neighbors. The additional parking proposed means increased traffic and reduced safety. Already we are concerned about the safety implications of increased bike and pedestrian traffic along Watters Road.

Jim Porto

Pacifica was sold as a pedestrian friendly community. It is ironic that these extra parking spaces are being requested. I appreciate your efforts to address the potential problems internally, however, I have a concern that the cost of these additional improvements will be taken from the landscape budget. What are in the installed size of trees shown on the landscape plan? (Staff response: Installed caliper of Trees range from 1" to 4"; applicant required to install trees per approved plans). Also, the timing of the Hanna Street sidewalk project is important. This should be constructed prior to

occupancy of the project for safety reasons. I thought that the sidewalk was going to be one of the first things built. I would like to work with the residents of Pacifica to manage the traffic issue. It is unfortunate that speed bumps were not made a part of the plan.

Steve Rose

Traffic on Hanna Street was a big part of the discussion regarding Pacifica. Other projects for this site have gone before the Board with significantly less density than Pacifica and this issue was *still* important. The safety issue was one of the main reasons that we attempted to have the permit overturned in court. That the court upheld the permit suggests that it should be constructed as permitted. Hanna Street is not constructed to handle the kind of trips Pacifica might generate. During the public hearing it was emphasized that this development was *different* and would not create the kind of car traffic typical for a development of its size. The permit as issued represents a *deal* with the Board; Giles was cavalier and naïve in allowing the parking reduction, but, as such, it is incumbent upon the residents to try and live with the arrangement. It would be unfortunate to see "No parking" signs go up on Hanna Street. What I see is that things are not turning out as they were represented by the developer.

Meeting adjourned.

C. Bruce Hunter

PO Box 2038

Chapel Hill NC 27515-2038

(919) 929-1860

June 6, 2005

Michael Nelson, Mayor
Town Hall
301 N. Main Street
Carrboro, NC 17510

Dear Mr. Nelson:

It has come to my attention that the developers of the Pacifica project have amended their plan to include a dozen or more new parking spaces.

This is a problem, as it constitutes a significant change in the nature of a development which already exceeds legal limits. The project was allowed only because existing residents were assured it would be a pedestrian community and would not adversely impact traffic on Hanna Street.

These latest changes demonstrate that the community will not be as originally represented and that its impact on traffic will be significant.

This in turn may obligate the Board of Aldermen to reassess the development with a view to re-evaluating its true impact on the community.

I would therefore be grateful if you and the other members of the Board will carefully reconsider your position in this matter.

Yours truly,



C. Bruce Hunter
123 Hanna Street

Memo to: Carrboro Board of Aldermen
Planning and Zoning Staff

From: Deborah and Brad Rigdon

Date: June 1, 2005

RE: Pacifica Request for Parking Modifications

Please include this memo as part of the Public Record for the Minor Modifications Hearing for a request by the Parking Committee of Pacifica Owners Group to add 10 to 12 additional parking spaces to the already approved development plan.

We are opposed to all three permutations of parking revisions. Without dredging up volumes of documentation, it is well known by all involved parties that Pacifica was sold as a "walking and biking" community.

The major objection presented by neighbors during the Public Hearings concerned the safety hazard created by increased traffic on Hanna Street. Members of the cohousing community presented one impassioned speech after another about how little reliance their community would have on automobiles. Those of us who are of a more practical and skeptical nature scoffed at future cohousers' claims. The request for more parking looks like a small victory for us scoffers.

No vehicle trips per day have been generated by Pacificans however, future inhabitants already see a problem. The same problem was foretold by neighbors at the Public Hearings. The reality of safely accommodating vehicles and vehicle trips per day is what ultimately led to the lawsuit against the Town of Carrboro.

There is a simple solution for Pacifica's already existing parking problems and those of the cohousing community's future. The purchase of a small bus or van could accommodate the needs of activity attendees. The "Pacifica Party Van" could function as a shuttle back and forth to public lots, ferrying cojoiners without the hassles of onsite parking.

If the purchase of a van seems too costly, a frugal suggestion would be carpooling. Designated carpoolers could act as ferriers of attendees without the costly outlay for a van and its upkeep.

We all have to make sacrifices to accommodate our neighbors. None of us can have a party and expect our neighbors to allow parking overflow that inconveniences or sacrifices safety. We on Watters Road use Wilson Park for event parking, as our street is not wide enough to safely accommodate additional parking.

We feel the challenges facing the Pacificans are no different than those we in existing neighborhoods face. It seems only fair that our new neighbors agree to meet these challenges with the same spirit of sacrifice and creativity as we do.



Sungate Design Group, P.A.

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

September 9, 2005

Ms. Jane L. Tuohey
Zoning Division
Town of Carrboro
301 West Main Street
Carrboro, NC 27510

Re: First review of the Minor Modification for Pacifica Parking Addition.

Ms. Tuohey,

We have completed our review of the Minor Modification for the Pacifica Parking Addition that was submitted to our office on September 6, 2005. It appears that the revised plans and calculations are satisfactory. Therefore, Sungate Design does not have any comments.

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

Sincerely,

William M. Hines, PE

TRANSPORTATION ADVISORY BOARD**RECOMMENDATION****November 17, 2005**

SUBJECT: Pacifica Minor Modification

MOTION: The Transportation Advisory Board (TAB) sees both pros and cons in the proposed modification. Without knowing the full history of why parking was removed during the CUP process and without the benefit of a representative from the Board of Aldermen or the applicant at our meeting, we do not feel we can make a recommendation in either direction and instead support the staff recommendation that the Board of Aldermen review, deliberate, and make a decision. Some of the pros of the proposed modification are (1) the location of the new parking makes it less likely that headlights will shine on existing residential property as the previously removed parking would have, and (2) the additional parking will make it less likely that there will be spillover parking on Hanna Street during events. Some of the cons of the proposed modification are (1) the presence of additional parking spaces could lead to more automobiles parking on the site and more traffic on Hanna Street, and (2) additional parking may not be needed since the project is near the bus line on Greensboro Street. In addition, since the applicant accepted the parking reduction during the CUP process, there need to be compelling reasons why the additional parking is needed in order to justify the modification.

Moved: Heidi Perry Second: Tom High

VOTE: Passed 4-0: Ayes (Charles Hileman, Heidi Perry, John O'Leary, Tom High); Noes (None).

TAB Chair

_____/_____/05
Date