

N/E
EDGARDO R. GARCIA
DB 772, PG. 166
9779284632

PRIVATE
OPEN SPACE
AREA "C"
138,737 SF
3.185 AC.

N/E
CLAREMONT PHASES 1, 2, & 3
DB: 1346, PG. 586

PRIVATE
PLAYFIELD
RECREATION
AREA "C"
20,052 SF
(PART OF AREA "C")

EXHIBIT PLAN

POCKET PARKS AND PLAYFIELD AREA
LITCHFIELD AIS SUBDIVISION

TOWN OF CARRBORO ORANGE COUNTY, N.C.

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

PHILIP
POST
&
ASSOCIATES

ENGINEERS
PLANNERS
SURVEYORS
401 Providence Rd. # 200
Chapel Hill, N.C. 27514
(919) 933-1172
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SCALE: 1"=30'
DRAWN BY: MOP
CHECKED BY: TJS
DATE: 8/28/2010
PROJECT NO.: 201008
DRAWING NO.: 201008-03

NO.	REVISIONS

NO.	DATE

STAFF REPORT

TO: Board of Aldermen

DATE: May 25th, 2010

PROJECT: Litchfield AIS

APPLICANT
And OWNERS: Homestead Partners, LLC
1506 E. Franklin St.
Chapel Hill, NC 27514

PURPOSE: To acquire a Conditional Use Permit allowing a major subdivision of the properties located at 900, 904 & 906 Homestead Road

EXISTING ZONING: Residential-20 (R-20)

TAX MAP NUMBERS: 7.109..18, 18A & 19D

LOCATION: 900, 904 & 906 Homestead Rd

TRACT SIZE: 13.9 (after recombination).

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 26.100, Major subdivision consisting of the following uses:
1.111, single family detached and,
1.231, duplex &, 1.241 two family apartment

SURROUNDING
LAND USES: North: R-20 , single-family residential/vacant.
South: R-15, single-family residential (Homestead Rd/Wexford).
West: R-20, single-family residential.
East: R-20, single-family residential (Claremont)

ZONING HISTORY: R-20 since 1988

ANALYSIS

Background, Concept Plan Development

Background

Homestead Partners, LLC as represented Phil Post and Associates, has submitted an application for the construction of a 34 dwelling unit subdivision located at 900, 904 & 906 Homestead Road (Attachment C). The Conditional Use Permit, if approved, would allow the creation of 24 single-family-detached units, 8 duplex units, to be combined with an existing duplex on site, yielding 34 dwelling units. The plans include associated infrastructure such as publicly dedicated streets and utilities. The subject properties are zoned Residential-20 (R20). They contain 13.9 acres (after recombination) and are listed on the Orange County Tax Map as numbers 7.109..18, 18A & 19D. For a vicinity map, see the cover sheet of Attachment A.

The existing condition of the site contains four dwelling units, one duplex, a single family house and a trailer. Aside from this the site is mainly vacant with stands of mixed woods. An unnamed tributary to Bolin Creek crosses the property from southwest to northeast within an associated Town of Carrboro regulatory stream buffer. There are no FEMA floodplains on site. A Duke Power transmission line runs within an easement north south along the eastern property line adjacent to the Claremont subdivision.

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.

Land Swap, Density, Affordable Housing, Size-restricted Units

Land Swap

In order to realize the proposed project the applicant needs to recombine their lots with portions of the neighboring properties. Attached is a letter from the applicant stating that this agreement between them and the neighbors is underway (Attachment D). Because the proposed plan depends upon these agreements the following condition is recommended:

- That, prior to construction plan approval, a recombination plat is approved by the Town and recorded by Orange County Register of Deeds, showing the reconfigured lot in conformance with the approved CUP plans.

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 Litchfield AIS, this adjustment reduced the *gross area* by 24,298 sf, yielding an allowable base density of 28 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 42 units. The applicant is using this provision for a proposed density of 34 units, 6 of which are *affordable*. Because of this 17.65% of the project's housing stock is *affordable* as defined in the LUO. Note that the applicant is only choosing to construct the *affordable* bonus units.

Section 15-182.4 requires that the applicant provide assurance that these units will remain affordable, 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 (identified as 1, 2, 18, 19, 27, 28) 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:

- The continued affordability of the units (identified as 1, 2, 18, 19, 27, 28) must be ensured through working directly with Community Home Trust, in accordance with LUO Section 15-182.4.

A condition must be placed on the permit stating that a 'certificate of occupancy' of the last six units may not be issued until such time as a corresponding affordable unit (located on lots 1, 2, 18, 19, 27, 28) 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 six (6) of the last 'market-rate' units to be constructed may not be issued until such time as a corresponding affordable unit (located on lots 1, 2, 18, 19, 27, 28) is constructed and offered for sale or rent for an amount consistent with the language found in Section 15-182.4 of the Town of Carrboro Land Use Ordinance.

The 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 Homestead Partners will sell these units to the Home Trust (Attachment E). However, CHT's discussions with the developer have led them to request a modification to the standard agreement as follows:

1. To allow *either* Homestead Partners, LLC *or* Community Home Trust to build the affordable units such that these parties may make this determination closer to the date construction begins;

Homestead Partners makes this request because they are a developer only and not a builder which makes the precise cost of producing an affordable unit somewhat of an unknown. Because of this they would like to maintain the option of having CHT construct

the units. As is typical, CHT is seeking subsidy money to support an affordable price for the 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.

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*.

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. Litchfield meets this threshold (6 affordable units out of 7 possible) and is exempt from providing size-restricted units. Note that the implication of the applicant's fee-in-lieu request with regards to size-restricted units is still under staff review.

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

Connectivity, Streets, Traffic Calming

Connectivity

In guiding Carrboro's growth, Town policy and ordinance supports the development of an interconnected matrix of public streets. Section 15-214 & 15-217 of the Land Use Ordinance (LUO) requires new subdivisions to tie into anticipated streets outside the development, thereby providing "connectivity" to the Town's public road system.

To this end, the Litchfield AIS is extending Stratford Drive to the north (to be renamed as Litchfield Road) and Lucas Lane to the west. Also, Wolcott Drive is proposed as another stub-out to the northern property line. Please refer to the plans to assess the remaining public streets proposed (Attachment A).

Streets

All proposed streets are built according to the public street standards of Article XIV of the LUO. The applicant will offer the streets for public dedication.

Traffic Calming

One traffic calming speed table is proposed along Lucas Lane, just east of where Wolcott Drive intersects. An alternative to a speed table is a mid-block curb extension (also known as a "choker") which narrows the travel way for a short distance to accomplish the same purpose of slowing traffic. Staff would like the applicant to consider a choker in the area between the two private open space areas.

- That, prior to construction plan approval, the applicant explores alternative traffic calming techniques for Lucas Lane, including but not limited to a mid-block curb extension (also known as a “choker”).

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

Traffic Analysis, Pedestrian Facilities, Transit, Parking

Traffic Analysis

A transportation impact statement was prepared by the applicant (Attachment F). By this, the additional 30 dwelling units are expected to generate 300 trips per day. Until further connectivity improvements are made with surrounding properties, these trips will be directed Homestead Road and Lucas Lane. The proposed new roads will be offered to the Town for dedication.

NCDOT must issue a driveway permit for the connection to Homestead Road therefore the following condition is recommended:

- That prior to construction plan approval, the applicant receive a driveway permit from NCDOT.

Pedestrian Facilities

All of the Litchfield streets, except for Walbridge Circle, have 5’ wide sidewalks on both sides of the street. Sidewalks stub out to property lines for future continuation. Accessibility ramps and striped crosswalks are provided at all street crossings.

Note that the plans have a minor outstanding comment regarding the sidewalk detail that is addressed by the following condition.

- That, prior to Construction Plan approval, the sidewalk detail on the detail sheet is labeled and specifies that sidewalk thickness shall increase to a minimum of 6” thick where all driveways cross the sidewalk.

