

**TO:** Roy Williford, AICP, Planning Director  
**FROM:** Marty Roupe, Development Review Administrator  
**SUBJECT:** Report on the Compliance of All Active Projects Within Carrboro's Jurisdiction.  
**DATE:** February 18, 2003

## **Proposed Residential Projects**

### **605 West Main Street Mixed Use Building – 605 West Main Street**

*Developer – The Boulevard Company*

*Application Date – 10/09/02*

*Applicable Changes in the LUO since Application – n/a*

*Tax Map # - 7.103.E.7*

*Proposed Square Footage – 26,312 sf*

This is a Special Use Permit (SUP) application for a three-story (3) mixed use building, which would consist of two floors of office space, with seven (7) residential units on the third floor. The property is currently vacant, is zoned B-1(g), and is located adjacent to the S.H. Basnight & Sons building at 601 West Main Street. Plans were distributed for review on October 7, 2002. All comments have been returned to the applicant for the first review of the project. ***Revised plans were submitted on Friday, December 20, 2002 and distributed on Monday, December 30, 2002 (after the Christmas break). All comments have been returned to the applicant. Revised plans have been submitted. Plan review is nearing completion and the project may or may not be taken to the Joint Review Boards in early March. If taken to the Joint Review Boards in early March, the project would proceed to the Board of Adjustment in mid-March.***

***In light of a discussion that took place at the May 21, 2001 Board of Aldermen meeting, staff has explored whether it would be appropriate to raise the permit necessary for this project from a Special Use Permit (SUP) to a Conditional Use Permit (CUP). At the meeting, the Board discussed a possible text amendment that, in part, could have required a CUP for a project on this property. In short, the proposed text amendment did not move forward, and the language currently in the Town's Land Use Ordinance does not allow an SUP project to be raised to the CUP level. Therefore, the project will proceed at the SUP level.***

### **Carrboro Greens – 1236 Hillsborough Road**

*Developer – Construction Resources*

*Application Date – n/a*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.108..5*

*Acres – 8.65 acres*

This will be a Conditional Use Permit project if the applicant moves forward in the manner thus far indicated. An on-site 'walkabout' was conducted on January 7, 2002 with the applicant, members of staff, and some members of advisory boards. Following the walkabout, the applicant submitted a concept plan (on February 18, 2002). Following revisions, the concept plan was approved on April 9, 2002. As presented, the plan includes eighteen lots. The applicant has indicated a desire to develop eight of the lots for townhomes and ten of the lots for single-family dwellings. A formal application has not been received to date. ***No change.***

**The Green Way Subdivision – 110 Old Pittsboro Road***Developer – Sustainable Living, Inc.**Application Date – n/a**Applicable Changes in LUO Since Application – n/a**Tax Map # - 7.99.A.26**Acres – 1.93 acres*

This will be a Special Use Permit project if the applicant moves forward in the manner thus far indicated. An on-site 'walkabout' was conducted on June 20, 2002 with the applicant, members of staff, and one advisory board member. Following the walkabout, the applicant submitted a concept plan for review. Comments have been returned to the applicant. As presented, the plan includes 10 dwelling units, consisting of 9 new units and one existing home to remain. As the review is still in the 'concept plan' stage, no formal application has been received yet. A revised concept plan was submitted on October 24, 2002. Comments have been returned. Additional data regarding site constraints must be submitted before the concept plan will be approved. The applicant requested permission to submit a formal application to include all necessary information. Upon this request, the Zoning Division granted provisional approval of the concept plan and a formal application was received. Plans were distributed on December 3, 2002. The Zoning Division has completed its first review of the plans and comments from other agencies are being returned to the applicant upon receipt. **All comments from the first review have been returned to the applicant. Revised plans have not yet been submitted.**

**Somerset Townhomes, Phase II– 606 North Greensboro Street***Developer – Sunset Townhomes, LLC**Application Date – 6/22/99**Applicable Changes in LUO Since Application – n/a**Tax Map # - 7.97.B.20**Acres – 1.925 acres*

