

STAFF REPORT

TO: Board of Aldermen

DATE: March 24, 2009

PROJECT: Conditional Use Permit for Arbors at Winmore

APPLICANT  
and OWNERS: Applicant:  
Crosland, LLC  
5020 Weston Parkway, Suite 300  
Cary, NC 27513

Owner:  
Capkov Ventures, Inc.  
211 LD Franklin Grove Drive  
Chapel Hill, NC 27516

PURPOSE: A Conditional Use Permit allowing for construction of 22  
two additional phases for property located at 1001  
Homestead Road.

EXISTING ZONING: VMU (Village Mixed Use)

TAX MAP NUMBER: 7.171..178

LOCATION: 1400 Homestead Road (Winmore VMU), 109 West  
Winmore Avenue (site)

TRACT SIZE: 0.95 acres (41,333 sf)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 1.331, multi-family apartments

SURROUNDING  
LAND USES: North: Private Alley, Single-Family Homes, and West  
Winmore Avenue  
South: Open Space  
West: Single-Family Home  
East: Open Space and West Winmore Avenue

ZONING HISTORY: VMU, since 2003; R-20 before

## ANALYSIS

### **Background, Concept Plan Development**

#### **Background**

Crosland, LLC, as represented by John R. McAdams, Inc has submitted an application for a Conditional Use Permit (CUP) for Arbors at Winmore (**Attachment C**). The project is contained entirely within the Winmore Village Mixed Use project off Homestead Road, on a vacant lot that was expected to develop in a similar manner to what is currently proposed (see **Attachment D**, Vicinity Map). If approved, the Conditional Use Permit will allow for construction of 22 dwelling units (10 townhomes + 12 multifamily units in a single building) and associated infrastructure. The subject property was rezoned from R-20, Residential to Village Mixed Use (VMU) during the approval of Winmore.

Of note, this development is intended entirely as affordable housing meeting (and actually exceeding) the provisions of LUO Section 15-182.4. Crosland is receiving NC Tax Credits for the project and accordingly is under a definite deadline to begin and complete the project. This in mind the rest of the report simply refers to dwelling units, generically, but all proposed units are to meet or exceed the affordable housing provisions of the LUO.

### **Density, Affordable Housing, Size-restricted Units**

#### **Density, Affordable Housing**

As described above, all dwelling units currently proposed will meet or exceed the LUO's provisions for affordable housing. The Winmore CUP establishes that up to 24 units are permissible on this lot. The applicant is only proposing 22 at this time (10 townhomes and 12 units in an apartment building), but is increasing the density on the South Camelia portion of the development, which is being processed separately as a CUP Minor Modification. On balance, the total number of affordable dwelling units being constructed is increasing from 48 to 58.

The Town has processed an application utilizing NC tax credits in the past, but this is the first project wherein such tax credits directly relate to a binding obligation to provide affordable housing in accordance with a CUP. The applicant has provided sufficient information to bring the application forward for approval, but a CUP condition is included to ensure that the Town Attorney is satisfied with the arrangements prior to construction beginning:

- CUP Condition: That prior to construction plan approval, the Town Attorney must receive and approve information regarding the continued affordability of all dwelling units sufficient to ensure adherence to the provisions of LUO Section 15-182.4. Details regarding continued affordability must be specified in the Owner's Association documents per the provisions of Section 15-182.4 of the Land Use Ordinance.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to density and affordable housing, subject to the condition mentioned above.

### **Transportation, Streets, Sidewalk, & Parking**

All proposed units are served off an existing private alley, which is located directly behind a row of single-family houses (SFDs) along West Winmore Avenue. The alley connects on each end to a public street (W. Winmore Ave) and is currently 12-ft wide as shown on the original CUP drawings, which is sufficient to serve as a secondary access for the SFDs. However, because the alley will act as a primary access point for all currently proposed units, the applicant worked to widen the alley wherever possible, at the request of the Fire Department. As proposed, the alley is at minimum 16-ft wide, widens somewhat on the western side, and widens to a full access width of 24-ft on the eastern side to make the possible need for fire access manageable. All townhomes and the apartment building have a 5-ft sidewalk in front.

