

**SUMMARY OF
PLANNING BOARD ACTION**

- Subject:** Montessori Community School Application for Special Use Permit
- Meeting Dates:** December 7, 2004 and January 4, 2005
- Members Present:** Timothy Dempsey (Chair), Rebecca Boyles (Vice-Chair), Julie Coleman, Nancy Milio, and Ruby Sinreich.
- Member Absent:** Donna Bell, Gene Pease, and Mitch Strobin.
- Issues Raised:** The following issues were raised by Planning Board members:
- *Provide Revised Buffer Plan:* The Board recommended that the applicant provide a revised buffer plan that included more detail than that provided at the December 7 meeting.
 - *Compare Applicant's Plan to the Mayor's Committee Principles:* The Board recommended that staff compare the applicant's plan with the principles developed by the Mayor's Committee.
 - *Restrict Construction Hours:* The Board recommended that the hours of construction be restricted somewhat from that allowed by the Noise Ordinance.
 - *Save Specimen Tree:* Board members recommended that a 19" specimen tree in the southwest corner of the site be saved.
 - *Provide Supplemental Landscape Buffer:* Board members recommended that the applicant provide a supplemental 30' Type 'C' buffer between the proposed southern constructed wetland and the required landscape buffer in the southwest corner of the site.
 - *Don't Require Board Fencing in Northwest Corner of Site:* Board members recommended that board fencing not be required in the northwest corner of the site.
 - *Maintain Constructed Wetlands in Perpetuity:* The Board recommended that the constructed wetlands be maintained in perpetuity.
 - *Minimize Mosquito Habitat:* The Board recommended that additional mosquito habitat not be created by the proposed cistern design.
 - *Design Site Lighting to Control for Light Pollution:* The Board recommended that the applicant design site lighting to minimize upward light pollution and spillage of light off-site.
 - *Prohibit Open Burning:* The Board recommended that open burning be prohibited entirely.
 - *Provide Landscape Maintenance Plan:* Board members recommended that the applicant provide a detailed landscape maintenance plan.
 - *Bicycle Parking:* Board members recommended that the number of bicycle parking spaces be reduced from the required 82 spaces to 40

spaces.

- *Temporary Mobile Trailer During Construction:* The Board recommended that the applicant be allowed to locate a temporary mobile trailer on site, for staff use as administrative offices during construction.

Recommendation: That the Council approve the Special Use Permit for the Montessori Community School expansion with the adoption of Resolution A, as recommended in the Staff Report dated December 7, 2004, subject to the following changes:

Insert the following stipulations:

- Supplemental Buffer: That the applicant shall provide a supplemental 20-foot 'Type-C' Landscape Buffer between the southern constructed wetland and the required 20-foot 'Type-C' Landscape Buffer. The supplemental buffer shall be located as shown on drawing C1-b of approved plans, subject to Town Manager approval.
- Landscape Maintenance Plan: That the applicant shall provide a detailed Landscape Maintenance Plan, subject to approval by the Town Manager, prior to issuance of a Zoning Compliance Permit.
- Constructed Wetlands: That the Montessori School shall arrange for an independent evaluation of the School's stormwater management strategies and designs, to be performed by a stormwater engineer familiar with constructed-wetlands technologies. The Town shall select the professional(s) for this evaluation, with opportunity for School representatives and neighborhood representatives to have input on the selection.
- Mosquito Control: That Mosquito breeding potential of any stormwater control devices, cisterns, or other water-holding structures, shall be minimized, subject to Town Manager approval.
- Hours of Construction: That the weekday hours of construction shall not start before 7:30 a.m. and shall end no later than 5:00 p.m. That Saturday hours of construction shall not start before 10:00 a.m. and shall end no later than 5:00 p.m. No Sunday hours of construction shall be permitted. Certain holidays shall also be restricted including December 25th, New Years Day, and the day following each of those if the holiday falls on a Sunday, Martin Luther King Day, Memorial Day, July 4th, Labor Day and Thanksgiving. Prior to issuance of a Zoning Compliance Permit the applicant shall submit a schedule of operations that could result in objectionable noise to the Town Manager for approval. Once approved the schedule of operations shall be restricted by the hours listed above and a note to this effect shall be included on the plans. Operations which do not generate objectionable noise will not be restricted. Any extension

of these hours, for specific operations, shall be approved by the Town Manager.

