



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Agenda Board of Aldermen



Tuesday, October 18, 2016

7:30 PM

Board Chambers - Room 110

7:30-7:35

A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:35-7:40

B. RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [16-300](#) A Resolution of Appreciation and Budget Amendment for Donated Funds to Purchase a Dero Fixit Station and Air Pump

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider adopting a resolution of appreciation to Triangle Velo for their donation of \$1,083 towards the purchase of a Dero Fixit Station and Air Pump to install at Wilson Park. The Board is also asked to consider adopting the related budget amendment..

Attachments: [Attachment A - Resolution](#)
[Attachment B - Budget Amendment](#)
[Attachment C - Fixit Station](#)

7:40-7:45

C. ANNOUNCEMENT OF UPCOMING MEETINGS

7:45-7:50

D. CONSENT AGENDA

1. [16-308](#) Approval of Previous Meeting Minutes of September 20, 2016 and September 27, 2016

2. [16-299](#) Resolution amending the terms of Carrboro Fire-Rescue Department Relief Fund Board Members appointed by the Board of Aldermen.

PURPOSE: The purpose is to advise the Board of Aldermen of a change to the GS pertaining to the terms of Relief Fund Board Members appointed by the Board of Aldermen.

Attachments: [Resolution for Fire Rescue Board Member Term Amendment Oct2016](#)

3. [16-307](#) Youth Advisory Board Charge

PURPOSE: The purpose of this item is to create a charge for the Youth Advisory Board.

Attachments: [YAB CHARGE CREATED 9-26-2016](#)

4. [16-304](#) Authorization to Purchase Real Property Adjacent to Martin Luther King Jr. Park

PURPOSE: The purpose of this item is for the Board to consider giving the Town Manager authorization to enter into a contract to purchase a parcel of land in Carrboro located at 1124 Hillsborough Road.

Attachments: [Attachment A - Map of Property](#)

[Attachment B - Shetley Property Purchase Ordinance](#)

5. [16-305](#) Request-to-Set a Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments

PURPOSE: The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy.

Attachments: [Attachment A - Resolution](#)

[Attachment B - Draft Ordinance amending 15-326 9-6-2016](#)

E. OTHER MATTERS

7:50-8:05

1. [16-303](#) An Update on the NCDOT Proposed Intersection Improvements at N. Greensboro St. and Estes Drive

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to receive an update from NCDOT staff on the proposed improvements at the intersection of N. Greensboro St. and Estes Drive. .

Attachments: [Attachment B - Project Area](#)
[Attachment A - Estes Postcard text](#)

8:05-8:15

2. [16-267](#) Discussion the Proposed North Carolina League of Municipalities (NCLM) Advocacy Goals and Selection of Voting Delegates

PURPOSE: The purpose of this item is to request that the Board of Aldermen review the proposed NCLM Advocacy Goals and highlight any areas of concern or disagreement with them. The Board will also select the voting delegates to the 2016 Advocacy Goals Conference.

Attachments: [Attachment A - RESOLUTION](#)
[Attachment B - 2017 NCLM Proposed Advocacy Goals.pdf](#)

8:15-10:00

F. PUBLIC HEARING

1. [16-301](#) Continuation of Public Hearings on the Proposed Rezoning and Associated LUO Text Amendments for the Lloyd Farm development proposal.

PURPOSE: Continuation of the public hearings on the proposed rezoning at 700 Old Fayetteville Road from R-10, R-20 and B-4 to B-4-CZ and the associated text amendments for the Lloyd Farm development proposal. Draft ordinances for the map and text amendments have been prepared.

Attachments: [Attachment A-1 - Consistency Resolution for Ordinance Adoption](#)
[Attachment A-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment B - Draft LUO Text Amendments](#)
[Attachment C - Request for LUO Text Amendments](#)
[Attachment D - OC & Advisory Board Comments](#)
[Attachment E-1 - Consistency Resolution for Ordinance Adoption](#)
[Attachment E-2 - Consistency Resolution for Ordinance Denial](#)
[Attachment F - Draft Rezoning Ordinance](#)
[Attachment G - Board of Aldermen Minutes - June 28, 2016](#)
[Attachment H - Staff Memorandum](#)
[Attachment I - Appendices for Staff memo](#)
[Attachment J - vicinity map](#)
[Attachment K - Petition for Change of Zoning](#)
[Attachment L - Advisory Board Comments on Rezoning](#)

G. MATTERS BY BOARD MEMBERS

H. MATTERS BY TOWN MANAGER

I. MATTERS BY TOWN ATTORNEY

J. MATTERS BY TOWN CLERK



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Agenda Item Abstract

File Number:16-300

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

A Resolution of Appreciation and Budget Amendment for Donated Funds to Purchase a Dero Fixit Station and Air Pump

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider adopting a resolution of appreciation to Triangle Velo for their donation of \$1,083 towards the purchase of a Dero Fixit Station and Air Pump to install at Wilson Park. The Board is also asked to consider adopting the related budget amendment..

DEPARTMENT: Planning

CONTACT INFORMATION: Bergen Watterson - 919-918-7329

INFORMATION: Triangle Velo approached Town staff in November 2015 to inquire about donating funds to purchase a public bicycle repair station for Wilson Park. These outdoor, public repair stands are popping up in bicycle-friendly towns and cities across the world, and are viewed by the League of American Bicyclists as integral components of Gold-level community offerings. The stands are located in public areas that are frequented by all types of bicyclists, and provide free tools and instructions for making minor bike repairs for riders who find themselves in need. The stations include air pumps, bike hangers, wheel stops, and tools to perform basic bike repair and maintenance, from changing a flat tire to adjusting derailleurs.

While staff had considered purchasing a public repair station to improve the Town's chances for achieving Gold level status, the Triangle Velo donation offer prompted a more comprehensive review of available products. Staff compared three types of repair stations, and concluded that the Dero Fixit Station with air pump and wheel stop provided the best product for Town use for two reasons: 1) it is the most economical option, and 2) UNC and Chapel Hill will install the same model in several locations, providing continuity across the community.

Should the Board support the acceptance of Triangle Velo's donation, staff will be able to purchase two Fixit Stations in addition to the one at Wilson Park; one will be located at Town Hall, and one along the Libba Cotten bikeway. The total cost for all three Fixit Stations with air pumps and wheel stops is \$3,476.44, including tax, shipping, and a 10% municipal discount. The \$1,083 donation will be added to the Planning Department budget.

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Version: 1

FISCAL & STAFF IMPACT: The full project will require \$3,476.44 from the Planning Department budget, plus Public Works staff time to install the repair stands. The \$1,083 donation will be added to the budget towards purchase of one of the stands.

RECOMMENDATION: Staff recommends that the Board of Aldermen accept this donation from Triangle Velo for the Dero Fixit Stations and adopt the resolution and budget amendment.

ATTACHMENT A

**A RESOLUTION OF APPRECIATION TO TRIANGLE VELO FOR THEIR
DONATION**

WHEREAS, Triangle Velo has graciously offered to donate \$1,083 to the Town of Carrboro towards the purchase of a Dero Fixit Station; and

WHEREAS, this donation will allow the Town to install a bicycle repair station with air pump for use by cyclists at Wilson Park; and,

WHEREAS, installation of public bicycle repair stations will help the Town in its pursuit of Gold-level Bicycle Friendly Community;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

1. On behalf of the Town of Carrboro and its residents, the Board of Aldermen hereby expresses its sincere thanks and gratitude to Triangle Velo for its generous donation.
2. The resolution shall be entered into the official minutes of the Board of Aldermen and a copy thereof shall be delivered to Triangle Velo.
3. This resolution shall become effective upon adoption.

This is the 18th day of October in the year 2016.

AMENDMENT TO ANNUAL BUDGET ORDINANCE FY 2016-17

WHEREAS, the Town Board of the Town of Carrboro on June 21, 2016 adopted annual budget ordinance number 14/201516 for the fiscal year beginning July 1, 2016 and ending June 30, 2017; and

WHEREAS, it is appropriate to amend certain budget accounts in the general fund to provide for increased revenues and expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following revenue and expense accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

ACCOUNT CODE			CURRENT	INCREASE	REVISED
ORG	OBJECT	ACCOUNT NAME	BUDGET	(DECREASE)	BUDGET
6606	433500	Planning Miscellaneous Revenue	\$ 47	\$ 1,083	\$ 1,130
540	504645	Bicycle Friendly Community	\$ 28,050	\$ 1,083	\$ 29,133

REASON: To recognize donation of \$1,083 by Triangle Velo Cycling Team to the Town for purchase of one Fixit and Air Kit 2 station.

Hanger arms accommodate most types of bikes

QR code takes smart phone users to comprehensive bike repair web site

Large surface area for sponsorship, branding, or way-finding signage

Tools are secured with braided stainless steel aircraft cables

Pump hose is reinforced for maximum protection

Pump holster can be mounted on either side or back of Fixit

Hanger and pump (shipped as 2nd package) pack inside main body for easy, inexpensive shipping

Hanger arms can be mounted at 12, 3, 6, or 9 o'clock

Hanger is ADA compliant

Includes most commonly used tools for simple bike maintenance

Screwdrivers and Allen Wrenches are on swivel connectors for easier use

Pump head accommodates Presta and Schrader valve stem types



Tools included:

Philips and flat head screwdrivers
2.5, 3, 4, 5, 6, 8mm Allen wrenches
Headset wrench
Pedal wrench
8, 9, 10, 11mm box wrenches
Tire levers (2)



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Agenda Item Abstract

File Number: 16-299

Agenda Date: 10/18/2016

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Resolution amending the terms of Carrboro Fire-Rescue Department Relief Fund Board Members appointed by the Board of Aldermen.

PURPOSE: The purpose is to advise the Board of Aldermen of a change to the GS pertaining to the terms of Relief Fund Board Members appointed by the Board of Aldermen.

DEPARTMENT: Fire-Rescue Department

CONTACT INFORMATION: Susanna Schmitt Williams, Fire Chief

919.918.7349 office

919.883.8342 cell

swilliams@townofcarrboro.org <<mailto:swilliams@townofcarrboro.org>>

INFORMATION: Pursuant to recent statutory amendments made effective June 30, 2016 to *GS58-84-30(1) Trustees Appointed; Organization* the term for the Relief Fund trustees appointed by the governing body has been amended as follows:

(2) The mayor and board of aldermen or other governing body shall appoint two representatives to the board to serve at the pleasure of the governing body. Board member appointed pursuant to this subdivision shall be residents of the fire district.

The current appointees previously appointed by the mayor and board of alderman will serve at the pleasure of the Board of Aldermen:

Mr. Boyd Ellington

205 Simson St.

Carrboro, NC 27510

Mr. Jefferson Ray Dunn

106 Dillard St.

Carrboro, NC 27510

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: None

RECOMMENDATION: It is the recommendation of the Fire-Rescue Department that the resolution be adopted with current appointees remaining until they resign or the Board of Aldermen determine a need to appoint replacements.

A RESOLUTION AMENDING THE TERMS OF THE CARRBORO FIRE-RESCUE RELIEF
FUND BOARD MEMBERS APPOINTED BY THE BOARD OF ALDERMEN

SECTION 1: Pursuant to recent statutory amendments made effective June 30, 2016 to *GS58-84-30(1) Trustees Appointed; Organization* the term for the trustees appointed by the governing body has been amended as follows:

(2) The mayor and board of aldermen or other governing body shall appoint two representatives to the board to serve at the pleasure of the governing body. Board member appointed pursuant to this subdivision shall be residents of the fire district.

SECTION 2. The current appointees previously appointed by the mayor and board of alderman will serve at the pleasure of the Board of Aldermen:

Mr. Boyd Ellington
205 Simson St.
Carrboro, NC 27510

Mr. Jefferson Ray Dunn
106 Dillard St.
Carrboro, NC 27510

SECTION 3. This resolution is effective upon adoption

This the 18th day of October 2016



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Agenda Item Abstract

File Number:16-307

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Youth Advisory Board Charge

PURPOSE: The purpose of this item is to create a charge for the Youth Advisory Board.

DEPARTMENT: Manager's Office

CONTACT INFORMATION: Julie Eckenrode 918-7308

INFORMATION: The Youth Advisory Board (YAB) was created on June 28, 2016. This will create a charge for the YAB members. The inaugural Board is scheduled to be issued the charge on November 15, 2016 at the Board of Aldermen meeting.

FISCAL & STAFF IMPACT: None

RECOMMENDATION: It is recommended that the Board of Aldermen approve the proposed charge.

CHARGE FOR MEMBERS OF THE YOUTH ADVISORY BOARD

As a member of the Carrboro Youth Advisory Board, I will to the best of my ability

Exercise all responsibilities associated with the position to which I have been appointed, including:

- Attending and actively participate in all Youth Advisory Board meetings.
- Provide input to the Board of Aldermen about issues affecting young people.
- Carefully consider how local government policies and actions affect young people.
- Advocate for policies consistent with adopted town documents including Vision 2020 and the Carrboro Land Use Ordinance, as well as for any policy positions established by the Board of Aldermen.



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Agenda Item Abstract

File Number:16-304

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Authorization to Purchase Real Property Adjacent to Martin Luther King Jr. Park

PURPOSE: The purpose of this item is for the Board to consider giving the Town Manager authorization to enter into a contract to purchase a parcel of land in Carrboro located at 1124 Hillsborough Road.

DEPARTMENT: Town Manager's Office

CONTACT INFORMATION: Nate Broman-Fulks, 919-918-7314, nbroman-fulks@townofcarrboro.org

INFORMATION: On June 20, 2016, the owner of the parcel of land located at 1124 Hillsborough Road contacted the Town with an offer to sell the property to the Town. The property is a 3.45 acre parcel located directly adjacent to Martin Luther King Jr. Park. The parcel is zoned R15, which allows for one residential dwelling unit per 15,000 square feet of land. A map of the parcel can be found in Attachment A.

On July 11, Town staff met with the owner to walk the property and analyze its potential for beneficial public uses. After touring the property, staff believes the land could serve a number of beneficial public uses, such as additional open space, an extension of the park, or affordable housing.

The taxable value of the property is \$185,589. The owner has offered to sell the property to the Town for \$135,000 plus what is currently owed in property taxes, \$3,110.10. In addition, the Town would cover any closing costs. The total anticipated cost is \$145,000, or slightly less.

Town staff reached out to Weaver Street Realty to help determine if the asking price was competitive with the current real estate market in Carrboro. Weaver Street Realty looked into the matter and determined the purchase price would be an appropriate price for this tract of land, given the potential uses and significantly higher tax value and retail asking price.

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Conducting the public use analysis has shown the land does have potential for beneficial public uses. The fiscal analysis leads staff to believe the Town would be getting a fair price for the property. The Board can choose to authorize the purchase of the property by passing the ordinance in Attachment B entitled “Capital Project Ordinance for Purchase of Land Adjacent to MLK Jr. Park”.

FISCAL & STAFF IMPACT: The total anticipated cost to purchase the property is \$145,000, including the purchase price, taxes currently owed, and all closing costs.

RECOMMENDATION: Staff recommends the Board authorize the purchase of the property located at 1124 Hillsborough Road, directly adjacent to MLK Park.



PIN:
9779321208

1124 Hillsborough Road



1 inch = 115 feet

**CAPITAL PROJECT ORDINANCE FOR PURCHASE OF LAND ADJACENT TO
MARTIN LUTHER KING JR. PARK**

WHEREAS, the Board of Aldermen for the Town of Carrboro has an opportunity to purchase property adjacent to Martin Luther King Jr. Park; and,

WHEREAS, the acquisition of this property will benefit the Town of Carrboro as the property will be used for a public purpose; and,

WHEREAS, the Board of Aldermen for the Town of Carrboro has adopted a Fund Balance Policy; and,

WHEREAS, the adopted Fund Balance Policy provides that when the unassigned fund balance exceeds 35% the Town Manager may assign some or all of the amount above 35% for transfer to the Capital Projects Fund for future projects; and,

WHEREAS, the Town Manager has assigned an amount of fund balance above 35% for future capital project purposes; and

WHEREAS, the adopted Fund Balance Policy requires formal action by the Board of Aldermen to commit the use of fund balance for projects or purposes in any current year or future year's budget;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. Town Manager is authorized to transfer \$145,000 from Fund Balance in the Town's General Fund to the Capital Projects Fund for the acquisition of property located at 1124 Hillsborough Road, Carrboro, NC (PIN 9779-32-1208).
2. Funds are appropriated in the Capital Projects Fund for the following expenses necessary to acquire this property:

Purchase Price	\$135,000
Closing Costs	<u>\$ 10,000</u>
Total Appropriation	\$145,000

Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this ___ day of ___ 2016.



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Agenda Item Abstract

File Number:16-305

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request-to-Set a Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments

PURPOSE: The purpose of this item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Bob Hornik - 919-929-3905

INFORMATION: At the May 24, 2016 regular meeting, staff presented the Board of Aldermen with information relating to newly adopted state legislation and the potential need to amend certain Land Use Ordinance provisions. One of these bills, HB 201, removed the use of protest petitions to require a three-fourths vote on petitions for change of zoning. (The bill may be found at: <http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H201v6.pdf>)

Local governments are permitted to substitute the zoning protest petition tool with written citizen comment, and a draft ordinance has been prepared for that purpose. If adopted, language in the proposed amendment would replace the existing paragraphs under Section 15-326, Protests to Zoning Map Amendments.

The Board of Aldermen must receive public comment before adopting amendments to the LUO. Orange County and Planning Board review are also needed.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the attached resolution, setting a public hearing for November 15, 2016 and referring the proposed amendment to Orange County and the Planning Board.

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE
CARRBORO LAND USE ORDINANCE PROVISIONS RELATED TO PROTEST
PETITIONS

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on November 15, 2016, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance Provisions Related to Protest Petitions.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County, the Town of Carrboro Planning Board and the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|---|--|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

This is the 18th day of October in the year 2016.

**AN ORDINANCE AMENDING TOWN OF CARRBORO LAND USE ORDINANCE
PROVISIONS RELATED TO PROTEST PETITIONS**

Draft 9-6-2016

Section 1. Town of Carrboro Land Use Ordinance Section 15-326 “Protests to Zoning Map Amendments” is hereby repealed, and the following is substituted in its place:

Section 15-326. Citizen Comments on Zoning Map and Text Amendments.

The Town of Carrboro Land Use Ordinance may from time to time be amended, supplemented, changed, modified or repealed. If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification or repeal to this Ordinance to the Clerk of the Board of Aldermen at least two (2) business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Board. If the proposed change is the subject of a quasi-judicial proceeding under North Carolina General Statutes Section 160A-388 (such as conditional use rezoning in which the legislative rezoning is accompanied by or followed by a quasi-judicial conditional use permit process), the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting.

Section 2. All provisions of any Town Ordinance in conflict with this Ordinance are repealed.

Section 3. This Ordinance shall become effective upon adoption.



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File Number:16-303

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File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

An Update on the NCDOT Proposed Intersection Improvements at N. Greensboro St. and Estes Drive

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to receive an update from NCDOT staff on the proposed improvements at the intersection of N. Greensboro St. and Estes Drive. .

DEPARTMENT: Planning

CONTACT INFORMATION: Bergen Watterson - 919-918-7329, Tina Moon - 919-918-7325

INFORMATION: At the May 10, 2016 meeting, the Board of Aldermen received a report and presentation from NCDOT staff on the proposed improvements to the N. Greensboro St. and Estes Drive intersection. This project is programmed in the current State Transportation Improvement Program (STIP) and is scheduled for design in FY2017 and construction in FY2018. At the time of the May 2016 meeting NCDOT staff explained that they would be examining two alternative concepts for the intersection and would hold a public meeting in the fall to gather input prior to finalizing the design by January 2017. The public meeting has tentatively been scheduled for November 14th and NCDOT wanted to provide an opportunity for the Board of Aldermen and members of the public to hear an update and ask questions prior to the public meeting. NCDOT's presentation will include a brief overview of the project history and current status, results from the traffic analysis, the proposed design and information about the public meeting on November 14th.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with receiving this update.

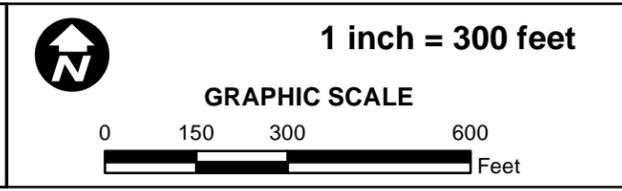
RECOMMENDATION: Staff recommends that the Board receive the update and request follow up information as appropriate.



This Exhibit is for planning purposes only and shown herein does not meet NC 47-30 Requirements and therefore is not for design, construction, or recording or transfer of title. The Exhibit was compiled from available information obtained from the sources listed below. Streams and Wetlands: All features located in the field were recorded using a survey grade TOPCON GRS-1 GPS with Glonass receiver with supposed sub-50 centimeter accuracy.

Sources: ESRI Base Mapping, NCDOT, and SEPI

August 2016



Project Area
U-5846 Proposed Roundabout
Estes Drive, Carrboro, NC



**Estes Drive (SR 1780) & Greensboro Street (SR 1772) Intersection Improvements
Carrboro, Orange County, STIP Project U-5846**

Public Meeting - Monday, November 14, 2016, 4 to 7 pm

LOCATION: Town Hall Board Room

The North Carolina Department of Transportation is currently studying a proposed project that would improve the intersection of Estes Drive (SR 1780) & Greensboro Street (SR 1772), located within the Town of Carrboro, in Orange County. The purpose of this project is to make the intersection safer and more effective in handling existing and future traffic. Both Estes Drive and Greensboro Street are two-lane roadways and the existing intersection is signalized.

At the Public Meeting representatives from the project study team will share information, answer questions, and receive comments regarding the proposed project in an open house style setting. There will not be a formal presentation, and participants are encouraged to drop in at any time during the meeting hours. You may also submit comments or questions at the meeting or later to the contacts listed to the left by December 15.

For questions or comments about the project, to be added to the project mailing list, and/or to receive future newsletters please contact:

Chris Smitherman, PE
NC Department of Transportation
Division Design Construction Engineer
PO Box 14996
1584 Yanceyville Street
Greensboro, NC 27415-4996
(336) 487.0000
csmitherman@ncdot.gov

OR:

Michelle Suverkrubbe, AICP
SEPI Engineering & Construction
1025 Wade Avenue
Raleigh, NC 27605
(919) 573.9935
msuverkrubbe@sepiengineering.com

NCDOT will provide auxiliary aids and services under the Americans with Disabilities Act for disabled persons who want to participate in this meeting. Anyone requiring special services should contact Anamika Laad at alaad@ncdot.gov or 919-707-6072 as early as possible so that arrangements can be made. NCDOT will provide interpretive services upon request for persons who do not speak English, or have a limited ability to read, speak or understand English. Kindly request it prior to the meeting by calling 1-800-481-6494.

Aquellas personas que hablan español y no hablan inglés, o tienen limitaciones para leer, hablar o entender inglés, podrían recibir servicios de interpretación si los solicitan antes de la reunión llamando al 1-800-481-6494.



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Agenda Item Abstract

File Number:16-267

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Discussion the Proposed North Carolina League of Municipalities (NCLM) Advocacy Goals and Selection of Voting Delegates

PURPOSE: The purpose of this item is to request that the Board of Aldermen review the proposed NCLM Advocacy Goals and highlight any areas of concern or disagreement with them. The Board will also select the voting delegates to the 2016 Advocacy Goals Conference.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando

INFORMATION: The NCLM Municipal Advocacy Goals are attached for the Board's discussion and staff requests that the members of the Board highlight any areas of disagreement or concern. It is also recommended that David Andrews and Cathy Wilson be selected as the Town's voting delegates for the 2016 NCLM Advocacy Goals Conference.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Town staff recommends that the Board approve the resolution.

A RESOLUTION PROVIDING COMMENT ON THE PROPOSED NCLM ADVOCACY GOALS
AND SELECTION OF THE NCLM VOTING DELEGATES

Section 1. The Board provides the following comments on the proposed 2016 NCLM Advocacy Goals and/or asks that the following additional goal(s) be considered at the Conference:

- 1)
- 2)

Section 2: The Board hereby appoints David Andrews as the Town's Voting Delegate to the NCLM Advocacy Goals Conference

Section 3: The Board hereby appoints Cathy Wilson as the Town's Alternate Voting Delegate to the NCLM Advocacy Goals Conference.

This resolution is effective immediately upon adoption.



Tax & Finance

1. Seek opportunities to support the passage of the federal e-fairness legislation.

Background: A federal effort in recent years has sought to establish a nationwide system for the taxing of purchases made via the Internet. Currently states and municipalities are owed sales taxes for Internet purchases, but they have no authority to collect these taxes. Federal legislation establishing a process for collecting these taxes would provide cities and towns with additional revenue and require that Internet purchases are treated the same as purchases at brick-and-mortar stores.

2. Seek legislation to provide municipalities with additional enforcement authority for ensuring the collection of room occupancy taxes owed on short-term rentals.

Background: Short-term rentals of privately-owned properties are becoming increasingly popular in North Carolina and nationwide. Companies such as AirBNB have used their websites to more easily facilitate such rentals. Concerns about the proliferation of these rentals have been expressed by residents and by owners of bed and breakfasts and other similar businesses. There has also been concern expressed by city officials as to whether such rentals are paying the occupancy taxes required under North Carolina law. The committee expressed interest in a legislative goal that provide cities with additional tools for collecting the occupancy tax on short-term rentals.

3. Seek legislation to allow room occupancy tax revenues to be used to fund municipal service and infrastructure costs in order to support travel and tourism.

Background: Occupancy taxes in North Carolina are created through local laws. They can vary from jurisdiction to jurisdiction, but the use of occupancy taxes are generally limited to being at least primarily spent on direct tourism promotion. Local governments have expressed interest in having greater flexibility as to how to spend their occupancy tax revenues. When a local bill to allow the City of Jacksonville to spend a greater percentage of its occupancy tax revenues on a capital project was considered in the General Assembly this year, it received pushback from House members and representatives of the tourism development industry. Such legislation may be more likely to receive consideration if any use occupancy tax revenues are expanded to can be directly connected to drawing additional visitors to a jurisdiction.



4. Seek legislation to provide municipalities with additional locally-controlled revenue options.

Background: Following recent legislative changes, the local property tax is the only municipally-controlled revenue source in North Carolina. That means that if local governing boards determine that there is a need to generate additional revenue for municipal operations, they are left with little choice but raising property taxes. The League has made additional local revenue flexibility a priority in recent years, both as a general goal and with specific proposals for generating additional revenue at the local level.

5. Seek legislation to modernize and reform local property tax statutes.

Background: As noted above, the property tax is the only locally-controlled revenue source in North Carolina. Many of the statutes related to the property tax in North Carolina were written in the 1970s and have received little revision since then. Properties owned by nonprofit organizations are frequently exempted from paying property tax under the theory that they are providing charitable benefits to the community. Some property owned by nonprofit organizations today may not have as direct a tie to the nonprofit's charitable activities. Reforms to the property tax statutes could help ensure that similar property is taxed similarly and that local governments are receiving all of the property taxes to which they are legally entitled.

6. Support legislation which defends the fiscal integrity of the Local Government Employees' Retirement System and its defined benefit structure, promotes reasonable pension reforms that are prospective in nature, and meets the needs of local employees, employers, and retirees.

Background: Various aspects of the state and local retirement systems have been discussed at the General Assembly in recent years. In 2015 there were rumors that legislation would be filed that would significantly overhaul the retirement systems in the state. Recently there have been discussions among some legislators and outside observers regarding the allocation of retirement system assets and the assumed rate of return for retirement system investments. The local government retirement system in particular is one of the best-funded in the country, and League members have long viewed a well-funded and stable retirement system as a key tool for attracting and retaining local government employees.

7. Seek legislation requiring verification that property tax payments are current before any new deed is recorded for a property.

Background: It currently varies from county to county whether it must be verified that property tax payments are current before a new deed for a piece of property is recorded. In



the counties where this is not the case, municipalities are often left with an unpaid tax bill and little recourse for collecting these unpaid taxes from the owner. Standardizing this process across the state would ensure that all municipalities are able to collect the property taxes they are owed before a property is sold.

8. Seek legislation to alter the current statutes governing distribution of local sales taxes by requiring a one-year delay in implementation when a county changes its method of distributing sales tax revenue.

Background: Currently counties may decide how sales taxes returned to them by the state are distributed among the local governments in their jurisdiction. They may choose from two methods – population (per capita) and property tax levy (ad valorem). Many, but not all, counties choose the method that results in the most revenue for the county. Oftentimes one method may be more favorable for some municipalities in a county while less favorable for other municipalities.

Counties may change the method of distribution in April of every year. When they make this change, it goes into effect for the fiscal year beginning on July 1. This gives municipalities little time to plan for the impact of such a change.

9. Support legislation providing sufficient state-level funding for incentive programs and maintaining grant and tax credit programs related to state and local economic development.

Background: In addition to state-level incentives, a number of state grants and tax credits also help to draw economic development projects to local communities. This goal adds support for those programs generally to a goal regarding state-level economic development incentives.

10. Support legislation that invests in a competitive film incentive program, robust state historic preservation tax credits, and the Main Street Solutions fund.

Background: In recent years, significant changes have been proposed to both the state's program for supporting the film industry and for state historic preservation tax credits. One behalf of its members, the League has been a strong supporter of these programs that benefit local economies across the state. The Main Street Solutions fund is another state-level fund which helps fund assistance for economic development in North Carolina's cities and towns. This goal would express specific support for each of these three programs.

11. Support legislation providing sufficient incentive funding at the state level to ensure that North Carolina can compete for economic development projects.



Background: State and local incentives are a key part of almost every economic development discussion. Economic development professionals say that state incentives are necessary to help attract major economic development projects that are considering states around the country. The level of incentive funding and the geographic location of where incentives are provided has been a continued source of discussion at the General Assembly in recent years.

General Government

- 1. Support legislation that will provide funding for state-level incentive programs necessary to grow jobs and the economy.**

Background: Cities and towns have long supported programs and incentives that grow the economy and grow jobs, such as the Historic Tax Credit, and the Film Incentive grant program. These funds are positive investments that benefit the entire state.

- 2. Oppose legislation that interferes with local management or ownership of local assets.**

Background: The Core Municipal Principles address the preservation of municipal authority, but do address the preservation of the management and ownership of local assets. In recent years legislation has removed ownership and control of assets paid for by municipal taxpayers.

- 3. Support legislation that would allow municipalities to supplement ABC law enforcement efforts.**

Background: Present law states that “Instead of hiring local ABC officers, a local board may contract to pay its enforcement funds to a sheriff’s department, city police department, or other local law-enforcement agency for enforcement of the ABC laws within the law-enforcement agency’s territorial jurisdiction.” This goal proposes changing the law so that a local board may supplement its ABC law enforcement efforts by allowing those Boards with ABC officers to also contract with a local police department to supplement enforcement efforts.

- 4. Support municipal authority over municipal personnel issues.**

Background: Some employee organizations have sought changes in the law in the past that would limit a city or town’s ability to discharge an employee the town believed needed to be fired. This goal would oppose legislation that would limit a city or town’s ability to set its own standards for discharging an employee.



5. Support legislation that provides for municipal elections to be determined by local municipal authority.

Background: In 2016 the legislature passed a bill (SL 2016-109), which stated that “It is the intent of the General Assembly to provide for even-numbered year municipal elections, effective with the 2020 election cycle”. The legislation also authorized a study of how the state might move municipal elections to even-numbered years and to make recommendations to the 2017 General Assembly. Municipal election cycles are set by statute now, and have been since the early 1970’s. Present law requires that they be held in odd-numbered years. Some municipalities have asked their legislators to run local bills to change the election year for their municipality. Cities and towns would prefer the legislature not change this law statewide, but only make changes by local bills as requested by the cities and towns.

6. Support legislation to revise the tier method of measuring levels of economic distress to focus on the causes of distress and taking sub-county data into account.

Background: A tier system is used by the state Department of Commerce to rank the counties that would be deemed to be most in need for grants and investments. There has been proposed legislation that would eliminate the present economic development tier system and propose a new system and similar bills are expected in the future. Under the present system, a county may be ranked as a more prosperous area even though some cities in that county are very poor. Cities and towns believe that, if and when a new tier system is created, sub-county data needs to be utilized so that help can go to those poorer areas within a more prosperous county. Cities and towns would also believe the causes of the economic distress need to be taken into consideration.

7. Support a formula- based Strategic Transportation Investment program.

Background: This goal does not address what the formula for the STI should be, but focuses on the fact that cities and towns support a formula based program that sets priorities based on what is best for the state, not based on politics. Cities and towns invest money based on the plan that is created by the STI. It is very costly if the General Assembly steps in with legislation to change that plan after planning and investment has begun.

Planning & Environment

1. Seek legislative and administrative changes to the STIP process that give local conditions increased weight in the allocation of transportation funds.

Background: This goal seeks both statutory changes and changes made by NC DOT to the state’s transportation prioritization process. With the agency wrapping up its fourth round of project prioritization since the Strategic Transportation Investment Prioritization (STIP) legislation made the selection process more data-driven in 2013, calls to reform that process



have increased. Many legislative observers expect proposals to make changes to this law in 2017 that would direct more funding to rural areas than under current formulas.

This goal recommendation intentionally avoids asking to shift the way money is allocated to regions. Instead, the goal seeks to make changes to how projects are scored once the pot of funding has been divided among regions. Of particular importance, the subcommittee stressed that increasing the influence of local officials in project prioritization would benefit all cities and towns in the state, both large and small.

2. Seek legislation to increase state-level funding for municipal infrastructure needs.

Background: This goal encompasses all state-level funding requests the League members make for infrastructure, including funding for water/sewer, stormwater, transportation, beach renourishment, inlet dredging, and parks. The broad wording allows for a variety of funding mechanisms, such as grant programs or statewide bonds. Therefore, the League would have maximum flexibility to work within the current political environment to secure funding for this broad array of purposes.

3. Support state programs that encourage entrepreneurs to develop new uses for recyclable materials.

Background: In making this recommendation, the committee acknowledged that in the current political climate, taking an incentive-based approach to encouraging recycling made the most sense for a League policy recommendation. This goal recognizes that for some materials, the recycling markets remain low or non-existent. If recyclable materials had more uses, they would become more valuable. In turn, local government efforts to encourage recycling of those products would increase if the collection grew a municipality's bottom line.

4. Seek legislative and administrative changes to allow spending of non-entitlement CDBG funds on a wider array of allowable purposes.

Background: This goal seeks to allow the State to direct non-entitlement CDBG funds to more purposes. Right now, North Carolina directs nearly all non-entitlement CDBG funds to water and sewer projects. However, federal law allows CDBG funds to be spent on a larger number of projects than N.C. law allows. If this goal was achieved, some of the State's funds would be diverted to other purposes, such as housing.



Regulatory

1. **Support legislation that recognizes that management of a public utility is best determined by the local owning entity due to their consideration of financing, engineering, and regulatory responsibilities.**

Background: This goal is to support local utility control. In the past, there have been legislative proposals attempting to limit control over a variety of utility decision making. These limits have been in regards to rates, connections, materials, or resulted from enterprise tensions with the development community. (Examples: Asheville Water, piping preference, and legislation requiring Durham to provide water and sewer to a specific development).

2. **Support legislation that gives deference to community water systems in order to support growth and economic development and to address needs established in their 50 year water supply plans.**

Background: This goal addresses the topic of water allocation and recognizes that water supply is often a growth planning and economic development tool for municipalities. Additionally, since there is not a legal right to the water utilities use to provide drinking water, this goal states that deference should be given to the withdrawals of community water systems, especially to allow them to address the needs established their required 50 year water supply plans.

3. **Support solutions addressing established use impairments in waters that are based on current site-specific data and analysis, assign responsibility proportionate to the source, and equitably hold accountable all contributors.**

Background: This year the Senate proposed measures to continue to study existing State Nutrient Management Strategies, which would have resulted in possible repeal of existing rules. While the final measure that passed only affects the Jordan Lake and Falls Lake rules, this may be an issue that continues to arise. The goal lists factors to consider when addressing nutrient impairment of waters on a statewide level. The committee determined it also provides a clear stance for when existing strategies are called into question. The goal strikes a good balance by stating that policymaking to address nutrient impairment should:

- Be specific to a water body
- Be based on actual impairment
- provide solutions that are scientifically proven to work
- hold everyone that contributes to the problem accountable



Goals Recommended by the NCLM Board of Directors

1. Support legislation to bolster the state's mental health treatment resources, including resources and solutions to lessen the strain on sworn law enforcement officers when providing custody of individuals in crisis.
2. Support providing cost of living adjustments for Local Government Employees Retirement System retirees that can be funded through pension system investment gains.

Core Municipal Principle Amendments

1. ***Core Municipal Principle on "Authority"***: The committee recommended adding the following language to the explanation: **The League supports a broad construction of municipal powers and applications thereof, and therefore stands opposed to legislation preempting municipal authority and to measures designed to otherwise erode local control of significant municipal issues.**

Background: This additional language recognizes that cities would like to retain not only the authority to govern their communities and provide services, but also, that cities have the tools they need ("*applications* of municipal powers") to govern and provide services

2. ***Core Municipal Principle on "Liability"***: The committee recommended adding the following language to the explanation: **"The League opposes proposals placing inequitable and burdensome liability upon municipalities, including measures that seek to erode well-established principles of immunity or other defenses.**

Background: This additional word enhances the Core Principle by stressing that liability should apply equally to all levels of government. For example, now, local governments risk the liability of paying attorney's fees for actions outside the scope of their authority, a punishment that does not apply to other subdivisions of government.

3. ***Core Municipal Principle on "Regulation"***: The committee recommended changing the following language in the Principle: **"Support science-fact-based, equitable, cost-effective, flexible regulatory solutions."**



Background: This tweak to the Core Principle broadens it beyond its current focus on environmental (science-based) regulations. If adopted as proposed, the Core Principle would encompass other types of non-science-based regulations with which municipalities must comply.

4. ***Core Municipal Principle on “Authority”.*** The committee voted to change the wording of the principle that said “Preserve EXISTING municipal authority” so that it now reads “Preserve municipal authority”.

Background: The legislature has pre-empted the authority of cities and towns multiple times in the past years. Therefore, the committee felt this change appropriate.



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

File Number:16-301

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Continuation of Public Hearings on the Proposed Rezoning and Associated LUO Text Amendments for the Lloyd Farm development proposal.

PURPOSE: Continuation of the public hearings on the proposed rezoning at 700 Old Fayetteville Road from R-10, R-20 and B-4 to B-4-CZ and the associated text amendments for the Lloyd Farm development proposal. Draft ordinances for the map and text amendments have been prepared.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333, Patricia McGuire - 919-918-7327, Nick Herman - 919-929-3905

INFORMATION: On June 28, 2016, the Board of Aldermen opened two public hearings relating to the Lloyd Farm development: a petition for change of zoning and an application for associated text amendments. (Agenda materials from the June meeting may be found here: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456731&GUID=C6B5AC0D-605F-4CBF-A7E7-7BE4BBA20FE5&Options=info&Search=>>) Though each request requires a separate decision, the text amendments first and the rezoning second, the two items have been combined into a single agenda to simplify the Board's deliberation. Both requests have been submitted by Ted Barnes of Argus Development Group, LLC, who is referred to herein as the applicant. The rezoning site plan includes a mixed-use development with a grocery store, commercial outparcels, a multi-story apartment building surrounded by twenty freestanding duplex units, parking, open space and bike-ped facilities.

A brief summary of each request is described below.

Rezoning. The subject property includes four parcels located at the northeast corner of NC Hwy 54 and Old Fayetteville Road and known collectively as the Lloyd Farm. The parcels are further identified by their Orange County PIN numbers: Lot 1 (PIN 9779-09-7922), Lot 2 (PIN 9778-19-6618), Lot 3 (PIN 9779-10-7351) and Lot 4 (PIN 9779-20-0449). If approved, lots 1 and 2 (approximately 35 acres) would be rezoned from R-10 and B-4 to B-4-conditional (B-4-CZ) for the construction of the mixed-use development. No development is proposed for lots 3 and 4. If approved, lots 3 and 4 (approximately 4.6 acres) would retain their existing residential zoning classification with the addition of CZ. In the draft list of conditions associated with the rezoning, the applicant has included a condition to offer lots 3 and 4 to the Town for public use.

Agenda Date: 10/18/2016

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Text Amendments. Text amendments, if adopted would modify the Land Use Ordinance in three areas related to the B-4-CZ zoning district: 1) adding flexibility to the collector street standards to allow a cross section with a slower design speed; 2) allowing multi-family residential uses at a density of approximately R-3 or 3,000 square feet per dwelling unit; and 3) increasing the maximum building height to 65 feet, 15 feet taller than the current maximum building height for the B-4 district.

At the close of the June 28th meeting, the Board voted to continue the public hearings to a future date and requested additional information on the following aspects of the project:

- possible mitigation of traffic congestion
- a better understanding of how stormwater would function during and after construction
- possible ways to incorporate affordable housing units into the project
- potential uses for the 4.6-acre lot fronting James Street that the applicant has offered to dedicate to the town, including the possibility for affordable housing, and
- a fact check of the project revenue projections.

A copy of the minutes from the June public hearing is provided (Attachment G). A staff memorandum summarizing responses to the Board's request for information is also provided and includes more detailed technical analysis in the appendices at the end of the document (Attachment H and Attachment I).

Materials related to the text amendment are included as Attachments A through D. Materials related to the rezoning are provided as Attachments E through L) and the draft ordinance for the rezoning with the associated conditions. Some of the attachments, particularly the applications and advisory board comments were provided at the June public hearing and have not been changed. The list of proposed conditions associated with the rezoning, Attachment F, has been modified and includes three additional conditions. Conditions for conditional rezonings are binding and must be mutually agreed upon by the applicant and Town.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review. The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation.

RECOMMENDATION: Staff recommends that the Board of Aldermen receive public comment, deliberate and consider adopting the resolutions provided. These include for the text amendments: Attachment A-1 finding consistency and Attachment B the draft ordinance; and for the rezoning to B-4-CZ: Attachment E-1 for consistency and Attachment F for the draft ordinance for the map amendment.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

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 LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

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* particularly the following statements relating to Development, Economic Development and Housing:

- 2.1 Avoidance of Adverse Effects on Public Health and Safety
 - 2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.
- 2.5 Balanced and Controlled Growth
 - 2.52 The town should continue to require the construction of a diverse housing stock.
- 3.2 Downtown Vitality
 - 3.28 Carrboro encourages a variety of appropriate residential developments – single-family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.
- 6.1 Housing for a Diverse Population
 - 6.11 Town policy should 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 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it reduces the minimum lot size creating opportunities for more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

Section 3. This resolution becomes effective upon adoption.

This the 18th day of October 2016.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: HAND MAIL FAX EMAIL

**To: David Andrews, Town Manager
Mayor and Board of Aldermen**

From: Tina Moon, Planning Administrator

Date: October 14, 2016

**Subject: Request for Rezoning and LUO Text Amendments for Proposed Development
at 700 Old Fayetteville Road**

SUMMARY

On June 28, 2016, the Board of Aldermen opened two public hearings to consider rezoning property at the corner of Old Fayetteville Road NC Hwy 54 to allow a mixed use development, and to consider text amendments to the Land Use Ordinance associated with the project. After considerable public input, the Board directed staff to provide more information on the following aspects of the project:

- possible mitigation of traffic congestion
- a better understanding of how stormwater would function during and after construction
- possible ways to incorporate affordable housing units into the project
- potential uses for the 4.6-acre lot fronting James Street that the applicant has offered to dedicate to the town, including the possibility for affordable housing, and
- a fact check of the project revenue projections.

The following memorandum provides a summary of staff research and findings on these matters, supplemented by appendices. In addition to the items discussed during the June meeting, staff has also included a more in-depth analysis of the project as it relates to Town plans and policy documents: Carrboro Vision 2020, Creating Carrboro's Economic Future and the Local Living Economy Task Force Report.

BACKGROUND INFORMATION

Ted Barnes with Argus Development Group, LLC, came before the Board in October 2014 with a request to set a public hearing to consider a conditional use rezoning and conditional use permit for the Lloyd Farm development. The Board did not set a hearing but instead recommended a facilitated conversation involving the applicant, members of the town and stakeholders from the community. The process took place during the summer and early fall of 2015, and a revised design was submitted to the Town in February 2016, as a conditional rezoning. There are two important distinctions between conditional use zoning and conditional zoning. First, in the conditional use rezoning process, the applicant submits the rezoning petition and the conditional use permit applicant at the same time and the two are reviewed simultaneously on parallel tracts; in the conditional rezoning process, by contrast, the applicant submits the rezoning request first, and if approved, proceeds with a land use permit application—in this case a conditional use permit. Second, the use of conditional zoning offers additional opportunity for public input and allows the Board greater flexibility to participate in conversations about the project outside of formal meetings; binding conditions are decided as part of the rezoning. Other conditions can be decided as part of the conditional use permit – where more detail and issues of ordinance compliance are decided.

The applicant has also submitted text amendment requests to modify the Land Use Ordinance in three areas related to the B-4-CZ zoning district: 1) adding flexibility to the collector street standards to allow a cross section with a slower design speed, 2) allowing multi-family residential uses at a density of approximately R-3 or 3,000 square feet per dwelling unit; and 3) increasing the maximum building height to 65 feet, 15 feet taller than the maximum building height for the B-4 zoning district, subject to certain criteria. The second text amendment is perhaps the most noteworthy in that it would introduce the opportunity for residential uses in a commercial district located outside of the downtown.

NEW INFORMATION FOLLOWING JUNE PUBLIC HEARING

The following section provides a brief summary of staff's follow-up research to questions and comments during the public hearing. Additional information in the form of technical reports are provided at the end of the document as appendices (Attachment I in the agenda materials).

Traffic Impact Assessment

Traffic has been one of the primary concerns for neighbors throughout the review of the project. The applicant hired Kimley-Horn and Associates (KHA) to prepare a traffic impact analysis (TIA) as part of the original application in 2013 and a revised TIA in May 2016 to reflect changes to the project subsequent to the summer mediation process. These changes included the introduction of a roundabout at the main entrance to the complex on Old Fayetteville Road and a “left over” a partial movement on NC 54 to allow vehicles traveling east to enter the development from a left turn. Revisions to the TIA also addressed modifications to the overall

design of the project, mainly changing the residential component to a senior-living community (restricted to 55 years of age and older) with approximately 200 apartments, for rent, with dining and other support services and 20 duplex cottages for sale (without age restrictions), and the removal of a fast food restaurant (restaurant with drive-through window). The assumptions described in both TIAs showed approximately 35 percent of the trips leaving the development heading west on NC 54. The roundabout was put forth as a strategy to facilitate the left turn movement onto Old Fayetteville Road, particularly during times when stacking at the Old Fayetteville Road exit might lead some patrons to turn right and travel a more circuitous route through the adjacent residential neighborhood to get back to NC 54.

At the time of the public hearing in June 2016, NCDOT had not yet completed its review of the TIA and, in particular, its analysis of the roundabout. In its response in August, NCDOT approved the left over configuration on NC 54 but did not approve the roundabout on Old Fayetteville Road, on the basis of insufficient queuing space between the roundabout and the intersection with NC 54, which would back up into the roundabout.

In September KHA conducted updated counts, reviewed its assumptions--adding trips to and from Old Fayetteville Road south of NC 54, and reevaluated traffic mitigation without the roundabout. Staff received new review comments from NCDOT dated October 8, 2016 accepting the updated assessments and approving the left over on NC 54 and a traditional unsignalized intersection at the entrance on Old Fayetteville Road. (Copies of the comments from NCDOT and the executive summary of the most recent TIA and are included in the appendices.) The TIA projects approximately 3,128 new external trips with the grocery store generating almost half of the total number, and the evening peak producing roughly 100 more trips in and out, than the morning peak at (218 AM in - 162 AM out and 311 PM in – 305 PM out) respectively. The removal of the fast food restaurant and the change in the residential component in the subsequent to the summer facilitation shows a marked reduction in daily trips (287 AM in - 296 AM out and 398 PM in – 348 PM out). The 2016 assumptions also assign 55 percent of the trips coming to and from NC 54: 35 percent of the trips coming to/from the west via NC 54 and 20 percent of the trips coming to/from the southeast via NC 54.

The Town has engaged Davenport, an engineering firm with offices in Raleigh, Greensboro, Asheville and Charlotte, to provide an independent review of the assumptions and site trip distribution, and to evaluate appropriate traffic calming measures in Plantation Acres and nearby residential streets. The Lloyd Farm developer has agreed to a condition providing \$15,000 to conduct a neighborhood-level traffic calming study and/or to pay for the installation of traffic calming devices or other improvements in Plantation Acres neighborhood. The independent review by Davenport should facilitate the identification of potential traffic calming measures that could mitigate traffic concerns in the residential neighborhoods. At the time of agenda deadlines, staff had not yet received the report from Davenport, but anticipates having its findings in time to bring to the Board meeting on October 18th.

Staff has also discussed an additional condition with the applicant related to the potential construction of a side path along NC 54 that would provide improved bike and pedestrian

access from West Main Street to Anderson Park. The town is not requesting that the applicant construct the side path but rather reserve sufficient space along the property boundary so the facility could be built in the future. The exact wording of the condition is still being finalized.

The rezoning site plan includes a location for a bus pullout along the main internal street. Staff has reached out to Chapel Hill Transit to discuss possible reconfigurations of bus routes in the area to serve a stop within the Lloyd Farm development. Chapel Hill Transit is reviewing different options for modifying existing routes to extend service to the development while continuing to accommodate existing ridership.

Stormwater Analysis

Issues relating to stormwater management have also surfaced during the review of this project in part because of the size and intensity of the proposal and the topography of the site but also because of its location along Tom's Creek and the history of flooding in the area. Part II of Article XVI of the Land Use Ordinance, Stormwater Management, outlines the Town's requirements for developments to be constructed and maintained to meet certain storm events: 2- to 25-year 24-hour design storm for downstream properties and the 100-year storm for upstream properties. The ordinance also includes provisions limiting the volume of water that can leave the site.

The applicant submitted a preliminary stormwater analysis with the conditional use permit /conditional use rezoning application materials in 2013-2014 and the current design is quite similar to the original in that regard. The rezoning site plan submitted in support of the request for conditional rezoning of the property shows large detention features to control water quantity and smaller bioretention areas for water quality. Using the hydraulic model prepared for the greater Tom's Creek Flood Study, Sungate Design was able to input the approximate size and location of the stormwater devices to evaluate the proposed Lloyd Farm development using the historical flood from June 30, 2013 to determine the discharges for the analysis. Their findings, represented in Appendix C, comparing the Lloyd Farm pre-development (scenario #2) to the Lloyd Farm developed with detention (scenario #3) shows that the changes to water level are measured by tenths of a foot—a relatively small change. The same homes would likely see some impact as they do now, but the degree of impact would only slightly change; some properties downstream would see slightly increased levels of water and some properties upstream could see slightly decreased levels. It should be noted that the analysis is based on the original CUP design, which included more impervious surface from parking, a fast food restaurant, so it is possible that the existing proposal would have less impact than what was identified in Sungate's analysis. (The full report is included in the appendices.)

Section 15-49(c2) of the LUO allows the applicants of commercial projects to prepare stormwater analysis with the submittal of construction drawings rather than with land use

permit applications. Staff is recommending as a condition of the rezoning approval, that the applicant submit full stormwater engineering plans as part of the conditional use permit process. The project engineer has indicated that the sedimentation and erosion control devices which would be installed in the locations where permanent stormwater ponds and areas are planned would also provide stormwater retention during construction, an area of concern for large and multiphase projects. The concept of bonding for potential damages from flooding was also discussed by the Board of Aldermen; the LUO allows for bonding for BMPs for up to two years after the completion of the devices in Section 15-263(i), Management of Stormwater.

Possible Uses for Dedicated Parcels Totaling 4.6 Acres

The applicant has offered to dedicate the two lots (3 and 4) (approximately 10 percent of their total property) fronting James Street to the Town as a condition of the rezoning. Labeled as “civic space” on the rezoning site plan, staff referred to them as potential recreation space in the June 2016 agenda materials in order to suggest a narrowing down of the uses to ones that had been mentioned by neighbors during the mediation, such as a neighborhood meeting area, park, or open space, uses that were all considered to be under the ‘recreation’ umbrella and a broad enough term that would allow the area to remain as a natural area or to allow a more formal recreational use that could include a building.

The applicant has also offered a payment in-lieu of providing affordable housing units as part of the development program for the Lloyd Farm. The meal program and associated services offered in the senior living complex offers challenges to traditional strategies toward providing affordable units by way of subsidies. The exploration of further opportunities for affordable housing as part of the Lloyd Farm development or the James Street property would be intended to supplement the applicant’s offer of payment or to reduce it, but not to completely replace it. Discussion during the public hearing about the Town’s interest led to an exploration over the summer of ways to develop the two small lots on James Street for affordable housing. There are certain physical limitations to the site owing to size of the property and the small drainageway located near the center of the site which has stream buffer requirements, but there is sufficient land area to consider a small housing complex, and in fact an earlier iteration of the project included a small standalone residential component with fifteen townhomes arranged around a T-turnaround. (Additional information on uses for this property as well as possible approaches to include affordable housing units in the development is included in the appendices.) The Town requested a copy of the Phase I Environmental Site Assessment of Lloyd property, prepared by Duncklee & Dunham, NC, in June 2011, to determine if any of the dumping that had occurred on lots 3 and 4 had any long-term environmental implications. The authors reported that they did not identify evidence of recognized environmental conditions on the property.

Revenue Projections

Town staff met with their counterparts in Chapel Hill and Orange County to review the anticipated economic gains from the project in terms of tax base and job creation during construction and after completion. The information is provided in the table below; the applicant's calculations is provided in the appendices. As a point of reference, the Town's Cost of Living Housing Wage Salary approved by resolution on July 1, 2016, is \$31,158.

Lloyd Farm Economic Development Impact Analysis September 2016

Economic Impact – Source of Revenue	**County/Town Staff Estimates
<u>Estimated Assessed Value</u>	<u>\$63,200,000</u>
<ul style="list-style-type: none"> • Orange County Taxes • CH/Carrboro Schools Taxes • Carrboro Taxes 	\$554,896 \$131,709 \$375,408 \$1,062,013
❖ Total Property Taxes	
Estimated Annual Sales Taxes (based on developers estimate of \$58,640,000 gross sales)	\$1,282,750
<ul style="list-style-type: none"> • Orange County • Carrboro 	\$810,427 \$113,292
Jobs/Salaries	<u>Avg. Salary</u>
<ul style="list-style-type: none"> • Harris Teeter (125) • Specialty Stores and Restaurants (270) • Senior Living Complex (15) • Shopping Center Maintenance Crew (15) • Construction Project (350) 	\$27,412 \$23,737 \$24,910 \$22,781 \$35,840
Affordable Housing Contribution	\$743,000
CH/Carrboro School Impact Fees	***

**Estimated assessed values provided by Orange County Tax Assessor's Office. Retail Sales Taxes calculated using model sales tax calculator provided by Orange County. Average Salary based on data from NC Works.

***Not applicable to senior housing projects

CONSISTENCY WITH ADOPTED PLANS AND POLICIES

When considering a map amendment, the principal question before the Town is whether the rezoning advances the public health, safety, or welfare (Section 15-325). The project under review seeks approval of a map amendment to a conditional zoning district; the Board of Aldermen is to consider whether the proposed site plan and associated conditions is consistent with Town policies and interests. A project of this magnitude, on one of the few remaining

sizable tracts of undeveloped land, in a location that serves as a gateway into Town will undoubtedly be subject to scrutiny, and it should be. A common question, when considering the petition for rezoning, has been why rezone? Why not develop in accordance with the existing zoning?

The existing Lloyd Farm assemblage consists of four lots, described in the table below, two of which are proposed to be rezoned to B-4-CZ. Lot 1 is currently zoned R-10 (Residential, 10,000 sq. ft. per dwelling unit). Lot 2 has split zoning; roughly one third of the parcel is zoned R-10 and the other two thirds (the portion along NC 54) is zoned B-4 (Outlying Concentrated Business).

Lot	PIN	Existing Zoning	Proposed Zoning	Acreage
1	9779-09-7922	R-10	B-4-CZ	10.18
2	9778-19-6618	R-10	B-4-CZ	8.61
2	9778-19-6618	B-4	B-4-CZ	16.61
3	9779-10-7351	R-10	R-10-CZ	3.73
4	9779-20-0449	R-20	R-20-CZ	0.94

For the most part, the uses proposed in the Lloyd Farm project could be developed with the existing zoning but in a different configuration. For example the existing R-10 classification would allow single family or multifamily units along Old Fayetteville Road and the B-4 classification would allow a grocery store and other commercial uses along NC 54. Such an arrangement would likely place the tallest buildings (the potential apartments) at the highest point of the site increasing their visibility, and move the retail complex toward the middle of the property with parking located in front of the buildings, facing NC 54. By contrast, the rezoning allows the project to incorporate the whole site in its design, to place the tallest building where they are likely to have less visible impact, to provide multiple points of access to the site for better ingress/egress, and to design a more comprehensive stormwater management program.

Carrboro Vision2020, the Town's principal planning document speaks to the need for additional commercial space, and identifies the subject property "across from Carrboro Plaza" as a suitable location for new commercial growth. With more than 37,000 sq. ft. of commercial space (outside of the grocery store anchor) the Lloyd Farm development has the potential to contribute to the Town's efforts to support the Local Living Economy Task Force (LLETf) in two important ways. First the location, though on the outskirts of town is still within walking/biking distance from residential neighborhoods and transit routes. Close proximity to the post office likewise provides an opportunity to combine errands on a single outing. There may be an opportunity for the Town to work with the developer and potentially identify some space for local tenants (business and/or nonprofit) and places for local events, music, outdoor movies, food truck rodeos, and the like. Carrboro's active arts scene and after hours events, described in Regional Technology Strategies, Inc.'s "Creating Carrboro's Economic Future," as one of the town's uncommon assets could over time extend to the NC 54 corridor and particularly to Carrboro Plaza and the Lloyd Farm development. The NC 54 corridor is also mentioned in RTS's report as a suitable location for retail given, in part, to its draw on the Triad labor market.

The TIA assumptions have likewise identified these same commuters as the highest percent of future trip generators, stopping on their way to and from work.

The staff report from the June 28th meeting includes a more detailed analysis of the Lloyd Farm proposal as it relates to Carrboro Vision 2020. There is much to like about the project in terms of the natural spaces associated with the ponds, the preservation of trees at the undisturbed southwest corner of the site, the potential gathering spaces, the bike-ped facilities within the project, and the opportunities for different types of housing. There are other aspects that may not be as desirable such as the use of a car-oriented shopping model, which though permitted by the LUO is considered outdated by some. The increase in traffic congestion associated with a project of this size, and by association the challenges getting to the site by bike or on foot may be seen as a negative. The project includes considerable buffers along the perimeter of the property, are they sufficient to preserve established neighborhoods?

The draft ordinance for the rezoning includes a list of seventeen conditions; the last three in italics have been added since the June public hearing. Through its deliberations, the Board may identify minor modifications to the conditions or potentially new conditions to discuss with the applicant. Conditions must be mutually agreed upon by the applicant and the Town and will be binding to the rezoning.



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

October 8, 2016

ORANGE COUNTY

Mr. Travis Fluitt, PE
3001 Weston Parkway
Cary, NC 27513

Subject: Proposed Lloyd Farm Mixed Use Development Located on NC 54 and
SR 1007, Old Fayetteville Road-
Review of Revised Traffic Impact Analysis Received October 4, 2016

Dear Mr. Fluitt,

Per your request, District staff has reviewed the revised traffic impact analysis (TIA) with enclosed site plan received October 4, 2016. Based on the submitted materials, we offer the following comments relative to the State maintained routes.

General:

This office has previously reviewed the original TIA and site plan and a subsequent revised TIA and site plan for this development and provided correspondence on October 17, 2013 and August 8, 2016. The current submittal reflects additional revisions. Specifically:

- The previously proposed roundabout at the Old Fayetteville Road site access has been removed and replaced with a traditional unsignalized intersection.
- The background traffic annual growth rate has been adjusted from 1.5% to 1.0% based on further evaluation of recent traffic volume data.
- Updated traffic counts for certain movements were conducted and applied in the analysis.
- Adjustments to trip distribution were applied.
- The previously proposed directional left-over median crossing at the NC 54 site access is retained.



Lloyd Farm Affordable Housing Update

Donated Land

The Lloyd Farm development proposal includes an offer to donate two parcels of land to the Town, totaling 4.67 acres. A particular use for this land has not yet been determined. The applicant framed the offer of donation as allowing a 'civic' use and a draft condition clarified this as 'recreational.' At the conclusion of the hearing the Board of Aldermen asked staff to look into the feasibility of providing affordable housing on the parcels.

In early July, two Board members and staff toured the parcels to gain a better understanding of the existing conditions and physical characteristics of the property. The offer of donation includes two existing parcels at and near the southwest corner of Carol Street and James Street. A Duke Energy overhead powerline easement makes up the eastern James Street frontage of both parcels and an intermittent stream and buffer bisects the larger of the two parcels. These features remove approximately 1.5 acres from the developable portion of the parcels. Another area of approximately ___ square feet is encumbered with construction debris that was deposited on the site some years ago. An environmental assessment conducted by the applicant did not reveal any materials of concern.

Staff determined there weren't any absolute barriers on the properties to affordable housing development. To gain further insight on the feasibility of affordable housing development on the parcels, staff reached out to a few affordable housing developers. After taking a look at the property and the previous concept plan for development of the parcels as a neighborhood of townhomes, DHIC, CASA, and JOIN Development concluded that it was very likely possible to develop affordable housing on the site. The presence of the Duke Energy substation was found to likely significantly reduce the chance that an affordable housing development in this location would be selected for Low-Income Housing Tax Credits. Given the potential payment-in-lieu from the developer and the ability to provide free or low-cost land, it is believed an affordable housing development could be financially feasible through means other than tax credits.

The type and size of a possible affordable housing development is a factor that the Town would need to consider, but all indications so far point to it being possible to develop affordable housing on these parcels.

Affordability in the Proposed Age-Restricted Units

The current proposal is for approximately 200 apartment units in a full service senior community, and 20 cottage homes that would not be age-restricted. None of the units are proposed to be restricted in terms of price or occupancy and a payment of \$743,000 has been offered in lieu of providing any affordable units. The Board of Aldermen and Planning Board have expressed a strong interest in seeing some affordable units provided within the development.

The Town has been communicating with the applicant and future developer of the senior community to explore the feasibility of providing affordable units in this type of full service community. The combined payment for housing, meals, transportation, and services is what complicates such a project from providing affordable units. In these conversations, the developer has expressed an openness to exploring affordability options.

Staff has identified a model where similar types of developments included affordable units. This model has been used in a couple developments in New Jersey and Maryland. These examples have been

shared with the developer and we are awaiting feedback on the viability of this model for the proposed full service senior community.

- The previously proposed right in-right out access at NC 54 and the Post Office Driveway is retained.

Proposed New Site Access and NC 54 Intersection:

We have previously indicated our concurrence with the TIA findings that the directional left-over configuration does provide for beneficial trip distribution resulting in improved operation at the adjacent NC 54 and Old Fayetteville Road intersection. We are amenable to construction of this configuration subject to the following geometry meeting NCDOT standards.

- Construct a median break with appropriate channelization and an exclusive eastbound left turn lane with 200' of full storage and appropriate deceleration and taper distances on NC 54.
- Construct an exclusive westbound right turn lane with 100' of full storage and appropriate deceleration and taper distances on NC 54.
- Provide a two lane access consisting of a single ingress lane and a single egress lane with minimum internal protected stem length of 200' and appropriate channelization.
- Provide geometric changes to the NC 54 and Old Fayetteville Road intersection to accommodate anticipated westbound U-turn movements.

NC 54 and Old Fayetteville Road Intersection:

Distribution of site trips has been adjusted to assign 7% of site traffic to and from the south via Old Fayetteville Road in response to our previous comments.

- We concur with the TIA recommendation to extend the existing southbound left turn lane and construct an additional southbound left turn lane to provide 325' of storage each on Old Fayetteville Road.
- We concur with the TIA recommendation to construct an exclusive right turn lane with 100' of full storage and appropriate deceleration and transition taper lengths on Old Fayetteville Road.
- Based on the SimTraffic queuing reports, the westbound left turn queue is expected to exceed the current 300' storage length. Extend the westbound left turn lane to provide 400' of full storage with appropriate transition and taper lengths on NC 54.
- Construct appropriate traffic signal modifications to accommodate the revised geometry.

Proposed Site Access and Old Fayetteville Road Intersection:

As previously noted, this access has been revised to a traditional unsignalized intersection.

- We concur with the TIA recommendation to construct an exclusive southbound left turn lane with 100' of full storage and appropriate transition and deceleration taper lengths on Old Fayetteville Road
- We concur with the TIA recommendation to construct an exclusive northbound right turn lane with 100' of full storage and appropriate deceleration taper on Old Fayetteville Road.
- Provide a three lane access consisting of a single ingress lane and two egress lanes consisting of an exclusive left turn lane and an exclusive right turn lane with 200' of full storage. Provide a minimum 200' of protected internal stem length.

Multi-modal and Streetscape Enhancements:

Any stipulated multi-modal enhancements including but not limited to sidewalk, bike lanes, bus pull offs, lighting, landscaping etc. on State maintained routes are subject to NCDOT requirements

General Requirements:

All work within the NCDOT right of way shall meet current NCDOT design and construction standards.

The applicant shall dedicate any additional right of way necessary to accommodate the required road improvements or future improvements as stipulated.

Intersection radii and geometry shall be designed to accommodate turning movements of the largest anticipated vehicle.

All pavement markings shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadway.

The permittee shall be responsible for the installation and relocation of any additional highway signs that may be necessary due to these improvements and shall comply with the requirements of the MUTCD.

It is necessary to obtain an approved driveway permit and/or encroachment agreement prior to performing work on the NCDOT right of way. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fee, and any necessary performance and indemnity bonds.

Feel free to contact me if you have any questions.

Sincerely,



C. N. Edwards Jr., PE
District Engineer

Cc: J. M. Mills, PE, Division Engineer
D. M. Mcpherson, Division Traffic Engineer
Patricia McGuire, AICP, Planning Director, Town of Carrboro



Revised Traffic Impact Analysis

Lloyd Farm Carrboro, NC

Prepared for:

Argus Development Group, LLC

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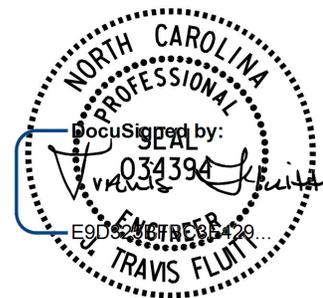
Kimley»»Horn

**Revised Traffic Impact Analysis
for
Lloyd Farm
Carrboro, North Carolina**

**Prepared for:
Argus Development Group, LLC
Charlotte, NC**

**Prepared By:
Kimley-Horn and Associates, Inc.
NC License # F-0102
421 Fayetteville Street, Suite 600
Raleigh, North Carolina 27601
(919) 677-2000**

**012455010
October 2016**



10/2/2016

Executive Summary

Kimley-Horn and Associates, Inc. has performed an update to the Traffic Impact Analysis for the proposed Lloyd Farm development located north of NC 54 between Old Fayetteville Road and James Street in Carrboro, North Carolina (originally dated April 29, 2013 and revised May 20, 2016). This revision includes new traffic counts and growth rates, adjustments to the site traffic distribution, and removes the previously proposed roundabout on Old Fayetteville Road.

The majority of this 40+ acre site remains undeveloped, with one single family residence and several barns, as well as an irrigation pond, on the west side of the property. A post office and Duke Power substation, which will remain, adjoin the east side of the site along James Street. As currently proposed, the site will include approximately 220 senior living apartments, a 60,292 square foot (SF) supermarket, 37,210 SF of retail space, and two outparcels which were assumed to be a bank and a pharmacy. The site is proposed to be accessed by the existing right-in/right-out Post Office Driveway on NC 54, a full-movement driveway on Old Fayetteville Road, and a directional crossover (left-in/right-in/right-out) driveway on NC 54. The build-out of the project is anticipated for the year 2020.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands. The traffic conditions studied include the existing traffic, projected (2020) background traffic, and projected (2020) build-out traffic conditions. As shown in Table ES-1, the proposed development has the potential to generate 218 new trips in and 162 new trips out during the AM peak hour and 311 new trips in and 305 new trips out during the PM peak hour.

Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
252	Senior Adult Housing – Attached	220	d.u.	339	339	15	29	29	25
820	Shopping Center	37,210	s.f.	1,786	1,786	52	34	151	158
850	Supermarket	60,292	s.f.	2,714	2,714	132	84	273	263
881	Pharmacy/Drugstore w/ Drive Thru	14,550	s.f.	705	705	22	17	72	72
912	Drive-In Bank	4,200	s.f.	311	311	29	23	51	51
Subtotal				5,855	5,855	250	187	576	569
<i>Internal Capture</i>				<i>1,014</i>	<i>1,014</i>	<i>0</i>	<i>0</i>	<i>76</i>	<i>76</i>
<i>Pass-by Capture</i>				<i>1,365</i>	<i>1,365</i>	<i>8</i>	<i>7</i>	<i>154</i>	<i>154</i>
<i>Bik/Ped/Transit Capture (10%)</i>				<i>348</i>	<i>348</i>	<i>24</i>	<i>18</i>	<i>35</i>	<i>34</i>
Net New External Trips				3,128	3,128	218	162	311	305

Capacity analyses were performed using Synchro Version 9.1 software. Table ES-2 summarizes the operation of the study intersections for the AM and PM peak hour traffic conditions.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
NC 54 at Old Fayetteville Road (Signalized)		
Existing (2016) Traffic	C (27.5)	C (25.7)
Projected (2020) Background Traffic	C (30.1)	C (26.6)
Projected (2020) Build-out Traffic	C (31.8)	C (33.6)
NC 54 at Post Office Drive (Unsignalized)		
Existing (2016) Traffic	SB – B (10.4)	SB – B (14.3)
Projected (2020) Background Traffic	SB – B (10.5)	SB – B (14.7)
Projected (2020) Build-out Traffic	SB – B (10.9)	SB – C (16.2)
NC 54 at Main Street/Carrboro Plaza Driveway (Signalized)		
Existing (2016) Traffic	B (18.3)	C (27.9)
Projected (2020) Background Traffic	B (19.4)	C (28.8)
Projected (2020) Build-out Traffic	B (18.7)	C (28.6)
Main Street – James Street (Unsignalized)		
Existing (2016) Traffic	NB – C (16.3)	NB – C (16.8)
	SB – B (12.2)	SB – B (13.9)
	EBL – A (7.9)	EBL – A (8.4)
	WBL – A (7.9)	WBL – A (7.8)
Projected (2020) Background Traffic	NB – C (16.9)	NB – C (17.5)
	SB – B (12.5)	SB – B (14.4)
	EBL – A (7.9)	EBL – A (8.4)
	WBL – A (7.9)	WBL – A (7.8)
Projected (2020) Build-out Traffic	NB – C (17.6)	NB – C (18.5)
	SB – B (13.8)	SB – C (17.5)
	EBL – A (8.0)	EBL – A (8.5)
	WBL – A (8.0)	WBL – A (7.8)

Table ES-2 (cont.) Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
James Street – Lorraine Street/Post Office Drive (Unsignalized)		
Existing (2016) Traffic	A (7.4)	A (7.6)
Projected (2020) Background Traffic	A (7.4)	A (7.6)
Projected (2020) Build-out Traffic	A (7.5)	A (7.8)
James Street – Carol Street (Unsignalized)		
Existing (2016) Traffic	A (7.4)	A (7.3)
Projected (2020) Background Traffic	A (7.4)	A (7.3)
Projected (2020) Build-out Traffic	A (7.5)	A (7.5)
Carol Street – Lisa Drive (Unsignalized)		
Existing (2016) Traffic	A (7.2)	A (7.1)
Projected (2020) Background Traffic	A (7.2)	A (7.1)
Projected (2020) Build-out Traffic	A (7.2)	A (7.2)
Carol Street – Old Fayetteville Road (Unsignalized)		
Existing (2016) Traffic	WB – C (16.4) SBL – A (9.1)	WB – C (17.3) SBL – A (8.6)
Projected (2020) Background Traffic	WB – C (17.1) SBL – A (9.2)	WB – C (18.2) SBL – A (8.7)
Projected (2020) Build-out Traffic	WB – D (26.2) SBL – A (9.4)	WB – C (24.1) SBL – A (8.9)
NC 54 – Left-Over Site Drive (Unsignalized)		
Projected (2020) Build-out Traffic	SB – B (11.0) EBL – A (9.3)	SB – C (19.8) EBL – B (14.8)
Old Fayetteville Road – Site Drive (Unsignalized)		
Projected (2020) Build-out Traffic	WB – D (34.5) SBL – A (9.2)	WB – E (79.6) SBL – A (9.0)

The following roadway improvements are recommended to be performed to accommodate existing traffic and the projected Lloyd Farm site traffic based on the capacity analysis presented herein:

NC 54 at Old Fayetteville Road:

- Extend the storage of the existing southbound left-turn lane on Old Fayetteville Road and construct an additional southbound left-turn lane to provide dual left-turn lanes with an average of 325' of storage each on that approach
- Construct an exclusive southbound right-turn lane on Old Fayetteville Road with 100 feet of storage and appropriate tapers

NC 54 at Site Drive:

- Construct an exclusive eastbound left-turn lane on NC 54 with 200 feet of storage and appropriate tapers
- Construct an exclusive westbound right-turn lane on NC 54 with 100 feet of storage and appropriate tapers

Old Fayetteville Road at Site Drive:

- Construct an exclusive southbound left-turn lane on Old Fayetteville Road with 100 feet of storage and appropriate tapers
- Construct an exclusive northbound right-turn lane on Old Fayetteville Road with 100 feet of storage and appropriate tapers
- Provide separate westbound left and right-turn lanes exiting the Site Driveway

Analysis indicates that, with the proposed improvements in place, all of the intersections are expected to operate at an acceptable level-of-service (LOS) in the build-out traffic condition. SimTraffic simulations indicate that queues from the intersection of NC 54 at Old Fayetteville Road are not expected to spill back to the proposed site driveways. Analysis also indicates significantly shorter delays and queues exiting the proposed full-movement site driveway on Old Fayetteville Road than previously reported in the April 2013 report.

Based on discussions with the Town of Carrboro and NCDOT staff, the actual storage length of the southbound right-turn lane at the intersection of NC 54 at Old Fayetteville Road will be determined based on and subject to existing ROW availability. It is intended that no additional ROW will be obtained to accommodate this improvement.

The recommended roadway laneage is shown on Figure ES-1.

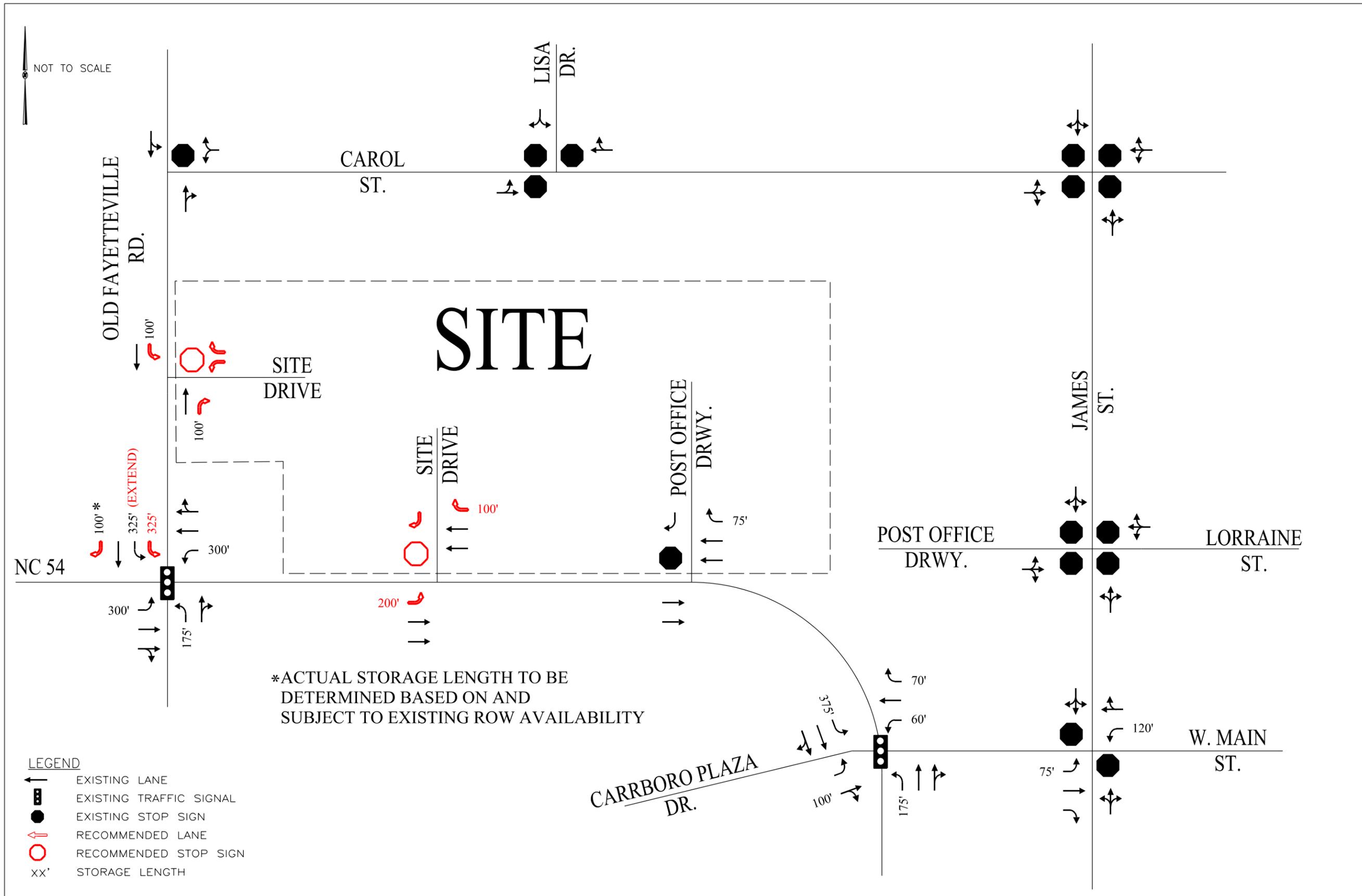


FIGURE ES-1

RECOMMENDED ROADWAY LANEAGE

LLOYD FARM
CARRBORO, NC
TRAFFIC IMPACT ANALYSIS



THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

ADDENDUM
TO TOM'S CREEK
FLOOD STUDY

LLOYD FARM AND McDOUGLE SCHOOLS

CARRBORO
NORTH CAROLINA



SUNGATE DESIGN GROUP, PA
915 Jones Franklin Road
Raleigh, N. C.



ADDENDUM TO TOM'S CREEK FLOOD STUDY
FOR
LLOYD FARM AND THE McDOUGLE SCHOOLS

August 17, 2016

The Town of Carrboro Staff has asked Sungate Design (SDG) to investigate further the impacts to Tom's Creek from Lloyd Farm and the McDougle Elementary and Middle Schools. Specifically, SDG was asked to investigate the impact on the Flood elevations that the development of Lloyd Farm would have if no detention were provided and what impact the McDougle Schools have had on the Flood elevations.

For this analysis, SDG used the HydroCAD model and Hec-Ras model that was created for the Tom's Creek Flood Study dated 05/16/16 and presented to the Board of Aldermen.

Hydrologic Study

In the hydrologic model used in the above referenced Tom's Creek Flood Study, SDG calibrated the model based on the June 30, 2013 flood which was found to be equivalent to a storm with an intensity of 4.4 inches per hour. Based on interviews with local residents this was the highest documented event in the past 30-years which included Hurricane Fran, Hurricane Floyd and Tropical Storm Jerry. When analyzing Tom's Creek for the 05/16/16 Report, SDG had used the Carrboro Zoning Map and the proposed Lloyd Farm site plan to build the model and did not include any possible detention from this site.

Using the hydrologic model from the Tom's Creek Flood Study, SDG created four scenarios.

- 1) **Lloyd Farm Proposed Condition (No Detention):** Tom's Creek Drainage Basin fully developed per the Carrboro Zoning Map. This includes the Lloyd Farm proposed development without detention. This scenario had been included in the 05/15/16 Tom's Creek Flood Study Report.
- 2) **Lloyd Farm Existing Condition:** Tom's Creek Drainage Basin fully developed per the Carrboro Zoning Map with the exception of Lloyds Farm which is shown in its current condition.
- 3) **Lloyd Farm – Eckel Property Detention:** Same as #2, except that the drainage that flows from the eastern half of Lloyd Farm through the Eckel property (106 James Street) has been completely detained. The purpose of this scenario is to determine the maximum effect detention of the eastern half of Lloyd Farm would have on Tom's Creek. The



detention could be located either on the Eckel property or on the Lloyd property just before entering the Eckel property.

- 4) **McDougle Original Condition:** Both the Lloyd Farm property and the McDougle School property in their original condition prior to the construction of the schools. The information for the school property was obtained from the USGS Quad Map for this area, which was created prior to the schools construction.

In each of these scenarios, the calibrated historical flood from June 30, 2013 was used to determine the discharges that would be used in the hydraulic analysis.

Hydraulic Study

Using the hydraulic model from the 05/16/16 Tom's Creek Flood Study, SDG modeled the flood elevations using the peak discharges found from the revised hydrologic model for each of the above scenarios.

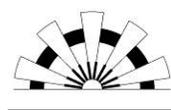
RESULTS

All of the scenarios impact the same structures within the Tom's Creek floodplain; however, the degree of impact varies. Scenario #1 impacts two additional structures located at 403 Lorraine Street and 102 James Street. See Appendix A for a list of properties impacted.

In comparing the water surface elevations of the Lloyd Farm existing condition (Scenario #2) and the Lloyd Farm proposed condition without detention (Scenario #1), the elevations show that if there is no detention on the proposed Lloyd Farm, then there will be a maximum increase of 0.3 feet between Lorraine Street and W. Main Street. There is no change in water surface elevations upstream of Carol Street. See Appendix B for a more detailed comparison of the water surface elevations.

In comparing the water surface elevations of the Lloyd Farm existing condition (Scenario #2) and the Lloyd Farm proposed condition with detention (Scenario #3), the elevations show that if the drainage from the eastern half of Lloyd Farm is completely detained prior to flowing through the Eckel property (106 James Street), then there will be a maximum decrease of 0.7 feet between Lorraine Street and W. Main Street. There is no change in water surface elevations upstream of Lorraine Street. Both scenarios impact the same structures; however the degree of impact varies. See Appendix C for a more detailed comparison of the water surface elevations.

In comparing the water surface elevations of the Lloyd Farm existing condition (Scenario #2 – Post McDougle School) and the McDougle School original condition (Scenario #4 – Pre McDougle School), the elevations show that if the McDougle School had not been constructed and the McDougle School site had been left in its original condition, then there would be a maximum decrease of 0.3 feet between Rainbow Drive and Carol Street. In other locations, the



decrease is less than 0.1 feet. See Appendix D for a more detailed comparison of the water surface elevations.

All of the water surface elevations were found using the calibrated historical storm (4.4 inches per hour) which occurred on June 30, 2013.

DESCRIPTION OF APPENDICES

Appendix A: Shows the impact that each scenario has on existing structures within the Tom's Creek Floodplain

Appendix B: Compares the water surface elevations of the Lloyd Farm Existing Condition (Scenario #2) and Lloyd Farm Proposed Condition (Scenario #1). In Scenario #1, there is no detention for the proposed Lloyd Farm.

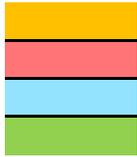
Appendix C: Compares the water surface elevations of the Lloyd Farm Existing Condition (Scenario #2) and the Lloyd Farm – Eckel Property Detention (Scenario #3). In Scenario #3, the drainage that flows from the eastern half of Lloyd Farm through the Eckel property has been completely detained.

Appendix D: Compares the water surface elevations of the Lloyd Farm Existing Condition (Scenario #2) and the McDougle School Original Condition prior to construction of the schools (Scenario #4).



Appendix A

Tom's Creek



Impact to foundation, but below Finished Floor Elevation
 Impact above the Finished Floor Elevation
 Impact to Finished Basement, but below Finished Floor Elevation
 Impact to Garage, but below Finished Floor Elevation

<u>Dwelling</u>	#1 Lloyd Farm Proposed <u>Condition</u>	#2 Lloyd Farm Existing <u>Condition</u>	#3 Lloyd Farm Eckel Property <u>Detention</u>	#4 McDougle Original <u>Condition</u>
101 Dove St	Impact	Impact	Impact	Impact
200 Rainbow Dr	Impact	Impact	Impact	Impact
Rainbow Dr	2-30" RCP	2-30" RCP	2-30" RCP	2-30" RCP
201 Rainbow Dr	---	---	---	---
300 James St	---	---	---	---
118 Carol St	---	---	---	---
116 Carol St	Impact	Impact	Impact	Impact
Carol St	2-36" RCP	2-36" RCP	2-36" RCP	2-36" RCP
115 Carol St	---	---	---	---
107 Melba Cir	---	---	---	---
105 Melba Cir	---	---	---	---
208 James St	---	---	---	---
206 James St	Impact	Impact	Impact	Impact
204 James St	Impact	Impact	Impact	Impact
400 Lorraine St	Impact	Impact	Impact	Impact
202 James St	---	---	---	---
200 James St	Impact	Impact	Impact	Impact
Lorraine St	1-66" CMP	1-66" CMP	1-66" CMP	1-66" CMP
401 Lorraine St	---	---	---	---
109 Mary St	---	---	---	---
107 Mary St	---	---	---	---
403 Lorraine St	Impact	---	---	---
106 James St	---	---	---	---
104 James St	---	---	---	---
102 James St	Impact	---	---	---
100 James St	Impact	Impact	Impact	Impact
302 Simpson St	---	---	---	---

Appendix B

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Proposed Condtion W.S. Elev (ft)	Diff. (ft)
		14111	4.4" Storm	475.88	475.88	0.0
		13876	4.4" Storm	473.44	473.44	0.0
		13827	4.4" Storm	473.40	473.40	0.0
	James St	13796				
		13761	4.4" Storm	471.12	471.12	0.0
		13622	4.4" Storm	469.19	469.19	0.0
	Driveway	13597				
		13579	4.4" Storm	468.03	468.03	0.0
House - 1 101 Dove St	NG 464.52 FFE 467.65	13236	4.4" Storm	464.86	464.86	0.0
House - 2 200 Rainbow Dr	NG 463.11 FFE 468.09 Garage 464.96	13121	4.4" Storm	464.83	464.83	0.0
		13057	4.4" Storm	464.82 OT	464.82 OT	0.0
	Rainbow Dr OT Elev = 464.45	13029		2 @ 30" RCP	2 @ 30" RCP	
		12998	4.4" Storm	460.78	460.78	0.0
House - 3 201 Rainbow Dr	NG 461.16 FFE 470.96					
House - 4 300 James St	NG 463.43 FFE 466.93 Garage 461.93	12824	4.4" Storm	460.72	460.72	0.0
House - 5 118 Carol St	NG 460.93 FFE 464.99	12635	4.4" Storm	460.66	460.66	0.0
House - 6 116 Carol St	NG 458.02 FFE 458.64	12607	4.4" Storm	460.69	460.69	0.0
		12576	4.4" Storm	460.68 OT	460.68 OT	0.0
	Carol St OT Elev = 460.53	12544		2 @ 36" RCP	2 @ 36" RCP	
		12513	4.4" Storm	455.18	455.18	0.0

Appendix B

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Proposed Condtion W.S. Elev (ft)	Diff. (ft)
House - 7 115 Carol St	NG 454.97 FFE 455.80	12442	4.4" Storm	453.85	453.85	0.0
		12377	4.4" Storm	451.41	451.41	0.0
		12170	4.4" Storm	450.15	450.23	0.1
House - 8 208 James St	NG 450.88 FFE 455.84	11753	4.4" Storm	450.18	450.26	0.1
House - 9 206 James St	NG 447.40 FFE 456.56 FFB 447.88		4.4" Storm	450.18	450.26	0.1
House - 10 204 James St	NG 447.40 FFE 456.97 Garage 448.32		4.4" Storm	450.18	450.25	0.1
House - 11 400 Lorraine St	NG 446.76 FFE 450.54	11457	4.4" Storm	450.18	450.25	0.1
House - 12 202 James St	NG 450.59 FFE 451.86	11382	4.4" Storm	450.17	450.25	0.1
House - 13 200 James St	NG 449.92 FFE 454.82 Garage 451.32	11382	4.4" Storm	450.17	450.25	0.1
		11368	4.4" Storm	450.17 OT	450.25 OT	0.1
	Lorraine St OT Elev = 450.01	11329		1 @ 66" CMP	1 @ 66" CMP	
House - 14 401 Lorraine St	NG 445.43 FFE 449.70	11294	4.4" Storm	443.12	443.22	0.1
House - 15 109 Mary St	NG 446.86 FFE 450.62		4.4" Storm	442.92	443.22	0.3
House - 16 107 Mary St	NG 446.82 FFE 451.74		4.4" Storm	442.71	443.02	0.3
House - 17 403 Lorraine St	NG 442.98 FFE 445.84 Garage 442.67	11012	4.4" Storm	442.51	442.83	0.3

Appendix B

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Proposed Condition W.S. Elev (ft)	Diff. (ft)
House - 18 106 James St	NG 444.26 FFE 446.70		4.4" Storm	442.49	442.83	0.3
House - 19 104 James St	NG 442.89 FFE 446.52		4.4" Storm	442.47	442.80	0.3
House - 20 102 James St	NG 442.50 FFE 443.51		4.4" Storm	442.45	442.76	0.3
House - 21 100 James St	NG 440.72 FFE 448.33 FFB 439.83	10605	4.4" Storm	442.43	442.74	0.3
House - 22 302 Simpson St	NG 446.05 FFE 449.62	10439	4.4" Storm	442.25	442.55	0.3
	W. Main St OT Elev = 444.54	10395		1 @ 6' x 6' RCBC	1 @ 6' x 6' RCBC	
		10346	4.4" Storm	440.57	440.65	0.1

Appendix C

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Eckel Detention W.S. Elev (ft)	Diff. (ft)
		14111	4.4" Storm	475.88	475.88	0.0
		13876	4.4" Storm	473.44	473.44	0.0
		13827	4.4" Storm	473.40	473.40	0.0
	James St	13796				
		13761	4.4" Storm	471.12	471.12	0.0
		13622	4.4" Storm	469.19	469.19	0.0
	Driveway	13597				
		13579	4.4" Storm	468.03	468.03	0.0
House - 1	NG 464.52	13236	4.4" Storm	464.86	464.86	0.0
101 Dove St	FFE 467.65					
House - 2	NG 463.11	13121	4.4" Storm	464.83	464.83	0.0
200 Rainbow Dr	FFE 468.09					
	Garage 464.96					
		13057	4.4" Storm	464.82 OT	464.82 OT	0.0
	Rainbow Dr	13029		2 @ 30" RCP	2 @ 30" RCP	
	OT Elev = 464.45					
		12998	4.4" Storm	460.78	460.78	0.0
House - 3	NG 461.16					
201 Rainbow Dr	FFE 470.96					
House - 4	NG 463.43					
300 James St	FFE 466.93	12824	4.4" Storm	460.72	460.72	0.0
	Garage 461.93					
House - 5	NG 460.93					
118 Carol St	FFE 464.99	12635	4.4" Storm	460.66	460.66	0.0
House - 6	NG 458.02					
116 Carol St	FFE 458.64	12607	4.4" Storm	460.69	460.69	0.0
		12576	4.4" Storm	460.68 OT	460.68 OT	0.0
	Carol St	12544		2 @ 36" RCP	2 @ 36" RCP	
	OT Elev = 460.53					
		12513	4.4" Storm	455.18	455.18	0.0

Appendix C

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Eckel Detention W.S. Elev (ft)	Diff. (ft)
House - 7 115 Carol St	NG 454.97 FFE 455.80	12442	4.4" Storm	453.85	453.85	0.0
		12377	4.4" Storm	451.41	451.41	0.0
		12170	4.4" Storm	450.15	450.15	0.0
House - 8 208 James St	NG 450.88 FFE 455.84	11753	4.4" Storm	450.18	450.18	0.0
House - 9 206 James St	NG 447.40 FFE 456.56 FFB 447.88		4.4" Storm	450.18	450.18	0.0
House - 10 204 James St	NG 447.40 FFE 456.97 Garage 448.32		4.4" Storm	450.18	450.18	0.0
House - 11 400 Lorraine St	NG 446.76 FFE 450.54	11457	4.4" Storm	450.18	450.18	0.0
House - 12 202 James St	NG 450.59 FFE 451.86	11382	4.4" Storm	450.17	450.17	0.0
House - 13 200 James St	NG 449.92 FFE 454.82 Garage 451.32	11382	4.4" Storm	450.17	450.17	0.0
		11368	4.4" Storm	450.17 OT	450.17 OT	0.0
	Lorraine St OT Elev = 450.01	11329		1 @ 66" CMP	1 @ 66" CMP	
House - 14 401 Lorraine St	NG 445.43 FFE 449.70	11294	4.4" Storm	443.12	443.40	0.3
House - 15 109 Mary St	NG 446.86 FFE 450.62		4.4" Storm	442.92	442.86	-0.1
House - 16 107 Mary St	NG 446.82 FFE 451.74		4.4" Storm	442.71	442.32	-0.4
House - 17 403 Lorraine St	NG 442.98 FFE 445.84 Garage 442.67	11012	4.4" Storm	442.51	441.78	-0.7

Appendix C

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	Lloyd Farm Eckel Detention W.S. Elev (ft)	Diff. (ft)
House - 18 106 James St	NG 444.26 FFE 446.70		4.4" Storm	442.49	441.79	-0.7
House - 19 104 James St	NG 442.89 FFE 446.52		4.4" Storm	442.47	441.80	-0.7
House - 20 102 James St	NG 442.50 FFE 443.51		4.4" Storm	442.45	441.81	-0.6
House - 21 100 James St	NG 440.72 FFE 448.33 FFB 439.83	10605	4.4" Storm	442.43	441.82	-0.6
House - 22 302 Simpson St	NG 446.05 FFE 449.62	10439	4.4" Storm	442.25	441.66	-0.6
	W. Main St OT Elev = 444.54	10395		1 @ 6' x 6' RCBC	1 @ 6' x 6' RCBC	
		10346	4.4" Storm	440.57	440.41	-0.2

Appendix D

NG	Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE	Indicates that flood water is up above the finished floor elevation.
FFB	Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage	Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	McDougle School Original Condition W.S. Elev (ft)	Diff. (ft)
		14111	4.4" Storm	475.88	475.88	0.0
		13876	4.4" Storm	473.44	473.44	0.0
		13827	4.4" Storm	473.40	473.40	0.0
	James St	13796				
		13761	4.4" Storm	471.12	471.12	0.0
		13622	4.4" Storm	469.19	469.19	0.0
	Driveway	13597				
		13579	4.4" Storm	468.03	468.03	0.0
House - 1 101 Dove St	NG 464.52 FFE 467.65	13236	4.4" Storm	464.86	464.88	0.0
House - 2 200 Rainbow Dr	NG 463.11 FFE 468.09 Garage 464.96	13121	4.4" Storm	464.83	464.86	0.0
		13057	4.4" Storm	464.82 OT	464.85 OT	0.0
	Rainbow Dr OT Elev = 464.45	13029		2 @ 30" RCP	2 @ 30" RCP	
		12998	4.4" Storm	460.78	460.57	-0.2
House - 3 201 Rainbow Dr	NG 461.16 FFE 470.96					
House - 4 300 James St	NG 463.43 FFE 466.93 Garage 461.93	12824	4.4" Storm	460.72	460.49	-0.2
House - 5 118 Carol St	NG 460.93 FFE 464.99	12635	4.4" Storm	460.66	460.41	-0.3
House - 6 116 Carol St	NG 458.02 FFE 458.64	12607	4.4" Storm	460.69	460.45	-0.2
		12576	4.4" Storm	460.68 OT	460.37 OT	-0.3
	Carol St OT Elev = 460.53	12544		2 @ 36" RCP	2 @ 36" RCP	
		12513	4.4" Storm	455.18	455.16	0.0

Appendix D

NG Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
FFE Indicates that flood water is up above the finished floor elevation.
FFB Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
Garage Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	McDougle School Original Condition W.S. Elev (ft)	Diff. (ft)
House - 7 115 Carol St	NG 454.97 FFE 455.80	12442	4.4" Storm	453.85	453.81	0.0
		12377	4.4" Storm	451.41	451.39	0.0
		12170	4.4" Storm	450.15	450.14	0.0
House - 8 208 James St	NG 450.88 FFE 455.84	11753	4.4" Storm	450.18	450.17	0.0
House - 9 206 James St	NG 447.40 FFE 456.56 FFB 447.88		4.4" Storm	450.18	450.17	0.0
House - 10 204 James St	NG 447.40 FFE 456.97 Garage 448.32		4.4" Storm	450.18	450.16	0.0
House - 11 400 Lorraine St	NG 446.76 FFE 450.54	11457	4.4" Storm	450.18	450.16	0.0
House - 12 202 James St	NG 450.59 FFE 451.86	11382	4.4" Storm	450.17	450.16	0.0
House - 13 200 James St	NG 449.92 FFE 454.82 Garage 451.32	11382	4.4" Storm	450.17	450.16	0.0
		11368	4.4" Storm	450.17 OT	450.16 OT	0.0
	Lorraine St OT Elev = 450.01	11329		1 @ 66" CMP	1 @ 66" CMP	
House - 14 401 Lorraine St	NG 445.43 FFE 449.70	11294	4.4" Storm	443.12	443.12	0.0
House - 15 109 Mary St	NG 446.86 FFE 450.62		4.4" Storm	442.92	442.90	0.0
House - 16 107 Mary St	NG 446.82 FFE 451.74		4.4" Storm	442.71	442.70	0.0
House - 17 403 Lorraine St	NG 442.98 FFE 445.84 Garage 442.67	11012	4.4" Storm	442.51	442.50	0.0

Appendix D

- NG** Indicates that flood water is up on the foundation, but below the Finished Floor Elevation.
- FFE** Indicates that flood water is up above the finished floor elevation.
- FFB** Indicates that flood water is above the Finished Basement Elevation, but below the Finished Floor Elevation.
- Garage** Indicates that flood water is above the Garage Floor Elevation.

Decrease
Increase

		River Sta	Profile	Lloyd Farm Existing Condition W.S. Elev (ft)	McDougle School Original Condition W.S. Elev (ft)	Diff. (ft)
House - 18 106 James St	NG 444.26 FFE 446.70		4.4" Storm	442.49	442.48	0.0
House - 19 104 James St	NG 442.89 FFE 446.52		4.4" Storm	442.47	442.45	0.0
House - 20 102 James St	NG 442.50 FFE 443.51		4.4" Storm	442.45	442.43	0.0
House - 21 100 James St	NG 440.72 FFE 448.33 FFB 439.83	10605	4.4" Storm	442.43	442.41	0.0
House - 22 302 Simpson St	NG 446.05 FFE 449.62	10439	4.4" Storm	442.25	442.23	0.0
	W. Main St OT Elev = 444.54	10395		1 @ 6' x 6' RCBC	1 @ 6' x 6' RCBC	
		10346	4.4" Storm	440.57	440.57	0.0

Lloyd Farm Affordable Housing Update

Donated Land

The Lloyd Farm development proposal includes an offer to donate two parcels of land to the Town, totaling 4.6 acres. A particular use for this land has not yet been determined. The applicant framed the offer of donation as allowing a 'civic' use and a draft condition clarified this as 'recreational.' At the conclusion of the hearing the Board of Aldermen asked staff to look into the feasibility of providing affordable housing on the parcels.

In early July, two Board members and staff toured the parcels to gain a better understanding of the existing conditions and physical characteristics of the property. The offer of donation includes two existing parcels at and near the southwest corner of Carol Street and James Street. A Duke Energy overhead powerline easement makes up the eastern James Street frontage of both parcels and an intermittent stream and buffer bisects the larger of the two parcels. These features remove approximately 1.5 acres from the developable portion of the parcels. Another, smaller area of is encumbered with construction debris that was deposited on the site some years ago. An environmental assessment conducted by the applicant did not reveal any materials of concern.

Staff determined there weren't any absolute barriers on the properties to affordable housing development. To gain further insight on the feasibility of affordable housing development on the parcels, staff reached out to a few affordable housing developers. After taking a look at the property and the previous concept plan for development of the parcels as a neighborhood of townhomes, DHIC, CASA, and JOIN Development concluded that it was very likely possible to develop affordable housing on the site. The presence of the Duke Energy substation was found to likely significantly reduce the chance that an affordable housing development in this location would be selected for Low-Income Housing Tax Credits. Given the potential payment-in-lieu from the developer and the ability to provide free or low-cost land, it is believed an affordable housing development could be financially feasible through means other than tax credits.

The type and size of a possible affordable housing development is a factor that the Town would need to consider, but all indications so far point to it being possible to develop affordable housing on these parcels.

Affordability in the Proposed Age-Restricted Units

The current proposal is for approximately 200 apartment units in a full service senior community, and 20 cottage homes that would not be age-restricted. None of the units are proposed to be restricted in terms of price or occupancy and a payment of \$743,000 has been offered in lieu of providing any affordable units. The Board of Aldermen and Planning Board have expressed a strong interest in seeing some affordable units provided within the development.

The Town has been communicating with the applicant and future developer of the senior community to explore the feasibility of providing affordable units in this type of full service community. The combined payment for housing, meals, transportation, and services is what complicates such a project from providing affordable units. In these conversations, the developer has expressed an openness to exploring affordability options.

Staff has identified a model where similar types of developments included affordable units. This model has been used in a couple developments in New Jersey and Maryland. These examples have been shared with the developer and we are awaiting feedback on the viability of this model for the proposed full service senior community.

**Lloyd Farm Development
Carrboro, NC**

Construction Cost Estimates

Land/Site Infrastructure/Soft Costs		\$25,000,000
Main Retail Center Vertical Construction	83,600 sf at \$165/sf	\$13,800,000
Free Standing Businesses Vertical Construction	32,400 sf @ \$200/sf	\$6,500,000
Senior Living Complex Vertical Construction	200 units at \$145,000/unit	<u>\$29,000,000</u>
	TOTAL	\$74,300,000

Anticipated Tax Value at Completion

Retail Center (land and buildings)	83,600 sf	\$22,500,000
Free Standing Businesses (land and buildings)	32,400 sf	\$18,000,000
Senior Living Complex (land and building)	200 units	<u>\$42,800,000</u>
	TOTAL	\$83,300,000

Real Estate Tax Contribution

Retail Center	Carrboro Tax	\$132,600/year
	Orange County Tax	\$197,550/year
	CH/Carrboro Supplemental School Tax	\$46,700/year
Free Standing Businesses	Carrboro Tax	\$106,000/year
	Orange County Tax	\$158,000/year
	CH/Carrboro Supplemental School Tax	\$37,500/year
Senior Living Complex	Carrboro Tax	\$252,250/year
	Orange County Tax	\$375,750/year
	CH/Carrboro Supplemental School Tax	\$89,200/year
TOTALS	Carrboro Tax	\$491,000/year
	Orange County Tax	\$731,300/year
	CH/Carrboro Supplemental School Tax	\$173,400/year
	TOTAL	\$1,395,700/year

Affordable Housing ContributionPayment in lieu of approximately **\$743,000** for senior living development**Impact Fees for Chapel Hill/Carrboro Schools**Approximately **\$364,000** for senior living development**Sales Tax Contribution**

Grocery stores in Orange County average approximately \$550/sf in sales volume*	(60,000 sf @ \$550/sf = \$33,000,000 estimated sales)
In-line Specialty Stores/Restaurants average approximately \$400/sf in sales volume**	(23,600 sf @ \$400/sf = \$9,440,000 estimated sales)
Free Standing Businesses average approximately \$500/sf in sales volume**	(32,400 sf @ \$500/sf = \$16,200,000 estimated sales)

TOTALS	Approximately \$1,500,000 in Orange County sales tax revenue***
	Approximately \$135,000 to Carrboro (9% of Orange County total)***

Employment

60k sf Harris Teeter averages 45-50 FTE and 75-80 PTE for a total of 120-130 employees
Specialty Stores (15 businesses estimated @ 10 employees/business) will employ 150 employees
Restaurants (6 restaurants estimated at 20 employees per restaurant) will employ 120 employees
Senior Living Complex will employ approximately 15 full time employees
Ongoing maintenance of shopping center will employ up to 15 employees

Construction of the project will employ up to 350 employees, depending on staging.

Notes:

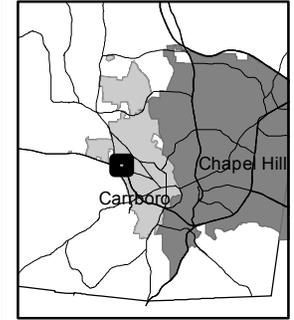
*Grocery volumes obtained from Grocery Database

**Specialty stores/restaurants/freestanding volumes estimates obtained from ICSC data

***Orange County Sales Tax calculated at 2.75% of gross sales, with Carrboro receiving 9% of Orange County's receipts.

***Qualifying Food Sales are taxed at 2%, rather than 2.75%, assumed 1/2 of grocery store sales are qualifying

Proposed B-4CZ Rezoning Lloyd Farm



-  Proposed Rezoning
-  Lloyd Farm Properties

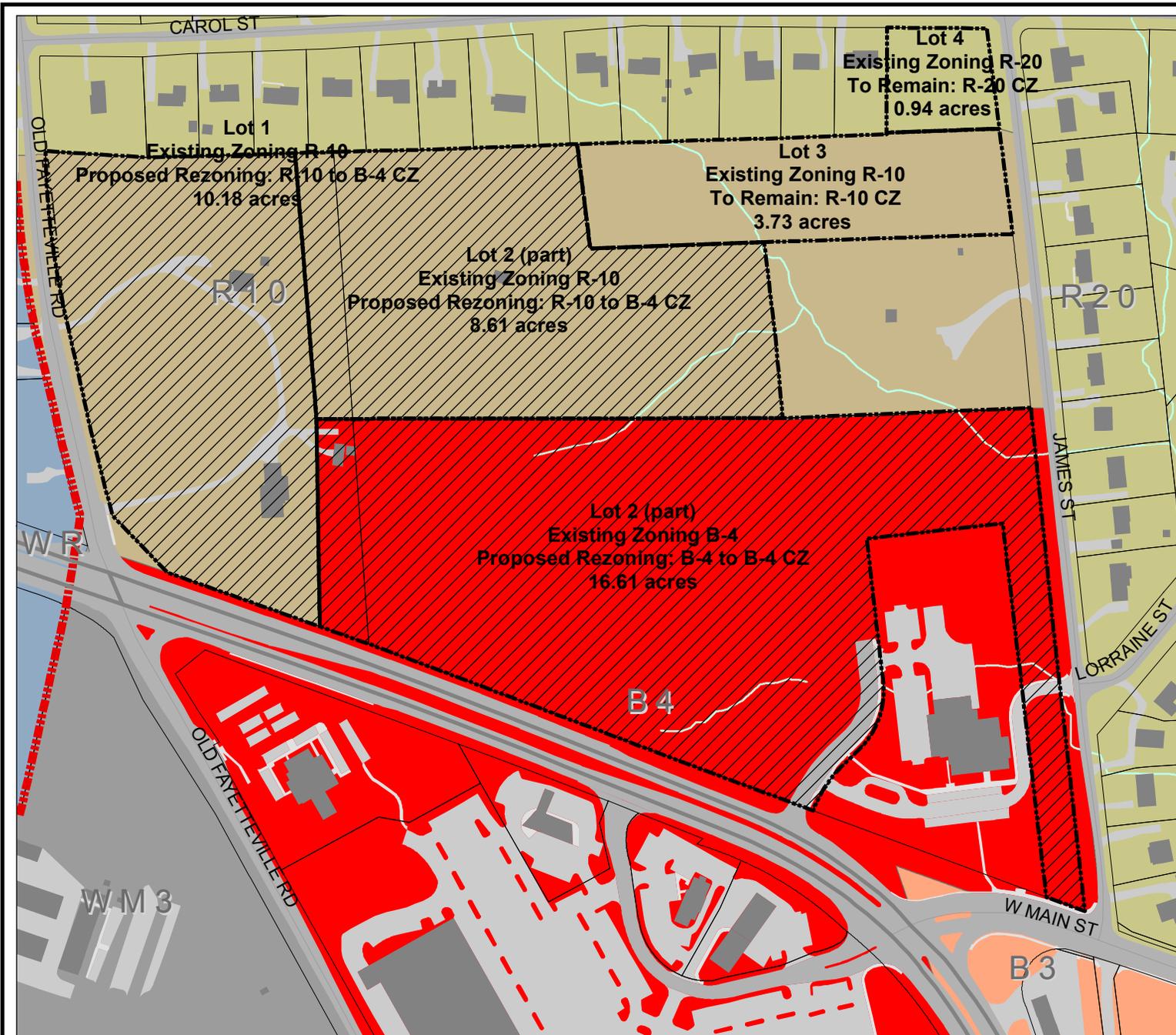
**THIS MAP IS NOT A CERTIFIED SURVEY
NO RELIANCE MAY BE PLACED IN ITS
ACCURACY**

The Town of Carrboro assumes no liability for damages caused by inaccuracies in this map or supporting data and makes no warranty, expressed or implied, as to the accuracy of the information presented. The fact of distribution does not constitute such a warranty.



TOWN OF CARRBORO
301 W. Main St.
Carrboro, NC 27510

Printed June 2, 2016



APPENDIX A – 2

PETITION FOR CHANGE OF ZONING FORM

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING



PETITIONER: Argus Development Group, LLC
2908 Oak Lake Blvd. Ste 203
Charlotte, NC 28208

DATE:
1-15-2016

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-10-B-4 to B-4-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME Ted Barnes for Argus Development Group, LLC
 ADDRESS: 2908 Oak Lake Blvd., Ste. 203
 TELEPHONE #:() (704) 376-9848

2. INTEREST IN PROPERTY(IES): Contract Purchaser

3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: NE Corner of Old Fayetteville Road and NC Hwy. 54

4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
 - a. OWNER: Shelton Gene Lloyd & Brodie L. Lloyd
 Pin# 9779-09-7922 ACREAGE 10.15 AC PARCEL:
 SUBDIVISION NAME: RS Lloyd FRONTAGE DEPTH:
 EXISTING STRUCTURES AND USES: Cabin / Garage

 - b. OWNER: Estate of Roy Shelton Lloyd
 Pin# 9778-19-6618 ACREAGE 25.22 AC
 SUBDIVISION NAME: RS Lloyd FRONTAGE DEPTH:

See Attached Maps - Existing and Proposed Zoning

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

EXISTING STRUCTURES AND USES : Stable

c. OWNER: _____

TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE _____ PARCEL: _____

SUBDIVISION NAME: _____ FRONTAGE _____ DEPTH: _____

EXISTING STRUCTURES AND USES :

d. OWNER: _____

TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE _____ PARCEL: _____

SUBDIVISION NAME: _____ FRONTAGE _____ DEPTH: _____

EXISTING STRUCTURES AND USES :

5. NAMES AND ADDRESSES OF ALL PERSONS WHOSE PROPERTY OR ANY PART THEREOF IS WITHIN 1000 FEET IN ANY DIRECTION OF THE PROPERTY SOUGHT TO BE REZONED.

NAME	ADDRESS
See Attachment A	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES ___ NO ___
IF "YES", WHEN? _____

7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:

(a) How do the potential uses in the new district classification relate to the existing character of the area?

OWNER SIGNATURE ADDENDUM
LLOYD FARM CONDITIONAL REZONING APPLICATION

Shelton Gene Lloyd
Shelton Gene Lloyd, Co-Executor of the
Estate of Roy Shelton Lloyd

5/6/2016
Date

Brody Lemuel Lloyd
Brody Lemuel Lloyd, Co-Executor of the
Estate of Roy Shelton Lloyd

5/6/2016
Date

Shelton Gene Lloyd
Shelton Gene Lloyd

5/6/2016
Date

Brody Lemuel Lloyd
Brody Lemuel Lloyd

5/6/2016
Date

Attachment B

PETITION FOR CHANGE OF ZONING

7. Please set out and explain those circumstances pertinent to the property and the manner it relates to the town that demonstrate that the proposed zoning district classification is consistent with the Town's Comprehensive Plan. More Specifically:

(a) How do the potential uses in the new district classification relate to the existing character of the area?

Lloyd Farm is most visible to the community from its NC Highway 54 frontage. From that viewpoint, the non-residential uses are consistent with the pattern of land use along NC Highway 54. There is existing retail development on the south side of NC Highway 54 and along the highway corridor. While the economic function of the retail component of Lloyd Farm is similar in nature and scale to neighboring retail, its form is more compact and walkable and its building and landscape design more aesthetically pleasing. For example, Lloyd Farm incorporates existing stands of mature hardwoods into its design, maintaining a soft green viewshed at the intersection.

Lloyd Farm also provides on-site multi-family housing in the form of senior-living apartments and cottages with ADA-accessible pedestrian-friendly connections provided to food and other essential urban services. The juxtaposition of residential use with Lloyd Farm's non-residential uses is consistent with the development pattern on the south side of NC Highway 54.

The character of the existing single-family neighborhoods to the north and east of Lloyd Farm is preserved by the establishment of building setbacks 200'+ to 400'+ deep in dimension from exterior property lines, the preservation of substantial stands of mature hardwood trees along the northern and eastern edges of Lloyd Farm, and the dedication of the northeastern portion of the property assemblage to the Town for civic use.

Retention of the existing vegetative edge along Old Fayetteville Road, supplemented as necessary by additional evergreen landscape material, maintains the existing viewshed along the property's Old Fayetteville Road frontage.

(b) In what way is the property proposed for rezoning peculiarly / particularly sited for the potential uses of the new district?

This assemblage of properties was identified in the Town's 2006 "Creating Carrboro's Economic Future" report as an opportunity site on the NC Highway 54 corridor for non-residential development:

"The greatest asset of this corridor is that it has the only commercial area in Carrboro with direct access to a four-lane road (the Highway 54 Bypass), which

makes it attractive to retailers. There is one available parcel next to the US Post Office large enough (25 acres) to sustain a significant new retail presence.”

A portion (16.6 acres) of this property is already zoned B-4 (Outlying Concentrated Business). The net result of the proposed conditional rezoning (B-4-CZ), once the open space area is deducted, is the approximate amount of developable acreage that was anticipated within that report.

Furthermore, the property is well-served by public transit, with three bus routes having bus stops located within walking distance and a bus stop provided on-site at Lloyd Farm’s retail plaza area.

(c) How will the proposed rezoning affect the value of nearby buildings?

The conditional rezoning process provides a means by which specific conditions and plans can be attached to the property’s zoning to address identified concerns. The application proposes substantial building setbacks and preserved hardwood stands, with additional evergreen landscaping installed as necessary, to buffer property owners to the north and east of the property and to maintain important elements of their viewshed.

No vehicular connections are proposed to the adjoining neighborhood streets. Instead, paved greenway connections to Lloyd Farm are provided mid-block to the north and to the east for neighborhood bicycle and pedestrian access.

The introduction of public space and the provision of food and other essential urban services enhances this area of Carrboro. The value of nearby properties is preserved and enhanced by the provision of convenient and direct access to urban services and amenities within easy walk/bike distance, a much-desired feature for residential neighborhoods to have as an active living by design option.

(d) In what way does the rezoning encourage the most appropriate use of the land in the planning jurisdiction?

Conditional rezoning of the property in the manner proposed fulfills the Town’s goal of encouraging non-residential development within designated areas and furthers the goal of creating a diversity of housing by providing senior-living housing proximate to the urban services and amenities provided by Lloyd Farm’s non-residential components.

The NC Highway 54 corridor from Jones Ferry Road to Fayetteville Road is designated as being suitable for retail development, particularly because of the access provided to Orange County residents by the divided-median highway corridor. All three of the Town’s existing B-4 zoning districts are located along this highway corridor.

This proposed conditional rezoning to B-4-CZ adjusts one of those three existing B-4 zoning districts to be similar in net developable acres to that of neighboring commercial property. However, by use of compact design, shared parking, and vertical construction, the similarly-sized non-residential program also adds senior-living housing within approximately the same total amount of developable acreage as the existing traditional non-residential development on the south side of NC Highway 54.

Proposed B-4-CZ Zoning District Conditions

1. That the Rezoning Site Plan dated February 10, 2016 is incorporated herein to indicate 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.
2. That approximately 4.6 acres of the 40-acre property assemblage remain zoned residential and be dedicated to the Town of Carrboro for neighborhood civic use.
3. That \$15,000 be provided to the Town of Carrboro for a neighborhood-level traffic calming study to be conducted.
4. That, as a component of any subsequent Conditional Use Permit, appropriate fencing will be installed along the northern property line of the rezoned portion of the property assemblage.
5. That trash/recycling collections and landscape maintenance will be limited to the hours of 6 am to 6 pm on weekdays and 8 am to 5 pm on weekends.
6. That deliveries to retail tenants will be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.

Lloyd Farm

Affordable Housing Payment-in-lieu and Density Calculations

Affordable housing payment-in-lieu calculation:

To meet the Carrboro Board of Aldermen's policy goal that 15% of a new residential development's housing units should be affordable, the residential developer for Lloyd Farm's senior housing component proposes to make an affordable housing payment-in-lieu, as provided for within Section 15-182.4 "Residential Density Bonuses for Affordable Housing" of the Land Use Ordinance (LUO). The amount of affordable housing payment-in-lieu per unit is established within the Town's schedule of fees and is currently set at \$32,167 per unit.

Since the LUO recognizes that provision of an affordable housing payment-in-lieu is equivalent to provision of affordable housing units, the incentive density bonus component within that LUO section also applies, allowing two additional market-rate units to be added to the base unit count for every affordable housing unit provided.

Therefore, the current 200 senior living units proposed within the conditional rezoning application and the amount of affordable housing payment-in-lieu is supported by the following set of calculations:

154 base market-rate units	initial base number of market-rate units
(15% of 154 units) = <u>23.1 units</u>	affordable housing units per policy goal
(23.1 units) (\$32,167/unit) = <u>\$743,057.70</u>	affordable housing payment-in-lieu
(23.1 affordable units) (2) -> <u>46 market rate units</u>	bonus density for affordable units
(154 base units) + (46 bonus units) = <u>200 units</u>	total number of market-rate units

Density calculation:

The lot area for the residential component of Lloyd Farm is 8.44 acres, with 40% of the lot area preserved as open space, as per Town policy for new residential development. Note that while provision of affordable housing allows for both open space and setback reductions, neither of these bonus relief mechanisms are being requested.

The base density of 154 units on 8.44 acres is therefore calculated to be 18.25 units per acre or 1 unit per 2,387 square feet of land.

The total density of 200 units (after adding 46 bonus units for providing affordable housing) on 8.44 acres is calculated to be 23.70 units per acre or 1 unit per 1,838 square feet of land.

Lloyd Farm Commercial Area





TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 16, 2016

700 Old Fayetteville Road – Conditional Rezoning to B-4-CZ

Motion was made by Tiemann and seconded by Clinton that the Planning Board recommends that the Board of Aldermen approve the draft ordinance with the following conditions and comments.

The Planning Board appreciates Applicants' efforts during a long design process. When considering proposed projects we experience healthy tension between the desire for increased density, affordable housing, and commercial tax base, and the need to preserve open space and existing neighborhoods.

This project will add non-residential tax base in Carrboro, and cement the intersection of Main Street and NC Hwy 54 as a commercial zone.

The current plan does a good job of preserving open space and stands of mature trees by clustering the buildings and parking on one side of the lot. Keeping the trees and open space at the corner of Hwy 54 and Old Fayetteville also helps make a pleasant gateway to Carrboro. The Planning Board would support further clustering or increases in commercial square footage by using multi-story buildings along Hwy 54. The positive impact of the open spaces could be further improved by grouping them rather than separating them by buildings. The applicant should consider periodic use of the parking lot at non-peak hours for community gatherings like music performances or markets.

The Board strongly suggests that the final plan reverse the positions of the grocery store and the buildings facing it. The intent is to reinforce a residential buffer. It would also serve to decrease the distance between the grocery store and the senior housing.

The rezoning should include conditions regarding architectural standards, including uniformity of materials and setback of taller buildings in proximity to residential areas, which mirror the Downtown Districts. The conditions suggested by the Applicants should also be included, however condition #1 should be amended to reflect the change in positions of the grocery store and the facing retail buildings.

The Board recognizes the need for senior housing in Carrboro, but is disappointed with the lack of affordable or workforce housing. We would like to see some of the senior residences made available at workforce rates. A payment-in-lieu should be required as a condition of the rezoning.

We greatly appreciate the extensive internal sidewalks and bike paths provided, as well as the walking and biking connections to nearby residential areas. We encourage the Board of Aldermen to have further discussions with the Chapel Hill Transit Authority about the need to adopt routes that encourage transit-oriented development.

VOTE:

AYES: (7) Adamson, Tiemann, Whittemore, Poulton, Hunt, Pendergrass, Clinton

NOES: (2) Foushee, Rosser

ABSENT/EXCUSED: (1) Cohen

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by Tiemann and seconded by Clinton that the Planning Board of the Town of Carrboro finds the proposed map amendment is consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.0 DEVELOPMENT

Carrboro's development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition area, but may be approved throughout the town's jurisdiction.

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The Planning Board furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

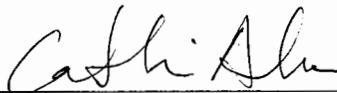
VOTE:

AYES: (7) Adamson, Tiemann, Whittemore, Poulton, Hunt, Pendergrass, Clinton

NOES: (2) Foushee, Rosser

ABSENT/EXCUSED: (1) Cohen

ABSTENTIONS: (0)



(Chair)

6/16/16

(Date)



TOWN OF CARRBORO

TAB

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 2, 2016

700 Old Fayetteville Road – Conditional Rezoning to B-4-CZ

Motion was made by Linda Haac and seconded by Kurt Štolka that the TAB recommends that the Board of Aldermen adopt the draft ordinance.

VOTE:

AYES: (6)

ABSENT/EXCUSED: (1)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

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

Motion was made by Linda Haac and seconded by Kurt Štolka that the TAB of the Town of Carrboro finds the proposed map amendment consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.0 DEVELOPMENT

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2.52 The town should continue to require the construction of a diverse housing stock.

3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

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6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The TAB furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

AYES: (6)
ABSENT/EXCUSED: (1)
NOES: (0)
ABSTENTIONS: (0)

A handwritten signature in black ink, appearing to read "Jeff Kleaveland". The signature is written in a cursive style with a large, stylized initial "J".

Jeff Kleaveland for Colleen Barclay (Chair) on 6/6/16



TOWN OF CARRBORO

Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 2, 2016

700 Old Fayetteville Road – Conditional Rezoning to B-4-CZ

Motion was made by Bill Thompson and seconded by Terri Turner that the ESC recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: (8)

ABSENT/EXCUSED: (1)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

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

Motion was made by Dan Meyers and seconded by Leo Gaev that the ESC of the Town of Carrboro finds the proposed map amendment is consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.0 DEVELOPMENT

Carrboro's development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

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6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The ESC furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

The ESC affirms the developments access to green space and higher than minimum standards for storm water management capacity as being in support of sustainability.

The ESC encourages the developer to seek out locally owned businesses as tenants and to consider health and integrative medicine businesses which would benefit the senior housing project and surrounding community providing strong stakeholder value.

VOTE:

AYES: 8

ABSENT/EXCUSED: 1

NOES: 0

ABSTENTIONS: 0

A handwritten signature in black ink, appearing to read "D. N. S. H.", written over a horizontal line.

6.8.2016

(Chair)

(Date)



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 16, 2016

700 Old Fayetteville Road – Conditional Rezoning to B-4-CZ and Text Amendment

Motion was made by Turner and seconded by Hoban that the EAB recommends that the Board of Aldermen approve the rezoning and text amendment subject to the following considerations:

- 1) Add multistory mixed use development with ground floor commercial with residential and/or office use above, and increased clustering of buildings relative to the current site plan. Consider the model of Southern Village. The current site plan has too many buildings too far apart with too much separated parking. Building up and clustering would reduce impervious surface and therefore more effectively address stormwater runoff and flooding issues. Modify the plan to improve access to commercial buildings and bus service by senior residents. Include golf cart charging stations and covered bike racks with the senior living.
- 2) Include a condition that requires compliance with all current Town Land Use Ordinance provisions.
- 3) To address flooding issues in the adjacent neighborhood, include a condition to exceed the Town's LUO requirements for peak flow stormwater requirements by treating for the 50 year storm event. Also include a condition that the developer will post a bond to protect the neighboring properties in the event of delayed construction that increases stormwater impacts and results in neighboring properties incurring increased risk of flooding damage.

The EAB appreciates the applicant's efforts to protect specimen trees and a buffer for adjacent neighborhoods.

VOTE:

AYES: Hoban, O'Connor, Sinclair, Turner

ABSENT/EXCUSED: Patrick, Perera

NOES: None

ABSTENTIONS: None

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 the adoption of these amendments.

Motion was made by O'Connor and seconded by Turner that the EAB finds the proposed map and text amendments are **not** consistent as proposed with the following provisions of *Carrboro Vision 2020*:

3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition area, but may be approved throughout the town's jurisdiction.

The EAB furthermore finds that including the above considerations is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

AYES: Hoban, O'Connor, Sinclair, Turner

ABSENT/EXCUSED: Patrick, Perera

NOES: None

ABSTENTIONS: None



(Chair) 6/16/2016
(Date)

For



THURSDAY, June 16th, 2016

Review of Lloyd Farm Conditional Use Rezoning

The Appearance Commission **does not** support this project the way it is presented and would like this project to meet platinum LEED certification.

Additionally, the Appearance Commission would like the Land Use Ordinance to be amended where all commercial projects requiring a Special Use Permit or Conditional Use Permit would be required to meet platinum LEED certification.

VOTING:

AYES: (Sheryl Forbis, Roy Mars, Johnny Crncic, Wendy Dale)

NOES: 0

ABSENT: (Emily Kreutzer, Gwen Barlow)

James Thomas (for chair)
Appearance Commission Chair

6-20-16
Date

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

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 LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

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

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 18th day of October 2016.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

DRAFT 6-22-2016

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-216(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

“Subject to subsections (d), (d1), (e), and (f), collector streets and other streets not constructed according to the requirements of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219.”

Section 2. Section 15-216 of the LUO is amended by adding the following new Subsection (d1):

(d1) The Board may, for any development approved with a conditional use permit on property zoned B-4-CU or B-4-CZ, authorize a deviation from the standards set forth in subsection (b) and Appendix C relative to streets and sidewalks if the Board concludes that (i) the proposed streets and sidewalks would serve the functions they are designed to serve as well as or better than streets and sidewalks constructed in conformity with subsection (b) and Appendix C; and (ii) such streets and sidewalks will not impose on the town any undue or unreasonable costs or burdens relating to repairs and maintenance.

Section 3. Subsection 15-141.3(c) is amended to read as follows:

(c) Except as otherwise provided in this subsection, the uses permissible within a conditional zoning district established herein, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds. For example, property that is rezoned to a B-2-CU district may be developed in the same manner as property that is zoned B-2, except as provided in this subsection.

- (1) Property that is zoned B-4-CU may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits), 1.332 (multi-family apartments with no bedroom limits), 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit and the following: (i) not more than 25% of the area covered by the CUP in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).
- (2) (Reserved)

Section 4. Subsection 15-141.4(c) is amended to read as follows:

(c) Subject to the provisions of subsections (f) and (g), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

- (1) Property that is zoned B-4-CZ may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits) and 1.332 (multi-family apartments with no bedroom limits) 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit, and the following: (i) not more than 25% of the area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).
- (2) (Reserved)

Section 5. Subsection 15-147 is amended by adding a new subsection (p) to read as follows:

(p) Notwithstanding the foregoing, use classifications 1.322 and 1.332 may only be permitted in the B-4-CU district, subject to subsection 15-141.3(c) and in the B-4-CZ zoning district, subject to a conditional use permit.

Section 6. Section 15-185 of the LUO (Building Height Limitations) is amended by adding a new subsection (h) to read as follows:

(h) Notwithstanding the remaining provisions of this section, the Board of Aldermen in approving a conditional use permit for a multi-family apartment building within the B-4-CU or the B-4-CZ zoning districts, may allow the maximum building height authorized in subsection (a)(2) of this section to be increased by one foot for every ten feet the building is set back from the otherwise applicable setback line, up to a maximum height of 65 feet, if the Board of Aldermen finds that (i) at least one full story of the building is devoted to parking, and (ii) the building is designed and constructed in relation to the contours of the site in such a manner as to minimize the visual impact of the additional height on adjoining properties.

Section 7. Subsection 15-141.3(d) is amended to read:

(d) Subject to subsection(s) (f) and (g), all uses that are permissible in the conditional use zoning district shall require the issuance of a conditional use permit, regardless of whether a use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses) a zoning permit, special use permit, or conditional use permit.

Section 8. Subsection 15-141.4 is amended by inserting a new subsection (f) to read as

shown below. The existing subsections (f) and (g) to be retained in full and renumbered accordingly as subsections (g) and (h).

(f) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district shall require the issuance of a conditional use permit.

Section 9 Section 15-141.3 is amended by adding a new subsection (g) to read as follows:

(g) If a tract is rezoned to a B-4-CU zoning district, the Board of Aldermen may, in connection with that rezoning, approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CU.
- (2) Except as provided in subsection (1), the provisions of Section 15-64 and Subsection 15-141.3 shall apply to proposed changes to a CUP issued in connection with a B-4-CU rezoning.

Section 10. Section 15-141.4 is amended by adding a new subsection (i) to read as follows:

(i) For property that is zoned B-4-CZ, the Board of Aldermen may approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the

CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.

(2) Except as provided in subdivision (1) above, the provisions of Section 15-64 and Subsection 15-141.4 shall apply to proposed changes to a CUP issued in connection with a B-4-CZ rezoning.

Section 11. All provisions any town ordinance in conflict with this ordinance are repealed.

Section 12. This ordinance shall become effective upon adoption.

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Permissible Use - See Attachment A

- 2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

See Attached

- 3) State the reasons for the proposed amendment:

See Attached

Ted Barnes for Argus
Development Group, LLC

SIGNATURE: _____
applicant {print}

ADDRESS: 2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER: 704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Permissible Use

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question) :

Article X, Section 15-146, Multi-Family Apartments 1.331 Maximum 20% > 3 bedrms/du is currently not an allowable use in the B-4 zoning district.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change) :

Designate Multi-Family Apartments 1.331 as an allowable use within the B-4 zoning district by adding a "C" in the B-4 column, thereby requiring a Conditional Use Permit.

3) State the reasons for the proposed amendment:

The proposed amendment allows the incorporation of rental multi-family housing into the B-4 zoning district, as allowed within most other business zoning districts, specifically in the form of apartments where no more than 20 percent of the units can be greater than three bedrooms (versus the "no bedroom limit" option).

If deemed desirable, the mixed-use ratio standards incorporated into the B-1(g) zoning district for mixed-use projects could be similarly used for B-4 zoning district mixed-use projects, with a base residential density of R-3.

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST



To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Building Height - See Attachment A

- 2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

See Attached

- 3) State the reasons for the proposed amendment:

See Attached

SIGNATURE: _____ Ted Barnes for Argus
applicant Development Group, LLC

 {print}

ADDRESS: 2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER: 704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Building Height

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question) :

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size or setback restrictions except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change) :

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size or minimum setback restrictions, or **maximum building height** except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

3) State the reasons for the proposed amendment:

Since the intent of the Architecturally Integrated Subdivision option is to allow reviewable design flexibility in order to maximize open space preservation, among the dimensional attributes subject to that flexible approach and design review should be the vertical height of the proposed building envelope, not just the horizontal envelope, in order to maximize open space preservation opportunities

Specifically for Lloyd Farm, the design review process afforded by adding building height to the horizontal design elements within the Architectural Integrated Subdivision approach is a more appropriate means to evaluate building heights (both overall and at specific locations) than the standard building height method based on mean average grade. Additionally, only then can building height envelopes be considered in relationship to Lloyd Farm's internal streets, sidewalks, and other public places, plus any external viewsheds, where visual setbacks are much greater. In particular this flexible design review approach will be useful to meaningfully evaluate Lloyd Farm's apartment building that is designed to step up the existing site's slope.

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Street Design

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question) :

Article XIV (Streets and Sidewalks) contains definitions for various classifications of public streets that are based upon their level of traffic count volume. Article XIV then refers to minimum design components (street width, radius of curves, etc.) contained in Appendix C that would result in a street design speed that would not be appropriate for the level of traffic calming desired for an internal local access road.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change) :

Add Section 15-227 "Flexibility in Administration Authorized" to Article XIV (Streets and Sidewalks) to allow the permit issuing authority to be able to lower design speeds and therefore vary the minimum design requirements for internal streets associated with a Conditional Use Permit project.

3) State the reasons for the proposed amendment:

Without this proposed amendment to Article XIV (Streets and Sidewalks), the permit issuing authority has no means to lower street design speeds below those that are by ordinance associated with a street classification system based solely on traffic counts. Higher minimum design speeds result in streets internal to the project that can be driven faster than might be desirable for traffic calming and pedestrian safety purposes due to increased widths and larger centerline curve radii.

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

June 7, 2016

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the revisions to the following Land Use Ordinance amendments received by us May 26, 2016 and proposed for town public hearing on June 28, 2016:

- *An Ordinance to Provide Flexibility with Respect to Street Design Standards and to Allow Multi-Family with an Increased Building Height Limit in the B-4-CZ District.*
- *An Ordinance to Reduce the Minimum Lot Size Requirement for R-2-CZ in Architecturally Integrated Subdivisions.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

Perdita Holtz, AICP
Planning Systems Coordinator



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 16, 2016

Land Use Ordinance Text Amendments to Provide Flexibility with Respect to Street Design Standards in the B-4-CZ District, to Allow Multi-family uses in the B-4-CZ District, and to Increase the Building Height Limit for Multi-family Buildings in the B-4-CZ District.

Motion was made by Poulton and seconded by Tiemann that the Planning Board recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: (8) Adamson, Tiemann, Whittemore, Poulton, Hunt, Pendergrass, Clinton, Rosser

NOES: (1) Foushee,

ABSENT/EXCUSED: (1) Cohen

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by Poulton and seconded by Whittemore that the Planning Board of the Town of Carrboro finds the proposed text amendment is consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.3 New Commercial Growth

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The Planning Board furthermore finds that the above described amendment is reasonable and in the public interest because it links the potential for mixed-use development and more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

VOTE:

AYES: (8) Adamson, Tiemann, Whittemore, Poulton, Hunt, Pendergrass, Clinton, Rosser

NOES: (1) Foushee,

ABSENT/EXCUSED: (1) Cohen

ABSTENTIONS: (0)

Carli Adam 6/16/16
(Chair) (Date)



TOWN OF CARRBORO
Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 2, 2016

Land Use Ordinance Text Amendments to Provide Flexibility with Respect to Street Design Standards in the B-4-CZ District, to Allow Multi-family uses in the B-4-CZ District, and to Increase the Building Height Limit for Multi-family Buildings in the B-4-CZ District.

Motion was made by Bill Thompson and seconded by Matt Neal that the ESC recommends that the Board of Aldermen approve the draft ordinance.

VOTE:

AYES: (8)

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

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

Motion was made by Bill Thompson and seconded by Matt Neal that the ESC of the Town of Carrboro finds the proposed text amendment is consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.3 New Commercial Growth

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The ESC furthermore finds that the above described amendment is reasonable and in the public interest because it links the potential for mixed-use development and more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

AYES: 8

ABSENT/EXCUSED: 0

NOES: 0

ABSTENTIONS: 0



6.8.2016

(Chair)

(Date)



TOWN OF CARRBORO

TAB

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 2, 2016

Land Use Ordinance Text Amendments to Provide Flexibility with Respect to Street Design Standards in the B-4-CZ District, to Allow Multi-family uses in the B-4-CZ District, and to Increase the Building Height Limit for Multi-family Buildings in the B-4-CZ District.

Motion was made by Linda Haac and seconded by Derek Powers that the TAB recommends that the Board of Aldermen adopt the draft ordinance.

VOTE:

AYES: (6)

ABSENT/EXCUSED: (1)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

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

Motion was made by Linda Haac and seconded by Derek Powers that the TAB of the Town of Carrboro finds the proposed text amendment consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.3 New Commercial Growth

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

The TAB furthermore finds that the above described amendment is reasonable and in the public interest because it links the potential for mixed-use development and more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

AYES: (6)

ABSENT/EXCUSED: (1)

NOES: (0)

ABSTENTIONS: (0)

A handwritten signature in black ink, appearing to read "Jeff Kleaveland". The signature is fluid and cursive, with a large initial "J" and "K".

Jeff Kleaveland for Colleen Barclay (Chair) on 6/6/16



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

JUNE 16, 2016

700 Old Fayetteville Road – Conditional Rezoning to B-4-CZ and Text Amendment

Motion was made by Turner and seconded by Hoban that the EAB recommends that the Board of Aldermen approve the rezoning and text amendment subject to the following considerations:

- 1) Add multistory mixed use development with ground floor commercial with residential and/or office use above, and increased clustering of buildings relative to the current site plan. Consider the model of Southern Village. The current site plan has too many buildings too far apart with too much separated parking. Building up and clustering would reduce impervious surface and therefore more effectively address stormwater runoff and flooding issues. Modify the plan to improve access to commercial buildings and bus service by senior residents. Include golf cart charging stations and covered bike racks with the senior living.
- 2) Include a condition that requires compliance with all current Town Land Use Ordinance provisions.
- 3) To address flooding issues in the adjacent neighborhood, include a condition to exceed the Town's LUO requirements for peak flow stormwater requirements by treating for the 50 year storm event. Also include a condition that the developer will post a bond to protect the neighboring properties in the event of delayed construction that increases stormwater impacts and results in neighboring properties incurring increased risk of flooding damage.

The EAB appreciates the applicant's efforts to protect specimen trees and a buffer for adjacent neighborhoods.

VOTE:

AYES: Hoban, O'Connor, Sinclair, Turner

ABSENT/EXCUSED: Patrick, Perera

NOES: None

ABSTENTIONS: None

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 the adoption of these amendments.

Motion was made by O'Connor and seconded by Turner that the EAB finds the proposed map and text amendments are **not** consistent as proposed with the following provisions of *Carrboro Vision 2020*:

3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition area, but may be approved throughout the town's jurisdiction.

The EAB furthermore finds that including the above considerations is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

VOTE:

AYES: Hoban, O'Connor, Sinclair, Turner

ABSENT/EXCUSED: Patrick, Perera

NOES: None

ABSTENTIONS: None


 (Chair) 6/16/2016
 (Date)

For

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

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 40 ACRES OF THE PROPERTY KNOWN AS 700 OLD FAYETTEVILLE ROAD FROM R-10 AND R-10 AND B-4 TO B-4-CZ, AND FROM R-10 TO R-10-CZ AND R-20 TO R-20-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* particularly the following statements relating to Development, Economic Development and Housing:

2.0 DEVELOPMENT

Carrboro's development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition area, but may be approved throughout the town's jurisdiction.

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

4.5 New Development

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.16 With our growing population of senior citizens, the town should support the creation of more housing that allows our senior citizens to interact fully with the larger community. Senior access to public transit will become an increasingly important concern.

Section 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses

Section 3. This resolution becomes effective upon adoption.

This the 18th day of October 2016.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR REJECTING AN AMENDMENT TO THE TEXT OF
THE CARRBORO LAND USE ORDINANCE

Draft Resolution No.

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 40 ACRES OF THE PROPERTY KNOWN AS 700 OLD FAYETTEVILLE ROAD FROM R-10 AND R-10 AND B-4 TO B-4-CZ, AND FROM R-10 TO R-10-CZ AND R-20 TO R-20-CZ.

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

Section 1. The Board concludes that the above described amendment is not consistent with Town plans and policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing regulations are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the 18th day of October 2016.

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 10-13-2016

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 classification 1.322 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. 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. The applicant may reduce the amount of the payment by the number of any affordable units provided within the project.
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.

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 uniformed architectural design in terms of materials and detailing, consisting predominately of brick in a traditional color. As it pertains to the level of detail and finish, all principal buildings on the site including not be limited to, the grocery store, the two commercial buildings facing the grocery store, and the residential tower, shall consist of four primary elevations, rather than a façade and secondary or rear elevations.
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. *The applicant shall demonstrate compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management, as part of the conditional use permit application.*
17. *To ensure sufficient access points to the development should conditions change in the future, the applicant shall delineate and dedicate right-of-way to James Street and possibly to Lisa Drive; the reserved rights of way shall not be improved or opened for vehicle use except with Town Board approval.*

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

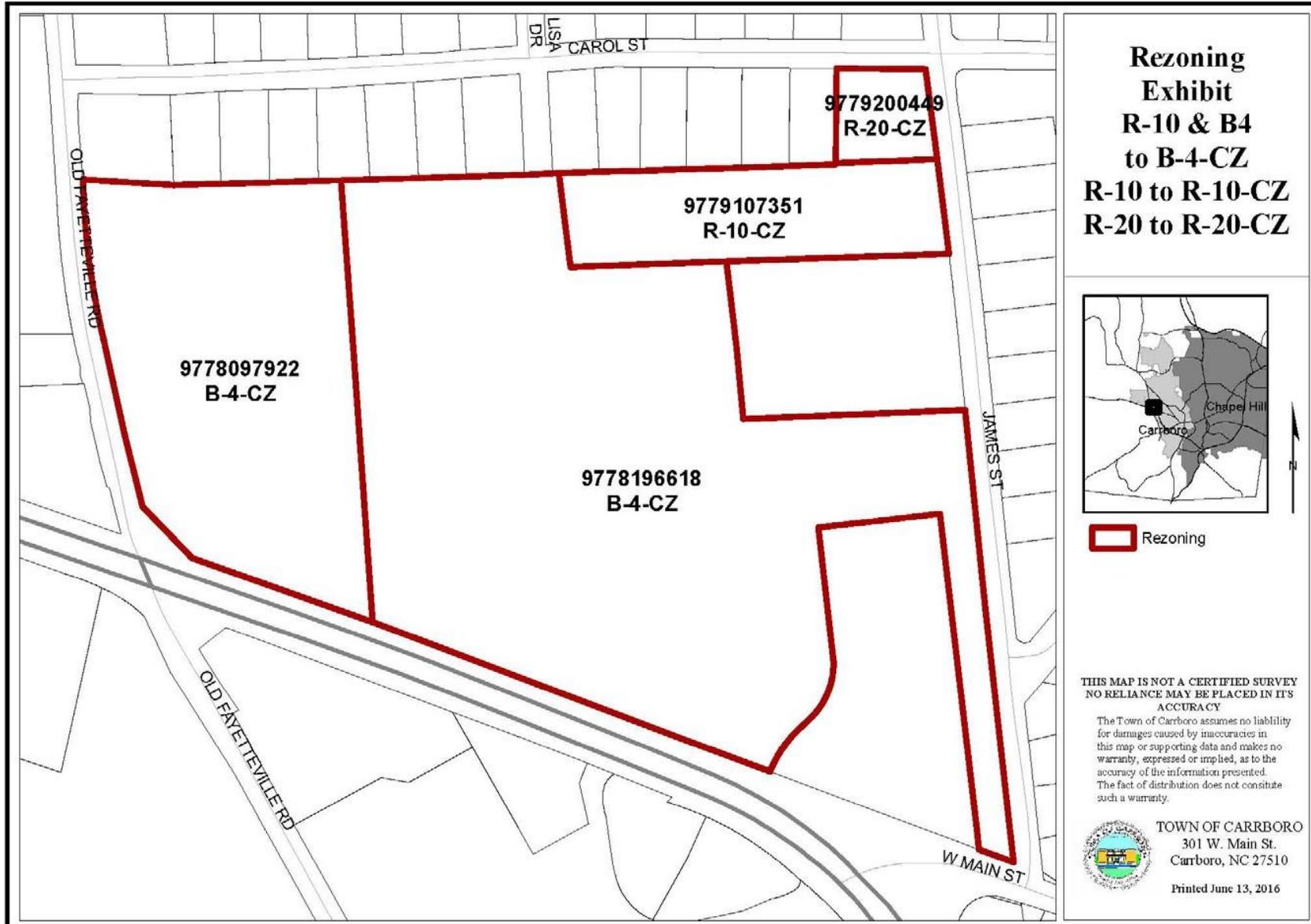
SECTION 3. This ordinance shall become effective upon adoption.

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:





Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, June 28, 2016

7:30 PM

Board Chambers - Room 110

Present: Mayor Lydia Lavelle, Alderman Damon Seils, Alderman Sammy Slade, Alderman Bethany Chaney, and Alderman Michelle Johnson, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell

Also Present: David Andrews, Town Manager, Catherine Dorando, Town Clerk, Nick Herman, Town Attorney

PROCLAMATION: 2016 RECREATION AND PARKS MONTH

Mayor Lavelle proclaimed July 2016 as "Parks and Recreation Month" in the Town of Carrboro and presented the proclamation to Anita Jones-McNair and Wendell Rodgers with the Town's Recreation and Parks Department.

PROCLAMATION: BREASTFEEDING FAMILY FRIENDLY COMMUNITY

Mayor Lavelle proclaimed Carrboro as a "Breastfeeding Family Friendly Community" and presented the proclamation to Kathleen Anderson with the Breastfeeding Family Friendly Community Association.

PROCLAMATION: AMERICANS WITH DISABILITIES ACT

Mayor Lavelle proclaimed July 26, 2016 as "Americans with Disabilities Act Awareness Day" in Carrboro.

SPEAKERS FROM THE FLOOR

Rob McClure presented a petition to the Board of Aldermen on behalf of the Friends of Bolin Creek regarding the public process and conceptual master plan of the Bolin Creek Greenway.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO REFER THE PETITION TO STAFF. ALDERMAN GIST ASKED FOR STAFF TO TAKE THE PETITION SERIOUSLY AND THAT IT BE INCORPORATED INTO

THE BOARD'S EFFORTS AS THEY MOVE FORWARD. VOTE: AFFIRMATIVE ALL

ANNOUNCEMENT OF UPCOMING MEETINGS

David Andrews, the Town Manager, announced upcoming public meetings.

APPROVAL OF PREVIOUS MEETING MINUTES OF JUNE 14 AND JUNE 21, 2016

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN GIST TO APPROVE THE MINUTES OF JUNE 14, 2016 AND JUNE 21, 2016, WITH AMENDMENTS. SPECIFICALLY, ALDERMAN HAVEN-O'DONNELL ASKED TO AMEND LANGUAGE IN THE MINUTES OF JUNE 21, 2016 TO ENTER HER CONCERN ABOUT THE PROCESS OF THE REINTRODUCTION OF TRANSPORTATION RECOMMENDATION #2 WHEN A DRAFT REVIEW WAS HAD BY SOME BOARD MEMBERS BUT NOT ALL, PRIOR TO THE MEETING. VOTE: AFFIRMATIVE ALL

TOWN CODE AMENDMENT ESTABLISHING A YOUTH ADVISORY BOARD (YAB)

The purpose of this item was for the Board to consider amending the Town Code to establish a Youth Advisory Board.

A motion was made by Alderman Seils, seconded by Alderman Chaney, that this resolution be approved.

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CARRBORO TOWN CODE TO ESTABLISH A CARRBORO YOUTH ADVISORY BOARD
Ordinance No. 17/2015-16**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article V of Chapter 3 of the Carrboro Town Code is amended by adding a new section as follows:

Section 3-24.13 Carrboro Youth Advisory Board Established

(a) There shall be a Carrboro Youth Advisory Board composed of no fewer than seven (7) and no more than eleven (11) voting members. These members shall be selected by the Mayor's Office in consultation with the staff liaison and shall be composed as follows:

- (1) All members shall be between the ages of 15 and 18 years old, and shall reside, work in or attend public, private or homeschool classes in Carrboro;
- (2) No member may be enrolled as a full-time college student;
- (3) To the extent possible, there shall be an equal number of

representatives from Carrboro High School and from Chapel Hill High School, and no more than three (3) members shall attend each of those schools;

- (4) To the extent possible, the membership of the Board should reflect the demographic diversity of the population of students eligible for membership residing or attending school in Carrboro.

(b) The purpose of the Carrboro Youth Advisory Board is to provide young people with an opportunity to participate in an advisory capacity in the decision-making process of local government, and to provide input to the Board of Aldermen about issues affecting young people and regarding how local government policies and actions affect young people. The Mayor's Office in consultation with the staff liaison will select members in the fall of each school year for a one year term which coincides with the current school year. Members may be reappointed for up to three (3) terms.

(c)The Carrboro Youth Advisory Board shall report to the Mayor. The Assistant to the Town Manager shall serve as staff to the Carrboro Youth Advisory Board and shall serve as Staff Liaison to the Board.

(d)At the first meeting of the Carrboro Youth Advisory Board each school year, the members of the Board shall elect a Chair and a Vice Chair to preside over the Board's meetings. Members shall only be eligible to serve as Chair or Voice Chair for one term.

(e)The Carrboro Youth Advisory Board shall meet one time each month. All meetings of the Carrboro Youth Advisory Board shall be open to the public, and shall be subject to North Carolina's open meeting statutes. The Mayor or the Staff Liaison may request information from members of the Board between Board meetings from time to time, and Board members are expected to be available and responsive to such requests.

- (f) A simple majority of the members of the Board shall constitute a quorum.

(g) Board members shall be expected to attend and actively participate in all Board meetings. It is also expected that Board members will be asked, or required, to attend occasional leadership development programs and Board of Aldermen meetings (or other Town Advisory Board meetings). Board members are expected to actively participate in the preparation of written reports to the Board of Aldermen on matters which are referred to the Board for comment, and may be asked to make presentations to the Board of Aldermen.

(h) Members of the Carrboro Youth Advisory Board may be removed by the Board of Aldermen if they are absent from two (2) consecutive Board meetings without having notified the Board Chair and the Staff Liaison that they will be unable to attend. Members may also be removed from the Board by the Board of Aldermen for conduct detrimental to the performance and function of the Board.

Section 2. All provisions of any town ordinance in conflict with this ordinance are 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 28th day of June, 2016.

The motion carried by the following vote:

Aye:Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

RESOLUTION TO CONSIDER THE LATIN AMERICAN FESTIVAL ON AUGUST 28, 2016

The purpose of this agenda item was to approve August 28, 2016 for the Latin American Festival.

A motion was made by Alderman Seils, seconded by Alderman Chaney, that this resolution be approved.

A Resolution Authorizing the Temporary Closing of Weaver Street, Between North Greensboro and Lindsay Streets to Accommodate the Latin American Festival, Summer Street Program 2016

WHEREAS, Weaver Street, from North Greensboro to Lindsay Streets shall be temporarily closed to vehicular traffic for the Latin American Festival, culminating the Summer Streets Program; and

WHEREAS, the festival is on August 28, 2016 from 12:00p.m. until 7:00p.m.; and

WHEREAS, the temporary closing of the streets will be approximately from 9:00a.m. until 7:00p.m.

WHEREAS, the Latin American Festival is a family event with folklore performances, live music, food, arts and crafts and information tables; and

NOW THEREFORE IT IS RESOLVED, the Board of Aldermen approves the temporary closing of East Weaver Street for the Latin American Festival 2016 as described herein.

Adopted this 28th day of June 2016.

The motion carried by the following vote:

Aye:Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

REQUEST TO AUTHORIZE THE TOWN MANAGER TO EXECUTE AN ENCROACHMENT AGREEMENT WITH NCDOT TO MODIFY PEDESTRIAN AND BICYCLE ACCESS VIA STROWD LANE TO ANDERSON PARK

The purpose of this agenda item was for the Board of Aldermen to authorize the Town's entering into an agreement regarding improved pedestrian and bicycle access to Anderson Park via Strowd Lane.

Alderman Slade asked that signs be added to direct people to the new access point and remove the sign that asks people not to use it.

Mayor Lavelle suggested a cruiser ride through the path.

A motion was made by Alderman Slade, seconded by Alderman Johnson, that this resolution be approved.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN ENCROACHMENT AGREEMENT WITH NCDOT TO PROVIDE PEDESTRIAN AND BICYCLE ACCESS TO ANDERSON PARK VIA STROWD LANE

WHEREAS, the Town of Carrboro is a Silver-level, League of American Bicyclists Bicycle Friendly Community; and,

WHEREAS, informal access for pedestrians and cyclists is provided to Anderson Park via Strowd Lane, an NCDOT roadway; and,

WHEREAS, an improved entrance point to the park will facilitate use of Strowd Lane as a more direct route to the park from areas north and east of Anderson Park; and,

WHEREAS, staff of the North Carolina Department of Transportation have indicated that an encroachment agreement is needed to authorize the entrance improvements.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to execute an encroachment agreement on the Town's behalf.

Adopted this 28th day of June 2016.

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

UPDATE ON P4.0 PRIORITIZATION AND PROJECT SCORING FOR DRAFT FY 2018-2027 STATE TRANSPORTATION IMPROVEMENT PROGRAM INCLUDING ESTES DRIVE EXTENSION BIKE-PED IMPROVEMENTS AND JONES FERRY ROAD SIDEWALK

The purpose of this agenda item was to provide the Board of Aldermen with an update on the P4.0 Prioritization process and the potential allocation of points toward bicycle-pedestrian improvements along Estes Drive Extension.

Alderman Slade stated that he wanted to make sure the Town's match was proportional to the Town's portion of the project. Trish McGuire, the Town's Planning Director, clarified that the match amount identified is only the Town's portion and that Chapel Hill will fund the portion in their jurisdiction.

A motion was made by Alderman Slade, seconded by Alderman Seils, that this resolution be approved.

A RESOLUTION TO SUPPORT THE ALLOCATION OF DCHC-MPO POINTS TOWARD CARRBORO BIKE-PED PROJECTS

WHEREAS, the Town has had a longstanding interest in bicycle and pedestrian improvements to Estes Drive Extension (SR 1772) and included these improvements as a local transportation priority for many years; and

WHEREAS, as part of the P4.0 SPOT prioritization process for Division level funding for Bike-Ped projects there is the potential for the Estes Drive project (SPOT ID B150621) to be included in the draft FY 2018-2027 if the MPO allocates local points to it; and

WHEREAS, sidewalk improvements to Jones Ferry Road between Davie Road and Main Street (SPOT ID B150153) also scored well and will likely be included in the draft FY 2018-2027; and

WHEREAS, both projects will require a 20-percent local match, estimated at approximately \$212,761 for Estes Drive and \$112,217 for Jones Ferry Road.

NOW, THEREFORE BE IT RESOLVED, that the Carrboro Board of Aldermen supports the allocation of DCHC-MPO points toward these two projects and directs its representatives to convey this support to the MPO Board.

Adopted this 28th day of June 2016.

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

A PUBLIC HEARING ON THE TEMPORARY STREET CLOSING PERMIT APPLICATION FOR THE NOT SO NORMAL RUN

The purpose of this item was to receive public input on the Street Closing Permit Application submitted by Not So Normal Fund, Inc for the temporary closing and usage of streets from 7:00AM to 12:00PM on Sunday, April 2, 2017 to accommodate the Not So Normal Run.

JD Freeman, the Town's Public Works Director, made the staff presentation.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON TO OPEN THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

Jay Radford, the event coordinator, stated that this is the 4th year that the event has been held. He expressed thanks for the Town's efforts in making it successful.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

A motion was made by Alderman Seils, seconded by Alderman Chaney, that this resolution be approved.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE FOLLOWING STREETS TO ACCOMMODATE THE NOT SO NORMAL 5K

Section 1. The following streets shall be temporarily used Sunday, April 2nd, 2017 from 7:00 AM to 12:00 PM for the Not So Normal Run. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

- Start on Laurel Ave
- West Main St from Laurel Ave to James St
- James St to Quail Roost
- Quail Roost to Lisa
- Lisa to Carol
- Carol to Hillsborough
- Hillsborough to Blueridge
- Blueridge to Spring Valley
- Spring Valley to Pathway
- Pathway to Robert Hunt
- Robert Hunt to N. Greensboro
- N. Greensboro to Hillsborough
- Hillsborough to Cheek
- Cheek to N. Greensboro
- N. Greensboro to Pine
- Pine to Hillsborough
- Hillsborough to West Main
- West Main to finish on Laurel

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 5. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 6. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 7. This resolution is contingent on the applicant providing proper liability insurance to the Town at least 30 days prior the event.

Section 8. This resolution shall become effective upon adoption.

Adopted this 28th day of June 2016.

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

A PUBLIC HEARING FOR THE TOWN COMMONS DESIGN UPDATE

The purpose of this item was to update the Board of Alderman on the current status of the Town Commons Design and to provide a schedule of proposed events and deliverables.

JD Freeman, the Town's Public Works Director, provided the staff presentation.

Alderman Slade asked for staff to look into how the roof drains during rain because some vendors get rained on.

Alderman Chaney asked that staff coordinate the space needs study and the Town Commons redesign.

Mayor Lavelle opened the public hearing.

Erin Jobe, the Farmer's Market manager, stated that they have been very happy with their involvement and they are happy with how the project is moving along. She stated that she will be transitioning out of the Market but that she will stay on through the project.

There were no comments from the public.

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN SLADE, THAT THE REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING TO AUTHORIZE THE TOWN MANAGER TO AWARD A CONSTRUCTION DESIGN CONTRACT FOR MARTIN LUTHER KING JR. PARK DEVELOPMENT

The purpose of this agenda item was to summarize the Martin Luther King Jr Park conceptual park layout and request the Board of Aldermen to authorize the Town Manager to award a construction design contract.

Anita Jones-McNair, the Town's Recreation and Parks Director, made the staff report.

Alderman Haven-O'Donnell stated that there were three things brought up last time that were not included on the concept drawing as shown. She stated that the senior fitness, not senior play equipment, was to be moved away from the children's equipment; that the shelter on Tripp Farm Road was to be eliminated because it is too close to the residences, and; that the water feature was to be designed with the consideration of mitigating mosquitos.

Anita Jones-McNair stated that the rendering is not the final version and that this is just a conceptual plan for the designers to work on and approve. She stated that the rendering was originally brought to the Board on February 2, 2016 and there are comments in the minutes that reflect the Board's direction.

Alderman Haven-O'Donnell stated that she is uncomfortable moving forward with the rendering as depicted and questioned if it is appropriate to move forward with providing those to the consultant. She stated that the recommendations that were made in February are not reflected on the rendering. She stated that the community really wants to see a conceptual plan that reflects the most updated version

including any recommendations that were made.

Alderman Slade stated that in the agenda item there is no mention of the suggestions that were made by the Board. He stated that he would like an opportunity to approve those recommendations after the summer break. He stated that he would like to note the size of the garden storage as seeming small.

Mayor Lavelle stated that the amphitheater was discussed being moved into the middle of the field and that she wants to make sure that the consultant sees those recommendations.

Alderman Seils suggested that February 2, 2016 meeting minutes be provided to the consultant.

Alderman Chaney suggested changing the resolution to include a whereas clause regarding the fact that the rendering is a conceptual plan and that additional recommendations have been approved and forwarded to staff per the February 2, 2016 minutes.

Mayor Lavelle opened the public hearing.

Greg Rosenthal asked if the size of the wetlands had been determined. Anita Jones-McNair stated that the size had not been determined at this time and will be brought back to the Board for approval.

Mayor Lavelle closed the public hearing.

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell, that this resolution be approved.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO AWARD A
CONSTRUCTION DESIGN CONTRACT WITHIN THE
AMOUNT APPROPRIATED FOR THE PROJECT KNOWN AS MARTIN LUTHER KING JR.
PARK

WHEREAS, the Board of Aldermen has appropriated funds and adopted Capital Improvement Project Ordinance #18/2014-15 for the construction design of Martin Luther King Jr Park; and,

WHEREAS, the master plan design has been completed; and,

WHEREAS, the Martin Luther King Jr. Park Development is now ready for design construction; and,

WHEREAS, on February 2, 2016 a conceptual plan, with additional recommendations, was forwarded to staff.

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF CARRBORO BOARD OF ALDERMEN THAT:

Section 1. The Town Manager is hereby authorized to select a contractor and award a construction design contract for Martin Luther King Jr. Park provided such contract does not exceed the amount appropriated for the project; and such contract complies with the Town of Carrboro, state and/or federal procurement rules, regulations and laws.

Section 2. This resolution shall become effective upon adoption.

Section 3. Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Finance Director, Town Manager and Recreation and Parks Department.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

A PUBLIC HEARING FOR THE SPACE NEEDS AND FACILITY CONDITION ASSESSMENT UPDATE

The purpose of this item was to update the Board of Alderman on the current status of the Space Needs and Facility Condition Assessment and to provide a schedule of proposed events and deliverables.

JD Freeman, the Town's Public Works Director, provided the staff report and introduced Brent Green with Creech and Associates, the firm conducting the space needs survey.

Brent Green provided a brief update on the work of the firm.

Alderman Slade asked that the process include energy efficiency in the appropriate part of the study. Brent Green stated that the engineers include the sustainability and efficiencies.

Alderman Chaney asked if the Public Works facility is included. Brent Green stated that it is included.

Alderman Haven-O'Donnell asked what a ballpark number would be for a town Carrboro's size for space needs. The consultant stated that the survey would provide those answers but that he is not currently at a point to answer that accurately.

Mayor Lavelle stated that the Town Hall building is a jewel in the Town and that she looks forward to seeing the renaissance of the building.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, THAT THE REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING ON A LUO TEXT AMENDMENT TO REDUCE THE MINIMUM LOT SIZE FOR THE R-2, CONDITIONAL ZONING DISTRICT, SUBJECT TO CERTAIN CRITERIA

The purpose of this agenda item was for the Board of Aldermen to consider a text amendment to the Land Use Ordinance that would reduce the minimum lot size for the R-2-CZ district subject to certain criteria.

Tina Moon, the Town's Planning Administrator, provided the staff report. She stated that this is

conditional and both decisions are legislative in nature.

Alderman Seils asked the difference in changing the minimum lot size versus changing the density of a project. Tina Moon explained that this allows the lot sizes to be a little smaller for density purposes but it does not change the total number of units that can be authorized.

Alderman Gist asked if the property under consideration is the only lot where this would be allowed. Tina Moon stated that a person would have to seek a rezoning to be authorized. Alderman Gist asked if the Board said yes to this if it would be harder to say no to others.

Tina Moon stated that the check point would be the consistency regarding the density that the Board feels is appropriate.

Alderman Seils stated that this change would not allow a greater density in R-2 but allow smaller lot sizes.

Mayor Lavelle opened the public hearing.

There were no comments received from the public.

Mayor Lavelle closed the public hearing.

A motion was made by Alderman Seils, seconded by Alderman Gist, that this resolution be approved.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND
USE ORDINANCE

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 Land Use Ordinance to Reduce the Minimum Lot Size Requirement for R-2-CZ in Architecturally Integrated Subdivisions.

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* particularly the following statements relating to Development, Economic Development and Housing:

2.1 Avoidance of Adverse Effects on Public Health and Safety

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.2 Downtown Vitality

3.28 Carrboro encourages a variety of appropriate residential developments – single- family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.

6.1 Housing for a Diverse Population

6.11 Town policy should 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 2. The Board further concludes that the above described amendment is reasonable and in the public interest because it reduces the minimum lot size creating opportunities for more diverse housing options as part of conditional zoning, a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

Section 3. This resolution becomes effective upon adoption.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

A motion was made by Alderman Seils, seconded by Alderman Gist, that this ordinance be approved.

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO REDUCE THE MINIMUM LOT SIZE REQUIREMENT FOR R-2-CZ IN ARCHITECTURALLY INTEGRATED SUBDIVISIONS
Ordinance No. 18/2015-16**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-181 (Minimum Lot Size Requirements) of the Carrboro Land Use Ordinance is amended by adding a new subsection (d), to read as follows:

(d) The minimum lot size requirement within the R-2-Conditional district (R-2-CZ) may be reduced to 1,500 square feet in an architecturally integrated subdivision (AIS) on a tract containing at least 20,000 square feet.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

PUBLIC HEARING ON CONDITIONAL REZONING FOR INARA COURT AT 102 AND 104 FIDELITY STREET

The Town received an application to rezone 102 and 104 Fidelity Street to R-2-Conditional (R-2-CZ) for the construction of six single-family residential units.

Tina Moon, the Town's Planning Administrator, made the staff report.

Alderman Chaney asked the maximum number of units that would be allowed currently. Tina Moon stated that currently, 13 units would be allowed if changed to R2 and that current zoning would allow 3 units. Alderman Chaney asked if a condition would limit the density. Tina Moon stated that it would.

Alderman Seils asked that Tina Moon explain the link between the conceptual drawing and the permit. Tina Moon stated that the project would have to be very close to what is shown or approved to be granted a permit.

Alderman Gist stated that the applicant stated that they are not seeking to make the homes student housing. She asked if 8 units are approved, if that increases the chances of it to be student housing.

The applicant stated that the projects goal is to be owner occupied housing. He stated that it is currently zoned to allow larger homes with more parking but that he has spent the past two years to create owner occupied housing. He stated that the smaller lot size allows him to provide a different price for housing.

Alderman Seils asked why it is named Inara Court. The applicant stated that he loves the show "Firefly" and that is where it came from.

Mayor Lavelle opened the public hearing.

There were no comments from the public.

Mayor Lavelle closed the public hearing.

Alderman Chaney thanked the applicant for working to create smaller housing opportunities. She stated that allowing this type of zoning potentially allows a diversity in housing stock.

Alderman Haven-O'Donnell thanked Trish McGuire and Tina Moon for their efforts in assisting the applicant.

Alderman Gist stated that her expectation for the next item is that they Board will not vote on the next item tonight and asked if the Board is in agreement. The remainder of the Board agreed.

A motion was made by Alderman Seils, seconded by Alderman Gist, that this resolution be approved.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN’S REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE

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 0.6232 ACRES (27,146 square feet) OF PROPERTY KNOWN AS 102 AND 104 FIDELITY STREET FROM R-7.5 (RESIDENTIAL, 7,500 SQUARE FEET PER DWELLING UNIT) TO R-2-CZ (RESIDENTIAL, 2,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL).

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*, particularly the following provisions:

2.0 DEVELOPMENT

Carrboro’s development should take place in a manner consistent with a set of adopted values. Growth should occur in a balanced fashion, and at a rate that does not jeopardized the values set forth by Vision 2020. The interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.

2.11 Avoidance of Adverse Effects on Public Health and Safety

Infill development should take place in a manner that fulfills the town’s goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.

2.5 Balanced and Controlled Growth

2.52 The town should continue to require the construction of a diverse housing stock.

3.2 Downtown Vitality

3.28 Carrboro encourages a variety of appropriate residential developments – single-family, multi-family, SROs, et cetera – in the downtown especially as part of mixed-use developments.

3.6 Economic Diversity

3.63 The town should encourage the development of underutilized property in the downtown area.

6.1 Housing for a Diverse Population

6.11 Town policy should 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.

6.15 The town should pursue the development of density bonus provisions for projects incorporating environmentally sensitive development and building practices.

Section 2. The Board further concludes that the above described map amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

Section 3. This resolution becomes effective upon adoption.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

A motion was made by Alderman Seils, seconded by Alderman Gist, that this ordinance be approved.

**AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 0.6232 ACRES (27,146 SQUARE FEET) OF PROPERTY KNOWN AS 102
& 104 FIDELITY STREET FROM R-7.5 TO R-2-CZ
Ordinance No. 19/2015-16**

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 9778-86-3076 and 9778-66-3947 is hereby rezoned from R-7.5 (Residential, 7,500 square feet per dwelling) to R-2-CZ (Residential, 2,000 square feet per dwelling unit, conditional) subject to the following conditions:

1. The Concept Plan labeled “Rezoning Conceptual Map Inara Court – Fidelity Street Conditional Rezoning,” dated June 23, 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, setbacks, and other landscaped areas. Other features and issues remain to be decided at the time a special use permit is requested for the development. Those features and issues include, but are not limited to, the location of stormwater management features, the cross section of the proposed internal street, Inara Court, and the use of the pedestrian-bicycle access easement for recreation area.
2. The maximum density for the project shall be limited to eight (8) dwelling units.
3. The maximum building height shall not exceed thirty-eight (38) feet.
4. A minimum of five (5) lots within the development will include passive solar technology.
5. A public pedestrian-bicycle access easement is provided by the owner who also owns the adjacent parcel to the north (PIN 9778-67-3116) to provide a connection from Popular Street to Fidelity Street.

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

SECTION 3. This ordinance shall become effective upon adoption.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

PUBLIC HEARING ON THE LUO TEXT AMENDMENTS PROVIDING FLEXIBILITY TO STREET DESIGN STANDARDS AND ALLOWING MULTIFAMILY RESIDENTIAL USES, WITH AN INCREASED BUILDING HEIGHT LIMIT IN THE B-4-CU AND B-4-CZ DISTRICTS SUBJECT TO CERTAIN CRITERIA

The Town received an application for text amendments to the Land Use Ordinance relating to the B-4-CU and B-4-CZ districts.

Tina Moon, the Town's Planning Administrator, provided the staff presentation. She stated that the text amendment and the rezoning are both conditional and legislative matters.

Alderman Slade asked why this was chosen as the route versus rezoning as a residential B-4. Tina Moon responded that the applicant has expressed an interest in B-4 and that it was a cleaner process to have the entire project under one zoning category. Alderman Slade stated that other uses can dilute the intent of the rezoning. He stated that he is comfortable because it has a safety mechanism.

[MEETING NOTE: THIS ITEM IS A COMPANION ITEM RELATED TO THE FOLLOWING ITEM AND IS INCLUDED IN THE CONTINUATION OF PUBLIC HEARINGS MOTION AT THE END.]

PUBLIC HEARING ON A REQUEST TO REZONE THE LLOYD FARM PROPERTY AT 700 OLD FAYETTEVILLE ROAD TO B-4-CZ

The Town received an application to rezone property at NC Hwy 54 and 700 Old Fayetteville Road to B-4-conditional rezoning (B-4-CZ) for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building. The Board of Aldermen must receive public input before reaching a decision on this request.

Tina Moon, the Town's Planning Administrator, made the staff report.

Ted Barnes, with Argus Development Group, discussed the design and layout of the land. He noted the wetland areas, streams and the rocky areas and provided an illustrative site plan.

Mayor Lavelle opened the public hearing.

James Emery a resident of 106 Mary Street, stated that he is torn about the project. He stated that he is disturbed about the traffic impact and that the traffic returning to Carrboro will most likely do so on Carol Street. He stated that traffic will also cut-through the Post Office and enter onto James Street and Lorraine Street. He also expressed concern with the stormwater impact in an area that already experiences flooding due to stormwater backups. He asked that the Board review the Environmental Advisory Board's recommendations on this.

Jeff Rubish, a resident of 214 Hillsborough Road, expressed support for the project and stated that it will be a tremendous project for the community. He stated that the Lloyd's have made great efforts to create

a good project and to work with the neighbors. He asked what the buffer distance is between the Carol Street homes. The developer said it was 160 feet. He stated that this would bring about \$600,000 in property tax revenue to the Town.

Dusty Butler, a resident of Carrboro and realtor, stated that if you look at mixed-use neighborhoods like Meadowmont and Southpoint Mall, he has been asked if that would hurt home values. He has responded no that it will not. He stated that traffic will increase but convenience does not harm value. He stated that this is one of the prettiest developments he has ever seen.

Ellie Kinnaird, a property owner in Carrboro, stated that the work that has been done to find a solution has taken five years and involved many people in the community. She spoke in favor of the rezoning and the development. She stated that property taxes are high and that there is very little commercial development to offset the residential tax burden. She stated that this plan is nice and asked the Board to rezone the property.

Barb Stenross, a resident of Carrboro, spoke against the project. She stated that the commercial portion of the project is too much. She asked for a smaller, more compact footprint, a delay in development approval before the Town can put traffic and stormwater improvements in place; for the project to incorporate the farm ponds as a stormwater facility; that the wetlands and bioretention areas be enlarged and kept as natural as possible; for the cutting of fewer trees; for the installation of native shrubs and plantings; and that the Board be guided to make the best decision including the land and all its beings.

Lorraine Aragon, 102 Mary Street, asked that the Board reject the rezoning and land use ordinance amendments. She stated that the developers were asked to use current zoning but disregarded that request. She stated that she appreciates the mediated improvements but stated that traffic and stormwater improvements need to be made. She asked how Town costs will balance with anticipated revenues.

Tim West, a resident of 107 Carol Street, spoke against the project and rezoning and stated that it is inconsistent with Vision 2020. He stated that he is truly sad that this beautiful piece of land is being developed. He stated that the shopping center across the street is underutilized and quoted Vision 2020 as guidance. He stated that he feels that the development will have negative impacts on his neighborhood due to the traffic impact. He stated that a full exit/entrance onto HWY 54 from the project would be helpful. He asked if there is any way to put more pressure on NCDOT for that.

Barney Kohout, a resident of 112 Carol Street, with his daughters, stated that his children can't take a bus to McDougale Elementary because they live within one mile. He asked how pedestrians will navigate the roundabout. He stated that he is an arborist and that parking lot trees only have a life of about 8 years. He stated that all of the Sycamore trees died in Carrboro Plaza and that Crepe Myrtles were planted but they do not provide adequate shade due to trimming practices. He stated that the trees that they are proposing do not have a great chance of making it and stated that the tree drawing does not accurately depict. He stated that the trees that will be cut down can currently take-in 200 gallons a day. He suggested that the developer purchase the land from the Lloyds if they believe in it. He stated that 12-15 feet tall trees should be planted in this area.

Julian Sereno, a resident of 213 Simpson Street, spoke against the rezoning and project. He stated that he is an avid pedestrian. He expressed concern with traffic, an increase in traffic and an increase in flooding. He stated that if the Town can't fix the existing flooding, then what will happen with this.

Greg Rosenthal stated that his biggest concern is increased traffic on Carol Street. He requested that the Board hold off on approval until further traffic solutions can be addressed. He also expressed concern with flooding.

Chris Hogan, a part owner discussed that they have been stewards of the land and served the community their entire lives. He stated that as a land owner, it is not realistic for them to create a project that does not bother any land owner. He stated that it has taken five years and that it is the Board's role to, at some point in the near future, to make a decision. He stated that it is the Board's duty to come to a decision.

Geoff Gisler, resident of 310 Carol Street, stated that there is already development can happen per the current zoning. He stated that if the Lloyd family had chosen what is allowed under current zoning, then there would have already been development. He stated that the only reason they are going through this process is to increase what is allowed. He stated that he was a part of the mediation group for the neighborhood and that it was a great experience. He expressed concern with the traffic impact. He asked that the Board deny the rezoning and to place in steps to mediate the traffic impact if they do move forward.

Tim Carless, a resident of 116 Carol Street, stated that the traffic impact is a problem and that he does not feel that Carol Street is safe today. He stated that he has been severely impacted by stormwater and flooding problems and that it can be attributed to McDougle. He asked that the Board not approve the rezoning.

Katie Bryant, a resident of 100 James Street, stated that she is concerned with the stormwater runoff and the flooding impact that it will have on her home. She stated that the culvert by her house is the largest in that area but that it backs up during storms. She also expressed concern with the traffic.

Bill Heemstra, 831 Old Fayetteville Street, expressed concern with the traffic circle and how that will impact the bike lanes. He also expressed concern with increased traffic. He asked to place more pressure on NCDOT for an entrance/exit onto HWY 54. He stated that the stormwater runoff will increase and expressed concern with flooding. He asked the Board to ask the developer to work on mitigating these concerns before approval.

Erica Eisdorfer, 100 Mary Street, stated that Plantation Acres is a middleclass neighborhood, and aren't high-paid professionals and she wants to make sure that they get the same kind of care that the Town would give to wealthy people. She stated that she wanted to ask for that for the neighborhood.

Sakura Marcelle Christmas, 208 James Street, stated that her daughter asked for speed humps on James Street when she was in 4th grade. She stated that the project is nice but that it is not helpful for the increased traffic in the neighborhoods. She stated that all the traffic should be on HWY 54 because the impact has already been made by the neighborhood due to the Post Office.

Mayor Lavelle stated that this is the first time that she has been able to discuss the project because it is just now at the point where the full Board gets to see the project.

Alderman Gist expressed gratitude to all of those involved in the project and the time that has been put in. She stated that she wants staff to work on the traffic and flooding concerns during the summer. She stated that she also believes in an owner's right to develop their property.

Alderman Slade stated that he recognizes the need to diversify the tax base but asked if they can

sacrifice people's homes (due to flooding) to do it. He stated that he would like to see the Board approve the EAB recommendation that the developer put money up as a bond in the case that the flooding worsens. He also asked for more pressure to be put on NCDOT for a HWY 54 traffic solution. He expressed support for a more human-scale design.

Alderman Johnson stated that values have been presented that clash. She stated that she thinks the developer has taken a lot of the concerns and made improvements and incorporated a lot of those requests and concerns. She stated that the two major concerns are traffic and stormwater but that those are already concerns that the Town has been dealing with. She agreed that staff should work over the summer to deal with those concerns. She asked the developer to explain how the development will relate to Carrboro Plaza.

The developer stated that Carrboro Plaza is a 1980 style development and that it is a classic, old suburban strip center. He stated that he does not understand how that has anything to do with the current project. He stated that they are doing a completely different design and have made many changes. He stated that Carrboro Plaza is a great opportunity to redo the design but it is difficult when there are individual leases.

Alderman Johnson asked about the payment-in-lieu is and how they will have affordable housing for seniors.

The developer for the multi-family portion of the project responded that he thought the Town might think that it is better to do a payment-in-lieu over individual. He stated that what they are doing will be a different model than any models that are currently around. He stated that it will be a much more affordable option that provides full-service housing. He stated that is why they choose payment-in-lieu for the rental portions.

Alderman Chaney stated that she has questions for the developers and that she is thankful that this was changed to conditional rezoning so that the Board can have conversations with interested parties over the summer. She expressed the following concerns: 1) Traffic 2) stormwater 3) how can this contribute to solutions 4) senior housing doesn't include more robust consideration for affordability. She asked if there is a way to deploy the affordable housing fund to assist in affordability.

Alderman Haven-O'Donnell expressed thanks to all that were involved in the mediation process. She asked what the summer conversation will look like. Trish McGuire, the Town's Planning Director, stated that staff expects to have additional information back from NCDOT in a few weeks. She stated that the comments would be taken back and discussed directly with the developer to see what can be done. Mayor Lavelle stated that the Board can send questions to staff, copying one another, so that all are included. Alderman Haven-O'Donnell asked if staff could put information on the Town's website that depicts questions that have been raised. She stated that the Lloyds own the property and that the Board wants to forge the kind of development where they feel they have had a hand in making the best possible decision for Carrboro.

Mayor Lavelle stated that traffic and flooding are the two biggest issues. She stated that she is fine continuing to email on to staff knowing that those two issues will be discussed.

Alderman Seils stated that he has a history with the project and has been involved since 2011. He stated that the conditional zoning approach has been the single most important change because it allows them to have conversations. He stated that he wants to have conversations with people that live all over town.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY CONTINUE PUBLIC HEARINGS TO A DATE TO BE DETERMINED AND NOTICED AT A LATER DATE IN THE FALL. VOTE: AFFIRMATIVE ALL

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY (OWASA) BOARD OF DIRECTORS

The Mayor and Board of Aldermen were provided with a list of applicants interested in being appointed to the OWASA Board of Directors.

The Board of Aldermen voted on paper ballots.

Yinka Ayonkoya was selected as the Town of Carrboro representative receiving votes from: Alderman Chaney, Mayor Lavelle, Alderman Slade Alderman Johnson, Alderman Gist, and Alderman Seils.

Will Stanley received one vote from Alderman Haven-O'Donnell

RESOLUTION OF THE CARRBORO BOARD OF ALDERMEN ACCEPTING THE DEDICATION OF STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE AND EASEMENTS IN THE HIGHLANDS PHASE 5A and 5B

Alderman Slade asked if the existing roads are public. JD Freeman, the Town's Public Works Director responded that they are. Alderman Slade stated that he wanted to make sure that there wasn't an increased cost in maintenance. JD Freeman stated that is true but they are only talking about maintaining the landscaping easement.

Trish stated that the drainage easements are private and that the common area is part of the common property and not intended to be a part of the dedication. She stated that the area that is on the table for acceptance are streets and landscape easement.

Nick Herman, the Town's Attorney, stated that the dedication uses the language as boilerplate text.

Alderman Chaney asked why the Town didn't accept the dedication in the past. Nick Herman stated that statute requires a resolution and that it was inadvertent.

A motion was made by Alderman Seils, seconded by Alderman Slade, that this ordinance be approved.

**RESOLUTION OF THE CARRBORO BOARD OF ALDERMEN
ACCEPTING THE DEDICATION OF STREETS, ALLEYS, WALKS,**

**PARKS, OPEN SPACE AND EASEMENTS IN THE HIGHLANDS
PHASE 5A and 5B**

WHEREAS, the Town of Carrboro Board of Aldermen approved a conditional use permit modification for The Highlands, Phase V on June 5, 1990; and

WHEREAS, on July 16, 1990, a subdivision plat for The Highlands, Phase 5A was recorded in the Orange County Registry at Plat Book 55, Page 87, and on July 16, 1990 a subdivision plat for The Highlands, Phase 5B was recorded in the Orange County Registry at Plat Book 55, Page 88; and

WHEREAS, the recorded subdivision plats for The Highlands, Phase 5A and Phase 5B included offers of dedication of “all areas shown on [the plats] as streets, alleys, walks, parks, open spaces and easements, except those specifically indicated as private”; and

WHEREAS, the Certificate of Ownership and Dedication on the plats also stated that “all properties shown on [the plats] as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by the Board of Aldermen in the public interest”; and

WHEREAS, the Town of Carrboro Board of Aldermen now desires and intends to formally accept the dedication of the streets, alleys, walks, parks, open space and easements in The Highlands, Phase 5A and 5B;

NOW, THEREFORE, be it resolved by the Town of Carrboro Board of Aldermen that:

1. The Town of Carrboro Board of Aldermen hereby accepts the dedication of all the streets, alleys, walks, parks, open spaces and easements (except those drainage easements specifically indicated as private easements on the recorded subdivision plats) shown on the plats for The Highlands, Phase 5A and The Highlands Phase 5B recorded in the Orange County Registry at Plat Book 55, Page 87 and Plat Book 55, Page 88, respectively, on July 16, 1990, PROVIDED that excepted from this acceptance of dedication is any street, alley, park, open space and/or easement previously dedicated to and accepted by any other public authority or agency; and
2. The Town of Carrboro Board of Aldermen determines that it is in the public interest to use the landscape easements shown on the aforesaid plats lying adjacent to the Rogers Road right-of-way for public sidewalks and associated drainage facilities related to the public sidewalks; and
3. The Town of Carrboro Board of Aldermen further determines that except for the use of the landscape easement area for public sidewalk and related drainage purposes, the landscape easement area as shown on the recorded plats referenced above shall continue to be used and maintained for landscape and buffer purposes.

This the 28th day of June, 2016

The motion carried by the following vote:

Aye: Alderman Gist, Alderman Haven-O'Donnell, Alderman Slade, Alderman Chaney, Alderman Seils, Mayor Lavelle and Alderman Johnson

MATTERS BY BOARD

Alderman Gist stated that it is an embarrassment to have the neighborhood named Plantation Acres. She asked staff to explore changing the name of the neighborhood to be more reflective of current times. Nick Herman stated that they would look into it.

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SEILS TO ADJOURN THE MEETING. VOTE AFFIRMATIVE ALL