

THE LOCATIONS OF THE STREAM BUFFERS AND EASEMENTS ARE APPROXIMATE LOCATIONS TAKEN FROM ORANGE COUNTY GIS DATA

REVISIONS 1. 8/14/2008 CHANGE TO 14 LOTS
2. 08/20/2008 TOWN OF CARRBORO COMMENTS
3. 08/20/2008 TOWN COMMENTS
4. 08/20/2008 TOWN COMMENTS
5. 08/20/2008 TOWN COMMENTS
6. 8/21/2008 TOWN COMMENTS
7. 8/21/2008 TOWN COMMENTS

SCALE 1"=50'
 DRAWN BY JWP
 CHECKED BY PJP
 DATE 1/28/2008
 PROJECT NO. R1001
 DRAWING NO. C1872P02
 THE TOWN OF CARRBORO IS THE PROPERTY OF THE TOWN OF CARRBORO. THIS DRAWING IS THE PROPERTY OF THE TOWN OF CARRBORO. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE TOWN OF CARRBORO.

LLOYD SQUARE SUBDIVISION
 EXISTING CONDITIONS
 CONDITIONAL USE PERMIT
 TOWN OF CARRBORO ORANGE COUNTY, N.C.



PHILIP POST & ASSOCIATES
 ENGINEERS PLANNERS SURVEYORS
 401 Providence Rd. # 500
 Chapel Hill, NC 27514
 (919) 959-1173
 480-2800 800-9602
 Greensboro, NC
 (336) 753-7711

STAFF REPORT

TO: Board of Aldermen

DATE: September 22, 2009

PROJECT: Lloyd Square AIS

APPLICANT
And OWNERS: Layton Wheeler
Carrboro, NC

PURPOSE: To acquire a Conditional Use Permit allowing a major subdivision (sixteen units) of the property located at 100 Deer Street

EXISTING ZONING: R-20

TAX MAP NUMBERS: 7.107B.H.1

LOCATION: 100 Deer Street

TRACT SIZE: 5.98 acres

EXISTING LAND USE: Vacant/wooded

PROPOSED LAND USE: 26.100, Major subdivision consisting of the following uses:
1.111 single family detached, 1.231 duplex, maximum 20% units >3 bedrooms/unit

SURROUNDING
LAND USES: North: R-20, single-family residential.
South: R-20, single-family residential.
West: R-20, single-family residential.
East: R-20, single-family residential.

ZONING HISTORY: R-20 since 1988

ANALYSIS

Background, Concept Plan Development

Background

Layton Wheeler as represented Phil Post and Associates has submitted an application for the construction of a 16 dwelling unit subdivision located at 100 Deer Street (Attachment C). The Conditional Use Permit, if approved, would allow the creation of 16 lots, a single duplex will occupy lots 5 and 6. The project will rely upon existing infrastructure and does not require the creation of new roadways. The subject properties are zoned Rural Residential (R-20). It contains 5.98 acres and is listed on the Orange County Tax Map as numbers 7.107B.H.1.

The existing condition of the site is vacant with a stand of mixed woods. Existing drainage features are buffered by the Town's regulatory stream buffers. There are no FEMA Special Flood Hazard Areas on site.

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 ordinance requires the designer to consider primary, secondary constraints, site context, and several other parameters prior to locating structures or lots. The resultant design presented herein is much informed by this process.

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. For Lloyd Square, this adjustment reduced the *gross area* by about 1000 sf which reduces the allowable *base* density from 13 units to 12 units.

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 allowed is 18 units. The applicant is using this provision for a proposed density of 16 units, 2 of which are *affordable*. The applicant proposes a *payment in lieu* for a fraction of an affordable unit as is permitted by the LUO. A fraction amount of .4 of a unit will bring the project to a total affordable housing ratio of 15%.

Size-Restricted Units

Per Section 15-188(j) a residential development that provides at least 85% of the maximum number of affordable units available under 15-182.4 is not subject to the size restriction requirements of 15-188. In order for Lloyd Square to qualify for this exemption they will need to increase their payment in lieu of affordable housing fraction up to .55. This amount is referenced in condition number 2 (below) with the assumption

that the developer will pay the additional amount rather than be subject to the small house ordinance. If in the hearing, this position changes, this condition will need to be accordingly revised.

Section 15-182.4 requires that the applicant provide assurance that these units will remain affordable and be made available to qualified buyers (as defined by 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 (located on lots 5 & 6) must be specified in the Homeowner's Association documents. These documents must be approved by the Town Attorney prior to construction plan approval. Because of this the following condition is recommended:

- That the developer demonstrates how the objectives of Section 15-182.4 of the LUO are to be satisfied. Section 15-182.4 requires the continued affordability of the units located on lots 5 & 6 and requires that these units are offered only to qualified buyers.

Because the applicant is seeking two bonus units a condition must be placed on the permit stating that a 'certificate of occupancy' may not be issued until such time as a corresponding affordable unit (located on lots 5 & 6) 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 as represented by the following condition:

- Certificates of Occupancy for each of the two (2) bonus 'market-rate' units may not be issued until such time as a corresponding affordable unit (located on lots 5 & 6) 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, and, the *payment in lieu* for .55 of an affordable unit is made (in accordance with the Town's fee schedule at the time of payment). The two bonus units are to be identified on the plans prior to construction plan approval and shall be identified on the final plat.

The applicant has met with Community Home Trust (CHT) to discuss provisions for ensuring the long-term affordability (99 years) of these units and reached an agreement (Attachment D). CHT is seeking subsidy money to support an affordable price for the two units. In the event that this subsidy money is not secured and/or CHT is unable to market the units at the price authorized by the LUO, the developer will assume responsibility for assuring long term affordability of the units. Because of this, the following condition is recommended:

- That, if the developer chooses Community Home Trust (CHT) to manage the affordable units per Section 15-182.4 and CHT is unable to secure subsidy money and/or unable to market the affordable units at the price authorized by the LUO then the Town Attorney must approve an alternative arrangement for ensuring long term affordability of these units.

Town staff realizes that the lot designations for affordable units are subject to change. In such an instance, the applicant will need to submit the proposed changes to the Zoning Division for review. Should the changes be insignificant and, should the lot designations maintain compliance with the ordinance, staff will authorize such changes via an *insignificant deviation*.

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

As there are no new roadways created, connectivity for the project is not a concern. (Attachment A).

Streets

All proposed streets, except for Deer Street, are built according to the public street standards of Article XIV of the LUO.

Deer Street is located within a sixty foot right-of-way and is unpaved though it roughly meets the dimensional specifications of the Town's *Local Street with Swales* standard (Section 15-216). The ordinance does not require Deer street to be paved as a result of this project.