Greenway

No greenway facilities are proposed for the development due to their proximity to the Claremont greenway connection which can be accessed by either sidewalk or road approximately 1800’ from the eastern property line.

Transit

Chapel Hill Transit has been notified of the proposed subdivision. Service to this area in the near future is not anticipated.

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, 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 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). Since the site is mainly wooded, the layout requires removal of 46 trees of this minimum size or greater. Tree protection fencing has been provided at the clearing limits and for those trees specifically retained. 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 G).

Street Trees

Section 15-315 of the LUO provides guidelines for the planting and retention of trees adjacent-to and within street R/W's where an offer of dedication has been made to the Town. All of Litchfield's 57 or so proposed street trees are located outside the public R/W and satisfy the provisions of Section 15-315 (which requires street trees be spaced an interval of at least one tree per 100 feet, irregularly spaced).

None of the proposed trees are listed as Invasive Plant Species (Appendix E-17).

Because existing trees may be preserved during the construction process staff recommends that the proposed layout be considered only as a possible scheme and that the street tree requirement be revised as needed so that it may be field adjusted as conditions warrant. For these reasons, the following condition is recommended:

- That flexibility be allowed in the execution of the street tree planting plan (subject to the approval of public works and the planning department), such that the combination of existing and proposed trees along all publicly dedicated streets in Litchfield meet the street tree requirements of Section 15-315 of the Land Use Ordinance.

Also, the Litchfield AIS features seven bioretention cells and three water quality wet detention ponds. Each is planted with plants species 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.

Homestead Road Buffer and Screening

Section 15-312 requires that developments adjacent to Homestead Road (and others) to preserve an undisturbed Protective Buffer that is a minimum of 50' in width and an average of 100' in width. The plans show a road buffer that meets with these specifications. Further this Section requires that a Type A screen be provided on the development side of this buffer in places where the existing vegetation is insufficient.

A Type A screen is opaque from the ground to a height of six (6) feet with intermittent visual obstructions from the opaque portion to a height of at least twenty (20) feet. The attached plans do not show this screen and because of this the following condition is recommended:

- That, prior to construction plan approval, the equivalent of a Type A screen be shown on the development side of the Homestead Road Buffer. Maintenance of this buffer is a continued condition of this permit.

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

Drainage, Water Quality, Grading, Erosion Control and PhasingDrainage

This project was reviewed under the previous stormwater ordinance. Under this ordinance, as in the current one, 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.

The Town Engineer (Sungate Design Group) has reviewed their study and is satisfied with the majority of the work therein. An outstanding issue, however, pertains to the precise mapping the 100 year flood plain as well as issues involving the depth to water table relative to some of the water quality/quantity devices. The applicant has requested, in the attached memo, that the project be allowed to proceed to Joint Review and Public Hearing (Attachment H). In this document they propose the following conditions be placed on the permit. Since staff originally drafted these conditions to deal with related situations on other projects, the wording is acceptable and these conditions can be recommended to the Board.

- That flexibility is allowed during Construction Plan approval and in the execution of the Drainage Plans. 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.
- That, prior to Construction Plan approval, the 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.

Because the crossings of drainages stand to impact “Waters of the United States” and jurisdictional wetlands, though there are no Army Corp wetlands mapped on the site, state and federal permits are required. Because of this the following condition is recommended:

- That all state and federal 401 and 404 permits be obtained prior to construction plan approval if necessary.

Water Quality

Excess stormwater generated by the new impervious surfaces (roads, sidewalks, roofs, etc) is to be collected by a configuration of conveyances (i.e. catch basins, swales, etc.). These direct water into bioretention cells and three wet detention ponds. These facilities are designed to remove 85% of Total Suspended Solids from the first inch of a storm event. The wet detention ponds have retaining walls built within them that average around three feet in height. 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.

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

- That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
- That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners’ association documentation.

Grading

Installation of the Litchfield AIS road and stormwater systems requires a substantial amount of clearing and grading. Section 15-261 of the LUO, requires that to the extent

practicable, all developments shall conform to the natural contours of the land and major, natural drainage ways shall remain undisturbed. The project appears generally to satisfy these criteria.

Stream Buffers

Per the LUO and the adopted "Stream Buffers of the Northern Transition Area" map, two Protective Stream Buffers are located on the Litchfield site. Both are Bolin Creek tributaries with sixty foot (total width) stream buffers. The buffers used on this project are grandfathered from the former ordinance which was recently amended. The applicant has chosen to use these original stream buffers and not the new, two-zone buffers.

Erosion Control

Substantial site disturbance increases the importance of the Erosion Control plan. The grading plan must be competently executed during construction in order for the stormwater system to function properly. The Litchfield AIS is proposing a system sediment basins and silt fences to manage erosion during construction. It is typical for such sediment basins to be later converted to water quality/quantify devices. The Erosion Control Plan has been reviewed by Orange County Erosion Control.

Construction Entrances

The project has two construction entrances, off of Homestead road. These are not coincident with the actual new road entrances but are in locations the applicant feels are efficient.

Phasing

The project is not 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 Collection

Utilities

The waterline is looped through the development mainly within the street R/W. It taps into the existing waterlines on Homestead Road and Lucas Lane. Sewer service will be continued from the existing sewer stub-out from the Claremont subdivision to the east. The sewer and water lines are terminated at the road stubouts and are similarly configured to allow the system to be further extended.

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

Three fire hydrants are proposed to serve the development. They are located within the public R/W and are spaced such that every building will be no more than 500 feet from a hydrant (Section 15-249). The plans meet this requirement.

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

- That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.

Note that when this plan was first reviewed it was under the 2006 Fire Code. Since then, the code has been updated and the project, during construction plan review, will be subject to the most current Fire Code in place at the time. Though not expected to, this could result in changes to the fire hydrant locations and specifications on the site plan.

Lighting

Street lights are spaced evenly throughout the development. Street lights are not regulated by the Land Use Ordinance; instead, they fall under existing Town policy pertaining to public R/W's. Public Works reviews plans for compliance with this policy and finds the plans acceptable. The plans include notes that the new street lights are to be full cutoff fixtures compliant with the Town standard. Still the following condition is recommended:

- That all new street lighting be provided by full cutoff fixtures.

Though this application was begun under the old lighting ordinance, the newly adopted ordinance stands to benefit this community by requiring builders detail the lighting units proposed on individual homes during building permit authorization. Because of this the following condition is recommended:

- That construction plans and subsequent building permits demonstrate compliance with the current lighting provisions of Article XV of the Land Use Ordinance, in place at the time of this hearing.

Refuse Collection

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

Orange County Solid Waste has reviewed the plans and finds them acceptable. 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, this 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 Litchfield AIS provides about 51.5% 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. For this reason, the Bolin Creek tributary and its surrounding stream buffer provides the largest area of contiguous open space for the proposal. Note too, that the road buffer is part of the open space.

Recreation

The proposed mix of single family homes and townhomes combine to require 353.26 recreation points, per Section 15-196 of the LUO. The applicant provides 369.2 points by way of a play structure and the playfield areas [as required by Section 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.

The LUO requires that the playfield be a minimum of 20,000 sf of contiguous space. The applicant is seeking flexibility in this requirement per Section 15-202 of the LUO, by dividing the playfield area into two separate recreation areas ("D" and "E") separated by Lucas Lane. See attached their justification for this request (Attachment I). Per the flexibility provisions of Section 15-202, If the Aldermen determine that: *(i) the objectives underlying these standards can be met without strict adherence to them; and (ii) because of peculiarities in the developer's tract of land or the facilities proposed it would be unreasonable to require strict adherence to these standards*, then the following condition is recommended:

- That a deviation in the 20,000 sf minimum playfield size standard of 15-198(d) be granted, allowing two smaller adjacent ‘natural’ playfield areas to be provided (recreation areas D & E on the CUP plans). Natural playfield areas allow some trees to be included in the field perimeter so long as they are sufficiently pruned to accommodate movement beneath. The Board hereby allows this deviation based upon the applicant’s written justification provided at the public hearing (Attachment I).