Delete the following stipulation:

- ~~Supplementary Board Fencing: That the applicant shall provide supplementary board fencing for sound mitigation, as well as visual obstruction, in the northwest corner of the site, adjacent to the ball field, with dimensions approximately 225 feet in length on the northern boundary and 325 feet in length on the western boundary and of adequate height to mitigate noise, to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.~~

Modify the following stipulations as follows (underlines for additions and strikeouts for deletions):

- Land Use Intensity (Table): Change maximum number of bicycles parking spaces required from 82 to 40.
- Bicycle Parking: That the development shall comply with bicycle parking standards from the Land Use Management Ordinance and the Town's Design Manual and provide ~~82~~ 40 bicycle parking spaces, subject to Town Manager approval, prior to issuance of a Zoning Compliance Permit.
- Landscape Protection Plan: That a detailed Landscape Protection Plan, clearly indicating which rare and specimen trees shall be removed and preserved, critical root zones of all rare and specimen trees, significant tree stands, detail of protective fencing and construction parking and materials staging/storage areas, and including Town standard landscaping protection notes, shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

That the applicant shall include in the final plans a revised Landscape Protection Plan that identifies the 19" specimen tree that has been noted in the SW corner of the site. The tree species, location, and how it will be protected, if practicable, shall be included on the plan prior to issuance of a Zoning Compliance Permit.

- Lighting Plan: That the Community Design Commission approve a lighting plan for this project prior to issuance of a Zoning Compliance Permit. The Community Design Commission shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) offsite spillage of light.
- Stormwater Management Plan: That prior to the issuance of a Zoning Compliance Permit, the applicant shall submit a Stormwater Management

Plan, based on undeveloped site conditions (not existing conditions), for review and approval by the Town Manager. The plan shall include details of two constructed wetlands or similar stormwater management facility. The plan shall be based on the 1-year, 2-year, and 25-year frequency, 24-hour duration storms, where the post-development stormwater run-off rate shall not exceed the pre-development rate and the post-development stormwater runoff volume shall not exceed the pre-development volume for the local 2-year frequency, 24-hour duration storm event. Engineered stormwater facilities shall also remove 85% total suspended solids and treat the first inch of precipitation utilizing NC Division of Water Quality design standards.

- Stormwater Operations and Maintenance Plan: That the applicant shall provide a Stormwater Operations and Maintenance Plan for all engineered stormwater facilities with provisions for a biannual report to the Town Manager verifying compliance with the plan. We recommend that the plan include the owner's financial responsibility and include the maintenance schedule of the facilities to ensure that it continues to function as originally intended in perpetuity and shall be approved by the Town Manager, prior to the issuance of a Zoning Compliance Permit.
- Erosion Control: That a detailed soil erosion and sedimentation control plan, including provision for monitoring and maintenance of facilities and modifications of the plan if necessary, be approved by the County Erosion Control Officer and the Town Manager prior to issuance of a Zoning Compliance Permit. That a performance guarantee be provided in accordance with Section 5-97.1 of the Town Code of Ordinances prior to issuance of any permit to begin land-disturbing activity. Close attention shall be paid to sedimentation and erosion control measures during construction.
- Open Burning: That the open burning of trees, limbs, stumps and construction debris associated with this development is prohibited, ~~unless it is demonstrated to the Town Manager or his designee that no reasonable alternative means are available for removal of the materials from the subject property. The Fire Marshall may establish safety standards, which must be met in order to receive a permit.~~

Vote:

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Ayes: Timothy Dempsey, Rebecca Boyles, Julie Coleman, Nancy Milio, and Ruby Sinreich.

Nays: None.

Prepared by:

Timothy Dempsey, Chapel Hill Planning Board
Phil Mason, Staff

PM for TD