An application was received for a CUP modification to construct eleven (11) additional townhome units on vacant property adjacent to the Somerset townhomes. A "walkabout" was conducted for this site on June 17, 1999. Staff has completed the first full review for the proposed project, which also included the schematic plans using the 4-step approach to subdivision design. All comments have been forwarded to the applicant. The developer approached the Board on 10/12/99 and requested staff to investigate possible changes to the LUO that would allow this proposed townhouse development of 11 units to use a private road that does not meet the required public street standards of the LUO. The Planning Department was not in favor of the modification. As a result, the applicant withdrew the text amendment request. The revised plans were submitted on October 2, 2000 and have been distributed for review. The Zoning Division has completed its review and has forwarded all comments to the applicant. The revised plans were submitted on March 14, 2001 and have been distributed for review. All review comments have been forwarded to the applicant. The revised plans have not been resubmitted to date. **No change.**

**Pacifica Cohousing – 103 Hanna Street***Developer – Carrboro Collaborative Development Association, Inc.**Application Date – May 22, 2002**Applicable Changes in LUO Since Application – n/a**Tax Map # - 7.30..12**Acres – 8.24 acres*

This will be a Conditional Use Permit project if the applicant moves forward in the manner thus far indicated. An on-site 'walkabout' was conducted on March 21, 2002 with the applicant, members of staff, some members of advisory boards, and an adjacent property owner. Following the walkabout, the applicant submitted a concept plan for review. Following revisions, the concept plan was approved on May 17, 2002. As presented, the plan includes 46 dwelling units, consisting of 24 townhome units and 22 condominium units. The property will support 31 dwelling units by density calculation, to which the applicant is proposing to add 15 units via the 'density bonus for affordable housing' provisions of the LUO (Section 15-182.4). The bonus units, as presented, would have to consist of eight affordable units and seven market-rate units. On May 22, 2002, the applicant submitted a Land Use Permit Application and paid the appropriate fee for review of the project.

The applicant appeared before the Board of Aldermen on June 11, 2002 to request 'expedited review' status for the project. At the Board's request, staff prepared a memo outlining the status of the project to date. A representative of the development/property owner appeared before the Board on June 18, 2002, at which time the Board directed staff to review the project in the order it is received. Plans were initially received and

distributed for review on June 24, 2002. All comments have been forwarded to the applicant. The Zoning Division has met with the applicant on multiple occasions at our weekly Development Review Meeting. The applicant also met with OWASA on August 14, 2002 to discuss some alternative ways of handling water and sewer for the project. Revised plans were distributed for review on September 18, 2002. Comments from all reviewing agencies have been forwarded to the applicant for the second review. The Zoning Division has continued to meet with the applicant, most recently at two weekly Development Review Meetings. At this point, the applicant is contemplating possible revisions to the site design as well as one or more possible Land Use Ordinance text amendment requests. Revised plans were submitted and distributed on November 27, 2002. Comments are being forwarded to the applicant upon receipt. Also of note, Orange County Emergency Services noted a conflict with the proposed name of the project; therefore, the project has been renamed 'Pacifica.'

On December 10, 2002, an application for two LUO text amendments related to the project's design were received and are under review. Review of the proposed text amendments will take place concurrent with the continued review of the project plans. The text amendments would have to be presented to and approved by the Board of Aldermen before the project as currently designed would receive staff support for approval.

***Revised plans were distributed on January 28, 2003. The applicant will receive comments upon receipt by the Zoning Division. In addition, the applicant's petition for text amendments will be presented to the Board of Aldermen on March 11, 2003.***

#### **Winmore VMU – 1318 Homestead Road**

*Developer – Phil Szostak*

*Application Date – March 14, 2002*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.109..11B, 11C, 11D and 15*

*Acres – 66.74 acres*

The on-site "walkabout" was held on Thursday, January 4, 2001, with several Advisory Board members. Staff did meet with the developer at Development Review on February 28, 2001 to discuss the possibility of constructing a village on the Homestead Road property. Staff met with Phil Szostak on Monday, June 11, 2001 to review a preliminary drawing of his sketch/conceptual plan. The preliminary drawing looked acceptable and seemed to address all of the main concerns related to the primary and secondary constraints on the site. The formal conceptual plan submittal will be comprehensively reviewed for compliance with Section 15-50 of the LUO. Mr. Szostak submitted the conceptual plans on July 6, 2001. The plans have been reviewed by staff and all comments have been forwarded to the applicant. A new iteration of the preliminary concept plan was submitted on November 1, 2001. Comments have been forwarded to the applicant. The 'Concept Plan' was approved on December 21, 2001, and the applicant now is working on the VMU rezoning application/Master Plan. The VMU rezoning application, Master Plan, and Conditional Use Permit Application and plans were received on March 14, 2002. Plans have been distributed for review and all comments have been returned to the applicant. The public hearing for discussion of the proposed text amendments related to VMUs was held on May 7, 2002. At that time, the Board of Aldermen continued the public hearing until May 28, 2002. On May 28, 2002, the Board concluded the public hearing for the proposed text amendments and approved most of the requested amendments to the LUO. Staff has met with the applicant for the past two weeks at our weekly Development Review Meeting to discuss comments in the review letters. These meetings will continue until all questions from the developer are answered. Weekly meetings are continuing with the applicant. The Board held a public hearing for the voluntary annexation request of the land on which Winmore would be located on September 17, 2002. At that point, the Board requested additional information related to the annexation request. The item was taken back before the Board on September 24, 2002 for discussion of the additional information. On September 24, 2002, the Board approved the request for voluntary annexation. Revised plans were distributed for review on September 24, 2002. Comments are being forwarded to the applicant upon receipt. The Zoning Division has been meeting with the applicant to discuss comments related to the second review of the plans, and the review letter should be completed shortly. All comments for the second review have been returned to the applicant. Revised plans were submitted on November 27, 2002 and distributed on December 2, 2002. ***All comments for the third review have been returned to the applicant. Plan review is nearing completion, but at least one additional round of review will be necessary. Staff is continuing to meet with the applicant and it is our understanding that revised plans will be submitted shortly.***

## **Approved Residential Projects**

### **Andrews Heights Subdivision – 306 West Poplar (@ Raven Lane)**

*Developer – Dickie Andrews/Tom Whisnant*

*Tax Map # - 7.106.C.21*

*Acres – 2.99 acres*

This project is in general compliance with its SUP, and is still currently in its final stage of construction. The final plat has been approved. The information kiosk for public disclosure has been installed on the site. Final inspections of the improvements are underway. The public improvements have not been accepted. Due to the nature of the construction of the units (modular), the performance bond covering the final layer of asphalt on Raven Lane and the sidewalks along West Poplar Avenue has been extended upon the advice of the Streets Superintendent. The trucks delivering the modular units often scar the road surface and drive over the sidewalk area, damaging the final product. The temporary sediment basin has been removed from the site per directions from the Orange County Erosion Control officer. The Street Superintendent and the developer have been inspecting the infrastructure for deficiencies prior to the developer completing the remaining work. **No change.**

Subdivision status as of 2/15/03 – 10 lots approved by SUP, 10 approved by plat, 0 homes under construction, 9 certificates of occupancy issued, 1 vacant lot.

### **Berryhill Subdivision Phases 3 & 4 – Smith Level Road @ Wild Oak Lane**

*Developer – Berryhill Group, LLC*

*Tax Map # - 7.122.A.2*

*Acres – 49.77 acres*

This project is in general compliance with its CUP. Curb, gutter and sidewalks have been installed, and the street is paved through phase 4. Utilities and drainage improvements are generally installed. The streets have been accepted and are currently under the 15-month warranty period. The final plat for phase 4 of the development has been reviewed and approved. **No change.**

Subdivision status as of 2/15/03 – 58 lots approved by CUP, 58 lots approved by plat, 6 homes under construction, 50 certificates of occupancy issued, 2 vacant lots

### **Camden Subdivision – Homestead Road @ Camden Lane**

*Developer – Layton Wheeler*

*Tax Map # - 7.109..10*

*Acres – 16.35 acres*

This project is in general compliance with its CUP. All site work has been completed, and house construction is ongoing. The Town has sent the developer a reminder that the Camden Subdivision streets need to be dedicated to NCDOT. The developer and/or the Homeowner's Association are responsible for the maintenance of the street until it is accepted by NCDOT. We are still waiting for the developer to complete the dedication. The developer has indicated that NCDOT has accepted the streets and that we should be receiving official notification from NCDOT. To date, we have not received this notification. On September 30, 2002, staff received a telephone call regarding work taking place at 2000 Camden Place. Upon visiting the site, staff discovered that the developer had encroached into and disturbed land within a stream buffer on the property as well as within a portion of common open space. Staff instructed the developer to immediately cease activity in the area. The developer complied with the request, after stabilizing the disturbed area, and indicated willingness to replant three (3) trees that were removed in the area. Staff has been researching the situation and considering an appropriate fine for the action. Staff has completed a letter regarding the matter of the stream buffer encroachment. Also, staff has discussed the issue of an appropriate fine with the Town Attorney. Staff issued a violation notice (including a civil penalty) for the stream buffer encroachment. The developer now has paid the civil penalty. **No change.**

Subdivision status as of 2/15/03 – 24 lots approved by CUP, 24 lots approved by plat, 1 homes under construction, 23 certificates of occupancy issued, 0 vacant lot.

### **The Cedars Subdivision – Bolin Forest Drive @ North Greensboro Street**

*Developer – Frances Kovens (BBK Associates, LLC)*

*Tax Map # - 7.30..3*

*Acres – 20.22 acres*

This project is in general compliance with its CUP. Construction plans for phase 1 have been approved (34 lots). Curb and gutter are installed and the street is paved in this phase of the development. It is the developer's intention to bond for the completion of the sidewalks and to install them in sections as the houses are issued certificates of occupancy.

Construction plans for phase 2 (15 lots) have been approved and construction has begun. The on-site, pre-construction meeting was held on May 17, 2000. Construction is on-going. The remaining recreational amenities for the subdivision will be constructed during the phase 2 work. The Orange County Erosion Control officer instructed the developer to remove the temporary sediment basins on the project. Erosion control fencing (silt fence) is being used on each lot constructed along Weathervane Drive. Staff, along with Orange County Erosion Control, will continue to monitor the erosion control fence.

The phase 2 final plat was submitted on January 3, 2001 and was approved on February 13, 2001. Concerns regarding the condition of the existing pond were brought to the attention of the Zoning Division at the December 18, 2001 Board of Aldermen meeting. In response, on December 20, 2001, staff requested that Orange County Erosion Control inspect the site to ensure that the pond is being adequately protected against the accumulation of silt and debris during construction. Subsequently, staff met with a representative from Orange County Erosion Control on the site. In a letter submitted to the Zoning Division following our on-site meeting, Orange County Erosion Control stated that the pond is being adequately protected. Staff also contacted the Town Engineer (Sungate Design Group) about the situation. Sungate had stated in a letter to the Zoning Division (dated June 19, 2001), that the applicant must submit an as-built survey to the Town indicating that the pond will detain the 'approved' amount of water in its post-development state. The Zoning Division is now awaiting the submittal of the 'as-built' survey for the pond. Additionally, Orange County Erosion Control assured the Zoning Division that they will keep close tabs on the situation.

An application for an Insignificant Deviation to the CUP was received on Wednesday, February 27, 2002. The request consists of a change in the recreational equipment to be provided within the subdivision. Included with the application was a ballot and tally sheet indicating that everyone living within the subdivision 'approved' of the changes (this was required per the Zoning Division in order to process the request as an Insignificant Deviation). Comments have been returned to the applicant regarding the Insignificant Deviation request. Revised plans and information have not been submitted.