Deer Street has now seven lots fronting the street, three of which are vacant. After build-out, Lloyd Square will add three new driveways to Deer Street.

Traffic Calming

Traffic calming is not proposed.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to connectivity, streets, and traffic calming.

Traffic Analysis, Pedestrian/Bicycle Facilities, Transit, Parking

Traffic Analysis

A transportation impact statement was prepared by the applicant (Attachment E). By this, the proposed 16 lots are expected to generate 170 trips per day. These trips will be directed to Hillsborough Road via Quail Roost Drive.

Pedestrian/Bicycle Facilities

Quail Roost Drive and Lisa Drive both have existing sidewalks on one side of the street. Deer Street is unpaved and has no sidewalk. Existing accessibility ramps are provided at all street crossings. No additional sidewalks are proposed.

No bicycle facilities are proposed though the nearby Hillsborough Street has bike lanes on both sides of the street.

Interior to the site is proposed a hiking trail loop with access points along both Quail Roost Drive and Lisa Drive.

Transit

Chapel Hill Transit has been notified of the proposed subdivision. Service to this area is available within walking distance along Hillsborough Street

Parking

Per section 15-291 of the LUO, single family units must provide parking on their respective lots sufficient to accommodate two cars. The applicant has placed a note to this effect on the plans; however, staff still recommends the following condition:

- That the single family home lots, when developed have sufficient room to conveniently park two cars on a paved driveway, off of the street, without blocking the sidewalk. Garages may not be counted toward this requirement. This parking will be shown on individual plot plans during the building permit stage.

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

Tree Protection, Street Trees, Landscape Plans, Screening and Shading

Tree Protection

Large trees as defined by the LUO have a diameter of 18 inches or greater and are to be retained whenever possible (15-316). The layout requires removal of one tree of this minimum size or greater. Due to grading, a few other trees are at risk of damage. Tree protection fencing has been provided at the clearing limits. Note that trees retained on private lots are subject to removal during home construction. As required, the applicant has provided the attached tree removal justification letter (Attachment F).

Landscaping

The Lloyd Square AIS features several bioretention cells (one per lot) and one dry detention basin. Each is planted with wetland plants appropriate to the application. Bioretention plantings need to be able to withstand periods of drought while the water quality ponds feature plants that can withstand prolonged inundation. These plantings are further reviewed by the Town Engineer during construction plan review.

Screening

This project requires Type C screens adjacent to public right-of-ways. A Type C screen is composed of intermittent visual obstructions from the ground to a height of at least twenty feet). Typical horizontal spacing of a Type C screen would be from 30 to 40 feet, depending on the tree species used. Because of uncertainty about which existing trees will be retained for this purpose, the following condition is recommended:

- The prior to construction plan approval, a Type C screen be shown between the new lots and the public right of way. This requirement may be satisfied by a combination of existing and proposed trees per the guidelines as established in Appendix E and Article XIX of the Land Use Ordinance.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to tree protection, landscaping, screening subject to the aforementioned condition.

Drainage, Water Quality, 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. To address these requirements, the applicant has conducted a drainage study accompanied by a “Truth in Drainage” statement (Attachment G).

The Town Engineer (Sungate Design Group) has reviewed these materials and is satisfied with the majority of the work therein. An outstanding issue, however, pertains to the precise mapping the 100 year backwater and the precise sizing of culvert(s) that will carry stormwater under the joint driveway serving lots 13 and 14. Both can be determined only by a flood study which involves a computer modeling exercise using the Army Corp of Engineers HEC-RAS software. Because of this staff recommends the following condition:

- That, prior to Construction Plan approval, a HEC-RAS flood study shall be approved by the Town Engineer to study the 100 year flood (with backwater analysis) for both the existing and proposed conditions; any substantial design changes made as a result of this study (to comply with the LUO) will require the approval of either staff or the Board of Aldermen (with possible public hearing) per the provisions of 15-64 of the LUO. Substantial design changes would be defined as those that have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

Water Quality

Each lot will manage excess stormwater generated by the new impervious surfaces with individual bioretention cells. These are designed to remove 85% of Total Suspended Solids (TSS) from the first inch of a storm event. Please note that the bioretention areas are *not* designed to hold water for an extended period as compared to the pond, which is designed to *detain* water. Much of the additional sheet flow will also be captured and treated by the dry detention pond.

The applicant has requested flexibility on the final execution of the stormwater plan so as to allow for adjustment based on for greater site specific details (building footprints, impervious surface reductions, etc) (Attachment H).

Changes that might result from this might include, the consolidation of some bioretention cells in the open space and, reshaping and slight relocation of some of the cells. In accordance with the applicant's letter, staff likely would consider such changes to be an *insignificant deviation*. If changes are substantial, staff may consider processing the change as a *minor modification*. Because of this the following condition is recommended.

- That flexibility is allowed in the execution of the drainage plan as outlined in the applicant's letter. These changes will be processed as insignificant deviations so long as they are found not to have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

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, schedule and creation of reserve fund for future maintenance needs. The plan shall include scheduled maintenance activities for each unit in the development, (including, bioretention areas, swales, and dry detention basin), 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.

Grading

Installation of the Lloyd Square stormwater systems will require a moderate 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 major, natural drainage ways shall remain undisturbed. The project appears generally to satisfy these criteria.

Stream Buffers

Three Protective Stream Buffers are located on the Lloyd Square site. The major and minor drainages on the site are protected under the old stream buffer ordinance which requires 30' total buffers (15' on each side). The drainage to the south of the parcel is an outfall for one of the McDougle Middle School stormwater devices.

Erosion Control

Prior to construction plan approval the final design must be approved by Orange County Erosion Control.

Phasing

The project is not, at this time, phased.

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

Utilities, Fire Safety, Lighting and Refuse CollectionUtilities

Existing waterlines surround the parcel within street R/W. Sewer service lines are located variously within the public R/W within the surrounding streets though there are breaks in service areas. Because of this, a 200' sewer extension is proposed in the vicinity of lots 15 and 16.

The water and sewer plans have been reviewed by OWASA and meet with their general approval. OWASA will review the plans in greater detail 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.

The Public Works Department prefers to receive written confirmation from the electrical utility prior to construction plan approval. Because of this, staff recommends the following condition.

- 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;

Fire Safety

Four fire hydrants (three existing, one proposed) will serve the development. These 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).

Fire flow calculations (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 (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.

Lighting

No additional street lights are proposed. The existing public roadway intersections surrounding the property each have an existing streetlight.

Refuse Collection

The project's waste arrangements have been reviewed by both Public Works and Orange County. The Town will provide trash collection services for the development while the County will be responsible for recycling as well as managing construction waste.

The single family homes will utilize roll-out containers. Waste management during construction requires from the County an approved Solid Waste Management Plan as well as a permit.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to utilities, fire safety, lighting, and refuse collection, subject to the inclusion of the three aforementioned conditions regarding fire hydrants, fire flow and building sprinklers.

Open Space, RecreationOpen 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 4%. Because the Lloyd Square AIS provides about 42% open space, it does not need to use this reduction.

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. The primary constraints of this project are located within common open space.

Recreation

The proposed units combine to require 166.24 recreation points per Section 15-196 of the LUO. The applicant exceeds this amount by providing 1534 feet of 4' wide walking trail, and a play structure. Since this development has less than 25 units proposed is exempt from the 20,000 sf playfield requirement (15-198(d)).

As required per 15-196-f, 5% of the amenities must be suitable for children under the age of 12; the applicant exceeds this requirement with the proposed play structure.

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

Architectural Standards, CAPS

Architectural Standards

Per the requirements of Section 15-177, subdivisions containing four or more units are required to demonstrate compliance to the architectural design guidelines contained therein. The applicant may choose from one of two design guidelines; 1) Vernacular Architectural Standards or, 2) Alternative Architectural Standards. The applicant has chosen the latter approach.

The Alternative Architectural Standards requires the subdivision address specific design goals with regards to landscape, site, context, and building design. The applicant has addressed this requirement by providing an illustrated narrative statement and typical elevations as well as illustrative photographs (Attachment I). Staff concludes that from the materials provided, that the provisions of this section have been addressed.

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.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Architectural Standards, CAPS and Courtesy Review.

Advisory Board's Joint Review

The project was presented before the Joint Advisory Board's on September 3, 2009 for formal review of the project. Their summary recommendations are to be found on Attachment J.

Neighborhood Information Meeting

A Neighborhood Information Meeting was held in the Homestead Road Community Center building on December 4, 2006 (Attachment K).

Citizen Letters

One letter has been received. See Attachment L for reference.

RECOMMENDATIONS:

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

1. That, prior to construction plan approval, the developer demonstrates how the objectives of Section 15-182.4 of the LUO are to be satisfied. Section 15-182.4 requires the continued affordability of the units located on lots 5 & 6 and requires that these units are offered only to qualified buyers.
2. Certificates of Occupancy for each of the two (2) bonus 'market-rate' units may not be issued until such time as a corresponding affordable unit (located on lots 5 & 6) 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, and, the *payment in lieu* for .55 of an affordable unit is made (in accordance with the Town's fee schedule at the time of payment). The two bonus units are to be identified on the plans prior to construction plan approval and shall be identified on the final plat.
3. That, if the developer chooses Community Home Trust (CHT) to manage the affordable units per Section 15-182.4 and CHT is unable to secure subsidy money and/or unable to market the affordable units at the price authorized by the LUO then the Town Attorney must approve an alternative arrangement for ensuring long term affordability of these units.
4. That the single family home lots, when developed have sufficient room to conveniently park two cars on a paved driveway, off of the street, without blocking the sidewalk. Garages may not be counted toward this requirement. This parking will be shown on individual plot plans during the building permit stage.
5. The prior to construction plan approval, a Type C screen be shown between the new lots and the public right of way. This requirement may be satisfied by a combination of existing and proposed trees per the guidelines as established in Appendix E and Article XIX of the Land Use Ordinance.
6. That, prior to Construction Plan approval, a HEC-RAS flood study shall be approved by the Town Engineer to study the 100 year flood (with backwater analysis) for both the existing and proposed conditions; any substantial design changes made as a result of this study (to comply with the LUO) will require the approval of either staff or the Board of Aldermen (with possible public hearing) per the provisions of 15-64 of the LUO. Substantial design changes would be defined as those that have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
7. That flexibility is allowed in the execution of the drainage plan as outlined in the applicant's letter. These changes will be processed as insignificant deviations so long as they are found not to have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
8. 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-

- built 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.
9. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity, schedule and creation of reserve fund for future maintenance needs. The plan shall include scheduled maintenance activities for each unit in the development, (including, bioretention areas, swales, and dry detention basin), 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.
 10. 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;
 11. That fire flow calculations (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
 12. 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.

TOWN OF CARRBORO

LAND USE PERMIT APPLICATION



DATE: 1/23/2008

FEE: $1000 + 17(30) = \$1,510.00$ No 1200 + 17(36) = 1812

APPLICANT: LAYTON & MARY NITZNER	OWNER: EDWARD & JOANNE HAHN
ADDRESS: 2023 FOXWOOD FARM TRAIL	ADDRESS: 5A SCOTOL LANE
CITY/STATE/ZIP: CHARLE HILL, NC 27516	CITY/STATE/ZIP: LONG HARBOR, NY
TELEPHONE/FAX: PHONE: 608-2001 FAX: Call: 302-2091	TELEPHONE/FAX: PHONE: _____ FAX: _____
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: RELATED	TAX MAP(S), BLOCK(S), LOT(S): 107B, H. 1
PROPERTY ADDRESS: BOUNDARY BY LISA, QUAIL ROOST, DEER STS	PROPOSED LAND USE & USE CLASSIFICATION: 1.111
PRESENT LAND USE & USE CLASSIFICATION: VACANT	LOT AREA: 5.98 Acres 260,673 Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): R-20	
# OF BUILDINGS TO REMAIN NONE	GROSS FLOOR AREA N/A square feet
# OF BUILDINGS PROPOSED N/A	GROSS FLOOR AREA (of proposed building or proposed addition) N/A square feet

NAME OF PROJECT/DEVELOPMENT: _____

TYPE OF REQUEST	INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 36
<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
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) Residential Infill & Additions	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: Mary Wheeler

DATE: 1-29-08

OWNER: Joanne Hahn

DATE: 1-27-2008





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Mary Bratsch
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Mary Jean Seyda
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Robert Dowling
Executive Director

Funding Provided by:

Town of Chapel Hill
Orange County
Town of Carrboro
Town of Hillsborough

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104 Jones Ferry Road
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Carrboro, NC 27510
919.967.1545
Fax 919.968.4030
www.ochlt.org

September 2nd, 2009

Mayor Mark Chilton and the Carrboro Aldermen
Town of Carrboro
301 West Main Street
Carrboro, NC, 27510

Dear Mayor Chilton and Members of the Board of Aldermen:

I am pleased to report that Layton Wheeler is planning to work with the Home Trust to provide affordable homes in the proposed Lloyd Square development. We have reviewed Lloyd Square's affordable housing plans and believe they present a good opportunity for Home Trust homebuyers.