Note that the staff’s position regarding the applicant’s deviation request is still under discussion.

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 (Attachment J). 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.

Miscellaneous

Joint Review

The project was brought before the Joint Advisory Board's on May 6th, 2010 for courtesy review. Their summary recommendations are located on Attachment K.

Voluntary Annexation

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

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

Neighborhood Information Meeting

A Neighborhood Information Meeting was held in the Wexford Community building on April 6th, 2006. Twenty two neighbors were in attendance. Traffic, Connector roads, density and, visual impacts were some of the matters discussed.

STAFF RECOMMENDATIONS:

Town staff recommends that the Board first complete the attached conditional use permit worksheet (Attachment L). Upon completing the worksheet, staff recommends that the Board consider the Conditional Use Permit for construction of the Litchfield AIS, subject to the conditions below.

1. That, prior to construction plan approval, a recombination plat is approved by the Town and recorded by Orange County Register of Deeds, showing the reconfigured lot in conformance with the approved CUP plans.
2. The continued affordability of the units (identified as 1, 2, 18, 19, 27, 28) must be ensured through working directly with Community Home Trust, in accordance with LUO Section 15-182.4.
3. Certificates of Occupancy for six (6) of the last 'market-rate' units to be constructed may not be issued until such time as a corresponding affordable unit (located on lots 1, 2, 18, 19, 27, 28) 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.
4. That, prior to construction plan approval, the applicant explores alternative traffic calming techniques for Lucas Lane, including but not limited to a mid-block curb extension (also known as a "choker).
5. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT.
6. That, prior to Construction Plan approval, the sidewalk detail on the detail sheet is labeled and specifies that sidewalk thickness shall increase to a minimum of 6" thick where all driveways cross the sidewalk.
7. That the single family home lots, when developed have sufficient room to conveniently park two cars, 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.

8. That flexibility be allowed in the execution of the street tree planting plan (subject to the approval of public works and the planning department), such that the combination of existing and proposed trees along all publicly dedicated streets in Litchfield meet the street tree requirements of Section 15-315 of the Land Use Ordinance.
9. That, prior to construction plan approval, the equivalent of a Type A screen be shown on the development side of the Homestead Road Buffer. Maintenance of this buffer is a continued condition of this permit.
10. That flexibility is allowed during Construction Plan approval and in the execution of the Drainage Plans. 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.
11. That, prior to Construction Plan approval, the 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.
12. That all state and federal 401 and 404 permits be obtained prior to construction plan approval if necessary.
13. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
14. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners' association documentation.
15. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans;
16. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.

17. That all new street lighting be provided by full cutoff fixtures.
18. That construction plans and subsequent building permits demonstrate compliance with the current lighting provisions of Article XV of the Land Use Ordinance, in place at the time of this hearing.
19. That a deviation in the 20,000 sf minimum playfield size standard of 15-198(d) be granted, allowing two smaller adjacent 'natural' playfield areas to be provided (recreation areas D & E on the CUP plans). Natural playfield areas allow some trees to be included in the field perimeter so long as they are sufficiently pruned to accommodate movement beneath. The Board hereby allows this deviation based upon the applicant's written justification provided at the public hearing (Attachment I).
20. 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.
21. That the applicant submit a Voluntary Annexation Petition prior to final plat approval.

TOWN OF CARRBORO LAND USE PERMIT APPLICATION



DATE: April 12, 2007

FEE: \$1000 + \$30/29 UNITS = \$1,870.00

APPLICANT: HOMESTEAD PARTNERS, LLC	OWNER: SAME
ADDRESS 101 N. COLUMBIA ST.	ADDRESS:
CITY/STATE/ZIP CHAPEL HILL, NC 27514	CITY/STATE/ZIP
TELEPHONE/FAX: PHONE: 968-1111 FAX:	TELEPHONE/FAX: PHONE: FAX:
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: SAME	TAX MAP(S), BLOCK(S), LOT(S): 7.109... 18, 18A & 19D
PROPERTY ADDRESS:	PROPOSED LAND USE & USE CLASSIFICATION: 1.111 S/F DETACHED ; 1.232 DUPLEX
PRESENT LAND USE & USE CLASSIFICATION: 1.111 S/F DETACHED ; 1.232 DUPLEX ; 1.112 MOBILE HOME	LOT AREA: 13.723 Acres 597,809 Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): R-20 ; 597,809	
# OF BUILDINGS TO REMAIN ONE (2 UNITS)	GROSS FLOOR AREA N/A square feet
# OF BUILDINGS PROPOSED 28 (29 UNITS)	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: [Signature]

DATE: 4/12/2007

OWNER: [Signature]

DATE: 4/12/2007

Homestead Partners, LLC
1506 E Franklin Street, Ste. 102
Chapel Hill NC 27514

August 1, 2008

To: Town of Carrboro, NC
Town Aldermen and Advisory Boards

Re: Land Swap Between Homestead Partners, LLC and Edward J. Hahn and Joanne Rossetti
Litchfield Subdivision – Proposed by Homestead Partners, LLC

Homestead Partners, LLC owns that certain parcel of real property located in Orange County, North Carolina designated with the parcel identification number of 9779-28-0230.

Please accept this letter as confirmation that Homestead Partners, LLC has agreed to convey fee simple title to a portion of this property to Edward J. Hahn and Joanne Rossetti.

Specifically, those portions of Homestead Partners, LLC property to be conveyed to Edward J. Hahn and Joanne Rossetti are shown as "Swap Area #1" and "Swap Area #3" on that certain Conditional Use Permit application plan dated April 12, 2007 prepared by Phil Post and Associates and revised and re- submitted to the Town of Carrboro by Homestead Partners, LLC on February 15, 2008 and again on July 25, 2008. In exchange for this property, Edward J. Hahn and Joanne Rossetti have agreed to convey fee simple title to Homestead Partners, LLC of those portions of their adjacent properties (PIN numbers 9779-18-9797, 9779-18-8489, and 9779-28- 0423) designated as "Swap Area #2" and "Swap Area #4" on the plans referenced above. Exhibit A, attached hereto, shows the full extent of land swap areas 1-4.

This agreement is ultimately contingent upon the approval of the proposed Litchfield Subdivision by the Town of Carrboro with substantially the same roadway, lot, and sanitary sewer and water distribution plans as shown on the above referenced Conditional Use Permit plans, more particularly signed and sealed Plan and Profile sheets S-10 and S-12, dated July 25, 2008 showing that the sanitary sewer lines are located as a depth to serve the parcels identified above owned by Edward J. Hahn and Joanne Rossetti by gravity flow service and that any easements needed to reach their site are provided.

If you need any further information, please contact our representative, Phil Post, at 919 929-1173.

