

**April 21, 2016**

**To: Town of Pittsboro**

**Re: Davie Street Cottages**

**Davie Street Cottages** is a proposed development on two vacant lots on the west side of Davie Street between Nooe and Thompson Streets. The two parcels total 1.06 acres and are zoned R-10. Orange Development Group is proposing to develop the site as a "pocket neighborhood" of eight single-family detached homes, as well as a community building. The development also includes open space and community amenities, a paved parking area, and all utility and stormwater infrastructure.

The intent of this narrative is two-fold; first, to give a summary of the various review and approval steps this project has been through thus far; and second, to give an overview of the project and identify the various design elements, and describe how the project meets all applicable Town of Pittsboro requirements and therefore should be approved.

**Background:**

- The Town of Pittsboro adopted a "Pocket Neighborhood" ordinance on June 25, 2012. The ordinance language was developed and proposed by Town staff and reviewed and revised by both the Planning Board and Board of Commissioners. During the public hearings, numerous citizens spoke in support of the ordinance, and it received strong support from the Planning Board and unanimous approval from the Board of Commissioners.
- Cornwallis Commons, a 10 lot "Pocket Neighborhood" project with many of the same layout features as Davie Street Cottages was approved in February 2014 by a unanimous vote from the Board of Commissioners.
- In early 2015 we began discussions with Town Staff about Davie Street Cottages. Town staff reviewed and commented on the adherence of the plans to Town requirements, such as land Use and zoning compliance, site access, site amenities, utilities, and stormwater. We worked closely with Town staff to identify and address any design concerns. The plans went through at least three rounds of review and revision before Town staff was comfortable in determining that the plans did in fact meet ALL Town requirements. In addition, the developer held a community meeting and invited neighboring property owners and residents to attend and provide feedback.
- On June 17, 2015 the plans were presented to the Planning Board with a recommendation for approval from Town staff. Concerns were raised by some Board members about tree preservation, the neighboring pond, and compatibility with the surrounding neighborhood.
- August 3, 2015 revised plans were brought before the Town's Planning Board for approval. Town staff had again written a recommendation in support of approval of the project as the plans continued to meet all applicable Pittsboro requirements, and now reflected the desired changes from the Planning Board. After discussing the project the Planning Board voted 3-3, with no recommendation for approval or denial.

- On August 24, 2015 the plans were brought before the Board of Commissioners. After a lengthy discussion several design concerns were identified, as well as the desired solutions. We agreed to make the requested modifications, including some offsite work at the request of neighboring property owners.
- On September 28, 2015 the revised plans were presented to the Board of Commissioners with all of the previously mentioned outstanding items identified by the Board having been fully addressed. A motion to approve the plans was put to a vote and did not pass.
- After discussions with Town staff regarding the Sep 28 vote, it was determined that while the project failed to receive approval, it was not denied and could therefore be brought back to the Board. The project was placed on the Jan 25, 2016 agenda. In a memo dated Jan 13, 2016 Town staff continued to express support for the project. Several hours before the Commissioners' meeting we were notified by the Town Planner that he no longer felt the project met the Town's ordinance requirements, specifically Subdivision Regulation Section 6.4 (B) regarding street frontage.

It is our position that Section 6.4 (B) Paragraph (4) clearly provides an exception to the street frontage requirement, and that with the prior approval of Cornwallis Commons the Town has established precedent that no street frontage requirement exists for pocket neighborhoods. While the Town may want to amend and clarify the Pocket Neighborhood ordinance, it was clearly not intended to require that lots front on streets, and certainly neither the Planning Board nor the Board of Commissioners were under that impression when they approved the ordinance language.

We firmly believe that the proposed Davie Street Cottages project is in keeping with both the spirit and letter of the governing ordinances, as well as the expressed vision of the Town's stated development goals. We have made revisions and accommodations as requested throughout the submittal process, even as Town staff has repeatedly agreed that our plans already comply with ordinance requirements.

