

BOARD OF ALDERMEN

ITEM NO. (5)

AGENDA ITEM ABSTRACT

MEETING DATE: JANUARY 27, 2009

SUBJECT: PUBLIC HEARING ON A MAJOR MODIFICATION TO CLAREMONT CONDITIONAL USE PERMIT- PHASE IV & V

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input checked="" type="checkbox"/> No <input type="checkbox"/>
ATTACHMENTS: A. STAFF REPORT B. PROJECT PLANS C. LETTER FROM UNC DEALING WITH DEVELOPMENT OF "CAROLINA NORTH" D. ALTERNATIVE ROAD DESIGN STANDARD LETTER FROM CONSULTANT E. TRIP GENERATION SHEET FROM APPLICANT F. TREE REMOVAL JUSTIFICATION LETTER G. VERNACULAR ARCHITECTURAL STANDARDS LETTER FROM APPLICANT H. LAND USE PERMIT APPLICATION I. ORIGINAL CUP FOR CLAREMONT SUBDIVISION, PHASE I, II AND III J. COMPILATION OF ADVISORY BOARD RECOMMENDATIONS K. ADVISORY BOARD RECOMMENDATIONS L. CROSSWALK LETTER FROM TRANSPORTATION PLANNER M. CUP WORKSHEET	FOR INFORMATION CONTACT: JAMES THOMAS, 918-7335

PURPOSE

A major modification to the original Conditional Use Permit allowing two addition phases for property located at 1001 Homestead Road.

INFORMATION

Parker Louis, LLC, as represented by Phil Post and Associates has submitted an application for a Major Modification of the original Conditional Use Permit (CUP) for Claremont Subdivision, Phase I, II, and III for the construction of ninety-six (96) additional lots located at 1001 Homestead Road (Attachment C). The Major Modification of the Conditional Use Permit, if approved, would allow the creation of twenty-seven (27) townhouses in four (4) buildings and sixty-nine (69) single-family lots. The subject property is a R-15/R-20 mixed zoning district containing 38.14 acres (1,661,516sf) and is listed on the Orange County Tax Map as numbers 7.109..16D and 7.109..17.

STAFF RECOMMENDATION

Town Staff recommends that the Board of Aldermen consider the major modification, decide whether to support and/or modify any of staff's recommendations as related to the Major Modification to the Conditional Use Permit application at 1001 Homestead Road, subject to the following recommendations/conditions:

1. The continued affordability of the units (lots 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 86, 87, 88, 93, 94) 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 twelve (12) bonus 'market-rate' units may not be issued until such time as the corresponding affordable unit (lots 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 86, 87, 88, 93, 94, 95) 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. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
4. That if a CLOMR for the proposed walkway beneath the Homestead Road bridge is necessary, then it must be received prior to the approval of the Construction Plans. The LOMR, if necessary must be received prior to the recording of the final plat for Phase IV of Claremont.
5. If necessary, that all state and federal 401 and 404 permits be obtained prior to construction plan approval.
6. Additional width for the easement be provided in the greenway for the area north of the bridge where steps may need to be installed due to the steep slope of the area.
7. 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 Claremont meet the street tree requirements of Section 15-315 of the Land Use Ordinance and that the final arrangement is such that 1/3rd of the street trees proposed for this purpose are evergreen.
8. That the Homestead Road buffer and screening layout be incorporated into the CUP plans prior to the Public Hearing.
9. 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.
10. 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.

11. That prior to Construction Plan approval, the developer provide the necessary easements for all the bio-retention basins.
12. That prior to Construction Plan approval, a soil scientist (or other qualified engineers/personnel) provide the appropriate information that the seasonal water table is at least two (2) feet below the bottom of the basins per NCDENR "Best Management Practice" manual. 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.
13. 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.
14. That the applicant submit a Voluntary Annexation Petition prior to final plat approval.
15. 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