Sincerely,

William E. Tate

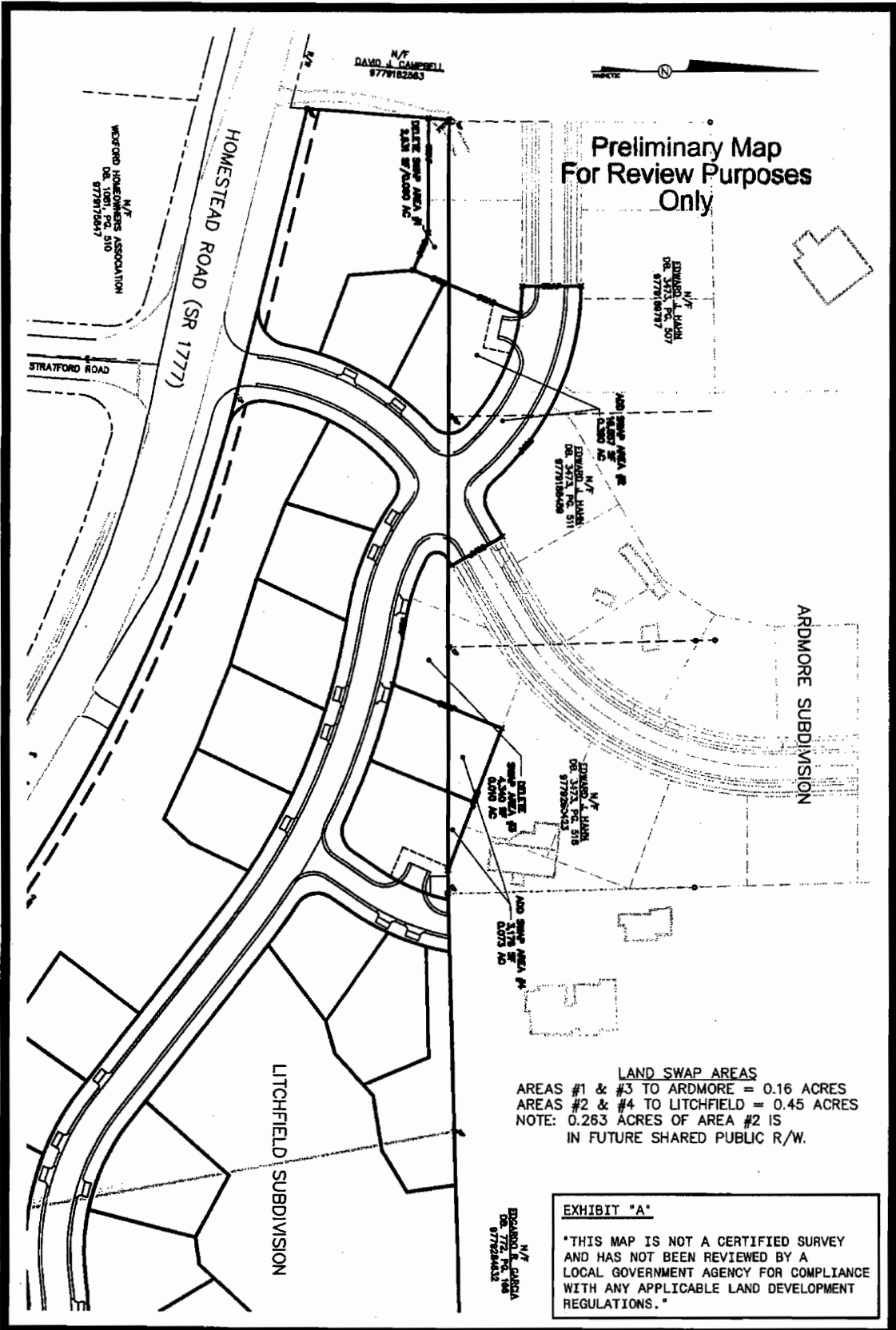
William E. Tate, Manager, Homestead Partners, LLC Date

Diane B. Lapan

Witness Print

Diane B. Lapan 8.01.08

Witness Sign Date



P:\B945\dwg\B945SP03.dwg, EXHIBIT, 7/28/2008 4:06:15 PM, jw/etl

LITCHFIELD & ARDMORE SUBDIVISIONS LAND SWAP AGREEMENT	
EXHIBIT MAP	DATE <u>7/28/08</u> SCALE <u>1"=100'</u> PROJECT NO. <u>510405</u> DRAWING NO. <u>B945SP03</u>

PHILIP POST & ASSOCIATES	ENGINEERS PLANNERS SURVEYORS 401 Providence Road Chapel Hill, NC 27514 (919)929-1173 493-2600 • 850-9662 822 North Elm Street Greensboro, NC 27401 (919)273-7711
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Funding Provided by:

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

PO Box 307
104 Jones Ferry Rd.
Suite C
Carrboro, NC 27510
919.967.1545
919.968.4030 fax

May 21, 2010

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 Homestead Partners, LLC is planning to work with the Home Trust to provide affordable homes in the proposed Litchfield development. We have reviewed Litchfield's planning documents and believe the community will be attractive to Home Trust buyers.

Under Carrboro's ordinance, Homestead Partners is required to produce six affordable units in the development. The plan is to build four new units in the form of two duplexes, and to provide the other two units by renovating and duplexing an existing home on the property.

The developer and the Home Trust came to an agreement regarding the affordable housing plan as it complies to the current ordinance. That agreement is enumerated as **Basic Affordable Housing Development Agreement** below.

However, our internal conversations and our discussions with the developer have led us to request that the Aldermen approve a modification to this agreement, that would permit **either** Homestead Partners LLC or Community Home Trust to actually build the affordable units and to allow the two parties some flexibility to make this determination closer to the date construction begins. The basic agreement and modification are explained below.

Basic Affordable Housing Development Agreement

Homestead Partners will produce the six affordable homes for us to sell in our program:

1. Homestead Partners will produce four new units in the form of two duplex buildings. Homestead Partners will sell these units to the Home Trust for a price of \$126,000 each.
2. Each of the new units will meet the following minimum specifications: Have a minimum overall heated square footage of 1450 square feet, fibrous cement siding, thirty year architectural shingles, hardwood floors in the entryway, living and dining rooms, three bedrooms, two bathrooms with at least one bathroom having hallway access, bedrooms should have a minimum floor area of 110 square feet, stove, refrigerator, dishwasher and garbage disposal included, kitchen cabinets to have solid wood doors with some design articulation, heat pumps will meet a minimum rating of 14 SEER.
3. Homestead Partners will produce 2 renovated units in the existing home on the property, which will be renovated as a duplex. They will sell these units to the Home Trust for a price of 111,000 each.

4. The renovated units will meet the following minimum specifications: the renovation will be of "like new" quality, have all new windows, doors, sheetrock, appliances, cabinets and counters, bathroom fixtures, light fixtures, plumbing, wiring and HVAC; heat pumps will meet a minimum rating of 14 SEER; each unit will have a minimum of 800 square feet of heated space, two bedrooms and one bathroom, hardwood floors will be sanded and refinished with 3 coats of polyurethane; kitchens and bathrooms will have new vinyl flooring; walls will be insulated to a value of R-13, attic will be insulated to a value of R-39; new foundation drain will be installed around perimeter of house, as well as new downspouts and gutters; units will have back porches; basement area will be fully renovated, waterproofed and divided into two garage and storage areas, one for each unit.
5. Homestead Partners will meet with the Home Trust to determine final house plans before construction.
6. Homestead Partners will own the properties during the marketing period, until the Home Trust is able to close with income-eligible buyers.
7. The Home Trust will market the affordable units, provide buyer education, and work with qualified buyers through the closing process. Homestead Partners will pay the Home Trust a marketing fee of \$4,000 per unit when we close on each home with an income-eligible buyer.
8. Any unit that the Home Trust does not sell within twelve months after it receives certificate of occupancy may be sold by Homestead Partners under the terms of the town's ordinance.

Please note that we will need additional subsidy to make these units affordable to a window of buyers earning between 65% to 80% of the Area Median Income. We anticipate that we'll need up to \$30,000 per unit for the new homes and \$27,000 per unit for the renovated homes.

Modification Request:

The Aldermen approve granting Homestead Partners and the Home Trust the flexibility to determine who develops the units at the time construction of the development begins

Instead of building the affordable units, Homestead Partners would meet its affordable housing requirement by donating to the Home Trust improved lots plus a grant money adequate for us to build (or renovate, in the case of the existing home) the affordable units ourselves. Since these units will likely not be built until 2012, we do not know at this time whether it will be preferable for Homestead Partners to build the units, or for the Home Trust to. We would simply request that the Aldermen approve this alternative now, so that we and the developer may choose this option if it makes economic sense when we are closer to breaking ground. The amount of grant money would also be agreed upon by us and the developer at that time, when we are better able to project construction costs.

We hope the Aldermen will approve these alternatives in order to enhance the flexibility and feasibility of our partnership with Homestead Partners. We will be happy to answer any questions you have about them or provide further information as needed.

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 Homestead Partners, please call me at 967-1545 ext 305.

