

**SUMMARY OF
PLANNING BOARD ACTION**

Subject: Review of Neighborhood Conservation District Proposal for the Morgan Creek / Kings Mill Road Neighborhood

Meeting Date: March 7, 2006

Present: Tim Dempsey (Acting Chair), Margaret Campion, George Cianciolo, Tom Jensen, Nancy Milio, Gene Pease

Absent: Ruby Sinreich (Chair), Rebecca Boyles, James Stroud

Overall Vote: The Planning Board agreed by consensus to forward the recommendations below following separate votes on individual items.

Recommendation: That the Town Council adopt the following regulations for a Neighborhood Conservation District for the Morgan Creek / Kings Mill Road Neighborhood:

Land Use Regulation	Planning Board Recommendation	Planning Board Vote
Boundary	No agreement	3-3
Minimum Lot Size	.6	unanimous
Minimum Street Setbacks for Single-Family Dwelling (or Single-Family Dwelling with Accessory Apartment)	50 feet	unanimous
Minimum Interior Setbacks for Single-Family Dwelling (or Single-Family dwelling with Accessory Apartment)	25 feet	unanimous
Maximum Building Height	29 feet (primary) and 40 feet (secondary)	unanimous
Maximum Floor Area Ratio for Single-Family Dwelling (or Single-Family Dwelling with Accessory Apartment)	.17	unanimous

Land Use Regulation	Planning Board Recommendation	Planning Board Vote
Maximum Size for a Single-Family Dwelling (or a Single-Family Dwelling with Accessory Apartment)	6,500 square feet (with provision for variance)	unanimous
Maximum Percent of Front Yard Used for Parking	25%	unanimous
Zoning Compliance Permit Notification	Adjacent property owners must be notified through the Town if an increase in floor area or garages are proposed, with a 10-day waiting period to follow notification.	unanimous
Tree Protection	No agreement	3-3 Ayes: Campion, Jensen, Milio Nays: Cianciolo, Pease, Dempsey
Notification of Tree Removal	No agreement	3-3 Ayes: Campion, Jensen, Milio Nays: Cianciolo, Pease, Dempsey
Fences	Fences located in the front yard and taller than 2.5 feet shall be no more than 50% opaque. All fences located in the front yard, with street frontage, shall have a maximum fence height of 4 feet with an exception for swimming pools.	Unanimous

Issues Raised:

- The Planning Board voted 3-3 in response to the recommendations proposed by Clarion for tree protection and notification of tree removal. Several Board members stated that since these issues would be discussed by the Council on a Town-wide basis, and because the whole Town needs the same level of tree protection, they did not support the recommendation proposed by Clarion. Other Board members stated that because there was support for such language by the neighborhood, it should be included in the Neighborhood Conservation District.

- The Board voted 3-3 on the proposed boundary regarding the inclusion or exclusion of the Winter Drive Subdivision in the proposed Neighborhood Conservation District boundary. The Planning Board asked the residents of Winter Drive to submit documentation of what residents are in support and against inclusion in the Neighborhood Conservation District to present to the Council at the May 15 public hearing.

Prepared by: Tim Dempsey, Chapel Hill Planning Board
Loryn Clark, Staff

