

STAFF	
I. Staff Recommendations (w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance and are represented by #s 1-5 below. If an advisory board voted to ‘support’ the staff recommendation,</i>
Recommended by	Recommendations
Staff, PB, TAB, EAB, SWAC	1. That the Town Council finds that 39 parking spaces are sufficient to serve The ArtsCenter project. This finding is based on information provided by the applicant
Staff, PB, TAB, EAB, SWAC	2. That NCDOT must issue a driveway permit for the project prior to approval of the construction plans. AGREED
Staff, PB, TAB, EAB, SWAC	3. That the applicant shall provide to the Zoning Division, prior to the issuance of the Certificate of Occupancy for the building, 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. AGREED
Staff, PB, TAB, EAB, SWAC	4. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Stormwater Utility Manager for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners’ association documentation. AGREED
Staff, PB, TAB, EAB, SWAC	5. That per LUO Section 15-92.1 the town shall receive in writing from NC DWQ information confirming that formal EMC approval is not required related to encroachment into the Zone 1 stream buffer or such approval shall be granted by EMC, prior to approval of the construction plans. Change to “the Town shall receive reasonable assurances of NCDWQ approval or no action required by NCDWQ”

ADVISORY BOARD COMMENTS / RECOMMENDATIONS	
II. Additional Advisory Board Comments & Recommendations:	<i>Explanation: Comments and recommendations solely from advisory boards follow. If a comment involves LUO interpretation, then the applicable LUO section(s) are noted parenthetically. Otherwise, the Council may wish to consider comments in the context of public health, safety, or welfare findings. Staff generally does not endorse nor refute comments from advisory boards.</i>
Recommended by	Recommendations reworded as Conditions
TAB	6. The developer shall commit to increased neighborhood engagement to ensure that concerns of the local community are addressed. This needs to include a specific conversation about providing connectivity from Prince Street to the site, addressing security concerns of the local neighbors, and preventing excess parking from occurring on Prince Street. AGREED
TAB	7. The developer shall provide records of the community engagement that has been performed as part of the site development process, along with demographic information and zip codes of the people they engaged with. AGREED
TAB	8. Increase the total bike parking to 16 spaces with half of those covered. AGREED, with the covered spaces under the building overhang
TAB	9. The developer shall continue to explore satellite parking options for employees in order to minimize the amount of on-site parking through any means. Agreed so long as LUO waiver is granted to Arts Center in this instance
TAB	10. Developer shall develop and implement a plan to mitigate overflow parking, including outreach to adjacent neighbors. AGREED
EAB, Stormwater	11. We do not recommend changing the stormwater requirements in the Land Use Ordinance solely to accommodate this project.
EAB, Stormwater	12. Failure to meet the Town's stormwater requirements is an environmental justice issue as it could lead to negative impacts for residents downstream.
EAB, Stormwater	13. We would like to see this project move forward at this site. However, if the applicant cannot meet the Town's stormwater requirements, we do not recommend the project's approval.
EAB, Roof Options	14. We understand there are cost constraints for solar, however, we encourage you to apply for a grant from Orange County Climate Action Grant Program and/or investigate solar leasing. We are happy to help with this process. AGREED In addition, the building should be solar ready.
EAB, Transportation	15. We recommend that the applicant provide infrastructure for electric vehicle charging for 20% of the proposed parking spaces. We do not believe that this is warranted at this time as it will take up two of our precious parking spots and we believe the it will have very limited use as most of our visitors are there for relatively short periods...too short to charge.

EAB, Transportation	16. We recommend installing as much bike parking and covered bike parking as possible, going above and beyond LUO requirements for bike parking and covered bike parking. We are committing to 16 spaces, half covered
EAB, Transportation	17. We are concerned about the impacts of pedestrian foot traffic when bringing people into the natural areas of the property. This could lead to litter in the stream and could negatively affect the soil in the stream buffer.
EAB, Transportation	18. The parking lot configuration is not ideal from a standpoint of traffic flow. We have designed an adequate turnaround space at the end of the lot
EAB, Transportation	19. Keep bicyclists in mind when exploring any changes needed to the traffic configuration on Jones Ferry Road. AGREED
EAB, Transportation	20. We recommend that the applicant dedicate an additional 5 feet to the right of way on portion with 5 foot sidewalks. We will work with Town Staff in this regard
EAB, Transportation	21. That the applicant has agreed to work with NCDOT on crossing location for Jones Ferry Road. AGREED
EAB, Transportation	22. That the applicant has agreed to continue to work with Chapel Hill Transit a.) on a stop location and consider an artistic treatment of the stop b.) provide covered bike racks near the front entry, convenient to Jones Ferry Road c.) widen the public sidewalk at the front of the building to 10 feet. AGREED
EAB, Trees and Vegetaion	23. We would like to request that every effort possible be made to protect the 42” oak tree. AGREED
EAB, Energy Efficient Measures	24. We recommend using electric instead of natural gas in order to meet Carrboro’s climate goals. Producing and transporting natural gas (composed of primarily methane) represents significant greenhouse gas emissions, which in the short term are significantly more potent than carbon dioxide. We will explore this at CD’s
EAB, General	25. We have some concerns about how this project will change and gentrify the existing neighborhood.
PB	26. That the ArtsCenter continue outreach and collaboration with the surrounding neighborhoods with regards to parking, programming, etc. The ArtsCenter should seek to serve their neighbors, including by offering discounted or otherwise preferred access to programming and services. We will continue to work on this with the neighborhood and the Town
PB	27. That the ArtsCenter make additional effort to reduce overflow parking in the Lincoln Park neighborhood by, for example, making arrangements for satellite parking for staff and/or visitors, securing temporary offsite parking for large events, arranging for shuttle bus transportation from satellite and offsite parking, notifying visitors (including with signature) that parking in surrounding neighborhoods is not permitted for ArtsCenter events, and encouraging multi-modal transit to the ArtsCenter. AGREED

PB	<p>28. The Planning Board recognizes that the restraints OWASA imposes on planting and fences over sewer lines will not permit the ArtsCenter to put a fence or dense plantings on the south boundary of the site such that access would be blocked. While the Planning Board is not in favor of restrictions to pedestrian connectivity, the concerns we heard from neighbors on Prince and Barnes Street deserve to be heard and give the same consideration that other neighborhoods in Carrboro have received under similar circumstances. The Town Council should continue the conversation beyond this single project, and seek to meet the neighborhood’s needs for parking and traffic mitigation, including but not limited to creating safe sidewalks on Barnes St and improving pedestrian safety at the intersection of Barnes and Jones Ferry.</p>
SWAC	<p>29. If the council determines that issuing a permit may be desirable, resubmittal of a Stormwater Impact Analysis that addressed the below points be required prior to final permit review:</p> <ul style="list-style-type: none"> a.) Staff approval of compliance with all LUO provisions, including 15-263(g)(3) and 15-92(k). That written documentation from the State be received to demonstrate compliance with 15-92(k) prior to permit issuance. See response next page
SWAC	<p>30. The applicant to submit to staff:</p> <ul style="list-style-type: none"> a.) Additional SNAP tool calculations and accompanying plan view drawings of SCM locations for, at the minimum, infiltrating permeable pavement, and preferably, for other SCMs with greater volume reduction ability. See response next page b.) Additional and technically based justification for why infiltrating permeable pavement is not feasible on this site. Field based information (seasonally high water table determination and soil testing) to determine the feasibility of infiltration based SCMs. See response next page c.) a flood analysis of the impacts of buffer incursion on upstream and downstream flood elevations and in-stream channel stress. See response next page
SWAC	<p>31. As part of construction plan approval, the applicant to submit written documentation from NCDEQ and the USACE about the need for and potentially receipt of a 401/404 certification/permit given the grading plan and channel disturbance. AGREED</p>

29. If the council determines that issuing a permit may be desirable, resubmittal of a Stormwater Impact Analysis that addressed the below points be required prior to final permit review:

- a.) **Staff approval of compliance with all LUO provisions, including 15-263(g)(3) and 15-92(k). That written documentation from the State be received to demonstrate compliance with 15-92(k) prior to permit issuance. Applicant Response: Compliance with 15-263(g)(3) cannot be met, but Council**

has made the determination that we have in fact the test of “to the maximum extent practicable”. Regarding section 15-92(k), The Board of Adjustment approved a variance on June 17, 2020 for the intrusion and work in the stream buffer. Since that approval, the scope of work proposed in the buffer has been reduced. At the time of the approval, confirmation was provided by John R. McAdams, EMC member, that EMC would not need to review the proposed intrusion. The LUMO stipulates that the variance cannot be approved until it is approved by EMC. As noted above, the variance was approved, so the correspondence from Mr. McAdams was deemed adequate per the BOA decision. In addition, please note that the proposed work in the buffer will still have to reviewed and approved by NCDEQ and USACE prior to moving forward with construction.

30. The applicant to submit to staff:

- a.) **Additional SNAP tool calculations and accompanying plan view drawings of SCM locations for, at the minimum, infiltrating permeable pavement, and preferably, for other SCMs with greater volume reduction ability.**

Additional SNAP Tool calculations were sent to Town staff on 2/15. Additional SNAP Tool calculations were sent over to Town staff on 2/18 and 2/19 as well. The only SCM combination that is viable given the Arts Center’s required program and that meets the Town’s requirements are a green roof and pervious pavement (with infiltration) throughout the entire site. As discussed with staff, the SNAP Tool does not consider all variables for the annual runoff volume calculation. For instance, there is no differentiation between groundcover other than impervious surface and all other groundcover. There is also no consideration given to the existing HSG or infiltration capacities of the site. So, sites with HSG A and HSG D soils have the same annual runoff volume for the same size site and impervious cover.

- b.) **Additional and technically based justification for why infiltrating permeable pavement is not feasible on this site.**

Field based information (seasonally high water table determination and soil testing) to determine the feasibility of infiltration based SCMs.

Typically, infiltration rates to determine the viability of infiltration systems such as pervious pavement are taken at the subgrade of the proposed system. For this site, there is only a small area that is close to the subgrade elevation. The majority of the site requires imported fill to bring the site up to the proposed grades. We have very little control over the soil that will be brought into the site. Specifying a specific soil type and locating a source will add cost to the project. When the soil is brought onto the site, it will be compacted to support the building and parking lot. This compaction will limit any infiltration capabilities of the soil. Pervious pavement with infiltration is not viable over the OWASA sewer main for the same reasons. The backfill compaction requirements will limit infiltration into the soil. If infiltration does occur over the OWASA sewer main, it is possible that the water will migrate into the stone bedding around the sewer main and negate any benefits of an infiltration system. Infiltration is also not practical over the proposed underground detention and sand filter vaults. The top of these vaults is relatively shallow. In addition, the backfill around these structures must be compacted to ensure their stability and a stable parking lot in this area. So, infiltration in this location is also not practical.

- c.) **a flood analysis of the impacts of buffer incursion on upstream and downstream flood elevations and in-stream channel stress.**

First, note there is no mapped floodplain on this site. So, a HEC-RAS model is not established at this location. Based on our analysis, there is approximately 45 acres upstream of the site that

drain into the stream. At the upstream end the site, there is an existing 42" culvert under Jones Ferry Rd. This pipe operates under inlet control during large rain events and does not have adequate capacity to convey the peak discharge from the basin based on current design methodology. Given this, the pipe affects areas upstream of the site, and there are no adverse effects on property upstream of this site as a result of the proposed development. Based on the calculations for the stream channel, the only portion of the site where water would leave the channel during the 100-yr storm is at the very downstream end of the site where the channel depth is reduced. The only development proposed at this location for this project is the installation of the storm drain outfall pipe from the sand filter. So, there will be no adverse impacts or increased spread of the floodplain as a result of the proposed development. With regards to in-channel stresses, this is directly related to the depth. Since there is no measurable increase in flow depth, the shear stress will not change. For this project, detention of the 100-yr storm is provided. So, the peak runoff rate from the site is reduced. This should reduce flooding impacts downstream of the site.