Sincerely,



Christine Westfall
Project Manager

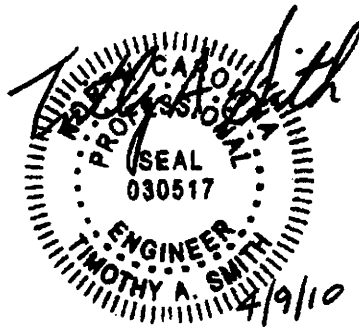
Litchfield AIS Subdivision
Transportation Impact Statement

1. Traffic Impact

The proposed 30 additional new dwellings at Litchfield Subdivision will generate 300 trips per day.

We believe a few trips will access Winnmore via Lucas/Camelia in Claremont or will proceed south on Stratford, but the vast majority of trips will proceed east or west on Homestead Road.

2. Homestead Road is a NCDOT arterial, well-maintained public street. The public streets within Litchfield will be subcollector (26' FF curb and gutter in a 50' public right of way, sidewalks both sides) or local (43' R/W, 20' FF, sidewalk one side) or minor streets (37' R/W, 18' FF, sidewalk one side).
3. The Litchfield plans include extensive concrete public sidewalks along all proposed public streets and along the entire frontage of the property on Homestead Road.
4. Currently, there is no transit service existing or immediately planned for Homestead Road.



PHILIP

POST

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ASSOCIATES

ATTACHMENT G
510405LT01.K

April 25, 2007
Revised: 4/9/10
#510405

Town of Carrboro
Planning Department
301 West Main Street
Carrboro, NC 27510

Re: Justification of tree removal for Litchfield

To Whom it May Concern:

Litchfield Subdivision has a total of 83 located trees. Of that total, 46 trees will need to be removed for the construction of roads, storm water quality detention pond and road widening and right of way/easements. Those 46 trees are 55% of the total located trees. The landscape requirements for the individual lots will require that a minimum of one 3 inch diameter native tree be planted on each of the 31 lots. Examples of these types of trees are pin oak, sugar maple and red maple, however, the choice of trees will not be limited to these species, but will be native plants.

Sincerely,

Timothy A. Smith, PLS, P.E.

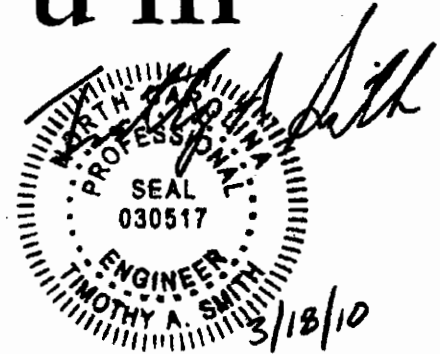
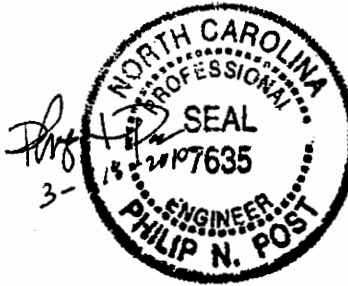


ENGINEERS
PLANNERS
SURVEYORS

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

Memorandum

Date: March 18, 2010
To: Jeff Kleaveland
From: Philip N. Post, PE
Timothy A. Smith, PLS, PE
RE: Litchfield Subdivision CUP
Joint Review ~ Letter of Justification



As you requested, the following is our justification for the project to go to Joint Review in April 2010.

As you know, we began this project in 2006. The CUP is for 34 lots and complies with the existing R20 zoning.

The outstanding issues are related to preliminary stormwater review in two areas:

- A) Soil borings to show water table 2 feet below bio-retention areas.
- B) HEC-RAS study of the Wexford/Litchfield/Homestead Road stormwater drainage basin as it flows through our proposed box culvert under the proposed extension of Lucas Lane.

Solution of "A": We expect to be able to deliver to you the soil boring report on or about March 26, 2010. All indications by the soils engineers are that their report will confirm our bio-retention areas are sited correctly.

In order to give both the Applicant and the Town flexibility during the construction plan process, however, we urge that you propose a CUP condition as follows:

That flexibility is allowed during Construction Plan approval and in the execution of the Drainage Plans. 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.

Solution of "B": We have developed a HEC-RAS study of some 99 pages. It has been reviewed by Sungate three times and revised by us three times. There remain some engineering comments about detailed "fine-tuning" parameters in order to complete the HEC-RAS. We propose to complete the "fine-tuning" during the Construction Plan process. In that regard, we would be asking to proceed exactly as both the Colleton Crossing and the Lloyd Square projects proceeded to Joint Review: with a condition requiring finalization of the HEC-RAS during Construction Plan process.

We propose this 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.

We are asking to go to Joint Review with the Applicant accepting the ENTIRE risk that both Item "A" and Item "B", above, can be satisfactorily resolved and approved during the Construction Plan process.

There comes a time in the CUP process when the applicant feels that he needs an "answer": can I build these lots?? Detailed engineering studies should be finalized during Construction Plan review. We have found that during the Colleton, Lloyd Square and Claremont Phase 4 and 5 CUP processes, Joint Review was not hampered by incorporating the two proposed conditions above. In fact I believe the Joint Review authorities EXPECT the Applicant and the Town to make final, small, engineering adjustments in order to make "perfect" the plans during Construction Plan process. Joint Review authorities understand that these final refinements can and should be made after the lots have been reviewed and approved in the Joint Review CUP process.

We respectfully ask to go to the Joint Review in April with the two above conditions.

Litchfield AIS Subdivision
Statement of Justification

Deviation from Standard Recreational Facilities Requirements (Section 15-196)
Per Flexibility Allowed in Section 15-202

Reasons for Deviation

As part of the design process for the proposed Litchfield Subdivision, all aspects of various criteria were considered to produce the plan and project layout. These included public safety, pedestrian access and accessibility, topography and drainage patterns, utility connections, existing conditions, and the future residential neighborhood character and affordable housing, as well as the fixed location of street tie-ins. The result of this process was the provision of two (2) separate play field areas that meet the objectives of Section 15-198 of the Land Use Ordinance and which we respectfully request approval of per the flexibility allowed in Section 15-202 of the ordinance. The details of the playfield requirements for this site are as follows:

- Required playfield area: 34 units x 400 sf/unit = 13,600 sq. ft. per 15-196
- Minimum playfield area= 20,000 SF per 15-198
- Provided playfields: Two (2) playfields have been provided. Area "D" is 10,730 sq. ft. and area "E" is 9,670 sq. ft. for a total of 20,400 sq. ft. Flexibility allowed by 15-202.

Section 15-202 (a) and (b) allow this proposed deviation from the presumptive standard if these conditions are met:

- a) The underlying standards can be met without strict adherence.
- b) Because of peculiarities, it would be unreasonable to require strict adherence.
- c) The Board authorizes the deviation by specific action with reasons.

We believe the total offered, 20,400 SF, exceeds the minimum standard size of 20,000 SF.

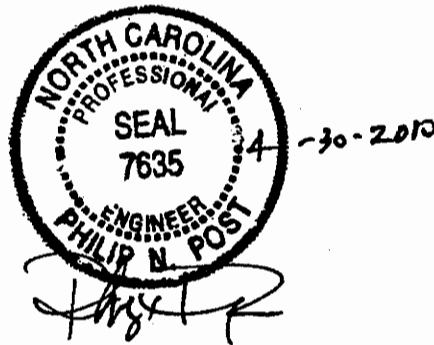
We believe the two roughly equal 10,000 SF areas will offer an equivalent or even a higher degree of accessibility and usability and safety for children because they are located on each side of Lucas Lane. Litchfield Subdivision is bisected by Lucas Lane, a Subcollector street. By splitting the playground in two, we are able to provide high quality playfield areas on each side of Lucas, so that children do not have to cross this Subcollector.

