

**BOARD OF ALDERMEN**

ITEM NO. (1)

**AGENDA ITEM ABSTRACT**

**MEETING DATE NOVEMBER 25 , 2008**

**SUBJECT: PUBLIC HEARING: REVIEW OF THE COLLETON CROSSING ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT, 8400 & 8420 REYNARD ROAD**

<b>DEPARTMENT: PLANNING DEPARTMENT</b>	<b>PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO</b>
<b>ATTACHMENTS:</b> A. PROJECT PLANS B. STAFF REPORT C. LAND USE PERMIT APPLICATION D. OCHLT LETTER E. TRANSPORTATION IMPACT STATEMENT F. TREE REMOVAL JUSTIFICATION LETTER G. TRUTH IN DRAINAGE STATEMENT H. APPLICANT'S ATTORNEY LETTER REGARDING EASEMENT I. MINUTES FROM 11.15.05 BOARD OF ALDERMEN MEETING J. ARCHITECTURAL STANDARDS NARRATIVE K. APPLICANT RESPONSE TO ADVISORY BOARD COURTESY REVIEW COMMENTS L. CITIZEN LETTERS	<b>FOR INFORMATION CONTACT:</b> <b>JEFF KLEAVELAND, 918-7332</b>

**PURPOSE**

MBI Development as represented by Phil Post and Associates, has submitted an application for the construction of a 39 dwelling unit subdivision located at 8400 & 8420 Reynard Road (Attachment C). The Conditional Use Permit, if approved, would allow the creation of 39 single-family (6 affordable) lots with associated infrastructure, including publicly dedicated streets. The public hearing will be opened but the Board is not expected to make a decision on the permit until the meeting is continued in January or later.

**INFORMATION**

The subject property is zoned Rural Residential (RR). Its two parcels contain 31.6 acres and are listed on the Orange County Tax Map as numbers 7.23.C.28 & 28A. For a vicinity map, see cover sheet of Attachment A.

**STAFF RECOMMENDATION**

Town staff recommends that the Board of Aldermen open the Colleton Crossing AIS Conditional Use Permit public hearing. Staff recommends that the Board consider the issuing the permit subject to the conditions below:

1. The continued affordability of the units (located on lots 1, 26, 32, 33, 34, & 35) must be ensured through working directly with Orange Community Housing & Land Trust, in accordance with LUO Section 15-182.4.
2. Certificates of Occupancy for each of the six (6) bonus 'market-rate' units may not be issued until such time as a corresponding affordable unit (located on lots 1, 26, 32, 33, 34, & 35) 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. The six bonus units are to be identified on the plans prior to construction plan approval and shall be identified on the final plat.
3. That, prior to construction plan approval, the applicant work with the Town Transportation planner to consider a traffic calming alternative to the speed table proposed for Middleton Drive, including but not limited to a mid-block curb extension (also known as a "choker).
4. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT.
5. That, prior to Construction Plan approval, the sidewalk detail on the detail sheet is labeled and specifies that sidewalk thickness shall increase to a minimum of 6" thick where all driveways cross the sidewalk.
6. That, prior to construction plan approval, the proposed greenway alignment from the southern property line be realigned to follow the OWASA easement behind lots 36 -38 so as to tee in to Reynard Road.
7. That, in the construction plans the greenway trails be designed to meet or exceed the specifications identified in the AASHTO Guide for the Development of Bicycle Facilities, and that the proposed greenway be constructed to the Type IV AASHTO standard.
8. That the single family home lots, when developed have sufficient room to conveniently park two cars on a paved driveway, off of the street, without blocking the sidewalk. Garages may not be counted toward this requirement. This parking will be shown on individual plot plans during the building permit stage.
9. That, prior to construction plan approval the proposed street tree planting layout be revised to meet the spacing requirements of Section 15-315 of the LUO and that 1/3<sup>rd</sup> of the proposed street trees be evergreen.
10. That flexibility be allowed in the execution of the street tree planting plan (subject to the approval of public works and the planning department), such that the combination of existing and proposed trees along all publicly dedicated streets in Colleton Crossing meet the street tree requirements of Section 15-315 of the Land Use Ordinance.
11. That a 10', undisturbed vegetative buffer of existing (or enhanced) native plantings be maintained along the eastern (rear) property line of lots 4 through 8. This buffer shall be disclosed on the final plat and referenced in the Homeowner Association documents. A landowner may remove existing vegetation in the buffer if it is: a) a noxious weed, b) sick or c) presents a significant hazard. If other vegetation is removed that does not fit these categories, replacement is required with new native plantings equivalent to a Type B screen.
12. That, prior to Construction Plan approval, a HEC-RAS flood study shall be provided to analyze the 100 year flood with backwater analysis for both the existing and proposed conditions;
13. That, prior to Construction Plan approval, the proposed box culvert design shall be sized to provide for a "no-rise" condition for the 100 year backwater (at the property line of the project), as compared to the preconstruction conditions shown in the results of the HEC-RAS flood study.
14. That, prior to Construction Plan approval, all design and details of the proposed box culvert shall meet the requirements of the Carrboro Land Use Ordinance and the associated Storm Drainage

Design Manual and be approved by the Town of Carrboro's Engineering Consultant, Sungate Design Group. Any substantial design changes will require the approval of the Board of Aldermen (with possible public hearing) per the provisions of 15-64 of the LUO.

15. That all state and federal 401 and 404 permits be obtained prior to construction plan approval if necessary.
16. 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.
17. 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.
18. That, prior to Construction Plan approval, the applicant provide on the plans details and notes for the Town's required casting for curb inlet hoods and manhole covers. This is the "fish" logo combined with the "Dump No Waste – Drains to Jordan Lake" slogan.
19. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans;
20. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
21. That the existing driveway access easement that ties the property to Tallyho Trail to the east, serve as a temporary emergency access route and that, if necessary it is improved sufficiently to satisfy the emergency access needs of the Town of Carrboro Fire Department. Further, that a collapsible bollard (or equivalent) satisfactory to the Fire Department, be installed on the subject property at the beginning of the easement to prevent everyday use of this driveway. Use of this driveway easement for emergency access will end once the Middletown Drive subcollector is continued and subsequently interconnected to an existing street to the south (via the UNC property identified on the Town's GIS system as 1500 Claymore Road).
22. That, if the applicant chooses street lighting fixtures that deviate from the Town standard, they willingly assume all costs above and beyond those associated with this standard. Furthermore, any such deviation will not be allowed without the expressed approval from the Town's Public Works Department.
23. That the applicant receive(s) CAPs from the Chapel Hill Carrboro City Schools District pursuant to Article IV, Part 4 of the Land Use Ordinance, prior to construction plan approval.
24. That the street names of the subdivision are revised as necessary to meet the addressing requirements of the Town GIS specialist.