

**Application for the Modification of the Conditional Use Permit for Carr Mill
May 7, 2018**

Project Name: Weaver Street Market Yard Renovation and Café/Walk Enclosure

Project Team:

Weaver St. Market – Ruffin Slater

Swanson & Associates, P.A. – David Swanson

Jack Haggerty, Architect Inc. – Jack Haggerty

Project Narrative

The proposed project entails the addition of patio and decking to the Weaver St. Yard; a widening of the sidewalk along a portion of East Weaver St.; the implementation of a tree succession plan and the addition of a planting bed and other site amenities. The second part of the project is the enclosure of 915 s.f. of area previously used for exterior seating and site circulation. The space is currently under roof and adds no impervious surface to the lot. The new space will be used for an expanded prepared food area, Café and circulation.

Context

The Weaver St. Yard is eroding. For a number of years the yard was regularly re-sodded, which was costly and, in the end, ineffective. The grass was gone in weeks due to hard use: concerts, store events, general play and near year-round use as seating, with the accompanying foot traffic, play and table dragging. In short, the Yard suffers from its popularity as a well-known town-gathering place.

After the sodding was discontinued, the Yard was regularly mulched. But with a hard rain, rivulets formed and the mulch floated away. The buoyant mulch collects in the parking lot to the southeast of the Yard. It swirls around the storm water inlet there before entering the town's storm sewer system.

Photo - The Weaver St. Yard after a rain in January of this year.



In addition to the regular loss of mulch, the soil itself is eroding. The Yard elevation, which once was flush with the sidewalk in front of the store, has dropped 5"-7" over the last two

decades. The erosion has washed away the soil around the trees, exposing the roots to wear and weather. In addition, the remaining soil is being further compacted due to the intensive use of the Yard. If nothing is done, or even if the current practice of mulching is continued, the Yard will continue to erode and the trees will continue to be negatively impacted. (See The Condition of the Yard: Soils and Trees, below)

Photo - Edge of sidewalk at Weaver St. Market – note erosion and exposure of un-formed concrete. The Yard was once flush with the sidewalk.



Photo - Exposed tree roots in the Weaver St. Market Yard.



Photo - Tree in the west sideyard of Carr Mill for comparison – compare the exposed root systems of the two trees.



Remedy – The Proposed Plan

Given all of the demands made on the Yard – entertainment, recreation and daily use as a gathering place (almost year round, and often in conjunction with town-sponsored events: the Fourth of July, the Music Festival, Open Streets), we are proposing the following improvements:

Installation of 3,678 s.f. of exposed aggregate patio where the seating is located. This will stabilize the Yard and provide a stable, cleanable surface for the tables. We investigated using a pervious or permeable material, but these require 12" or more of excavation, whereas the exposed aggregate requires almost no excavation that could harm the tree roots. The project will be incorporating 2,350 s.f. of permeable paving in other areas outside the tree canopy and critical root zones.



Installation of approximately 2,291 s.f. of wood decking under the trees (at the same height as the patio to avoid a trip hazard.) This decking will allow rain water to pass through to water the trees, and will protect the roots from compaction.



Installation of an artificial grass lawn so that children can play and adults can sit on a soft surface. This area will be located in front of a new exposed aggregate stage for the musical entertainment. We are proposing an environmentally friendly option called SYN RENEW that is made from biofuels (sugarcane) rather than petroleum.



Tree-mounted down-lighting. Currently the yard is lit only by light that comes through the windows of the storefront.

Establishment of a border between East Weaver St. and the Yard, consisting of a combination of native plants and low fencing to keep kids from running into the street.



On the other side of this border, a widening of the existing town sidewalk. The current sidewalk is 5' wide: we are proposing widening it to almost 9', up the edge of the right of way.

In addition to protecting the existing trees, we are putting forward a tree succession plan, which introduces young shade trees that will eventually succeed the existing trees as they age-out. This will provide for the future enjoyment of the Yard and will maintain the tree canopy. We are proposing seven new trees. These trees will not only maintain the canopy that is provided by the current trees, but will become street trees along E. Weaver St.

Our intention is to slow down the erosion of the Yard and to place a surface that can withstand the play, the foot traffic and the crowds. Our intention is to protect the existing trees and to plant a whole new generation of trees. Our intention is to define the yard with amenities and plantings that will increase the users' enjoyment of the yard, in the day and in the evening.

Inside the store, we are proposing enlarging the Café and the Prepared Food area. The new square footage will be under the existing roof, and the current west entry of the store will be re-worked as well. The new enclosed square footage totals 915 s.f. The addition adds no new impervious surface.

We are also proposing a cover over the West Patio. The Patio is an existing space of 436 s.f. defined by low retaining walls and currently covered with fabric sun-shades. We are proposing covering it with metal roofs on steel framing – the same material used in the current covered walk. With this application, we are also asking approval to enclose it fully in the future.

Tree Removal Justification (see plan): We are proposing the removal of a 26" Water Oak in the N.W. corner of the Yard. The root exposure at this tree is pronounced. The existing sidewalk adjacent to the tree is cracked, and given the tree's proximity to the existing building and proposed construction, we believe the removal is required and justified. (See The Condition of the Yard: Soils and Trees, below.)

Photo - Tree at N.W. corner of the Yard – to be removed. Note height of roots compared to adjacent sidewalk elevation.



Lighting Plan – see drawings

The site drawing shows new exterior lighting in the Yard. The new lighting will be tree-mounted, full cut-off luminaries, and will comply with T. of Carrboro L.U.O. § 15-242.

Transportation Impact Statement – The proposed addition of enclosed space totals 915 s.f. The proposed square footage is, comparatively speaking, quite small. No new parking is proposed. The project is located in the B1C zoning district and the suggested parking ratio for the use (one space per 300 s.f.) would require less than three new spaces. Bicycle Parking: No new bike parking is proposed, only relocation of existing bike racks.

Environmental Impact Statement –

Exterior Work: see discussion above.

Interior Work: the new enclosure will be mainly glass storefront, and again, will create no new impervious surface. The Market will continue its vigorous recycling program. The existing HVAC system is likely to be sufficient to serve the new interior space, and there will be only minimal changes to the other store systems and components.

Statement Regarding 2.150, 4.000 & 9.000 Uses –

The proposed work will introduce no new uses to the site.

2.150 - Retail Sales with Subordinate Manufacturing and Processing - none on site.

4.000 - Manufacturing, Processing, Creating, Repairing, etc – none on site.

9.000 – Motor vehicle Related Sales and Services – none on site.

Solid Waste, Town of Carrboro/ Recycling, Orange County

There is no change proposed to the current facilities. The new interior square footage will not materially increase the quantity of either solid waste or recycling materials.

Existing Non-Conformities to Remain –

Below are the existing non-conformities on the lot that we have identified. We are not proposing to bring all of them into conformity because the cost of doing so is not reasonably possible or is disproportional to the benefits of eliminating the nonconformity.

We wish to note that this project is being undertaken not by the Owner of the property, but by a single Tenant which occupies only 10 percent of the leasable space on the property, a tenant who has assumed the cost of the furnishing and maintenance of the Yard since the inception of the lease.

1. Existing site lighting at the parking lots: the pole lighting there exceeds 15' in height.
2. Sidewalk – The sidewalks on the public rights of way on the southern and western property lines are approximately 5' wide. We are proposing widening approximately 360' of the most frequently used sidewalk to almost 9' wide.
3. V.A.A. Shading – We are not proposing any new shading of the vehicle accommodation area. See "Cover" for calculations of v.a.a. shaded
4. Canopy – We are proposing additional canopy trees, but still do not meet the current ordinance requirement. See "Cover" for calculations of canopy coverage.
5. Bike Parking- We are not proposing any new bike parking, only relocation of some existing bike parking. See Cover for bike parking summary. We don't believe there is a shortage of bike racks, only that some cyclists choose not to use them.

Drawings attached as part of the application:

Cover – Project Summary

Existing Conditions
Demolition Plan
Site Plan (hardscape Plan)
Concept Drainage Plan
Impervious Surface & Tree Coverage Sheet
Building Plan (partial) showing new square footage
Building Elevation (partial), showing new construction

Not Included in Application
Any new signage will be submitted in a separate application.

The Condition of the Yard Soils and Trees

When the project team began this work, we discussed the hard-use of the Yard, the increasingly poor condition of it despite the Market's efforts to maintain it, and the existing trees. We noted the disappearance of soil from the Yard (see photo above of the existing concrete slab edge at the walk), and we discussed the efforts the Market had made to maintain the Yard. The use of the Yard for music, dining, casual seating, play, and gathering was not going to be reduced or eliminated, and any plan had to allow for these activities.

The task is challenging. The erosion of the Yard was obvious. We believed the soil was compacted, and that stormwater was unable to infiltrate the soil at any rate that prevented serious run-off. It does not take an especially hard rain to erode the yard, especially if there was rain a day or so earlier. We noted the rivulets of erosion that crossed the Yard, and, of course, the disappearing mulch was further evidence that the Yard was going down the public storm drain.

The Market hired Don Wells, a licensed soil scientist with Soil & Environmental Consultants of Raleigh. Mr. Wells recommended testing and then had his firm do an infiltration test (full report attached.) His report noted the heavy foot-traffic and the compaction of the soil. His report also identified the soil as fill, brought to the site. The fill was approximately 12" – 15" deep at the site tested, and beneath it was an impermeable layer of soil ("Clay, Massive") due to partially weathered rock at a depth of 15". The soil "refused" the technician's hand auger.

Mr. Wells notes that only one area of the Yard was tested, but gave the opinion that "...it is possible for a heavy rainfall event to cause small amounts of flooding, leading to surface run-off, within the area of Site 1 due to this impermeable layer." See the photo above, visual evidence of Mr. Wells' opinion. He further noted that "...with past site grading (construction of the Carr Mill Annex circa 1987-88), it is very common to have compacted soils. Compacted soils over a dense clay layer will result in above normal run-off, with fill eroding in the absence of ground cover." (Email correspondence with Don Wells, 4.23.2018)

The team also consulted Bryan Lowrance of Bartlett Tree Experts of Raleigh, NC. Bartlett has been consulting arborist for Carr Mill for over 20 years. They routinely observe, monitor and maintain all trees throughout the property. This includes root injections and other preventive measures.

There are seven existing larger mature trees in the immediate Front Yard of Weaver Street Market:

- 54" Willow Oak
- 20" Oak
- 28" Oak
- 18" Pecan
- 26" Water Oak
- 26" Water Oak adjacent to the existing covered walk (to be removed)
- 17: Maple adjacent to the existing sidewalk and will be in conflict with the sidewalk widening (to be removed)

The largest tree, a 54" caliper Willow Oak located in the southeast corner of the Yard, was hit by lightning some years ago and shows visual impact from this strike; however, the tree remains fairly healthy.

All the trees have suffered from extensive root compaction, and earlier when the lawn was in place they competed with the turf for water. In addition, the trees are impacted by heavy use by children playing on the root flares.

In addition to these large shade/canopy trees, there are a number of smaller understory trees including crape myrtles, a 2" Gingko, and a 5" Elm. These trees have been heavily abused by children climbing on the lower limbs.

Neighborhood Information Meetings –

April 22: Weaver Street Market displayed drawings and project representatives informally discuss the proposed plans and to solicited comments. The Board of Aldermen and the advisory board members were invited as well as Weaver St. Mkt. coop members, other shoppers and passersby. We collected signatures (sheets attached) and many who didn't sign stopped by to look and talk.

April 23-29: The following week, the drawings were displayed in the store and additional comments were solicited.

April 29: The drawings were displayed and additional comments were solicited at the Weaver Street Co-op Fair, which was attended by 300 more co-op members (see attached attendee sheet)

Summary of Comments:

There was a lot of interest and excitement about the project. Most comments were positive or offered suggestions for additional improvements.

- In particular people wanted a fence in connections with the border to keep kids from running into the street.
- Several oral and written comments supported synthetic grass. However, several others disliked it, mostly because it contained oil-based plastics. Based on that feedback, we have researched environmentally-friendly options, and found one in particular called SYN RENEW that is made from bio-fuels (sugarcane) rather than petroleum

All the written comments are attached below.

Written comments from April 22 Open House

What do you like?

- +Like native border + fence
- +Love the idea of a border close to the street to minimize chance of kids running out
- +Thanks for including native plants. Please try to use exclusively native plants throughout the site. Educational signage in the native border would be great as well
- +Like the native border
- +Native border
- +Like the wooden decking idea like natural solutions like native border, mulch, sand
- +Grass!
- +Synthetic grass is a wonderful idea—space for kids and additional seating for music events
- +The use of synthetic grass is a great idea and will allow year-around use, even after heavy rains.
- +Synthetic grass is ok
- +Like the wood decking around trees
- +Wooden deck area is great idea
- +Decking to protect trees
- +Yes, protect trees
- +Suggestion: deck-style seating around the big trees
- +Like wider sidewalk, covered seating areas and patio area
- +Wider sidewalk along Weaver St
- +Wide sidewalk
- +Large Chapel Hill granite boulders places with idea of children playing on them
- +Larger indoor café
- +Love the outdoor space
- +Park-like atmosphere with healthy food options
- +Love Weaver St

What could be improved?

- Fence to protect kids/animals from cars
- Yes fence!
- Yes again fence!
- Some type of fence to keep kids from running into road
- Fencing around peach tree so kids can't destroy it
- Plant more trees along the road to serves as a better buffer
- Samples of the synthetic grass for people to examine
- Synthetic grass??
- Please use natural landscaping instead of synthetic grass. I understand the issues with real grass and food traffic but synthetics can contain undisclosed toxins, and hardier plants could be considered
- Synthetic grass should be replaced with invasive/tougher real grass
- Consider a softer surface for the main lawn—like the slightly squishy hard surfaces used at playgrounds that just have a bit of give, especially since this is where the kids will be running
- More benches along edges
- Yes additional benches
- Consider wooden benches around trees for additional seating with a more natural feel. -Agree!
- More picnic tables
- Yes, like that more seating area/natural feel
- Move covered outdoor seating
- New bench seats
- Chairs around the trees
- Seating for large groups
- More picnic tables
- More covered seating
- Please, please increase the outdoor covered patio area.
- We love to site with our dog. Southern Village store removed it so we stopped going there
- How about suggesting tables as working, private-space vs. tables for socializing
- Trees that are ok for kids to climb on or natural pay/wood structures like at Pritchard Park behind the library
- A tree that kids could climb!
- Preventing children from climbing trees
- No need aggregate sidewalk
- Dingy café
- Use community volunteers for upkeep and improvements, building/maintaining, low maintenance seating
- Permanent PA system
- Designated area for featured local artwork, environmental education, and signage explain land use/ecological responsibility, and names of trees.
- Correct water run-off is critical
- Scrap new plan and instead pay employees higher wages

Written comments from Display on Café wall April 23-29

What do you like?

- +Native Border
- +Native plants (with signage to talk about plants?)
- +More trees and bushes by road is good
- +More trees!
- +More trees!
- +Would love to see id on all the trees and shrubs. Thank you for your hard work!
- +Well-kept natural areas that are actually natural

- +Like the idea of synthetic turf! My dogs love it in their pen
- +Grass is impossible to grow there, so nice compromise
- Is the fountain going away?
- +Do not want plastic grass-there is too much plastic!!

- +Wheelchair accessible outdoor seating
- +More tables outside—there is never enough
- +Like the effort to improve...
- +Purple...
- +More tables outside, there is never enough
- +More small tables! Great idea

- +Farsighted!
- +Deck around trees
- +Covered area outside is great. Looking forward to the new landscaping and native plants. New indoor for those chilly winter months
- +Like the effort to improve access/people traffic.

- +When sitting inside now, it seems too separated and dark-cavern like
- +Expanding the indoor café look comfortable

- +Nothing. Not looking forward to this.
- +Looks like paving over everything
- +Put lines in café

What could be improved?

- Need a low fence between road and open space
- Need proper retaining wall across front of property to stop erosion into street
- Small fence between road and lawn
- We need a low fence between road and open space!!

- No synthetic grass. Grass is part of an ecosystem of bugs, birds, plants, etc. Synthetic grass is not part of an ecosystem and absolutely degrades over time.
- No plastic grass—Enough plastic on the earth. Please leave these comments up if possible so we can see other peoples input
- The idea of synthetic grass is poor. Why not look into other hardy lawn options, ones that may include plants other than grasses
- No synthetic grass!! Ditto. Agreed. Another ditto.
- I do not like plastic grass for any reason.
- No synthetic grass. It seems to me that all the different expansive trees stages, table, patio, there will be substantially less free space than there is now. Important to think about people congregating
- Synthetic lawn? Seriously?
- Make sure that synthetic grass doesn't contain the toxic recycle tires that fields do (black pellets)
- I don't like plastic grass. Find a way to landscape that's completely environmentally friendly rather than using unnecessary materials

- Lighting and more outlets at the tables themselves out on lawn so we don't have to fight for a table for computers
- More outlets for laptops inside and outside
- Don't need more indoor seating, need more outlets!

- The outdoor seating options were better in the past. Please consider bringing back wooden picnic tables, high quality seating made of cedar can be long-lasting and durable
- Build a bandstand for musicians
- Why have any portions of the sidewalk next to the store uncovered?
- You need bees
- Keep trash in place away from tables because of flies and bees
- Replace/remove water feature
- Is the surface safe for kids and pets?
- Security/better lighting outside, too many folks partying unchecked
- Music, prettier paintings inside. Yes
- The road on Weaver St should be turned into a shared street

Written comments from April 29 Co-op Fair

What do you like?

- +Native plant border-Yes!
- +Lots of native plants
- +Love the wall/plant barrier for child safety!
- +The wall to separate the space from the street is a good idea
- +Well thought out! I think people will love the synthetic grass once they experience it.
- +The plan is correct to take high use as a given. Aggregate and synthetic grass are better than mud. Cover for seating is an excellent idea
- +Like the synthetic grass and decks around the trees
- +Try out blankets on synthetic grass options for sitting appeal!
- +Synthetic grass in bank/dance area is a great idea!
- +Porous hardscape
- +Love the new plans-more indoor café space is important and the more green you can add to the lawn and along the sidewalk the better.
- +Current outdoor space is very cool in summer because of trees. Consider color of hardscape so it doesn't radiate heat
- +Save the mature trees! Like succession plans
- +Get rid of that fountain-it's ugly and takes too much room.
- +Great changes-just keep it "natural" feeling and lots open space.

What could be improved?

- No synthetic grass"- Long-term health effects
- Not sure about synthetic grass
- Agree about synthetic grass—use product that doesn't "pretend" to be grass
- Choosing a lighter color for paved areas would radiate less heat, if permeable pavers are not an option perhaps usesynthetic grass instead, GrassMaster is a hybrid, durable mix of real and synthetic grass
- Get local artists to create cut glass stepping stones to incorporate into the patio!
- Probably there is not enough pedestrian traffic on the sidewalk to justify widening of the sidewalk and as such steals more land
- Do not expand sidewalk
- Would aggregate have adequate drainage?
- My thought also
- Something for kids to climb on-artificial tree or structure of some sort. Thanks
- Soft, dim lighting on the lawn so you don't have to sit inside or next to trash cans to read at night
- Get rid of the hallway