PHILIP
POST
&
ASSOCIATES

We believe the extremely high quality and usability of each separate playfield makes this configuration actually better than one, larger field. The playfields are roughly "squarish" in shape as opposed to a longer, narrower, single playfield. We believe the "squarish" shape will allow a much wider array of play activities: Frisbee, Frisbee golf, throwing games, golf practice, volleyball, croquet, bad mitten, kicking games, hopscotch, etc. than could occur on a longer, narrower field.

Therefore, we offer two "squarish" fields that, in aggregate, are larger than the minimum standard and are located on both sides of the Subcollector street.

We believe this configuration entitles the Applicant to a deviation according to 15-202(a) and (b) and we ask the Board to specifically approve this deviation in accordance with 15-202(c).



LITCHFIELD CONDITIONAL USE PERMIT

The following guidelines demonstrate compliance with the Town of Carrboro Architectural Standards Ordinance (Section 15-177(d) General Design Standards). The façade of each individual home and duplex enhance the structure to express unique elements that result in a unified development.

1. LANDSCAPE AND SITE:

Approximately 45.21% of the site is set-aside in open space to maximize the preservation of existing wooded areas. The buildings are located outside of the open space and maximize the continuity of the open space. The stream crossings are perpendicular to the minor intermittent stream to minimize crossings are perpendicular to the minor intermittent stream to minimize impact. Along Homestead Rd. and all subdivision streets, there will be a 5ft. concrete sidewalk. Subdivision streets will have sidewalks on both sides.

A 50 ft. buffer and landscaped streetscape provided along Homestead Rd. will help to screen the rear facades of the homes that back up to Homestead Rd. while preserving existing trees.

A variety of façade and trim materials and optional features such as bonus rooms and dormers, porch extensions, balconies and bays will provide for highly articulated building façades. The resultant setback for the primary façade will vary based on the particular home and optional features. These variations will create the desired streetscape modulation.

Sidewalks will connect the driveway to the front entrance of the single-family homes. Sidewalks will also be provided from the parking areas for the duplexes to the individual units.

Exterior lighting will not have an impact on adjoining properties. Streetlights will be designed with full cut-off fixtures so as not to project light above the horizontal plane. Full cut-off fixtures will also be provided in the duplex parking areas. These lights will not spill additional foot-candles onto the neighboring residences.

2. CONTEXT:

Home styles will vary. There will be 1.5 Story & 2 Story homes. Optional features such as bonus rooms, dormers, porch extensions, balconies, and bays, as well as a palette of building materials and colors will result in variation in the façade from one home to the next.

The variation will be unified through the commonalities of building materials and building styles in the design elements described below. The homes will be specifically chosen to complement each other, providing an array of compatible products reflecting the individual taste of the buyer. Differences in façade articulation, roof pitch and height will assure visual variations and interest from

building to building while the commonality of the design elements assure a sense of unity and community.

3. **BUILDING DESIGN ELEMENTS:**

Because this project is located a considerable distance outside of Carrboro's downtown area, we have chosen to use the Alternative Architectural Standards of Section 15-177(e)(2) of the Land Use Ordinance. This will also allow flexibility with the changing real estate market, design and building technology. We have included a variety of thoughtful design plans for the project which are in compliance with the General Design Standards. We feel confident that these designs will provide for a neighborhood that is both integrated with the surrounding area, and also provides flexibility with the needs of the future Carrboro residents.

Porches – Throughout the project, single-family homes and duplexes are designed to include exterior front porches that create an outdoor space and accentuate the entrance. The designs generate diversely styled eaves and gables and optional dormers to enhance the light and airy feeling of the dwelling.

Porches will vary in their length along individual façades. Each porch will vary in size on each home. By utilizing different porch styles that vary in size from home to home, the porch produces the expressed individuality of each home.

Roofs – Roof pitches on both the single family and duplex homes range from 5/12 to 9/12. This range of pitch allows for diversity within each home by producing slight overhanging eaves and eaves with gables that help to form intricate elements such as eave brackets and dormers upon roofs that produce more light and air within the home.

Windows – Windows are primarily vertical in design, with a vertical to horizontal ration of approximately two to one. Due to the design of some homes, more square or horizontal windows may occur.

Building Articulation – Façade relief will be provided by a variety of siding and trim materials. Siding materials include molded cedar shakes, horizontal siding, stone and brick.

Garages - When visible, garages and garage doors will be setback from the primary building façade to minimize their impact on the streetscape. In addition, an architectural element such as an arbor, shed roof or deep recess will further shade each door for reduced emphasis. Garage doors, when facing the street, will also have glass windows and incorporate carriage-style hardware or other design elements to enhance their appearance.

The garage doors are typically 16' in length so as to accommodate a 2-car garage. This information is for the express purpose of providing architectural examples to

be used as general guidelines for the development of the residential buildings within the Litchfield CUP. The guidelines herein are meant to set the character of the building architecture in keeping with the guidelines prescribed for architecturally integrated subdivisions. The actual individual architectural elements provided shall not restrict architectural creativity of the developer.

Trim Details – The trim details within all of the architecture, borrow elements present within the Village Mixed use and Affordable Housing Vernacular Standards. The architectural elements were selectively picked to integrate the proposed homes with existing homes in Carrboro.

Auxiliary Buildings and Structures – The design of any auxiliary buildings and structures such as fences and privacy screens will include the same building materials and the primary building and will compliment its design. Restrictive covenants will require approval of any such improvements by the HOA or an architectural review committee to ensure compliance even in cases where a building permit is not required.

For more detailed information regarding the architectural elements, please see the attached plans, elevations, details and graphics depicting the proposed single-family homes and duplexes. The enclosed information and exhibits are for the express purpose of providing architectural examples to be used as guidelines fro the development of the residential buildings within the Litchfield CUP. The guidelines herein are meant to set the character of the building architecture in keeping with the guidelines prescribed for Architecturally Integrated Subdivisions. The actual individual architectural elements provided shall not restrict architectural creativity of the developer.

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

STAFF RECOMMENDATIONS

Staff Recommendations (w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1-24 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, NTAAC	1. That, prior to construction plan approval, a recombination plat is approved by the Town and recorded by Orange County Register of Deeds, showing the reconfigured lot in conformance with the approved CUP plans.
Staff, TAB, PB, EAB, NTAAC	2. The continued affordability of the units (identified as 1, 2, 18, 19, 27, 28) must be ensured through working directly with Community Home Trust, in accordance with LUO Section 15-182.4.
Staff, TAB, PB, EAB, NTAAC	3. Certificates of Occupancy for six (6) of the last 'market-rate' units to be constructed may not be issued until such time as a corresponding affordable unit (located on lots 1, 2, 18, 19, 27, 28) 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.
Staff, TAB, PB, EAB, NTAAC	4. That, prior to construction plan approval, the applicant explores alternative traffic calming techniques for Lucas Lane, including but not limited to a mid-block curb extension (also known as a "choker).
Staff, TAB, PB, EAB, NTAAC	5. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT.

Staff, TAB, PB, EAB, NTAAC	6. That, prior to Construction Plan approval, the sidewalk detail on the detail sheet is labeled and specifies that sidewalk thickness shall increase to a minimum of 6" thick where all driveways cross the sidewalk.
Staff, TAB, PB, EAB, NTAAC	7. That the single family home lots, when developed have sufficient room to conveniently park two cars, 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.
Staff, TAB, PB, EAB, NTAAC	8. That flexibility be allowed in the execution of the street tree planting plan (subject to the approval of public works and the planning department), such that the combination of existing and proposed trees along all publicly dedicated streets in Litchfield meet the street tree requirements of Section 15-315 of the Land Use Ordinance.
Staff, TAB, PB, EAB, NTAAC	9. That, prior to construction plan approval, the equivalent of a Type A screen be shown on the development side of the Homestead Road Buffer. Maintenance of this buffer is a continued condition of this permit.
Staff, TAB, PB, EAB, NTAAC	10. That flexibility is allowed during Construction Plan approval and in the execution of the Drainage Plans. 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.

Staff, TAB, PB, EAB, NTAAC	<p>11. That, prior to Construction Plan approval, the 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>
Staff, TAB, PB, EAB, NTAAC	<p>12. That all state and federal 401 and 404 permits be obtained prior to construction plan approval if necessary.</p>
Staff, TAB, PB, EAB, NTAAC	<p>13. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.</p>

Staff, TAB, PB, EAB, NTAAC	14. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners' association documentation.
Staff, TAB, PB, EAB, NTAAC	15. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans;
Staff, TAB, PB, EAB, NTAAC	16. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
Staff, TAB, PB, EAB, NTAAC	17. That all new street lighting be provided by full cutoff fixtures.
Staff, TAB, PB, EAB, NTAAC	18. That construction plans and subsequent building permits demonstrate compliance with the current lighting provisions of Article XV of the Land Use Ordinance, in place at the time of this hearing.
Staff, TAB, PB, EAB, NTAAC	19. That a deviation in the 20,000 sf minimum playfield size standard of 15-198(d) be granted, allowing two smaller adjacent 'natural' playfield areas to be provided (recreation areas D & E on the CUP plans). Natural playfield areas allow some trees to be included in the field perimeter so long as they are sufficiently pruned to accommodate movement beneath. The Board hereby allows this deviation based upon the applicant's written justification provided at the public hearing (Attachment I).

Staff, TAB, PB, EAB, NTAAC	20. 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.
Staff, TAB, PB, EAB, NTAAC	21. That the applicant submit a Voluntary Annexation Petition prior to final plat 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	Recommendations unavailable at the time of this publication.
EAB	1. The EAB recommends that the applicant be required to comply with the Diffuse Flow Requirement in Section 15-269.4 of the Town's Land Use Ordinance, adopted in March 2009. <i>(Section 15-269.4, note that this section is from the current LUO. The project, however, was reviewed under the previous stormwater ordinance).</i>
	2. The EAB urges the applicant to involve a LEED accredited professional with the ongoing design of the project. Additionally, we hope the applicant will use as many green building techniques as possible in their plans (for example: low impact design and development, resource efficiency, energy efficiency, water conservation and reuse, indoor environmental quality, homeowner education, etc.), and consider LEED certification.
PB	1. That the applicant install the required type A screen on the development's side of the Homestead Road buffer as soon as feasible during the development of the site and include a mix of more mature or larger trees to fill in the screen more quickly. <i>(Section 15-312)</i>

	2. That the applicant commit to the reservation of land for public transit facilities in anticipation of the transformation of Homestead Road into a multimodal urban thoroughfare.
	3. That the applicant provide, in each of the 10,000 sq ft play areas, a hedge or other border along the Lucas Lane frontage between the sidewalk and the play area.
	4. That the applicant install additional traffic-calming measures at or near the two intersections of Lucas Lane and Walbridge Circle.
	5. That the applicant work with the North Carolina Department of Transportation to develop a safe pedestrian crossing of Homestead Road at the intersection with Litchfield Road.
	6. That the applicant provide shaded seating in the 10,000 sq ft play areas.
	7. That, in addition to road extension signs and the other requirements of the land use ordinance, the applicant provide notification to prospective residents of the development, by appropriate and effective means, that the new roads in the development are subject to extension, including but not limited to legal notice filed with the register of deeds.
	8. That the applicant develop a checklist of green and sustainable features to which builders of homes in the development must adhere, including but not limited to Energy Star appliances, water-efficient plumbing fixtures, energy-efficient lighting, Energy Star-rated roofing, and greater R values of insulation than are required in the state's building code.
NTAAC	1. That the number of street lights be reduced if possible.
	2. That fencing be provided at the two mini parks adjacent to Lucas Lane sufficient to prevent balls from rolling into the street.
	3. That an arch culvert, which preserves the characteristics of the existing drainage floor, be provided instead of a box culvert.

	<p>4. That the Type A screen required on the development side of the Road Buffer substantially meet the Type A requirements at the time of installation. <i>(Section 15-312)</i></p>
	<p>5. That the applicant's HOA maintenance schedule for the stormwater BMPs be detailed in the permit as a condition of the permit. <i>(Section 15-263.1. Note, this project was reviewed under the old stormwater ordinance whereas 263.1 is a new provision. See staff condition 14.)</i></p>
	<p>6. That the applicant consider removing the mini-parks in favor of an alternate lot layout.</p>
TAB	<p>1. Install chicanes, narrowing the roadway to one lane, at the following locations along Lucas Ln.:</p> <ul style="list-style-type: none"> a. Between the play areas within Walbridge Cir. b. On or near the bridge c. Between Wolcott Dr. (formerly Garcia Dr.) and Litchfield Rd. (chicane or other traffic calming device that is not a speed bump) <p><i>(Section 15-217(g). The project meets the minimum standard for traffic calming.)</i></p>
	<p>The TAB feels there should be a traffic control device – preferably a roundabout or, if not possible, a traffic signal – at the intersection of Litchfield Rd. / Stratford Rd. and Homestead Rd.</p>

**Town of Carrboro
Environmental Advisory Board**

RECOMMENDATION



MEMORANDUM

Date: May 6, 2010
To: Board of Aldermen
From: Environmental Advisory Board (EAB)
Through: Randy Dodd, Environmental Planner
Copy: Jeff Kleaveland, Planner/Zoning Development Specialist
Subject: Recommendations for Litchfield CUP

1. The EAB recommends that the applicant be required to comply with the Diffuse Flow Requirement in Section 15-269.4 of the Town's Land Use Ordinance, adopted in March 2009.
2. The EAB urges the applicant to involve a LEED accredited professional with the ongoing design of the project. Additionally, we hope the applicant will use as many green building techniques as possible in their plans (for example: low impact design and development, resource efficiency, energy efficiency, water conservation and reuse, indoor environmental quality, homeowner education, etc.), and consider LEED certification.

VOTE: AYES (6); Geoff Gisler, Lynn Weller, Matthew Arnsberger, Nora Shephard, Dana Stidham, Tom Mullen NOES (0); ABSENT (1), Nina Butler


Tom Mullen, Chair





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

THURSDAY, MAY 20, 2010


Litchfield Architecturally Integrated Subdivision Conditional Use Permit

Motion was made by David Clinton and seconded by Tamara Oxley that the Planning Board concurs with the staff's proposed findings and conditions.

The Planning Board proposes the following additional conditions:

1. That the applicant install the required type A screen on the development's side of the Homestead Road buffer as soon as feasible during the development of the site and include a mix of more mature or larger trees to fill in the screen more quickly.
2. That the applicant commit to the reservation of land for public transit facilities in anticipation of the transformation of Homestead Road into a multimodal urban thoroughfare.
3. That the applicant provide, in each of the 10,000 sq ft play areas, a hedge or other border along the Lucas Lane frontage between the sidewalk and the play area.
4. That the applicant install additional traffic-calming measures at or near the two intersections of Lucas Lane and Walbridge Circle.
5. That the applicant work with the North Carolina Department of Transportation to develop a safe pedestrian crossing of Homestead Road at the intersection with Litchfield Road.
6. That the applicant provide shaded seating in the 10,000 sq ft play areas.
7. That, in addition to road extension signs and the other requirements of the land use ordinance, the applicant provide notification to prospective residents of the development, by appropriate and effective means, that the new roads in the development are subject to extension, including but not limited to legal notice filed with the register of deeds.
8. That the applicant develop a checklist of green and sustainable features to which builders of homes in the development must adhere, including but not limited to Energy Star appliances, water-efficient plumbing fixtures, energy-efficient lighting, Energy Star-rated roofing, and greater R values of insulation than are required in the state's building code.

VOTE: AYES: (5) Matthew Barton, David Clinton, Tamara Oxley, Damon Seils, Robert Williams
ABSENT/EXCUSED: (5) Debra Fritz, Susan Poulton, David Shoup, Amber Wagner, Rose Warner
NOES: (0); ABSTENTIONS: (0)


Damon Seils, Chair 5/21/10

TOWN OF CARRBORO
TRANSPORTATION ADVISORY BOARD
RECOMMENDATION

May 20, 2010

SUBJECT: Litchfield AIS Conditional Use Permit

MOTION: The Transportation Advisory Board recommends approval of the CUP with staff recommendations and the following additional recommendation:

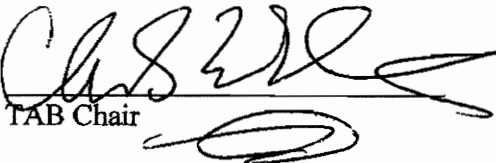
1. Install chicanes, narrowing the roadway to one lane, at the following locations along Lucas Ln.:
 - a. Between the play areas within Walbridge Cir.
 - b. On or near the bridge
 - c. Between Wolcott Dr. (formerly Garcia Dr.) and Litchfield Rd. (chicane or other traffic calming device that is not a speed bump)

The TAB feels there should be a traffic control device – preferably a roundabout or, if not possible, a traffic signal – at the intersection of Litchfield Rd. / Stratford Rd. and Homestead Rd.

Moved: Perry

Second: none

VOTE: Ayes (7): Hileman, Brown, Perry, LaJeunesse, Krasnov, Michler, Pergolotti. Nays (0). Abstain (0). Absent (0).


TAB Chair

5 / 21 /10
DATE

NORTHERN TRANSITION AREA ADVISORY COMMITTEE

Meetings: Thursday, May 6, 2010, Tuesday May 11th, 2010
Carrboro Town Hall, Room 100

RECOMMENDATIONS Litchfield AIS

MOTION OF THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE
REGARDING THE PROPOSED LITCHFIELD AIS CUP (BRYAN; SECOND:
MOORE; ALL IN FAVOR: UNANIMOUS).

1. That the number of street lights be reduced if possible.
2. That fencing be provided at the two mini parks adjacent to Lucas Lane sufficient to prevent balls from rolling into the street.
3. That an arch culvert, which preserves the characteristics of the existing drainage floor, be provided instead of a box culvert.
4. That the Type A screen required on the development side of the Road Buffer substantially meet the Type A requirements at the time of installation.
5. That the applicant's HOA maintenance schedule for the stormwater BMPs be detailed in the permit as a condition of the permit.
6. That the applicant consider removing the mini-parks in favor of an alternate lot layout.



Jeff Kleaveland for NTAAC chair, Jay Bryan

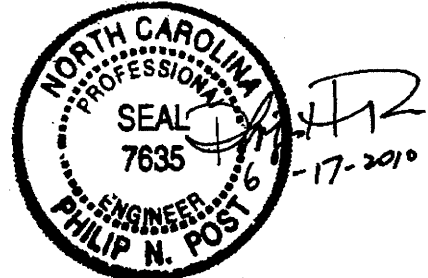
PHILIP
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&
ASSOCIATES

ATTACHMENT L
510405ME04

Firm License No: C-0347

Memorandum

Date: June 17, 2010
To: Jeff Kleaveland, Planner, Town of Carrboro
From: Timothy A. Smith, PLS, PE
RE: Public Hearing on Litchfield AIS Conditional Use Permit



The following is the applicant's response to the issues raised by the Board of Aldermen on May 25, 2010:

1. Planning Board Recommendation #3: The applicant agrees with this.
2. Planning Board Recommendation #6: The applicant agrees with this.
3. Applicant to include green building suggestions in the design requirements section of the HOA Covenants: The applicant agrees with this.
4. HOA Covenants will not prohibit clotheslines, solar panels and other renewable energy measures: The applicant agrees with this.
5. Playfield: The applicant has submitted new design documents and an attached Exhibit Map which depict a new private, grassed playfield which is 20,052 SF in area, next to lots 16 to 21.

The open space "village green" areas remain as common private open spaces for the benefit of the subdivision, and additional details have been submitted about enhanced hedges, shade gazebos, traffic calming devices and pedestrians safety measures at the "village green" sites.

Please pass this information to the Board, and we look forward to explaining how we have addressed all the concerns received at the May hearing.

Attachments: Exhibit Map

STREET LIGHTING POLICY

The Town of Carrboro is responsible for lighting all dedicated streets within its municipal limits. This policy was developed to address the concerns of uniformity, standardization, safety, and economizing of street lighting. The goals and objectives of this policy are: provide for safe use of Town streets by motorists, bicyclists, and pedestrians; discourage crime; assist individuals in locating destinations; and serve resident and business needs. Adequate, but not excessive, street lighting is necessary to ensure the safety of motorists, bicyclists, pedestrians, and businesses.

The Illumination Engineer Society (IES) sets street lighting standards for different roadway categories in order to give Departments of Transportation and municipalities guidelines. These standards, which vary according to street classification, provide foot-candle and uniformity ratios that municipalities should meet in order to maintain a fairly consistent level of illumination. Meeting these standards must be weighed against the feasibility and desirability of the suggested levels of illumination. In residential areas uniformity ratios are more difficult to meet because only intersections are usually lit.

RESIDENTIAL

In residential areas, the Town of Carrboro shall place lights every 400 to 500 feet and at every intersection and cul-de-sac. When a street exceeds 500 feet in length, the lights should be placed in the middle of the block, or so there is a light provided at least every 500 feet.

The Town shall use High Pressure Sodium (HPS) 9,500 lumen (100 watts), 16,000 lumen (150 watts), or 27,500 lumen (250 watts) luminaries, mounted on 25' - 30' salt-treated wood or fiberglass poles. The standard light fixture shall be the Cobra-head or cut off fixture design to minimize upward light and deemed "night sky friendly."

Trees, winding streets, high crime, traffic, school areas, and existing pole spacing influence the effectiveness and needs of street lighting. Lights shall be placed at shorter intervals and at higher lumen levels when traffic or pedestrian safety, or other extenuating circumstances, indicate a need for more dense lighting. The Director of Public Works shall be responsible for determining the necessary light spacing and luminary requirements under any unusual conditions.

COMMERCIAL

In commercial areas and the central business district, the Town shall place lights at 150' intervals. The Town shall use HPS - 27,500 lumen luminaries on 25 - 30' wooden, fiberglass, aluminum, or metal poles with 6' arms. The standard light fixture shall be the Cobra-head or cut off fixture design to minimize upward light and deemed "night sky friendly."

INTERSECTIONS

The Town shall light all intersections. The light should face the more heavily traveled street. When an unusual number of trees are present at an intersection, or when trees exceed 36 inches in width, two lights are to be used, placed diagonally on the corners.

ALTERNATIVE LIGHTING OPTIONS

Alternative lighting fixtures and poles are not acceptable. These lights do not meet the policy guidelines of producing uniform, standard and adequate light economically.

The only exception to this policy will be if a developer or a Homeowners' Association requests, in writing, to the Director of Public Works that an exception of alternative lighting for the entryway of a development be allowed. If the Director of Public Works grants the exception, then the developer or Homeowners' Association requesting the lighting must pay all monthly rental and installation costs for the alternative lights to the appropriate utility company.

ADDITIONS, DELETIONS, & RELOCATIONS

Request for lighting changes, including additions, deletions, relocations, spacing, type or size, shall be examined by and acted upon at the discretion of the Director of Public Works. The Town may request the appropriate utility company to erect additional lights or relocate existing lights when deemed necessary.

GENERAL

Street lighting loses effectiveness in the spring, summer, and fall because of the full growth on trees. An active tree maintenance policy must be followed in conjunction with this street lighting policy to ensure maximum lighting effectiveness. The Director of Public Works or his designee shall work closely with any tree trimming or removal necessary to improve the lighting efficiency for a particular light.

AMENDMENTS

This policy may be reviewed and amended at anytime, with the support of the Director of Public Works, Town Manager, and Board of Aldermen.

Revised/updated: August, 2007, clarified the use of cut off fixtures for Public lighting applications to minimize upward light.

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:
