



Briefing Sheet

Version #2
Update Dates: 05/07/10 PZB
06/02/10

Lead Department: Planning **Action Officer:** Rodney Wadkins, Senior Planner/GIS

Subject: Chef's Academy II site plan and subdivision for property located at the intersection of Lichtin Boulevard and Carrington Mill Boulevard

Action Requested: Act on Resolution 2010-045A Pertaining to the Chef's Academy II site plan and Act on Resolution 2010-045B Pertaining to the Chef's Academy II preliminary subdivision plat

Briefing: 06/08/10 **Public Hearing:** None **Action:** 06/22/10

Item Schedule	Select One
Schedule 1: Brief twice – vote once (six weeks)	<input type="checkbox"/>
Schedule 2: Brief once – vote once (two weeks)	<input checked="" type="checkbox"/>
Schedule 3: No briefing required (one week)	<input type="checkbox"/>

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This item is a proposal to construct a Private School (Chef's Academy) totaling 23,154 square feet to be located at 2001 Carrington Mill Boulevard at the intersection of Carrington Mill Boulevard and Lichtin Boulevard.

The subject property falls within the Perimeter Park Planned Unit Development (PUD), is consistent with the PUD document, and is properly zoned Office & Institutional (O&I) with a PUD Overlay.

Owner/Developer: Alan J. Armstrong, Inc.

PIN: 0746-77-0865

Location: 2001 Carrington Mill Boulevard

Use: Private School

Parcel Size: **8.24 acres total**
Lot 1 (Chef's Academy) - 4.37 acres
Lot 2 – 3.88 acres

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Building Size: 23,154 square feet

Parking: 168 spaces total (including 6 HC spaces)

Impervious Surface: 58.0% total (Lot 1)

Zoning: Office & Institutional (O&I) with a PUD Overlay

Setbacks:

Front: 30 feet

Corner Side: 20 feet

Side: 15 feet

Rear: 30 feet

Lot Dimensions:

Min. Lot Size: 20,000 square feet

Min. Lot Width: 150 feet (measured at the building setback line)

Surrounding Zoning/Current Use:

North: Office & Institutional (O&I) with a PUD Overlay/Perimeter One Office Building

South: General Business Conditional Use (GB-CU) with a PUD Overlay/Vacant

East: Office & Institutional (O&I) with a PUD Overlay/Vacant

West: Agricultural District (AD)/

FEMA Floodplain: No floodplain exists on the site.

Wetlands: Wetlands exist on the subject properties; however, based on a determination from the NC Division of Water Quality the wetland is not subject to the riparian buffer rules.

Subdivision

The applicant is proposing to subdivide the property. The proposed Chef's Academy will be situated on Lot 1, whereas Lot 2 will remain vacant until developed in the future. The proposed subdivision complies with the requirements of the *Subdivision Ordinance* as well as the dimensional standards of the *Zoning Ordinance*.

Site Access

Vehicular access to the site is via one full movement driveway off Lichtin Boulevard and one full-movement driveway off Carrington Mill Boulevard.

Regarding the full movement driveway off Lichtin Boulevard, the Town follows NCDOT standards for pavement design, including turn lane design. For a left turn lane, NCDOT standards require a 150-foot deceleration length as well as a 125-foot storage lane and to move the full access driveway further west, approximately 165 feet, would cause the deceleration and storage lane for the left turn to be too close to NC 54; therefore, in the interest of public safety, we believe that the full access driveway is located in the best possible location.

Additionally, the subject property needs to include a cross access easement, which connects lots 1 and 2, as well as connecting lot 2 to the adjacent western property (Chiotakis property). The cross access

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easement is a requirement of Resolution 2004-043A as adopted by the Morrisville Board of Commissioners on August 23, 2004 and interpreted by the Planning Department. Condition #2 in the staff recommendation reflects this cross access requirement.

The adjacent property owner (Chiotakis) has expressed concern that the cross-access easement may affect his ability to install a driveway with direct access to Lichtin Boulevard from his property when the site develops in the future, so language has been added to condition #2 to mitigate this concern. Additionally, per discussions with NCDOT, a right-in-right-out driveway access onto Lichtin Boulevard located on the Chiotakis property would be permissible and appropriate under existing conditions.

Sidewalks

The developer is proposing direct pedestrian access from both Lichtin Boulevard and Carrington Mill Boulevard to the site; they are providing sidewalk connections throughout the site and to the adjoining lot 2. The sidewalk connectivity proposed complies with the *Zoning Ordinance* and the *2009 Transportation Plan*.

