

NOTICE

The Carrboro Board of Aldermen will be holding a special meeting on Monday, August 29, 1994 at **7:00** p.m. in the Town Hall Board Room for the purpose of considering the following matters:

1. A request from Orange-Chatham Comprehensive Health Services to bond incomplete site work and a minor modification to delete Condition #8 of their conditional use permit; and
2. A request to amend Condition #13 of the Hogan Farms Conditional Use Permit.

Sarah C. Williamson
Town Clerk
August 26, 1994

Please note that the meeting will be at 7:00 p.m.

BOARD OF ALDERMEN

ITEM NO. 1

AGENDA ITEM ABSTRACT

MEETING DATE: August 29, 1994

SUBJECT: Orange Chatham Comprehensive Health Services--Bonding of Incomplete Site Work Items and Request For A Minor Modification To Delete CUP Condition 8

DEPARTMENT: PLANNING	PUBLIC HEARING: YES ☐ NO ☒	
ATTACHMENTS: Conditional Use Permit Excerpts From The Transportation Advisory Board's 08/06/92 Minutes Site Plan Letter Requesting Minor Modification Itemization of Bonding Items	FOR INFORMATION CONTACT: Keith Lankford--968-7712	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) Purpose	(X) Action Requested	(X) Analysis
(X) Summary	(X) Recommendation	

PURPOSE

On September 1, 1992, the Board of Aldermen granted the Orange Chatham Comprehensive Health Services (OCCHS) a Conditional Use Permit (CUP) to construct a comprehensive health services center. As of Thursday afternoon, August 25, 1994 several of the site improvements have not been completed. OCCHS is requesting that they be allowed to bond for incomplete site work so that they may receive their certificate of occupancy (CO) prior to all of the site work being completed. Only the Board of Aldermen may allow a non-residential project to bond for incomplete site work and to occupy a structure, or begin the intended use, prior to the completion of the site work as per section 15-60 (a) of the Land Use Ordinance. The Administration is recommending that the Board of Aldermen allow OCCHS to bond for the incomplete site work noted on the attached listing.

OCCHS is also requesting that the Board of Aldermen grant them a minor modification to the CUP to remove condition 8 which states "That a curb cut/handicapped ramp be included at the south end of the sidewalk onto the roadway to provide access.". This condition arose from a recommendation from the Transportation Advisory Board (TAB). The Administration is recommending that the Board of Aldermen deny this minor modification to delete condition 8 from the CUP.

SUMMARY

OCCHS is requesting that the Board of Aldermen allow them to bond for incomplete site work as noted on the attached list. The OCCHS site will not be in compliance with its CUP if these items are not complete when they request a certificate of occupancy (CO). The staff will not be able to issue a CO unless the Board of Aldermen authorizes the bonding of the incomplete site work, nor allow the occupancy of the

structures (if the site work has not been completed) unless authorized to do so by the Board of Aldermen. The Administration is recommending that the Board of Aldermen allow OCCHS to bond for the incomplete site work items noted on the attached list.

OCCHS is also requesting that the Board of Aldermen grant them a minor modification to the CUP to remove condition 8 which states "That a curb cut/handicapped ramp be included at the south end of the sidewalk onto the roadway to provide access.". This condition arose from a recommendation from the Transportation Advisory Board (TAB). The TAB realized that directing pedestrian traffic into the roadway was not an ideal solution, but felt that this was the best possible solution given the property limitations of the site, and that it was better to get the pedestrian traffic out of the travel lane for as great of a distance as possible, than to do nothing at all. The Administration is recommending that the Board of Aldermen deny this minor modification to delete condition 8 from the CUP.

ANALYSIS

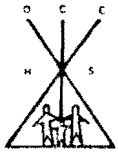
OCCHS is requesting that they be allowed to bond for incomplete site work, as noted on the attached list, so that they may receive a CO. Section 15-60(a) of the Land Use Ordinance authorizes only the Board of Aldermen to allow bonding of incomplete items at a non-residential site which have not been completed due to bad weather or other such conditions which are beyond the control of the CUP recipient. The Administration is recommending that the Board of Aldermen allow OCCHS for the incomplete site work until December 1, 1994.

OCCHS is also requesting that the Board of Aldermen grant them a minor modification to the CUP to remove condition 8 which states "That a curb cut/handicapped ramp be included at the south end of the sidewalk onto the roadway to provide access.". This condition arose from a recommendation from the Transportation Advisory Board (TAB). The TAB realized that only a portion of this project's parent tract was going to be developed at this time and that this would result in a gap of 200 to 250 feet in the sidewalk improvements which were being proposed for this project and the nearest existing sidewalk facilities. The TAB felt that the town could not require the developer to make additional sidewalk improvements on the adjacent property to fill this gap.

