

STAFF REPORT

TO: Board of Aldermen

DATE: January 27th, 2009

PROJECT: Major Modification to Claremont AIS CUP- Phase IV & V

**APPLICANT
and OWNERS:** Parker Louis, LLC
180 Providence Road
Chapel Hill, NC 27514

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

EXISTING ZONING: R-20 = 24.79 acres; R-15 = 13.35 acres

TAX MAP NUMBER: 7.109..16D and 7.109..17

LOCATION: 1001 Homestead Road

TRACT SIZE: 38.14 acres (1,661,516 sf)

EXISTING LAND USE: single-family residence on tax map number 7.109..17

PROPOSED LAND USE: 26.100, Major subdivision consisting of the following uses:
1.111, single family detached
1.321, multi-family townhouses

**SURROUNDING
LAND USES:** North: Homestead Road
South: R-15, Wexford Subdivision, Phase VI
West: R-15, single-family residential
East: R-20, vacant (Carolina North Property)

ZONING HISTORY: R- 15 and R-20 since 1988

ANALYSIS

Background, Concept Plan Development

Background

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 B**). 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.

Concept Plan Development

Before formal plans were submitted, the applicant prepared a concept plan as required by Section 15-50 of the LUO. The conceptual design process requires the designer to consider primary and secondary constraints on the site prior to locating structures or lots. The existing site has one single-family residence on the property with the rest of the property being open fields, hardwoods and pines. It slopes to the east where it meets with Bolin Creek, which meanders along the eastern property line.

During concept plan review, staff requested the design be modified to: 1) better preserve the mixed hardwood areas; 2) preserve the existing single-family residence. After several reviews, the applicant revised the lot layout to better accommodate the preservation of the mixed hardwoods and the single-family residence.

The applicant provided staff with the required, written narrative addressing the fourteen (14) design objectives of Section 15-50.

Density, Affordable Housing, Size-restricted Units

Density, Affordable Housing

The overall permissible density on the site is calculated using the adjusted gross density provisions of Section 15-182.3 Of the LUO. This method reduces the amount of total density permitted based upon the amount of certain site features such as steep slopes, rock formations, and utility easements. In the case of Claremont Subdivision, Phase IV and V, this adjustment reduced the gross area used in the density calculation by 318,580 sf, yielding a permissible density of 75 units (40 units within the R-20 zoning district and 35 units within the R-15 zoning district).

Using the Residential Density Bonus provisions of Section 15-182.4, the applicant is permitted to build up to 150 % of the base density for the zoning district. Utilizing this provision, the maximum permissible density is 113 units. Of all the bonus units provided, at least one-half of them must remain affordable per the provisions of Section 15-182.4. Claremont, Phase IV and V is taking advantage of the Residential Density Bonus by

building sixteen (16) affordable units and have chosen to only build five (5) market-rate units. The sixteen (16) affordable units are providing 16.66% (LUO recommends 15% minimum) of the total proposed density and these affordable units are located in townhouses.

Section 15-182.4 requires that the applicant provide assurance that the affordable units will remain affordable per the provisions of the ordinance. For this reason we require the applicant to identify and define the terms by which this agreement will be honored. To meet the requirements of the LUO, a condition must be placed on the permit specifying that the *continued* affordability of the units (lots 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 86, 87, 88, 93, 94, 95) must be specified in the Homeowner's Association documents. These documents must be approved by the Town Attorney prior to construction plan approval, as represented by the following condition:

- 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.

Additionally, the developer will transfer the sixteen (16) affordable units to The Orange Community Housing and Land Trust per Section 15-182.4 of the Land Use Ordinance.

Further, a condition must be placed on the permit stating that a 'certificate of occupancy' for the 5 bonus 'market-rate' units may not be issued until such time as the 16 affordable units (lots 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 86, 87, 88, 93, 94, 95) are 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 as represented by the following condition:

- Certificates of Occupancy for each of the five (5) 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.

Size-Restricted Units

Per Section 15-188, every residential subdivision containing more than twenty-one units shall be developed so that 15% of the dwelling units (du's) contain not more than 1100 sf and 10% of the du's are not larger than 1350 sf. However because this project provides a number of affordable housing units that exceeds 85% of the maximum available through the density bonus, it is exempt from these regulations (Section 188(j)).

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to density, affordable housing density bonus and size-restricted units, subject to the conditions mentioned above.

Connectivity, Streets, Traffic Calming

Connectivity

In guiding Carrboro's growth, Town policy and ordinances support the development of an interconnected matrix of public streets. Section 15-214 of the Land Use Ordinance (LUO) requires new subdivisions to tie into anticipated streets outside the development, thereby providing "connectivity" to the Town's public road system. To this end, Claremont, has provided street connectivity to Colfax Drive and provided a "stub-out" to the adjacent property to the west.

In accordance with Section 15-214 of the LUO, street connectivity to the Carolina North property shown on sheet S-25 of the CUP plans is within compliance. The developer may make a case to the Board of Aldermen as to why these connector streets to the UNC should not be installed. The applicant has provided a letter from UNC as justification for not providing the stub-outs to the UNC property (**Attachment C**).

Streets

All proposed streets are built according to the public street standards of Article XIV of the LUO. Each public street is shown with curb and gutter, sidewalks (on at least one side of the street), the correct pavement and R/W width.

It should be noted that the developer has used alternative design standards for Street C and Street 3 within these phases of the development. Per the LUO, the developer has demonstrated the environmental benefits for this alternative in the road standards (**Attachment D**).

Additionally, the developer has construction "street B" and "street 2" to subcollector road standards when these streets are designated as local streets per the LUO. The developer has stated that the need to construct these roads to subcollector road widths versus local road widths is due to the installation of utilities.

A private alley is located behind the townhouse lots in the western quadrant of the site. This private one-way alley has a pavement width of 14' and provides twenty-six (26) parking spaces for use by the townhouses.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to street improvements. In regard to street connectivity, staff would recommend that the Advisory Boards make a recommendation in regard to either constructing or not constructing the two stub-outs to the Carolina North property.

Traffic Analysis, Pedestrian/Bicycle Facilities, Parking

Traffic Analysis

The 2003 NCDOT traffic survey states that Homestead Road has an average of 7000 vehicle trips per day near this site. The Traffic Impact Statement (TIS) prepared by Philip Post and Associates estimates that the Claremont project will create approximately 888 trips per day (**Attachment E**). Note that this estimate, prepared in February 2007, is

based on a development with 94 dwelling units; the proposed development now has 96 dwelling units.

The TIS also estimates the AM and PM peak-hour trips at three intersections (Homestead/High School, Homestead/Old NC 86). The TIS states that a change in the level of service is not anticipated due to project traffic at the Homestead/High School and Homestead/Old NC 86 intersections, and notes that NCDOT is making improvements to the Homestead-High School intersection (including turn lanes and a traffic signal).

NCDOT has reviewed the Claremont site plan. For the entrance/exit to eastern portion of the subdivision (30 single-family lots) a right turn in lane will be installed and a dedicated left turn in lane will be installed. This proposed intersection will generate 300 trips per day (**Attachment E**).

The other main entrance will align with the existing entrance to Claremont Subdivision, Phase I, II & III. This entrance will have a right turn in lane while headed east on Homestead Road and a dedicated left turn in lane while headed west on Homestead Road. This intersection is expected to generate 530 trips per day. This subcollector road (Claremont Drive) will connect to the existing Colfax Drive (Wexford Subdivision, Phase VI) and it is anticipated to generate 58 trips per day through this connection.

The applicant has not yet received a driveway permit from NCDOT. Because of this, the following condition is recommended:

- That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval;

Pedestrian/Bicycle Facilities

Sidewalks will be installed on both of all subcollector streets and one side of local streets. These sidewalks will be 5' wide in width. The sidewalk on western side Claremont Drive will extend to the Colfax Drive. Additionally, accessibility ramps and striped crosswalks are provided at all street crossings.

Along Homestead Road, a proposed 5' concrete sidewalk meanders throughout the Homestead Road Protective Buffer. This sidewalk will be within a fifteen (15) foot public access/maintenance easement and intersect with the greenway trail at the eastern portion of the property.

The proposed public greenway will be constructed along Bolin Creek. This greenway will be 10 feet in width and be located within a 16 foot width public access/maintenance easement. The developer will construct a bridge beneath the existing bridge on Homestead Road in order to connect to the existing greenway with Phase I, II & III. This bridge has been conceptually approved by the NCDOT engineer and has also been reviewed by Sungate Design Group. This bridge will be approximately 10 feet in width and constructed of wood.

Since the proposed walkway beneath the Homestead Road bridge may affect the regulatory floodplain, it may be required to obtain a Conditional Letter of Map Revision

(CLOMR) from FEMA. If a CLOMR is required, then when construction is completed a Letter of Map Revision (LOMR) will be necessary. Because of the expected delays in FEMA's processing of these requests and because the Town is responsible for maintaining a viable Flood Insurance Program the following condition is proposed.

- 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.

If the construction of the greenway bridge is deemed to impact the "Waters of the United States" and jurisdictional wetlands, then the applicant must obtain the applicable state and federal permits. The following condition is recommended:

- If necessary, that all state and federal 401 and 404 permits be obtained prior to construction plan approval.

The construction of the greenway just north of the bridge in Phase I, II and III of Claremont may require steps due to the steep slope of this area. Staff would recommend additional width in easement for this section of the greenway due to the possible construction of steps. Because of this, the staff recommends the following condition:

- Additional width in 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;

The construction of the greenway from the t-intersection adjacent to Bolin Creek to where it terminates at the Carolina Commons property has been discussed between the developer and town staff. This discussion was about whether to construct this portion of the greenway because there will be no "supposed" development in this portion of Carolina Commons and in essence, the greenway would be leading to nothing. The developer has offered the option of not constructing this portion of the greenway, but offering the town the money to construct this portion of the greenway for future greenway projects. The developer has stated that the money offered to the town would be for the developer's cost of constructing the greenway and not a bid for the town to have it constructed.

