STAFF REPORT

TO: Board of Aldermen

DATE: March 21, 2013

PROJECT: Shelton Station CUP

APPLICANT

And OWNERS: Belmont-Sayre, LLC

300 Blackwell Street

Suite 101-B

Durham, NC 27701

PURPOSE: To acquire a Conditional Use Permit allowing mixed use

project, consisting of two multi-story buildings at 500 North

Greensboro Street.

EXISTING ZONING: B-1(G) CZ (Conditional Zoning).

TAX MAP NUMBER: 9778877556, 9778877448, 9778879369 & 9778970512

LOCATION: 402, 410 & 430 N Greensboro Street & 113 Parker Street

TRACT SIZE: 2.65 acres (approximately 111,434 sf)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 27.000 Combination Use consisting of the following uses:

1.330, Multifamily Apartments,2.000, Permissible Retail Uses,3.000, Permissible Office Uses,8.000, Permissible Restaurant Uses,

SURROUNDING

LAND USES: North: *M-1/CT*, *Fitch lumber storage yard*, *single family*

residence:

South: CT, single-family residential, Southern States storage

vard:

West: *R-7.5, single-family residential*,

East: CT, Railroad R/W, Carrboro Community Health

Center.

ZONING HISTORY: B-1(G) CZ, Since 2012

ANALYSIS

Background, B-1(g) Conditional Zoning (CZ), Uses Sought, <u>Concept Plan</u>

Background

Belmont Sayre, LLC as represented by Coulter, Jewell and Thames, has submitted an application for the construction of a mixed-use commercial/residential development located at 410 N. Greensboro Street (Attachment C). Please note that the project has been referred to by the 500 N. Greensboro Street mailing address which is not the correct address associated with the parcel data which places the lots involved in the 400 block of N. Greensboro.

The Conditional Use Permit, if approved, would allow the creation of a four-story multifamily residential building with 94 dwelling units and a two-story, 22,706 square foot of commercial building with associated infrastructure.

The subject property is zoned B-1(G) CZ and contains four parcels for a combined acreage of about 2.65 acres. These parcels are identified by Orange County PINs 9778877556, 9778877448, 9778879369 & 9778970512. For a vicinity map, see cover sheet of Attachment A.

B-1(g) Conditional Zoning (CZ)

This property was rezoned to B-1(g) CZ, from a different B-1(g) CZ (for one parcel) and CT on January 24, 2012 after three meetings (public hearings) with the Board of Aldermen; the minutes from these minutes are attached (Attachment D). Because it is a *conditional zoning district* the property is encumbered by conditions that run with the effected properties. Because this particular proposal requests a density beyond what is normally allowed in t a B-1(g) zoning district, it is subject to additional, performance-based conditions as specified by the provisions 15-141.4(f) of the LUO. In the rezoning conditions agreed upon by the Board below, conditions number, 5, 6, 8 & 9 represent conditional requirements used to qualify for the additional density allowed in 15-141.4(f):

- 1. Driveway access to the parcel shall be aligned with Shelton Street;
- 2. All structures currently located on the property shall be offered for relocation prior to beginning construction.
- 3. The Concept Plan labeled "Shelton Station, RZ-2" dated 10 January 2012, is approved and incorporated herein in relation to the following features; possible land uses, general location and expected size of building footprints (subject to condition #12), maximum density of 96 residential units. Other features and issues remain to be decided at the time a conditional use permit is requested for development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance and property frontage on N. Greensboro Street, compliance with architectural standards for downtown development, and required parking.
- 4. For any residential unit consisting of 3 or more bedrooms, the bathroom count per unit shall be one less than the number of bedrooms.

- 5. A minimum of 10 percent of the residential units to be permanently affordable at 60 percent and an additional 10 percent to be permanently affordable at 80 percent of the median gross family income, as most recently updated by the United States Department of Housing and Urban Development (or successor agency), for a family of a specific size within the Metropolitan Statistical Area where the Town of Carrboro is located. Housing costs and unit size to reflect the terminology in Section 15-182.4 (b) (1) of the Carrboro Land Use Ordinance. The term of affordability for these units will be 99 years, per a condition to be included on the conditional use permit at the time of its approval.
- 6. The property will be designed and constructed to meet a Leadership in Energy and Environmental Design (LEED) Silver equivalent standard when evaluated by a LEED accredited professional. The property shall not be required to complete a certification or commissioning process governed by the U.S. Green Building Council (USGBC). The total points necessary to obtain a LEED silver equivalent shall be derived from points for the following features: a compact, highly-efficient building envelope and glazing, finishes, insulation, and reflective roofing materials that reduce heat island effects, as well as use of Energy Star appliances, high SEER HVAC equipment, solar hot water for common areas, and an on-site electric vehicle charging station, or substantially equivalent alternative elements as approved by the Board of Aldermen as part of a conditional use permit.
- 7. Parking configuration along the Parker Street R/W southern property boundary will allow for secondary emergency vehicle access to/from the site.
- 8. Covered bike parking at the rate of one bike parking space for every four residential units
- 9. The parking lot shall meet the standard for a "green" parking lot, per the most recent edition available at the time of construction of the "EPA Green Parking Lot Resource Guide".
- 10. Upon the request of the Town, a public bicycle and pedestrian trail easement shall be incorporated into the site, the location to be determined at the time a conditional use permit is approved.
- 11. Petitioner has the responsibility of establishing procedures that are appropriate and necessary to assure that income data provided by the applicants for affordable residential units is complete and accurate and that third-party verification of employment and family annual income will occur at least annually.
- 12. The building nearest North Greensboro Street shall be set back from the existing North Greensboro Street right-of-way line an appropriate distance to be determined during the conditional use permit approval process, but no less than 16 feet.
- 13. Construction of the back building shall allow for future conversion to commercial use on the entire ground floor.

Based on the information submitted by the applicant, staff has determined that sufficient information has been provided to demonstrate compliance. However, the Board of Aldermen must determine through a finding that sufficient measures have been undertaken to warrant the additional density requested. Please see the applicant's letter regarding these rezoning conditions (Attachment E). To confirm this finding, the Board is asked to consider the following condition:

• That, per the provisions of 15-141.4(f), the Board hereby finds that the additional density in this permit is authorized by the provision of building and site elements in at least three of the following seven areas: stormwater management, water conservation, energy conservation, on-site energy production, alternative transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use.

Uses sought

In addition to the primary uses proposed for the project, the following uses are being sought to be used if needed:

1.321-Multi-Family Residential, 1.400-Group Homes (all), 2.110-Specialty Retail-High Volume Traffic Generation (excludes pawn shops and firearm sales), 2.120-Retail/Commercial-Low Volume Traffic Generation, 2.130-Wholesale Sales, 2.210-Sales & Rental/no outside storage/high volume, 2.220-Sales & Rental/no outside storage/low volume, 2.230-Wholesale sales/no outside storage 3.110-Office-Serving Clients on the Premises, 3.120-Office-Minimal Customer/Client Traffic, 3.130-Office-Physicians/Dentists not more than 10,000 sf grows floor area, 3.130-Medical Offices<10,000 sf, 3.150-Copy Center/Printing Operations, 3.250-ATM free standing, 5.310-Library, Museum, Gallery-Located within previous residential building, 5.320-Library, Museum, Gallery-Located within any permissible structure, 6.140-Town sponsored community center, 8.100-Restaurant, Bars, Nightclubs (no outside service, drive-through windows, drive-in, carry-out, food delivery, or mobile food vendors allowed), 8.200-Restaurant-same as 8.100 but allowing outside service and consumption, 8.500-Restaurants, Carry out Service, 8.600-Restaurants, Food Delivery, 15.820-Town-owned Facilities and Services, 27.000-Combination Use.

The applicant is seeking broad approval for these uses as part of this CUP even though the current application is for a specific allocation of uses and their associated parking spaces. However, because the other uses are also requested to be a part of the permit, the potential exists for changes in the parking allocation for the property that could also alter the function of the development. For this reason the following condition is recommended:

• That the applicant must obtain approval from the Town (either at a staff or Board level), if changes to the allocation of uses in the commercial building areas result in a parking requirement that exceeds the parking amount approved by the permit.

Concept Plan

Before formal plans were submitted, the applicant prepared a concept plan as required by Section 15-48.1 of the LUO. The conceptual design ordinance requires the designer to describe in detail their project and receive feedback from the Joint Advisory Boards (Planning Board, Appearance Commission, Economic Sustainability Commission, Environmental Advisory Board & the Transportation Advisory Board). The ordinance also requires that the applicant provide written responses to the advisory board's comments. These written responses are attached (Attachment F).

Density, Affordable Housing

Density,

As stated previously, the density pursued by this project is in excess of the base density allowed in the B-1(g) zoning district (which allows 1 unit/3000 sf of lot area). The proposed project is seeking a density of about 1 unit/1200 sf of lot area. This is allowed provided the applicant is willing to satisfy the performance provisions of Section 15-141.4(f). Furthermore, Section 15-141.4(g) requires that the 20% of the "total leasable or saleable floor area within such a zoning district shall be designed for non-residential use. Because of this the following condition is recommended.

• Per Section 15-141.4(g), occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1).

Affordable Housing

Condition #5 of the rezoning conditions (above) requires that a *minimum* of 10% affordable housing be provided in each of two classes of affordability. To this end, the applicant is providing 10 units (10.6%) at 80 percent of Area Median Income (AMI), and 9 units (9.6%) at 60 percent of AMI). Because the second amount does not equal a full 10%, the following condition is recommended:

• That the applicant provides regulated affordable housing units sufficient to meet the 10% minimum required in each of the affordability categories described in rezoning condition five. Compliance must be demonstrated prior to construction plan approval. As referenced in rezoning condition five, all affordable units shall be maintained for a term of 99 years from the date of permit approval.

The applicant is not disclosing which units will be reserved for affordable purposes, either by location or numbers of bedrooms. While the ordinance does not specify any particular unit type or unit composition for affordable housing, the Board may wish to discuss this subject if additional information from the applicant is needed.

The applicant will be managing the affordable housing by using the Kettler management company which is experienced in such matters and will be providing regular compliance reports to the applicant, Belmont Sayre. Because of this, it is recommended that the Town review documents pertaining to the business agreement between Belmont Sayre and Kettler management. For this reason the following condition is recommended.

• That the property management agreements that secure the services of a third party company to manage the regulated affordable units be subject to Town Review prior to issuance of a certificate of occupancy to verify that the affordable housing conditions of the permit will be properly enforced per the provisions of the LUO and the CUP.

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

Traffic Analysis, Greenway Easement, Sidewalks, Transit, Parking, Bicycle Parking, Loading Areas

Traffic Analysis

The applicant's engineering consultant, Martin/Alexiou/Bryson (MAB) submitted a traffic impact analysis (TIA) on March 28, 2011. A period of Town staff and NCDOT review and responses from MAB followed. MAB's second response memo, dated September 22, 2011, included minor changes to the TIA. A revised TIA, dated January 9, 2012, is the most recent version submitted to the Town. This includes changes to the analysis based on a reduction in the number of dwelling units from 114 to 104 and a mix of 12,000 sq. ft. of office and 12,000 sq. ft. of retail (compared to 24,000 sq. ft. of retail listed in the September 2011 memo).

The 1/9/2012 TIA estimates that the development will generate 792 daily trips with 49 in the AM peak hour and 66 in the PM peak hour. This estimate was arrived at after reductions for internal capture; transit, bicycling, and walking mode share; and pass-by trips. The TIA finds no reductions in level of service at 2 of the 3 intersections in the study scope (Greensboro-Weaver and Greensboro-Estes) compared to the no-build scenario. At the Greensboro-Shelton intersection, the eastbound approach drops from B to C in the AM peak and from D to E in the PM peak. The westbound approach (cars exiting the site driveway) is projected to incur LOS E in the PM peak, with an approach delay of 105.0 seconds for the projected 23 exiting vehicles.

The 1/9/12 TIA concludes that adding a left turn lane at the Greensboro-Shelton intersection is not needed since it does not meet NCDOT left-turn-lane warrants and the resultant widening could have negative impacts on adjacent property owners.

The driveway across from Shelton St. is proposed as the only general site access. However, there will be an emergency vehicle access from Parker St. No internal streets are proposed, but a cross-access easement is shown in the parking area between the twto buildings. The site plans show a widening of the sidewalk on N. Greensboro St. and the addition of a crosswalk across the northbound approach to the Greensboro-Shelton intersection.

A staff recommendation to provide a gateway treatment at this intersection, based in part on a recommendation in the 2005 Downtown Circulation Study, has not been addressed beyond the provision of the additional marked crosswalk. Additional information is available from the Town's Transportation planner at the Board's request.

Because NCDOT has reviewed but not formally approved the project, the following condition is recommended:

• That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment / maintenance agreements for lighting and sidewalks.

Greenway Easement

No greenway facilities are being constructed on the site though there is a proposed 10' to 14' pedestrian and greenway easement shown along the back of the residential building adjacent to the railroad R/W. Because the label does not specify as to whether the easement is public the following condition is recommended:

• That prior to construction plan approval, the proposed 10' to 14' pedestrian and greenway easement adjacent to the railroad right-of-way be identified as "public".

Sidewalks

Section 15-221 regulates the provision of sidewalks in un-subdivided developments; 15-221(c) states that "sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities." Section 15-221(f) requires that "where practicable, the sidewalks in the B-l(c), B-l(g), B-2, and C-T zoning districts shall be at least ten feet wide."

The proposed site plan substantially satisfies both of these provisions by providing a continuous system of sidewalks internal to the site and 9.7' sidewalks along the street R/W. The applicant is aware of this and intends to modify the plans so that these sidewalks are a full 10', in the construction plans. Because of this the following condition is recommended:

• That, prior to construction plan approval, the right-of-way sidewalk will satisfy the 10 foot sidewalk width requirement of section 15-221(f) of the LUO.

For additional consideration, staff notes that the pedestrian access to the proposed play structure is only provided via N. Greensboro Street. The Board may wish to consider, under Section 15-221, requiring another means of pedestrian access to the play structure.

Transit

Chapel Hill Transit has been notified of the proposed project. Existing transit stops are within short walking distance (about 600') in both directions along N. Greensboro Street.

Parking:

Per section 15-291 and based on the parking ratio for downtown retail, office and restaurant uses (2.220, 3.120, 8.100 & 8.200), the presumptive parking requirement for the project is 222 spaces.

The redeveloped site with the two buildings proposes a total of 170 parking spaces (126 standard, 36 compact & 8 HC accessible). Additionally, one motorcycle space and bike racks (that can accommodate up to 153 bicycles) are provided.

This total is achieved by applying the Joint Use parking provisions of Section 15-297. Joint use of the spaces assumes that some of the parking will occur at different hours thereby freeing up parking spaces. It is possible however, that a number of residents may choose to leave their car parked during the workday in favor of alternative transportation. In addition, since the parking calculations provide 93 parking spaces for the 94 residences, the Board may wish to discuss how visitor parking will be accommodated.

Note that one *car share* and one *electric car charging station* are provided in the plans. The Board may wish to consider requiring signage or some other measure to ensure their continued use and availability.

The applicant is provides written justification for their proposed parking arrangement (Attachment G).

Bicycle Parking

Condition #8 of the rezoning conditions requires that covered bicycle parking be provided at the rate of one bike parking space for every four residential units (24 spaces). However the LUO's recently amended Section 15-291(h) requires 1.5 bike parking space for every residential unit (141 spaces), 50% of which need to be covered and configured per the provisions of Section 15-295.1. The proposed plans satisfy the rezoning condition and these recently amended parking provisions. The bicycle parking for the commercial portion of the project exceeds the town's requirement by providing racks sufficient to park 12 bikes.

Loading Areas

Section 15-300 requires of commercial projects that sufficient off-street loading and unloading area(s) are provided to accommodate delivery operations in a safe and convenient manner. Due to the proposed size of the commercial building the presumptive requirement for Shelton Station is for two loading spaces.

The site plan shows loading area located in a travel aisle and parking space area next to the commercial building. This arrangement doesn't does not satisfy the provisions of section 15-300. Because of this, the burden falls upon the applicant to describe how the site plan presented can "accommodate delivery operations in a safe and convenient manner." The applicant has provided justification for this arrangement in the Parking Justification Letter (Attachment G). Additional justification is to be found in their letter regarding loading areas (Attachment H, pending). If these justifications are found acceptable the following condition is recommended.

• That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner though they do not satisfy the provisions of Section 15-300 by allowing this loading area to be located within a parking aisle. The Board makes this finding by accepting the applicant's written justification for this arrangement.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Traffic Analysis, Greenway Easements, Sidewalks, Transit, Parking, Bicycle Parking and Loading Areas subject to the conditions mentioned above.

Tree Protection, Landscape Plans, Screening, Shade Trees in Parking Areas

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). There are 14 such trees on this assemblage of properties and all of them require removal to accommodate this site plan. Adjacent to the site in the public right-of-way and within neighboring properties are several large tress some of which stand to be impacted by the development. While tree protection fencing has been provided at the clearing limits, those adjacent trees will incur varying degrees of disturbance. As required, the applicant has provided the attached tree removal justification letter which will explain some of their strategies to protect such trees (Attachment I).

Landscape Plans

The landscape plan proposes 31 canopy trees, 13 understory trees and 88 shrubs. These deciduous and evergreen plants are distributed along the perimeter and in the planting islands of the proposed parking areas. The combination of plant types satisfies the Town policy requiring 1/3rd of all trees be evergreen. None of the proposed plantings are on the Town's List of Invasive Plant Species on Appendix E-17 of the LUO.

Screening

Per Section 15-308, screening is required variously between the components in this project and the surrounding street right-of-way and lots. In areas where the commercial building is adjacent to residential property, an opaque, Type A screen is required. In areas where the residential building is adjacent to existing residential property, a broken, Type C screen is required. A Type C screen is also required adjacent to the street. The plantings of the landscape plan include 6' high evergreen shrubs and in one instance, a 6' wooden fence to form the opaque portion of the Type A screens; intermittent canopy tree plantings for the basis for the Type C screens. The plans as presented satisfy the screening requirements of the LUO.

Shade Trees in Parking Areas

Section 15-317(b) of the LUO requires that parking lots provide shading over at least 20% of the vehicle accommodation area. The applicant has surpassed the base requirement of 8 parking lot shading trees by the provision of 27 shade trees (that can be credited toward the requirement). The base requirement is calculated per the provisions of Appendix E-3 of the LUO.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Tree Protection, Landscape Plans, Screening and Shade Trees in Parking Areas.

<u>Drainage and Water Quality, Grading, House Relocation, Stream Buffers, Erosion Control and Phasing</u>

Drainage and Water Quality

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, quantity and volume.

Section 15-49(c-1) allows projects such as Shelton Station (whose floor area is at least 20% non-residential) to forego development of complete stormwater plans during the CUP review process provided that the Town Engineer can say that, based on the details provided, it is "reasonably likely" that the stormwater and drainage system will comply with Sections 15-262 and 15-263.

To this end, the grading and drainage plan show a system of catch basins and pipes that enter into subsurface vaults through small bioretention cells (2) and regular curb catch basins. Water treatment includes three underground sand filters and four underground 72" in diameter storage pipes. Additionally, the project uses three large bays of pervious paving (either pervious asphalt or pavers).

However, with respect to the stormwater calculations pertaining to volume control; ability of the system to store and release stormwater, the project has not yet met Town requirements. While recent a recent text amendment has allowed the volume provisions to be satisfied to "the maximum extent practicable" we still have insufficient information to gauge their compliance. For this reason, staff has not made a final determination on if the application has documented compliance with stormwater volume control requirements of Section 15-263 (g)(3). This matter will be resolved prior to public hearing.

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

- 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.
- Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, 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.

Grading

The site will be mass graded though it is taking advantage of the natural slope of the land to the east which is about 12 feet lower than at the front after grading.

House Relocation

Three of the four parcels are vacant while the remaining one has on it, a single-family home and a utility building in the back. The applicant is exploring the possibility of having this building relocated but has not yet confirmed these arrangements.

Stream Buffers

There are no stream buffers on the assembled properties.

Erosion Control

A simple erosion control plan has been provided which is provisionally satisfactory to Orange County Erosion Control. Additional details will be provided as part of the Construction Plan review process. The plan, as it stands uses a single sediment basin with baffles and a skimmer, along with diversion ditches and silt fences to direct the flow of sediment. Additional details that will be provided in the Construction plan review phase will include temporary inlet protection for the catch basins once they are installed as well as supplementary design data.

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 conditions mentioned above.

Utilities, Fire Safety, Lighting, Refuse Collection

Utilities

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. The plans show the applicant is extending public water and sewer facilities via a 30' OWASA easement that enters the property. This arrangement insures that the lines are installed to a high standard and will be serviced by OWASA in case of malfunction.

Regarding electric, gas, telephone and cable television utilities, the applicant has not yet submitted letters by the respective providers indicating that they can serve the development. These will be required prior to construction plan approval.

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

The CUP plans have been reviewed and provisionally approved by the Fire Department subject to further review during construction plans. Two fire hydrants are provided within the site and both buildings are required to be sprinkled.

Fire flow calculations and building-sprinkler design 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.

In addition, secondary emergency access is shown along Parker Street but may need further refinement during construction plan review. Because of this the following condition is recommended:

• The developer must provide a functional connection from the Parker Street right-of-way for purposes of providing a secondary means of access for emergency situations. A means of accomplishing the connection must be demonstrated on the plans before the construction plans may be approved and the actual connection must be in place before a Certificate of Occupancy is issued for the residential building.

Lighting

Section 15-242 requires adequate lighting of buildings and facilities to assure public safety. Section 15-243 requires that all such lighting to be controlled in height and intensity. Fixtures located out of a public R/W are to be no more that 15' in height and the illumination level must not exceed .2 footcandles at the property line in the areas adjacent to residentially-used or residentially-zoned properties. Those fixtures adjacent to commercial uses are limited to 2 footcandles.

The proposed lighting plan for the project includes eleven (11) full-cutoff "shoebox" style fixtures mounted on 15' poles. In addition, the plan shows thirty (30) full-cutoff wall sconce fixtures. The illumination levels from these fixtures do not exceed the illumination levels in those areas adjacent to the residential areas. Adjacent to the small commercial lot owned by Southern States, one of the fixtures slightly exceeds the maximum in by .1 footcandle, for this reason the follow condition is recommended.

• That prior to construction plan approval the lighting plan in the area adjacent to the property identified as 105 Parker Street (Orange County PIN 9778877317) be adjusted to satisfy the provisions of Section 15-242.5 of the LUO.

Refuse Collection

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

To serve both of the buildings, 14 roll-out recycling carts are provided along with one (1) 8 cubic yard mixed-waste dumpster and one (1) 6 cubic yard cardboard dumpster. Orange County Solid waste finds that the provision of only one mixed-waste dumpster will require additional pick up from the Town. As the Town (or other service provider) can enter into a Commercial Dumpster Service agreement with the applicant for pick-up (up to five times per week), the following condition is recommended:

• That prior to issuance of a certificate of occupancy the applicant formalizes a Commercial Dumpster Service agreement to address the need for addition solid waste services for the development.

Waste management during construction requires from the County an approved Solid Waste Management Plan as well as a permit. The Solid Waste Management Plans has been received and approved and a permit will be obtained prior to construction.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Utilities, Fire Safety, Lighting and Refuse Collection subject to the conditions mentioned above.

Open Space, Recreation, Downtown Livability Areas/Urban Amenities

Open Space

Per the provisions of 15-198(c), residential projects in the B-1(g) zoning districts are exempt from the open space provisions of the LUO. There are no primary constraints located on this assemblage of lots.

Recreation

The proposed 94 residential dwelling units combine to require about 685 recreation points, per Section 15-196 of the LUO. The applicant satisfies this requirement by providing a total of 930 points (810 points: fitness center, 120 points: climbing structure). This arrangement is contingent upon the Board accepting the applicant's point calculation for the fitness center prepared per Appendix G (Attachment J). Their calculation estimates the cost of such a facility to be about \$81.00/sf in year 1985 dollars. This amounts to a point-per-square foot ratio of .81. For comparison, a swimming pool's ratio is listed in the ordinance as .463. Staff has reviewed the calculations and finds them satisfactory. If the Board concurs with this finding the following condition is recommended.

• That the .81 points/square foot calculation for the *indoor fitness center facility* recreation points ratio is found to be acceptable per the provisions of Appendix G and that the recreational facilities provided by the project satisfy the provisions of Section 15-196 of the LUO.

If the board accepts this condition the staff will be responsible for amending the recreation points table of 15-196(b).

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 a play structure worth 120 points. The applicant has not disclosed the design of this structure as they wish to have a facility which also serves as public art. Additional discussion about this facility can be found in the Downtown Livability Areas/Urban Amenities section below.

Downtown Livability Areas/Urban Amenities

Section 15-204 requires that residential projects developed in the B-1(g) zoning district provide "downtown livability areas" and "urban amenities" to serve positive functions in the urban environment. Some of these functions include providing places for social gathering, promoting walking, providing wildlife habitat and providing relief from the high density urban environment.

This provision requires *downtown livability areas* equal to at least 12% of the total land area remains permanently as downtown livability area. To complement these areas and in addition, the provision requires that *urban amenities* equal to at least 7% of the assessed value of the land be provided. The calculations pertain to these requirement can be found on Attachment (J). The plans slightly exceed the *downtown livability area* provisions per the definitions of the LUO by providing 12.2% area.

Regarding urban amenities an art installation/play structure is proposed in the southwest corner of the N. Greensboro Street frontage. The plans show an illustrative place holder but the actual design of the facility is not complete.

Note that development applications in Carrboro typically include at least an illustrative representation of the recreation facility/urban amenity being proposed. Because the developer does not yet have a final design, staff suggested that an illustrative drawing along with approximate costs be provided prior to or during the public hearing.

If such information is provided, then the Board may consider both the facility itself and the question of whether the information provided is sufficiently illustrative and whether the cost information pertaining to it is acceptable. If the cost of the amenity proposed does not equal or exceed the required amount, then the applicant is prepared to make a partial payment in lieu. Per 15-205, the permit-issuing authority must determine that it is physically impossible or impracticable for a development to satisfy the downtown livability area and urban amenities requirements in order to authorize receipt of a partial payment-in-lieu. Furthermore, 15-205 requires that the Board find that the "urban amenity objectives of Section 15-204(a) could also be adequately met by having the town construct urban amenities on town property that is located within the downtown area."

In discussing this with Town staff, the Century Center, the Town Commons, and pedestrian and bicycle improvements in the downtown area, were all identified as possible areas where such money could be spent. Note that, if a fee-in-lieu is decided upon, a related condition needs to be added to the permit.

If, however, the Board finds the information provided by the applicant incomplete, the following condition is then recommended:

• That, prior to construction plan approval, the urban amenities not yet fully described by the permit application be subject to additional review and approval by the Board of Aldermen at a future date, once the design is complete.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Open Space, Recreation and Downtown Livability Areas/Urban Amenities subject to conditions as needed.

Miscellaneous

Burden of Proof requirement for Tall Buildings in Commercial areas

Per Section 15-55.1, since the residential portion of this project is taller than two stories, the 'burden of proof' related to impacts resulting from the development is shifted to the applicant. That is to say the applicant bears the burden of showing the permit-issuing authority that the project will not negatively impact surrounding properties. To this end, the applicant has been advised to provide materials prior-to, or, at the public hearing which can be reviewed by the Board and the public.

Town Planning Documents

The applicant has provided written response to several Town Planning documents such as Vision 2020 and the Downtown Traffic Circulation Study (Attachment K).

In particular, the *Carrboro Downtown Business District Guidelines for Design* planning document provides a variety of design considerations associated with new development in the Carrboro's downtown commercial districts. The applicant has provided written responses to these recommendations (Attachment K).

Architectural Standards

Per the requirements of Section 15-178, developments in the downtown business districts are to demonstrate compliance with the standards presented therein. The applicant has provided written responses to each section of this ordinance for both the commercial and residential portions of the project (Attachment L).

Note that 15-178(a-4) requires that parking areas are substantially shielded from view. The Board will want to look closely at the plans to assess whether this has been accomplished as the parking bays are about 50' from the street R/W though they will be shielded by a sculpture, plantings and existing street trees.

The Appearance commission has reviewed the proposal per the attached minutes (Attachment M).

Downtown Neighborhood Protection Overlay zone

Portions of the project are located within the Downtown Neighborhood Protection overlay zone. The purpose of this zone is to mitigate the effects of high density and/or commercial development on adjacent residential areas. The applicant has satisfied these provisions. Staff finds the attached compliance letter satisfactory (Attachment N).

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. The CAPS for Shelton Station were approved by the Board of Education on December, 6, 2012.

Neighborhood Information Meeting

The applicant conducted a neighborhood information meeting on November 27th, 2012. Attached is the relate form as well as minutes and the sign-up sheet from the meeting (Attachment O).

LEED Certification

The applicant is claiming LEED silver equivalent standard for the both the buildings per the attached letter (Attachment P).

Advisory Board Recommendations

The summary Advisory Board recommendations from the March 7th, 2013 Joint Review are attached (Attachment Q). Included here are also the individual Advisory Board recommendation sheets, with the exception of the Appearance Commission which had no further recommendations.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to categories listed above subject to the aforementioned conditions.

STAFF RECOMMENDATIONS:

Town staff requests that the Board hold the public hearing and consider all pertinent evidence presented. In absence of public, health, safety and/or welfare reason(s) to deny, staff recommends that the Board of Aldermen approve the Shelton Station Mixed-Use Conditional Use Permit based on compliance with the Land Use Ordinance, subject to the following conditions:

1. That, per the provisions of 15-141.4(f), the Board hereby finds that the additional density in this permit is authorized by the provision of building and site elements in at least three of the following seven areas: stormwater management, water conservation, energy conservation, on-site energy production, alternative

- transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use.
- 2. That the applicant must obtain approval from the Town (either at a staff or Board level), if changes to the allocation of uses in the commercial building areas result in a parking requirement that exceeds the parking amount approved by the permit.
- 3. Per Section 15-141.4(g), occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1).
- 4. That the applicant provides regulated affordable housing units sufficient to meet the 10% minimum required in each of the affordability categories described in rezoning condition five. Compliance must be demonstrated prior to construction plan approval. As referenced in rezoning condition five, all affordable units shall be maintained for a term of 99 years from the date of permit approval.
- 5. That the property management agreements that secure the services of a third party company to manage the regulated affordable units be subject to Town Review prior to issuance of a certificate of occupancy to verify that the affordable housing conditions of the permit will be properly enforced per the provisions of the LUO and the CUP.
- 6. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment / maintenance agreements for lighting and sidewalks.
- 7. That prior to construction plan approval, the proposed 10' to 14' pedestrian and greenway easement adjacent to the railroad right-of-way be identified as "public".
- 8. That, prior to construction plan approval, the right-of-way sidewalk will satisfy the 10 foot sidewalk width requirement of section 15-221(f) of the LUO.
- 9. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner though they do not satisfy the provisions of Section 15-300 by allowing this loading area to be located within a parking aisle. The Board makes this finding by accepting the applicant's written justification for this arrangement.
- 10. 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.
- 11. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, 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.
- 12. 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;
- 13. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
- 14. The developer must provide a functional connection from the Parker Street rightof-way for purposes of providing a secondary means of access for emergency situations. A means of accomplishing the connection must be demonstrated on the plans before the construction plans may be approved and the actual connection must be in place before a Certificate of Occupancy is issued for the residential building.
- 15. That prior to construction plan approval the lighting plan in the area adjacent to the property identified as 105 Parker Street (Orange County PIN 9778877317) be adjusted to satisfy the provisions of Section 15-242.5 of the LUO.
- 16. That prior to issuance of a certificate of occupancy the applicant formalizes a Commercial Dumpster Service agreement to address the need for addition solid waste services for the development.
- 17. That the .81 points/square foot calculation for the *indoor fitness center facility* recreation points ratio is found to be acceptable per the provisions of Appendix G and that the recreational facilities provided by the project satisfy the provisions of Section 15-196 of the LUO.
- 18. That, prior to construction plan approval, the urban amenities not yet fully described by the permit application be subject to additional review and approval by the Board of Aldermen at a future date, once the design is complete.

TOWN OF CARRBORO LAND USE PERMIT APPLICATION



DATE.		FEE\$5,546.36		
APPLICANT: Jeremy Anderson, Coulter Jewell Thames PA		OWNER: Ken Reiter, Belmont Sayre, LLC (Contract Purchaser)		
ADDRESS: 111 West Main St		ADDRESS: 300 Blackwell St., Suite 101-B		
CITY/STATE/ZIP: Durham, NC 27701		CITY/STATE/ZIP: Durham, NC 27701		
TELEPHONE/EMAIL:		TELEPHONE/EMAIL:		
PHONE: 919-682-0368 EMAIL: JANDERSON@CJTPA.COM		PHONE: 919-259-2088 EMAIL: KREITER@BELMONTSAYRE.COM		
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:		PIN: 9778-87-7556, 9778-87-7448, 9778-97-0512, 9778-87-9369		
Consultant				
PROPERTY ADDRESS: 500 North Greensboro St.		PROPOSED LAND USE & USE CLASSIFICATION: 1.3312 & various 2.1, 2.2, 3.1, 8.2		
PRESENT LAND USE & USE CLASSIFICATION:		LOT AREA:		
Residential and vacant		2.64 Acres	115,063	Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (includ B-1 (G)CZ w/ DNP Overlay 1.36 ac - B-1 (G)CZ 1.33 ac	ing Overlay Districts):			
# OF BUILDINGS TO REMAIN: 0		# OF BUILDINGS PROPOSED : 2		
EXISTING GROSS FLOOR AREA OF BUILDING(S) GROSS FLOOR AREA (of pro- ADDITION)		oosed BUILDING / proposed AMOUNT OF IMPERVIOUS SURFACE / proposed		
~ 3,000 square feet	138,038 square feet		91,642	square feet

NAME OF PROJECT/DEVELOPMENT:_SHELTON STATION_

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 18, 19, 21, 23, 31, 33, 34, 38
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27 28, 29, 30, 32, 34, 35, 36, 37, 38
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27 28, 29, 30, 32, 34, 35, 36, 37, 38
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36, 37, 38
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 37 (also see "Building Permit Review – Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 38
VARIANCE	4, 5, 10, 20, 29, 34, 38, Attachment A
APPEAL	4, 5, 38, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: THE AND A STATE OF THE APPLICANT	SN.	DATE: 8/24/2012
OWNER:	40	DATE: 9/22/12
Land Use Permit Application Form	Page #2 of 3	Updated 11-8-11

A public hearing and worksession of the Carrboro Board of Aldermen was held on Tuesday, June 14, 2011 in the Board Room of the Carrboro Town Hall.

Present and presiding:

Mayor Mark Chilton

Aldermen Randee Haven-O'Donnell

Joal Hall Broun
Dan Coleman
Jacquelyn Gist
Lydia Lavelle
Sammy Slade
Steven E. Stewart
Catherine Wilson

Absent or Excused: None

Town Manager
Town Clerk

Town Attorney

Michael B. Brough



PUBLIC HEARING ON LUO TEXT AMENDMENT RELATED TO REQUEST FOR CZ ZONING DESIGNATION AT 500 N. GREENSBORO STREET

The Town received a request to amend the Land Use Ordinance in relation to the B-1(g)-CZ zoning district. The Board of Aldermen set a public hearing to consider a draft ordinance prepared in response to this request.

Trish McGuire, the Town's Planning Director, made the presentation to the Board. The proposed amendment would only affect the 500 N. Greensboro parcel because it is the only parcel zoned B-1(g)-CZ in Town.

Ken Reiter, a developer with Belmont Sayre, explained that the developer would benefit from hearing the Board's suggestions on the proposed text amendment and the development's conditions. The development is pursuing LEED certification.

Alderman Coleman requested that staff review the Planning Board's suggested list of energy efficient improvements and attempt to identify a threshold that constitutes a meaningful mix of energy efficient improvements. He suggested that staff use the recently approved Veridia Development as a benchmark for use of sustainable and efficient improvements. He also suggested that staff explore the possibility of a point system, similar to the existing recreation point system that would allow a development to earn density through suggested energy efficient measures.

Alderman Slade requested that the developer consider the use of solar/thermal measures. He also suggested that the developer consider unbundling the parking.

Alderman Gist read an email from Jack Haggerty requesting that the consideration of the text and map amendments be delayed until the Board resumes its schedule after summer break.

Mayor Chilton suggested that the developer also consider different zoning classification options.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN BROUN TO CONTINUE THE PUBLIC HEARING TO SEPTEMBER. VOTE: AFFIRMATIVE ALL



PUBLIC HEARING ON A LAND USE ORDINANCE MAP AMENDMENT RELATED TO A REQUEST FOR ZONING DESIGNATION AT 500 N. GREENSBORO STREET

The Town has received a petition to change the zoning classification for four properties located at and near 500 N. Greensboro Street from CT and B-1(g)-CZ to CT. A draft ordinance making these changes has been prepared. The Board of Aldermen must receive comment before taking action in response to this request.

Trish McGuire, the Town's Planning Director, made the presentation. The proposed design has only one ingress/egress access point but staff has proposed a condition that would allow for an additional emergency vehicle access.

Ken Reiter, Dan Jewel and Matt Diminco, representatives with Belmont Sayre, made a presentation to the Board and answered several questions. Mr. Reiter explained that workforce housing is distinguished from student housing by rental rates and marketing.

Patrick McDonough, a resident of 103 Raven Lane, stated that he is employed by Triangle Transit but his comments do not reflect Triangle Transit's opinions or viewpoints. He stated that he would like to see additional commercial use in the proposed development. He requested that the Board consider creating an excellent aesthetic interface in the area rather than focusing on screening. He agreed with Alderman Slade's idea of unbundled parking and also suggested other traffic decreasing alternatives such as car-sharing. He asked that the Board move away from thinking about "open space" and for them to be more specific on the recreational and open uses. He stated that affordable housing is increasingly needed in the community and that this project could help with housing issues.

David Arneson, a resident of 102 Mulberry Street, stated that he is an architect in downtown Durham and has worked with the developer in the past but has no affiliation with the current project. He spoke in support of the proposed project and the possible economic benefit it will bring to the Town. He feels that the project will bring a "green" aspect of building to the downtown core and that the scale and size are appropriate for the location.

Jay Parker, business owner in Carrboro for 25 years, stated that the developer is a property owner in Town and that he cares about what happens in Carrboro. He encouraged the Board to continue working with him to make something good happen.

Barbara Jessie-Black, the Executive Director of the PTA Thrift Shop, stated that Ken Reiter is the developer on PTA's current project. She stated that she agrees with Jay Parker's comments and added that the foot traffic the project will bring would be tremendous and will help increase business revenues. Most of her employees do not currently live in Carrboro and the affordable housing would be helpful. Her employees would most likely be able to afford a \$1,000 month rental.

David Belvin, part owner of property the property located at 500 N Greensboro, local citizen, and business owner, stated that a year ago the Board's tone was different and that he is disappointed in the change. He promised a local business for the site and he has worked hard to get the project to this stage. Project financing is lined up and ready to move forward.

Mayor Chilton summed that the Board is concerned with the project's parking, traffic, lack of multiple entrances, bike lane impacts, percentage of commercial use, size, and scale.

Alderman Lavelle stated that one of the Planning Board's suggestions is for the developer to consider affordable housing at less than 80% of median income. She stated that the project should have more commercial space but that she is comfortable with the proposed amount of residential density.

Alderman Coleman stated that he is concerned with all of the transportation issues; specifically, increased traffic and bike lane impacts. He asked that screening, architectural standards, and green features be clearly defined when the item is returned. He recommended that the developer meet with representatives from Veridia to discuss green features and to also consider how the Butler property is zoned. He also stated that he would like to see the percentage of commercial space increased and asked for information on how the project plans to be primarily workforce housing. He asked that staff provide comment on the Planning Board and Environmental Advisory Board recommendations when the item is returned and that advisory board comments be more clearly articulated in the future.

Alderman Slade stated that he wants to insure that the developer considers the Transportation Advisory Board's recommendations, a bike or pedestrian trail easement that runs parallel to the train tracks, increasing commercial density, and solar thermal energy improvements.

Mayor Chilton requested that developer consider increasing commercial space closer to 25%. He also suggested that the developer work with staff to consider additional zoning options.

Alderman Broun asked for further information on why the Economic Sustainability Commission voted against the project. She also asked for a staff report, if possible, on the effect of how the student housing burden could be removed from neighborhoods. She asked for further information on the Lloyd Street view of the project.

MOTION WAS MADE BY ALDERMAN GIST AND SECONDED BY ALDERMAN COLEMAN TO CONTINUE THE PUBLIC HEARING TO SEPTEMBER. VOTE: AFFIRMATIVE ALL

REQUEST TO APPROVE A RESOLUTION FOR THE ISSUANCE FOR THE ISSUANCE OF \$2,590,000 SIDEWALK BOND ANTICIPATION

The purpose of this item was to request authorization from the Board for the sale of \$2,590,000 in bond anticipation notes (BANs) to replace the existing BANs and provide additional funding for the design, construction, and implementation of sidewalk and greenway projects approved by voters in November 2003.

The following resolution was introduced by Alderman Coleman and seconded by Alderman Broun

RESOLUTION FOR THE ISSUANCE OF \$2,590,000 SIDEWALK BOND ANTICIPATION NOTES

Resolution No. 134/2010-11

WHEREAS --

At a referendum held on November 4, 2003, the voters of the Town of Carrboro authorized the issuance of up to \$4,600,000 of Town general obligation bonds for sidewalks and greenway trails.

The Town has previously issued several series of "bond anticipation notes" to provide construction-period financing for certain sidewalk projects in anticipation of the later issuance of a portion of the bonds authorized at the 2003 referendum (the "Sidewalk Bonds").

The Town's Board of Aldermen (the "Board") has now determined to issue an additional series of bond anticipation notes to refinance the previously-issued bond anticipation notes at their upcoming maturity, and thereby continue preliminary funding for the sidewalk projects in anticipation of the later issuance of a portion of the Sidewalk Bonds.

BE IT THEREFORE RESOLVED by the Board of Aldermen of the Town of Carrboro, North Carolina, as follows:

1. **Determination To Issue Notes --** The Town will issue and sell a single issue of general obligation sidewalk bond anticipation notes (the "Notes") in the aggregate principal amount of \$2,590,000. The Town will issue the Notes to refinance the existing bond anticipation notes, and thereby continue construction-period financing for sidewalk projects in anticipation of the later issuance of a portion of the previously-authorized Sidewalk Bonds.

ATTACHMENT D-4

Town the Board will make available to the property owners of the 108 - 120 East Main Street funds from the Revolving Loan Fund on the following conditions;

- a.Loan funds should only be made available to property owners who are a party to a contract for repairing or replacing the blocked/failed sewer line.
- b.Loan proceeds should only be released once a signed contract is submitted to the Town.
- c. Loans should be secured by deed-of-trust in the affected properties.
- d. Loans should be made available to property owners in the same proportion property owners agree to assign costs. For example, if the owners agree that Owner A is assigned 10% of the cost of the project, the available loan would equal 10% of the cost of the project.
- e. Loans should be offered at terms of 2% interest for 5 years. For reference, the monthly loan payment at those terms would be \$17.53 per \$1,000 financed.
- f. All affected property owners must enter into a maintenance agreement contract that establishes a funding mechanism for on-going maintenance and repairs to the shared sewer lines.
- g. Affected property owners should work with Town staff to access funds available from Orange County.
- h. The Board directs staff to use discretion in determining loan amounts, considering, among other factors, availability of other loan funds from the County.

NOW BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Manager to execute the necessary documents to make loans available under the conditions outlined in this resolution.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of September 2011:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee

Haven-O'Donnell

Noes: None

Absent or Excused: None

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CONTINUED PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT RELATED TO A REQUEST FOR CZ ZONING DESIGNATION AT 500 N. GREENSBORO STREET

The Board of Aldermen held a public hearing on Tuesday, June 14, 2011 to consider a draft ordinance prepared in response to a request to amend the Land Use Ordinance in relation to the B-1(g)-CZ zoning district. The public hearing was continued to allow for consideration of additional information requested by the Board of Aldermen.

Trish McGuire, the Town's Planning Director made the presentation.

Alderman Gist asked if the approval of the ordinance would provide an opportunity for developments to decrease commercial density and increase the residential density. Trish McGuire explained that the approval would have that effect and allow the Board of Aldermen to have future conversations related to both commercial development and increased residential density in the B-1(g)-CZ district.

Dave Clinton, a Planning Board member and an institutional architect, spoke about the Planning Board's review of the project and explained that he did not feel that there was adequate time allowed for the review of the project. He also explained that the Planning Board recommended the deletion of the 40% ASHRAE requirement because the ASHRAE regulations are continuously changing and the 20% requirement was seen as a means to simplify the Town's regulation.

Ken Reiter, the applicant's representative, addressed the Board and suggested the use of his version of the ordinance. He explained that the version was more specific towards affordable housing requirements and took a broader approach toward energy efficiency standards and requirements. He stated that the ordinance meets the spirit of the projects that would merit additional residential density in the downtown area. He stated that since the first public hearing, the developer has increased the commercial portion of the project and decreased the residential. The project will have limitations related to student housing based upon the financing that the developer is seeking, bedroom to bathroom ratios, and income verification requirements. He explained that the income verification requirement is a condition that they would agree upon.

Alderman Gist expressed concern with the ordinance's ability to decrease commercial density downtown.

Alderman Broun asked which properties would be eligible for the rezoning if the ordinance passes. Trish McGuire explained that the minimum lot size requirement for the B-1(g) zoning district is 3,000 square feet and most all properties would be eligible.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN LAVELLE TO REFER THE ORDINANCE TO STAFF FOR THE DELETION OF ITEM (F) (3) AND FOR ITEM (F)(11) TO BECOME A NEW SECTION 15-141.4 (g) AND AMENDED TO READ "MIX OF RESIDENTIAL AND NON-RESIDENTIAL USES SUCH THAT GROSS FLOOR AREA OF BUILDING SPACE USED FOR NON-RESIDENTIAL PURPOSES MAKES UP AT LEAST **25** PERCENT OF THE GROSS FLOOR AREA USED FOR ALL PURPOSES." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

• <u>CONTINUATION OF A PUBLIC HEARING ON A LAND USE ORDINANCE MAP AMENDMENT</u> RELATED TO FOUR PROPERTIES AT AND NEAR 500 N. GREENSBORO STREET

The Board of Aldermen considered a petition to change the zoning classification for four properties located at and near 500 N. Greensboro Street from CT and B-1(g)-CZ to B-1 (g)-CZ on June 14, 2011. The Board continued the public hearing and requested additional information related to this request.

Trish McGuire, the Town's Planning Director, made the presentation. She explained that staff has identified limitations to the project and that the staff recommendation is not in support of the requested change.

Nathan Milian, representing Carr Mill Mall, stated that he does not have an objection to the project as a whole but is concerned that there will not be sufficient parking. He explained that parking is an issue that Carr Mill Mall is struggling with and that the rezoning will create another burden for the neighbors of the project. He requested that the Board review methods to create additional parking. Alderman Gist asked if the text amendment was approved, if he would want to amend any of the current projects that he has been involved with. He explained that he would possibly consider a rezoning request for the Alberta development because currently, residential space is more financially promising than commercial space.

Damon Seils is the current Chair of the Planning Board but spoke as a citizen. He explained that he is concerned with the rushed method in which the Planning Board reviewed both the text and map amendment requests. He explained that the process differed from the conditional use permitting process because the applicant is not required to present a completed concept plan to the Planning Board for comment. He asked the Board to be cognizant of the fact that they are putting conditions on the zoning that will not be able to be revisited by the Planning Board during their conditional use permit review process.

ATTACHMENT D-6

David Clinton, Planning Board member, stated that the scale of the design is fitting for downtown and would add more customers to the area. He encouraged the Board to approve the map amendment with conditions that improve the environmental sustainability.

Ken Reiter, the applicant and representative of the developer, made a presentation to the Board. He presented figures that showed a decrease in residential units and an increase in parking and commercial space. He stated that the project will follow the LEED equivalency process similar to when the Town built fire station #2. He explained that thru lanes, turn lanes, bike lanes, grass strips and sidewalks may be made in the public right-of-way and that neighboring properties may be affected by grading work related to traffic and transportation easements. He explained that they will offer 10% of units to households that earn 60% or less of the median family income. He stated that he had received several letters of support from citizens.

It was the consensus of the Board to return the ordinance to staff for the deletion of the following conditions: #12 – "The minimum required parking shall be 10 percent less than the minimum number of parking spaces required by the Ordinance for the proposed uses," #35 – "The parking lot shall meet the standard for a "green" parking lot, per the "EPA Green Parking Lot Resource Guide," and #37 – "In the even that by January 1, 2012, the non-residential space on the 2nd floor of Building A has not been leased (as evidenced by a signed letter of intent or lease agreement) at the terms that are acceptable to secure construction and/or permanent financing, the non-residential space on the 2nd floor of Building A can be developed as additional residential space."

The Board noted that the developer stated that he did not agree with condition #8 – "Solar shading impacts along the northern property line shall be mitigated as if it were a street right-of-way, per Section 15-178(a)(3)" and condition #33 – "Provision of on-site renewable energy generation."

It was also the consensus of the Board that staff should amend the ordinance to rework the conditions that incorporate the "site and/or concept plan" into one condition that also recognizes the transportation issues.

Alderman Broun requested that staff provide a list of the three conditional zoning requests that have occurred since 2008. She also requested that staff provide detailed information from the American Community Survey on the current cost range for rental housing and what is currently available. She also requested that LEED certification requirements be provided and that those utilized during the construction of fire station #2 be denoted.

Alderman Slade requested that staff compare the LEED standards with the Town's Green House Gas resolution and provide the information to the Board.

Alderman Gist requested that the developer reconsider the use of solar hot water and photovoltaic measures and respond when the item is returned.

Alderman Coleman requested that a condition of income verification be added to the ordinance. He also requested that a ratio of 1:3/4 (rounded to the nearest ½) of bedrooms to bathrooms be incorporated as a condition.

Alderman Haven-O'Donnell requested a copy of the condition matrix that Ken Reiter referenced.

The Board requested that this item be returned to the Board on November 15, 2011.

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN BROUN AND SECONDED BY ALDERMAN COLEMAN TO ADJOURN THE MEETING AT 10:30 P.M. VOTE: AFFIRMATIVE ALL

ATTACHMENT D-7

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.
- 3. That the Board hereby grants a deviation from the presumptive parking requirements of Section 15-291 based upon justification provided by the applicant.
- 4. That the deviation from the paving of the parking lot per Section 15-29(a) be waived per the justification provided by the applicant.
- 5. That the 10' sidewalk width requirement of Section 15-221(f) be waived based on the applicant's justification that the non-conformity of the existing sidewalk be allowed to remain.
- 6. That, per the provisions of Section 15-309 of the Carrboro Land Use Ordinance, the screening requirements of Section 15-308 as they are applied to all property lines are waived based upon the applicant's justification.
- 7. That, per Section 15-317 of the Land Use Ordinance, the 20% shading requirement for the parking lot be waived based upon the applicant's justification.
- 8. That the parking spaces be demarcated per Section 15-296 (c) of the Land Use Ordinance prior to the release of the Certificate of Occupancy.
- 9. That the paving of the two existing driveway entrances on West Poplar Avenue will be completed per Section 15-296 (b) of the LUO prior to the release of the Certificate of Occupancy.
- 10. That no amplified music will be played on the property other than during the six special events that are held throughout the year.
- 11. That the hours be limited to 11:00pm on weeknights and 12:00am on the weekends.
- 12. That at least three covered bike spots will be added.
- 13. That some inverted-u or post-and-loop bike racks will be added.

MOTION WAS MADE BY ALDERMAN COLEMAN AND SECONDED BY ALDERMAN HAVEN-O'DONNELL THAT THE APPLICATION IS GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

CONTINUED PUBLIC HEARING ON A LAND USE ORDINANCE MAP AMENDMENT RELATED TO FOUR PROPERTIES AT AND NEAR 500 N. GREENSBORO STREET

The Board of Aldermen considered a petition to change the zoning classification for four properties located at and near 500 N. Greensboro Street from CT and B-1(g)-CZ to B-1(g)-CZ on June 14, 2011. The Board continued the public hearing and requested additional information related to this request.

Trish McGuire, the Town's Planning Director, made the presentation to the Board.

Ken Reiter, of Belmont Sayre, made a presentation to the Board.

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Sarah Bruce, a former Carrboro resident, spoke in favor of the proposed rezoning. She stated that it is a way for Carrboro to do more with less and will bring more density to downtown.

David Morgan, the broker that represents Belmont Sayre and former Carrboro resident, spoke in favor of the proposed rezoning. He stated that it is not a project that will be built for student housing and suggested that the Board of Aldermen add a condition that prohibits undergraduate college students from being renters in the project.

Joal Kraeuter, a resident of 507 N. Greensboro, spoke against the proposed rezoning. He expressed concern with the increase in traffic and congestion. He also stated that the project is too large for the space.

Arne Gray, owner of 407,501,503 and 505 N. Greensboro, spoke against the proposed rezoning. He explained that he feels that the project's scale does not fit in Carrboro and is inharmonious with the existing neighborhood.

E. DuBose, a resident of 111 Viburnum Way, spoke against the proposed rezoning. She expressed concern with the increase in traffic and the project's proposed location.

Damon Seils, a resident of 601 Jones Ferry Road, spoke in favor of the proposed rezoning. He commented on the project's creation of new office and living space in the downtown area. He also expressed some concern with the design of the front building and suggested that the developer consider making the design more harmonious with the existing area. He suggested that the parking be uncoupled from the units. He commented that the conditions #3 and #12 provide flexibility that will allow the Planning Board an opportunity to review the CUP thoroughly.

John Gallager, a resident of 109 Amber Court, spoke in favor of the proposed rezoning. He commented on the project's consistency with the Vision2020 plan, the mixed-use and LEED design aspects, and the project's location to downtown.

Celia Pearce, a resident of 307 Oak Avenue, spoke against the proposed rezoning. She expressed concern with the project's location, size, and increase in traffic, noise, and light pollution. She stated that the high density development will be discordant to the current historic neighborhood. She provided the Town Clerk with a copy of several letters against the proposed rezoning.

Jack Haggerty, a resident of 105 Fidelity, spoke against the proposed rezoning. He expressed concern with the project's location and the increase in traffic. He stated that the project is inharmonious with the existing neighborhood and inconsistent with any existing planning documents. He stated that there are no reviews of the promised sustainability design and building features once the project is developed.

David Arneson, a resident of 102 Mulberry Street, spoke in support of the proposed rezoning. He stated the project will create jobs in the short term and increase the tax base in the long term. He stated that the project will bring more residents to Carrboro's downtown commercial district. The mixed-use design will be more green and sustainable than other projects around Town.

Dirce Suzuki, a resident of 101 Roger Cooke Circle, spoke against the proposed rezoning. She expressed concern with the increase in traffic, noise, and density. She stated that it will change the existing neighborhood in a negative way. She stated that she has found that many residents are not aware of the project and when she brings it up, they are against it.

David Burgess, a resident of 101 Roger Cooke Circle, spoke against the proposed rezoning. He stated that the project is a money over a quality of life issue. He stated that most people that he speaks to about the project are

Carrboro Board of Aldermen Page 5 January 24, 2012

shocked and against it. The project will dramatically change the entire character of the neighborhood and, most likely, the whole Town.

Jackie Tanner, a resident of Carrboro, spoke against the proposed rezoning. She expressed concern with the aesthetics of the building because it will change the entire view of the neighborhood. She stated that the project, being mostly 2-bedroom, will not sell to families with children, but to students.

Jonathon Charney, a resident of Carrboro, spoke in favor of the project. He stated that it will bring needed commercial office space to Carrboro and people to downtown.

Michelle Rives, a resident of 100 Oak Avenue, spoke against the proposed rezoning. She expressed concerns with the density, the proposed costs of renting the units, and traffic. She suggested that Carrboro needs a comprehensive traffic plan.

The Mayor and Board of Aldermen made various comments regarding their thoughts on the rezoning application.

Alderman Coleman suggested that developers that are proposing a radical change in zoning and should work with the neighbors prior to the drawing of a project's design.

Alderman Slade requested that the developer construct the building so that the ground floor of the back building could be retrofitted from residential to commercial space in the future. He also suggested pushing the front building further back into the lot. He also suggested the possibility of a raised crosswalk on North Greensboro that would cause traffic to slow down near the development.

Ken Reiter, in response to Alderman Slade's questions, explained that NCDOT does have an interest in exploring options to slow the traffic on N. Greensboro. He thinks that a raised crosswalk will take some pushing from his side but that he is willing to push DOT to consider that option. He also agreed to construct the back building in a way that would accommodate non-residential uses in the future.

Alderman Johnson suggested that developers should meet with neighbors before they begin major project designs similar to this proposal

Alderman Gist asked the Board to have a conversation about the downtown area, including businesses and neighborhoods, to address the future planning of downtown.

The following resolution was introduced by Alderman Lavelle and seconded by Alderman Haven-O'Donnell:

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE CARRBORO LAND USE ORDINANCE Resolution No. 75/2011-12

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 2.49 ACRES OF LAND KNOWN AT AND NEAR 500 N. GREENSBORO STREET FROM B-1(G)-CZ AND CT TO B-1(G) CZ

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020, Policy 6.11.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to accommodate a variety of housing styles, sizes, and pricing. It should also address issues of density, funding, and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.

Section 3. This resolution becomes effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of January 2012:

Ayes: Sammy Slade, Lydia Lavelle, Mark Chilton, Randee Haven-O'Donnell

Noes: Dan Coleman, Michelle Johnson, Jacquelyn Gist

Absent or Excused: None

The following ordinance was introduced by Alderman Lavelle and seconded by Alderman Haven-O'Donnell:

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 2.49
ACRES OF LAND KNOWN AT AND NEAR
500 N. GREENSBORO STREET FROM B-1(G)-CZ AND CT TO B-1(G) CZ
Ordinance No. 18/2011-12

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:

That properties being described on Orange County Land Records System as:

Orange County PIN 9778-87-7556, addressed as 500 N. Greensboro Street, currently zoned B-1(g) CZ (General Business, Conditional), and 9778-87-7448, 9778-97-0512, 9778-87-9369, addressed as, 404 N. Greensboro Street, 406 N. Greensboro Street, and 113 Parker Street, currently zoned CT shown on the attached zoning exhibit are hereby rezoned to B-1(g)-CZ (General Business, Conditional), subject to the following conditions:

- 1. Driveway access to the parcel shall be aligned with Shelton Street;
- 2. All structures currently located on the property shall be offered for relocation prior to beginning construction
- 3. The Concept Plan labeled "Shelton Station, RZ-2" dated _10 January 2012, is approved and incorporated herein in relation to the following features; possible land uses, general location and expected size of building footprints(subject to condition #12), maximum density of 96 residential units. Other features and issues remain to be decided at the time a conditional use permit is requested for development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance and property frontage on N. Greensboro Street, compliance with architectural standards for downtown development, and required parking
- 4. For any residential unit consisting of 3 or more bedrooms, the bathroom count per unit shall be one less than the number of bedrooms.

- 5. A minimum of 10 percent of the residential units to be permanently affordable at 60 percent and an additional10 percent to be permanently affordable at 80 percent of the median gross family income, as most recently updated by the United States Department of Housing and Urban Development (or successor agency), for a family of a specific size within the Metropolitan Statistical Area where the Town of Carrboro is located. Housing costs and unit size to reflect the terminology in Section 15-182.4 (b) (1) of the Carrboro Land Use Ordinance. The term of affordability for these units will be 99 years, per a condition to be included on the conditional use permit at the time of its approval.
- 6. The property will be designed and constructed to meet a Leadership in Energy and Environmental Design (LEED) Silver equivalent standard when evaluated by a LEED accredited professional. The property shall not be required to complete a certification or commissioning process governed by the U.S. Green Building Council (USGBC). The total points necessary to obtain a LEED silver equivalent shall be derived from points for the following features: a compact, highly-efficient building envelope and glazing, finishes, insulation, and reflective roofing materials that reduce heat island effects, as well as use of Energy Star appliances, high SEER HVAC equipment, solar hot water for common areas, and an on-site electric vehicle charging station, or substantially equivalent alternative elements as approved by the Board of Aldermen as part of a conditional use permit.
- 7. Parking configuration along the Parker Street r/w/southern property boundary will allow for secondary emergency vehicle access to/from the site.
- 8. Covered bike parking at the rate of one bike parking space for every four residential units
- 9. The parking lot shall meet the standard for a "green" parking lot, per the most recent edition available at the time of construction of the "EPA Green Parking Lot Resource Guide"
- 10. Upon the request of the Town, a public bicycle and pedestrian trail easement shall be incorporated into the site, the location to be determined at the time a conditional use permit is approved.
- 11. Petitioner has the responsibility of establishing procedures that are appropriate and necessary to assure that income data provided by the applicants for affordable residential units is complete and accurate and that third-party verification of employment and family annual income will occur at least annually.
- 12. The building nearest North Greensboro Street shall be set back from the existing North Greensboro Street right-of-way line an appropriate distance to be determined during the conditional use permit approval process, but no less than 16 feet.
- 13. Construction of the back building shall allow for future conversion to commercial use on the entire ground floor.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 24th day of January 2012:

Ayes: Sammy Slade, Lydia Lavelle, Mark Chilton, Randee Haven-O'Donnell

Noes: Dan Coleman, Michelle Johnson, Jacquelyn Gist



November 9, 2012

Mr. James Thomas Planning / Zoning Development Specialist Town of Carrboro 301 West Main Street Carrboro, NC 27510

Re: Shelton Station Conditional Use Permit – Justification of Rezoning Conditions

Dear Mr. Thomas:

This letter and the attached additional information are submitted in response to your letter dated October 18, 2012 requesting additional information regarding the Shelton Station Conditional Use Permit (CUP). Specifically, you requested a written justification that the conditions approved by the Board of Alderman on January 24, 2012 whereby the properties consisting of: PIN 9778-87-7556 (500 N. Greensboro Street), PIN 9778-87-7448 (404 N. Greensboro Street), PIN 9778-97-0512 (406 N. Greensboro Street) and PIN 9778-87-9369 (113 Parker Street) were rezoned to B-1(g)-CZ (General Business, Conditional), are being addressed in the CUP. Our responses are as follows:

1. Driveway access to the parcel shall be aligned with Shelton Street.

Page C200 of the CUP indicates that the driveway access is aligned with Shelton Street. This current driveway access is consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

2. All structures currently located on the property shall be offered for relocation prior to beginning construction.

Over the course of the past 2 years, both the Applicant and Property Owners have made continuous efforts to relocate any structures. One structure located at 500 N. Greensboro Street has been relocated to Hillsborough, NC. The remaining structures located at 404 N. Greensboro Street consist of one (1) two-story frame structure and one (1) single-story cinder block structure. Several non-profits, including Habitat for Humanity and Builders of Hope, as well as several house movers, developers and contractors have been contacted to relocate any and all structures. Based on the analysis performed by these parties, the relocation of the two-story structure is either physically infeasible (would require cutting significant portions of the building off in order to relocate) or cost prohibitive (more cost effective to build a new structure rather than relate existing structure to a new lot). There are no structures to be relocated at 406 N. Greensboro Street or 113 Parker Street. The remaining structures located at 404 N. Greensboro Street will continue to be offered for relocation before construction.

3. The Concept Plan labeled "Shelton Station, RZ-2" dated _10 January 2012, is approved and incorporated herein in relation to the following features; possible land uses, general location and expected size of building footprints(subject to condition #12), maximum density of 96 residential units. Other features and issues remain to be decided at the time a conditional use permit is requested for development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance

Shelton Station Conditional Use Permit – Justification of Rezoning Conditions November 9, 2012 Page 2 of 4

and property frontage on N. Greensboro Street, compliance with architectural standards for downtown development, and required parking.

Page C000 of the CUP indicates that the permissible uses are consistent with the conditions considered as part of Concept Plan RZ-2 as part of the rezoning. Page 200 of the CUP indicates that the location and size of buildings are consistent with the Concept Plan. Page CUP-A1 of the CUP indicates that there are 94 residential units.

With regard to traffic improvements, Page C200 of the CUP indicates the traffic improvements on North Greensboro Street as approved by NC DOT and in accordance with the Traffic Impact Analysis performed by Martin Alexiou Bryson. Additionally, we have provided for additional "throat length" at the entrance to the site. The current traffic improvements are consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

With regard to compliance with architectural standards for downtown development, the response provided by Cline Design Associates dated November 9, 2012 indicates an assessment of compliance in accordance with Section 15-178. The current architectural design is consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

With regard to compliance with required parking standards, Page C000 of the CUP indicates total required parking of 206 spaces and total proposed parking of 178 spaces. The revised site plan dated November 9, 2012 indicates total proposed parking of 170, resulting in an approximate 12% reduction in parking requirements. The current parking design and configuration are consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

4. For any residential unit consisting of 3 or more bedrooms, the bathroom count per unit shall be one less than the number of bedrooms.

Based on the floors plan submitted in support of Condition #3, there are no units that consist of 3 or more bedrooms.

5. A minimum of 10 percent of the residential units to be permanently affordable at 60 percent and an additional 10 percent to be permanently affordable at 80 percent of the median gross family income, as most recently updated by the United States Department of Housing and Urban Development (or successor agency), for a family of a specific size within the Metropolitan Statistical Area where the Town of Carrboro is located. Housing costs and unit size to reflect the terminology in Section 15-182.4 (b) (1) of the Carrboro Land Use Ordinance. The term of affordability for these units will be 99 years, per a condition to be included on the conditional use permit at the time of its approval.

Kettler Management, a leading, professional real estate property management firm, will manage the project and has a significant level of experience in managing multi-family, mixed-use projects, including 20,000+ residential units. As part of their standard practices and procedures, they will collect the appropriate and necessary date from applicants and residents and will be responsible for providing the necessary third-party verification indicating compliance with this condition and reporting to Belmont Sayre no less than once per year. Kettler Management has provided exactly this type of compliance reporting on prior projects.

Shelton Station Conditional Use Permit – Justification of Rezoning Conditions November 9, 2012 Page 3 of 4

6. The property will be designed and constructed to meet a Leadership in Energy and Environmental Design (LEED) Silver equivalent standard when evaluated by a LEED accredited professional. The property shall not be required to complete a certification or commissioning process governed by the U.S. Green Building Council (USGBC). The total points necessary to obtain a LEED silver equivalent shall be derived from points for the following features: a compact, highly-efficient building envelope and glazing, finishes, insulation, and reflective roofing materials that reduce heat island effects, as well as use of Energy Star appliances, high SEER HVAC equipment, solar hot water for common areas, and an on-site electric vehicle charging station, or substantially equivalent alternative elements as approved by the Board of Aldermen as part of a conditional use permit.

The response provided by Cline Design Associates dated November 9, 2012 indicates an initial evaluation of both buildings in attaining a LEED Silver equivalent standard. For Building A (non-residential), a score of 55 out of a possible 110 points was achieved based on 2009 Core & Shell Checklist. For Building B (residential), a score of 60.5 based on LEED for Homes Checklist. Both scores are indicators of achieving a LEED Silver designation.

7. Parking configuration along the Parker Street r/w/southern property boundary will allow for secondary emergency vehicle access to/from the site.

Page C200 of the CUP indicates that the parking configuration along Parker Street allows for secondary emergency vehicle access.

The current parking design and configuration are consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

8. Covered bike parking at the rate of one bike parking space for every four residential units

Page C210 of the CUP indicates that 24covered bike parking spaces are provided for 94 residential units, resulting in a ratio of one bike parking space for every 3.9 unit.

9. The parking lot shall meet the standard for a "green" parking lot, per the most recent edition available at the time of construction of the "EPA Green Parking Lot Resource Guide".

Per the most recent edition of the "EPA Green Parking Lot Resource Guide" dated February 2008, the overall planning of the project in relationship to smart growth strategies (near transit and walkable to retail and services, urban infill, compact design, etc.) and overall site design (reduced parking requirements, smaller overall stall dimensions, maximize percentage of compact car spaces, car-sharing program), specific on-site stormwater systems, natural landscaping and irrigation are consistent with the guidelines. See matters are further referenced in the Parking Justification letter provided by Coulter Jewell Thames.

The current parking design and configuration are consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3. Alternative pavements treatments are now currently proposed for parking stalls and crosswalks in support of further on-site stormwater management of runoff.

10. Upon the request of the Town, a public bicycle and pedestrian trail easement shall be incorporated into the site, the location to be determined at the time a conditional use permit is approved.

Shelton Station Conditional Use Permit – Justification of Rezoning Conditions November 9, 2012 Page 4 of 4

Page C200 of the CUP indicates a proposed easement for a bicycle and pedestrian trail along the east property line.

The current easement is consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012 as further evidence in support of Condition #3.

11. Petitioner has the responsibility of establishing procedures that are appropriate and necessary to assure that income data provided by the applicants for affordable residential units is complete and accurate and that third-party verification of employment and family annual income will occur at least annually.

See response to Condition #5.

12. The building nearest North Greensboro Street shall be set back from the existing North Greensboro Street right-of-way line an appropriate distance to be determined during the conditional use permit approval process, but no less than 16 feet.

Page C200 of the CUP indicates that the structure nearest North Greensboro Street is set back 16 feet from the right-of-way.

This current setback is consistent with the Concept Plan RZ-2 approved as part of the rezoning on January 24, 2012as further evidence in support of Condition #3.

13. Construction of the back building shall allow for future conversion to commercial use on the entire ground floor.

The design of Building B (back building) has a 10' ceiling on the first floor, which is higher than normally provided in residential buildings. This additional height will enable easier conversion to a non-residential use by allowing additional space for HVAC and electrical systems as well as necessary fire separation. The concrete slab will be designed to support commercial loading and open web trusses allow for the sprinkler, HVAC and electrical systems to be adjusted in order to meet non-residential standards and needs. The design and grading of the site has been planned to anticipate the need of future non-residential uses of Building B.

Please do not hesitate to contact me at 919.885.4508 if you have any questions regarding this submittal.

Sincerely,

Kenneth M. Reiter

cc: William Anderson – Kennon Craver
Dan Jewell – Coulter Jewell Thames
Jeremy Anderson – Coulter Jewel Thames
Gary Cline – Cline Design Associates
Jim Compton – Cline Design Associates
Cindy Clare – Kettler Management

Applicant Responses to Concept Plan Review For Shelton Station

November 30, 2012

APPLICANT COMMENTS ARE INCLUDED IN ITALIC
APPLICANT COMMENTS BASED ON CONDITIONAL USE PERMIT SUBMITTED ON NOVEMBER 9, 2012

Planning Board

(PROJECT REVIEWED MAY 17, 2012, COMMENTS RECEIVED AUGUST 2, 2012)

GENERAL COMMENTS

The Planning Board reviewed a preliminary concept plan for Shelton Station on February 3, 2011, and expressed support for an increase in the allowable residential density, the use of multistory buildings, and a reduction in the amount of parking from the presumed minimum standard. After reviewing the formal concept plan presented to the joint advisory board on May 3, 2012, we continue to believe that this project has the potential to make good use of the site by providing both residential and commercial uses in a highly walkable area. On January 24, 2012, the Board of Aldermen applied B-1(g)-CZ zoning to the properties, requiring that the site be developed generally in accordance with the concept plan in relation to "possible land uses, general location and expected size of building footprints..., [and] maximum density of 96 residential units." This conditional zoning designation allowed that "other features and issues remain to be decided at the time a conditional use permit is requested for development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance and property frontage on N. Greensboro Street, compliance with architectural standards for downtown development, and required parking."

Conditional Use Permit submitted is consistent with the concept plan.

SPECIFIC COMMENTS

- 1. Condition 12 of the zoning states that the building at the front of the site "shall be set back from the existing North Greensboro Street right-of-way line an appropriate distance to be determined during the conditional use permit approval process, but no less than 16 feet." This setback is acceptable but needs to be corrected on the site plans provided on May 3, 2012 which indicate a ten foot setback.
 - Conditional Use Permit submitted reflects the corrected setback and is no less than 16 feet from the North Greensboro Street right of way.
- 2. Throughout the review process and the public hearing for the rezoning of these properties, both proponents and opponents of the project (in addition to town staff) expressed important concerns about the potential incompatibility of the front-most portion of the project with the existing character of this stretch of N. Greensboro Street. Moreover, Carrboro Vision 2020 policies 2.11, 2.3, 2.42, and 2.43 express the importance of "aesthetic compatibility," "the attractiveness of the developed environment," consistency with our "distinctive town character," and "the growth of tree canopies over roads." The Planning Board believes the style of architecture in the new elevations lacks character either in a modern or traditional idiom. This site sets a precedent for the redevelopment of this corridor and stands to offer a definitive contribution to the neighborhood and the transition away from downtown.

Applicant Responses to Concept Plan Review For Shelton Station Page 2

The architectural language of the buildings was inspired by both the brick and glass storefronts found in downtown buildings as well as architectural elements like metal roofs on surrounding houses. The concept for Building A, located on Greensboro Street, is to create a simple, well-proportioned building façade made of materials commonly found on surrounding structures in the neighborhood. The entrance along Greensboro Street is recessed and differentiated from the remaining façade with metal siding and protected by a standing seam metal roof. Both materials can be found on adjacent houses and structures. Multiple patterns and recesses in the brick, which will be a single color and manufactured locally, break down the façade and add human scale. Downtown buildings as well as Weaver Street Market also use this traditional architectural strategy. Metal awnings and exterior lighting create additional relief and detail on the façade while also protecting the openings from the elements and providing necessary illumination.

- 3. Please describe how the project will meet the following requirement of the Land Use Ordinance (Section 15-178): "Parking or utility areas shall be substantially shielded from the view of adjoining streets by habitable space."
 - Substantially all of the parking spaces and all of the utility areas will be shielded by habitable space. The portion of the parking space that will not be shielded by structures consisting of habitable space will be shielded by a four foot wall blocking a significant amount of the parking form the view of North Greensboro Street. A small portion of the overall parking will not be shielded by habitable space form the adjoining street.
- 4. The parking area risks being a muddle of pedestrians and cars, due to the access from Parker St. The developer should consider how to encourage clearly pedestrian usage in restricted walkways in the parking area, possibly with markings or brick pavers.
 - Only emergency access will be provided form Parker Street reducing the interactions of vehicular and pedestrian conflicts. Upon arriving to the site, pedestrians and bicyclists will have sidewalks, walkways, pathways designed with specific characteristic (markings and pavers) to improve flow of pedestrians and bicycles, and separate from vehicular traffic.
- 5. Consistent with our comments on the preliminary concept plan, we support providing 1 parking space per dwelling unit for the residential component of the project. The concept plan shows 96 dwelling units and 189 parking spaces. Even after accounting for the parking needs of the commercial component, 189 parking spaces is excessive for a development in this location. We encourage the developer to request a substantial reduction in parking and to use the additional space for green open space, improvements in pedestrian infrastructure, and/or recreational amenities.
 - The Conditional Use Permit submitted on requests a 25% reduction in shared parking requirements as measured against the presumptive requirements.
- 6. Unbundle the parking spaces from the residential units. Dedicate an appropriate number of parking spaces for the commercial uses.
 - Conditional Use Permit submitted requests an approximate 25% reduction in shared parking requirements as measured against the presumptive requirements. From an operational standpoint, we allocate shared use of all parking spaces. Approximately 76 spaces, or 3.3

spaces per 1,000 square feet, will be allocated to commercial use, which is a common and customary amount in downtown setting for operational success while providing sufficient number of spaces to secure tenancy.

7. Condition 8 of the zoning requires the developer to provide 1 covered bicycle parking space for every residential unit. Consistent with our comments on the preliminary concept plan, we encourage the developer to provide ample dedicated, covered bicycle parking for both the residential and commercial uses.

Condition 8 of the rezoning only requires one (1) covered parking spaces for every four(4) residential units. Conditional Use Permit provides 36 number of parking bicycle spaces. Approximately 24 are provided in or near the residential building, and approximately 12 are provided near the commercial building.

8. Please clarify whether the "future cross access easements" at the northern and southern property lines will allow both vehicular and pedestrian access.

The future cross access easements will allow for vehicular and pedestrian access.

9. Consistent with our comments on the preliminary concept plan, we encourage the developer to devise a solution for the south side of the site that will provide good pedestrian connectivity with Parker Street. The concept plan does not appear to show pedestrian access to and from Parker Street.

Conditional Use Permit indicates future pedestrian to Parker Street as part of the future cross access easements. At this time, since there are no existing pedestrian facilities along Parker Street, pedestrian and bicycle traffic will be directed through the site. The plan as provided anticipates and allows for the future integration of the pedestrian connectivity to Greensboro Street via Parker Street.

10. Consistent with condition 7 of the zoning, the configuration of the parking lot along the southern boundary of the site should also allow for secondary emergency vehicle access. The concept plan does not appear to show vehicular access to and from Parker Street.

Conditional Use Permit provides secondary emergency vehicle access to from Parker Street.

11. Page 6 of the developer's May 3, 2012, presentation to the joint advisory board, "Rendering – View from the West," shows a sidewalk on the south side of Shelton Street. A sidewalk does not exist at this location. Does the developer propose to provide one?

Applicant does not intend to provide a sidewalk on the south side of Shelton Street west on North Greensboro Street. Conditional Use Permit includes only improvements to the North Greensboro Street and Shelton Street intersection mutually agreed upon by the North Carolina Department of Transportation, Town of Carrboro, and Applicant.

12. Please clarify the purpose of the proposed southern crosswalk at the intersection of Greensboro and Shelton streets, with particular attention to whether this crosswalk (a) will be redundant with the northern crosswalk; (b) will be useful in terms of guiding pedestrians to other pedestrian amenities on the site; and (c) will further complicate the flow of pedestrian and vehicular access to and from the site.

The Applicant is comfortable with providing either both of the crosswalk or just the northern, as outlined above. The southern crosswalk was proposed as a part of the TIA review with the Town and NCDOT during the rezoning stage.

13. Condition 10 of the zoning states, "a public bicycle and pedestrian trail easement shall be incorporated into the site, the location to be determined at the time a conditional use permit is approved." We look forward to seeing this easement on the site plan.

Conditional Use Permit incorporates a variable width (10-14') bicycle and pedestrian trail easement at the western boundary of the site.

14. Condition 6 of the zoning requires the property to be designed and constructed to a LEED Silver equivalent standard. Moreover, Carrboro Vision 2020 policy 2.1 expresses the importance of preserving and maintaining open space when land is developed. Consistent with our comments on the preliminary concept plan, we encourage the developer to pay special attention to mitigation of the heat island effect throughout the site, to provide ample green and shaded spaces for residents and other users of the site, and to pursue strategies that reflect current trends in green design and construction, including but not limited to the strategies described in the Planning Board's "Green and Sustainable Buildings Checklist," provided as an attachment to this recommendation.

See letter "LEED Silver Equivalent Standard - Shelton Station CUP" from Cline Design dated November 9, 2012.

15. In planning the outdoor lighting for the site, carefully consider the purpose and intent of recent improvements in the town's standards for outdoor lighting (Land Use Ordinance, Section 15-242). It will not be sufficient simply to address light spill. Town standards for outdoor lighting are inspired by the model ordinance of the International Dark-Sky Association, which aims to reduce glare and sky glow, as well as light spill.

Conditional Use Permit meets or exceeds the existing land use ordinance. The fixtures proposed for the site are full cut off, thus are dark sky compliant.

16. There will be considerable light and noise from the parking lot at all hours, impacting the residences on Parker St. Consider exceeding the type A screening requirements.

The site plan included as part of the Conditional Use Permit shows continuous screening along the entire project as required. In addition, adjacent property owners have been consulted to ascertain any specific areas of concerns surrounding light and noise of screening to address their concerns through screening and other means, including but not limited to additional vegetative/opaque screening, increasing separation between structures, distance from adjacent property, and types of lighting fixtures.

17. It would be helpful if the developer could clarify whether residents on the upper stories of the building will have sight-lines into the existing residential neighbors' yards, and whether they have a plan to address this with the neighbors.

Based on of the site plan and building plan submitted as part of the Condition Use Permit, the Applicant and the property management firm do not feel residents of the upper floors of either building will have site lines into adjacent properties. The non-residential building (Building A) is closest to the existing residential – directly adjacent to the north and south and across North Greensboro Street. Building A has been set back from the North Greensboro Street right of way to create more distance from residents across the street in accordance with the DNP overlay. The residential building (Building B) is not adjacent any existing residential uses – it is adjacent to the manufacturing/industrial use (north), commercial use (south), railroad right of way (east), and commercial use (west). The views of resident from upper levels will be limited due to the distance from existing residential and existing tree canopy and other structures.

<u>Transportation Advisory Board</u> (PROJECT REVIEWED MAY 17, 2012, COMMENTS RECEIVED JUNE 27, 2012)

GENERAL COMMENTS

Jeff Brubaker gave a background presentation on the text and map amendments adopted by the Board of Aldermen in November 2011 and January 2012, respectively; transportation in the vicinity of the development; and the history of studies of street and bicycle-pedestrian connections across the railroad tracks. The TAB discussed the number of bicycle parking spaces required by the conditional zoning district and possible locations of bicycle and pedestrian easements along the rear of the property and crossings of the railroad corridor. Slade said the tracks near Mulberry St. are elevated and there is a steep grade. He said many people already cut through from Mulberry St. and it could be a good location for a below-grade crossing. Brubaker said the consultant stated that that was the best connection possibility. Heidi Perry said Lloyd St. has been discussed as a potential road connection in the past, but she did not think it will not happen. The TAB discussed railroad crossing policies and the street connection recommended in the 2005 Downtown Traffic Circulation Study. Linda Haac said the traffic volume downtown is a safety issue. Perry said the only hope is to cut down on the number of cars downtown. The TAB discussed trips generated from expected future development. Slade said a street connection will be very difficult and costly, so you want to pursue connectivity for bikes. Seth LaJeunesse said you want to pursue all types of connectivity because you want traffic to disperse. Haac said if you want to have a vital downtown, people will not come to Carrboro if there is too much traffic. Slade said there is a vision of Carrboro being different, where people would park in the periphery. He said cutting across to Greensboro St. would not make much sense. Heidi Perry said that connection has been studied for the last 30 years, but it has not gone anywhere. The TAB further discussed potential crossing locations and asked for follow-up information on the Fitch Lumber warehouse and Piedmont Health properties. Slade suggested a Mulberry St. connection should be explored. Perry suggested the crossing should be at the Fitch Lumber site. The TAB discussed the Parker St. right-of-way.

SPECIFIC COMMENTS

1. The driveway should allow the sidewalk to continue at the same grade.

Conditional Use Permit reflects a sidewalk along North Greensboro Street and driveway that are at the same grade.

2. There should be a bicycle and pedestrian easement along the complete rear frontage of the site plan between the building and the railroad tracks.

Conditional Use Permit incorporates a variable width (10-14') bicycle and pedestrian trail easement at the western boundary of the site.

3. In addition to one covered bike parking space per four units, there should be one uncovered space per four units. The total number of bike parking spaces should be one per two units, plus a minimum number of 1 per every 10 presumptively required auto spaces for the non-residential portion of the development, with a minimum of 5.

Based on the requirements provided above, the number of bicycle parking spaces would be as follows: 24 covered bicycle parking spaces (one per four units), 24 uncovered bicycle

parking spaces (one per four units), 47 total parking spaces (one per two units), and 8 (one for every ten spaces required for vehicles for the non-residential use, for a total of 55 bicycle parking spaces. Conditional Use Permit provides 36 number of parking bicycle spaces. Approximately 24 are provided in or near the residential building, and approximately 12 are provided near the commercial building.

4. Consider reducing automobile parking by 10% and following the standards of the EPA *Green Parking Lot Resource Guide*.

The project is seeking to reduce the minimum required parking from 206 spaces to 170 spaces for an 18% reduction in parking spaces and parking impervious area. A reduction of 25% has been requested to account for flexibility within the commercial building. The project meets the EPA Parking Lot Resource Guide

See also letter "Shelton Station - Parking Justification" from Coulter Jewell dated November 9, 2012.

5. Provide additional right-of-way or an easement along Parker St. to accommodate a future bike-ped facility.

Conditional Use Permit indicates future pedestrian to Parker Street as part of the future cross access easements. At this time, since there are no existing pedestrian facilities along Parker Street, pedestrian and bicycle traffic will be directed through the site. The plan as provided anticipates and allows for the future integration of the pedestrian connectivity to Greensboro Street via Parker Street.

Appearance Commission

(PROJECT REVIEWED JUNE 7, 2012, COMMENTS RECEIVED JULY 25, 2012)

GENERAL COMMENTS

No formal comments were received from the Appearance Commission.

Kenneth Reiter From: James Thomas Wednesday, July 25, 2012 3:45 PM Sent: Subject: RE: Shelton Station Concept Review Comments Attachments: Minutes6-7-12.doc The Appearance Commission does not have any formal comments for the concept plan, but I have included the minutes from the meeting where you met with the Appearance Commission. Thanks. James Thomas Town of Carrboro Planner/Zoning Development Specialist (919)918-7335- phone (919)942-1720- fax jthomas@townofcarrboro.org

SPECIFIC COMMENTS

Members of the Appearance Commission requested that staff invite the architect for the Shelton Station project to answer various questions that members has about the architecture of the proposed buildings etc. Ken Reiter, architect for the project was present for the meeting and gave a short overview of the project. In essence, he stated that the front building would be two stories and would be all commercial while the rear building in the rear would be four stories and five stories adjacent to the railroad tracks due to the topography. In addition, there would be parking beneath this building. The architect is thinking that the buildings would be in a brick veneer, but that this may change in the future.

Tom Wiltberger made the comment that the building in the rear looks very institutionalized or like a dorm at UNC. He made the suggestion about changing the façade of the building, creating some "in and outs" of the building versus just being just one flat faced structure and to break up the building or create some articulation of the building in the rear.

Ken Reiter took notice of many of these comments and stated that they are in the beginning stages of the project and will take these comments into account. Ken Reiter then talked a little about the front building and explained that the building would be approximately 80 ft by 150 ft in size.

Overall, the architect stated that he would provide additional renditions of the project to the Appearance Commission in the future and may visit the Appearance Commission with those renditions.

While Building A and Building B serve different functions, it was important to find architectural elements to tie the two buildings together creating a cohesive development.

Brick, metal siding and standing seam metal roofing are used on both buildings. The brick, alternating between 2 and 3 stories in height, breaks down the scale of the 4 story building with texture and color. The seamed metal panel, found on neighboring structures, is primarily used on the upper 2 stories and gives another subtle texture to the façade. Further façade articulation is accomplished by incorporating covered balconies, made of fiber cement and metal railings, along all building facades. The roofline extends over the balconies creating a repetitious architecture element.

Environmental Advisory Board (PROJECT REVIEWED JULY 2, 2012, COMMENTS RECEIVED AUGUST 8, 2012)

GENERAL COMMENTS

- 1) The height of the building closest to N. Greensboro Street shall not exceed 3 stories, with the exception that the portion of the building within the DNP Overlay shall conform to the requirements of that portion of the District;
- 2) Driveway access to the parcel shall be aligned with Shelton Street;
- 3) The minimum required parking shall be 10 percent less than the minimum number of spaces required by the Land Use Ordinance for the proposed uses.
- 4) All structures currently located on the property shall be offered for relocation prior to beginning construction.
- 5) A minimum of 15 percent of the residential units shall be affordable as defined by the current Town guidelines.
- 6) The property will be developed substantially in accordance with the attached Concept Plan labeled "Shelton Station" dated April 26, 2012.

The Conditional Use Permit meets or exceeds each of the comments.

See also the attached letter "Shelton Station Conditional Use Permit - Justification of Rezoning Conditions" dated November 9, 2012 and letter "LEED Silver Equivalent Standard - Shelton Station CUP" from Cline Design dated November 9, 2012. Both letters also addresses many of the specific comments provided below.

SPECIFIC COMMENTS

Lot & Site Development:

- 1) Concern over traffic impacts on North Greensboro Street. The EAB requests clarification on access to Parker Street from the development.
- 2) Additional details be provided as part of the CUP regarding landscaping to create shading above the minimum required in the land use ordinance. In addition, the parking lot should address "green parking lot" features per the EPA document Green "Parking Lot Resource Guide" available at http://mailman.informe.org/pipermail/watershedmanagers/attachments/20080306/6fbc8183/greenparki ng 508FINAL-0001.obj.
- 3) Heat island effects should be further addressed by incorporation of green roofs/rooftop vegetation and high albedo materials (with a solar reflectance index of greater than 78, per ASTM E 1980).
- 4) Review permeable pavement opportunities, considering recent proposed draft revisions to the permeable pavement chapter of the North Carolina Division of Water Quality's Stormwater Best Management Practices Manual.

Traffic impacts are being adequately addressed as prescribed by NC DOT and Town staff, the project is being developed with green parking lot, including permeable pavement, reflective roofing, bio-retention areas and permeable pavement will reduce heat island effects.

Resource Efficiency:

1) Request demonstration of sustainability in demolition and construction— reduced waste streams, certified materials, reclaimed materials, green roof, photovoltaics etc. Use FSC certified wood products during construction.

2) Use salvaged, recyclable, or rapidly renewable construction materials when available. Source materials within a 500 mile radius.

3) Include a centralized compost collection facility.

4) Consult with Orange County Solid Waste to ensure space and facilities to collect and process recyclable materials to the maximum extent possible. Recycling facilities should include facilities for

commercial waste, like polyethylene film. Polyethylene film is a high value part of the waste stream, the development should incorporate baling capabilities to capture film waste.

The project will meet a LEED Silver equivalent standard of design and will incorporate a balance of methods to address resource efficiency. Given the site design, no central composting facility will be provided. The project will be developed in accordance with Orange County Solid Waste and will provide recycling for residential and commercial tenants.

Energy Efficiency:

- 1) Recommend that the applicant demonstrate energy performance to meet one or more of the following
 - a) Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type. http://www.architecture2030.org/2030_challenge/targets.html
 - b) AIA goals of integrated, energy performance design, including resource conservation resulting in a minimum 50 percent or greater reduction in the consumption of fossil fuels used to construct and operate buildings (http://www.aia.org/fiftytofifty)
 - e) LEED certification/equivalent to achieve 50% CO2 emission reduction, or LEED silver certification/equivalent
- 2) Recommend specific energy saving features, including but not limited to the following. For those features not incorporated, an explanation of the financial or operational reasons why the feature was omitted from the design should be provided as part of CUP.
 - a) Use of shading devices and high performance glass for minimizing heating and cooling loads
 - b) Insulation beyond minimum standards;
 - c) Use of energy efficient motors/HVAC;
 - d) Use of energy efficient interior and exterior lighting;
 - e) Use of energy efficient appliances
 - f) LED or LED/Solar parking lot lighting.
 - g) Use of solar thermal
 - h) Provision of onsite renewable energy generation
 - i) On demand water heater

The Conditional Use Permit meets a LEED Silver equivalent standard of design and will incorporate a balance of methods to address energy efficiency. Specific energy saving features will be incorporated as part of the development of construction plans.

Water Efficiency:

- 1) Recommend that harvested rainwater reuse be provided for non-potable domestic use and landscaping
- 2) Install low-flow facilities.

Rainwater will be used for irrigation. A greywater system for non-potable use in the commercial buildings is proposed.

Stormwater Management:

- Recommend reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool.
- The design should include additional low-impact development features, e.g., permeable pavement for low volume stalls, pedestrian areas; less impervious area/more vegetated areas (e.g., planters); green roof(s)

The Conditional Use Permit meets the standards set forth in the Jordan Lake accounting rules passed in June 2012. Permeable pavement and a greywater system for the commercial buildings are proposed. Rainwater will be collected for irrigation.

Economic Sustainability Commission

(PROJECT REVIEWED AUGUST 8, 2012 – COMMENTS RECEIVED OCTOBER 2, 2012)

GENERAL COMMENTS

David Jesse recused himself from the discussion in the project due to a financial conflict. Annette Stone reviewed the Shelton Station CUP (conditional use permit) Concept Review with the ESC. The project is at the concept level. The ESC recommended that the developer find ways to provide affordable office space to support new start-ups in the community. Staff will forward the ESC comments to the developer.

The project will provide over 24,000 square feet of newly constructed, highly-efficient and convenient space for Town of Carrboro to attract, retain and grow businesses. The overall design and construction will allow for rental rates that are near or below market conditions but providing space with amenities that is currently not available in the marketplace, creating a good value for office users. Affordability of space is just one factor that start-ups consider when selecting sites for locating operations. Other factors include design (green and sustainable), parking, access to alternative forms of transportation, availability of services, adjacency to other like-minded users (cluster).

Based on our understanding of the market for office space in downtown Carrboro, the project will be appealing for start-up businesses. Although no specific requirements for achieving affordable rates for start-ups, the overall profile of the space should be very competitive to the other options when taking into consideration all of the site selection criteria for new startups.

ATTACHMENTS

- Letter "Shelton Station Conditional Use Permit Compliance with Conditional Zoning" from Belmont Sayre dated November 9, 2012
- Letter "Shelton Station Conditional Use Permit Justification of Rezoning Conditions" from Belmont Sayre dated November 9, 2012
- Letter "LEED Silver Equivalent Standard Shelton Station CUP" from Cline Design dated November 9, 2012
- Letter "Shelton Station Parking Justification" from Coulter Jewell dated November 9, 2012
- Planning Board Comments dated May 17, 2012
- Transportation Advisory Board Minutes dated May 17, 2012
- Appearance Commission Minutes dated June 17, 2012
- Environmental Advisory Minutes dated July 12, 2012
- Economic Sustainability Commission Minutes dated August 8, 2012



Coulter Jewell Thames, PA

MAIN OFFICE 111 WEST MAIN STREET DURHAM, NC 27701 p919.682.0368 f919.688.5646

Planning for the Future

Feb. 19th, 2013

Jeff Kleaveland Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference: Shelton Station

Parking Justification

The proposed project is the redevelopment of a two residential properties and two vacant parcels totaling 2.6 acres. The proposed site plan is a mixed use development consisting of 22,700sf of commercial space and 94 residential units, seeking to provide live/work opportunites adjacent to the downtown core of Carrboro.

The site is within a walkable part of downtown Carrboro at the edge of the central business district and is currently connected to the surrounding commercial and residential areas by existing sidewalks, bike lanes, and a bus stop at the intersection of Shelton St. and North Greensboro St.

This mix of uses in the B-1(G) district, under <u>Section 15-297 Joint Use of Required Parking</u>, allows a site plan to take the following reductions to the "total number of spaces otherwise required":

- 2.00 and 3.00 uses apply a reduction ratio of 1.2;
- 2.00 and 1.300 uses apply a reduction ratio of 1.2;
- 3.00 and 1.300 uses apply a reduction of 1.4;

The result of these joint use reduction is an overall reduction fo the required spaces from 222 to 172. The site plan is further allowed a reduction of 1 space for bicycle parking (153 spaces), as shown on the plan, and one space for a motorcycle space (1), also shown on the plan. This results in a requirement of 170 parking spaces. This parking reduction per Section 15-297 is

further enhanced by the shared trip potential provided by the existing transit stop, the large number bicycle parking spaces, 1 zip car space, and the existing bike lanes on N. Greensboro St.,

For the purposes of calculating required parking, the following table lists possible uses for Building A and Building B. See the attached Appendix A (B1G Zone Permissible uses & parking requirements) for a full listing of potential uses.

Table 1: Areas, uses, and required parking

			1BR / 1BA -	2BR / 2 BA -	
	Total		1 Person	2 Person	Source / Comment
Residential (Use 1.300/1.330)					*
Total number of units	94		58	36	
Bedrooms per unit			1.00	2.00	
Number of bedrooms	130		58	72	
Parking space per bedroom			1.00	1.00	Article XVIII Parking - Section 15.291(g)
Required parking spaces - Residential	130		58	72	
After Shared Use Reduction Taken	93	1.4			
	Total		Building A	Building B	
Commercial				•	
Retail (Use 2.000/2.120) (50/50 use breakdown)					
Gross floor area - Retail	8,353		8,353		
Gross floor area for each parking space			300	300	Article XVIII Parking - Section 15.291(g)
Parking spaces - Retail	28		28	-	
After Shared Use Reduction Taken	23	1.2			
Restaurant (Use 8.10/8.20)					
Gross floor area - Restaurant	3,000		3,000	8.	
Outdoor seats			24	v	
1 space for each 100 GFA			30	v.	
1 Space for each 4 outdoor seats			6	-	
Parking spaces - Retail	36		36	~	
After Shared Use Reduction Taken	36	1.0			
Office (Use 3.000)					
Gross floor area - Office	11,353		11,353	-	
Gross floor area for each parking space			400	400	
Parking spaces - Office	28		28		
After Shared Use Reduction Taken	20	1.4			
Required parking spaces - Commercial	92		92		
After Shared Use Reduction Taken	79				
Required parking spaces - All	222		150	72	
After Shared Use Reduction Taken	172				
	Astiolo VIII So	otion 1	E 303 (b) allows	for flouibility since	e socidential devaluement in on hus line/Boute E
Joint Use of Required Parking Spaces	ALUCIE AVIII 36	caon 1	2-532 (D) 9110M2	TO: Hexibility SINC	e residential development in on bus line(Route F)
Reduction Ratio	Varies				Article XVIII Section 15-297(c)
Required parking spaces - All - After reduction ratio	172				
Bike rack reduction (1 space)	(1)				Article XVIII Section 15-291(d)(1)
Motorcycle pad reduction (1 space)	(1)				Article XVIII Section 15-291(d)(2)
Required parking spaces - All - After reduction ratio	170				
Surplus / (Deficit) - Provided less Required	(0)		0%		
Provided parking spaces - All	170				Article XVIII Section 15-293(b)

A reduction in parking also allows for the reduction of impervious surface and several other green parking indicators as described in the EPA's "Green Parking Resource Guide":

- The project using the shared use reduction allows by the LUO to reduce the minimum required parking from 222 spaces to 170 spaces for a 23% reduction in parking spaces and parking impervious area.
- The project is providing a majority of the parking to the rear, under or adjacent to the buildings and will substantially be shielded from the public right of way. No parking is provided immediately adjacent to the street that may or between the site elements and the street.
- The project is providing 37 spaces (22%) under the residential building.
- The project is providing 44 spaces (26%) that meet the criteria for compact spaces.
- The project is providing 1 Zip car space and 1 electric vehicle space.
- The site is currently served by Chapel Hill Transit with a bus stop adjacent to the property as well as an existing bike lanes along N. Greensboro St.
- The project is utilizing underground detention, sand filters, permeable pavement and bioretention areas to mitigate stormwater runoff.
- The project is utilizing native plants which are not as susceptible to drought conditions and require less irrigation once established.
- The project is providing 153 bicycle parking spaces.
- The site will incorporate rain water harvesting for nonpotable use (irrigation).

Compact Spaces:

The project is proving compact parking spaces (8'x15' min.) through-out the site to serve both the commercial as well as the residential requirements. The applicant understands that the LUO allows up 40% of the spaces to be designated as compact, although this project is proposing 26%, which equates to 44 spaces. The applicant feels that is an appropriate number given the mix of commercial and residential uses and that providing 40% would adverslyu effect leasing and marketability of the project.

Loading Space:

Per LUO Section 15-300, a commercial building of 22,700sf requires 2 loading spaces. One loading area has been provided in the 'service' parking lot between the two building on the project. The space is within the drive aisle, but given the non-peak delivery times for commercial uses and the limited number of vehicles for the this 'service' parking lot, we feel this will not conflict with the adjacent parking spaces. At the end of the loading spaces, a striped aisle has been designated for delivery loading. The radius for the entry into this service parking lot have been widened to be 24' min. to allow for easy delivery truck access. In addition to the low frequency of large deliveries, the applicant is proposing limits on either or both delivery times and parking spacs to limit potential

conflicts. The applicant feels that the one loading space shown in the current location and configuration will serve the commercial building adequately.

Summary:

We believe that, since the site itself is comprised of a mix of commercial and residential uses within the larger mixed use central business district and has access to several non-vehicular modes of transit, the parking reduction afforded by the LUO is justified.

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy S. Anderson, LEED AP, RLA

Appendix A:

B1G Zone Permissible uses & parking requirements

NOTE: permissible uses by Zoning

1.3312	MULTI FAMILY APARTMENTS (MAX. 20% W/> 3 BDRM)	1/BDR, 2 max.
1.430	ADULT CARE HOME	1/BDR
1.440	ADULT CARE HOME	1/BDR
1.450	CHILD CARE HOME	1/BDR
1.460	CHILD CARE HOME	1/BDR
1.470	MATERNITY HOME	1/BDR
2.11	SALES & RENTAL\ NO OUTSIDE STORAGE\ HIGH-VOL	1/200sf
2.12	SALES & RENTAL\ NO OUTSIDE STORAGE\ LOW-VOL	1/400sf
2.13	WHOLESALE SALES\ NO OUTSIDE STORAGE	1/200sf
2.21	SALES & RENTAL\ WITH OUTSIDE DISPLAY\HIGH-VOL	1/200sf
2.22	SALES & RENTAL\ WITH OUTSIDE DISPLAY\LOW-VOL	1/400sf
2.23	WHOLESALE SALES\ WITH OUTSIDE DISPLAY	1/400sf
3.11	OFFICE SERVING CLIENTS ON PREMISES	1/200sf
3.12	OFFICE ATTRACTING LITTLE OR NO CLIENT TRAFFIC	1/400sf
3.13	MEDICAL OFFICES < 10,000 SQ. FT.	1/150sf
3.15	COPY CENTERS/PRINTING OPERATIONS	1/200sf
3.25	ATM FREESTANDING	3 spaces
5.31	LIBRARIES, CULTURAL CENTERS IN RESI. BLDG.< 3,500 SF.	1/300sf
5.32	LIBRARIES, CULTURAL CENTERS IN ANY OTHER BLDG.	1/300sf
6.14	COMMUNITY CTR.(PUBLIC/ NON-PROFIT)	1/200sf
8.1	RESTAURANTS, BARS, NIGHT CLUBS INSIDE SERVICE	1/100sf
8.2	RESTAURANTS, BARS, NIGHT CLUBS OUTSIDE SERVICE:	1/100sf + 4 outside
8.5	RESTAURANTS, CARRY OUT SERVICE	Variable
8.6	RESTAURANTS, FOOD DELIVERY	1/200sf + employee
15.82	TOWN-OWNED FACILITIES AND SERVICES	
27	COMBINATION USES	



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Planning for the Future

March 4, 2013

Jeff Kleaveland Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference: Shelton Station

Loading and Unloading Area Justification

Per Town of Carrboro LUO Section 15-300 Loading and Unloading Areas, developments that require routine delivery or shipment of goods, merchandise or equipment shall provide off-street loading and unloading areas. Furthermore, buildings with a Gross Leasable Area between 20,000sf and 79,999sf would require 2 loading spaces. The proposed commercial building is just over 20,000 sf, at approximately 23,000 sf, thus would require 2 loading spaces. Shelton Station is proposing a single loading area in the between Building A and Building B. The following are offered as justification for providing the loading area as described above and shown on the Conditional Use Permit Package dated February 19, 2013.

- It should be noted that currently the loading zone is not within the public ROW, or blocking the main drive aisle providing ingress and egress for the entire site, but rather in an isolated area. This location is both convenient and safe since it will allow loading and unloading activity to be out of the public right of way and not conflict with the main flow of vehicular and pedestrian traffic through the project site.
- The applicant is agreeable to setting limitations on delivery times and/or adjacent parking space designations to minimize conflicts that may arise. This area contains only 17 parking spaces 10% of the required spaces that would possibly be in conflict with the loading and unloading activity at any one time. The applicant is willing to further condition the CUP with certain delivery time and parking restrictions to further mitigate any conflicts. This could be

done as a condition to the project, or at a later date should actual conflicts occur during normal development operation. The CUP Site Plans currently include notes referencing limitation signage.

- The applicant has indicated that the parking spaces that may be in conflict with the loading/unloading area could be designated as employee spaces only; therefore employees parking in these spaces would better understand the possibility of a temporary obstruction.
- The building use is divided into 2 floors, with approximately half the square footage being for office use and the other half being retail. The retail uses are planned to be sub-divided into multiple smaller users and typically smaller retail users will be served by smaller delivery trucks or methods that do not require a designated loading area. It is anticipated that large delivery vehicles requiring a full 12'x55' loading area will be infrequent, and if needed, would be for a short time period given the smaller users anticipated for the project.
- As stated above, the project is not anticipated to have significant deliveries, thus the
 designated impervious loading area will be vacant the vast majority of the time. This project
 made significant site concessions to meet the stormwater volume control regulations and
 designating a 660sf paved area solely for infrequent deliveries is contrary to the efforts made
 to conform with the stormwater requirements.
- The project will also be managed by a professional property management firm with experience in the operations of mixed-use projects such as Shelton Station. Based on their experience and review of the project characteristics, the loading area as provided will be adequate for safe and convenient use.

Summary:

We believe that given the information outlined above and the authority granted to the permitissuing authority under 15-300 (b), the loading area in the proposed off-street configuration will allow for the safe and convenient delivery of goods and will serve the development adequately.

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy S. Anderson, LEED AP, RLA



Coulter Jewell Thames, PA

MAIN OFFICE 111 WEST MAIN STREET DURHAM, NC 27701 p919.682.0368 f919.688.5646

Planning for the Future

Jan. 18th, 2013

Jeff Kleaveland Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference:

Shelton Station -

Tree Removal Justification

The Shelton Station development is a mixed use development within the Downtown area of Carrboro. The project is proposing 94 residential units and 22,700 sf of commercial space and given the parking and stormwater requirements in combination with the site topography, a the majority of the site must be cleared for development. The following are provided is support of the required tree removal:

- Our detailed tree survey of tree larger than 18" in caliper did not reveal any rare species.
 The trees indicated for removal are native species to the area and not identified as a specimen tree.
- There are large street trees (30" and 36" Oaks) along North Greensboro St. that are being protected to preserve the streetscape canopy along this corridor.
- Several of the trees indicated for removal on the C100-Existing Condition Demolition Plan are in decling health. The 30" maple behind the house on N. Greensboro is completely covered by ivy and is in questionable heatlh.
- The 48" oak in the center of the site has been removed from the existing conditions sheet, as it was struck by lighting last year and has died.
- There are several other trees located adjacent to the northern and southern property lines that, although will be impacted by development, are intended to be saved. Tree protection measures, including early root pruning, tree protection fencing, and permeable pavement will be done to help protect these trees on adjacent properties. In addition, the buffer plantings that are required within the dripline of these trees have been shifted to limit further disturbance to the root area.

The proposed landscape plan is proposing parking lot and permiter landscaping that will buffer adjacent properties and provide the required parking lot shading required by the LUO. This site plan is attempting to make the best use of this site given its close proximity to the business core of downtown Carrboro.

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy Anderson RLA

Page 2 of 2



MAIN OFFICE 111 WEST MAIN STREET DURHAM, NC 27701 p919.682.0368 f919.688.5646

Planning for the Future

Feb. 20th, 2013

Jeff Kleaveland Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference: Shelton Station -

Recreation Points (Article XIII)

The following is a summary of the Recreation Points, Downtown Livability Areas, and Urban Amenities proposed with the Shelton Station CUP plans dated Feb. 19, 2013.

Active Recreation Points – Section 15-196

Per Article XIII (Recreational Facilities and Open Space) of the LUO, the following are the required recreation points based on the number and type of multi-family residential units proposed:

58 one bedroom units x 5.94 = 344.52 points 36 two bedroom units x 9.47 = 340.92 points Total points required= 685.44 points

The Shelton Station CUP Plan set (revision dated Jan. 18th, 2013) is proposing the following facilities within the development:

Facility	Size	Points per SF	Total Points
Fitness Center:	1,000 sf	0.810 (see below)	810
Interactive Climbing Play Structure:	750 sf	0.160	<u>120</u>
			930

Per Article XIII (Recreational Facilities and Open Space) of the LUO and Appendix G (Method for Calculating Point Values for Active Recreation Facilities), the following are the calculations for the proposed recreation amenities since the proposed fitness center is not

specifically listed in the chart in Section 15-196 Active Recreational Areas and Facilities Required.

Proposed Facility: Fitness Center Proposed Size: 1,000sf

Calculated points per square foot: 0.81

*See attached spreadsheet Exhibit R-1&R-2 for the required calculations

Per Section 15-196 (f), 5% of the points required for multi-family developments shall be suitable for children under 12 years of age. The interactive play structure will meet the criteria for children under 12 years old, and currently comprises of 13% of the proposed recreation points.

Downtown Livability Area – Section 15-204(b)

Section 15-204 "Downtown Livability Area" requires a prescribed percentage of the site's open space be identified as Downtown Livability Area. Since Shelton Station has over 25% of its gross floor dedicated to residential, the requirement for this project is 12% (13,807sf). The table below outlines the DLA's that meet the criteria outlined in Section 15-204. Also attached to this letter, *Exhibit DLA-1* shows the areas identified on the site plan.

Area		Size
Landscape / Hardscape in front of Residentia	ıl Building*:	4,154 sf
Open green space behind Residential Buildin	ıg:	5,659 sf
Hardscape surrounding Retail building*:		2,722 sf
Interactive Climbing Play Structure:		<u>1,456 sf</u>
	TOTAL:	13,991 sf (12.2%)

*5' sidewalk required for building access to the ROW has been removed from this calculation.

<u>Urban Amenities – Section 15-204(c)</u>

Section 15-204 "Urban Amenities Provisions" requires that the Downtown Livability Area be improved with Urban Amenities. The required quantity of Urban Amenities shall be equal to 7% of assessed value of the land. Attached to this letter, *Exhibit UA-1* shows the areas identified on the site plan. The following are the calculations for the Urban Amenities.

Land Value taken from GIS: \$1,071,739

• 7% of land value: \$75,022

Proposed amenities: See attached Exhibit UA-2.

• Estimated cost of creditable amenities: \$52,329

Fee in Lieu for Urban Amenities:

• \$22,693

Please feel free to touch base should you have any questions or request additional information in support of this matter.

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy Anderson, RLA

Attachments

Exhibit R-1 (Recreation Points Calculation)

Exhibit R-2 (CPI Ratio per Appendix G of the LUO)

Exhibit DLA-1 (Downtown Livability Area Plan)

Exhibit UA-1 (Urban Amenities Plan)

Exhibit UA-2 (Urban Amenities Cost Estimate)

Shelton Station EXHIBIT R-1

Conditional Use Permit
Recreation Points Justification
Estimate of Probable Cost for Wellness / Fitness Center
Jan-26-2013

Scope

Wellness / Fitness Center - approx. 1,000 sf

1,000

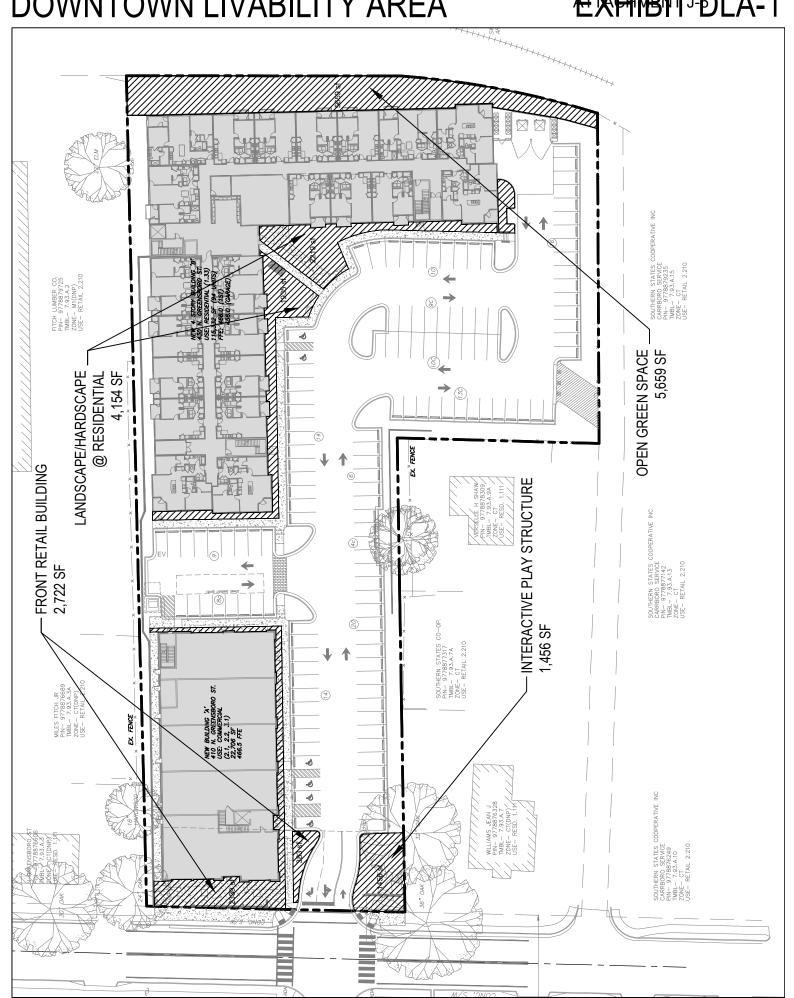
Budget

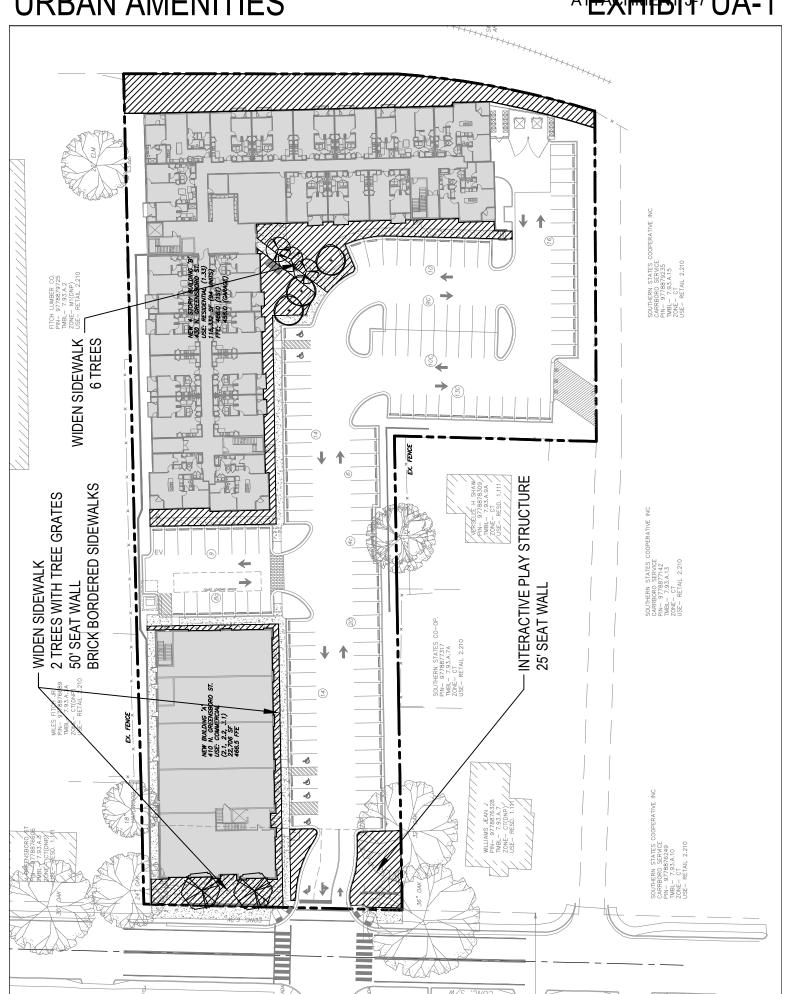
Description of Conceptual Design	Cost per SF	Total
Total Project - Hard Costs - Sitework, Core and Shell Construction (based on cost estimates from GC)	\$89.00	\$89,000
Total Project - Soft Costs - Design, Fees (based on cost estimate from 3rd party and internal)	\$32.00	\$32,000
Wellness / Fitness Center - Upfit Costs		
Water fountain, Wii, Wi-Fi, flooring, acoustics, thermostat,	\$50.00	\$50,000
Pilates/yoga, Security, cardio, enhanced HVAC, free weights (based on Dynamic Gym Outfitters - Package 1)		
Total	=	\$171,000

EXHIBIT R-2

CPI Ratio (2012 / 1985)		
Sep-2012	231.407	
Sep-1985	108.300	
CPI Ratio	2.137	
Costs 2012 \$		
sf fitness center	1,000	(1)
construction (1,000 sf X 171 psf)	\$ 171,000	
total cost - 2012	\$ 171,000	
Costs - 1985\$		
land (1,000 x \$0.75)	\$ 750	
construction (2012 costs / CPI Ratio)	\$ 80,029	
total cost -1985	\$ 80,779	(3)
Points		
cost per sf	80.78	(3) / (1)
points per sf	0.81	divide by 100
total points	808	

在XHIBIT-DLA-1



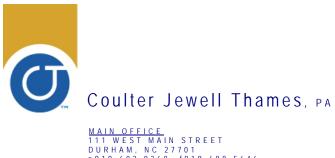


URBAN AMENITIES

EXHIBIT UA-2

Based on latest plan dated: 2/19/2013

Bacca on latest plan date	a. 2,10,2010			UNIT	EXTENDED
ITEM		QTY		COST	COST
Widened sidewalk		2695 SF	\$	4.25	\$ 11,453.75
Brick Borders on sidewalk	adj. to ROW	160 LF	\$	15.00	\$ 2,400.00
Seat wall at plaza		50 LF	\$	75.00	\$ 3,750.00
Tree grate		2 EA	\$	1,500.00	\$ 3,000.00
Shade tree	3.5"	8 EA	\$	450.00	\$ 3,600.00
Play sculpture		1 LS	\$	25,000.00	\$ 25,000.00
Screening seat wall		25 LF	\$	125.00	\$ 3,125.00
					\$ -
		URBAN AMEN	ITY TO	TAL:	\$ 52,328.75



DURHAM, NC 27701 p919.682.0368 f919.688.5646

Planning for the Future

Feb. 19, 2013

Jeff Kleaveland Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference: Shelton Station -

Town of Carrboro Guidelines Documents

The following is an analysis of how the Shelton Station Conditional Use Permit (revision dated Feb. 19th, 2013) addresses the various Town of Carrboro Guideline documents.

Vision 2020 Document:

The proposed Conditional Use Permit is consistent with many of the goals set within Carrboro's Vision 2020. Below is a summary of the key points that the Shelton Station CUP addresses:

Programming, Services, and Amenities:

- Provision for greenway easement to connection to existing for future greenway trails (1.11);
- The development is within .2 miles (walking distance) to Henry Baldwin Park (1.12);
- The project is proposing an interactive play sculpture (public art) near the entry to the project (1.27);

Development:

- Community sensitive infill development utilizing existing public infrastructure (2.11 & 2.53);
- The landscape plan will highlight native and non-invasive plant species (2.23);
- The existing tree canopies along North Greensboro St. are being preserved (2.43);
- Diverse and affordable residential options (2.52);

Economic Development:

- The mixed-use development (3.28) would provide the downtown area with increased commercial opportunities (3,21);
- Walkability and public transit access (3.25);
- Economic redevelopment (3.63);

Transportation:

- Walkability and public transit access (4.15);
- Provision for greenway easement to connection to existing for future greenway trails (4.32);
- North Greensboro St. provides dedicated bicycle lanes and sidewalk in both directions (4.41);

Environmental Protection and Promotion:

- The project is exploring ways to incorporate grey water re-use into the commercial building (5.21);
- The project is utilizing sustainable techniques to handle stormwater (5.23);
- The project will utilize green building practices to reduce construction waste materials, as outlined in Materials and Resource section of the LEED standards (5.41);

Housing:

- diverse and affordable residential options (6.1);
- The town should support developments of density bonuses for projects incorporating environmentally sensitive development and building practices (6.15);
- 20% of the units will be considered affordable (15% is the published goal) (6.18);

The proposed mix of uses provides a transition development extending from the commercial uses downtown to the lower density residential development to the north and west. The proposed development will provide a combination of 94 market rate and affordable dwelling units in close proximity to downtown and within walking distance to various goods and services, thus decreasing dependency on vehicle use and providing live/work opportunities that are often the cornerstone for sustainable communities.

Guidelines for Design:

The following are goals outlined within the "<u>Carrboro Downtown Business District Guidelines</u> for <u>Design</u>" and how the Shelton Station CUP Plans address the various goals:

I. Downtown Goals:

- 1) The project is proposing street level retail with outdoor seating, to provide an active, lively streetscape environment. The proposed 94 units provide urban housing opportunities adjacent to the downtown area.
- 2) The project is proposing street level retail with outdoor seating, to provide an active, lively streetscape environment. An 8' minimum sidewalk is provided for the frontage of the project, connecting and leading towards the downtown core.
- 3) Although the project site is not within one of the four sub districts in downtown Carrboro, the project is providing an improved architectural character for the project site.

- 4) The project is providing residential units (including 20% classified as affordable), office space and retail uses that will include a variety of different goods and services.
- 5) The project is proposing an interactive art sculpture at the entry of the site, which will provide a distinctive and identifying feature for the project.
- 6) The project site has limited street frontage, but within the limits, will provide street trees and ground plantings. In addition, the streetscape along North Greensboro St. is defined by the existing Willow Oaks overhanging the street. These trees are on the adjacent properties to both the north and south. The plans include protection measures to provide the best chance of these trees being preserved.
- 7) The project is providing onsite parking to meet the minimum parking requirements of the LUO. The sidewalk improvements along the project frontage will link this project to any available public parking within the downtown core.
- 8) The project provides a sidewalk along the frontage of the site to continue the pedestrian connectivity along North Greensboro St. as well as providing a new greenway easement along the rear of the site to facilitate a future greenway connection.
- 9) The project provides new residential development in an area adjacent to the downtown neighborhoods on vacant land.
- 10) The project proposes that the existing structure onsite will be offered for relocation before construction. No existing structures are being preserved.
- 11) We feel the project is providing much needed retail, office, and urban residential units, thus providing an increase in growth and development adjacent to the downtown area.

II. Guidelines: Site Development and Landscape Character

- A Collage of Sub-Districts: N/A-The project falls outside of the four sub-districts.
- **Transportation Network**: The existing bus-stop is on the opposite side of North Greensboro St. from the project site. In addition, the project frontage is limited, so providing a bus pull-off is not an option. The site's frontage and intersection is not identified as a major conflict area.
- Mosaic of Shops and Services: The project is providing residential units (including a % classified as affordable), office space and retail uses that will include a variety of different goods and services.
- Welcome Residential Uses: The project is providing residential units within the downtown area, on the edge of an area identified as 'residential' in this section.
- Necklace of Green Spaces: The project is providing a small green space at the frontage of the site, and larger green spaces adjacent to the proposed Greenway easement at the rear of the site, adjacent to the residential building.
- **Public Parking Pool:** N/A The project is providing onsite parking to meet the minimum requirements of the LUO.
- **Pedestrian Pathways**: The project is proving the sidewalks onsite to provide adequate onsite circulation. The site is bounded by the RR at the rear of the site, thus limiting pedestrian cross access to the east. Since the project is not within the downtown subdistricts, there are not neighboring internal connections to connect to. A greenway easement at the rear of the site is being provided to provide future north/south pedestrian connections.

- **Pedestrian Crossings:** The project is providing high visibility crosswalks for sidewalks adjacent to the project frontage and within the site with either signals, pavement changes or pavement marking.
- **Hierarchy of Lighting:** The outdoor spaces designed for the either public interaction or retail use, will be lit to safe standards per the Town LUO. For this project site, the LUO limits the lighting level spill over at the public ROW, thus lighting will provided to a level allowed by the LUO.
- **Public/Private Setback Zones:** The building facade will be setback from the public sidewalk to create an active streetscape along the frontage of the project.
- Urban Color Code: N/A
- **Public/Private Setback Zones:** The project frontage is very narrow, thus the length of the building façade is limited to less than 80'. Within the frontage, the façade will have some articulation to break-up the facade. The building is setback 16' from the ROW, thus creating a public space suitable for gathering and dining.
- **Sidewalk Amenities:** The project will provide sidewalk amenities, including seating opportunities, store-front windows, trash cans, bike racks, street trees, and dining areas.
- **Bikeways and Racks:** 153 bike racks are being provided (133 covered) and a variable width Greenway easement is being provided along the western edge of the property.
- Service Courtyards: For the retail building, most of the building services (trash collection, utility panels, loading) will be done at the rear of the building and through the internal service corridor. HVAC will be screened accordingly on the roof. For the residential building, most of the service functions will hidden in the parking garage level of the building. HVAC will also be screened on the roof. Trash and recycling for the entire project will be contained within the enclosure at the rear of the site.
- **Placemaking with plants:** The project is providing landscape areas on the perimeter of the project and within the parking area. The landscaping will be carefully selected to suit to the specific area and function of the site.
- **Encourage Small Projects:** N/A-This project is a redevelopment of parcels that offer nothing to renovate or expand upon.

III. Guidelines: Building Form and Architectural Character:

- Take Cues from your Neighbor: The retail building was limited in height and placement adjacent to the ROW during the rezoning phase. These conditions were made to make the retail building be more similar in scale to the neighboring buildings. Other than the mill house style of the adjacent residential dwellings, there are limited architectural cues to pull from adjacent to the project site.
- **Hierarchy of Building Height:** As stated in the above guideline, the adjacent residential dwellings played a role in limiting the proposed height of the retail building. Although the building has been limited to 2 stories, it will be taller than the adjacent buildings. In addition to the 2 story retail building, the residential building at the rear of the site will be 4 stories, thus providing a variation in the proposed building heights.
- Shade and Shelter with Architectural Elements: The public outdoor spaces proposed will be appropriately shaded be the proposed buildings facades, awnings, or shade trees.
- Connection to Earth and Sky: The building facades have both vertical and horizontal articulation to provide interest in the façade. The retail building has a 2 foot parapet to create roofline variation, in addition to a recessed entry and window awnings. The

- residential building has longer building facades, but use a combination of flat and pitch rooflines, a recessed entry, and porches to create building interest.
- **Art in Public Life:** The project will incorporate public art in the public space at the front entry to the site.

Downtown Traffic Circulation Study (KHA 2005):

The above referenced document outlines various goals to be considered throughout the town's transportation network. Most of the goals are specific to certain areas, streets or corridors, with the following items relevant to the Shelton Station Conditional Use Permit and North Greensboro St. frontage.

- Section III (D) Walkable Intersections (4): Curb Ramps: The project is providing ADA
 ramps at the project driveway, for both across the driveway and directionally across
 North Greensboro St. at Shelton St.
- Section III (D) Walkable Sidewalk (8): Special Paving treatments at Shelton and N. Greensboro St. intersection: The project is proposing pedestrian crossing improvements at this intersection. Specialty paving techniques have been considered, although further discussion with NCDOT is required.
- Table B.3: Greensboro St: Not recommended for on-street parking because it's to narrow.

Downtown Carrboro: New Vision (dated Sept. 13-17):

The proposed Conditional Use Permit is consistent with many of the goals set within Downtown Carrboro's New Vision. Below is a summary of the key points that the Shelton Station CUP addresses:

- New Buildings: Shall create a public space with a ratio between 1:1 and 1:3 between the building façade height to building façade to facade dimension. The Shelton Station CUP has a ratio of 1:2.6 along North Greensboro St.
 - Encourage building heights to be compatible with adjacent structures. The
 rezoning for the project removed the proposed 3rd story for the retail building,
 thus keeping the façade along North Greensboro St. more in scale with the
 neighboring structures.
 - Require glass surfaces between 40% and 80% of total facade, with 60% minimum at ground floor. Percentage of glazing for the North Greensboro St façade is 40%, 46% at street level.
- Site Planning Concepts:
 - o <u>Locate front of building adjacent to sidewalk.</u> The retail building has a prominent storefront placed along the public sidewalk.
 - o Locate services on back parking lot. Services including trash, recycling, and transformers have been placed behind buildings and out of the public line of sight.
- <u>Mixed Use</u>: The Shelton Station CUP propose a mix of uses, including office, retail, residential, affordable housing, and under building parking.

• <u>Walkability</u>: A 9' public sidewalk has been proposed, with a 3' grass strip and bike lanes to buffer the sidewalk from the vehicle travel lane.

In summary, the Shelton Station development carefully considered these documents throughout the Rezoning process as well as in preparation of the more detailed CUP plans (revision dated Nov. 9th, 2012). When applicable, numerous plan adjustments, as outlined above, were made to address the various goals and guidelines of these documents.

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy Anderson, RLA

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January 17, 2013

Jeff Kleaveland - Carrboro Planning Department 301 West Main Street Carrboro, NC 27510

Project: Shelton Station

Re: Response to December 28th 2nd Review of CUP for Shelton Station Shelton Station - CUP Conditional Use Permit

Please find the following in response to Comment 7 from the December 28 2nd Review of Conditional Use Permit application

Section 15-178 Architectural Standards for Downtown Development. (AMENDED 6/20/06)

(a) The Board has established a policy that encourages the evolution of a downtown district that embodies the Town's character and includes medium-rise buildings that are appropriately sited with adequate public access in keeping with downtown design guidelines. High-quality building design and construction are considered primary elements of the built environment in downtown Carrboro. Creativity is encouraged to the extent that new architectural design is harmonious and complementary with existing buildings and with the community as a whole. Standards have been developed to add consistency and predictability to the permit review process. The following provisions shall apply to new construction within the B-1(c), B-1(g), CT, M-1, and B-2 zoning districts. All projects must conform with the following requirements to the extent practicable, except as otherwise provided in subsection (b):

Assessment of Building A

(1) A primary entrance shall be oriented toward the right of way and shall be articulated either by a recess or by a detachable awning.

Building A

A primary entrance for the Building A (Commercial) is located on Greensboro Street. A recess for the entry along with a metal roof extending over the entry door have been provided.

Cline Design Associates, PA

125 North Harrington Street | Raleigh, NC 27603 | t: 919-833-6413 | f: 919-836-1280 1800 Camden Road, Suite 108 | Charlotte, NC 28203 | t: 704-333-7272 | f: 704-333-7278

2 of 4

(2) With respect to any side of a building that faces the street adjacent to the lot where the building is located and is visible from such street right-of-way, a minimum of 40 percent of the elevation of such side shall consist of a glass surface, and a minimum of 60 percent of the elevation of the ground level of such façade shall consist of a glass surface.

Building A

The current drawings show the following:

Total area of building facade = 2482 SF Total Glazing % = 981 SF = 40%

Area of building facade at street level (measured to second floor) = 1116 SF Glazing % at street level = 509 SF = 46%

If the bottom of the floor structure can be the baseline for the street level glazing percentage, the revised glazing percentage on the street level would be 57%.

(3) Buildings taller than 40 feet shall maintain a 20-percent shade free area within the public right of way between two lines extended north from the easternmost and westernmost points of the building at the street right of way as measured at noon on September 21.

Building A

The height of Building A is not taller than 40 feet.

(4) Parking or utility areas shall be substantially shielded from the view of adjoining streets by habitable space. For the purposes of this subsection, the term habitable shall mean partially or fully enclosed space within a building that is actively used or occupied by the residents of the building. The active use of these spaces is characterized by the routine and regular presence of the building's residents rather than the routine and regular presence of stored goods, equipment, or other materials.

Building A

Utility areas for the project are shielded from view by the placement of Building A on North Greensboro Street, the presence of existing structures on adjacent properties and the topography of the site. The majority of the parking areas are completely shielded from view since parking areas are located near the utility areas, along with parking areas being located under Building B. The remaining parking areas are substantially shielded from view by existing street trees, a proposed 42 inch masonry wall along the street frontage, a public common area/plaza and proposed landscaping.

Additionally, the grade change in the parking area is 11 feet from North Greensboro Street to the Southeast corner of the site. This grade change will shield the majority of the parking closest to Building B as well as the dumpsters and recycling area from North Greensboro Street.

- (5) A building more than 45 feet in width shall be divided into increments of no more than 45 feet through articulation of the façade achieved through the following techniques:
- (a) Divisions or breaks in materials
- (b)Window bays
- (c) Separate entrances and entry treatments
- (d) Variation in roof line
- (e) Building setbacks

Building A

The façade of Building A has been divided into increments not to exceed 45 feet. Recessed entries provide relief in the façade as well as a material change. Recesses in the brick veneer and metal roofs also break the façade.

(6) The following exterior materials are prohibited: metal siding with exposed fasteners, vinyl siding, and processed wood panel products (e.g. hardboard).

Building A

These materials are not being proposed for Building A

Assessment of Building B

While the provisions of Section 15-178 do not apply to Building B, we have provided the following assessment based on your request:

(1) A primary entrance shall be oriented toward the right of way and shall be articulated either by a recess or by a detachable awning.

Building B

A primary entrance for the Building B (Residential) is located at the intersection of the two building wings which is oriented towards the parking lot and drop-off. A metal canopy is proposed over the entry doors.

(2) With respect to any side of a building that faces the street adjacent to the lot where the building is located and is visible from such street right-of-way, a minimum of 40 percent of the elevation of such side shall consist of a glass surface, and a minimum of 60 percent of the elevation of the ground level of such façade shall consist of a glass surface.

Building B

This building is not located directly adjacent to a street right-of-way.

Total area of West building façade (facing Greensboro Street) = 10,071 SF Total Glazing % = 2,674SF = 26% The design team has incorporated large window units (triples and doubles in most apartments) to increase the occupants connection to the outdoors.

Area of building facade at street level (West elevation measured to second floor) = 2,961 SF Glazing % at street level = 800 SF = 27% Ceiling heights have been increased on this level to allow for a possible future retail use. Larger window units with transoms have been incorporated into the living spaces of the ground floor units.

(3) Buildings taller than 40 feet shall maintain a 20-percent shade free area within the public right of way between two lines extended north from the easternmost and westernmost points of the building at the street right of way as measured at noon on September 21.

Building B

This building is taller than 40 feet but the westernmost edge is located more than 250 feet from the right-of-way and thus will not shade the right-of-way.

(4) Parking or utility areas shall be substantially shielded from the view of adjoining streets by habitable space. For the purposes of this subsection, the term habitable shall mean partially or fully enclosed space within a building that is actively used or occupied by the residents of the building. The active use of these spaces is characterized by the routine and regular presence of the building's residents rather than the routine and regular presence of stored goods, equipment, or other materials.

Building B

Utility areas for the project are shielded from view by the placement of Building A on North Greensboro Street, the presence of existing structures on adjacent properties and the topography of the site. The majority of the parking areas are completely shielded from view since parking areas are located near the utility areas, along with parking areas being located under Building B. The remaining parking areas are substantially shielded from view by existing street trees, a proposed 42 inch masonry wall along the street frontage, a public common area/plaza and proposed landscaping.

Additionally, the grade change in the parking area is 11 feet from North Greensboro Street to the Southeast corner of the site. This grade change will shield the majority of the parking closest to Building B as well as the dumpsters and recycling area from North Greensboro Street.

4 of 4

- (5) A building more than 45 feet in width shall be divided into increments of no more than 45 feet through articulation of the façade achieved through the following techniques:
- (a) Divisions or breaks in materials
- (b)Window bays
- (c) Separate entrances and entry treatments
- (d) Variation in roof line
- (e) Building setbacks

Building B

The façade of Building B has been divided into increments not to exceed 45 feet. The use of balconies, roof elements and different building materials provide façade relief.

(6) The following exterior materials are prohibited: metal siding with exposed fasteners, vinyl siding, and processed wood panel products (e.g. hardboard).

Building B

These materials are not being proposed for Building B.

Sincerely,

Jim Compton, AIA LEED AP Senior Project Manager

Cline Design Associates, PA

Encl:

Copy: File

MINUTES December 6th, 2012

Members Present: Tom Wiltberger, Kim Calandra, Loren Brandford, Sheryl Forbis

Members Absent: Eric Feld, Emily Scarborough, Sarah Andrews, Raymond Conrad, David

Markiewicz, Lydia Lavelle

Staff Present: Martin Roupe, Development Review Administrator

Guests: Celia Pierce, Jim Compton, John Felton

I. Review of the Architectural Design of the Shelton Station Project

Marty Roupe, Development Review Administrator started the meeting by explaining Section 15-187 "Architecturally Integrated Subdivision" of the Land Use Ordinance and how it pertains to this project. He followed this up by talking about the vested right and how the issue as it relates to the exhibit and its site design as "approved" during the conditional rezoning.

Jim Compton explained the site design standards of the project such as commitment to LEED silver, use of permeable pavement and underground detention. This was followed up by Tom Wiltberger asking if the corner of the front building would be retail space. Jim Compton stated that it would be retail and setup for one tenant and then stated that it would be difficult to meet the 60 percent glazing requirements—Tom Wiltberger stated that this requirement would be appropriate for this location.

Sheryl Forbis questioned the proposed lights within the parking lot and on the buildings and whether the design was final. Jim Compton stated that this was the architectural theme and that the final design choice would come at a later stage in the project.

Jim Compton talked in detail about the residential building in the rear. Stated that the exterior would be metal panels with numerous architectural features, decks would have roof tops coming over them on the top floor and the decks would be recessed into building at six foot total depth, the building would be 4 stories and the roof overhangs tie over the edge to scale the building down. Loren Bradford requested that an example of the metal exterior be brought to the next meeting and then Tom Wiltberger requested that an example of the brick also, be brought to the next meeting.

Tom Wiltberger made the comment that the primary entrance of the residential building seemed to include similar features as the commercial building with corner awnings. Jim Compton affirmed that this was the intent. There was some follow up comments about bike parking from the Appearance Commission and Jim Compton stated that there would be zipp cars and an electric charging station within the project.

There was some further discussion about the landscaping and the inclusion of wax myrtles being used as a screen. In addition, Kim Calandra stated that the installation of Willow Oaks near the awnings will make a mess of the awnings due to the debris that they drop and Jim Compton stated that they would look at this further.

The Appearance Commission members had the comments listing below:

Sheryl Forbis: Really likes the design of the two building, depth and articulation designed into the buildings, likes the combination of metal and brick for the exterior of the buildings, design of the light features and concerned about the plaza out front of the commercial building and how it may get too loud for the residential houses adjacent to the project.

<u>Loren Brandford:</u> Thinks that the commercial building is nice with a good amount of variation in the brick pattern and the building in the back is better than it was before.

<u>Kim Calandra:</u> She stated that the project needs some more greenery included in the project, inclusion of a dog area in the project, place for kids to play, shrubs could be more exciting and finally, the inclusion of more bike racks.

<u>Tom Wiltberger:</u> Stated that he thought these plans were a big improvement as compared to the last set of plans provided to the Appearance Commission, likes the front building and stated that the back building looks better than the first submittal.

The discussion of the Shelton Street project was finalized by Tom Wiltberger asking about the proposed signage for this project. It was the wish of the Appearance Commission to review this project again at a future meeting.

Adjourn



Coulter Jewell Thames, PA

<u>MAIN OFFICE</u> 111 WEST MAIN STREET DURHAM, NC 27701 p919.682.0368 f919.688.5646

Nov. 9th, 2012

James Thomas Carrboro Planning 301 W. Main St. Carrboro, NC 27510

Reference: Shelton Station - DNP Overlay District Justification

This letter is submitted to demonstrate that the Conditional Use Permit(CUP) submitted on August 24, 2012 for the above referenced project meets the LUO Section 15-185.1 (Downtown Neighborhood Protection Overlay District Requirements). The Site Plan submitted within the package illustrates the 50' DNP buffer as measured from the N. Greensboro St. ROW.

The following are the conditions and how this projects addressed each of requirement:

- LUO Section 15-185.1(c): Buildings shall be a maximum of 80' in width and no more than 80% of the property frontage:
 - o The width of Building A is 75', totaling 46% of the property frontage.
- LUO Section 15-185.1(d)(1): A 3rd story shall not exceed 42' in height:
 - o Building A is 2 stories and 36' height (not including the parapet).

The above documents compliance with the requirements of LUO Section 15-185.1 (Downtown Neighborhood Protection Overlay District Requirements).

Sincerely,

Coulter Jewell Thames, P.A.

Jeremy Anderson, RLA

TOWN OF CARRBORO

NEIGHBORHOOD MEETING FORM



TO THE ZONING ADMINISTRATOR OF THE TOWN OF CARRBORO:

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THIS NE	HENRICON THIS 30	DAY OF_	FORM IS RE	SPECTFULLY SI	JOMITTED TO	THE TOWN
By affix	ng my algn	sture, I atte	et to the accu	racy of the sul	omitted infor	mation.
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MEETING NOTES

Meeting Date:	Issue Date:	Author:		
November 27, 2012	November 28, 2012	Jim Compton		A service of the serv
		☑ Raleigh Office	☐ Charlotte Office	
Project Number:	Project Name:			
012056	Shelton Station			and the state of t
Attendees: See attached	list			

1. How many parking spaces on site?

170 Vehicle spaces, with 1 motorcycle pad and 36 bicycle parking spaces (24 covered).

What will be the traffic impacts on Greensboro St?

The project will coordinate with NCDOT for any required intersection improvements at Shelton and N. Greensboro. The project was reduced in size to eliminate the need for turn lones or road widening.

3. One neighbor expressed concerns over potential North Greensboro St. road widening on the western side of the street.

Ken Reiter reiterated that this project does not require any road widening. Dan Jewell stated that neighbors along the N. Greensboro St. community should get out in front of NCDOT in discussion about traffic improvements along the entire N. Greensboro St. corridor.

4. What is the proposed project timeline?

Ken indicated that it would be about 6 months before a building permit is issued.

5. What is the definition of affordable units for this project?

Ken outlined the requirements per the zoning, which is 10% @ 60% and 10% @ 80%. 20% of the units will be affordable.

Nooce:

The above notes represent the author's understanding of the items discussed and agreed upon during the meeting. Please notify the author immediately in writing if your understanding is different, and a clarification will be issued to all parties. This document will be deemed accurate if no corrections are received within five (5) pusiness days of issuence.

Cline Design Associates, PA Designing real places.

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6. Who will own and manage the project and the provision for affordable units?

Ken stated that he will retain ownership of the development and that he has been working with Kettler to manage the project. Kettler will produce annual reports that will be submitted to the town to document compliance with the affordable unit criteria. It was clarified that the CUP plans and rezoning conditions are tied to the land, and not the owner, therefore cannot be voided by selling or transferring the land.

Can the affordability condition be removed from the project (in the future)?

Ken stated that he assumes it could be, but it would have to be done by the Board of Aldermen and a public hearing.

8. Are there any tenants committed at this point?

Ken said that he has interest from office, retail and at least one restourant tenant, but nothing that he can commit to at this time. Most likely, the restaurant will be located on the ground floor of Building A on Greensbora St.

9. Will pets be allowed?

Yes, with provisions.

10. Do all of the units have balconies?

Yes

11. What is being done with stormwater?

Ken outlined the sand filters, underground storage for irrigation and re-use of grey water for the commercial building, permeable pavement, and showed where and how the stormwater would leave the site, into the existing RR drainage ditch.

12. Will there be solar hot water?

No , not at this time.

13. Discuss the future retail component of Building B.

The ceilings, at 10 feet on the first floor, are higher than a typical multi-unit building. The slabs are designed for a commercial use. Also, the grade allows for direct entry. There will need to be added fire protection systems if parts of the building are retrofitted to a commercial use.

Сору:	File
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DEIGH BORHOOD MEETING Dank A DIDITESS SMAIL /PHAN JIM GOWLETON CUNEPESILON Parge Lordisic UNIC Campus Ladisa Chre unce 405- n Graybon 14 Led 20310 who work not DRAW Jewa 153 Petern Dr. dans are to do then will Winda @ pot cor 307 Oak AV Mollary ANTHONY PERGOLOTT anthony peoplet @gam. I can mested home@cmos JENDY MCRILLAN Kin NASSILIADIS Kimbrarian & smain in kreiter @ belowntsagre con 300 Blockwell St. Ducham De



Architecture

Phanning

Community Design

Landscape Austan cture

November 9, 2012

James Thomas Carrboro Planning Department 301 West Main Street Carrboro, NC 27510

Project: Shelton Station

Re: LEED Silver Equivalent Standard Shelton Station - CUP

Mr. Thomas,

Cline Design Associates has completed an initial LEED evaluation and checklist for the Shelton Station project. The LEED 2009 for Core and Shell Development checklist was used to evaluate Building A, as the interior fit-up will be completed by individual tenants. The LEED for Homes rating system was used to evaluate Building B. which is primarily a residential building.

The preliminary checklists indicate that both buildings meet LEED Silver equivalent standards as follows:

55 points

LEED Silver Goal: 50 points

60.5 points LEED Silver Goal: 58.5 points

The evaluation and checklist were completed by a LEED accredited professional and the points are derived from the prescribed elements, or substantially equivalent alternative elements, as provided in Condition #6 of the approved rezoning on January 24, 2012.

These checklists are subject to change throughout the design and construction phases of the project; however we are confident that the completed project will meet the LEED Silver equivalent standard as evaluated herein.

Sincerely,

Jim Compton, AIA LEED AP

Senior Project Manager

Cline Design Associates, PA

Cline Design Associates, PA

125 North Harrington Street | Raleigh, NC 27603 | t 919-833-6413 | t 919-836-1280 1800 Camden Road, Suite 108 | Charlotte, NC 28203 | t: 704-333-7272 | f: 704-333-7278

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LEED 2009 for Core and Shell Development

ammercial

Shelton Station, Carrboro, NC

20-Aug

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				N. V. I. V.	Green Power	Measurement and Verification—Tenant Submetering	Measurement and Verification-Base Building	Enhanced Refrigerant Management	Enhanced Commissioning	On-Site Renewable Energy	Optimize Energy Performance	Fundamental Refrigerant Management	Fundamental Commissioning of Building Energy Systems Minimum Energy Performance		y and Atmosphere Possible Points:		Water Use Reduction	Innovative Wastewater Technologies	Water Efficient Landscaping	Water Use Reduction-20% Reduction		Efficiency Possible Points:		Tenant Design and Construction Guidelines	Light Pollution Reduction	Heat Island Effect—Roof	Heat Island Effect—Non-roof	Stormwater Design—Quality Control	Stormwater Design—Quantity Control	Site Development-Maximize Open Space	Site Development-Protect or Restore Habitat	Alternative Transportation—Parking Capacity	Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles	Alternative Transportation—Bicycle Storage and Changing Rooms	Alternative Transportation—Public Transportation Access	Brownfield Redevelopment	Development Density and Community Connectivity	Site Selection	Construction Activity Pollution Prevention		Sustainable Sites Possible Points:	Project Checklist
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Total Certified 40 to 49 points Silver 50 to 59 points Gold 60 to 79 points		.3 Regional Priority: Specific Credit		.1 Regional Priority: Specific Credit		Regional Priority Credits		LEED Accredited Professional	.s Innovation in Design: Specific Title					Innovation and Design Process	,			Thermal Comfort—Design	Controllability of Systems—Thermal Comfort	Indoor Chemical and Pollutant Source Control	.4 Low-Emitting Materials—Composite Wood and Agrifiber Products			Low-Emitting Materials—Adhesives and Sealants	Construction IAQ Management Plan—During Construction	Increased Ventilation	Outdoor Air Delivery Monitoring	Environmental Tobacco Smoke (ETS) Control	Minimum Indoor Air Quality Performance		Indoor Environmental Quality		Certified Wood	Regional Materials			Construction Waste Management	Building Reuse-Maintain Existing Walls, Floors, and Roof	Storage and Collection of Recyclables		Materials and Resources	9
Possible Points: 110					The state of the s	Possible Points:								Possible Points:	;						Agrifiber Products			nts	onstruction						Possible Points:							's, and Roof			Possible Points:	
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US Green Building Council



for Homes

Builder Name: SHELTON STATION-BUILDING B LEED for Homes Project Checklist

Project Team Leader:

, Carrboro, NC

2. Quality Management for Durability 1. Integrated Project Planning Innovation & Design Process Project Description Building Type: Multi-family 1.2 Integrated Project Team (meet all of the following) 1.3 Professional Credentialed with Respect to LEED for Homes Certification Level Project Point Total Indicates that an Accountability Form is required 1.5 Building Orientation for Solar Design (meet all of the following) 1.1 Preliminary Rating 1.4 Design Charrette Date Most Recently Updated: Prelim: Silver Prelim: 59.5 + 0 maybe pts # of Units: 94 a) Glazing area on north/south walls 50% greater than on east/west walls b) East-west axis is within 15 degrees of due east-west b) All team members involved in various project phases a) Individuals or organizations with necessary capabilities Target performance tier: (E) (Minimum 0 ID Points Required) Final: 60.5 Final: Silver Silver Avg. Home Size Adjustment: -2 Home Address (Street/City/State): Project type: Multi-family Developer Updated by: c) Regular meetings held with project team d) 90% of south-facing glazing is shaded in summer, unshaded in winter C) At least 450 sq. ft. of south-facing roof area, oriented for solar applications Final Credit Category Point Totals Max: 11 Available Max Pts. Prereq. 1D: 6 TT: 9 Y/Pts Y:6 Preliminary Rating Adjusted Certification Thresholds Maybe 0 SS: 15.5 WE: 8 0 Certified: Silver No 43.5 58.5 please see ID 01-06 for details EA: 6 MR: 8 Notes Platinum 88.5 73.5 AE: 2 EQ: 6 Final: 6 Points Project

2.1 Durability Planning (meet all of the following)

a) Durability evaluation completed

Durability Management (meet one of the following)

c) Moisture control measures from Table 1 incorporated b) Strategies developed to address durability issues

Third-Party Durability Management Verification

Builder has a quality management process in place

Builder conducted inspection using durability inspection checklist

Prereq.

e) Durability measures listed in durability inspection checklist d) Durability strategies incorporated into project documentation

w

SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS CONDITIONAL USE PERMIT FOR PTA Thrift Shop Redevelopment

STAFF	RECOMMENDATIONS
Staff Recommendations (w/ Advisory Board support where applicable):	Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1-19 below. If an advisory board voted to 'support' the staff recommendation, then such board is listed after staff in the left-hand column.
Recommended by	Recommendations
Staff, PB*, TAB, EAB, ESC, AC (The Appearance Commission did not have a quorum for these recommendations).	1. That, prior to considering a change-in-use for the property, the property owner is required to meet with Town Planning staff; should the change-in-use be substantial, a modification to the conditional use permit may be required.
	* PB: That condition #1 make explicit reference to requests for <u>permissible</u> change in use. The Planning Board recommends no modifications to the permissible uses outlined for a B1G zone.
Staff, PB, TAB, EAB, ESC, AC	2. Occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1).
Staff, PB*, TAB, ESC, ESC, AC	3. That rezoning condition #5 is hereby satisfied by the provision of 10 units at 80 percent of Area Median Income (AMI), and 9 units at 60 percent of AMI) for a total of 20.2% affordable housing for the 94 units.
	*PB: The proposed project generously offers much-needed additions to Carrboro's permanently affordable one- and two-bedroom rental housing units, as noted in staff condition #3. However, the developer has stated that it is possible that lower-level apartments will be converted to commercial/office space in the future. In this event, the developer is committed to retaining the proportion of affordable apartments, but not the absolute number outlined in recommendation #3. The Planning Board's concern is the possibility of a reduction of permanently affordable units sometime in the future. We recommend that the Board of Aldermen refer this issue to the Affordable Housing Task Force for discussion as a matter of policy worthy of future consideration.

Staff, PB, TAB, EAB, ESC, AC	4. That, in order to satisfy the affordability requirement of the B-1(g) CZ rezoning condition #5, a payment in lieu of .4 of an affordable unit in addition to the 19 affordable units provided in the CUP, must be paid (in accordance with the Town's fee schedule at the time of payment) prior to issuance of any certificates of occupancy for the residential portion of the project. (This condition can be allowed only if the Board makes the finding that the cz condition means 10% minimum.)
Staff, PB, TAB, EAB, ESC, AC	5. That the contract documents that secure the services of a third party company to manage the affordable units be subject to Town Review prior to issuance of a certificate of occupancy to verify that the affordable housing conditions of the permit will be properly enforced per the provisions of the LUO and the CUP.
	* PB: The Planning Board recommends that staff condition #5 be supplemented to include a commitment by the proposed third party management company to work closely with Orange County's community organizations and agencies to identity, prequalify and/or refer eligible applicants for affordable units. These organizations may include but should not be limited to CASA, EmPOWERment Inc., the Community Home Trust, the Orange County Housing, Human Rights and Community Development Department, the Orange County Department on Aging, and others. Developing a waiting list early and through community-based providers will help mitigate concerns that students will quickly occupy the affordable units.
	The Planning Board further suggests that all efforts be made to distribute affordable units fairly throughout the development so as not to concentrate them.
Staff, PB, TAB, EAB, ESC, AC	6. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment/maintenance agreements for lighting and sidewalks.
Staff, PB, TAB, EAB, ESC, AC	7. That, prior to construction plan approval, the right-of-way sidewalk will satisfy the 10 foot sidewalk width requirement of section 15-221(f) of the LUO.
Staff, PB, TAB, EAB, ESC, AC	8. That the street R/W sidewalks be modified to include brick borders per the recommendations of the town's Carrboro Downtown Business District Guidelines for Design planning document.

Staff, PB*, TAB**, EAB, ESC, AC	9. That the Board of Aldermen hereby finds that 170 parking spaces are sufficient to serve the proposed development based on the applicant's justification statement regarding joint use of the proposed parking spaces and, the site's proximity to commercial areas, bus lines, bicycle lanes and existing sidewalks. (This condition can be allowed only if the Board finds the justification provided by the applicant acceptable.) *PB: Staff condition #9 affirms the justification of the applicant's reduction in parking. The Planning Board agrees that 170 parking spaces is sufficient. The Planning Board further suggests that the Board of Aldermen examine whether creative management of parking in this and future developmentsincluding car-sharing programs and unbundling of parking from residential unitswould be even more beneficial in increasing space for urban amenities and further encourage the walkable, bikeable commercial district the Town envisions. ** TAB: For staff-recommended condition #9, the TAB finds that 170 parking spaces are sufficient to serve the proposed development, with the exception that if extending the sidewalk across the driveway (to maintain the sidewalk's elevation) is not allowed by NCDOT, then up to three parking spaces may be eliminated in order to allow the construction of a raised crosswalk across the parking area aisle.
Staff, PB, TAB, EAB, ESC, AC Staff, PB, TAB, EAB, ESC, AC	 10. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner though they do not satisfy the provisions of Section 15-300 by allowing this loading area to be located within a parking aisle. The Board makes this finding by accepting the applicant's written justification for this arrangement. (This condition can be allowed only if the Board finds the justification provided by the applicant acceptable.) 11. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.

Staff, PB, TAB, EAB, ESC, AC	12. That the developer shall include a detailed stormwater
	system maintenance plan, specifying responsible entity
	and schedule. The plan shall include scheduled
	maintenance activities for each stormwater BMP in the
	development, 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, PB, TAB, EAB, ESC, AC	13. 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, PB, TAB, EAB, ESC, AC	14. 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, PB, TAB, EAB, ESC, AC	15. That prior to construction plan approval the lighting
	plan in the area adjacent to the property identified as
	105 Parker Street (Orange County PIN 9778877317) be
	adjusted to satisfy the provisions of Section 15-242.5 of
	the LUO.
Staff, PB, TAB, EAB, ESC, AC	16. That prior to issuance of a certificate of occupancy the
	applicant formalizes their Commercial Dumpster
	Service agreement with the Town Public Works.
Staff, PB, TAB, EAB, ESC, AC	17. That the .81 points/square foot calculation for the
	indoor fitness center facility recreation points ratio is
	found to be acceptable per the provisions of Appendix
	G and that the recreational facilities provided by the
	project satisfy the provisions of Section 15-196 of the
	LUO.
	(This condition can be allowed only if the Board finds the
	points estimate provided by the applicant acceptable.)
Staff, PB, TAB, EAB, ESC, AC	18. The design of the play structure/sculpture is subject to
	review by the Appearance Commission prior to its
	installation; a modification to the conditional use permit
	may be required.
Staff, PB, TAB, EAB, ESC, AC	19. That the fee-in-lieu of urban amenities equivalent to
	\$22,693 be accepted by the Town based upon the
	finding that there are suitable amenities that can be
	developed on Town property in the downtown area that
	will reasonably serve the residents of this development.
	The allocation of these fees to downtown projects in the
	future will be subject to review by the Board of
	Aldermen and will require the finding that the funds
	will be spent on projects that will meet the objectives of
	Section 15-205(a) of the LUO.
	(This condition can be allowed only if the Board finds that
	the funds can be used according to the provisions of the
	ordinance.)

ADVISORY BOARD	COMMENTS / RECOMMENDATIONS
Additional Advisory Board Comments & Recommendations:	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.
Recommended by	Recommendations
РВ	1. *Again: That condition #1 make explicit reference to requests for permissible change in use. The Planning Board recommends no modifications to the permissible uses outlined for a B1G zone.
	2. The proposed project generously offers much-needed additions to Carrboro's permanently affordable one- and two-bedroom rental housing units, as noted in staff condition #3. However, the developer has stated that it is possible that lower-level apartments will be converted to commercial/office space in the future. In this event, the developer is committed to retaining the proportion of affordable apartments, but not the absolute number outlined in recommendation #3. The Planning Board's concern is the possibility of a reduction of permanently affordable units sometime in the future. We recommend that the Board of Aldermen refer this issue to the Affordable Housing Task Force for discussion as a matter of policy worthy of future consideration.
	3. *Again: The Planning Board recommends that staff condition #5 be supplemented to include a commitment by the proposed third party management company to work closely with Orange County's community organizations and agencies to identity, prequalify and/or refer eligible applicants for affordable units. These organizations may include but should not be limited to CASA, EmPOWERment Inc., the Community Home Trust, the Orange County Housing, Human Rights and Community Development Department, the Orange County Department on Aging, and others. Developing a waiting list early and through community-based providers will help mitigate concerns that students will quickly occupy the affordable units. 4. The Planning Board further suggests that all efforts be
	4. The Planning Board further suggests that all efforts be made to distribute affordable units fairly throughout the development so as not to concentrate them.

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	5.	*Again: Staff condition #9 affirms the justification of the applicant's reduction in parking. The Planning Board agrees that 170 parking spaces is sufficient. The Planning Board further suggests that the Board of Aldermen examine whether creative management of parking in this and future developmentsincluding carsharing programs and unbundling of parking from residential unitswould be even more beneficial in increasing space for urban amenities and further encourage the walkable, bikeable commercial district the Town envisions.
	6.	That all efforts be made to limit construction and compaction damage inflicted on mature trees near the project but on adjacent properties.
	7.	That the Board of Aldermen adopt all the recommendations from the Transportation Advisory Board, but in particular the following: a. That the applicant ask NCDOT for permission to allow the sidewalk elevation to be retained across the driveway to allow pedestrians safer passage and give a visual cue for cars. b. That the payment-in-lieu for urban amenities should be used to improve downtown pedestrian safety and mobility.
	8.	That both Town staff and the developer be made aware that at least one resident who lives in the neighborhood off of Pleasant Street is mobility impaired with motorized support. She will require a wide, clear, safe and secure pathway to get to and from downtown throughout construction.
TAB	1.	**Again: For staff-recommended condition #9, the TAB finds that 170 parking spaces are sufficient to serve the proposed development, with the exception that if extending the sidewalk across the driveway (to maintain the sidewalk's elevation) is not allowed by NCDOT, then up to three parking spaces may be eliminated in order to allow the construction of a raised crosswalk across the parking area aisle.
TAB	1.	That the applicant ask NCDOT for permission to allow the sidewalk elevation to be retained across the driveway to allow pedestrians safer passage and give a visual cue for cars.
TAB	2.	If NCDOT does not agree to extending the sidewalk elevation, then a raised crosswalk should be installed across the parking lot to connect the commercial building to the playground and that the applicant be allowed to reduce the number of parking spaces by up to three.
TAB	3.	The TAB recommends that particular attention be paid to the amount of maintenance required for the permeable pavement and indicating the applicant's responsibility for that maintenance.

TAB	4.	That the payment-in-lieu for urban amenities should be used to improve downtown pedestrian safety and mobility. The TAB has been discussing this matter for some time and has ideas for projects to which the payment could be applied, such as a gateway treatment for the downtown area or other visual cues that communicate to drivers that they are entering a pedestrian zone.
EAB	1.	The applicant make the commitment that the playground surface area is not in conflict with shade trees or pose a threat to their root systems.
	2.	The biodiversity of shrubs should be increased, preferably with native species.
	3.	The applicant pursue better recycling opportunities for residents and commercial establishments - including but not limited to the recycling options for polyethylene film and vegetative waste/compost pickup.
	4.	The applicant should continue to evaluate and implement more rainwater recycling and repurposing uses, including but not limited to selling the water to local businesses and power washing the building.
	5.	The applicant should consider alternative roof uses including green roofs and photovoltaic installations. The EAB recommends that such changes be counted towards the applicant's urban amenities and/or recreation requirements.
AC (no quorum for these recommendations)	1.	No additional recommendations.
ESC	1.	The ESC finds the proposed CUP consistent with the Downtown Design Guidelines and Carrboro Vision 2020 policies.
	2.	That every intention be made to develop the commercial space with a focus on affordable office space.



TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, MARCH 14, 2013

Planning Board Recommendations and Comments re: Shelton Station

The Planning Board recommends that the Board of Aldermen approve the CUP for Shelton Station. We have reviewed staff conditions and agree in principle with all of them. However, we suggest the following modifications and additions:

- o That condition #1 make explicit reference to requests for <u>permissible</u> change in use. The Planning Board recommends no modifications to the permissible uses outlined for a B1G zone.
- O The proposed project generously offers much-needed additions to Carrboro's permanently affordable one- and two-bedroom rental housing units, as noted in staff condition #3. However, the developer has stated that it is possible that lower-level apartments will be converted to commercial/office space in the future. In this event, the developer is committed to retaining the <u>proportion</u> of affordable apartments, but not the absolute <u>number</u> outlined in recommendation #3. The Planning Board's concern is the possibility of a reduction of permanently affordable units sometime in the future. We recommend that the Board of Aldermen refer this issue to the Affordable Housing Task Force for discussion as a matter of policy worthy of future consideration.
- The Planning Board recommends that staff condition #5 be supplemented to include a commitment by the proposed third party management company to work closely with Orange County's community organizations and agencies to identity, prequalify and/or refer eligible applicants for affordable units. These organizations may include but should not be limited to CASA, EmPOWERment Inc., the Community Home Trust, the Orange County Housing, Human Rights and Community Development Department, the Orange County Department on Aging, and others. Developing a waiting list early and through community-based providers will help mitigate concerns that students will quickly occupy the affordable units.
- The Planning Board further suggests that all efforts be made to distribute affordable units fairly throughout the development so as not to concentrate them.

- O Staff condition #9 affirms the justification of the applicant's reduction in parking. The Planning Board agrees that 170 parking spaces is sufficient. The Planning Board further suggests that the Board of Aldermen examine whether creative management of parking in this and future developments--including car-sharing programs and unbundling of parking from residential units--would be even more beneficial in increasing space for urban amenities and further encourage the walkable, bikeable commercial district the Town envisions.
- In addition to the noted revisions to staff conditions, the Planning Board makes the following recommendations:
 - o That all efforts be made to limit construction and compaction damage inflicted on mature trees near the project but on adjacent properties.
 - o That the Board of Aldermen adopt all the recommendations from the Transportation Advisory Board, but in particular the following:
 - That the applicant ask NCDOT for permission to allow the sidewalk elevation to be retained across the driveway to allow pedestrians safer passage and give a visual cue for cars.
 - That the payment-in-lieu for urban amenities should be used to improve downtown pedestrian safety and mobility.

Bethany E Chancy

o That both Town staff and the developer be made aware that at least one resident who lives in the neighborhood off of Pleasant Street is mobility impaired with motorized support. She will require a wide, clear, safe and secure pathway to get to and from downtown throughout construction.

M. Barton moved and **D. Clinton** seconded the Planning Board recommendation and comments on Shelton Station presented March 14, 2013.

VOTE: AYES: (5) Barton, Chaney, Clinton, Jahre, Seils

NOES: (1) Foushee

ABSENT/EXCUSED: (3) Adamson, Hunt, Jaimeyfield

ABSTENTIONS: (0) None

March 14, 2013

Chair Date



TOWN OF CARRBORO

TRANSPORTATION ADVISORY BOARD

RECOMMENDATION

March 7, 2013

SUBJECT: 402 N. Greensboro St. (Shelton Station) conditional use permit

MOTION: The Transportation Advisory Board recommends that the Board of Aldermen approve the Shelton Station conditional use permit application with the staff-recommended conditions, subject to the following change.

 For staff-recommended condition #9, the TAB finds that 170 parking spaces are sufficient to serve the proposed development, with the exception that if extending the sidewalk across the driveway (to maintain the sidewalk's elevation) is not allowed by NCDOT, then up to three parking spaces may be eliminated in order to allow the construction of a raised crosswalk across the parking area aisle.

The TAB recommends the following additional conditions.

- 1. That the applicant ask NCDOT for permission to allow the sidewalk elevation to be retained across the driveway to allow pedestrians safer passage and give a visual cue for cars.
- 2. If NCDOT does not agree to extending the sidewalk elevation, then a raised crosswalk should be installed across the parking lot to connect the commercial building to the playground and that the applicant be allowed to reduce the number of parking spaces by up to three.
- 3. The TAB recommends that particular attention be paid to the amount of maintenance required for the permeable pavement and indicating the applicant's responsibility for that maintenance.
- 4. That the payment-in-lieu for urban amenities should be used to improve downtown pedestrian safety and mobility. The TAB has been discussing this matter for some time and has ideas for projects to which the payment could be applied, such as a gateway treatment for the downtown area or other visual cues that communicate to drivers that they are entering a pedestrian zone.

Moved:	Perry

Second: Haac

Miles

VOTE: Ayes (5): LaJeunesse, Štolka, Perry, Haac, Nicopoulos. Nays (0). Abstain (0). Absent (2): Kim,

Seth La Jeunesse 3 / 12 /1



Environmental Advisory Board 301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, MARCH 7, 2013

CONDITIONAL USE REZONING AND PERMIT APPLICATION FOR SHELTON STATION

Motion was made by Bruce Sinclair and seconded by Rob Crook that the EAB recommends that the following input be considered as part of the Shelton Station CUP application.

Upon hearing the presentation from Town staff and the applicant, the EAB endorses the staff recommendations. Further, the EAB makes the following additional recommendations:

- The applicant make the commitment that the playground surface area is not in conflict with shade trees or pose a threat to their root systems.
- The biodiversity of shrubs should be increased, preferably with native species.
- The applicant pursue better recycling opportunities for residents and commercial establishments including but not limited to the recycling options for polyethylene film and vegetative waste/compost pick-up.
- The applicant should continue to evaluate and implement more rainwater recycling and repurposing uses, including but not limited to selling the water to local businesses and power washing the building.
- The applicant should consider alternative roof uses including green roofs and photovoltaic installations. The EAB recommends that such changes be counted towards the applicants urban amenities and/or recreation requirements.

Associated Findings

By a unanimous show of hands, the EAB membership also indicated that no members have any financial interests that would pose a conflict of interest to development of this property.

Ill (Del)

<u>VOTE</u>: **AYES**: Arnsberger, Chicurel-Bayard, Sinclair, Crook, Walsh, Rivins

ABSENT/EXCUSED: None

NOES: None

ABSTENTIONS: None

TOWN OF CARRBOR® TACHMENT Q-12



(Planning Board, TAB, ESC, AC, or EAB)

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

MARCH 13, 2013

CONDITIONAL USE PERMIT REQUEST FOR 402 NORTH GREENSBORO ST.
Shelton Station Mixed Use Development

Motion was made by Bob Saunders seconded by Chris Butler that the ESC recommends the proposed Conditional Use Permit request for 402 N. Greensboro be approved by the Board of Aldermen.

<u>VOTE</u>: **AYES**: 8

ABSENT/EXCUSED: 1

NOES: 0 ABSTENTIONS: 0

Associated Findings

No members of the ESC reported any conflict of interest. Note – David Jessee who has an ownership interest was absent from the meeting.

Furthermore, the ESC of the Town of Carrboro finds that the proposed CUP is consistent with the Downtown Design Guidelines and Carrboro Vision 2020 policies.

With the condition that - Every intention be made to develop the commercial space with a focus on affordable office space.

VOTE:

AYES: 8

ABSENT/EXCUSED: 1

NOES: 0 ; **ABSTENTIONS**: 0

Terre Durner by ADS 3-13-2013 Chair) (Date) Town of Carrboro / Carrboro Appearance Commission / Carrboro, North Carolina 27510



THURSDAY, March 7th, 2013

Review of Conditional Use Permit for Shelton Station

The Appearance Commission voted in favor of the Conditional Use Permit for Shelton Station and supported the staff recommendations. They offered the following comment:

1.) The Appearance Commission is in favor of the project after numerous meetings with the applicant where building materials were shown, elevations were presented etc.

Please note- there was not a quorum at this meeting.

VOTING:

AYES: 3 (Eric Feld, Kim Calandra, Sheryl Forbis)

NOES: 0

ABSENT: 4 (Emily Scarborough, Sarah Andrews, Raymond Conrad, Tom Wiltberger)

Appearance Commission Chair

Date

TOWN OF CARRBORO



CONDITIONAL USE PERMIT WORKSHEET FOR TALLER BUILDINGS IN COMMERCIAL DISTRICTS

[. (COMPLETENESS OF APPLICATION The application is complete		
[
[he application is incomplete	
-			
- [I. (COMI	PLIANCE WITH SPECIFIC ORDINANCE REQUIREMENTS	
[he application complies with all applicable specific requirements of the Land Use	
]		he application is not in compliance with the following specific requirements of the Use ordinance for the reasons stated below:	
-			
-			
III.		ONSIDERATION OF GENERAL REQUIREMENTS WITH RESPECT TO WHICH IE APPLICANT HAS THE BURDEN OF PROOF	
	A.	☐ The Board finds that the proposed use will not substantially injure the value of adjoining or abutting property.	
		The Board cannot find that the proposed use will not substantially injure the value of adjoining or abutting property, or finds that the proposed use will	
		substantially injure the value of adjoining or abutting property, for the following reasons:	
	В.	☐ The Board finds that the proposed use will be in harmony with the area in which it is to be located.	
		☐ The Board finds that the proposed use will not be in harmony with the area in which it is to be located, for the following reasons:	

C.		
Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board. The Board finds that the proposed use will not be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board, for the following reasons:		
(*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. V. GRANTING THE APPLICATION The application is granted, subject to the conditions agreed upon under Section IV of this worksheet. VI. 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 specific Ordinance requirements set forth above in Section II. The application is denied because the Board has not made a finding favorable to the applicant on one or more of the general requirements set forth above in Section III. The application is denied because, if completed as proposed, the development more probably than not will materially endanger the public health or safety for the		Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board. The Board finds that the proposed use will not be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board,
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