

05-26-2021 Town Council Meeting Responses to Council Questions

ITEM #8: Continue the Public Hearing: Application for Conditional Zoning - Aura Development, 1000 Martin Luther King Jr. Blvd.

Council Question:

Re. CDC review, what does the CDC already have approval over in terms of building elevations and site lighting plans and what is being added (if anything)?

Staff Response:

The stipulation is clarifying the extent of the CDC purvey. The stipulation states the Community Design Commission shall review and approve the building elevations of all buildings not built under the single-family/two-family building code. The multi-family buildings as well as the commercial buildings would be subject to the CDC's review.

Council Question:

The report states: "A signal at Somerset Drive and Estes Drive intersection would need more justification through a full application of the Manual on Uniform Traffic Control Devices (MUTCD) signal warrants." Given this, does Council have the authority to link the signalization of Somerset with approval of Aura? What could that look like?

Staff Response:

Based on the town-wide traffic analysis, traffic signal at Estes Drive and Somerset Drive may be warranted. The proposed signal would function at acceptable levels of service. The traffic signal may meet the warrants subject to NC Department of Transportation as part of a 4- legged intersection in 2024. This scenario would assume remaining currently undeveloped properties are developed. We recommend the Aura applicant provide payment-in-lieu for a traffic signal at the intersection of Estes Drive and Somerset Drive in proportion to projected traffic volume. It would be necessary for the Town to identify remaining funding for the traffic signal.

Council Question:

I appreciate the applicant agreeing to provide space for a future bike share - does that commit the applicant to take active steps to ensure that bike share is part of the development? If not, what language could we add to get there?

Staff Response:

The language in the stipulation currently only requires providing the space for the bike share. There is not a commitment for the applicant to ensure that is part of the development. We will work with the applicant to provide additional information at the Council meeting.

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Council Question:

Where is the new affordable housing plan? Can we please receive it no later COB Monday to allow time for review?

Applicant Response:

See the Attached "ACH Affordable Housing Scenarios". We would like the Council to consider the merits of the new proposals and the original proposal, and determine which would best meet the goals of the Town.

Council Question:

Will the applicant agree to reduced HOA fees for the affordable units?

Applicant Response:

We have not explored this option yet.

Council Question:

Given some concerns expressed by residents downhill from the property in question, can staff on Wednesday address/talk about the stormwater impacts and mitigation being proposed with the application?

Staff Response:

Town Stormwater staff will be present at the meeting on Wednesday to address stormwater impacts.

Council Question:

Per stipulation #8, what would the trigger/threshold be for applying to DOT for construction of a full traffic signal at Estes and Somerset?

Staff Response:

The triggers/thresholds for a traffic signal at Estes Drive and Somerset Drive would mainly be focused on the peak hour volume period. The traffic warrants would consider pedestrian counts, accident history, and delay times for the side streets (Somerset Drive), and Engineering Judgement. The warrant analysis could be a combination of these triggers. If the traffic signal was approved, the signal would be coordinated with the traffic signal at Martin Luther King Jr. Blvd. and Estes Drive as well as Estes Drive and Caswell Road.

05-26-2021 Town Council Meeting

Responses to Council Questions

Council Question:

A request to eliminate some of the parking around the “Central Park” and expand the green space was made at our last meeting. I do not see an applicant response to this request. Can we have a response prior to the meeting?

Applicant Response:

We feel that the green space is quite spacious and can accommodate multiple programmed events, particularly if some of those events can spill over onto the adjacent wide sidewalks. The point about the parked cars along the park taking away from the feel of the green space is valid. We would propose that rather than those adjacent "parking" spaces being designated long term parking, we would instead limit them to very short term use for ride share, grocery and pharmacy deliveries, FedEx/Amazon/UPS deliveries, and the occasional Food Truck Rodeo parking to help activate the park. This would eliminate 16 surface parking spaces for the overall parking program, but still provide a centralized space for those critical ride share and delivery services to take place.

Council Question:

According to our traffic engineer, there would be benefits to signaling the Estes-Somerset intersection. It has also been suggested that signaling the Estes entry/egress to the Aura would be beneficial. Which of these two would provide the greater benefits? Assuming NCDOT approval for a signal at one of these intersections, would the applicant be willing to pay for such a signal?

Staff Response:

Based on the town-wide traffic analysis, traffic signal at Estes & Somerset have more – it functions at acceptable level of service. It is possible can be warranted subject to NCDOT as 4 leg inter in 2024, seems to be possible to meet warrants. We recommend the Aura applicant provide payment-in-lieu for a traffic signal at the intersection of Estes Drive and Somerset Drive in proportion to projected traffic volume. It would be necessary for the Town to identify remaining funding for the traffic signal.

Applicant Response:

A signalized intersection at the Aura entrance on Estes Drive would also serve the future YMCA expansion. The applicant is willing to pay for a signal at its Estes Drive entrance, should it be allowed by NCDOT and the Town of Chapel Hill, and it is our belief that a signal at this location will provide relief for those entering and exiting Somerset Drive. Should NCDOT prefer the Somerset Drive intersection, Aura developers would offer to pay for their proportional impact to that intersection.

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Responses to Council Questions

Council Question:

The stipulation regarding the planned BRT station is not clear. It calls for the applicant to construct the station and pay \$100,000 toward its costs. Since it is likely that the plans for the BRT will not have been finalized prior to Aura's construction (if approved), should there just be a payment by the applicant and a dedication of the necessary space?

Applicant Response:

The funds are available for design and construction of an enhanced transit stop, whether that is BRT or a standard bus stop. Having integrated site planning and architecture is essential for Aura's transit-supportive design. We look forward to working closely with the Town of Chapel Hill to find a mutually-beneficial arrangement. Perhaps putting the fund in Escrow so it is available when the BRT plans firm up?

Council Question:

As it appears that the new affordable housing plan developed by the applicant will be significantly different from the current one, can we receive it a day or two prior to the meeting so that we can give it the review time that it merits?

Staff Response:

See attached slides provided by the applicant.

Council Question:

Has the town specified dimensions for sidewalks/multiuse paths/planting strips in the proposed BRT plans for MLK? If so, is the Aura developer installing facilities to those standards?