Certainly if the Board believes it has erred in allowing pocket neighborhoods as a use-by-right it is well within their authority to review the ordinance and modify it as they see fit. We hope you will allow us to complete this project beforehand, and demonstrate how well pocket neighborhoods can blend into their surroundings and provide all of the benefits described in the existing ordinance that the Town so enthusiastically supported. We are confident that this will be a project that the Town and neighboring residents will be pleased with when it's completed.

## **Project Summary:**

Orange Development Group introduced this plan under the "Pocket Neighborhood" section of the Zoning Ordinance (Section 5.7). This Ordinance section allows and encourages smaller, closer neighborhoods that will enhance the character and livability of our community. A copy of the zoning ordinance section pertaining to a Pocket Neighborhood is included later in this narrative for reference. The housing units prescribed by the ordinance and planned for this development provide a smaller alternative to those typically being offered in new conventional subdivisions. Our thoughtful, collaborative approach to this project has resulted in a plan that captures both the spirit and letter of the ordinance. Our emphasis on low-impact development techniques, sustainable design and construction, and beautifully landscaped and functional spaces is evidenced and detailed in these construction drawings, and we are proud and pleased to present them for your approval. This project is designed in accordance with all Town of Pittsboro requirements, as well as all other regulatory agency requirements. The plans have been through multiple rounds of review with all Town Staff and have gained approval from Town Staff. The standards have broken into groups for ease of review.

## **Land Use and Zoning Requirements**

The Pocket Neighborhood designation is a "Use by Right" within the parcel's R-10 zoning. This project meets the Goals & Vision of the Land Use Plan by creating a community that is compact and pedestrian oriented, integrates principles of sustainability into both the site and building design, and protects sensitive lands and water all while keeping the small, rural, & natural feel that Pittsboro cherishes. The plans, as submitted, meet or exceed the provisions of the Town's Pocket Neighborhood Ordinance, including lot size, density, building setbacks, max built upon area, open space requirements, tree-save requirements, site access, parking, signage, landscaping, and site lighting.

Additionally, this project furthers the stated purpose of the ordinance – "to encourage affordability, infill development, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs." Additional information on some of these requirements is expanded upon below:

- The eight lots range in size from 2,463 square feet to 3,366 square feet, which are nearly 25%-75% larger, respectively, than what is required by ordinance.
- It is anticipated that the homes will range in size from 1,300 square feet to 1,900 square feet and will be for sale to the general public at market rate. Conceptual Floor Plans and Architectural Renderings can be found later on in this narrative.
- The lots surround a common space of 7,710 square feet, which is nearly two (2) times more than what is required by ordinance. Each individual lot also contains at least 200 sf of private open space, which will be landscaped and include a wall or fence feature which helps to delineate the interface of public vs private open space.
- There are some existing trees on site and every effort has been made in the site design to preserve these, where possible. The project proposes significant landscaping

improvements above and beyond what is required by the Ordinance. Additional information regarding the tree save and landscaping is provided below.

- 20 parking spaces are provided, which is more than the 18 spaces required by Ordinance.

### **Site Amenities and Access**

The project includes a variety of on-site features and amenities intended to enhance both the functionality and sense of community with which the project is focused.

Site access is proposed through a paved private street that accesses the parking area with two driveways to Davie Street, all of which will be constructed to Town standards. All internal roadways and parking areas are designed to allow full access for Fire, EMS and First Responders, as well as for maintenance vehicles. The site also proposes enhanced pedestrian accessibility through the use of multiple walkways. A boardwalk feature (elevated approximately two feet above the bio-retention area) will serve as access from the neighborhood to the street and mailboxes, as well provide a viewing platform to enjoy the natural plantings and wildlife brought by the bio-retention area. A five foot wide concrete sidewalk will take residents from the parking area to the heavily-landscaped central courtyard, where a network of 4' wide concrete walks will provide access into the individual homes and community building area.

Covered parking spaces will be provided for residents at a rate of one per unit. A community building will provide a community gathering area, indoor storage for each unit, an outside kitchen, and a "loft" unit that may be utilized by residents of the neighborhood. Both the covered parking and community building structures will be designed architecturally to fit the vernacular of the neighborhood and be aesthetic and functional features.

As mentioned above, the developer is proposing significant landscaping above what is required by the Ordinance. The purpose of this is multi-fold. First, there are existing trees on site which cannot be saved due to site design constraints. Based on the existing site elevations and culvert under Davie Street, along with Town of Pittsboro and State stormwater design standards, it is simply impossible to develop the site and keep the existing trees. An illustrative cross section across the project has been provided to help visualize this. The proposed plantings will help mitigate for the loss of these existing trees. Additionally, the proposed plantings will help reduce the heat-island effect, provide shade, help the bio-retention area perform its biological functions, and create a cohesive and attractive community space. The following tables outline the existing trees, as well as the proposed landscaping.

**Table 1.0 Existing Site Trees**

Size	Type	Saved?
54"	Triple Sweetgum	N
48"	Double Sweetgum	N
30"	Pine	N
28"	Pecan	N
26"	Pine	Y
22"	Pecan	Y
20"	Pecan	N
18"	Elm	N

**Table 1.1 Proposed Site Landscaping**

KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
<b>SHADE TREE(S)</b>					
ARAF	2	ACER RUBRUM 'AUTUMN FLAME'	AUTUMN FLAME RED MAPLE	2 1/2-3" CAL	B+B
QPH	4	QUERCUS PHELLOS	WILLOW OAK	2 1/2-3" CAL	B+B
SUBTOTAL:	6				
<b>ORNAMENTAL TREE(S)</b>					
BN	1	BETULA NIGRA	MULTI STEM RIVER BIRCH	12-14'	B+B
CF	2	CORNUS FLORIDA	WHITE FLOWERING DOGWOOD	8-10'	B+B
LI	5	LAGERSTROEMIA INDICA 'NATCHEZ'	NATCHEZ CRAPEMYRTLE	8-10'	B+B
PN	2	CARYA ILLINOINENSIS	PECAN	8-10'	B+B
SUBTOTAL:	10				
<b>DECIDUOUS SHRUB(S)</b>					
CA	19	CLETHRA ALNIFOLIA	SUMMERSWEET CLETHRA	24-30"	CONTAINER
RERL	10	RHOODODENDRON x EXBURY HYB. 'ROSEY LIGHTS'	'ROSEY LIGHTS' AZALEA	30-36"	CONTAINER
SUBTOTAL:	29				
<b>EVERGREEN SHRUB(S)</b>					
BMWG	10	BUXUS MICROPHYLLA 'WINTER GEM'	WINTER GEM BOXWOOD	30-36"	CONTAINER
IGS	45	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY HOLLY	24-30"	CONTAINER
SUBTOTAL:	55				
<b>ORNAMENTAL GRASS(ES)</b>					
CAKF	3	CALAMAGROSTIS ARUNDINACEA 'KARL FOERSTER'	FEATHER REED GRASS	2 GAL	CONTAINER
PVI	9	PANICUM VIRGATUM	SWITCH GRASS	2 GAL	CONTAINER
SUBTOTAL:	12				

As can be seen from the tables above, there are sixteen large trees being proposed to replace the six being removed (two of which are sweetgums, which are considered a nuisance by many). The tables above do not include the evergreen screening along the north and south property lines, where the project abuts existing residential homes. The final size, species, and spacing of these trees has not yet been determined, (as they are not required but have been agreed to by the developer) but it is anticipated that there will be upwards of 50 evergreen trees planted. Additionally, there are over 100 shrubs and ornamental grasses being proposed.

## **Utilities**

The project proposes to tie to existing Town utility infrastructure, both water and sewer, to serve this site.