Transportation Improvements

Recommendations from the TIA that have been incorporated into the site plan include:

- Widen the frontage along Lichtin Boulevard to accommodate half cross-section based on the *Town of Morrisville 2009-2035 Transportation Plan* requirements. The applicant will be submitting payment in lieu for their portion (half cost for 150% of engineers estimated of total cost) of the required landscaped median, which will be installed when the property to the south develops. Upon future installation, the property owner or office park owner would be responsible for maintenance of the landscape median, since this road is not a major thoroughfare.
- Lengthen left turn lane on Lichtin Boulevard to provide additional storage.
- Extend medians on Carrington Mill Boulevard to provide a left-over design.
- Carrington Mill Boulevard frontage and cross-section complies with the Transportation Plan cross-section, so no additional improvements are needed.
- The applicant is also providing ADA accessible pedestrian access for each leg of the Lichtin Boulevard/Carrington Mill Boulevard/Think Place intersection including ramps, crosswalks, and a pedestrian haven.

Lighting:

Shoebox fixtures are proposed for the parking areas and drive aisles. The proposed lighting complies with the *Zoning and Subdivision Ordinance* requirements. Additionally, Duke Realty will be installing five (5) Shoebox fixtures along Carrington Mill Boulevard and Lichtin Boulevard. These lights are consistent with the existing street lights along Perimeter Park Drive. Duke would like the additional street lights to become part of the Town's inventory, however this cannot happen until such time as Council formally accepts responsibility per a Town Street Lighting Policy. See "Other Potential Impacts" below for cost estimates.

Landscaping and Buffers:

The proposed landscaping complies with the requirements of the *Zoning Ordinance*.

Stormwater:

Both Lot 1 and Lot 2 will share a stormwater pond located on Lot 2 and will be used to satisfy the

stormwater requirements of the *Design and Construction Ordinance*.

Elevations:

The proposed Chef's Academy building elevations comply with the Architectural Standards requirements of the *Zoning Ordinance*.

Staff Recommendation:

The Planning Department recommends approval of the site plan for the Chef's Academy located at 2001 Carrington Mill Boulevard, subject to the following conditions:

1. Prior to the issuance of the building permit for the Chef's Academy, the applicant shall submit a plat to subdivide the subject property into Lot 1 and Lot 2.
2. As part of the submittal for Condition #1, the plat shall include a reference to the recorded cross access easement agreement between the owner(s) of the Chef's Academy property (Lot 1), the Lot 2 property, and the Chiotakis property (PIN 0746-67-6724). The cross access easement shall be a minimum of thirty (30) feet in width, shall connect from the point where the driveway connection between Lot 2 and the Chef's Academy intersects the Chef's Academy full movement access driveway onto Lichtin Boulevard, and shall continue westward across newly created Lot 2 and terminate at the Chiotakis property. The centerline of the cross access easement shall intersect the Chiotakis property at a point no greater than one-hundred-ninety (190) feet measured up from the current edge of the Lichtin Boulevard right-of-way. The requirement for the cross access agreement to the Chiotakis property will not preclude or prevent the then current owner(s) of the Chiotakis property from either 1) relocating an existing right-in/right-out driveway or 2) installing a new right-in/right-out driveway and closing the existing right-in/right-out driveway to its property from Lichtin Boulevard.
3. If a future full movement access driveway is permitted near the shared property line of the Chiotakis property (PIN 0746-67-6724) and the Lot 2 property, the currently approved full movement access driveway serving the Chef's Academy (Lot 1) and Lot 2 shall be converted to a right-in/right-out only driveway and the Lichtin Boulevard median shall be extended toward NC 54. Said conversion of the Chef's Academy driveway to a right-in/right-out driveway and the extension of the Lichtin Boulevard median shall be at the expense of the then current owner(s) of the Chiotakis property.
4. A U-turn on eastbound Lichtin Boulevard past the median shall not be prohibited unless subsequent analysis in response to congestion or accident problems supports such a prohibition.
5. The developer shall provide a payment-in-lieu for one-half of the installation of a 21' (24-25' with curb) landscaped median along the frontage of the Chef's Academy property (Lot 1) on Lichtin Boulevard per the approved cross-section in the 2009 Transportation Plan. The developer shall provide an engineer's estimate to the Town for review. The payment-in-lieu amount shall be for 150% of the final agreed estimate. The developer shall submit the payment-in-lieu amount prior to the release of the Construction Drawings.

Attachments:

- ATTH 01 - Chef's Academy II *site plan* and *preliminary subdivision plat*
- ATTH 02 – Chef's Academy II - Traffic Impact Analysis (TIA)
- ATTH 03 – Conceptual Elevations and Material Samples
- ATTH 04 - Resolution 2004-043A Closing a Portion of Lichtin Boulevard
- ATTH 05 – Public comments from Tony Chiotakis
- ATTH 06 – Aerial Map of area around Chef's Academy
- ATTH 07 – NCDOT response to access question off Lichtin Boulevard
- ATTH 08 – Gibson Engineers evaluation regarding access question off Lichtin Boulevard
- ATTH 09 – Planning Department response to Chiotakis comments
- ATTH 10 – Request for expedited process

Advisory Board/Committee Review:

Planning and Zoning Board

Board/Committee Recommendation:**MOTION:**

Member Gardner moved to recommend the approval of the preliminary subdivision plat and the site plan subject to the five discussed conditions with *Member Roberts'* desire for all parties to have the agreement worked out before the Town Council meeting.

Member Roberts seconded the motion.

Member Goel asked if it was necessary to include that in the motion.

Member Gardner said that there is a general consensus of the framework and that the fine details need to be worked out.

Member Roberts said that because many things changed last minute that he felt it was necessary.

Mr. Gauss said that he would typically agree with *Member Goel* but from a legal perspective, there has to be agreement from all parties before something like this can be adopted.

Member Goel asked if a legal signed document was required.

Mr. Gauss said no.

Chairperson Prichard asked all in favor of the motion. The motion passed unanimously.

Advisory Board/Committee Meeting Date and Minutes:

May 13, 2010 PZB Meeting:

Rodney Wadkins, Senior Planner introduced the next item which was a Site Plan and a Preliminary Sub-division Plat for Chef's Academy located at the intersection of Carrington mill Boulevard and Lichtin Boulevard. He explained that the use of the Chef Academy would be considered a 'Private School' and that it conforms with all of the Zoning and Overlays applicable to the parcel. He said that the site would

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be split into two lots. He said that Lot One was 4.37 acres and would be developed immediately while Lot Two would stay vacant until that section is developed at a later date. He said that the applicant was proposing to share a storm water pond between the two lots and that the pond was oversized in order to accommodate the future development of Lot Two. He explained that there was shown on the site plan two full movement drive lanes with one being located on Lichtin Boulevard and one being located on Carrington Mill Boulevard. He explained that at the lower right corner of the sheet that he had pulled up that there was also what is referred to as a 'Left Over' at the intersection of Lichtin Blvd and Think Place. He said that this 'Left Over' would block the full turn access at this intersection and would allow only left turns. He said that the intersection was looked at a number of different ways and that this would be the only feasible option. He explained the building orientation on Lot One and mentioned that additionally Duke would be installing street lighting along Carrington Mill Blvd and a portion of Lichtin Blvd with the development of this parcel. He said that staff recommends approval of the site with conditions. He explained that part of the need for the long recess was for some discussion about this area with other property owners. He said that development in this area would need to be well coordinated so that all properties could have accesses. He said that one of the conditions that was being proposed was the requirement of a Cross-access agreement between Lot Two of the Chef Academy Property and the adjacent Chiotakis Property. He said that since Lot One was being developed it would get a full drive which would leave the Chiotakis Property with limited means of entry and exit if it were to be developed so the cross access agreement would allow for additional access.

Chairperson Prichard asked what could or would be built between the access road to the Chiotakis Property and Lichtin Blvd.

Mr. Wadkins said that probably not much could be built. He explained that a parking lot could be built and then maybe a building toward the back of a maximum of 14,000 square feet. He said that the possibilities of what could be built goes back to Lichtin Blvd being what is referred to as a 'collector street' which allows the building to sit back off the road further.

Member Goel asked who would be responsible for building the cross access road across Lot Two to the Chiotakis Property.

Mr. Wadkins replied that it would depend on who developed first. He stated that if the Chiotakis property developed first then they would be responsible and if Lot Two of the Chef Academy Property developed first then they would have to build the cross access road.

Member Goel asked who would be responsible for the maintenance of the road once constructed.