The TAB had an extended discussion of how to address this sidewalk gap, before deciding that the only option was to have the developer to install a handicapped ramp which lead to the adjacent roadway. The TAB realized that directing pedestrian traffic into the roadway was not an ideal solution, but felt that this was the best possible solution given the property limitations of the site, and that it was better to get the pedestrian traffic out of the travel lane for as great of a distance as possible (i.e.--the length of this project's property), than to do nothing at all. This solution was to be only a temporary measure until the remainder of the parent tract was developed, at which time the sidewalk gap was to be filled. Please see the attached excerpts from the TAB's August 6, 1992 minutes. These minutes were approved on October 1, 1992. The Board of Aldermen incorporated this recommendation into the CUP as condition 8 (see attached CUP). The Administration is recommending that the Board of Aldermen deny this minor modification to delete condition 8 from the CUP.

RECOMMENDATION

The Administration is recommending that the Board of Aldermen allow OCCHS to bond for the incomplete site work as noted on the attached listing. The Administration is also recommending that the Board of Aldermen deny the minor modification to allow the deletion of condition 8 of the CUP which requires a handicapped ramp at the south end of the sidewalk.



ORANGE-CHATHAM COMPREHENSIVE HEALTH SERVICES, INC.

P. O. BOX 339, 400 ROBERSON ST.
CARRBORO, NORTH CAROLINA 27510

TELEPHONE:
919-942-8741

August 26, 1994

Mr. Keith Langford
Inspection Department
Town of Carrboro

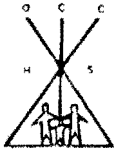
Dear Keith:

Per our meeting with you, Ken Redfoot and Harry Jensen of Hakan and Corley, and myself, Orange-Chatham Comprehensive Health Services, Inc. along with Robert G. Synder Contractors provide assurance to the Town of Carrboro through a bond (\$6,000) and a certified check (\$1,400) totaling \$7,400.00 that the following items will be addressed and appropriately completed:

Planting of Trees	\$4,700
Handicapped Ramp/Curbcut	400
Drainage Issues	800
Dumpster Screen/Storage	1,100
OWASA Walkway	<u>400</u>
Total	\$7,400

Sincerely,

Michael Eyster
Project Manager/Carrboro Construction



ORANGE-CHATHAM COMPREHENSIVE HEALTH SERVICES, INC.

P. O. BOX 339, 400 ROBERSON ST.
CARRBORO, NORTH CAROLINA 27510

TELEPHONE:
919-942-8741

August 26, 1994

Dear Mayor and Aldermen:

The Orange-Chatham Comprehensive Health Services respectfully requests the elimination of the approval process stipulation which requires a handicapped ramp/curbcut be provided at the southern end of the sidewalk on Lloyd Street. We are concerned that merging the sidewalk with Lloyd Street at this particular location would create a safety hazard for pedestrians because it would lead them into the roadway where an inappropriate mixing of pedestrian and vehicular traffic should not occur. Thank you for your consideration of this matter.

Sincerely,

Moses Carey, Jr.
Moses Carey, Jr.,
Executive Director

MICHAEL B. BROUGH & ASSOCIATES

FILE COPY

MEMORANDUM

TO: Mayor and Board of Alderman
FROM: Michael B. Brough
DATE: August 25, 1994
RE: Hogan Farms

As its meeting on August 23rd, the Board approved a modification to condition #13 on the proposed conditional use permit for Hogan Farms. As approved, the modified condition reads:

That the final plat for phase 1 of the development not be granted unless and until the developer has determined whether and to what extent improvements of the dam will be required, and, if a state permit for such improvements is mandated, such permit is obtained from the state."

The Board will recall that, previously, this condition had provided that construction plan approval for phase 1 not be granted until the developer obtain the permit for any necessary improvement work on the dam. The problem with that wording was that it effectively prevented any work from being undertaken on the project until such permit was obtained from the state, and the developer was concerned that that approval process might take several months.

The solution proposed by Roy Williford, after consultation with Brad Young, was to change the condition so that it required that the permit be obtained before construction plan approval for phase 2. When several Board members raised questions about this, we suggested, as an alternative, that the permit could be linked to final plat approval for phase 1. It was our understanding that this would not cause any further delays in the progress of the project. However, on Wednesday following the meeting I was contacted by the attorney for Brad Young, who explained that obtaining the permit from the state might take as much as six months, and the Hogans hope to obtain final plat approval (presumably, by posting a bond for uncompleted improvements) and begin selling lots by December. Thus, the Town has been requested to amend the condition as it was originally presented by Roy Williford to read as follows:

That construction plan approval for phase 2 of the development not be granted unless and until the developer has determined whether and what to extent improvements of the dam will be required and, if a state permit for such improvements is mandated, such permit is obtained from the state.

DUPLICATE
NOT FOR FILE

Board of Alderman
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It is my understanding that the dam is located in phase 2 of the project, and therefore no work on the dam can take place until construction plan for phase 2 is obtained. Furthermore, condition #11 already provides that an application for a permit to repair and reconstruct the dam be made as soon as the CUP is issued, and that the lake not be refilled until it is deemed safe by the responsible state agency. Additionally, I have been informed that work on phase 1 of the project will not add any additional stormwater runoff into the lake, and so there is no danger that work on this phase of the project would put any stress on the dam itself. For these reasons, I would recommend that condition #13 be amended as specified above so that this matter can be finally resolved.