The Home Trust and Mr. Wheeler have reached the following agreement regarding partnering to sell affordable homes in Lloyd Square:

1. Mr. Wheeler will build two affordable units in Lloyd Square, which will be attached in a duplex. He plans to request a payment in lieu for the rest of his affordable housing requirement under the town's ordinance.
2. Each unit will have a minimum of 1600 square feet of heated living space, 3 bedrooms and two and a half baths.
3. All bedrooms will be a minimum of 120 square feet in size.
4. Mr. Wheeler will meet with the Home Trust to determine final house plans before construction.
5. In Lloyd Square's site plan, Mr. Wheeler will include a use easement granting the eventual owners of the unit on lot 5 the use of the "flagpole" portion of lot 6, which will run behind their house.
6. Mr. Wheeler will sell the homes to the Home Trust for a price of \$120,000 per unit.
7. Mr. Wheeler will own the properties during the marketing period, until the Home Trust is able to close with income-eligible buyers.
8. The Home Trust will market the affordable units, provide buyer education, and work with qualified buyers through the closing process. Mr. Wheeler will pay the Home Trust a marketing fee of \$3,000 per unit when we close on each home with an income-eligible buyer.
9. Any unit that the Home Trust does not sell within twelve months after it receives certificate of occupancy may be sold by Mr. Wheeler under the terms of his permit and the town's ordinance.

Please note that while \$120,000 is affordable to households at 80% of the Area Median Income, we will need additional local subsidy in order to create an adequate affordability window to market these homes.

We appreciate the Board of Aldermen's continued commitment to affordable housing and the Home Trust. If you have any questions or comments about our initial agreement with Mr. Wheeler, please call me at 967-1545 ext 305.

Sincerely,

Christine Westfall
Project Manager

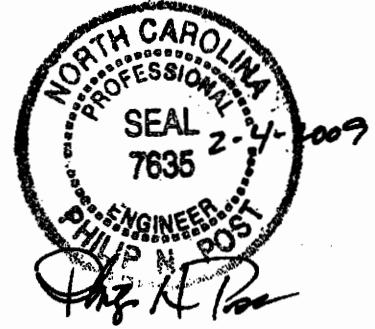
McDougal Glen
AIS Subdivision
CUP Application
Transportation Impact Statement
1/25/2008

1. This AIS subdivision will generate 170 new trips per day. Of the 170 trips, 60 will be onto Deer Street, 60 onto Lisa Street and 50 onto Quail Roost Drive. The 170 new trips will enter and be disbursed among the existing Carrboro "grid" public street system consisting of James Street, Carol Street, Rainbow Drive, Lorraine Street and eventually onto Hillsborough Road and Fayetteville Road.
2. The existing Carrboro public street system is capable of safely accommodating the 170 new trips. No capacity or safety improvements are needed or contemplated.
3. Paved pedestrian public sidewalks exist along both Quail Roost and Lisa Street. Deer Street is a minor road with 10 total dwelling units after the construction of this project. A sidewalk is not necessary on such a minor road. Quail Roost has been recently paved by the Town as an existing bikeway trail.
4. The subdivision is within easy walking distance of transit routes now serving Carrboro. The applicant believes the residents of this subdivision will use free public transit.



Memorandum

Date: February 4, 2009
To: Whom It May Concern
From: Philip N. Post, PE
RE: Lloyd Square Subdivision ~ Tree Removal Justification
Job No. 510501



On this 5.98 acre tract, we have identified 62 trees over 18" in diameter. The tract is 100% wooded.

Out of the 62 trees that exist, we propose to remove one (1) tree or about 1.6% of the trees greater than 18" in a diameter.

The one tree we are removing is an 18" oak; but remaining on the site will be 49 oaks, poplars, maples or hickories that are varying in size from 18" up to 26".

In sum, we are proposing to remove one (1) hardwood out of the 62 trees located, a removal rate of about 1.6%.

The tree is being removed for the required stormwater detention pond. The tree removed is not on future lots or recreation areas.

The one tree that is being removed is to accommodate essential and required stormwater infrastructure.

We believe that tree disturbance has been carefully minimized, and removal has been limited to one hardwood, and this one tree is essential in order to comply with Town requirements for infrastructure.

August 25, 2009
510501

TRUTH IN DRAINAGE STATEMENT
LLOYD SQUARE SUBDIVISION

The proposed Lloyd Square Subdivision is located in the southeast corner of the Lisa Street/Quail Roost Drive intersection and is bounded on the south and east by Deer Street. The property has an area of 5.98 acres and will be subdivided into 14 single family lots and one duplex lot.

A diversion swale is proposed to separate the parcel into two sections for water quantity purposes. The larger, northern section contains an area of 3.41 acres and drains to a proposed dry detention basin which will provide detention up to and including the 25-year storm event to below pre-construction runoff levels for the entire site. To meet the water quality requirements, each lot will have an individual bioretention cell designed in accordance with the NC DENR Stormwater BMP Manual for Bioretention Areas dated July 2007 and revised 09-28-07 which will achieve the 85% TSS reduction required by the Land Use Ordinance. All design calculations for all stormwater quality and quantity features are included in this document.

In conclusion, the runoff quantity increase will be detained and released at a reduced rate so as not to impact any downstream properties or streams. Water quality and pollutant removal will be ensured by routing the runoff through bioretention areas. All runoff from areas within the subdivision which will be disturbed or made impervious will be routed through a water quality feature except small amounts of some driveways. This project, as designed, satisfies the "no Damage" provision set forth in the Town Ordinance Water Management Section 15-263a.



Ernest G. Dodson
08/25/09

Lloyd Square
Description of Bio-Retention Areas

The Approved Drainage Plan shows 16 individual bio-retention areas on each individual subdivision lot. See Sheet S-4. Each bio-retention area has been reviewed and approved by the Town Engineer in the CUP process.

These bio-retention areas will be reviewed again, and possibly the design will be tweaked, during Construction Plan approval by Town of Carrboro Staff.

A. Construction Plan Review:

The Developer will have exact house footprint designs, garage and driveway locations, decks, patios and sidewalks laid out for each lot during the Construction Plan Stage. This will allow the design of each bio-retention area to be “tweaked” to conform to the exact design on each single family lot. Such design “tweaks” would be considered insignificant changes and can be approved by the Town Staff.

B. Reconfiguration:

Exact house design and rear yard designs in the Construction Plan Stage will allow bio-retention areas to be reconfigured from the “nominal” rectangular or square shape. Exact designs will allow bio-retention areas to be “V” shaped or “L” shaped to better fit into the topography and the design of the lot.

C. Smaller Impervious Area/Smaller Bio-Retention Area:

Exact designs in the Construction Plan Stage may result in less impervious surface. In the CUP stage we have made assumptions as to the amount of impervious surface; in the Construction Plan Stage we may find that house size and impervious area can be reduced below the assumed value. Such an impervious reduction will allow a proportional decrease in bio-retention size, so that if there is 25% less impervious, the bio-retention area will be 25% smaller.

D. Open Space:

We envision that some bio-retention areas will have to be moved into the common open space, where they will be better able to be maintained by the Homeowners’ Association. Some bio-retention cells might actually straddle the lot line between the private lot and the HOA open space. We plan, in the Construction Plans, to position bio-retention cells for the best possible maintenance access by the HOA.

E. Combining Bio-Retention Areas:

There will be nice economies of scale and reduced disturbance if two or even three houses can be built at the same time, which would allow one bio-retention system instead two or three separate systems. This will reduce disturbance, reduce maintenance headaches, reduce the administrative burden of annual inspections and certifications. We plan to combine two or three bio-retention areas together, possibly with the bio-cell located in HOA common open space, wherever this becomes practical and desirable and when the house construction timing will be the same.

Lloyd Square Architectural Narrative

Introduction:

The main theme of this Architecturally Integrated Subdivision is to create the appearance and livability of a charming neighborhood from our past. Two story homes with porches and railings are connected with picket fences, beautifully crafted brick courtyard walls bordering vine- draped trellis' and raised bed flower gardens. Homes are designed to showcase beautifully trimmed porches with old style columns (round tapered and square with lower panels etc.). Steps are gently fanned out on each side by 8 inches with wrought iron railings curving out to a stone sidewalk. Double car garage are set back from front entrances at 16 feet to minimize its effect. Special detail to gables on garage, possible 3ft. protruding trellis at garage doors will lend support to giving the garage an enhanced, carriage house effect to the home The courtyard and fence is to be built on each garage side and built back out to the street by 12 feet and then connecting to the next two-story house side. This will further enhance the beauty of the courtyard and offset the impact of the garage which will look recessed back yet beautifully incorporated into the main structure.

Roofs:

All homes and garages- 12/12 pitch (steep)

Porches 4/12 pitch

12" overhangs

Dormer windows on some roofs, especially garages, Dimensional shingles- 30 year.

Windows:

High efficiency, large, properly proportional size windows (example- on most front façades- a 2'8" x 5'6" size, double hung). Vinyl clad- (the beauty of wood without the deterioration)

Simulated divided lite grilles to match old style windows of the colonial and 1930's country home era.

Exterior Walls:

Hardi plank siding- cedar shakes – brick siding exposure- 5 ½" to 6"

Trim Details:

Extra attention given to porches with moldings and elegant picket railings. Colonial style moldings used on overhang boxing.

Sidewalks:

Different stone patterns used, connecting porches to concrete driveways.

Exterior lighting:

Old style post lights in front of homes.

Lloyd Square Architectural Narrative

Landscaping:

Lot sizes are mostly 75' and 85' width with only 25 feet of front yard to street. Therefore, most existing trees will be removed to street & sides. New growth trees to be planted, 10-15 feet height- Maple family, possibly Sugar or Silver Maple set in homeowner yard, out of street R/W at intervals, so as to create a tree lined street.

Context:

Porches that are used as outdoor sitting areas for entertaining are highlighted on the wider 85' width lots. The narrower 75' width lots will have a porch entrance with the same attention to detail but will serve mainly as an entrance cover- (size 6' depth by 12') 5 of the 14 lots are 75'.

Diversity in size and shapes of the porches will add distinction to each home, yet architecturally tie them all together, as in historic towns and cities such as Savannah, Ga. Charleston, SC & Williamsburg, VA.

Affordable homes (2):

We have made an effort to showcase our 2 affordable homes by combining them into a very unique duplex which is situated on the most visible corner lot of the neighborhood. The corner lot enables the design of the two homes to have entrances on two separate streets which gives it the appearance of some of the more famous homes in historic Williamsburg, Va. which had multiple entrances. They are connected by the garages. The homes consist of a 1715 sq ft. house with a double garage, plus a separate 8x10 storage area; the other is 1654 sq ft. with a one car garage and a separate storage area.

Open Space approximately 40% shared in everyone's' back yard- roughly 2 + acres.

Restrictive Covenants:

Will state that any changes/additions to landscaping or fencing will require the okay of the developer at least until the HOA review committee is established to insure compliance and upkeep and insure the integrity of the neighborhood.

SEE Elevation drawings provided to Phil Post Assoc.

Lloyd Square Architectural Narrative

{The following are itemized responses from the applicant regarding Lloyd square's compliance with the General Design Standards of Section 15-177(d):}

(d) General Design Standards.

(1) Landscape and site.

- a. Site buildings in a manner sensitive to the existing natural environment and land forms. Minimize clearing and alteration of existing topography.

By having the open space in the center of the development we are leaving as much space as possible minimally altered and the sensitive areas left alone. The placement of the new homes will mirror the placement of the existing homes across the street.

- b. Site buildings or provide screening to avoid the visibility of buildings' rear facades from public streets.

The rear façade of the homes will not be visible from the public streets.

- c. Avoid monolithic and unarticulated walls and buildings facing the public realm.

These homes with their adjoining fences and accent walls will never bring to mind, the words, "monolithic or unarticulated". Quite the opposite. This small development will have a charming look. See, "Neighborhood look."

- d. Mechanical, communication, and electrical equipment shall be screened from neighbors and public ways through the use of landscaping or by fences/screens made of materials that complement the design of the house.

All equipment will be screened. The screening is actually incorporated into each home's design and plan.

- e. Garage entries should not visually dominate the house's primary entrance, and shall have visual separation from the main façade.

The garages will be set back from front entrances. Special detail to gables on garage will lend a carriage house effect.

This setback serves to offset the impact of the garage because it will be recessed back yet beautifully incorporated into the main structure.

- f. Locate and specify exterior and street lighting to minimize the impact on neighbors. Fixtures shall not project light above the horizontal plane.

Will work with Town & public works and accommodate their recommendations. We plan to incorporate dark sky fixtures as much as possible.

- g. Address the transition between street and primary entrance through pathways that consider changes of light, sound, direction, surface, or grade level, i.e. through the use of benches, fencing, or low walls connected to the building.

Lloyd Square Architectural Narrative

A courtyard and fence is to be built on each garage side and built back out to the street by 12 feet and then connecting to the next house side.

Two story houses with porches and railings will be connected by picket fences, beautifully crafted brick courtyard walls, vine-draped trellises and raised bed flower gardens. The house steps will be gently fanned out and accented with wrought iron railings. See figure 4

h Use variable setbacks and modulate the streetscape.

Homes are designed to show case beautifully trimmed porches with old style columns, round, tapered and columns with lower panels. Although this is, an AIS and the homes are required to have some similarity of feel, by using a variety of building materials, brick, stone, hardi plank, and nine separate home designs there will be a sense of architectural variety within the neighborhood. To serve as the affordable homes we will build a duplex that looks like a single family home and will be in keeping with the feel of the neighborhood.

(2) Context.

- a. Address the overall plan of the subdivision in terms of rhythm, building heights, patterns, spacing, form, scale, massing, materials, and proportion.**

All the homes, which are of similar height and width, ring the circumference of the square. The front of each home faces existing homes across the streets and all the backyards open up to the centrally located interior open space.

The homes will be joined on each side by a set of fencing / gates -using varied materials, one different from the next to create a personal style to each property yet with a contiguous feel to the neighborhood.

Porches will be highlighted on the wider 85' lots. The narrower 75' width lots will have a porch entrance with the same attention to detail but will by necessity be somewhat smaller.

The homes will be spaced at the same intervals at the side setbacks. The front entrances will all have similar yet individualized walkways and personalized front doors.

- b. Address the placement of buildings in relationship to one another; their height, orientation, and spacing.**

See above

- c. Address the vertical-to-horizontal proportions of the elements of each individual house, and the relationship of these proportions from one house to another.**

It is hard to say at this point. Since each house will have the same roof pitch, 12/12, there will be that similarity but the final product will be a combination of many variables. The houses will each have great design, flow and appeal.

Lloyd Square Architectural Narrative

- d. Address the relationship of the roof of one building to the next in rhythm, form, texture, detail, and shelter, with attention to color, materials, and pitch and to features such as soffits, rafter ends, vaults, overhangs, dormers, cornices, vents, fascias, gutters, and eaves.

Roof pitches are 12/12. This roof pitch will be a characteristic of all of the homes and is an integral part of the overall design of the neighborhood. There will definitely be a similar rhythm, form, and texture to the all roofs. They will all have the classic, high, 12/12 pitch and the high-quality dimensional shingles and perhaps all the same color; a dark charcoal gray. Beyond that, variety will be supplied with dormers through quantity and style, through home specific designed cornices and style of trim. All other items mentioned in the question have varying, low levels of customizing. The uniqueness of each home is that it will be built from a beautiful and custom design, designed specifically for each particular lot.

- e. Provide human scale in massing and building elements.

This is a small infill neighborhood. 40% of the land area is devoted to open space and is important to providing the reality of a natural environment. The trees in the interior will be a lovely backdrop for the homes ringing the perimeter. More importantly, the trees provide an environment unattainable by any other means. Saving as many trees as possible is very important to us.

(3) Building design elements.

- a. Provide a minimum of four significantly different sets of elevations if the subdivision contains five or six houses, five sets if seven or eight houses, six sets if nine or ten houses and seven sets if eleven or twelve houses and eight sets if thirteen or fourteen houses, to ensure variability of design. Subdivisions of fifteen or more houses must have a minimum of nine differing elevations.

Okay.

- b. Create recognizable primary entrances, using, for example, entry placement, front and side porches, trellises, hedges, fences, and walls.
See above

c. Address the architectural rhythm of solids to voids in front façades, exterior walls, buildings on the streets, and entrance and/or porch projection. *The homes will have varied facades (and interiors) and will incorporate beautiful and stylish front retaining walls, fences of varied designs and materials, using stone, wood, and wrought iron. It will have a charming look. A variety of façade and trim, along with the individualized placement of dormers, porch design and with individualized front walls and fencing to provide a variety in streetscape.*

Lloyd Square Architectural Narrative

d. Address façade relief as provided by corner trim, porch trim, window and door trim, door panels, transoms, frames, surrounds, shutters, muntins, moldings, corbelling, cornices, gables, columns, casings, vents, fabric awnings, and roofs. Specify materials and dimensions.

Each home will have a unique combination of some or all of the above. All homes will have an 8ft deep porch in the front. The length of the front porch will depend on the width of the house/lot.

Our house plans are of traditional style homes, 2 story homes with porches. Using Colonial Williamsburg as one example of fine woodworking and detail, much of the beauty there comes from enhancing the beauty of a necessary thing. Thinking of the variety of styles in just picket fences, the variety of detail on porches, gable ends, dormers, cornices and window and door trim can be huge. Our guiding principle is to build solid, energy efficient homes, with classic design elements that will age gracefully.

Corner trim, solid 5" wood product.

Porch trim, wood, no vinyl, colonial trim wood and pickets of varying designs, treated wood.

Porch floor-Trex like material

Columns, round, square made of load bearing fiberglass, paintable and looks like wood.

Window and door trim, pvc wood appearance brick mold, does not rot.

Vinyl clad windows with wood appearance, does not rot.

Doors insulated vinyl, wood grain appearance.

Transoms, some front doors will have solid square transoms some will have elliptical shape.

The cornices on gable ends to be wrapped around corner on gable side approx. 2' and will maintain exactly the appearance of the overhang and flashed with a copper metal on a very low pitch, wood frame connector to the wall. This gives the appearance of an old style home.

Varying muntions, some H pattern, some more colonial. Will not use any pop in grills.

e. Specify the design of doors and windows, and their spacing, placement, proportion, scale, orientation, and size.

We will provide a mixture of door designs, some with mantle heads, some with curved elliptical feature above door and others with a colonial, transomed look. The front door will be a top quality, vinyl insulated door set within the porch. Windows will be long, roughly 2'8" x 5'6-6'6" bottom, on top- the windows will be somewhat shorter so as to create a traditional look.

Lloyd Square Architectural Narrative

f. Address the design and character of all exterior walls and foundations, including their functional and decorative features, materials, details, and proportions in relation to the entire building.

Foundations will be a mixture of brick and stone. Hardi plank, horizontal siding, some brick and possibly some painted brick. Porch foundations to have columns underneath posts with lattice design panels, some curved, some square to enhance the beauty from the street.

See figure5

Gable ends, to have varying siding, some shingled and painted, some natural with window shutters.

g. The design of auxiliary buildings, fences, and privacy screens, and the materials used in their construction, should complement the design of the primary structure.

See narrative and "neighborhood look."

Lloyd Square
Representative Architectural details

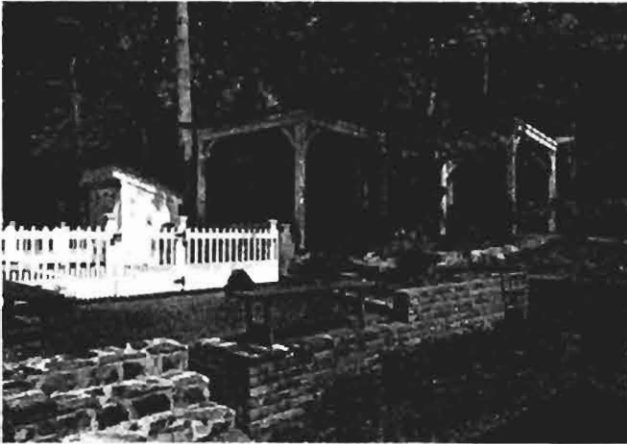


Figure 1

Here are examples of the types of walls, fence and materials to be used at Lloyd Square.



Figure 2

Notice the windows, the use of varied exterior materials, the shingled gabled end, and the horizontal and vertical sidings. All of this will be incorporated into Lloyd Square.



Figure 2

High quality shingles and beautiful custom dor-

Lloyd Square

Representative Architectural details, continued...



Figure 4

Stone, brick, wrought iron, pickets and columns all come together to provide a modulated, varied façade.



Figure 5

Notice the curved latticework under the porch, the entrance to the house via porch and the varied use of materials. The roof pitch is 12/12 but has a custom twist to it.

**SUMMARY SHEET OF STAFF AND ADVISORY BOARD
RECOMMENDATIONS
CONDITIONAL USE PERMIT FOR LLOYD SQUARE AIS**

STAFF RECOMMENDATIONS	
Staff Recommendations (w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1-12 below. If an advisory board voted to 'support' the staff recommendation, then such board is listed after staff in the left-hand column.</i>
Recommended by	Recommendations
Staff, TAB, PB, EAB, AC	1. That, prior to construction plan approval, the developer demonstrates how the objectives of Section 15-182.4 of the LUO are to be satisfied. Section 15-182.4 requires the continued affordability of the units located on lots 5 & 6 and requires that these units are offered only to qualified buyers.
Staff, TAB, PB, EAB, AC	2. Certificates of Occupancy for each of the two (2) bonus 'market-rate' units may not be issued until such time as a corresponding affordable unit (located on lots 5 & 6) 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, and, the <i>payment in lieu</i> for .55 of an affordable unit is made (in accordance with the Town's fee schedule at the time of payment). The two bonus units are to be identified on the plans prior to construction plan approval and shall be identified on the final plat.
Staff, TAB, PB, EAB, AC	3. That, if the developer chooses Community Home Trust (CHT) to manage the affordable units per Section 15-182.4 and CHT is unable to secure subsidy money and/or unable to market the affordable units at the price authorized by the LUO then the Town Attorney must approve an alternative arrangement for ensuring long term affordability of these units.
Staff, TAB, PB, EAB, AC	4. That the single family home lots, when developed have sufficient room to conveniently park two cars on a paved driveway, off of the street, without blocking the sidewalk. Garages may not be counted toward this requirement. This parking will be shown on individual plot plans during the building permit stage.

<p>Staff, TAB, PB, EAB, AC</p>	<p>5. The prior to construction plan approval, a Type C screen be shown between the new lots and the public right of way. This requirement may be satisfied by a combination of existing and proposed trees per the guidelines as established in Appendix E and Article XIX of the Land Use Ordinance.</p>
<p>Staff, TAB, PB, EAB, AC</p>	<p>6. That, prior to Construction Plan approval, a HEC-RAS flood study shall be approved by the Town Engineer to study the 100 year flood (with backwater analysis) for both the existing and proposed conditions; any substantial design changes made as a result of this study (to comply with the LUO) will require the approval of either staff or the Board of Aldermen (with possible public hearing) per the provisions of 15-64 of the LUO. Substantial design changes would be defined as those that have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.</p>
<p>Staff, TAB, PB, EAB, AC</p>	<p>7. That flexibility is allowed in the execution of the drainage plan as outlined in the applicant's letter. These changes will be processed as insignificant deviations so long as they are found not to have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.</p>
<p>Staff, TAB, PB, EAB, AC</p>	<p>8. 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>
<p>Staff, TAB, PB, EAB, AC</p>	<p>9. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity, schedule and creation of reserve fund for future maintenance needs. The plan shall include scheduled maintenance activities for each unit in the development, (including, bioretention areas, swales, and dry detention basin), 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>

Staff, TAB, PB, EAB, AC	10. 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;
Staff, TAB, PB, EAB, AC	11. That fire flow calculations (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
Staff, TAB, PB, EAB, AC	12. 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.
ADVISORY BOARD COMMENTS / RECOMMENDATIONS	
Additional Advisory Board Comments & Recommendations:	<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>
Recommended by	Recommendations
AC	1. That a variety of native species of trees be used for street trees when installed by the developer. (Appendix E)
PB	1. The Planning Board recommends that the applicant provide a construction traffic and staging plan that addresses neighbors' concerns about construction traffic during school walking hours. For example, consider limiting parking of construction vehicles to Lisa Street during these hours.
PB	2. The Planning Board recommends that the applicant work with the neighbors to address the management of dust on Deer Street both during and after construction.
PB	3. The Planning Board agrees with the applicant's request for flexibility in combining the bioretention ponds where appropriate.
EAB	1. Bio-retention Basins/Rain Gardens plant selection, Note that impact of deer browse in this area is quite heavy. Because the use of select plants is an important component of rain gardens the deer are likely to have a destructive effect on those plant species. The EAB recommends a permit condition that the EAB be allowed to review bioretention plant species prior to construction plan approval.
EAB	2. The EAB recommends a permit condition to require the control of invasive exotic pest plant species during and after development for the entire property.

EAB	3. The EAB recommends a permit condition that the applicant be required to submit a road dust control plan that incorporates the guidance provided by EPA in http://www.epa.gov/owow/nps/gravelroads/sec4.pdf as part of construction plan approval.
EAB	4. The EAB recommends a permit condition that the Tot Lot use playground quality natural mulch which won't compress and softens the impact of falling children.
EAB	5. The EAB recommends a permit condition that the applicant be required to submit a school commuter child safety measures plan as part of construction plan approval.
TAB	1. That no construction signs block sidewalks
TAB	2. That delivery of construction materials occur at non-school hours

TOWN OF CARRBORO



NEIGHBORHOOD MEETING FORM

TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

DUE TO PROPOSED LAND DISTURBING ACTIVITY TO TAKE PLACE ON PROPERTY LOCATED AT:

Mc DOUGLE GLEN AIS SUBDIVISION

DEER ST / LISA ST. / QUAIL ROOST DRIVE

TO BE CALLED

AND TAX MAP REFERENCED AS 107B. H.1 PIN # 9779-11-; 5880

I, Mary Wheeler, REPRESENTING LAYTON & MARY WHEELER,

SUBMIT THIS NEIGHBORHOOD MEETING FORM TO ACKNOWLEDGE THAT:

[PLEASE CHECK THE APPROPRIATE BOX BELOW.]

A MEETING WAS HELD WITH THE MEMBERS OF THE NEIGHBORHOOD ON

DEC 4, 2006.

Residents (including Property Owners and ~~Renters~~), up to 1000 feet of the property, were notified of the neighborhood meeting.

A MEETING WAS NOT HELD WITH THE MEMBERS OF THE NEIGHBORHOOD.

THIS NEIGHBORHOOD MEETING FORM IS RESPECTFULLY SUBMITTED TO THE TOWN STAFF ON THIS 24th DAY OF JANUARY, 2008.

By affixing my signature, I attest to the accuracy of the submitted information.

Mary Wheeler

Signature

107 Rainbow Drive
Carrboro, NC 27510-1127
September 11, 2009

Mr. Jeff Kleaveland
Planner/Zoning Development Specialist
Town Of Carrboro
301 West Main Street
Carrboro, North Carolina 27510

Dear Mr. Kleaveland:

Last week I received notice that a 16 dwelling-unit subdivision might be built along Deer Street. The letter implies that it would be a tightly knit community as condos or town houses. Should the project be approved, automobile traffic will substantially increase.

I have lived in Carrboro for thirty-seven years - on a dirt road. When we bought the house, one of the covenants was that Rainbow Drive would be paved within five years. Then the Town of Carrboro annexed us and took over the street. That released Mr. Lloyd from his commitment to pave. Twice, I have tried to secure support along the street to approach the town government for paving, with no luck. Why the town has left Dove Street and the east end of Rainbow Drive unpaved is a big unanswered question.

Now that the proposed "subdivision" may be constructed, this might be an opportunity to pave the two streets. My suggestion is that the paving cost be split three ways: Town of Carrboro, proposed housing development, and home owners on the two streets. That would save the city some expense, and improve the neighborhood value, tax-wise.

Sometime in the future, the Martin Luther King, Jr. City Park will be developed. Dove Street will experience heavier traffic; a red light and an improved access to the park will be necessary.

I do not think that my comments would be appropriate in a public hearing concerning development on Deer Street, but they certainly are appropriate for the continuing development in Carrboro.

How do I feel about the proposed 16 unit subdivision? North of Main Street, the vast majority of residences are single family homes and it should stay that way. The proposed project will reduce the value of homes and destroy the privacy of homes in the immediate neighborhood. The project is best suited for south of Main Street on Old Fayetteville Road or north on the Hogan Farm property.

Please pass a copy of this letter to members of the appropriate committees.

Sincerely yours,

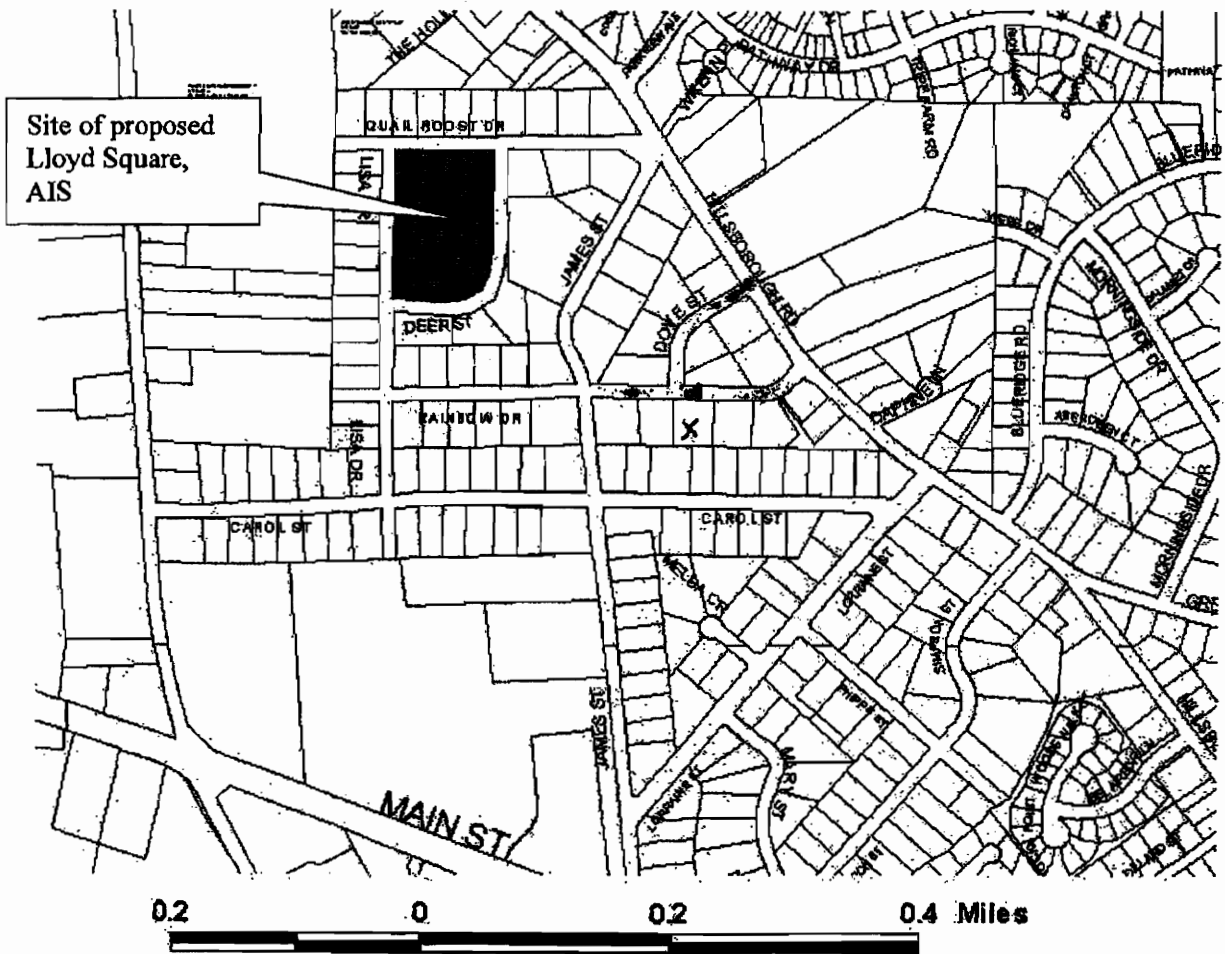


John E. Thomas, Sr.

enc.

Vicinity Map
100 Deer Street

ATTACHMENT L-2



- RED LIGHT
- SPEED HUMP
- X MY RESIDENCE

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:
