

SUMMARY OF PLANNING BOARD ACTION

Subject: Morgan Estates Subdivision - Application for Preliminary Plat

Meeting Date: November 12, 2002

Recommendation: That the Council approve the Preliminary Plat for Morgan Estates Subdivision by approving the Resolution, as recommended in the Planning Staff Report dated November 12, 2002, with the following changes to the Resolution:

That the stipulation shown below be removed because the buffer is proposed to be on property not owned by the applicant:

- “Landscape Bufferyard: That a 20-foot Type-C buffer shall be provided along the Culbreth Road frontage, on land owned and maintained by the Homeowner’s Association.”

That the stipulation concerning improvements to Culbreth Road be revised as follows:

- Culbreth Road Improvements: That the applicant shall construct the required roadway improvements, except that the applicant shall make a payment in lieu to the Town for 50% of the estimated costs for the design and construction of the required sidewalk improvements on the Culbreth Road frontage.

It is further the Planning Board’s recommendation to the Council that the payment in lieu be used at the Council’s direction to provide sidewalk along Culbreth Road in the location that most directly improves the pedestrian safety of children and adult pedestrians walking along either the north or south side of Culbreth.

Vote: 9-0

Aye: Julie Coleman, Coleman Day, Timothy Dempsey, Gay Eddy, Thatcher Freund, Nancy Gabriel, Suzanne Haff, Scott Radway, and Ruby Sinreich.

Issues Raised: The Board discussed the following issues and topics:

1. Town policies regarding the provision of sidewalks by developers on one or both sides of streets in new developments regardless of lot size.
2. How costs of shared infrastructure are equitably divided between

developers who mutually benefit from the infrastructure. A board member noted that another proposed subdivision of the same size (12 lots) and adjacent to the proposed Morgan Estates Subdivision will benefit equally from the entrance drive to Morgan Estates and all the Culbreth Road improvements required of this applicant but at no expense.

The Board discussed the suggestion that the Council consider requiring the proposed adjoining subdivision to do the following at the time of approval of that subdivision:

- a. Provide a payment in lieu to the Town for the remaining 50% of the sidewalk cost proposed in Stipulation #4 above, and
- b. Pay the Morgan Estates Subdivision developer half the costs of the Culbreth Road Improvements for the equal share of the benefits of those improvements.

Although this suggestion was not the formal recommendation, the Board would like the Council to consider the equity issue.

3. That the Development Ordinance thresholds for the provision of houses with restricted floor area (i.e. Small House Ordinance) begin at 13 dwellings and that this application proposes 12 lots and that this application is exempt from the Town Councils recent actions to "encourage" all residential developments to contribute to the provision of affordable housing in Chapel Hill.

Prepared by: Scott Radway, Chair, Chapel Hill Planning Board
Phil Mason, Senior Planner *PM for SR*