Parking

Per section 15-291 of the LUO, single family and townhouse units must provide parking on their respective lots sufficient to accommodate two cars. The single-family residences will have sufficient driveways to provide parking for two vehicles in addition to the typical two-bay garage. As for the townhouses, the affordable units will have a driveway to accommodate one car and have use of the parking spaces off the private alley. The market value townhouses will have a two-bay garage off the front of them, but will also be able to accommodate two cars within the driveway.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to connectivity traffic analysis, pedestrian/bicycle facilities and parking.

Additionally, staff recommends that the Advisory Boards discuss and make a recommendation of whether they support or not support the non-construction of the greenway to the Carolina North property and instead receive a payment in lieu to be used to future greenway projects.

Tree Protection, Street Trees, Landscape Plans, Homestead Road Buffer, Screening and Shading

Tree Protection,

The applicant has shown on the plans the removal of 39 “large” trees, of mixed species, which include Sweet Gum, Poplars, Maples, Oaks and Pines, none of these are considered rare. Large trees as defined by the LUO have a diameter of 18 inches or greater and are to be retained whenever possible (15-316). Due to a majority of this property being former farmland, few trees will be removed for the construction of either the single-family homes or the townhouses. The removal of the 49 large trees is necessary for the construction of roads and detention basins. A tree removal justification letter has been provided (**Attachment F**).

Street Trees

Section 15-315 of the LUO provides guidelines for the planting and retention of trees adjacent-to and within street R/W’s where an offer of dedication has been made to the Town. The landscape plan proposes these trees be laid out primarily within the R/W. Additionally, the Town’s policy is to require that 1/3rd of all such trees be evergreen. While the proposed berm plantings are primarily evergreen, the street tree plantings are all deciduous. For these reasons, the following condition is recommended:

- 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.

Homestead Road Buffer and Screening

Section 15-312 requires that developments adjacent to Homestead Road to preserve an undisturbed Protective Buffer that is a minimum of 50’ in width and an average of 100’ in width. Further, this Section requires that a Type A screen be provided on the development side of this buffer in places where the existing vegetation is insufficient. The developer has provided this landscaping plan as an attachment and not within the plans themselves. Staff would recommend that this landscaping be included with the CUP plans.

- That the Homestead Road buffer and screening layout be incorporated into the CUP plans prior to the Public Hearing;

Shade Trees in Parking Areas

Section 15-317(b) of the LUO requires that parking lots provide shading over at least 20% of the vehicle accommodation area. The parking spaces off the private alley is the only area where a “parking lot” is provided on these phases of Claremont and surpasses the required 20% shading requirement (providing 88% shading requirement).

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to tree protection, street trees, landscaping, screening, and shading, subject to the inclusion of the condition regarding the landscaping buffer along Homestead Road be incorporated into the CUP plans.

Drainage, Grading, Erosion Control and Phasing

Drainage

Section 15-263 of the LUO establishes stormwater management criteria that must be met for any project requiring a CUP. In particular the applicant must meet stormwater runoff standards with respect to water quality and quantity and must demonstrate that the project will not cause upstream or downstream damages to other properties. The Town Engineer has reviewed the drainage design for the proposed project and has determined that the design meets the requirements of the Land Use Ordinance with respect to drainage.

The Claremont property drains into Bolin Creek. Excess stormwater generated by the new impervious surfaces (roads, sidewalks, roofs, etc) is to be collected by a configuration of catch basins and yard inlets. These conveyances direct the water into one of three wet detention basins. In addition, there will be eleven (11) individual bio-retention basins located behind various lots throughout the subdivision. The reasoning for these individual basins is because these lots do not drain to any of the three large basins.

Per the LUO, these basins are designed to accommodate a 25 year storm event (minimum) and have vertical outlet pipes that allow at least three feet of water to accumulate prior to water entering the outlet. *Settling forebays*, are components of this system, supplementing water quality treatment by allowing large particles to settle prior to reaching the main detention area. Furthermore, the applicant has designed the stormwater system to ensure that all impacted areas drain directly into a stormwater treatment facility. In doing so, the applicant ensures that the objectives of Section 15-268(a) of the LUO are met by treating the water prior to it exiting the site.

The Town’s requires sediment to be removed from stormwater runoff prior to its leaving the site. Carrboro’s policy is the removal of 85% (minimum) of Total Suspended Solids (TSS) for new stormwater management systems. The Claremont stormwater system is designed to fulfill this requirement. In short, 85% of the TSS will be removed from the water prior to its being released into Bolin Creek. Periodic maintenance is required to preserve the effectiveness of such systems.

In addition, relative to the Town satisfying state requirements pertaining to the National Pollutant Discharge Elimination System (NPDES) Phase II permit, the following conditions are required on the permit:

- 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.
- 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.

There are two outstanding review comments from Sungate that have not been addressed to date. The first comment is related to easements being shown and labeled for all the bio-retention basins. Per Sungate's comment, one of the bio-retention basins appears to be located outside of an easement and on a private lot.

The second comment is related to the bio-retention basins. According to NCDENR "Best Management Practice" manual, the seasonal high water table needs to be at least two (2) feet below the bottom of the basin and to date, the developer has not provided this information. In order to comply with this comment, the developer will require a soil scientist to bore each of these locations (approximately 26 areas) to verify that the water table is not two feet below each of the proposed basins.

With this being said, staff would recommend the following recommendations:

- That prior to Construction Plan approval, the developer provide the necessary easements for all the bio-retention basins.
- 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.

Grading

Installation of Claremont's road and stormwater systems require a substantial amount of clearing and grading. Section 15-261 of the LUO, requires that to the extent practicable, all developments shall conform to the natural contours of the land and natural drainageways shall remain undisturbed.

Stream Buffers

Per the LUO and the adopted “Stream Buffers of the Northern Transition Area” map, two areas of stream buffers are identified on the western portion of the property. The majority of these regulated stream buffers are on the Carolina North property. These two stream buffers are within the private open space of the property and will remain undisturbed. There is a substantial stream buffer located in the eastern portion of the property- along Bolin Creek. This portion of the stream buffer is outside the development portion of Claremont and will remain in private open space of the subdivision.

Erosion Control

Substantial site disturbance increases the importance of the Erosion Control plan. Also considering the compact design, the grading plan must be competently executed during construction in order for the stormwater system to function properly. Claremont is proposing a simple system of sediment basins and silt fences to manage erosion during construction. The Erosion Control Plan has been reviewed and approved by Orange County Erosion Control.

Phasing

The project will be two phases, but the developer intends to complete the construction of the infrastructure at one time (i.e. installation of sewer, water, roadways etc). Phase one will be the townhouse/single-family residences while phase two will be the 27 single-family residences.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Drainage, Grading and Erosion Control and Phasing.

Utilities, Fire Safety, Lighting and Refuse CollectionUtilities

The water and sewer plans have been reviewed by OWASA and meet with their general satisfaction. These plans will be reviewed further by OWASA during construction plan review.

Regarding electric, gas, telephone and cable television utilities, the applicant has submitted letters by the respective providers indicating that they can serve the development. Per Section 15-246 of the LUO, the plans specify that all electric, gas, telephone, and cable television lines are to be located underground in accordance with the specifications and policies of the respective utility companies.

Fire Safety

Fire hydrants are located within the public R/W and are spaced such that every building will be no more than 500 feet from a hydrant (Section 15-249). The plans have been reviewed by the Town Fire Marshall and meet with his general approval.

Fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Fire Department prior to construction plan approval. A condition to this effect shall be entered onto the permit.

- 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.

Lighting

Section 15-242 requires adequate lighting of buildings and facilities to assure public safety. Section 15-243 requires all such lighting, excluding public street R/W lighting, to be controlled in height and intensity. Fixtures are to be no more than 15' in height and the illumination level must not exceed .2 footcandles at the property line.

The proposed lighting plan for the project includes sixteen (16) new street lights spaced evenly throughout the development; these fixtures are not regulated by Section 15-243. Instead, they fall under existing Town policy pertaining to public R/W's.

Refuse Collection

Trash collection and recycling services will utilize roll-out containers. Waste management during construction will require the applicant obtain an Orange County Solid Waste Permit which requires that construction materials be segregated for recycling. Orange County is responsible for enforcement of the permits.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to utilities, fire safety, lighting, and refuse collection.

Open Space, Recreation

Open Space

Per the provisions of 15-198, every residential development is required to set aside at least 40% of the total area of the development in permanent open space. If the project is providing affordable housing, Section 15-182.4(c) allows the developer to make reductions in the open space requirement equal to twice the land area consumed by the affordable units, up to a maximum reduction of 10%. Claremont has taken advantage of this reduction in open space due to providing affordable units, but is still providing 39.92% open space.

Note that during the concept plan phase of the project, primary and secondary conservation areas as defined by 15-198 are identified and prioritized for protection prior to the locating of the building envelope. For this reason, the Bolin Creek, its FEMA regulated flood plain and its surrounding steep slopes provide the largest area of contiguous open space for the proposal. Other smaller open space areas are interspersed throughout the development.

Recreation

The proposed mix of single family and townhouses combine to require 1036 recreation points, per Section 15-196 of the LUO. The applicant is using the existing recreation amenities in Phase, I, II, III to meet the recreation requirements of these two phases.

In addition, 78,036 sf of play field area [as required by Section 15-198(d)] that is located in the Duke Power easement in the western portion of the property is being provided- the required play field area is 70,000 sf.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Open Space and Recreation.

Miscellaneous

Vernacular Architectural Standards

Per the requirements of Section 15-177, Architectural Standards for Major Subdivision, the applicant has addressed the required standards by providing to the Town both a design narrative and some representative building elevations of both the single family houses and the townhouses. Refer to the letter for further clarification (**Attachment G**).

Voluntary Annexation

The Town typically requests that a Voluntary Annexation Petition be submitted prior to Final Plat Approval. Because of this the following condition is recommended:

- That the applicant submit a Voluntary Annexation Petition prior to final plat approval.

CAPS

Per Article IV, Part 4 of the LUO, the applicant must receive the required Certificate(s) of Adequacy of Public School Facilities (CAPS) from the Chapel Hill Carrboro City Schools District prior to construction plan approval. Because of this the following condition is recommended:

- 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.

The applicant conducted a Neighborhood Information Meeting on October 10th, 2007.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Architectural Standards.

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 step 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.



THE UNIVERSITY OF NORTH CAROLINA
AT
CHAPEL HILL

Facilities Planning & Construction
University Property Office
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Campus Box 1060
103 Airport Dr.
Chapel Hill, NC 27599-1060
Jannice Ashley, University Property Officer

July 18, 2008

Adam Zinn
Zinn Design Build
180 Providence Road, Suite 1-B
Chapel Hill, NC 27514

Re: University Property Adjacent to Claremont Phase II, Homestead Rd., Carrboro, NC

Dear Mr. Zinn:

You have requested information from the University in connection with your submittal for Claremont Phase II to the Town of Carrboro and the Town's requirement for you to construct access to adjacent properties.

The University has conducted an extensive planning process for Carolina North and at this time, it is planned that development for the next 50 years will be concentrated on previously disturbed areas of the site which are located within the Town of Chapel Hill. An important base study in this planning effort was the Ecological Assessment that was conducted for the entire property (please see http://research.unc.edu/cn/ecological_assessment.pdf for a copy of the report). This assessment identified the Bolin Creek corridor as an area that was more suitable for conservation than development. Based on that assessment, the University has no plans to develop any of the Carolina North property on the west side of Bolin Creek, including the area of property that is adjacent to your proposed development, in the foreseeable future. Therefore, it is our view that any vehicular connections to that area would be both unnecessary and counter to the findings of the Ecological Assessment, and it would be the University's preference that any planned stub outs in the Claremont project not be constructed to the property line. Please note, however, that we do plan to coordinate with the Town of Carrboro to incorporate greenway trails into our overall Carolina North planning.

Please let me know if you require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Jannice Ashley".

Jannice Ashley
Director, University Property Office

cc: Bruce Runberg, Assoc. Vice Chancellor for Facilities Planning & Construction
Mary Jane Nirdlinger, University Planner
John P. Evans, Executive Director, Carolina North
Steve Stewart, Town Manager, Town of Carrboro

PHILIP
POST
&
ASSOCIATES

500204EX07.K

Date: March 3, 2008
Revised: May 23, 2008
#500204.01

Statement of Justification
Claremont Phase 4 and 5
NCDOT " SAG Sight Distance Design Procedures

Whereas LUO, Appendix C, Section C-1 states the NCDOT Manual may be used where there is a "demonstrable environmental benefit"

Whereas the applicant believes, and therefore states, that using the NCDOT Manual will have substantial benefits, including long-term environmental benefits, for Street C and Street 3 in Phase 4 and Phase 5 of Claremont AIS Subdivision.

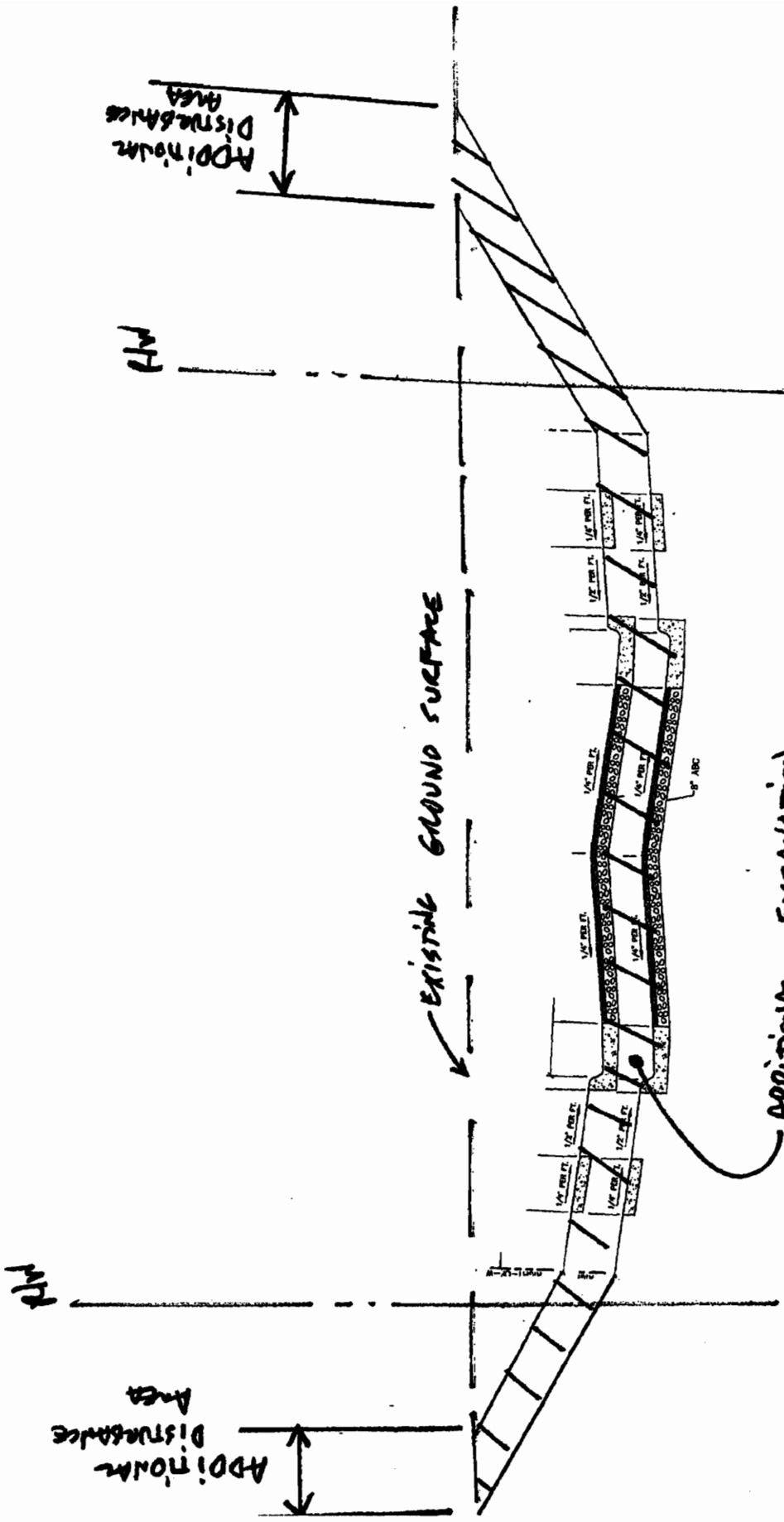
Therefore, the applicant presents the following information.

- The NCDOT Manual will allow the grade of Street C to be raised about 2 feet.
- The NCDOT Manual will allow the grade of Street 3 to be raised between 2 feet and 3 feet.
- The raising of these two streets will require less grading, less cutting and filling and less land disturbance, less erosion and more preservation of existing vegetation than would otherwise occur.
- A rough quantification shows that the raising of the two streets will save approximately 3,000 cubic yards of grading, 13,700 square feet of land disturbance, 84 cubic feet of eroded soil material that will not be washed away and the saving of 8,000 square feet of existing natural tree vegetation.
- The raising of Street C will result in a better ending grade to tie to the undeveloped property to the west, which will, in the future, result in less land disturbance whenever Street C is extended westward.
- The grade of future houses along Street C and Street 2 will be closer to street grade than would otherwise have occurred, resulting in less steep driveways and less steep sidewalks/fewer steps to get from street grade to the front door of the dwelling. This will result, overall, in less land disturbance and grading on 13 lots: 31,32,33,34,14,15,16,17,18,24,28,29 and 30.
- A rough quantification of improved driveway grades is that the grade will improve from about a 18% grade to about a 12% grade on Street 3.
- By raising the street grades, utility lines will not be as deep in "cut" into natural soils and rock as otherwise would occur. These utility lines include water, sanitary sewer, storm sewer, roof drains, electrical, CATV, telephone and gas. By being less deep into natural soils, there will be less land disturbance and less rock removal along the frontage of and entering onto each of the 13 above lots.



Conclusion

The developer believes that these are clear, important environmental benefits, stemming from less land disturbance, which involve less disturbance of natural vegetation, less cut and fill, less erosion, less grading, less rock removal, less digging of deep trenches for water, sewer, storm, electrical, telephone, CATV and gas lines. The developer respectfully requests that the NCDOT Manual be used for "SAG" stop condition design on Streets C and 3 in Claremont Phases 4 and 5.



ADDITIONAL EXCAVATION
& WIDER AREA TO CONTROL EROSION

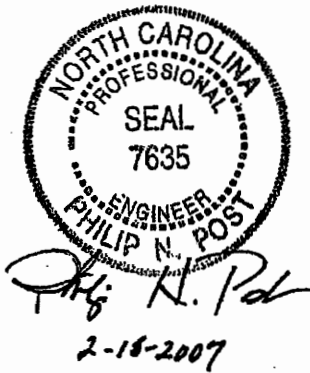
TYPICAL SECTION
(NTS)

500204TS01.K

PHILIP
POST
&
ASSOCIATES

TRANSPORTATION IMPACT STATEMENT
CLAREMONT PHASES 4 & 5
CARRBORO, NC 27510

Prepared for:
Parker Louis LLC
180 Providence Road
Chapel Hill, NC 27514



Prepared by:
Philip Post & Associates, Inc.
ENGINEERS/PLANNERS/SURVEYORS
401 Providence Road Suite 200
Chapel Hill, NC 27514

Job No: 500204

Date: February 18,2007

ENGINEERS
PLANNERS
SURVEYORS

401 Providence Road
P.O. Box 2134
Chapel Hill, NC 27515-2134
(919) 929-1173
(919) 493-2600

Claremont- Phases 4 and 5

- A) Traffic Impact- Claremont Phases 4 & 5 consists of 26 townhouse units and 68 detached, single family units, a total of 94 units.

Expected new trip generation will be 888 trips per day.

- B) Connections to Existing Roadways – Upon construction, there will be three (3) new connection points onto existing roadways.

The eastern-most section of single family development will access Homestead Road at a new intersection point that has been approved as to safety and sight distance by NCDOT. We expect the 30 single family lots served by this new intersection to generate 300 trips per day. This new intersection will be directly south of the old Hogan homeplace.

Another entrance will align with the approved Claremont Drive entrance onto Homestead Road that is presently under construction. We expect about 90% of the trips generated by the western-most section to access via this intersection, or about 530 trips per day. In addition, the street system in Claremont will connect to Colfax Drive, an existing subcollector street in Wexford Subdivision. We expect about 58 trips per day on Colfax to be generated by Claremont Ph 4 & 5.

- C) Roadway Capacity and Safety Improvements – Under this project, capacity additions are slated for Homestead Road. Although the final details have not been provided by NCDOT, the capacity and safety improvements will generally consist of dedicated left turn lanes at both intersections for westbound traffic on Homestead Road, and at least one deceleration lane for eastbound traffic on Homestead Road. In general, the expected improvements will result in a "3-lane" travelway along much of the frontage of the Claremont project, which is in exact accordance with NCDOT ultimate plans for Homestead Road.

New streets in Claremont Phase 4 & 5 will be provided with effective traffic calming features in the form of chicanes, stop signs, highly visible pedestrian cross walks, and other features to slow traffic speeds in the neighborhood.

Claremont Phase 4 and 5 has been planned so that traffic going to Colfax will have to come to a complete stop at a stop sign, and then make a 90 degree turn to access the street system in Claremont Ph 4 and 5. We believe these safety measures will provide the greatest amount of traffic calming as traffic enters or exits from Colfax Drive.

- D) Pedestrian and Greenway Access- The new streets in Claremont Phases 4 and 5 will be provided with an extensive system of sidewalks. Claremont Drive/Street A and Street C and Street 1 will each have sidewalks on both sides.

Street B and Streets 2 and 3 will each have 5' sidewalks on one side.

There will be a 5' public sidewalk all along the Homestead Road Frontage on the south side.

The 10' Bolin Creek Greenway Trail will be connected to the portion of the Trail currently under construction in Claremont Phases 1 and 2 and will be extended south along Bolin Creek, passing under the Homestead Rd./Bolin Creek Bridge, thence southward along the existing OWASA sewer easement. At the point where the sewer easement crosses to the east side of Bolin Creek, the 10' Greenway Trail will split-one leg proceeding due west into the Claremont Phases 4 and 5 and connecting to the neighborhood sidewalk system and one leg continuing downstream to terminate at the UNC property line. The 5' public sidewalk all along the Homestead Road frontage will also connect to this 10' Greenway Trail, downstream from where the new Greenway passes under Homestead Road.

This Greenway Trail alignment, with no on-grade crossing of Homestead Road, will be safe and will extend public access along the Bolin Creek corridor resulting in a Trail that extends from the UNC Horace Williams Tract all the way to the UNC Affordable Housing Tract, a distance of close to one mile.

- E) Transit- Homestead Road is not currently served by Transit and, according to the Town of Chapel Hill transportation planners, there is no current proposal to add transit service to Homestead.

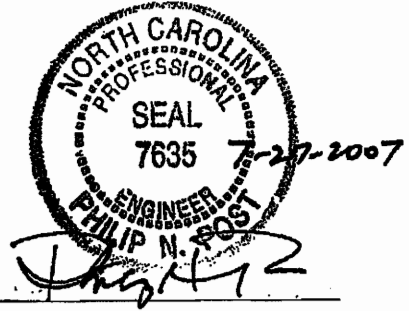
We think this is a mistake. The developers of Claremont have consistently urged public transportation planners to consider Homestead Road for transit service expansion, and the developers have met with Transportation planners to convey this sentiment. Until the public agencies that plan and extend service agree to act, there is very little that the Claremont developers can do, other than to urge in the strongest possible terms that transit be planned for this fast growing area of Carrboro/Chapel Hill.

PHILIP
POST
&
ASSOCIATES

500204ME15.K

Memorandum

Date: July 27, 2007
To: Whom it May Concern
From: Philip N. Post, P.E.- Philip Post & Associates
Re: Claremont Phases 4 & 5- Tree Removal Justification
Job No. 500204



Around the margins of construction on this 38 acre tract, we have identified 192 trees over 18" in diameter.

In addition, there are a large number of existing trees over 18" that we did not locate because they are within the hardwood preservation areas and are not close to the margins of new construction.

Out of the 192 trees located, we propose to remove 27 trees or about 14% of the trees located.

Out of the 27 trees to be removed, eleven (11) trees are pines or gums, which are not considered to be rare and are extremely fast growing in this locale. Sixteen trees are maple, poplar or oak hardwoods.

In sum, we are proposing to remove sixteen (16) hardwoods out of the 192 trees located, a removal rate of about 8%.

The trees are being removed for required road right-of-way, or for required sewer easements, or required water quality ponds. None of the trees removed are on future lots or recreation areas.

Therefore the 8% of trees that are being removed are to accommodate essential and required infrastructure.

We believe that tree disturbance has been carefully minimized, and removal has been limited to 16 hardwoods, and this small number of trees is essential in order to comply with Town requirements for infrastructure.

CLAREMONT PHASE II CONDITIONAL USE PERMIT

GENERAL DESIGN STANDARDS

FOR ARCHITECTURALLY INTEGRATED SUBDIVISION

Claremont Phase II, much like Claremont I, will pay great detail to creating site design and architectural features of the individual homes and townhomes that will enhance Carrboro's unique appeal. The primary builder in the subdivision, Zinn Design Build, will be responsible for tying the site and home features together to create a unique and diversified balance.

The design criteria that was utilized to design both single-family homes and townhouse faqades and elevations incorporate the unique styles of Parker Louis, the developer, and Zinn Design Build, the neighborhood's primary builder. The builder sought to give each unit diverse architectural elements to produce unique architectural elevations. Every home and townhouse incorporates a unique vernacular genre that weaves through Carrboro's past and present.

1. LANDSCAPE AND SITE

Over 40% of the site is set aside in open space to maximize the preservation of existing wooded areas and open fields. The buildings are located outside of the environmentally sensitive areas and are arranged in two distinct buildable areas that maximize the continuity of the open space. Bolin Creek's meandering waterway is kept well away from the development.

A 100-foot average buffer provided along Homestead Road will screen the rear faqades of the homes that back up to Homestead. In addition, landscaping will help soften the rear faqades of homes that border Homestead Road.

Front porches will be the focal point of the home's faqades with dormers, balconies, bays and metal roofs accessorizing the exterior. In most cases, garages will be recessed from the main faqade allowing the frint porch to visually dominate. Garages will be set back at least 17 feet from the right-of-way.

The townhomes will be located on the western side of the property and will incorporate a back alley system. This will allow front faqades to be especially attractive with small porches, windows and doors dominating. A mix of materials on the exterior further improves the appearance by breaking up the mass into smaller segments.

Mechanical equipment will be screened with landscaping, fences, or other enclosures. The use of low retaining walls constructed with stone or brick will also be utilized for single-family homes and/or townhomes where necessary.

Sidewalks will connect the driveway to the front entrance and will vary in material (stone or brick). In addition, Claremont will have an extensive trail system that will take neighbors safely to the neighborhood amenities and beyond.

Exterior lighting will not have an impact on adjoining properties. Street lights will be designed with full cut-off fixtures so as not to project light above the horizontal plane. Full

cut-off fixtures will also be provided in the townhome parking lots. These lights will not spill additional foot-candles onto neighboring residences. The only lighting on the town-houses will be porch lighting at the front and rear entrances.

2. CONTEXT

Claremont Phase II may have upwards of 15 different models. Exterior features include wraparound front porches, dormers, metal roofs, transoms, sidelites, columns, and screen porches. The color and materials of each home will be carefully coordinated w/neighborhood homes so each is unique in its finished product.

3. BUILDING DESIGN ELEMENTS

Porches

All of the single-family homes in the project will include porches that will be the focal point of the front facade. The designs of the homes will be diverse and will incorporate many of Carrboro's vernacular standards. Porches will span between 30-70% of the front facade with the use of differing columns, flooring and lighting to individualize the home.

Roofs

Roof pitches on both the single-family homes and townhomes range from 7/12 to 12/12. This will allow for diversity by producing slight overhanging eaves, eaves with gables that help to form intricate elements such as eave brackets, and dormers upon roofs that produce more light and air within the home. Metal roofs will also be used to create a material change and keep in line with classic vernacular style.

Windows

Windows are primarily vertical in design, with a vertical to horizontal ratio of approximately two to one. In some cases, smaller, more square windows may be used. Sidelites and transoms will also be used.

Building Articulation

A variance of building materials will be used in Claremont Phase II. Examples include: horizontal siding, molded cedar shakes, and front porch walls constructed of brick or stone.

Garages will be set back from the front facades of each single family home. Garages for the townhomes will be located at the rear, accessed via an alleyway. Garage door styles will vary dependent of the style of the home, but promise not to be a deterrent to the front facade.

Auxiliary Buildings and Structures

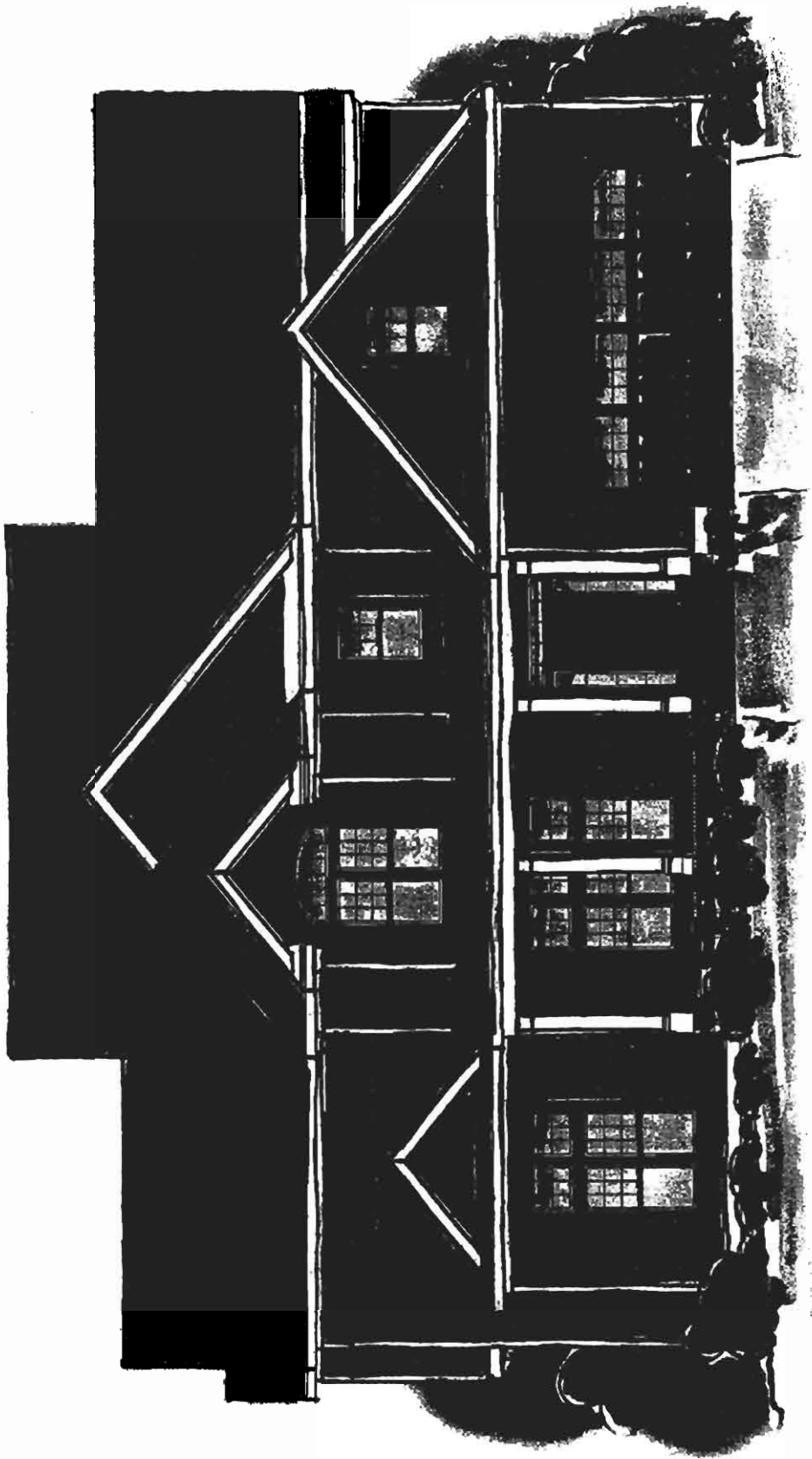
The design of any auxiliary buildings and structures, such as fences or landscaping screens will include the same building materials as the primary building. Restrictive covenants will require approval of any such improvement by the HOA or architectural review board.



