

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 35.4 ACRES OF LAND KNOWN AS 700 OLD
FAYETTEVILLE ROAD FROM R-10 AND B-4 to B-4 CZ AND 4.6 ACRES OF
LAND FROM R-10 AND R-20 TO R-10 CZ AND R-20 CZ

DRAFT 12-2-2016

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 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	Proposed Zoning	Acreage
9779-09-7922	R-10	B-4-CZ	10.18
9778-19-6618	R-10	B-4-CZ	8.61
9778-19-6618	B-4	B-4-CZ	16.61
9779-10-7351	R-10	R-10-CZ	3.73
9779-20-0449	R-20	R-20-CZ	0.94

1. The Concept Plan labeled “Lloyd Farm Carrboro, North Carolina Rezoning Site Plan,” *dated February 10, 2016* is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, stormwater management features, setbacks, preserved trees and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance on Old Fayetteville Road and NC Hwy 54, required parking, and approval of associated text amendments to the Carrboro Land Use Ordinance.
2. The residential density of the project shall be capped at a maximum of 250 dwelling units, comprising of a combination of use classifications 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 (multi-family apartments with no bedroom limits).
3. The residential portions of the development containing use classifications 1.322 and 1.332 shall be designed and constructed for a 55 and older community and as such may include certain dining, health and wellness related amenities not typically included in a multi-family complex intended for the general population.
4. Related to the project’s contribution to the Town’s affordable housing goals, the following shall occur:
 - a) Prior to the issuance of a certificate of occupancy for the residential portion of the development, the applicant shall submit a payment of \$743,057 to the Town of Carrboro in lieu of providing affordable housing on site.
 - b) Prior to the issuance of conditional use permit for the project, the applicant shall affirm its intention to either increase the payment in lieu of providing affordable housing on

- site by \$250,000 or provide for the Town's approval a pricing mechanism for a portion of the over-55 rental apartments that results in affordability for such units substantially consistent with the Land Use Ordinance Section 15-148.1.
- c) The final plat and restrictive covenants shall designate four of the "cottages" as permanently affordable, for-sale units, consistent with the provisions of Land Use Ordinance Section 15-148.1.
5. Two parcels, (PIN 9779-10-7351 and PIN 9779-20-0449), comprising approximately 4.6 acres of the 40- acre assemblage shall be dedicated to the Town of Carrboro.
 6. The conditional use permit plans shall be designed such that the meandering multi-use path alongside the internal road shall be constructed with a pavement width of 10-feet.
 7. \$15,000 shall be provided to the Town of Carrboro to conduct a neighborhood-level traffic calming study of the Plantation Acres, Plantation Acres Extension, and R.S. Lloyd subdivisions, known collectively as the "Plantation Acres" neighborhood and/or to pay for the installation of traffic calming devices or other improvements. The traffic calming study shall be conducted within one-year after (a)(i) at least 80% of the commercial gross floor area of the development (including the grocery store) have received certificates of occupancy and are occupied by tenants, and (a)(ii) all of the residential units have received certificates of occupancy and (a)(iii) at least 75% of the units have owners/tenants or (b) one and one-half years after all of the residential units have received COs, whichever occurs sooner. If the Board so desires, the Town will install MUTCD approved signage on Carol Street to read "Local Traffic Only" (MUTCD R11-3) or "No Thru Traffic" (MUTCD R11-4), subject to NCDOT review.
 8. The development shall include the design and installation of a visual and physical barrier between the southern boundaries of the lots on Carol Street and the commercial uses and associated vehicle accommodation areas constructed as part of the development. In addition to preserved trees, physical barriers and/or vegetative materials that will satisfy a Type A screening requirement shall be installed. The visual barrier shall be designed to retain portions of the existing wooded areas immediately adjacent to the northern property line and may additionally consist of such features as, but not necessarily limited to, a berm, landscaping or fencing, or a combination of such features.
 9. The conditional use permit application shall include a timeline for the installation of stormwater features as well as the schedule for converting erosion control features into permanently maintained BMPS.
 10. All commercial buildings shall display a uniform architectural design in terms of materials and detailing, consisting predominately of brick in a traditional color with four primary elevations, rather than a façade and secondary or rear elevations. The commercial buildings shall also conform to the design standards described in Section 15-178(5) of the Carrboro Land Use Ordinance as it relates to articulating large buildings into smaller increments through the use of different techniques such as setbacks or entrances or window bays.
 11. Deliveries to retail tenants shall be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.
 12. Trash/recycling collections shall be limited to the hours of 7:30 am and 10:00 pm, and not after 9:00 pm whenever possible
 13. Landscaping maintenance shall be limited to the hours of 7 am to 6 pm or sunset, whichever is earlier, Monday through Saturday and 12 pm to 6 pm or sunset, whichever is earlier, on

Sundays.

14. The greenspace area shown on the site plan at the southwest corner of the site shall not be developed but shall remain as open greenspace in perpetuity.
15. The conditional use permit plans shall be designed to allow for the Town's future construction of a side path along NC Hwy 54, as per the Town's preliminary plans for bike and pedestrian access to Anderson Park and parts west. The side path project must be designed so as to not encroach into the parking areas along the southern edge of the developed portion of the site.
16. As part of the conditional use permit, the applicant shall demonstrate compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management, and shall demonstrate that the Lloyd Farm development will not cause a rise in the water surface elevation (as measured to the 0.01 ft.) on any property within the Tom's Creek floodplain located upstream of West Main Street during the 1, 2, 5, 10, 25, 50 and 100-year 24-hour Storms. The applicant will coordinate the analysis with the Town Engineer.
16. *Alternate language proposed by the applicant: The conditional use permit issued shall require the applicant to demonstrate compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management and shall require the post-development discharge rates be less than or equal to the predevelopment discharge rates for the 1-, 2-, 5-, 10-, 25- 50- and 100 year 24-hour design storms. The applicant will coordinate the analysis with the Town Engineer.*
17. In advance of draining the property's constructed ponds near Old Fayetteville Road, the applicant will engage a wildlife relocation organization such as NC State Turtle Rescue Team to assess options for and develop and implement a strategy to relocate turtles currently residing in the ponds. The applicant shall evaluate its stormwater management plan to determine if the construction of stormwater devices can provide a receiving area for some or all of the existing turtles.
18. Controlled left turns out of the site shall be provided at either the NC 54 exit, the Old Fayetteville exit or both exits subject to approval by NCDOT during the conditional use permit process.
18. *Alternate language proposed by the applicant: A left turn out of the site will be provided at either the NC 54 exit, the Old Fayetteville exit or both exits subject to approval by NCDOT during the conditional use permit process.*

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 the _____ day of _____ 2016.

AYES:

NOES:

ABSENT OR EXCUSED:

