

SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS CONDITIONAL USE PERMIT FOR SOUTH GREEN CUP	
STAFF RECOMMENDATIONS	
I. Staff Recommendations (w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance and are represented by #s 1-24 below. If an advisory board voted to 'support' the staff recommendation, then such board is listed after staff in the left-hand column.</i>
Recommended by	Recommendations
Staff, PB, TAB, EAB, ESC, AC	1. (Reworded) That prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, if all necessary additional street right-of-way needed for the construction of the roundabout is not obtained by the developer and recorded in a final plat, that the location of the roundabout be shifted as needed so as to not require this additional property. Should the roundabout location be shifted, the construction plans will be re-reviewed as necessary to assure they remain in compliance with the permit. If the shift causes substantial changes to the plans it will require approval by the Board of Aldermen.
Staff	2. (New Condition) That prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, the applicant pursue relocating the Purple Leaf Place sidewalk extension onto the eastern side of the road instead of the western side as shown in the CUP plans and that this revised connection will include the corresponding revisions to the crosswalks and HC ramps on the plans in the vicinity of these changes.
Staff, PB, TAB, ESC, ESC, AC	3. (Reworded) That prior to construction plan approval for grading and soil work, all necessary encroachment agreements be obtained to allow work within the existing Rand Road public right-of-way. Further, that the existing Rand Road right-of-way shall be formally abandoned per Town procedure prior to issuance of a certificate of occupancy.
Staff	4. (New condition) That, regardless of the status of the right-of-way abandonment or dedication, the applicant will provide emergency access (meeting Town Fire Department standards) through the property to Purple Leaf Place throughout the construction process.
Staff, PB, TAB, EAB, ESC, AC	5. That prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment/maintenance agreements for lighting and sidewalks.

Staff, PB, TAB, EAB, ESC, AC	6. That an appropriately sized public easement be provided for the sections of the proposed 10' bicycle path/greenway facility that are not located within the public street R/W.
Staff, PB, TAB, EAB, ESC, AC	7. (Reworded) That, in the construction plans the multi-use path be designed to meet or exceed the specifications identified in the <i>AASHTO Guide for the Development of Bicycle Facilities</i> and the applicable design recommendations in the <i>Town of Carrboro Comprehensive Bicycle Plan</i> .
Staff, PB, TAB, EAB, ESC, AC	8. That at least one accessible parking space be provided in close proximity to the main entrance of Building 3 in the option A site plan proposal.
Staff, PB, TAB, EAB, ESC, AC	9. That the applicant must obtain approval from the Town (either at a staff or Board level as determined by the LUO), if changes to the allocation of uses in the commercial buildings or the hours of operation of the businesses result in parking requirements that exceed the parking amount approved by the permit.
Staff, PB, TAB, EAB, ESC, AC	10. (Reworded) That the Board of Aldermen hereby finds that parking spaces shown on Option A (180 spaces) and Option B (179 spaces) are sufficient to serve the proposed development based on the applicant's justification statement regarding joint use of the proposed parking spaces and the site's proximity to residential neighborhoods, bus lines, bicycle lanes and existing pedestrian facilities. This justification also includes the accommodation for allowing the parking area behind Building 2 to be used for outdoor inventory storage. Should the use of these spaces for storage contribute to a parking problem for the development, the storage shall be removed sufficiently to restore the needed parking spaces for use.
Staff, PB, TAB, EAB, ESC, AC	11. Should the installation of HC spaces to serve Building 3 in the Option A site plan be required, that these parking total numbers be allowed to be reduced by one or two spaces if necessary to allow the installation of the HC spaces.
Staff, PB, TAB, EAB, ESC, AC	12. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner based on information provided by the applicant.
Staff, PB, TAB, EAB, ESC, AC	13. That the construction plans demonstrate compliance with the tree canopy coverage standards of Section 15-319 prior to construction plan approval.
Staff, PB, TAB, EAB, ESC, AC	14. That the proposed NCDOT drainage improvements for S. Greensboro Street be coordinated and installed in advance-of or concurrent-with the installation of the South Green drainage improvements.

Staff, PB, TAB, EAB, ESC, AC	15. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
Staff, PB, TAB, EAB, ESC, AC	16. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval.
Staff, PB, TAB, EAB, ESC, AC	17. That, prior to issuance of a CO, a final plat, or the certification of a stormwater BMP, the Town may require a performance security to be posted for a period of two years per the provisions of Section 15-263(i).
Staff, PB, TAB, EAB, ESC, AC	18. (Reworded) That any necessary temporary or permanent easements be obtained prior to the approval of construction plans for each stage of the development. Easements shall also be shown on the final plat when it is recorded.
Staff, PB, TAB, EAB, ESC, AC	19. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans.
Staff, PB, TAB, EAB, ESC, AC	20. (Reworded) Prior to construction plan approval, all proposed lighting within public rights-of-way must satisfy the Public Works street lighting policy.
Staff, PB, TAB, EAB, ESC, AC	21. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
Staff, PB, TAB, EAB, ESC, AC	22. That the Board of Aldermen hereby finds acceptable the deviations from the architectural requirements of Section 15-178 of the LUO per the elevations and information presented at the public hearing.
Staff, PB, TAB, EAB, ESC, AC	23. That prior to construction plan approval, the applicant submit materials to satisfy the Construction Management Plan provisions of Section 15-49(c1).
Staff	24. (New condition, reworded) That prior to issuance of a certificate of occupancy, a final plat will be recorded including the three new lots and the newly established Rand Road public right-of-way. This plat will show all necessary easements.

ADVISORY BOARD COMMENTS / RECOMMENDATIONS	
<b>II. Additional Advisory Board Comments &amp; Recommendations:</b>	<i>Explanation: At the Board's request the following Advisory Board recommendations have been reworded as conditions.</i>
Recommended by	Recommendations reworded as Conditions
TAB	25. The applicant shall include striped crosswalks on all four sides of the roundabout subject to NCDOT approval.
TAB	26. The applicant shall paint sharrows in the roundabout subject to NCDOT approval.
TAB	27. The applicant shall show sharrows on the construction plan along Rand Road.
TAB	28. That, if allowed under the related provisions of the American's with Disability Act, the construction plans shall show the multi-use path splitting into two paths so as to serve both sidewalk ramps on the southeast quadrant of the roundabout.
TAB	29. That the construction plans shall show painted crosswalks at all sidewalk and multiuse path crossings.
	30. That the construction plans show raised crosswalks or an alternative crosswalk treatment wherever practicable particularly where the multiuse path crosses the entrance to the parking lot for Building 2.
TAB	31. That the construction plans shall install stop signs where all of the driveways enter Rand Road subject to Public Works approval.
TAB	32. That the construction plans shall include adequate lighting along the multiuse path behind Buildings 3, 4 & 5.
TAB	33. That the construction management plan include wayfinding signs for re-routing cyclists during construction.
EAB	34. That the construction plans shall not include any plants recognized as invasive plants by North Carolina Invasive Plant Council in the piedmont of North Carolina and that the applicant's Landscape Architect shall provide written justification for the use of non-native species.
EAB	35. That the construction plans shall include LEDs lights for all of the outdoor parking area light poles and provide for the option of LED lighting, indoors.
EAB	36. That the applicant consider establishment of terracing of the steep slope to allow for uses as an alternative to a steep, continuous vegetated slope.
EAB	37. That the applicant consider other cost effective energy efficiency measures such as heat recovery units and geothermal systems to the extent feasible.
ESC	38. That the owner shall to strive to abide by Fair Trade standards as defined by the <i>Local Living Economy Task Force Recommendation</i> number 6 and seek to recruit locally owned businesses.

III. Conditions Suggested by Others:	<i>Explanation: The citizens, Board members and/or the applicant suggested and discussed specific language relating to the topics identified below. The conditions written reflect wording that the applicant feels will ensure the project's viability.</i>
Recommended by	Recommendations
Aldermen; 40% restaurant use justification.	<p>For this condition, the Board may choose one of the following <b>two</b> options:</p> <p>39. Option A: That the Board hereby concludes, based on the information from the applicant contained in Attachment O, that the development is making a substantial enough investment in one or more of the M-3-CU performance measures to satisfy the standard in 15-141.3((c-1)-1) and thereby is granted 40% restaurant use for the property, or;</p> <p>39. Option B: That the Board hereby concludes, based on the information from the applicant contained in Attachment O, that the development satisfies nine of the M-3-CU performance measures as identified below and therefore is granted 40% restaurant use for the property:</p> <ul style="list-style-type: none"> <li>a. Flooding mitigation (satisfies performance measure 1);</li> <li>b. Permeable paving (satisfies performance measures 2 &amp; 3) construction of the roundabout (satisfies performance measures 4 &amp; 5);</li> <li>c. LED parking lot lights (satisfies performance measure 13);</li> <li>d. Use of devices that shade at least 30% of the south and west facing building elevations (satisfies performance measure 9);</li> <li>e. Use of Low Emissivity (low-e<sup>2</sup>) windows along south and west facing building elevations (satisfies performance measure 10);</li> <li>f. Installation of attic insulation that exceeds the current building code R-value rating by 35% or greater (satisfies performance measure 11).</li> </ul>
Alderman: Solar panels.	40. That electrical service conduit is provided within the buildings for the purpose of facilitating convenient future installation of rooftop solar photovoltaic arrays.
Alderman: Organic Waste.	41. That the developer include the possibility of Commercial Organic Waste Collection in their solid waste management plan. Said service shall be operated insofar that it does not create an odor nuisance to the surrounding community and shall be subject to the additional condition regarding solid waste.
Alderman: Mitigation to impacts on neighboring properties.	42. That an offer be made by the applicant to the owner(s) of the property located at 436 S. Greensboro St (PIN 9778834808) to mitigate the impacts of the installation of the roundabout through the provision of additional landscaping and site work.

Alderman: Mitigation to impacts on neighboring properties.	43. That an offer be made by the applicant to the owner(s) of the property located at 212 Purple Leaf Place (PIN 9778848092) to mitigate the visual impacts of the project in their vicinity through the provision of additional landscaping and site work. Plantings may occur within the street right-of-way and/or the HOA common space if circumstances allow and the correct permissions are obtained.
Citizens: Outdoor Music.* <i>*The explanation for the wording of this condition is contained in a letter from the applicant in the attachments (See: Continuation-2, Applicants statement re deliveries &amp; music).</i>	44. Outdoor music is allowed only between the hours of 10 am and 11:00 pm
Citizens: Noise issue-1.* <i>*As Public Works advised during the hearing, a start time of 7:30 am provides the opportunity to pick-up before businesses are open.</i>	45. That solid waste and recycling pickup occur between the hours of 7:30 am and 5:00 pm Monday through Saturday.
Citizens: Noise issue-2.* <i>*The explanation for the wording of this condition is contained in a letter from the applicant in the attachments (See: Continuation-2, Applicants statement re deliveries &amp; music).</i>	46. That the owner and/or property manager will make every reasonable effort to mitigate the nuisance impacts associated with all prospective South Green tenants. Nuisance impacts include but are not limited to, truck deliveries, leaf blowing and mowing, and the emptying of trash and recycling containers. Mitigation efforts shall be tailored to fit each particular business as needed and will include, but not be limited to, controlling the location and hours of delivery. Deliveries, leaf blowing and mowing shall occur between 9 am and 5 pm to the extent possible. Deliveries occurring outside of these hours shall load and unload internal to the site whenever possible. To the extent practical, refuse disposal outside of enclosed buildings shall occur between 7:30 am and 10:00 pm.
<b>IV. Advisory Board Recommendations that did not specifically result in conditions.</b>	<b><i>Explanation: These advisory board and citizen recommendations did not necessarily lend themselves to binding conditions.</i></b>
<b>Recommended by</b>	<b>Recommendations</b>
Other (PB)* <i>*Should the Board decide to allow emergency-only bollards at the intersection of Rand Road and Purple Leaf Place a resolution separate from the CUP needs to be adopted. A resolution to this effect is attached.</i>  <i>Roberson Place citizen request regarding bollards is addressed by the resolution as well.</i>	47. The Planning Board was split five/five regarding the Staff condition for the full opening of Rand Road to motorized vehicles other than Emergency Vehicles; some members believe this may create an unsafe environment for pedestrians and cyclists in the adjoining neighborhood. (Sections 15-214 & 217).

<p>Other (TAB)*  <i>*Should the Board desire to request this speed limit change a resolution separate from the CUP needs to be adopted. A resolution to this effect is attached.</i></p>	<p>48. Consider encouraging NCDOT to make speed limit on S. Greensboro St. 20 mph from downtown to the bypass, with 15 mph in the roundabout.</p>
<p>Other (TAB)*  <i>*The applicant is willing to consider making a donation if NCDOT allows such improvements within a roundabout. The applicant is unable to commit to a specific amount at this time. Public Works would be responsible for maintenance of such improvements through an encroachment agreement with NCDOT.</i></p>	<p>49. Since the roundabout will serve as a gateway into Carrboro, please consider making a donation towards public art and other aesthetic improvements to make it as attractive as possible.</p>
<p>Other (TAB) *  <i>* Should the Board decide to allow emergency-only bollards at the intersection of Rand Road and Purple Leaf Place a resolution separate from the CUP needs to be adopted. A resolution to this effect is attached.</i></p> <p><i>Roberson Place citizen request regarding bollards is addressed by the resolution as well.</i></p>	<p>50. We recommend keeping the bollards in place for the time being. Due to the nature of the neighborhood, the way the streets were built, and the way it has developed over time, we feel it is not safe to have increased two-way traffic in the neighborhood. However, we see the value of the connector roads policy in terms of distributing traffic and connecting the Town. We would like to see the policy updated in the future to ensure that roads are built so that they can be connected and accommodate two-way traffic in the future. (Section 15-214 &amp; 217)</p>
<p>Other (AC)*  <i>The design standards portion is addressed under condition 22. The master sign permit is approved concurrent with the CUP if it is approved.</i></p>	<p>51. The Appearance Commission voted in favor of the request to:</p> <ul style="list-style-type: none"> <li>a. grant relief from the parking areas being shielded by habitable space. (Section 15-178)</li> <li>b. approve the Master Sign Permit for South Green Shopping Center. (Section 15-271)</li> <li>c. approve the Conditional Use Permit Plans and support the nineteen (19) staff recommendations as presented.</li> </ul>
<p>Other (Citizens)*  <i>*Continued compliance with the LUO lighting provisions is required in perpetuity as a part of the CUP.</i></p>	<p>52. That the applicant must continue to demonstrate compliance with the LUO provisions pertaining to outdoor lighting. All private outdoor lighting fixtures shall be directional and shall not shine into or onto adjacent residential properties.</p>