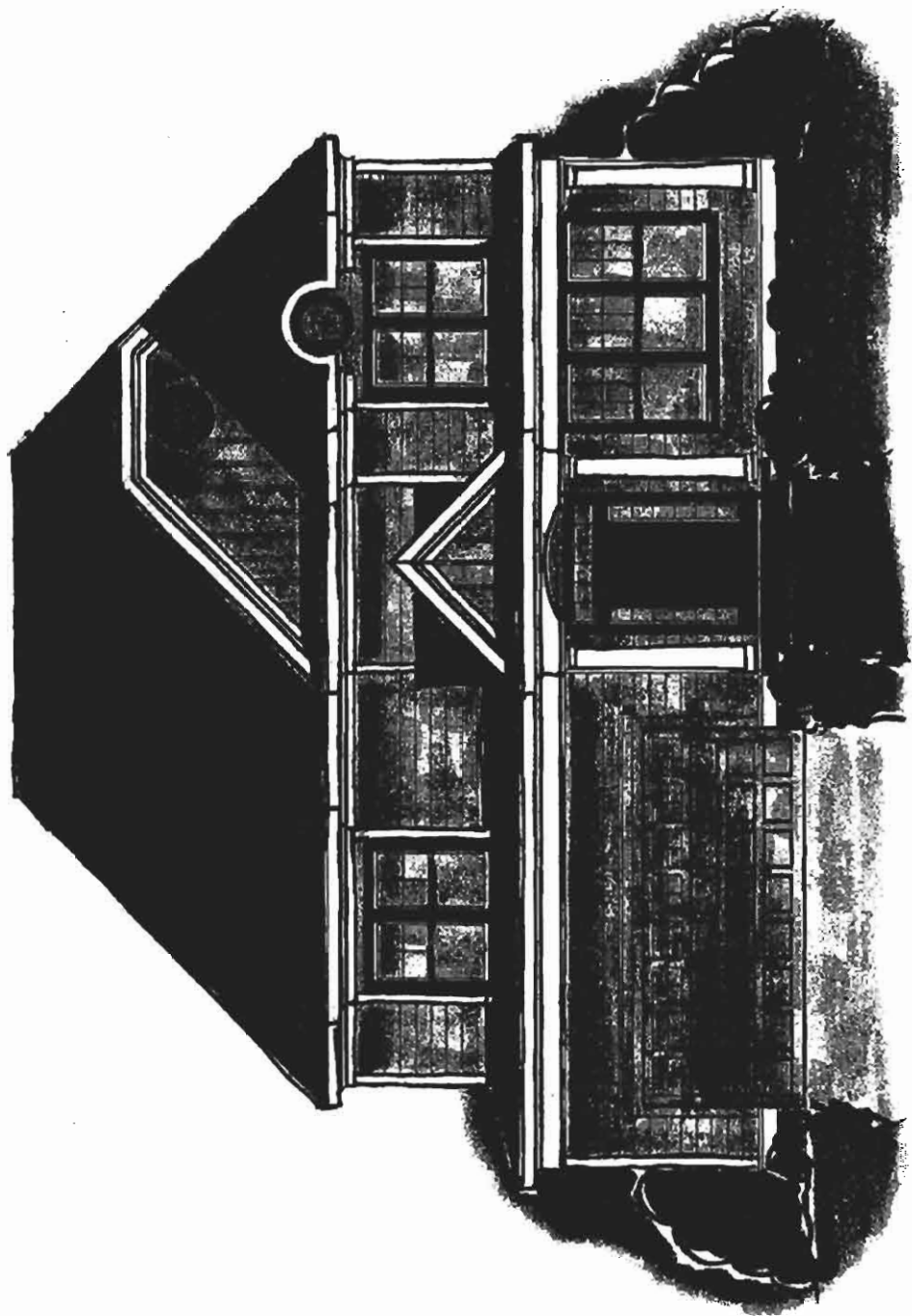
NEWTON



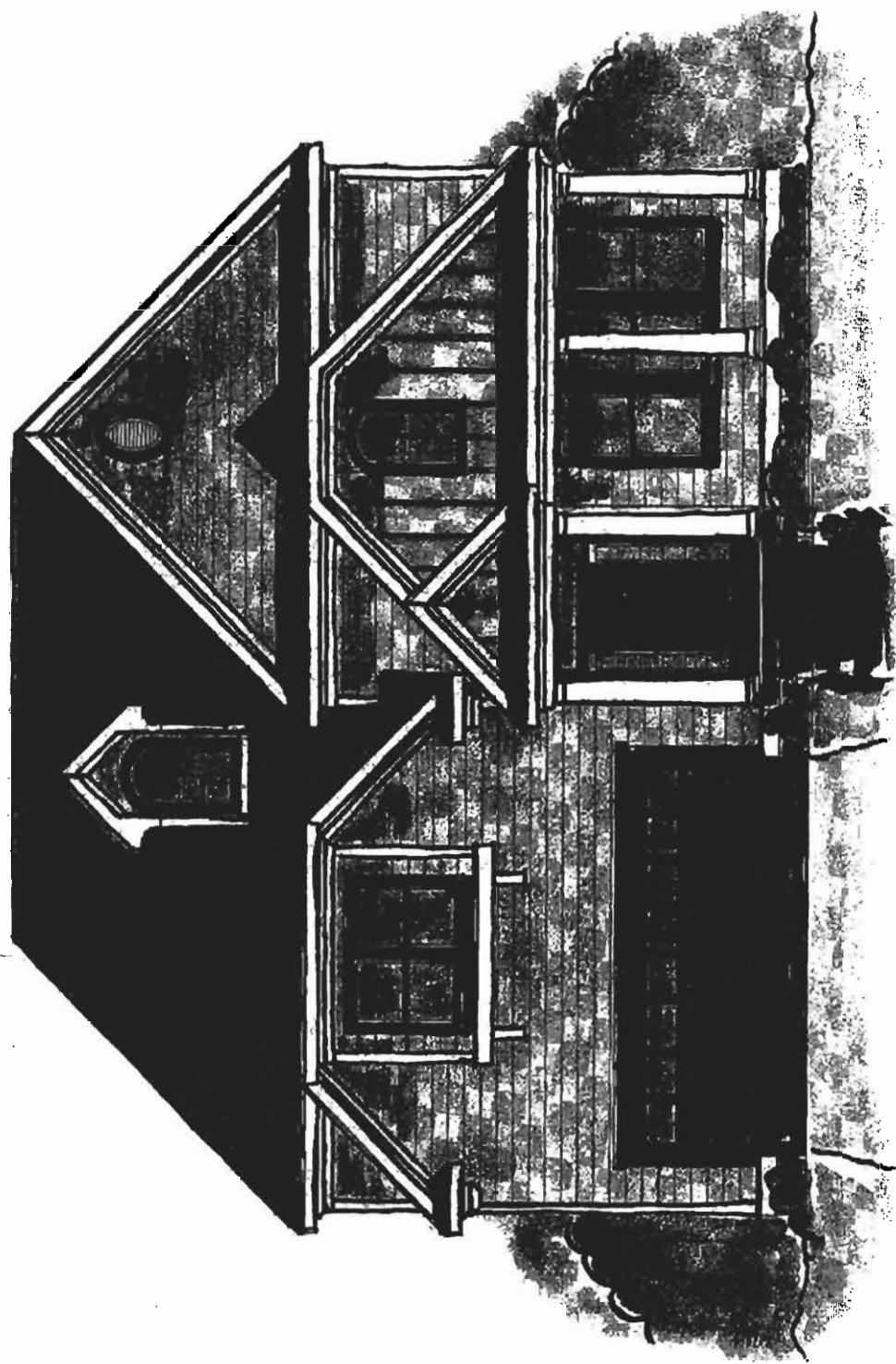
TRENTON



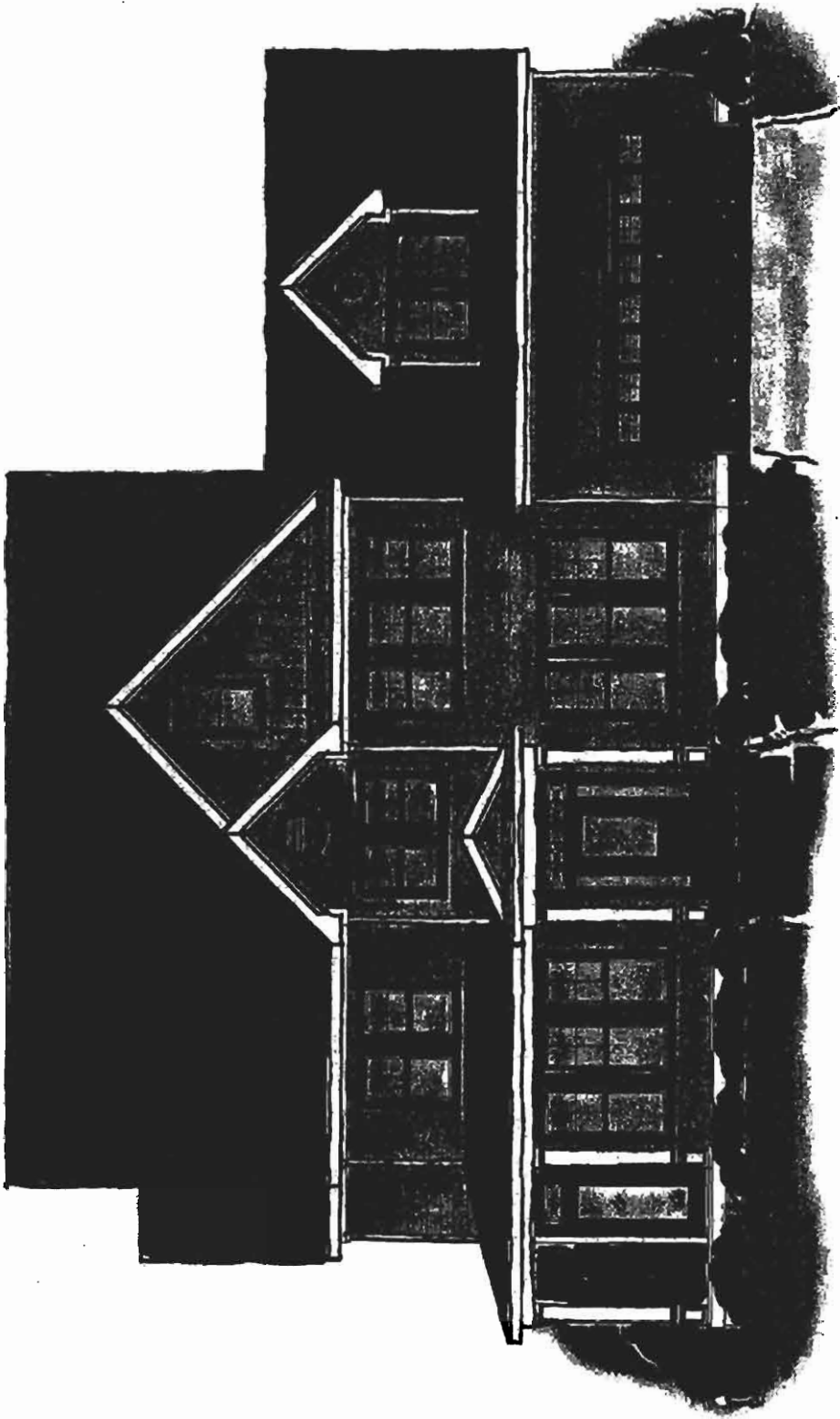
WILMINGTON



LEXINGTON



MASONBORO



MANTEO

TOWN OF CARRBORO



LAND USE PERMIT APPLICATION

DATE: 2-15-2007 FEE: \$ 3,820.00

APPLICANT: <u>PARKER LOUIS, LLC</u>	OWNER: <u>VELNA HOGAN</u> <u>ESTATE OF PRESTON HOGAN</u>
ADDRESS: <u>180 PROVIDENCE ROAD</u>	ADDRESS: <u>40 WILLIAM CREECH</u>
CITY/STATE/ZIP: <u>CHARLE HILL, NC 27514</u>	CITY/STATE/ZIP
TELEPHONE/FAX: <u>PHONE: 493-0099 FAX: 493-7151</u>	TELEPHONE/FAX: <u>PHONE: FAX:</u>
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>CONTRACT PURCHASER</u>	TAX MAP(S), BLOCK(S), LOT(S): <u>7 209... 16 417</u>
PROPERTY ADDRESS: <u>HOMESTEAD ROAD</u>	PROPOSED LAND USE & USE CLASSIFICATION: <u>1.111 & 1.321</u>
PRESENT LAND USE & USE CLASSIFICATION: <u>1.111</u>	LOT AREA: <u>38.14 Acres 1,661,516 Square Feet</u>
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): <u>R20 24.79 AC, R15 13.5 AC</u>	
# OF BUILDINGS TO REMAIN: <u>ONE SINGLE FAMILY DWELLING</u>	CROSS FLOOR AREA: <u>N/A</u> square feet
# OF BUILDINGS PROPOSED: <u>FOUR (4) TOWNHOUSE BUILDINGS; 68 S/F DWELLINGS</u>	CROSS FLOOR AREA (of proposed building or proposed addition): <u>N/A</u> square feet

NAME OF PROJECT/DEVELOPMENT: aremont Subdivision Ph 4 + 5

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT	1, 18, 19, 21, 23, 31, 33, 34, 36
<u>7</u> CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36
ZONING PERMIT (Building) <u>Residential Infill & Additions</u>	9, 10, 22, 24, 34, 36 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 36
VARIANCE	4, 5, 10, 20, 29, 34, 36 Attachment A
APPEAL	4, 5, 36, Attachment B
SPECIAL EXCEPTION,	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: [Signature] DATE: 2/16/07

OWNER: _____ DATE: _____

2006030600072320 PERMIT
BK: RB3981 Pg: 400, /5
03/06/2006 12:51:05PM

Attachment I

FILED Joyce H. Pearson
Register of Deeds Orange COUNTY, NC
BY: *[Signature]*
ASST.

PREPARED BY AND RETURN TO:
TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510

MB



ORANGE COUNTY
NORTH CAROLINA

977 9-47-1615
PB

TOWN OF CARRBORO
CONDITIONAL USE PERMIT GRANTED
Claremont Architecturally Integrated Subdivision

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: Parker Louis, LLC
OWNERS: Curtis Preston Hogan and Florence Velna Hogan
PROPERTY LOCATION (Street Address): 1018 Homestead Road
TAX MAP, BLOCK, LOT(S): 7.109..16
PROPOSED USE OF PROPERTY: Major Subdivision consisting of the following uses: 1.111 (single-family detached) and 1.231 (duplex)
CARRBORO LAND USE ORDINANCE USE CATEGORY: 26.100
MEETING DATES: November 22, 2005

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 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 of no effect.
3. The continued affordability of the units (lots 52, 53, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69) 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.
4. 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 52, 53, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69) 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.
5. That prior to construction plan approval, bike lane striping is shown on Claremont's collector street.
6. That prior to allowing the use of roll-type curb in the subdivision, written authorization from the Town of Carrboro Public Works Director is required.
7. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval;
8. That, on the final plat, the applicant makes Offers of Dedication for the Homestead Road sidewalk, and, the Greenway Trail, (with their associated public pedestrian and bicycle easements) to the Town.
9. That the greenway trail as proposed for Claremont have a minimum pavement width of 10 feet consistent with the standards of AASHTO, NCDOT and the Town's Recreation and Park's Comprehensive Master Plan.
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 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 retained and/or proposed for this purpose are evergreen.
11. That a fully detailed planting plan be required as needed for the proposed stormwater management devices prior to construction plan approval.
12. That the proposed berm be removed from the plans and replaced with mixed plantings of trees and shrubs that have proven wildlife value and that fulfill the Type A buffer requirement
13. 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.
14. 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, 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 Town engineer and Environmental Planner for approval prior to construction plan approval.

Upon approval, the plans shall be included in the homeowners' association documentation.

15. 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;
16. 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.
17. All light fixtures (public or private) are cut-off, thereby reducing glare to surrounding properties and limiting upward light trespass.
18. That prior to construction plan approval, site lighting, sufficient to meet the requirements of Sections 15-242 and 15-243 of the LUO, be provided in the vicinity of the swim club parking lot and grounds.
19. That on the final plat, all primary conservation areas located on private lots will be reserved as non-buildable areas.
20. That the applicant submit a Voluntary Annexation Petition prior to final plat approval
21. 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.
22. That all landscape plants be native species.
23. That the Homeowners Association not prohibit clotheslines or active or passive solar technologies.
24. That the town staff work with the applicant to execute an agreement with the homeowners association to provide access to the town to provide water quality monitoring.

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.



THE TOWN OF CARRBORO

ATTEST:

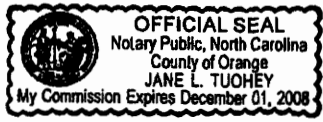
Sarah C. Williamson
Town Clerk

BY [Signature]
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 Steven E. Stewart, 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 THEREOF, I have hereunto set by hand and notarial seal this the 3 day of February 2006.

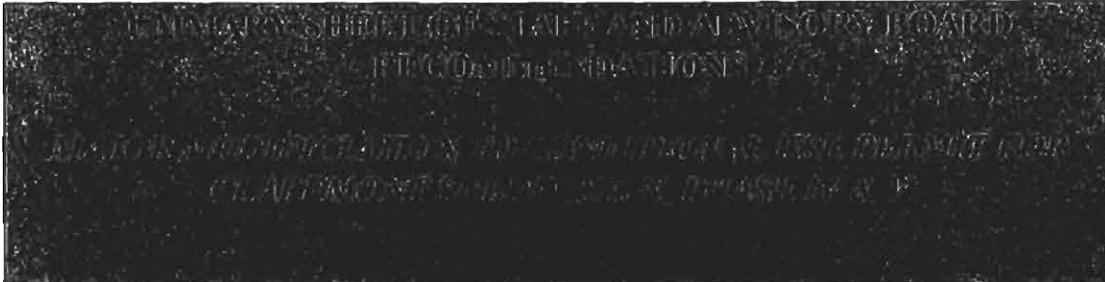
(SEAL)



Jane L. Tuohy
Notary Public

My Commission Expires: 12-01-2008

ATTACHMENT J



<p>Staff, TAB, AC, PB, EAB</p>	<p>1. The continued affordability of the units (lots 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 86, 87, 88, 93, 94, 95) 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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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 units (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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>3. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>5. If necessary, that all state and federal 401 and 404 permits be obtained prior to construction plan approval.</p>

ATTACHMENT J

<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>7. That flexibility be allowed in the execution of the street tree planting plan (subject to the approval of the 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.</p>
<p>Staff, TAB, AC, PB, EAB, ESC</p>	<p>8. That the proposed sidewalk along Barnes Street be constructed per the "collector street" (standard drawing #26) in Appendix C of the LUO, except that the right-of-way shall extend a minimum of two (2) feet from the back edge of sidewalk rather than 4.5 feet. Additional street right-of-way be dedicated to the town, if necessary, prior to Construction Plan approval to construct as described.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>

ATTACHMENT J

<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>11. The prior to Construction Plan approval, the developer provide the necessary easements for all the bio-retention basins.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>14. That the applicant submit a Voluntary Annexation Petition prior to final plat approval.</p>
<p>Staff, TAB, AC, PB, EAB</p>	<p>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 pan approval.</p>

ATTACHMENT J

<p>Additional Comments Beneficial to the Community/Planning Recommended by</p>	<p>Response/Action The applicant has provided a detailed site plan showing the proposed layout of the site. The applicant has also provided a detailed site plan showing the proposed layout of the site. The applicant has also provided a detailed site plan showing the proposed layout of the site.</p>
EAB	<p>1. Agrees with the applicant's proposal to not pave the stub outs to the UNC property line because we concur with UNC conservation plans and desire to see the area remain undisturbed indefinitely.</p>
EAB	<p>2. Request that the applicant provide screening at the property border at the southwestern corner to address headlight impacts on adjacent properties.</p>
EAB	<p>3. Does not believe that this project should receive full recreational allowance for the playfield under a power line, or for the recreational amenities across Homestead Road because of difficult access.</p>
EAB	<p>4. Appreciate the payment in lieu offer to support a greenway crossing.</p>
EAB	<p>5. Prepare and share a LEED for Neighborhood Checklist to clarify the sustainability features included in the project.</p>

ATTACHMENT J

<p>EAB</p>	<p>6. With regards to the greenway plan, we offer the following comments.</p> <p>I. That the applicant follow greenway trail guidelines as presented in the Town's Recreation and Parks Master Plan (RPMP), to include:</p> <ul style="list-style-type: none">a. That during construction plan development, the following RPMP guidelines be enforced by Town staff<ul style="list-style-type: none">i. "Grades should be contoured to avoid steep topography where feasible. Grades should be no steeper than 5% (3% when developing unpaved facilities). Should topography exhibit steeper slopes, the use of switchbacks should be employed to maintain a maximum slope of 10%. Grade should undulate gently, provide natural drainage and eliminate tiring monotonous segments."ii. "Alignment should follow the existing topography and maintain shallow gentle curves. Avoid long straight segments and sharp angular turns over 50 degrees. Take advantage of natural drainage features to minimize the need for major drainage modifications." <p>II. The final construction plans should incorporate design recommendations provided by Greenways, Inc. as part of the Bolin Creek Greenway Concept Plan development.</p> <p>III. Please consider as an alternative a tunnel for the greenway to cross Homestead Road because of safety concerns and creekside environmental sensitivity, including forest impacts.</p> <p>IV. Since much of the proposed alignment is within designated stream buffers, it is recommended that the applicant generally follow draft provisions in the Water Quality Buffer ordinance during construction phase of the greenway trail. It is further and specifically recommended that the applicant agree to</p> <ul style="list-style-type: none">a. Put in and rigorously supervise compliance with tree protection fencing during construction of the greenway trail; this fencing should not automatically be assumed to allow clearing of the full 30' easement width for the entire corridor. The cleared corridor should be limited during construction to allow for reasonable construction and maintenance vehicle access, for example with occasional turnouts. Replanting of trees should be considered if warranted after construction.b. Where the greenway easement intersects the stream buffer, follow draft Town stream buffer requirements for non-perpendicular stream buffer crossings. Include the careful design and grading of the greenway installations to: maximize diffuse flow, nutrient removal and erosion protection, minimize adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practical.c. For the section running east/west from lot 10 downslope to the floodplain, please grade the trail and add sinuosity to reduce the risk of erosive velocities and increase the trail useability, in light of the relatively steep slope. Please expand the easement as needed in this section to accommodate a more sinuous trail. The greenway easement should in no place be less than the width (30') of the sewer easement, and wider as needed.d. The plans are contradictory with regard to finished surface of the greenway, indicating in places both concrete and pervious (aka permeable) pavement. We recommend that the finished surface not be shown on final CUP plans, and be finalized in construction plan phase based on pending recommendations from greenway conceptual planning projects being pursued
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ATTACHMENT J

TAB	7. Because of the expected pedestrian traffic across Homestead Road, between the two phases of this development, we feel there must be a safe crossing of Homestead. We therefore recommend two sets of crosswalks with flashing lights, signage, and small refuge islands on Homestead: one located at the intersection of Homestead and Claremont and one located at the intersection of Homestead and "Street 1".
TAB	8. That the Town accept a payment-in-lieu for the southern portion of the greenway (past the "T" intersection as shown on the plans) and that the applicant provides an easement for the location of a bridge for a creek crossing once the bridge location is agreed upon and finalized.
TAB	9. That the road connection to Colfax Road remains as shown on the plans.
TAB	10. That the applicant extends the pavement and dedicate public right-of-way to the end of the property on the two stubouts to the UNC property. While it is not necessary to have curb and gutter or sidewalk, these connections to the UNC property need to be kept open for bicyclists and hikers to have access to that property.
TAB	11. That the applicant increase the greenway easement on the Claremont property to 30 feet wide, including the area on the north side of Homestead.
TAB	12. That the applicant increase the buffer between the alley and the homes in Wexford and provide a dense screen. The TAB found merit in the idea presented by one of the neighboring residents to reconfigure the southernmost portion of the alley such that some of the townhomes are moved south of the alley between the alley and the Wexford neighborhood, providing a buffer.
TAB	13. That the developer install traffic calming devices on streets "A" and "B" to discourage high-speed or cut through traffic.
PB	14. That the developer provide a Type A screen that includes both a fence and evergreen vegetation between the Krasnov property and the driveway at the southern end of the property.
PB	15. That there should be a safe pedestrian crossing across Homestead Road provided at Claremont Drive.

ATTACHMENT J

PB	16. Does not see the need for constructing the southern portion of the greenway trail on the west side of Bolin Creek and would instead like the developer to share in the cost of building a bridge across the creek to connect to a greenway system to be built on the east side.
PB	17. In addition to the playfield, a high-quality children's playground with play equipment be included in Phase 4 or 5 of the subdivision.
PB	18. That the developer provide funds for sheltered, lighted bus stops on both sides of Homestead Road (e.g. at Phases 4 and 5).
PB	19. The developer commit to the reservation of land for transit facilities in anticipation of the transformation of Homestead Road into a multi-modal urban thoroughfare.



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Attachment K

**TRANSPORTATION ADVISORY BOARD
RECOMMENDATION
December 4, 2008**

SUBJECT: Claremont Phases 4 & 5, Major Modification to CUP

The Transportation Advisory Board recommends approval of the project with the conditions placed by the staff, with the addition of the following recommendations:

1. Because of the expected pedestrian traffic across Homestead Road, between the two phases of this development, we feel there must be a safe crossing of Homestead. We therefore recommend two sets of crosswalks with flashing lights, signage, and small refuge islands on Homestead: one located at the intersection of Homestead and Claremont and one located at the intersection of Homestead and "Street 1".

Moved: Heidi Perry
Second: Dave Deming

VOTE

Ayes: (6 – Daniel Aroni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman, Dave Deming)

Noes: (0)

Abstained/Excused: (0)

Absent: (0)

2. That the Town accept a payment-in-lieu for the southern portion of the greenway (past the "T" intersection as shown on the plans) and that the applicant provides an easement for the location of a bridge for a creek crossing once the bridge location is agreed upon and finalized.

Moved: Heidi Perry
Second: Austin Brown

VOTE

Ayes: (5 – Daniel Aroni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)

3. That the road connection to Colfax Road remains as shown on the plans.

Moved: Heidi Perry
Second: Katie Schwing

VOTE

Ayes: (5 – Daniel Aroni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)



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NORTH CAROLINA

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4. That the applicant extends the pavement and dedicate public right-of-way to the end of the property on the two stubouts to the UNC property. While it is not necessary to have curb and gutter or sidewalk, these connections to the UNC property need to be kept open for bicyclists and hikers to have access to that property.

Moved: Heidi Perry

Second: Daniel Armoni

VOTE

Ayes: (5 – Daniel Armoni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)

5. That the applicant increase the greenway easement on the Claremont property to 30 feet wide, including the area on the north side of Homestead.

Moved: Heidi Perry

Second: Austin Brown

VOTE

Ayes: (5 – Daniel Armoni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)

6. That the applicant increase the buffer between the alley and the homes in Wexford and provide a dense screen. The TAB found merit in the idea presented by one of the neighboring residents to reconfigure the southernmost portion of the alley such that some of the townhomes are moved south of the alley between the alley and the Wexford neighborhood, providing a buffer.

Moved: Heidi Perry

Second: Austin Brown

VOTE

Ayes: (5 – Daniel Armoni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)

7. That the developer install traffic calming devices on streets "A" and "B" to discourage high-speed or cut through traffic.

Moved: Heidi Perry

Second: Austin Brown

VOTE

Ayes: (5 – Daniel Armoni, Heidi Perry, Katie Schwing, Austin Brown, Charlie Hileman,)

Noes: (0)

Abstained/Excused: (0)

Absent: (1 – Dave Deming)

Town of Carrboro
Environmental Advisory Board



MEMORANDUM

Date: December 18, 2008
To: Board of Aldermen
Claremont II Applicants
From: Environmental Advisory Board (EAB)
Through: Randy Dodd, Environmental Planner
Copy: Marty Roupe, Development Review Administrator
Subject: Claremont II CUP Review Comments

1. The EAB agrees with the applicant's proposal to not pave the stub outs to the UNC property line because we concur with UNC conservation plans and desire to see the area remain undisturbed indefinitely.
2. The EAB request that the applicant provide screening at the property border at the southwestern corner to address headlight impacts on adjacent properties.
3. The EAB does not believe that this project should receive full recreational allowance for the playfield under a power line, or for the recreational amenities across Homestead Road because of difficult access.
4. We appreciate the payment in lieu offer to support a greenway crossing.
5. Please prepare and share a LEED for Neighborhood Checklist to clarify the sustainability features included in the project.
6. With regards to the greenway plan, we offer the following comments.

I. That the applicant follow greenway trail guidelines as presented in the Town's Recreation and Parks Master Plan (RPMP), to include:

- a. That during construction plan development, the following RPMP guidelines be enforced by Town staff
 - i. "Grades should be contoured to avoid steep topography where feasible. Grades should be no steeper than 5% (3% when developing unpaved facilities). Should topography exhibit steeper slopes, the use of switchbacks should be employed to maintain a maximum slope of 10%. Grade should undulate gently, provide natural drainage and eliminate tiring monotonous segments."
 - ii. "Alignment should follow the existing topography and maintain shallow gentle curves. Avoid long straight segments and sharp angular turns over 50 degrees. Take advantage of natural drainage features to minimize the need for major drainage modifications."

II. The final construction plans should incorporate design recommendations provided by Greenways, Inc. as part of the Bolin Creek Greenway Concept Plan development.

III. Please consider as an alternative a tunnel for the greenway to cross Homestead Road

because of safety concerns and creekside environmental sensitivity, including forest impacts.

IV. Since much of the proposed alignment is within designated stream buffers, it is recommended that the applicant generally follow draft provisions in the Water Quality Buffer ordinance during construction phase of the greenway trail. It is further and specifically recommended that the applicant agree to

- a. Put in and rigorously supervise compliance with tree protection fencing during construction of the greenway trail; this fencing should not automatically be assumed to allow clearing of the full 30' easement width for the entire corridor. The cleared corridor should be limited during construction to allow for reasonable construction and maintenance vehicle access, for example with occasional turnouts. Replanting of trees should be considered if warranted after construction.
- b. Where the greenway easement intersects the stream buffer, follow draft Town stream buffer requirements for non-perpendicular stream buffer crossings. Include the careful design and grading of the greenway installations to: maximize diffuse flow, nutrient removal and erosion protection, minimize adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practical.
- c. For the section running east/west from lot 10 downslope to the floodplain, please grade the trail and add sinuosity to reduce the risk of erosive velocities and increase the trail useability, in light of the relatively steep slope. Please expand the easement as needed in this section to accommodate a more sinuous trail. The greenway easement should in no place be less than the width (30') of the sewer easement, and wider as needed.
- d. The plans are contradictory with regard to finished surface of the greenway, indicating in places both concrete and pervious (aka permeable) pavement. We recommend that the finished surface not be shown on final CUP plans, and be finalized in construction plan phase based on pending recommendations from greenway conceptual planning projects being pursued in coordination with the Greenways Commission.

The EAB also requests responses to our comments from Concept Plan review, presented below.

The following comments On December 7, 2006, you presented the Claremont II Concept Plan for joint review at Town Hall. Based on your presentation, the EAB recommends the following:

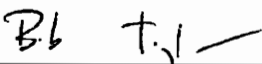
1. The EAB urges the applicant to work with the NC Green Building Initiative and/or hire a LEED certified professional to use as many green building techniques as possible in their plans Energy Star (for example: low impact design and development, resource efficiency, energy efficiency, water conservation, indoor environmental quality, homeowner education, etc.).
2. The EAB requests that the applicant consider alternate configurations of the conceptual road plan that would, as a first priority, minimize impervious surfaces and, as a second priority, allow more of the units to orient south and take advantage of day lighting.
3. Given the sites' proximity to Bolin Creek, the EAB requests that the applicant use low impact design. The EAB also asks that, at least in the single family residential area, the applicant use vegetated swales rather than curb and gutter and storm sewers (as provided for in Section 15-216.1 of the Carrboro Land Use Ordinance) or provide their

rationale for the use of curb and gutter and storm sewers (for example: a study showing that flow velocities, slopes and/or soils will not allow for vegetated swales). If this is the case, the EAB urges the applicant to find other ways to disconnect impervious areas.

4. The EAB requests that the applicant consider ways of increasing access from all parts of the development to the planned greenway along Bolin Creek. In addition, the EAB asks that the applicant address the issue of how users from outside the development will access the planned greenway.

Thank you for your cooperation.

VOTE: AYES (5) ; NOES (0); ABSENT (1)



Bob Taylor, Chair
December 18, 2008

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



Thursday, December 4th, 2008


Major Modification of Conditional Use Permit for Claremont Subdivision, Phase IV and V.

The Appearance Commission Advisory Board recommends approval of the Major Modification to the Conditional Use Permit for Claremont Subdivision, Phase IV and V with staffs recommendations.

VOTING:

AYES: 4 (Wiltberger, Brandford, Morton, Wenck)

NOES: 0



Appearance Commission Chair

1-14-2009
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

JANUARY 15, 2009

Claremont IV and V AIS Conditional Use Permit Application

Seils moved and Bell seconded that the Planning Board recommends to the Board of Aldermen that the developer provide a Type A screen that includes both a fence and evergreen vegetation between the Krasnov property and the driveway at the southern end of the property.

AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (0).

Barton moved and Cook seconded that the Planning Board recommends to the Board of Aldermen that there should be a safe pedestrian crossing across Homestead Road provided at Claremont Drive.

AYES (8): Barton, Bell, Carnahan, Cook, Fritz, Paulsen, Seils and Warner; NOES (2): Clinton and Poulton; Abstentions (0); Absent/Excused (0).

Barton moved and Seils seconded that the Planning Board supports the staff recommendations.

AYES: (9) Barton, Bell, Carnahan, Clinton, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (1) Cook (because they are incomplete); Abstentions (0); Absent/Excused (0).

Cook moved and Bell seconded that the Planning Board does not see the need for constructing the southern portion of the greenway trail on the west side of Bolin Creek and would instead like the developer to share in the cost of building a bridge across the creek to connect to a greenway system to be built on the east side.

AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (0).

Cook moved and Carnahan seconded that, in addition to the playfield, a high-quality children's playground with play equipment be included in Phase 4 or 5 of the subdivision.

AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (0).

Cook moved and Carnahan seconded that the developer provide funds for sheltered, lighted bus stops on both sides of Homestead Road (e.g. at Phases 4 and 5).

AYES: (2) Carnahan and Cook; NOES: (8); *Barton, Bell, Clinton, Fritz, Paulsen, Poulton, Seils* and Warner; Abstentions (0); Absent/Excused (0).

Bell moved and Paulsen seconded that the Board of Aldermen request the developer commit to the reservation of land for transit facilities in anticipation of the transformation of Homestead Road into a multi-modal urban thoroughfare.

AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (0).

Seils moved and Barton seconded that the Planning Board supports the project subject to all the recommendations and conditions noted.

AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (0).

James Carnahan, Chair January 22, 2009



TOWN OF CARRBORO
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MEMORANDUM

To: James Thomas, Zoning Development Specialist
Cc: Patricia McGuire, Planning Administrator
Roy Williford, Planning Director
Marty Roupe, Development Review Administrator
Chuck Edwards, NCDOT
Steve Stewart, Town Manager
From: Adena Messinger, Transportation Planner
Re: Crosswalks across Homestead Road, Claremont II CUP
Date: January 13, 2009

This memo serves to clarify the Transportation Planner position on crosswalks across Homestead road, with respect to the proposed Claremont II project.

During the CUP review process I requested that the crosswalk across Homestead, at the intersection with Claremont Drive, not be shown at this time for the following reason: that a crosswalk in this location –where the width of pavement will be 50 feet and speed of traffic is estimated at about 40 – 45 mph – did not provide a safe crossing without other measures, such as flashing beacons or a median refuge.

In discussions with NCDOT staff, they deferred to the Town, indicating that they **would** allow a crosswalk (and the associated warning signs) in this location if the Town wants to include it in the plan. NCDOT was not in support of other measures at this time (such as flashing beacon or median refuge), until there is a better measure of the pedestrian activity. They have indicated that there is good sight distance at this intersection.

If the Board of Aldermen desires to see a crosswalk in this location, I am not opposed to this inclusion and NCDOT would not oppose it either. However, even with a crosswalk, I have concerns about the safety of pedestrians crossing in this location and will continue to work with NCDOT on this issue.

TOWN OF CARRBORO Attachment M



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 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.

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 1.
- 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:

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:
