

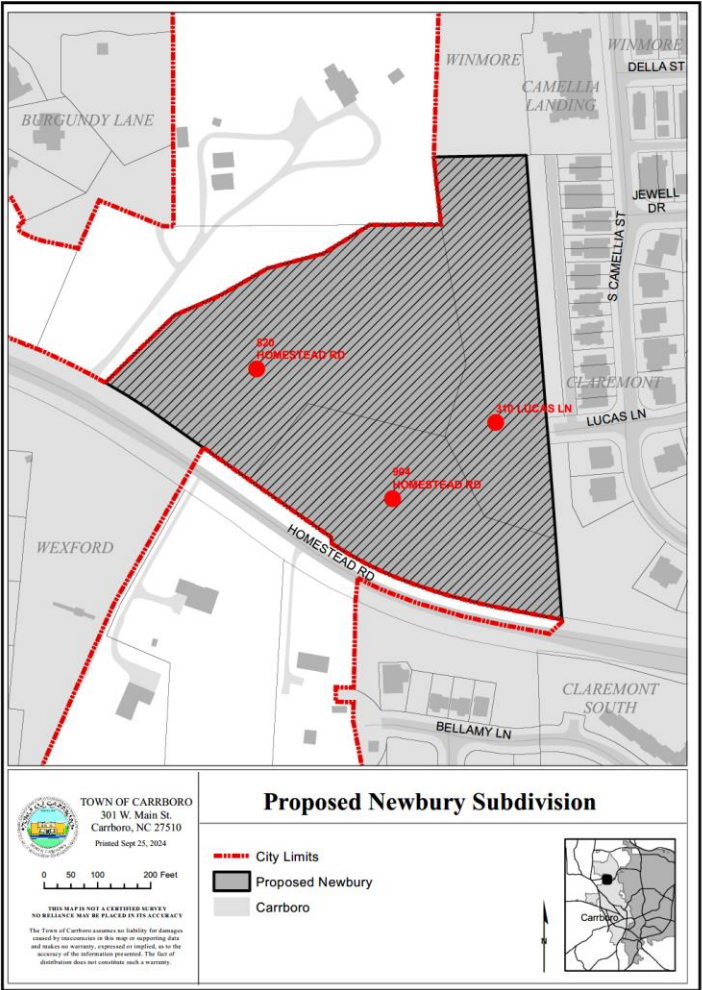
SPECIAL USE PERMIT-A FOR NEWBURY AIS, 904 HOMESTEAD ROAD

November 19, 2024



TOWN OF CARRBORO • NC

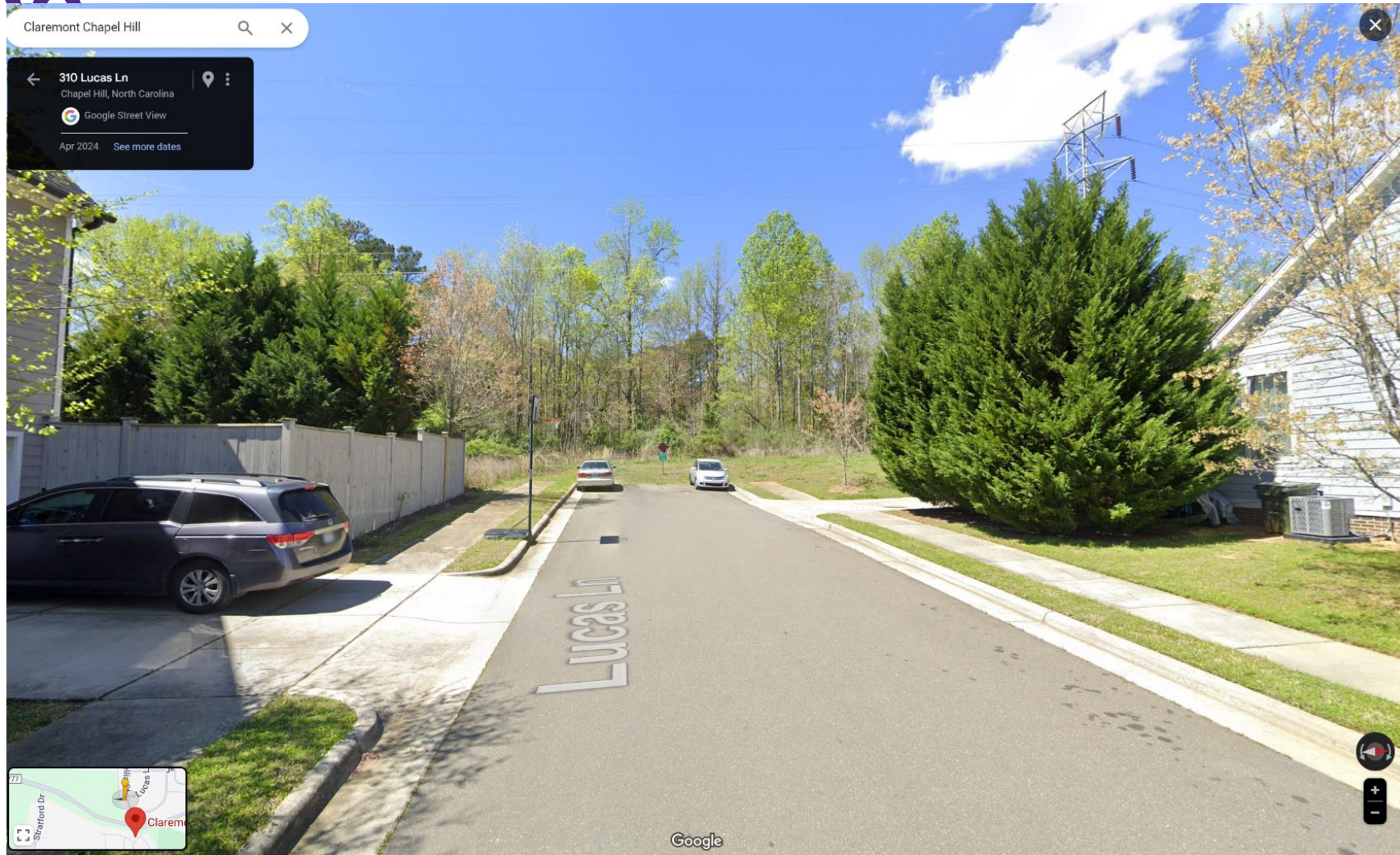
Vicinity Map-904 Homestead Road



View from Homestead Road, Vacant Property



View of property from Lucas Lane



Aerial view of property with imagery



General Information:

- Conditionally rezoned to R-3 CZ with a range of units approved along with other conditions
- 3 parcels for a total size of 9.7 acres
- 36 total lots proposed, 24 single-family, 12 duplexes, and up to 10 accessory dwelling units
- 5 total size-limited homes and a payment to the town of an amount equal to one affordable housing payment in lieu
- Staff has concluded that the projects plans comply with the LUO, subject to the proposed list of conditions included in the staff report

Conditions of Conditional Zoning:

Council Member Nowell made a motion, seconded by Council Member Posada to approve the following ordinance:

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 9.70 ACRES OF PROPERTY KNOWN AS 820 AND 904 HOMESTEAD ROAD, AND 310 LUCAS LANE FROM R-20 (RESIDENTIAL, 20,000 SQUARE FEET PER DWELLING UNIT) TO R-3-CZ (RESIDENTIAL, 3,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

Ordinance No. 18 / FY 2022-23

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

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

That property being described on Orange County Tax Maps by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

PIN	Existing Zoning	Acreage	Proposed Zoning
9779-28-4165	R-20	4.32	R-3-CZ
9779-27-6844	R-20	2.78	R-3-CZ
9779-28-8116	R-20	2.61	R-3-CZ

1. The illustrative site plan labeled "Carrboro Homestead Zoning Concept - Rezoning Exhibit for 820 & 904 Homestead Road and 310 Lucas Lane," dated May 25, 2023 is approved and incorporated herein to indicate all potential land uses, the general location of buildings and parking areas including parking spaces with EV charging stations, vehicular and bicycle-pedestrian access points, circulation patterns, stream buffers, stormwater control areas, areas of preserved trees and other landscaped areas, and the location of proposed recreational facilities. Other features and issues remain to be decided at the time a special use permit-A is requested for the development. Those features and issues include, but are not necessarily limited to, the final number of residential uses by type, the location of on-street parking, open space and recreation facilities, bicycle-pedestrian improvements along Homestead Road, and all other elements necessary to determine compliance with the Land Use Ordinance.

Conditions of Conditional Zoning:

2. The project shall be designed as an Architecturally Integrated Subdivision (AIS). As referenced in condition #1 above, the rezoning exhibit shall include illustrative lot layouts for each type of residential unit showing the location of setbacks, building footprints, trees, parking area, etc., to ensure the buildability of the proposed lots.
3. The development shall contain between 36 to 56 dwelling units. This includes a maximum of 44 primary dwelling units consisting of a combination of use classifications 1.111 (single-family detached, one dwelling unit per lot, site built/modular), 1.232 (duplex, no bedroom limit), 1.242 (two family apartment, no bedroom limit), 1.322 (multi-family townhomes, no bedroom limits), and 1.332 (multifamily apartments with no bedroom limits), and up to 12 accessory dwelling units, 1.220 (detached or accessory apartments).
4. The applicant has expressed interest in pursuing size-limited dwelling units, and will include up to 25% size limited units. The Housing & Community Services staff recommends that the rezoning follow the affordable housing expectation in the Land Use Ordinance and is content upon allocating 15% of the total number of units for affordable housing, or upon providing a payment in lieu of affordable units. If the project does not include 15% affordable units, the applicant shall participate in an affordable housing meeting with the Town Council.

Conditions of Conditional Zoning:

5. Per the Town's connectivity requirements, the proposed east-west internal road shall be constructed to provide a full connection to Lucas Lane. The street connection shall be designed and constructed with traffic calming measures so that it does not encourage substantial through traffic. Traffic calming measures shall be subject to the review and approval of the Town of Carrboro Fire Marshal.
6. The applicant shall dedicate a 30-foot wide public trail easement directly adjacent to the NCDOT right-of-way for Homestead Road to the Town at the time that the final plat is recorded.
7. The project shall include the construction of a 5-foot wide sidewalk or its function equivalent, such as a raised boardwalk, within the dedicated easement such that it can be widened to 10 feet in the future by the Town. The sidewalk shall connect to the existing sidewalk just east of the project, at Claremont.
8. The applicant will install 50-year stormwater basins.
9. The applicant will provide a payment in lieu of one equivalent affordable housing unit.
10. Installation of signage for stormwater control information
11. The usage of only native vegetation in all stormwater basins and buffers.

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

SECTION 3. This ordinance shall become effective upon adoption.

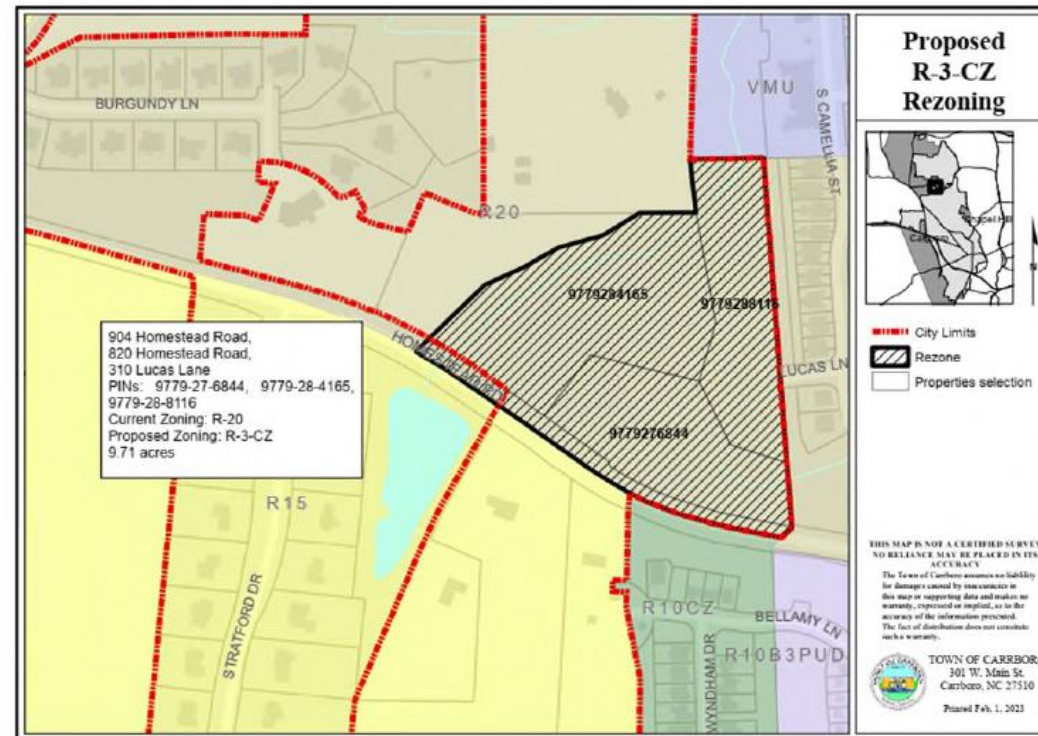
Conditions of Conditional Zoning:

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this 27th day of June 2023:

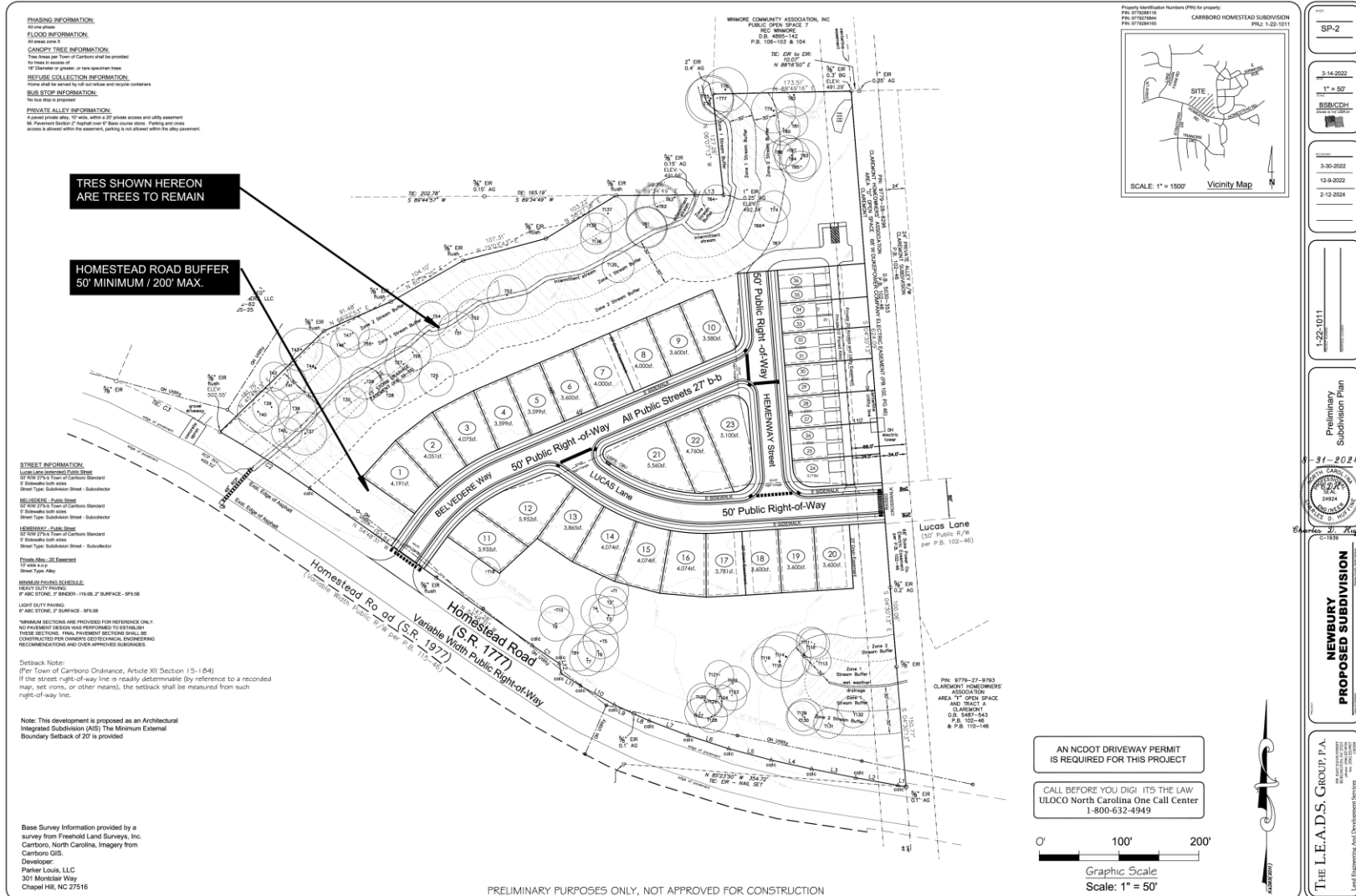
AYES: 7

NOTES: 0

ABSENT OR EXCUSED: 0



Site plan



SP-2

3-14-2022

1" = 50'

ESB/CCH

5-30-2022

12-9-2022

1-12-2024

1-22-1011

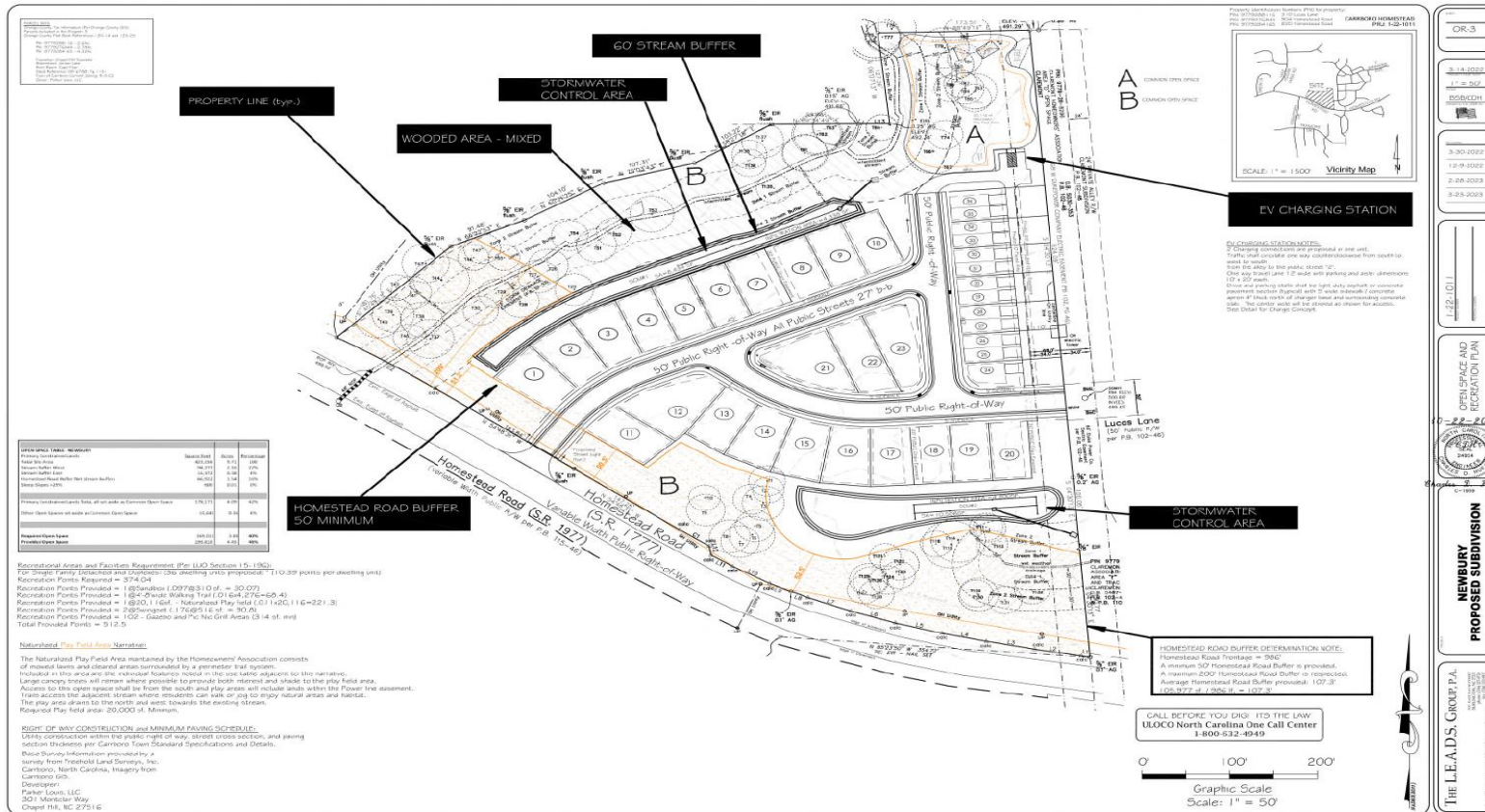
Preliminary Subdivision Plan

31-2024

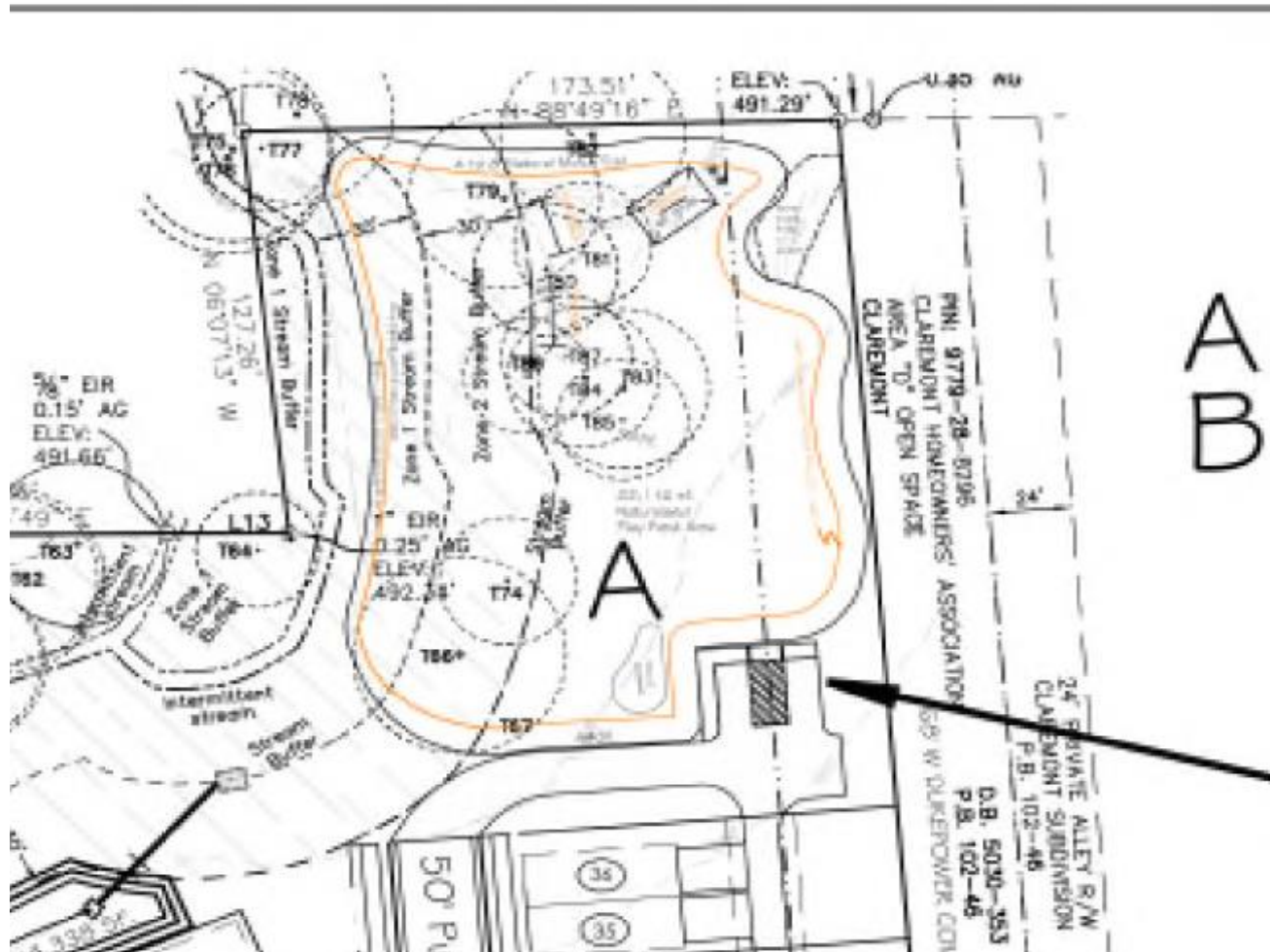
NEWBURY PROPOSED SUBDIVISION

THE L.E.A.D.S. GROUP, P.A.
LAND ENGINEERING AND DEVELOPMENT SERVICES

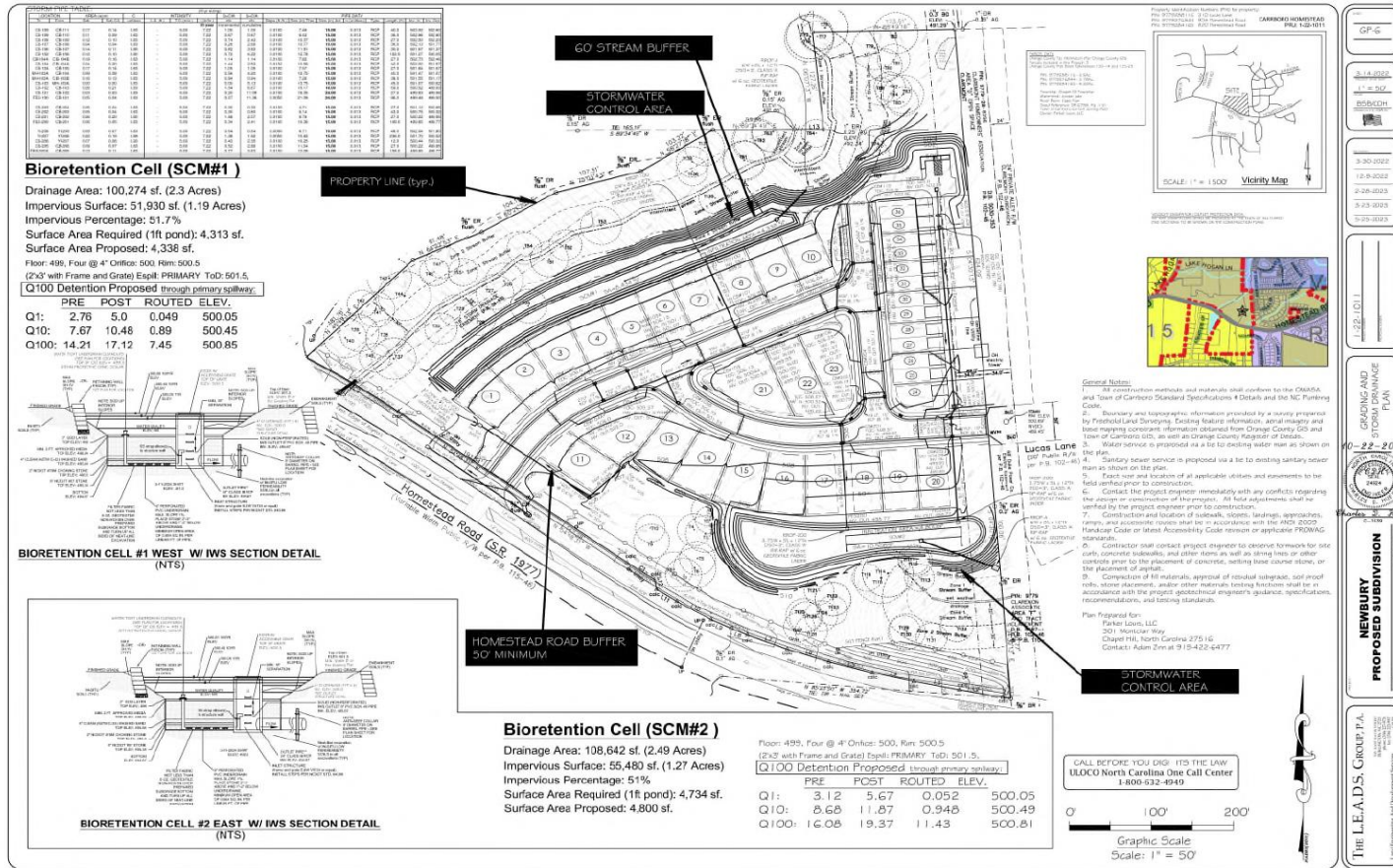
Recreation and Open Space Plan



Playfield, excerpted



Grading and Stormwater Plan



Staff Recommended Conditions & Advisory Board Recommendations

STAFF RECOMMENDATIONS	
Staff Recommendations (w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1 thru 15 below. If an advisory board voted to ‘support’ the staff recommendation, then such board is listed after staff in the left-hand column.</i>
Recommended by	Recommendations
Staff	1. That the required affordable housing payment must be submitted to the town before the final plat for the project is approved. The amount to be paid will be in accordance with the amount identified in the town’s fee schedule for an affordable housing payment-in-lieu at the time the payment is submitted.
Staff	2. The Fire Marshall shall review and approve the final design for the traffic calming feature on Lucas Lane before the construction plans are approved.

Staff Recommended Conditions & Advisory Board Recommendations (continued)

Staff	3. That Town Council finds the use of roll type curb acceptable within the subdivision. The detail drawing for such must be included in the construction plans, and Public Works shall review and approve the final design prior to approval of the construction plans.
Staff	4. That the applicant must receive a driveway permit from NCDOT prior to construction plan approval.
Staff	5. That the construction plans must include a connection to the existing sidewalk in the Claremont subdivision along Homestead Road.

Staff Recommended Conditions & Advisory Board Recommendations (continued)

Staff	6. That all street trees planted in accordance with the requirements of LUO Section 15-316 must be located within the public right of way.
Staff	7. That the applicant shall provide to the Zoning Division, prior to the approval of a 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 PDF format and shall include a base map of the whole project and all separate plan sheets. As-built PDF 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 Recommended Conditions & Advisory Board Recommendations (continued)

Staff	8. 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 Stormwater Utility staff for approval prior to construction plan approval.
Staff	9. That, prior to issuance of a CO, a final plat, or the certification of a stormwater BMP, the applicant shall submit a performance security to be posted and held by the Town for a period of two years per the provisions of Section 15-263(i).

Staff Recommended Conditions & Advisory Board Recommendations (continued)

Staff	10. That the developer shall follow all established town procedures associated with the installation of SCMs within the development, including but not limited to filing Operation and Maintenance Agreements and submitting and receiving approval of as-built drawings for all SCMs, in accordance with established town procedures in place at the time. The developer must also make clear to both the town staff and the HOA representatives in place at such time exactly when any related responsibilities have transitioned to the HOA.
Staff	11. That the developer must submit the final version of the project's design to the electric utility and must provide another written statement from such electrical utility stating that electric service can still be provided to all locations shown on the construction plans prior to the approval of the construction plans.

Staff Recommended Conditions & Advisory Board Recommendations

Staff	12. Fire flow calculations shall be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
Staff	13. That the construction plans for the project must include modifications to the AIS setback notes on the cover sheet, clearly indicating that any and all portions of structures are subject to zero-foot setback from the right of way line, related to front yard setbacks.
Staff	14. That the applicant shall submit a voluntary annexation request and receive approval from the Town prior to the recording a final plat for the project.
Staff	15. That, prior to final plat approval, the Town Attorney must review and approve the Homeowner's declarations and covenants to ensure that they comply with the Land Use Ordinance.

Staff Recommended Conditions & Advisory Board Recommendations

Affordable Housing Advisory Commission	1. The AHAC affirms that the required affordable housing payment must be submitted to the town before the final plat for the project is approved. The amount to be paid will be in accordance with the amount identified in the town's fee schedule for an affordable housing payment-in-lieu at the time the payment is submitted.
Affordable Housing Advisory Commission	2. The permit application to subdivide land and build 36 dwelling units (including size-limited units) with associated infrastructure, plus up to ten (10) additional accessory dwelling units, supports one of the Town's affordable housing strategies in the adopted comprehensive plan, Carrboro Connects: <i>Fully evaluate and reduce housing density restrictions to slow the increase of housing prices and diversify housing stock. (p.44)</i>

Staff Recommended Conditions & Advisory Board Recommendations

Affordable Housing Advisory Commission	3. Although, the size-limited units will provide lower-priced homebuying options in Carrboro, they most likely will be unaffordable for households earning 80% of the Area Median Income (Goal 1. Affordable Housing Carrboro Connects). However, the AHAC supports the applicant's request for Special Use Permit – A, noting Newbury's increased density, diversity of housing stock, and payment in lieu of providing affordable housing.
Transportation, Mobility & Greenways Advisory Commission	1. That the Carrboro Town Council should approve the Special Use Permit-A for the project.

Staff Recommended Conditions & Advisory Board Recommendations

Transportaion, Mobility & Greenways Advisory Commission	2. That further traffic calming be considered on Lucas Ln, including bulb outs on the side of the road where on-street parking will be allowed, also serving as daylighting, and that a flexible pedestrian crossing sign be installed in the center of the proposed raised crosswalk.
Transportaion, Mobility & Greenways Advisory Commission	3. That standard curbs be installed within the subdivision instead of the proposed rolled curbs for pedestrian safety and accessibility.
Stormwater Advisory Commission	1. We continue to recommend that the developer use vegetation native to the Piedmont, particularly along the stream buffer.
Stormwater Advisory Commission	2. Recommend providing access and maintenance easements located outside the stream buffers for access to SCMs.
Stormwater Advisory Commission	3. Install signs for SCMs informing the public of their purpose and requirements to educate the public especially adjacent landowners about the purpose and benefits of the SCMs.

Staff Recommended Conditions & Advisory Board Recommendations

Stormwater Advisory Commission	4. We continue to recommend consideration of permeable surfaces for parking (see individual parking units at Shelton Station).
Stormwater Advisory Commission	5. We continue to recommend that the developer keep disturbed areas including SCMs and all platted lots out of stream buffers.
Stormwater Advisory Commission	6. SWAC appreciates that the applicant has reconsidered plans to remove trees in order to create an open playfield. We appreciate the addition of a naturalized play area with large canopy trees and a walking trail to the concept plan.
Stormwater Advisory Commission	7. We recommend that the developer minimize tree removal to the extent possible.
Stormwater Advisory Commission	8. Please refer to the chart provided in the individual SWAC recommendation statement for additional information relating to their analysis of alignment and compliance with the <i>Carrboro Connects</i> comprehensive plan

Staff Recommended Conditions & Advisory Board Recommendations, SWAC Chart

Carrboro Connects Plan Provision	Is Consistent	Is Not Consistent	Need More Information	Not Applicable
GSI/Climate Action/Environment strategy 1.1: Increase use of native plants			X	
GSI/Climate Action/Environment strategy 2.2: Improve tree canopy downtown				X
GSI/Climate Action/Environment strategy 2.2: Improve tree canopy elsewhere		X		
GSI/Climate Action/Environment strategy 3.1: Coordinate transportation/public infrastructure improvements with GSI				X
GSI/Climate Action/Environment strategy 4.1: Expand resources for GSI to private property owners				X
Climate Action and Environment strategy 1.1(D) Establish and protect native vegetation in riparian projects		X		
Climate Action and Environment strategy 1.1(E), <u>Water</u> Action Strategy 2.2(A): Implement structural & non-structural management measures for redevelopment/infill; add retrofits in dense locations to increase stormwater volume control				X
Climate Action and Environment strategy 1.2 (C): Implement bioengineering/restoration methods to protect and/or restore riparian and aquatic habitats		X		
Water Action Strategy 2.1 (F): Limit riparian disturbance while maintaining sewer infrastructure and greenways		X		
Water Action Strategy 2.2 (B): Incentivize Low impact Development practices that reduce impervious surfaces and mimic natural hydrology		X		
Water Action Strategy 2.2 (C): Stabilize vegetation in new construction beyond the minimum erosion control requirements		X		

Questions?