Mr. Wadkins said that this would be a private road on private property so the Property Owners would have to work that out. He said that since the conditions were just worked out during the break that there were no specifics worked out such as maintenance and construction responsibilities. He said that in going back to *Chairperson Prichard's* question, the Chiotakis Property Owners would like to request that any buildings not be allowed to be erected between the access road and Lichtin Blvd. He said that this is also something that would need to be worked out between the Chiotakis Property Owner and the Chef Academy Property Owner. He said that this may need to be incorporated in an agreement or a covenant that runs with the property. He said that the Chiotakis Property also wants to request that the full movement access currently being proposed on Lot One have the potential to be moved to the shared property line of the Chiotakis Property and Lot Two once the Chiotakis Property is developed. He said that the condition would read such that at the time that the Chiotakis Property is developed and they bring a site plan forth that time staff will evaluate moving the full movement access based on

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the current requirements and standards. He said that this would require the Chef Academy to close its full movement access and turn it into a 'Right in Right Out' access as well as extend the median on Lichtin Blvd.

Member Kris Gardner asked for some clarification and said that he would restate everything as he understood it to make sure that he was following correctly, since many conditions and ideas were being added. He said that as he understood it Condition One was the 'Cross Access Condition' and included that the Cross Access would not be located greater than 190 feet from the Lichtin Blvd right of way and that it would be part of the recording of the plat. He said that the next part of the 'Cross Access Condition' would include that a building could not be located or built between the Cross Access and Lichtin Blvd Right of Way.

Mr. Wadkins said yes that Member Gardner had restated the Condition correctly. He added that he did not know how the second part of the Cross Access Condition regarding the placement of the building would be approached.

Mr. Hitchings said that there are limitations to what the Town can require. He said that currently the Zoning Ordinance would not require the building to be at the road because of the type of road that Lichtin Blvd is classified as. He said that the Town does not have any ability to bind future ordinances from requiring that the building be closer to Lichtin Blvd.

Member Gardner said that he was under the impression that because it would be private property that any agreement about where future buildings would go would be a private agreement.

Mr. Hitchings said yes that it would be a private agreement, but added that if the Ordinance requirements at the time of development were to change and require that the building be close to the road with parking behind it then that would supersede any property owner agreements.

Member Michael Roberts said that it sounded to him like this needed to be worked out privately and should not be a public Town condition.

Member Gardner asked Mr. Wadkins to restate the second condition and its parts.

Mr. Wadkins said that the second condition essentially requested that when the Chiotakis property is ready to develop that staff look at the possibility of moving the full access movement driveway on the Chef Academy Lot One over to the shared property line between the Chiotakis Property and Lot Two approximately 165 feet to the west. He said that this would require the Chef Academy Lot One access to be converted to a 'Right in Right out' access because you cannot have two full access movement driveways that close together. He said that staff would still have to evaluate if it would be appropriate to move the full access to the shared property line and NCDOT would have to agree. He said that this condition would be something that would have to be written up formally.

Member Goel asked if the Town or NCDOT was responsible for this road.

Mr. Wadkins replied that the road was split between the Town and NCDOT and that the Town had submitted paperwork and passed a resolution to take over the maintenance of that road but that is up to the NCDOT to relinquish it.

Chairperson Prichard asked what kind of development was going on across Lichtin Blvd from the Chef Academy Site.

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Mr. Wadkins stated that currently that parcel was vacant, but that he had met with a developer interested in building here about eight months ago. He said that the type of development that would be located here would definitely be traffic generating that went into how and where the accesses for the Chef Academy were located as well as the decision to make the intersection a 'Left over' type intersection. He said that in this area there are a lot of moving pieces and changes taking place.

Chairperson Prichard wanted to know if the full movement access was moved west to the Chiotakis Property and Lot Two line if it would be too close to NC 54.

Mr. Wadkins said that under the Town's current standards that it would be too close to NC 54 for a full access movement location.

Chairperson Prichard said that he was concerned that doing all of this would make the development of the southern property difficult or dangerous.

Mr. Wadkins said that the southern property would not have an access to NC 54. He said that it would have to get driveways located on Lichtin Blvd or Carrington Mill.

Chairperson Prichard said that he was concerned because under the current proposal the property across the street from Chef Academy would have limited access based on the accesses available and the proposal of the 'Left Over' intersection.

Gibson Engineering, Mark Freeman said that with a 'Left Over' intersection you can make all of the movements just not as directly. He said that there are designated median openings along Carrington Mill so that you could make any movements. He said that if you wanted to go up Carrington Mill from the southern property that the easiest way to do so would to go up to Lichtin Blvd where you would be forced to turn Right, then you would be forced again to turn Right onto Carrington Mill Blvd where you would find median breaks that would allow you to U-turn to go up Carrington Mill. He said that what this does is gives you one conflict point with other traffic rather than four at the intersection.

Chairperson Prichard said that there will be a median cut along this portion of Carrington Mill Blvd before NC 54.

Mr. Freeman said yes and explained some other ways that vehicular traffic could navigate the properties coming from NC 54, Lichtin Blvd, and Carrington Mill Blvd.

Chairperson Prichard said that he thinks that the flow of traffic and the 'Left Over' intersection is going to require that the southern property be allowed a full access movement driveway onto Carrington Mill Blvd.

Mr. Freeman said that they would not need full access movement in order for traffic to get in and out of the site and still go the direction that it needed to go.

Chairperson Prichard said that he did not think that Semi-Truck or an Eighteen Wheeler could make a U-Turn on Carrington Mill Blvd. He gave an example of a damaged median he sees on Davis Drive from large trucks not being able to make such turns.

Mr. Freeman said that he understood the concerns with the 'Left Over' intersection. He said that the

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other alternatives are to install a round-about which based on the traffic counts will fail, or to install a traffic signal which will stall movement through the intersection and also ultimately fail. He said that this was the creation of an intersection that worked the best for the development that is out there now.

Mr. Wadkins showed a possible point for full access movement for the southern property in question. He said that there was no guarantee that it would be granted though.

Chairperson Prichard thanked Mr. Freeman and Mr. Wadkins.

Mr. Wadkins said that there was a third condition that was specific to the U-Turn topic. He said that there was the request that U-Turns not be prohibited at the proposed full access site, but that if it did become hazardous then the Town would take measures to prohibit the U-Turn. He said that the Chef's Academy really wants a recommendation to move to Town Council despite the development of some last minute conditions from adjacent property owners. He said that staff did recommend approval subject to the five revised conditions. He said that representatives were available from both the Chef Academy property and Chiotakis Property if there were any further questions.

Member Goel said that mostly the site looks fine, but that he was not comfortable with the inability for Semi-Trucks, Eighteen Wheelers, and other large trucks and machinery to make the U-turns that they are going to need to make to get around in this area. He said that eventually it will be an issue.

Mr. Freeman said that for this site, the Chef Academy Site, there is no issue on the U-Turn point. He said that he knew that everyone wanted to look at the other sites around, but for this particular development there are no current reasons why U-turns could not be allowed at this location.

Member Roberts asked if the capacity of the storm water ponds would be re-evaluated when the second lot was developed.

Mr. Wadkins said that the Town's Engineering Department would re-evaluate the pond and it would be evaluated whether or not that pond would still account for the storm water retention needed for the site.

Member Roberts said that he was also concerned with the Eighteen Wheeler U-turns situation, but that what Mr. Freeman said about the traffic flows made a lot of sense. He said that he was not comfortable with making a recommendation on the Chef Academy without a property owner consensus on all of the last minute conditions made. He said that he would feel better about it if the Property owners were all on the same page.

Chairperson Prichard invited representatives of the Properties to speak and asked them to identify themselves and discuss how they felt about the conditions.

AJ Armstrong INC, Allen Armstrong acting as the Chef Academy representative said that the property owners are fine with the conditions as discussed. He said that there was one aspect that he did not agree with and that was the mention that if the Town and/or the Chiotakis Property owner wants to move the full movement access than the Chiotakis Property owner needs to pay for the movement as well as the conversion to a Right in Right out. He said that Mr. Wadkins had mentioned that Harrison College/Chef Academy would be paying for that and that is inaccurate. He said that they could record an easement for the cross access. He said that from a legal standpoint that it would be best to have a

covenant that goes with the land.

Mr. Hitchings asked if they were comfortable with the Payment in Lieu condition.

Mr. Armstrong said yes, that they were comfortable with that.

Capital Associates, Tom Huff said that there was a minor change he wanted to make and said that he wanted to restrict both construction traffic as well as large delivery vehicles across the cross access road to the Chiotakis property.

Member Gardner said that he wasn't sure that he understood the condition restricting construction and delivery truck traffic.

Mr. Huff said that, for example, if this building is developed into a medical facility then it is not going to be ideal for large delivery trucks and such to be going back and forth through the access road.

Member Roberts said that even the medical facility itself would need to have deliveries made from time to time.

Mr. Freeman said that the spirit of the arrangement was to share access and he did not understand how you could prohibit what types of vehicles use the access road.

Mr. Armstrong said that it was reasonable to prohibit construction traffic because it would place unreasonable abuse on the road as well as the tenants of the buildings.

Mr. Wadkins said that there are not ordinances that speak directly to this, but that a construction access could be identified when the Chiotakis property came in for site plan approval.

Member Roberts said that he agrees that having construction traffic routed through Lot 2 of Chef Academy would not be appropriate if Lot 2 has been developed.

Directorate of Community Services, Tony Chiotakis, acting as the Chiotakis Property representative said that he disagreed. He said that it was important to remember that the Chiotakis property only has a Right In, Right Out access from Lichtin Blvd. He said that there may be situations when construction traffic will need to use the access road to get to the site. He said that the property is restricted on NC 54 and in order to get traffic in and out the access is going to have to be utilized. He said that if the Chiotakis property cannot have certain traffic be able to get to it then the property will not be able to be used. He said that it is not practical to restrict certain types of traffic. He said that he would be more than happy to follow any rules regarding damage to the road and keeping the road cleaned.

Mr. Huff said that Chef Academy really wanted to get a recommendation tonight and would be happy to bend on this issue.

Mr. Chiotakis said that he is comfortable with the conversations and the agreement. He said that he was concerned that everything was not completely worked out, but that he trusted that staff and the Chef Academy representatives would continue good relations. He said that he did want to have on the record that the cross access agreement would contain a provision through either the agreement or a covenant on the property that a building would not be placed between Lichtin Blvd and the cross access road. He said that aspect needed to be included as part of the official proceedings of this body.

Mr. Hitchings said again that there could not be any agreement that would prevent future ordinances from requiring that the building be built between the access road and Lichtin Blvd.

Mr. Chiotakis said that he understood that, however he wanted something in the agreement that said that the building would not be placed there unless it were required. He said that he agreed that if, when the Chiotakis property is developed, that the full movement access is moved to the shared property line of Lot 2 that it would be the Chiotakis property owner's responsibility to pay for the conversion to the Right In, Right Out at Chef Academy and relocation of the full access.

Member Martin said that she was concerned with how quickly the conditions were developed and that there was not anything formally written up.

Chairperson Prichard said that he had heard mention of a Resolution from 2004 and asked for more information about that.

Mr. Gauss explained that there was a resolution passed in 2004 regarding Duke Construction closing a portion of Lichtin Blvd and performing a re-alignment as part of the Perimeter Park project. He said that at the time there was a discussion about the impact on the properties and the resolution addressed a number of issues such as extending public water and sewer and access to the Chiotakis Property. He said that the resolution that was included in the Planning and Zoning Board packets was Resolution 43A and it was the one that approved by the Town Council in 2004. He said that Town Staff, Mr. Chiotakis, and Capital Associates have looked at it closely and have been very careful to balance the needs of all property owners as well as good traffic circulation and access.

Chairperson Prichard asked if something should be included in the motion about the previous resolution.

Mr. Gauss said that the staff had evaluated the resolution and that it is staff's opinion that the provisions of the Site Plan for Chef Academy do not conflict with the intent and approach of the 2004 resolution. He said that he did not think that a reference to the resolution was necessary.

Mr. Hitchings said that the statements and agreements to the conditions represent a concurrence and demonstrates that there is not a conflict with the previous resolution.

Member Roberts asked if there would be a legal conflict between what was being proposed to be approved now and the resolution that was approved in 2004.

Mr. Gauss said that different property owners have different ideas as to what the 2004 Resolution meant.

Chairperson Prichard said that the board had to decide if it wanted to recommend approval with the conditions that were outlined or to table the item or to disapprove the item. He said that the item would still have some time before it went to council so that the conditions could be formally written up and all legal aspects regarding the previous resolution could be resolved.

Member Goel said that he was comfortable with the conditions that were discussed.

Member Roberts said that he felt good about a consensus among property owners, but wanted the

caveat that all parties needed to agree on the conditions before the item went to Town Council.

Member Martin said that the provisions and the conditions should be able to work themselves out.

Mr. Hitchings said that *Mr. Armstrong* was very willing to work with *Mr. Chiotakis* to get the agreements and the details of those agreements worked out before the Town Council vote the end of June.

MOTION:

Member Gardner moved to recommend the approval of the preliminary subdivision plat and the site plan subject to the five discussed conditions with *Member Roberts'* desire for all parties to have the agreement worked out before the Town Council meeting.

Member Roberts seconded the motion.

Member Goel asked if it was necessary to include that in the motion.

Member Gardner said that there is a general consensus of the framework and that the fine details need to be worked out.

Member Roberts said that because many things changed last minute that he felt it was necessary.

Mr. Gauss said that he would typically agree with *Member Goel* but from a legal perspective, there has to be agreement from all parties before something like this can be adopted.

Member Goel asked if a legal signed document was required.

Mr. Gauss said no.

Chairperson Prichard asked all in favor of the motion. The motion passed unanimously.

Meeting Goals and Initiatives Adopted by the Council:

(Select by checking the box for all Initiatives that are met by this briefing sheet's proposal. Area for additional comments under table.)

Goals

Initiatives

Chef's Academy - site plan and subdivision

<p>1. A mix of land uses that is environmentally sensitive and sustains livability in a changing community</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>1.1 Implement Updated Land Use Plan 1.2 Continue Implementation of adopted Town Center Plan 1.3 Maintain a formal acquisition and implementation strategy for parks, greenways, and open space 1.4 Evaluate ordinances and policies that contribute to a sustainable and well planned community.</p>
<p>2. A strong and stable financial position that fully utilizes all resources in a responsible, efficient and effective manner</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>2.1. Maintain a strategic financial plan 2.2. Ensure proper use of resources by enhancing internal controls 2.3. Identify potential new funding opportunities for specific town projects and services 2.4. Continue developing town infrastructure evaluation programs to analyze costs, prioritize maintenance, and secure funding</p>
<p>3. Community services that sustain or enhance the quality of life</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>3.1. Provide a safe community 3.2. Continually evaluate emergency response needs and capabilities 3.3. Provide and promote healthy community activities and programs 3.4. Provide accessible and safe public parks, recreational programs, cultural resources and facilities 3.5. Continue developing and implementing strategies to enhance customer service 3.6. Refine and implement a performance measurement process to provide better information for budgetary decision-making and create a stronger link between allocation of resources and desired results. 3.7. Continually review and identify internal processes and community services to improve their efficiency and effectiveness</p>
<p>4. Plan transportation and other public infrastructure to address community needs</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>4.1. Implement and maintain updated Transportation Plan 4.2. Continue developing a reimbursement policy, developer requirements and regional partnerships for transportation and public infrastructure 4.3. Develop and implement a Stormwater Management Plan, including creating a self-sustaining funding mechanism 4.4. Identify critical areas of traffic congestion and appropriate strategies to resolve transportation problems, drawing on NCDOT and regional partners. 4.5. Continue developing a capital fund strategy for infrastructure needs, including the Town Center 4.6. Continue evaluating the costs and benefits of in-house vs. contract engineering services 4.7. Work to promote installation of infrastructure in a timely manner to support private development</p>
<p>5. A town image with a strong, positive identity valued by residents, businesses and visitors</p>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>5.1. Develop and maintain liaison with other elected officials, agencies, jurisdictions, and stakeholders 5.2. Promote transparency in town government programs and processes 5.3. Promote high quality development and attractive community appearance</p>

Chef's Academy - site plan and subdivision

	<input type="checkbox"/>	5.4 Continue to require professionalism and friendliness of staff
	<input type="checkbox"/>	5.5 Cultivate a responsive environment encouraging community comments and feedback.
6. Regional partnerships to grow and develop new resources and opportunities	<input type="checkbox"/>	6.1. Develop and maintain liaison with other elected officials, agencies, jurisdictions, and stakeholders
	<input type="checkbox"/>	6.2. Provide educational training for Committee/Board members and Council members
	<input type="checkbox"/>	6.3. Continue active participation in forums for regional cooperation
7. Environmentally responsible and energy efficient community	<input type="checkbox"/>	7.1. Evaluate and implement changes to town operations
	<input type="checkbox"/>	7.2. Evaluate and implement changes to Town Ordinances, plans and policies
8. A healthy and rewarding work culture where employees are our primary asset in delivering high quality services to the community	<input type="checkbox"/>	8.1. Recruit and retain competent committed staff
	<input type="checkbox"/>	8.2. Create a healthy work environment that promotes high morale
	<input type="checkbox"/>	8.3. Foster career development and growth opportunities
	<input type="checkbox"/>	8.4. Encourage employees to identify opportunities to improve efficiencies and effectiveness
9. Citizen Involved government	<input type="checkbox"/>	9.1. Encourage citizens to volunteer within the community
	<input type="checkbox"/>	9.2. Diversify the methods of communicating with citizens to provide information on town news and issues
	<input type="checkbox"/>	9.3. Increase contact with the business community about town news and issues
	<input type="checkbox"/>	9.4. Develop and advance opportunities for partnership with local schools and non-profit groups
	<input type="checkbox"/>	9.5. Increase public involvement in town government programs and processes

Goals and Initiatives Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Low

Other Potential Impacts:

Financial Resource Impact Acceptance of Street Lights: The typical Cobra fixture style cost the Town \$93.24 per month or \$1,118.83 per year for all five units. The more decorative Shoebox fixture requested will cost the Town \$135.88 per month or \$1,621.88 per year for all five units.