Water will be provided to the site via tapping the 6" water main in Davie Street. A Town maintained public waterline will be extended up to the water meters, with the water service lines after that being privately maintained per Town Standards. Since a portion of the public waterline will be in a private roadway, the required public utility easements have been coordinated with Town Staff and are being provided.

Sewer will be provided to the site by tying to the existing 8" sanitary sewer main in Davie Street. A public-private system that has proven effective for developments of this size and nature, and has been permitted jointly through NCDENR and municipalities in the past, is being proposed. A Town maintained, 8" public sewer line will tie to the existing sewer outfall and run into the site to a manhole where the smaller, privately maintained sewer services will tie into the public main. The sewer is designed in a manner that minimizes cost, impact, and maintenance, while properly serving residents. The proposed design has been discussed with Town Staff, and all were in support.

## **Stormwater Management, Riparian Buffers, & Floodplains**

The site is in the Jordan Lake Watershed, Haw River Subwatershed (HUC 060030) and runoff discharges to an unnamed tributary of Robeson Creek. There is no FEMA mapped floodplain on site per FIRM Panel 3710974100J, dated February 2nd, 2007. Based on the Chatham County Soils maps, the entire site has soils classified as GaC, which is the Georgeville Sandy Loam series, and has a Hydraulic Soils Group of 'B'. The site is generally open meadow with a few hardwood and deciduous trees, and thick groundcover. There is an existing pond west of the site that receives run-off from approximately 4 acres, and has an existing HDPE overflow outfall that eventually makes its way to the western portion of the project site. The site slopes from west to east, with an existing drainage draw through the center of the site that ultimately crosses under Davie Street via an existing 24" RCP culvert (which is actually laid with reverse flow as it currently sits). Based on field evaluation by an environmental professional, and verified by Fred Royal, Town Engineer, the existing drainage feature that bisects the site is not a jurisdictional feature, and is therefore not subject to any buffers or other development restrictions. The site has existing slopes ranging from 3-10% generally.

This project is subject to regulations written by the North Carolina Department of Environment and Natural Resources – Division of Water Quality (NCDENR-DWQ) as well as the Town of Pittsboro. The proposed development is required to meet all sections of these regulations including water quality and water quantity. Based on the existing site conditions and the nature of the proposed development, two systems have been selected to handle the site stormwater.

First, a bio-retention area with internal water storage (IWS) is proposed in order to capture and treat the run-off for the post-development conditions. This feature was selected based on the limited elevation of the stormwater discharge point, the aesthetic nature (i.e. being able to be fully integrated into the site layout and landscaping) and the ability to help mimic the existing hydrologic patterns to the greatest extent possible.

The second is a piped by-pass system of the run-off from off-site, upstream areas. The previously mentioned culvert under Davie Street that is currently laid with reverse flow, will be re-laid in order to remedy an existing drainage deficiency and both proposed systems will tie into this new culvert. It should be noted that these plans meet all applicable Town stormwater requirements.

Based on concerns voiced at both the information public meeting, as well as at the first Planning Board meeting, the Town Engineer Fred Royal followed up with the adjacent owner east of Davie Street where the current culvert discharges and suggested modifying the existing drainage swale to help improve issues that may exist, and Orange Development Group has agreed to do this. The developer makes no claims to the existing or future conditions of this off-site property with regards to the stormwater run-off, but feels that it is important to be a good neighbor and take the opportunity to help address an existing issue while construction equipment is in-site for the development.

In summary, these plans have been through multiple review cycles with Town Staff and have been revised to address all outstanding comments. Additionally, concerns from adjacent owners, the Planning Board, and the Board of Commissioners have been incorporated into the design to the greatest extent possible. This development is also a "Use by Right" under Pittsboro's Zoning Ordinance, and meets all of the requirements under that Ordinance. We look forward to receiving approval and beginning this project. Should you have any questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Dasher". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Dasher".

Mike Dasher

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