Per section 15-291 of the LUO, each of the proposed units is presumptively required to have one space. The applicant exceeds this number by providing 28 spaces, some of which are parallel to the private alley with the balance contained in a parking area between the townhomes and apartment building. If inspecting the parking data on the cover sheet, please note that this portion of the project is identified as 'Phase 2' (Phase 1 being the S. Camelia St. site).

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to transportation, streets, sidewalk, and parking.

### **Landscape Plans, Screening and Shading**

Sheet LP1.10 provides an ample landscaping plan, with a variety of vegetation proposed on all sides of the development. Further details are provided on Sheet LP2.00. A Type A screen is provided along the western property line where the project abuts a large property containing a single-family house. A table is also included detailing the shading requirements for the vehicle accommodation area. The information included makes it evident that the application exceeds related requirements.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to 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, Stream Buffer, & Erosion Control**

#### **Drainage**

A subsurface Contech Stormfilter© is proposed for stormwater treatment. It will be located under the parking area between the townhomes and apartment building. A series of inlets and pipes feed water into the system, which then filters water through a medium designed to remove suspended solids. Treated water and overflow water then exits on the southeast side of the parking lot. It flows downhill from there to a drainage channel.

To ensure that the proposed stormwater treatment device meets the LUO's related requirements, Contech Construction Products, Inc submitted a written agreement stating that they will monitor the site to ensure that the product is performing as intended. Further, they agreed in writing to add or change treatment media, if necessary, to mitigate deficiencies if any are found. A CUP condition is included below regarding this matter:

- That the applicant must ensure that the written agreement regarding the proposed Stormfilter© device is honored.

Two typical stormwater CUP conditions also are recommended below:

- 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, 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 owners' association documentation.

The developer has submitted a first version of the maintenance plan, but the latter condition is included anyway in case changes to the plan are found to be necessary.

#### Grading

A significant amount of grading is necessary to realize the project, but the extent of grading is not drastic in any particular locations.

#### Stream Buffer

A stream exists near but off the south side of the site. The buffer extends onto the subject property, but the applicant has designed the site in a manner that does not disturb the buffer.

Erosion Control

A single erosion control pond has been designed for the site in the area that eventually will become a parking lot with the subsurface water quality feature. It has been designed such that it does not disturb the stream buffer. Further, it does not involve cutting any trees beyond what must be removed anyway in order to install the eventual parking lot. Orange County Erosion Control has reviewed the plans and found the design acceptable.

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

**Utilities, Fire Safety, Lighting and Refuse Collection**

Utilities

The water and sewer plans have been reviewed by OWASA and meet with their general satisfaction.

Regarding other utilities such as electric, telephone, etc, 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

Two new fire hydrants are located within the development, one being on the western side of the property and the other more centrally located near the apartment building. The Town's Fire Marshall has found the plans adequate.

A CUP condition related to submittal of fire flow calculations is included below:

- 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 building permit approval.

Lighting

Lighting very similar to the existing decorative and street lights in Winmore is proposed to be located along the front side of the townhomes and apartment building.

Refuse Collection

Trash collection and recycling services is located near West Winmore Avenue, just inside the private alley drive. Both Public Works and Orange County Solid Waste have found the design acceptable.

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

### **Open Space, Recreation**

Both the open space and recreation facilities requirements for this project are satisfied by the Winmore VMU. Still, a clubhouse is included in the design, within the proposed apartment building.

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

### **Miscellaneous**

#### **Neighborhood Information Meeting**

The applicant held a neighborhood information meeting on January 27, 2009. Only a few people attended and apparently did not have any unusual concerns.

#### **Prospective Commercial Activities in Winmore**

In preparation for the public hearing, the Board of Aldermen asked for information relating to the status of existing or prospective commercial ventures in Winmore. Mr. Eric Chupp submitted a letter in response (**Attachment E**). For context, the Winmore CUP authorizes a little more than 18,000 sf of commercial space in the village center. Additionally, some limited commercial uses are acceptable in the residential use areas.

#### **Tax Credit Related Deadline**

The applicant submitted a letter explaining the relatively tight timeline for constructing the project as it relates to their ability to utilize tax credits (**Attachment F**).

#### **Name of Project**

The Town's GIS Specialist had concerns with the original name, Arbors at Winmore, and requested that the developer choose a different name. The developer then chose and received approval of a new name, Griffith's Landing. Still, a CUP condition is included regarding this matter so that the GIS Specialist may further consider whether it is acceptable to call the West Winmore site and South Camelia site (see separate Minor Modification application) both the same name. Therefore, it is not certain but possible that one or the other will still need a new name. See condition below:

- That prior to construction plan approval, the name of the project must be approved by the Town's GIS Specialist.

#### **Easements**

A typical CUP condition is included below, making it clear that the applicant must obtain all necessary easements prior to beginning construction:

- That the applicant must obtain all necessary temporary construction easements and permanent easements related to the project before construction plan approval, and

that all easements shall be labeled appropriately on the construction plans and, for permanent easements, on the final plat.

Comments from Citizen

Comments were received, via email, from one citizen and are included as **Attachment G**.

**STAFF RECOMMENDATION:**

Town Staff recommends that the Board of Aldermen approve the Conditional Use Permit request, subject to the following conditions:

1. That prior to construction plan approval, the Town Attorney must receive and approve information regarding the continued affordability of all dwelling units sufficient to ensure adherence to the provisions of LUO Section 15-182.4. Details regarding continued affordability must be specified in the Owner's Association documents per the provisions of Section 15-182.4 of the Land Use Ordinance.
2. That prior to construction plan approval, the name of the project must be approved by the Town's GIS Specialist.
3. That the applicant must ensure that the written agreement regarding the proposed Stormfilter© device is honored.
4. 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.
5. 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 owners' association documentation.
6. 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 building permit approval.
7. That the applicant must obtain all necessary temporary construction easements and permanent easements related to the project before construction plan approval, and that all easements shall be labeled appropriately on the construction plans and, for permanent easements, on the final plat.

## TOWN OF CARRBORO

## LAND USE PERMIT APPLICATION

DATE: 9-12-08

FEE: \$1992 (\$1200 + \$36/unit, 22 units)

APPLICANT: Kevin Hamak, The John R. McAdams Company, Inc.		OWNER: Eric B. Chupp Capkov Ventures Inc	
ADDRESS 2905 Meridian Pkwy		ADDRESS: P O Box 16815	
CITY/STATE/ZIP Durham, NC 27713		CITY/STATE/ZIP Chapel Hill, NC 27516	
TELEPHONE/FAX: PHONE: (919) 361-5000 FAX: (919) 361-2269		TELEPHONE/FAX: PHONE: (919) 942-8005 FAX: (919) 968-4646	
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Consultant		TAX MAP(S), BLOCK(S), LOT(S): 7.171..178	
PROPERTY ADDRESS: 109 W Winmore Avenue		PROPOSED LAND USE & USE CLASSIFICATION: Multi-family Townhouses (1.321) and Apartments (1.331)	
PRESENT LAND USE & USE CLASSIFICATION: Vacant		LOT AREA: 0.95 Acres 41,382 Square Feet	
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): VMU Village Mixed Use, 0.95 acres			
# OF BUILDINGS TO REMAIN 0		# OF BUILDINGS PROPOSED 2	
EXISTING GROSS FLOOR AREA OF BUILDING(S) 0 square feet	GROSS FLOOR AREA (of proposed BUILDING / proposed ADDITION) n/a - residential square feet	GROSS AREA (of LAND DISTURBANCE) square feet	

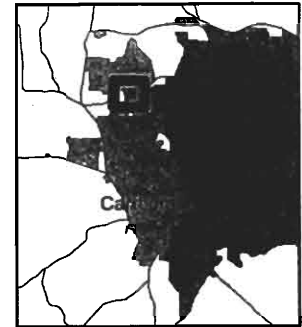
NAME OF PROJECT/DEVELOPMENT: The Arbors at Winmore

TYPE OF REQUEST	INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 37
<input checked="" type="checkbox"/> 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, 37
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, 37
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, 37
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 37 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 37
VARIANCE	4, 5, 10, 20, 29, 34, 37 Attachment A
APPEAL	4, 5, 37, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: [Signature]DATE: 8/27/08OWNER: [Signature]DATE: 8/6/2008



# Griffiths Landing



- Streets
- ▬ City Limits
- Griffiths Landing
- Properties

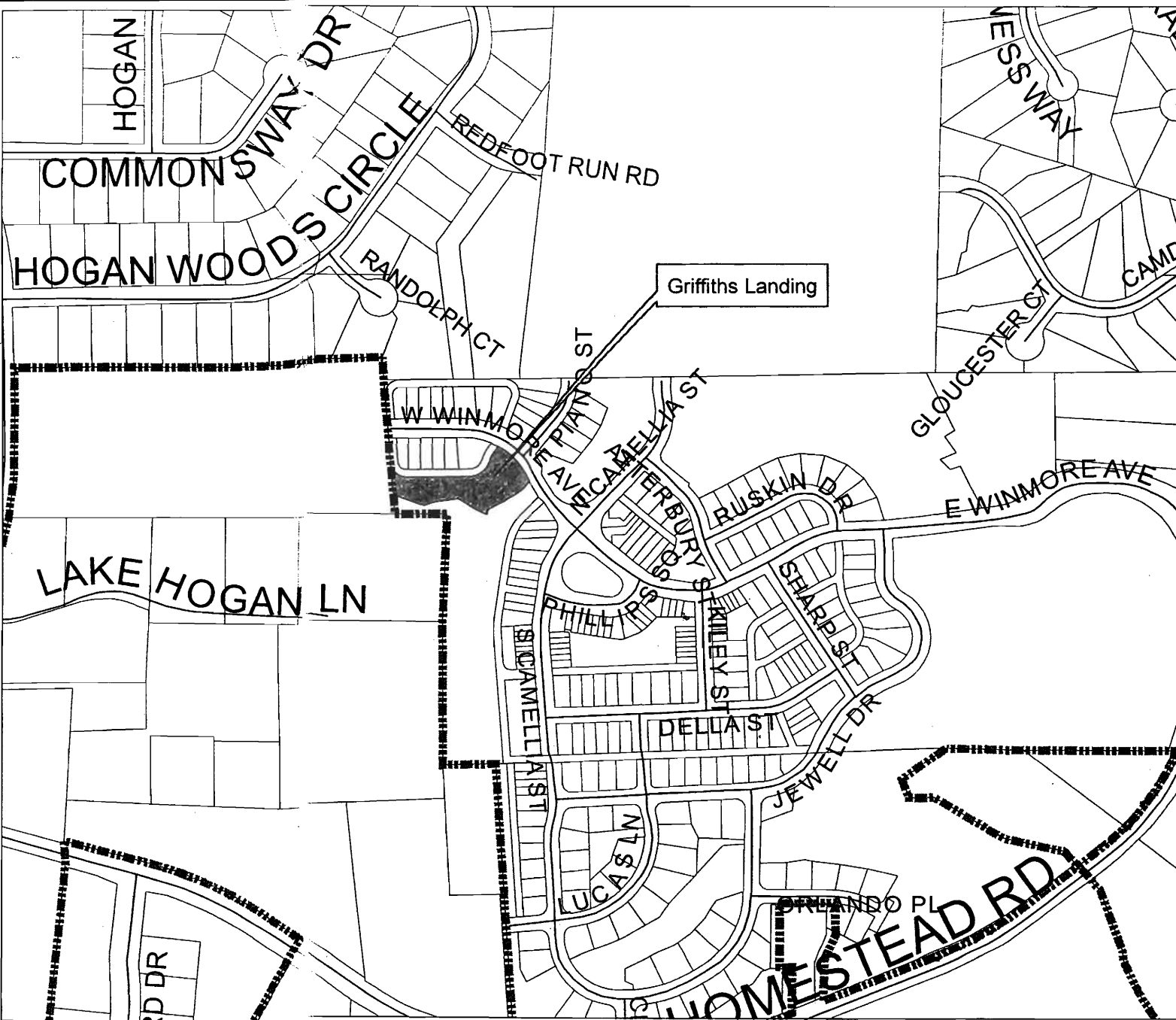
THIS MAP IS NOT A CERTIFIED SURVEY  
NO RELIANCE MAY BE PLACED IN ITS  
ACCURACY

The Town of Carrboro assumes no liability  
for damages caused by inaccuracies in  
this map or supporting data and makes no  
warranty, expressed or implied, as to the  
accuracy of the information presented.  
The fact of distribution does not constitute  
such a warranty.



TOWN OF CARRBORO  
301 W. Main St.  
Carrboro, NC 27510

Printed Feb 25, 2009



Dear Board of Aldermen,

I spoke with Marty Roupe earlier this week and he had asked if I could give him a status report on the "live-work" units and the "civic" lot at Winmore. He said that there was a general level of curiosity as to whether we were still pursuing the concept of commercially oriented businesses on the lower level of the lots that have been designated as live-work lots, and whether there were any prospects for the civic lot. The live-work units are lots 125-142, and are located along East Winmore Avenue and Phillips Square, a total of 18 lots. The civic lot is referred to on the final plat as lot #179, and was approved to accommodate a 10,000 square foot community oriented business.

The answer to the first question is yes, we are moving forward with the live-work units as they were originally conceived with residential on the upper floors and commercial on the lower storefront level. Capkov Ventures Inc. has almost completed the first of what will be four to five live-work buildings. The building encompasses lots 125-129 or five of the eighteen total units. The architecture was done by Cline Design and is reminiscent of the type of building that has lined the main streets of towns all over America for the last two centuries. The lower levels of all five units have been designed and constructed as commercial spaces with large, low windows as is typical with storefronts. The storefront levels will differ in square footage with the two end units being 1004 sq. ft. and 1265 sq. ft. and the interior three units all consistent at 826 sq. ft. As it stands we have two contracts to purchase for the live-work units, one for the largest unit and the second for one of the smaller units. While the economy will ultimately determine the most viable type of businesses for the Main Street section of Winmore, the uses currently intended for the ones under contract will be office initially for the larger, to be converted latter to a restaurant franchise and office for the smaller. The larger unit has been constructed with a grease trap to accommodate the future use as a restaurant. We had a third unit under contract with a couple who wanted to move an existing business, an art gallery, but the contingency that required that their personal home be sold prior to closing could not be met because of the current environment for home sales.

Capkov Ventures Inc. is committed to the continued development of the live-work units as they were originally conceived and are investigating ways to market them effectively in an economy that is presenting challenges to all that make their living in construction and development. We are gathering demographic information from professional organizations that support professions such as lawyers, insurance agents, dentist, psychiatrist, and education related fields. We have met with Carrboro's economic development director James Harris, with Aaron Nelson at the Chamber of commerce, and Mary Jane Nirdlinger with the property office at UNC. We will continue these efforts and investigate new ones as we learn of them. We have visited other areas that have live-work units as part of their communities and believe that they are a vital part of the overall "Village Mixed Use" concept. We are very proud of the building that is currently under construction and encourage you to visit us at Winmore and take a look at the live-work units. If you have any thoughts about potential businesses or improvements to our designs by all means bring them up.

In regard to the Civic lot we have not had a building designed for the lot yet and believe that we will need to get more residences constructed prior to it becoming viable for most clients. We do believe that there is a need for a gym or health center type tenant and will be pursuing the idea of a UNC Health Center as things at "Carolina Commons" our neighbor to the north move forward. Again we believe the Civic lot will be an essential part of the Winmore Community and are committed to its development and construction.

As a side note from the status report on the live work units and the Civic lot we would like to applaud the town for working through the text amendment that will allow an application to move forward on a child care facility in the Winmore community. We believe this will be a wonderful addition for Winmore and all the communities that surround it, if approved.

I hope this answers some of the question surrounding the direction of Winmore's commercial but if you have more specific question or concerns please don't hesitate to call me.

Sincerely,

Eric B. Chupp  
Director of Development  
Capkov Ventures Inc.  
(919) 260-7038



DEAN R. EDWARDS  
VICE PRESIDENT

tel 919.754.8990 fax 919.754.8995  
DEDWARDS@CROSLAND.COM

Mayor Mark Chilton & the Board of Aldermen  
Town of Carrboro  
Town Hall, 301 W. Main Street  
Carrboro, NC 27510

Re: Griffith's Landing (f/k/a Arbors at Winmore)

Mr. Mayor and Board Members:

Please accept this letter as an expression of appreciation for the time and effort put forth by all of the Board of Aldermen and the Town staff in helping to produce affordable housing in Carrboro. As developers for Griffith's landing, we have made every effort to incorporate into our product, all comments and suggestions given by the various committees and departments involved in the review process.

We are now reaching a critical point in our efforts to move forward with the construction of this affordable community. Economic conditions have limited our funding choices and we are fortunate that our lead bank, Bank of America, has stepped forward to invest in the tax credits awarded to the project. However, this funding will expire soon, and, while we are seemingly on track to receive approval by the Town within the next few weeks, the bank will still require construction permits to be issued before funding can occur. Since their remains only a final Public Hearing scheduled for March 24<sup>th</sup>, we would like to request that the board consider, giving final approval to the site plan for Griffith's Landing immediately after the conclusion of the Public Hearing on that date. This would, of course be contingent upon a positive result of the Public Hearing itself which we anticipate.

The approval of the site plan at this meeting date will give us the opportunity to get through final construction permit review and to address any questions that might arise before permits are issued. Since our funding expires at the end of May, we are anxious to close on the loans and equity necessary, and begin construction immediately after.

Again, thank you for your time and efforts in making the development of affordable housing a reality.

Sincerely,

Dean R. Edwards  
Vice President  
Crosland LLC

## Attachment G

*Dear Zoning Division,*

*As a resident of Hogan Woods Circle in Lake Hogan Farms I wanted to share the following comments with you regarding the CUP Request for Arbors at Winmore.*

*While it does not appear that this phase of Winmore shows a road connection to Redfoot Run, which connects to our street in Lake Hogan Farms, I am concerned that the next phase of Winmore will do so. If that occurs, then a much higher density of traffic from Winmore will pour onto our street and into our neighborhood.*

*As you can see on the Griffiths Landing map provided to residents within 1000' of the proposed project, the density is much higher in Winmore than in Lake Hogan Farms. It would not be fair to the residents of Lake Hogan Farms or safe for the many children in our neighborhood, if Winmore is allowed to connect to Redfoot Run.*

*Having grown up in Chapel Hill as the son of a long-time UNC professor, I understand and appreciate the effort to provide affordable housing to UNC faculty and staff members, but I am totally opposed to placing such a high density project in between already established, family-filled neighborhoods with much less density. In other words, this is a great project, but it is simply in the wrong place UNLESS you do not allow Winmore roads to connect to roads leading into the less dense neighborhood surrounding it, such as Redfoot Run.*

*As you know, the new Morris Grove Elementary School is behind Lake Hogan Farms on Eubanks Road. The fastest way for Winmore residents to drive their kids to Morris Grove will be right through Lake Hogan Farms (IF you allow the connection to Redfoot Run) - when all of our children are headed to school. Cutting through Lake Hogan will also be the fastest way to old 86 and even to Homestead Road for many in this new development.*

*By allowing Griffiths Landing and future multi-family housing developments in Winmore, you will only exacerbate the density problem. Again, great idea, but **THE WRONG LOCATION**. With all the extra land at Horrace Williams Airport, why not put this dense housing project there, as there would not be a need to have connector roads into surrounding neighborhoods?*

*As a parent and as a taxpayer, I ask that you please deny the request for Griffiths Landing and any future multi-family housing requests for Winmore and that you do not allow Winmore to connect to Redfoot Run.*

*Thank you,*

*John P. Anderson  
113 Hogan Woods Circle*

**SUMMARY SHEET OF STAFF AND ADVISORY BOARD  
RECOMMENDATIONS  
CONDITIONAL USE PERMIT FOR ARBORS AT WINMORE**

<b>STAFF RECOMMENDATIONS</b>	
<b>Staff Recommendations (w/ Advisory Board support where applicable):</b>	<i>Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1-7 below. If an advisory board voted to 'support' the staff recommendation, then such board is listed after staff in the left-hand column.</i>
<b>Recommended by</b>	<b>Recommendations</b>
Staff & PB	1. That prior to construction plan approval, the Town Attorney must receive and approve information regarding the continued affordability of all dwelling units sufficient to ensure adherence to the provisions of LUO Section 15-182.4. Details regarding continued affordability must be specified in the Owner's Association documents per the provisions of Section 15-182.4 of the Land Use Ordinance.
Staff & PB	2. That prior to construction plan approval, the name of the project must be approved by the Town's GIS Specialist.
Staff (New since Joint Advisory Boards Meeting)	3. That the applicant must ensure that the written agreement regarding the proposed Stormfilter© device is honored.
Staff & PB	4. 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.

Staff & PB	5. 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 owners' association documentation.
Staff & PB	6. 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 building permit approval.
Staff & PB	7. That the applicant must obtain all necessary temporary construction easements and permanent easements related to the project before construction plan approval, and that all easements shall be labeled appropriately on the construction plans and, for permanent easements, on the final plat.
<b>ADVISORY BOARD COMMENTS / RECOMMENDATIONS</b>	
<b>Additional Advisory Board Comments &amp; Recommendations:</b>	<i>Explanation: Comments and recommendations solely from advisory boards follow. If a comment involves LUO interpretation, then the applicable LUO section(s) are noted parenthetically. Otherwise, the Board may wish to consider comments in the context of public health, safety, or welfare findings. Staff generally does not endorse nor refute comments from advisory boards.</i>
<b>Recommended by</b>	<b>Recommendations</b>
AC	No comments.
NTAAC	No comments.
ESC	No comments.

TAB	No comments.
PB	1. The Planning Board recommends that bike racks be provided, including some covered.
PB	2. The Planning Board recommends that safety railings be included along the top of the retaining wall.
EAB	1. The EAB recommends that the applicant relocate the foundation shrubs closer to the sidewalk to provide more screening for townhome residents from views of alley and garages/adjacent single family homes to the north; place turf adjacent to the building to provide a small enclosed space for townhome residents.
EAB	2. The EAB recommends that the applicant include covered bike racks to store a minimum of one (1) bicycle per unit.





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

MARCH 5, 2009

### Arbors at Winmore Conditional Use Permit Recommendation

Seils moved and Carnahan seconded that the Planning Board recommends that the Board of Aldermen approve the conditional use permit for the project subject to the following:

- 1) That bike racks be provided, including some covered;
- 2) That safety railings be included along the top of the retaining wall; and
- 3) All recommended staff conditions.

VOTE: Ayes (7): Barton, Carnahan, Clinton, Cook, Fritz, Poulton, and Seils

  
Matthew Barton, Chair

3/16/09

Att. #5

**Town of Carrboro  
Planning Department**



**MEMORANDUM**

Date: March 5, 2009  
To: Applicant  
From: Environmental Advisory Board (EAB)  
Through: Randy Dodd, Environmental Planner  
Copy: Marty Roupe, Development Review Administrator  
Subject: CUP Review Comments Griffith's Landing (Arbors at Winmore)

On March 5th, 2009, you presented for CUP review plans for Arbors at Winmore. We appreciate your taking time to explain the plan. The EAB provides recommendations as a response to the applicant's plan:

1. Relocate the foundation shrubs closer to the sidewalk to provide more screening for townhome residents from views of alley and garages/adjacent single family homes to the north; place turf adjacent to the building to provide a small enclosed space for townhome residents.
2. Include covered bike racks to store a minimum of 1 bicycle per unit .  
(one)

Thank you for your cooperation.

VOTE: AYES (5) Lynn Weller, Jennifer Winston, Dana Stidham, Matthew Arnsberger, Andreas Hay; NOES (0); ABSENT (2) Thomas Mullen, Diana Tetens

 3/5/2009  
Lynn Weller, Chair Date

# TOWN OF CARRBORO



## 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

*(\*Note: Please clarify for staff, where applicable, whether any discussion points are to be included as Permit Conditions. Informal agreements or understandings are not necessarily binding.\*)*

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:

---

---

---