	Cobra Fixture	Shoebox Fixture	Differential
5 units	\$1,118.83 per year	\$1,621.88 per year	\$503

Acceptance of the fixtures would be in addition to the projected Street Light Utilities programmed in the Long Range Financial Model. Below are the LRFM annual projections for Street Light Utility cost per year:

2011	2012	2013	2014	2015
\$147,000	\$153,000	\$159,000	\$166,000	\$172,000

769 lights	781 lights	791 lights	800 lights	810 lights
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Cost impact of the maintenance of the median is none. Median maintenance is the responsibility of the developer/property owner’s in accordance with the “Town of Morrisville Mowing and Grounds Maintenance Policy within Street Rights of Way”. Which states that “the Town is not responsible for the mowing, grounds maintenance or landscape maintenance for any traffic or median island or on any street below the classification of a major thoroughfare”. Lichten Boulevard is classified as a collector street.

Staff Coordination:

Check the box for those required to comment on left. To comment-click in the box and select. (2nd Briefing is used when information has significantly changed from the first briefing.)

Required	Staff Member	1 st Briefing	2 nd Briefing
<input checked="" type="checkbox"/>	Town Manager	Agree	
<input checked="" type="checkbox"/>	Town Clerk	Reviewed	
<input checked="" type="checkbox"/>	Senior Director Business Management	Reviewed	
<input checked="" type="checkbox"/>	Budget and Analysis Manager	Reviewed	
<input type="checkbox"/>	Internal Auditor		
<input type="checkbox"/>	Senior Accountant		
<input type="checkbox"/>	Information Technology Director		
<input type="checkbox"/>	Contracting and Purchasing Manager		
<input checked="" type="checkbox"/>	Senior Director Development Services	Agree	
<input checked="" type="checkbox"/>	Planning Director	Agree	
<input type="checkbox"/>	Town Engineer		
<input type="checkbox"/>	Building Codes Administrator		
<input type="checkbox"/>	Economic Development		
<input checked="" type="checkbox"/>	Senior Director Community Services	Reviewed	
<input type="checkbox"/>	Risk Manager/Safety Officer		
<input type="checkbox"/>	Police Chief		
<input checked="" type="checkbox"/>	Fire Chief	Reviewed	
<input type="checkbox"/>	Parks & Recreation Director		
<input type="checkbox"/>	Public Works Director	Reviewed	
<input checked="" type="checkbox"/>	Public Information Officer	Reviewed	
<input type="checkbox"/>	Town Attorney		
<input type="checkbox"/>	Human Resources Manager		
Disagree or comment, explain:			
T. Chiotakis: #1 Lighting- Shoe box lights are not the typical town standard for street lights. The typical street light is a direct bury, grey fiberglass pole with a cobra style head using high pressure sodium light. The shoe box style lights are more costly (approx \$100/pole /year) to operate and are typically used in parking lots.			

Public Information Plan: Answer the following questions and notate the level of PI Plan needed

Question	Select
Does the item’s subject matter affect the majority of our population?	No
(Note: specify the target audience within the Executive Summary section above.)	
Would action have a direct effect, positive or negative, on community services?	No
Does the item propose an internal policy change?	No
Does the item propose an external policy change that would result in an amendment to our town codes, ordinances, Land Use Plan, or Zoning Map?	No
Does the item require an appropriation of funds equal to or over \$90,000?	No
Will/does the item relate to a Capital Improvements Project?	No
Are there any ordinance or general statute requirements for public notification?	No
(Note: If so, cite the ordinance or general statute language within the Executive Summary section above.)	
Does the item require a Public Hearing?	No
Will there be a public forum session held on the subject to gather input?	No
Public Information Plan	Select
“Get Noticed” - five or more YES answers	<input type="checkbox"/>
“Legal Ease” - three or four YES answers	<input type="checkbox"/>
“Standard Issue” - two or less YES answers	<input checked="" type="checkbox"/>

Town Council Approved Minutes:

(Staff Member/Action Officer Insert Minutes here after Council Adoption)