Applicant Response:

Yes. See the attached "MLK Paths from TOCH" exhibit that was provided to us by CH Transit. Our plans match that configuration.

Council Question:

The Estes bike/ped project specifies a general design of 7' planting strip, 5' bike lane, and 10' sidewalk for the north side of Estes east of Somerset.

- a. Why did staff not include specific specs for the Aura/Rummel property frontages in the Estes project design?
- b. Why did the Aura team choose a different street frontage layout--5' planting strip, 6' bike path, 5' sidewalk, per the applicant's written response dated May 20--instead of matching the dimensions east of Somerset?
- c. The road section on page 63 of the packet shows a 2' planting strip, 5' bike path, and 10' sidewalk on the north side of the road at the Estes/MLK intersection. Is this drawing incorrect?

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Responses to Council Questions

Staff Response:

- a. *The Estes Drive Bike-Ped project does not include design for the Aura or Rummel properties because of difficulties with acquiring necessary right-of-way and easements on the required project timeline. Staff comments throughout the Aura review process have instructed the applicant to coordinate with the staff working on the Estes Drive Bike-Ped Improvements for consistency in design.*
- b. *The Aura frontage should match the typical cross section for the rest of the corridor – 10' multiuse path, 5' bike lane, 7' planting strip.*
- c. *The road section on page 63 was initially created for a Town resident with questions about lane numbers and widths at the intersection of MLK/Estes. Staff focused on providing accurate dimensions for the transportation facilities (vehicular lanes, bike-ped facilities) and not on the planting strips or building setbacks/heights. We apologize for the confusion.*

Applicant Response:

The town's design criteria for the ped/bike facilities on Estes end at Somerset Drive. In order to provide a legible environment at the corner, the dimensions for the Aura frontage on Estes Drive are similar to (although slightly less urban than) the dimensions on MLK Blvd at the corner, to provide a consistent design. The bike/ped dimensions become more suburban along the Estes Drive frontage at the Woodlands to provide a transition to a more suburban condition. This provides a transition from the transit-oriented development at the corner to the adjacent schools and suburban residential developments. Also, we have matched the proposed design on the south side of Estes.

- a. *To our understanding, the NCDOT grant did not include the Aura/Rummer property.*
- b. *We have in fact matched the dimensions of the path/sidewalk/planting strip that are shown on the Town's construction drawings for the portion that they will build on the south side of Estes directly across from the Aura frontage. Please see the attached "Estes South side path plan from TOCH" which shows what the Town is proposing.*
- c. *Aura will provide a minimum 5' verge (planting area) along Estes Drive for the entire length of the Estes Drive frontage. We believe that The Woodlands area is the appropriate location for the transition to a more suburban design.*

Council Question:

The applicant is proposing a substantial investment in BRT stop (\$100,000). What happens to that money if the BRT project ultimately does not receive funding?

Applicant Response:

The funds are available for design and construction of an enhanced transit stop, whether that is

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Responses to Council Questions

BRT or a standard bus stop. Having integrated site planning and architecture is essential for Aura's transit-supportive design. We look forward to working closely with the Town of Chapel Hill to find a mutually-beneficial arrangement. Perhaps putting the fund in Escrow so it is available when the BRT plans firm up?

Council Question:

How far apart are the canopy trees along the Estes frontage?

Applicant Response:

35'.

Council Question: Has staff had a chance to review the new Aura affordable housing proposal? Any sense in asking for more townhomes at higher AMI, say up to 115% AMI? Any thoughts on which mix of apartments makes the most sense based on our waitlist/needs and pipeline?

Staff Response: *Staff received a PowerPoint slide yesterday outlining the latest affordable housing proposal options for the Aura development. After an initial review it appears the applicant is offering roughly 15% of the townhomes for affordable homeownership on-site, in line with the Town's Inclusionary Housing Ordinance. The proposal targets homeownership affordability to 80% AMI homebuyers rather than a mix of 80% AMI and 65% AMI. The Community Home Trust has reviewed the proposal and supports the inclusion of affordable homeownership on-site for households earning less than 80% of the AMI. We anticipate that the Community Home Trust would apply to the Town for funding to subsidize some of these homes, especially to serve households earning 65% of the AMI.*

The applicant presents three options for providing affordable rental units with different unit counts offered for each option based on the targeted affordability levels. 7-10% of the rental units on-site are being offered as affordable. Staff believes the proposals, especially Options 2 and 3, address the Council's interests of providing affordable rental units targeted at low-income households (<65% AMI). We believe that providing a mix of one- and two-bedroom units in the same proportion as market-rate units is reasonable. We have not discussed the reduction of affordable units with the applicant (previously 47 units). Based on previous conversations with the applicant and what they have said at public meetings, providing affordable homeownership units on this site has been a financial challenge for them and that may be the rationale for less units.

The revised proposal is consistent with the Housing Advisory Board's recommendation that the Council approve the project under the condition they provide affordable homeownership opportunities on site. The Board's recommendation also included that they are open to the concession of fewer total affordable units in the project, if needed to accommodate affordable homeownership units in the project. The Board's recommendation is attached for reference. The Council also received a letter of provisional support for this latest proposal from the Orange County Affordable Housing Coalition.

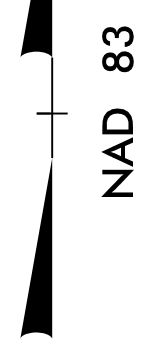
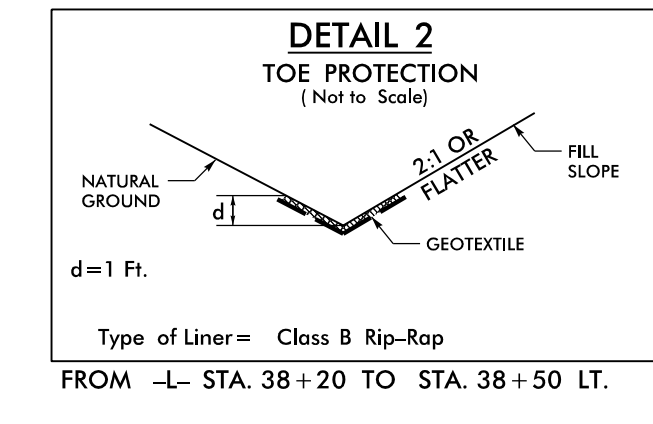
Our understanding is the applicant is offering the units to be affordable for 30 years. If the project is approved, to enforce this and all other affordability provisions, the Town would enter into an Affordable Housing Performance Agreement. This agreement would include monitoring and enforcement mechanisms to ensure the applicant is complying with the affordable housing requirements approved by the Council.

AFFORDABLE HOUSING – ALL ON-SITE

Allocation of AMI units (80% / 65%)	Option 1 50/50	Option 2 30/70	Option 3 0/100
Affordable Rentals	33 units (10%)	29 units (8.7%)	23 units (6.8%)
80% AMI	16 units	9 units	0 units
65% AMI	17 units	20 units	23 units
Affordable Townhouses	7 units	7 units	7 units
TOTAL AFFORDABLE	40 UNITS	36 UNITS	30 UNITS

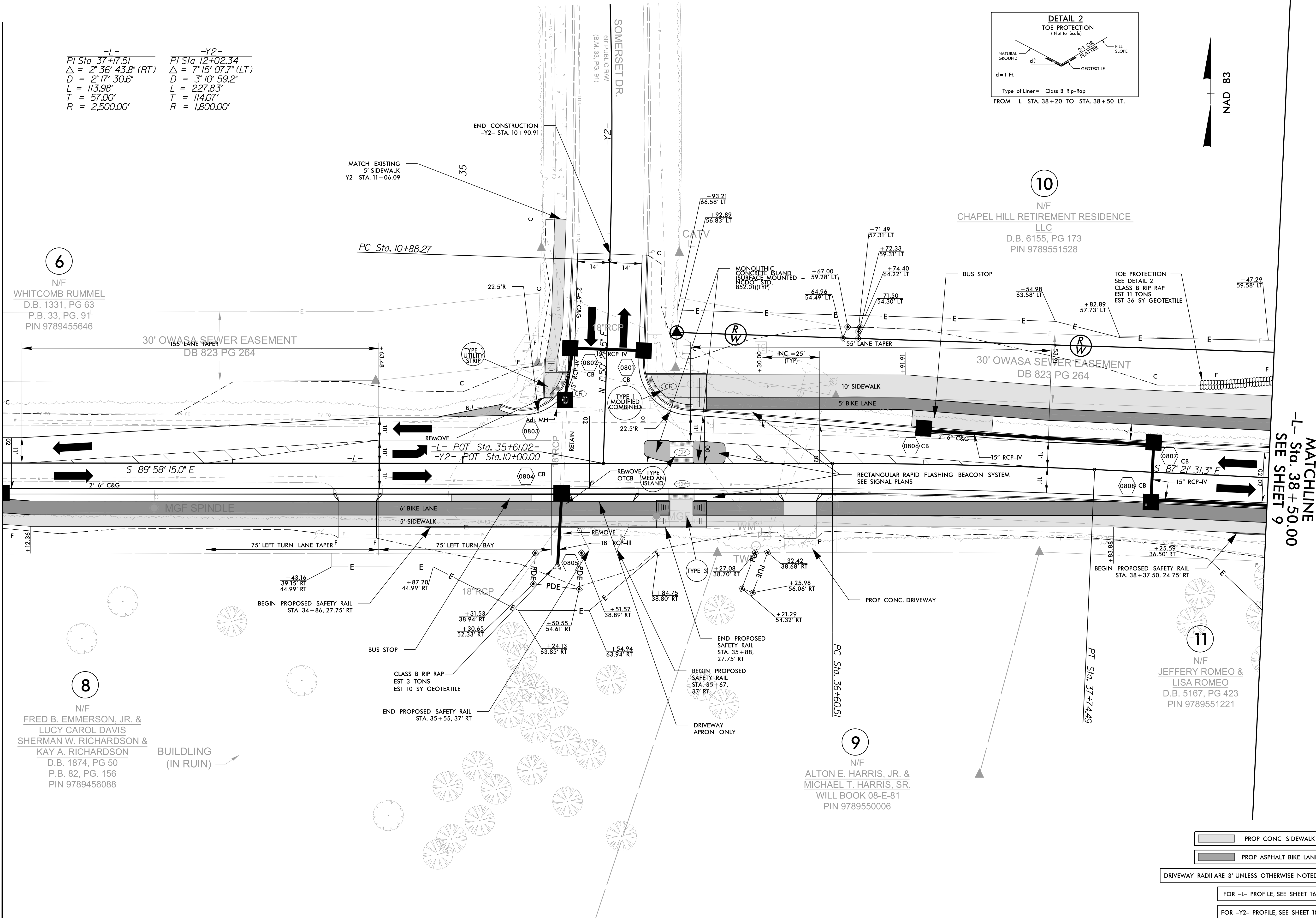
- 3 BR Townhouses will be affordable to homebuyers at 80% AMI
- Rentals will be 1 BR & 2 BR units, in same proportion as market-rate units

-L- -Y2-
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 $T = 57.00'$ $T = 114.07'$
 $R = 2,500.00'$ $R = 1,800.00'$



MATCHLINE
 -L- Sta. 33+00.00
 SEE SHEET 7

MATCHLINE
 -L- Sta. 38+50.00
 SEE SHEET 9



6
 N/F
 WHITCOMB RUMMEL
 D.B. 1331, PG 63
 P.B. 33, PG. 91
 PIN 9789455646

10
 N/F
 CHAPEL HILL RETIREMENT RESIDENCE
 LLC
 D.B. 6155, PG 173
 PIN 9789551528

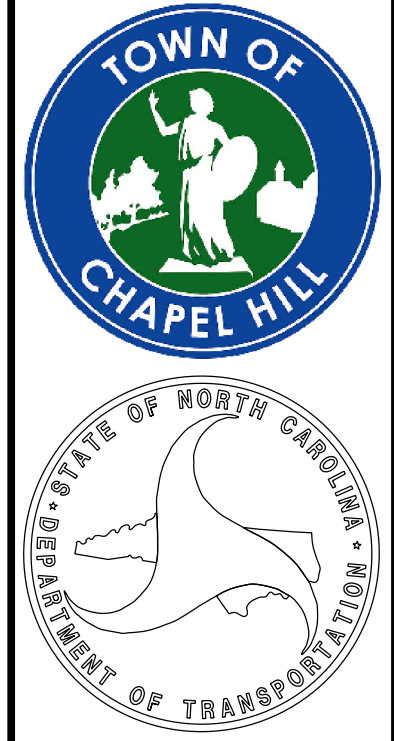
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 N/F
 FRED B. EMMERSON, JR. &
 LUCY CAROL DAVIS
 SHERMAN W. RICHARDSON &
 KAY A. RICHARDSON
 D.B. 1874, PG 50
 P.B. 82, PG. 156
 PIN 9789456088

9
 N/F
 ALTON E. HARRIS, JR. &
 MICHAEL T. HARRIS, SR.
 WILL BOOK 08-E-81
 PIN 9789550006

11
 N/F
 JEFFERY ROMEO &
 LISA ROMEO
 D.B. 5167, PG 423
 PIN 9789551221

- PROP CONC SIDEWALK
- PROP ASPHALT BIKE LANE
- DRIVEWAY RADII ARE 3' UNLESS OTHERWISE NOTED
- FOR -L- PROFILE, SEE SHEET 16
- FOR -Y2- PROFILE, SEE SHEET 18

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED



**C-5179 - ESTES DRIVE
 BICYCLE & PEDESTRIAN
 IMPROVEMENTS**

ROADWAY ENGINEER
 ANDREW P. YOUNG
 SEAL 034407
 3/31/2021

STEWART
 HYDRAULICS ENGINEER
 JOHN M. KAMPRATH
 SEAL 14101
 3/31/2021

vhb
 VHB Engineering NC, P.C. (C-3705)
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606

DATE: MARCH 31, 2021
 REVISIONS:
 NO. DATE

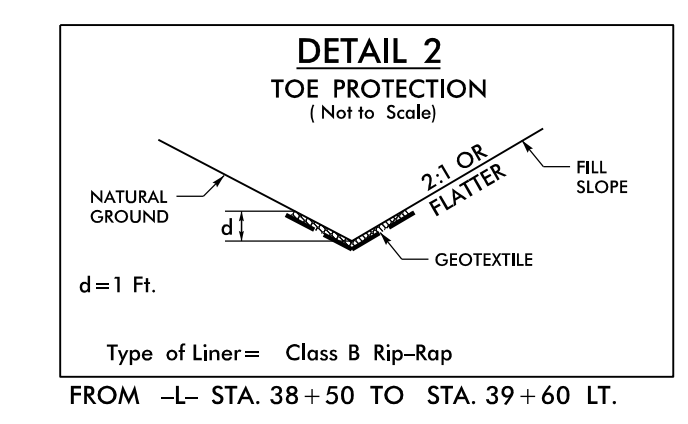
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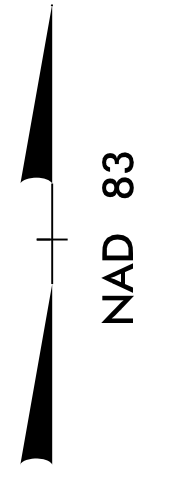
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-L-
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 LLC
 D.B. 6155, PG 173
 PIN 9789551528

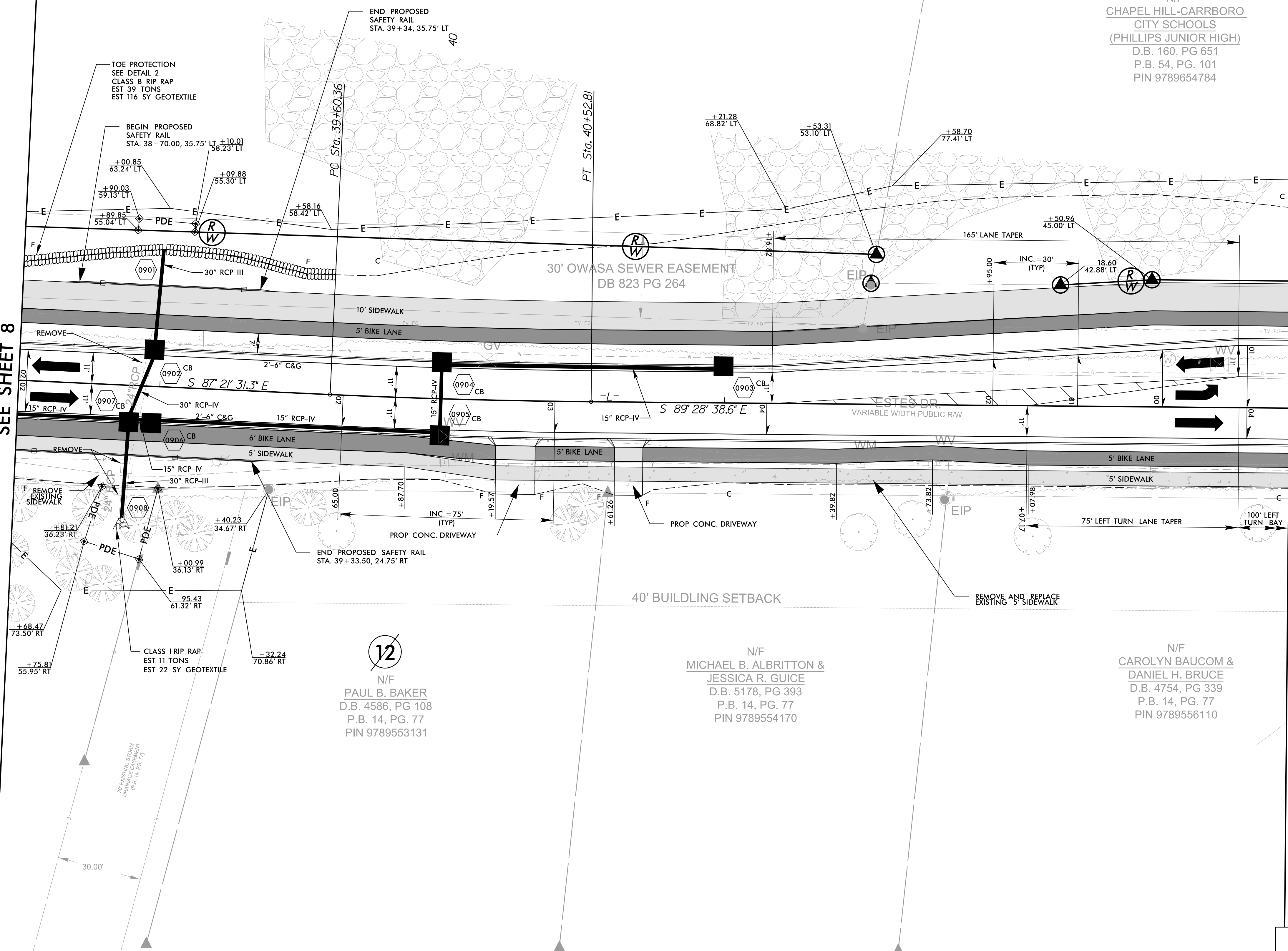


13
 N/F
 CHAPEL HILL-CARRBORO
 CITY SCHOOLS
 (PHILLIPS JUNIOR HIGH)
 D.B. 160, PG 651
 P.B. 54, PG. 101
 PIN 9789654784



MATCHLINE
 -L- Sta. 38+50.00
 SEE SHEET 8

MATCHLINE
 -L- Sta. 43+00.00
 SEE SHEET 10



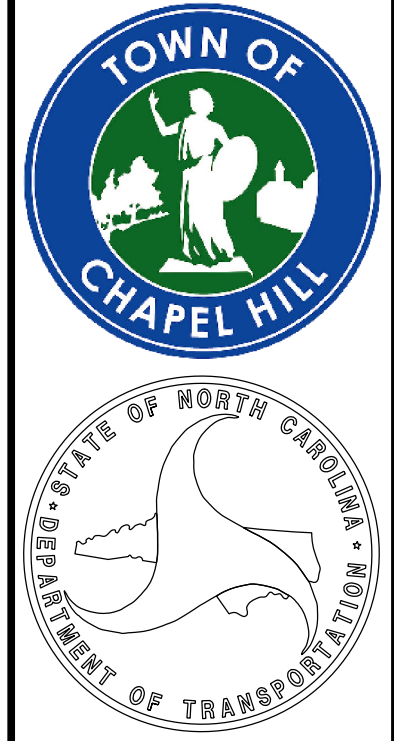
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 N/F
 PAUL B. BAKER
 D.B. 4586, PG 108
 P.B. 14, PG. 77
 PIN 9789553131

N/F
 MICHAEL B. ALBRITTON &
 JESSICA R. GUICE
 D.B. 5178, PG 393
 P.B. 14, PG. 77
 PIN 9789554170

N/F
 CAROLYN BAUCOM &
 DANIEL H. BRUCE
 D.B. 4754, PG 339
 P.B. 14, PG. 77
 PIN 9789556110

- PROP CONC SIDEWALK
- PROP ASPHALT BIKE LANE
- DRIVEWAY RADII ARE 3' UNLESS OTHERWISE NOTED
- FOR -L- PROFILE, SEE SHEET 17

**DOCUMENT NOT CONSIDERED FINAL
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 NORTH CAROLINA
 PROFESSIONAL
 SEAL
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 JOHN M. KAMPRATH
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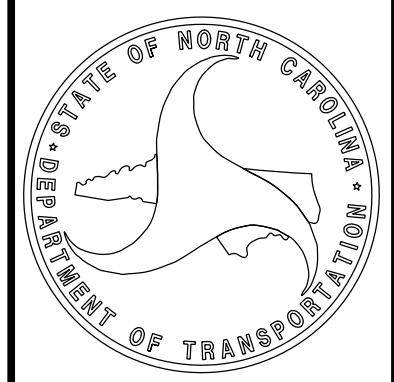
REVISIONS:

NO.	DATE

PROJECT NO.:
A15005.00

SCALE: 1"=20'

9



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ROADWAY ENGINEER

 Andrew P. Young
 3/31/2021

STEWART

 JOHN M. KAMPFRATH
 3/31/2021

HYDRAULICS ENGINEER

 JOHN M. KAMPFRATH
 3/31/2021

vhb
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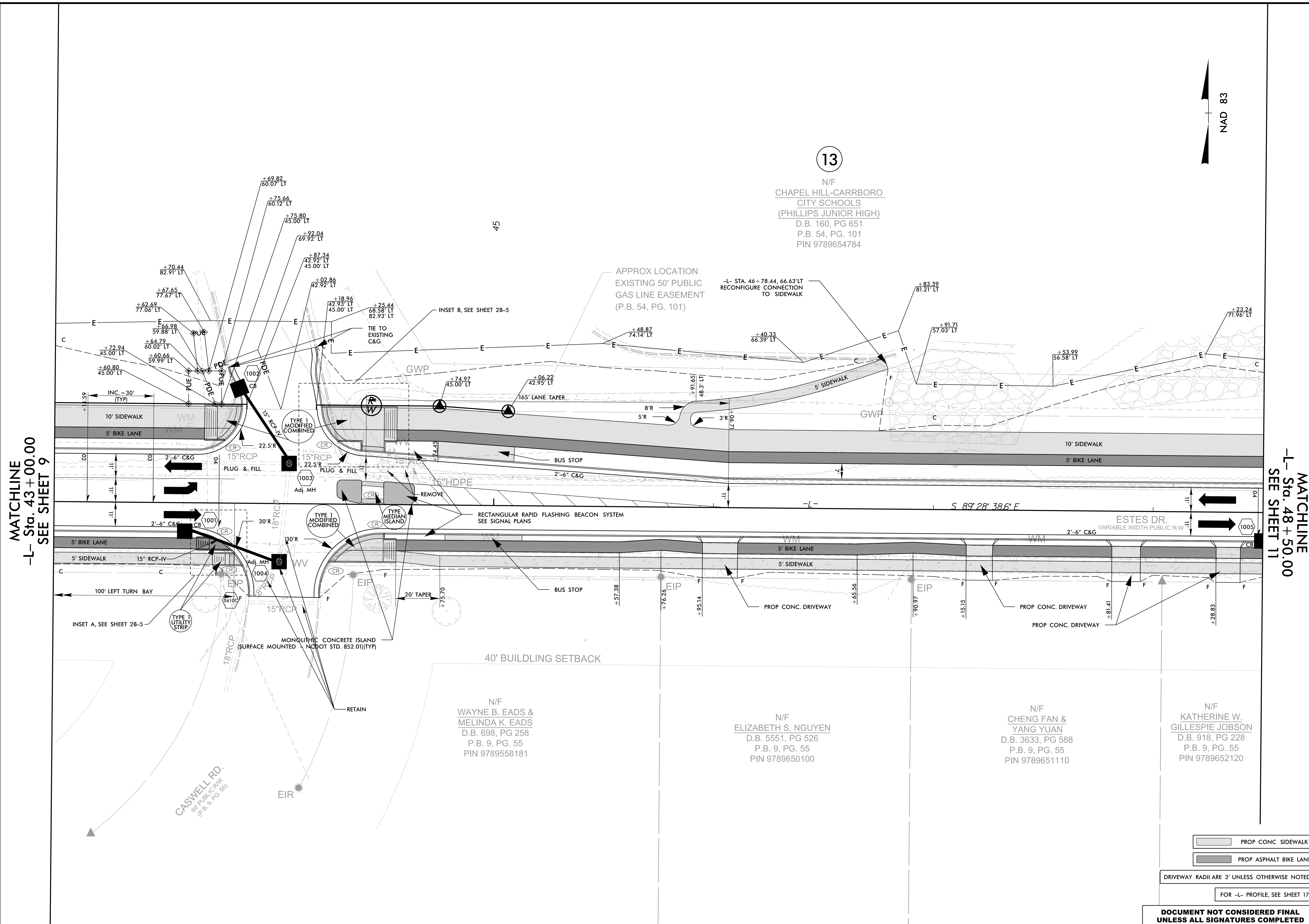
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10

NAD 83

13

N/F
 CHAPEL HILL-CARRBORO
 CITY SCHOOLS
 (PHILLIPS JUNIOR HIGH)
 D.B. 160, PG 651
 P.B. 54, PG. 101
 PIN 9789654784



MATCHLINE
 -L- Sta. 43+00.00
 SEE SHEET 9

MATCHLINE
 -L- Sta. 48+50.00
 SEE SHEET 11

- PROP CONC SIDEWALK
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- FOR -L- PROFILE, SEE SHEET 17

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N/F
 WAYNE B. EADS &
 MELINDA K. EADS
 D.B. 698, PG 228
 P.B. 9, PG. 55
 PIN 9789558181

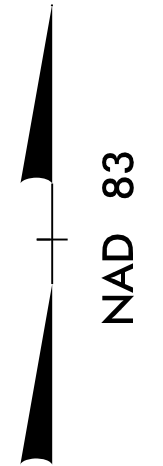
N/F
 ELIZABETH S. NGUYEN
 D.B. 5551, PG 526
 P.B. 9, PG. 55
 PIN 9789650100

N/F
 CHENG FAN &
 YANG YUAN
 D.B. 3633, PG 588
 P.B. 9, PG. 55
 PIN 9789651110

N/F
 KATHERINE W.
 GILLESPIE JOBSON
 D.B. 918, PG 228
 P.B. 9, PG. 55
 PIN 9789652120

-L-
 PI Sta 56+15.42
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 $R = 500.00'$

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 APPROVED NOVEMBER 20, 2019.

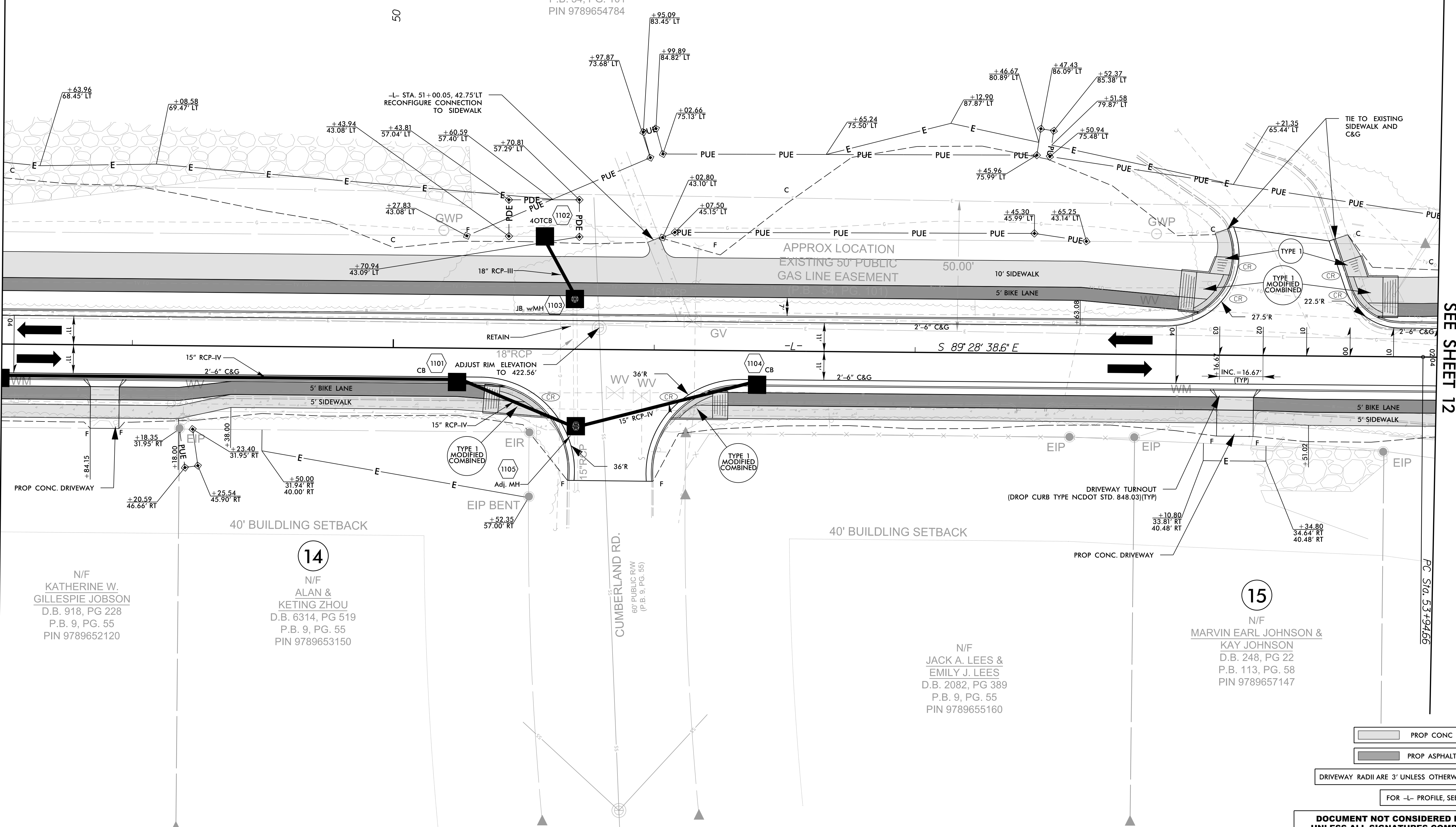


13

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 PIN 9789654784

MATCHLINE
 -L- Sta. 48 + 50.00
 SEE SHEET 10

MATCHLINE
 -L- Sta. 54 + 00.00
 SEE SHEET 12



14

N/F
 KATHERINE W.
 GILLESPIE JOBSON
 D.B. 918, PG 228
 P.B. 9, PG. 55
 PIN 9789652120

N/F
 ALAN &
 KETING ZHOU
 D.B. 6314, PG 519
 P.B. 9, PG. 55
 PIN 9789653150

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 (P.B. 9, PG. 55)

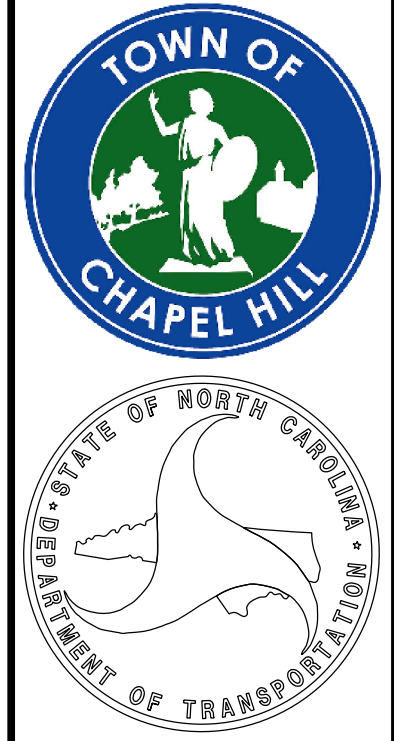
N/F
 JACK A. LEES &
 EMILY J. LEES
 D.B. 2082, PG 389
 P.B. 9, PG. 55
 PIN 9789655160

15

N/F
 MARVIN EARL JOHNSON &
 KAY JOHNSON
 D.B. 248, PG 22
 P.B. 113, PG. 58
 PIN 9789657147

- PROP CONC SIDEWALK
- PROP ASPHALT BIKE LANE
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 3/31/2021

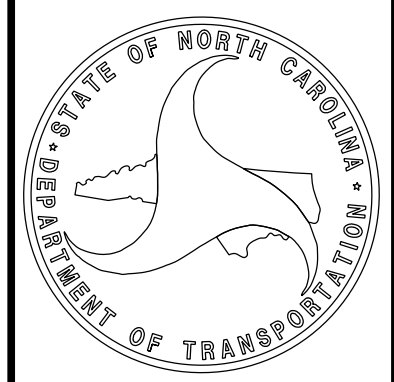
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SCALE: 1"=20'

11



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 3/31/2021

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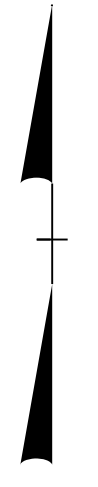
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PROJECT NO.: **A15005.00**

SCALE: 1"=20'

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NAD 83



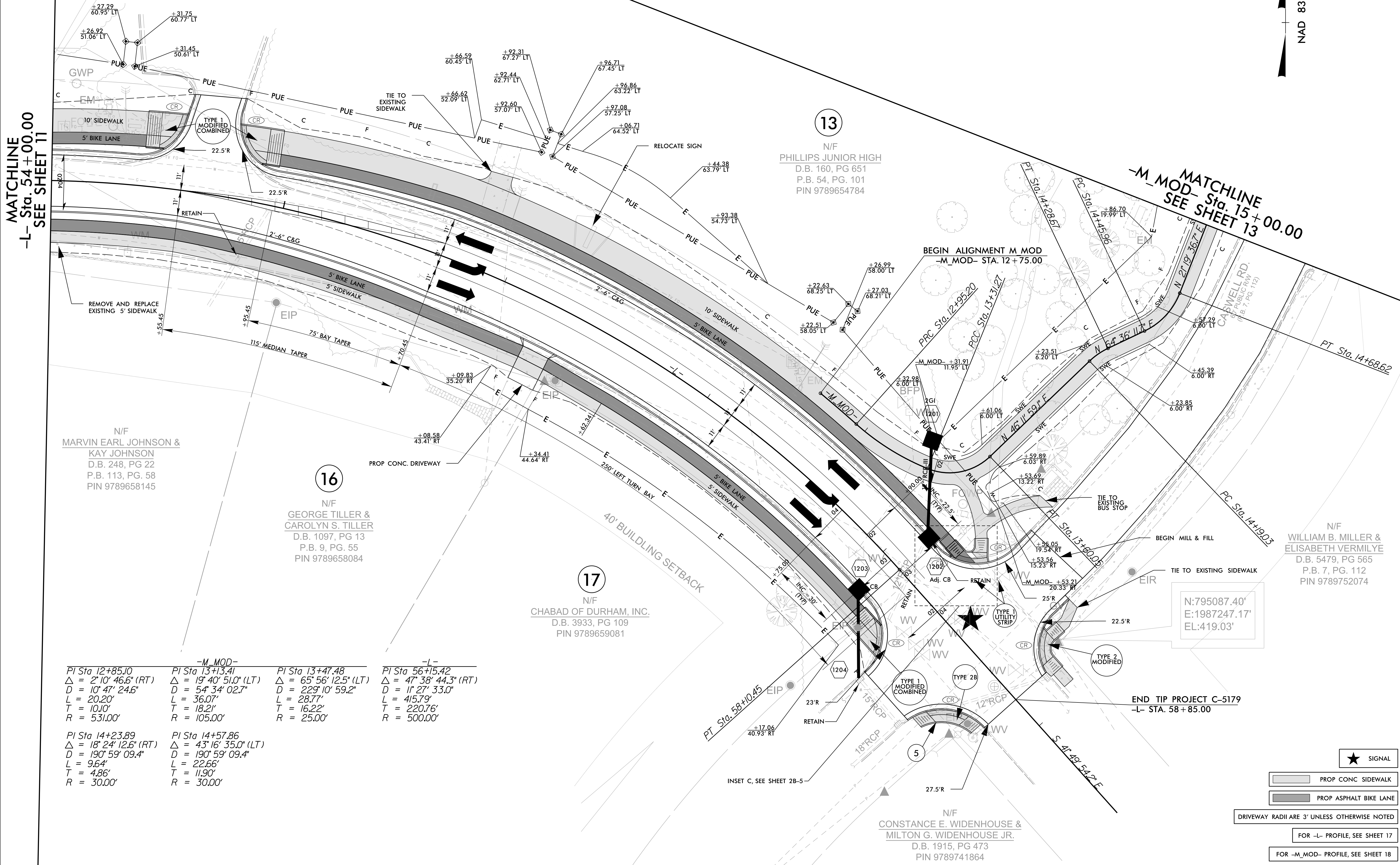
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 SEE SHEET 11

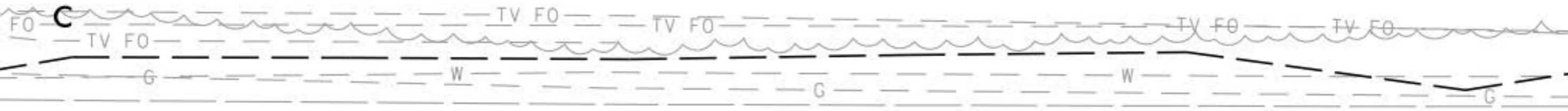
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 SEE SHEET 13

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$\Delta = 2' 10" 46.6" (RT)$	$\Delta = 19' 40" 51.0" (LT)$	$\Delta = 65' 56" 12.5" (LT)$	$\Delta = 47' 38" 44.3" (RT)$
$D = 10' 47" 24.6"$	$D = 54' 34" 02.7"$	$D = 229' 10" 59.2"$	$D = 1' 27" 33.0"$
$L = 20.20'$	$L = 36.07'$	$L = 28.77'$	$L = 415.79'$
$T = 10.10'$	$T = 18.21'$	$T = 16.22'$	$T = 220.76'$
$R = 531.00'$	$R = 105.00'$	$R = 25.00'$	$R = 500.00'$
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$\Delta = 18' 24" 12.6" (RT)$	$\Delta = 43' 16' 35.0" (LT)$		
$D = 190' 59" 09.4"$	$D = 190' 59" 09.4"$		
$L = 9.64'$	$L = 22.66'$		
$T = 4.86'$	$T = 11.90'$		
$R = 30.00'$	$R = 30.00'$		

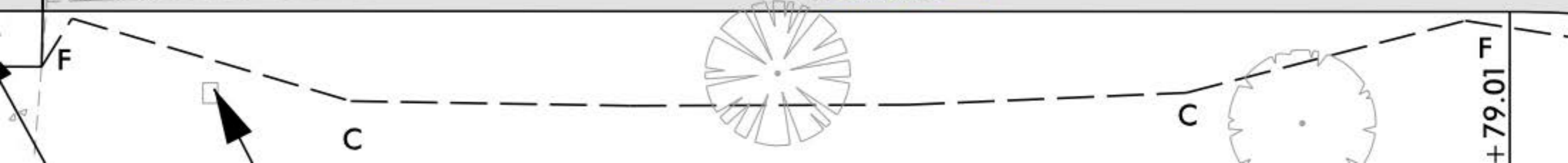
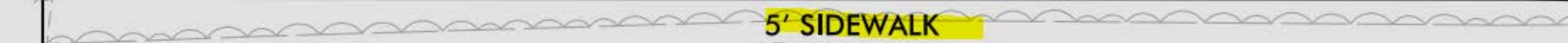
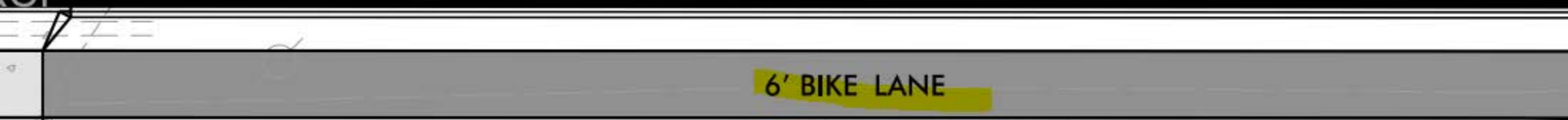
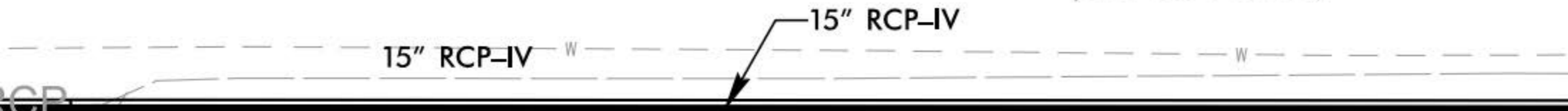


- ★ SIGNAL
- PROP CONC SIDEWALK
- PROP ASPHALT BIKE LANE
- DRIVEWAY RADII ARE 3' UNLESS OTHERWISE NOTED
- FOR -L- PROFILE, SEE SHEET 17
- FOR -M_MOD- PROFILE, SEE SHEET 18

**DOCUMENT NOT CONSIDERED FINAL
 UNLESS ALL SIGNATURES COMPLETED**



ESTES DR.
VARIABLE WIDTH PUBLIC R/W
(P.B. 86, PG. 105)





BUS ONLY

12'

11'
11'
11'

6' BIKE PATH
5' SIDEWALK

PROPOSED

CONSTRUCTION EASEMENT

ESTES DR (NB)