Upon receiving a letter from the Bolin Forest Phase II Homeowner's Association, the Board directed staff to review the minutes and videotapes from the public hearing for the project for any pertinent information regarding the trail along Bolin Forest Drive, which had been deleted from the plans as a part of the exchange of amenities referenced above. Staff reviewed the information and provided the Board with a memo explaining the findings.

At the June 11, 2002 meeting, the Board directed staff to enter into negotiations with the residents of The Cedars in an effort to have a trail installed. Staff sent a letter to the Homeowner's Associations of both The Cedars and Phase II of Bolin Forest. Currently, staff is attempting to schedule a mutually convenient date and time when all involved parties can attend a meeting at Town Hall. Staff received a response letter from the Bolin Forest Phase II Homeowner's Association on July 22, 2002. The letter requests additional information related to the Insignificant Deviation and additional information related to the Planning Board meeting at which the project originally was discussed. A letter in response to the July 22, 2002 letter has been sent. Subsequently, Mr. Bob Ross, President of Bolin Forest Phase II Homeowner's Association came before the Board on August 27, 2002 to request that this matter be discussed as an Agenda Item. The Board directed staff to do so, and also directed staff to continue to try and arrange a meeting between the Homeowner's Associations to try and resolve the matter amongst the interested parties. Staff currently is trying to arrange the meeting. Town staff met with representatives of The Cedars on Wednesday, October 9, 2002, representatives of Bolin Forest Phases I and II Homeowner's Associations on Thursday, October 10, 2002, then again with representatives of The Cedars on Monday, October 14, 2002. On Monday, October 14, 2002, representatives of The Cedars voluntarily agreed to put the trail along Bolin Forest Drive in place. They will do so in accordance with the specifications included on the approved CUP and Construction Plans for the project.

A number of property owners from The Cedars contacted staff to express that they did not feel adequate consultation had taken place before a decision was reached regarding the matter of whether a trail should be constructed. The Town Manager met with representatives of both the Bolin Forest Subdivision Homeowner's Association and The Cedars Subdivision Homeowner's Association on Tuesday, November 5, 2002 in an attempt

to resolve the matter. Currently, staff is working toward final resolution of the matter with representatives of the homeowner's association and with the developer. ***A tentative agreement/resolution concerning the trail has been reached amongst the Bolin Forest Homeowner's Association representatives, the Cedars Homeowner's Association representatives, the developers of The Cedars subdivision, and Town staff. Currently, staff is awaiting the arrival of a cost estimate from the Town Engineer related to a possible sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive.***

Subdivision status as of 2/15/03 – 49 lots approved by CUP, 49 lots approved by plat, 6 homes under construction, 40 certificates of occupancy issued, 3 vacant lots.

#### **Chan Mixed Use Development – 113 Merritt Mill Road**

*Developer – Frances Chan*

*Tax Map # - 7.92.B.1*

*Acres – 0.28 acres*

This is a conditional use permit project consisting of a mix of offices (2 spaces) and SRO residential units (19 units) on the former Mason Motel site. The Board of Aldermen approved the Conditional Use Permit on May 7, 2002. Construction plans have not been submitted. Construction plans for the project were submitted on December 16, 2002. On Tuesday, December 17, 2002, the applicant appeared before the Board of Aldermen to request any assistance possible in reviewing and approving the construction plans and building plans for the project prior to the end of the year because a change to the North Carolina Building Code would require the project to be redesigned if a building permit was not issued before January 1, 2003. Staff indicated that it would not be possible for the construction plans to receive approval under this time frame. Board members deliberated the possibility of issuing a building permit prior to the approval of the construction plans, but ultimately directed staff to proceed according to normal review procedure. Construction plans are currently under review. ***No change.***

Project status as of 2/15/03 – 19 units approved by CUP, 0 units under construction, 0 certificates of occupancy issued.

#### **Club Nova – 103 West Main Street**

*Developer – OPC Foundation*

*Tax Map # - 7.99.B.7*

*Acres – 0.69 acres*

This is a Conditional Use Permit project consisting of an existing thrift shop (Use #2.110) and office building (Use #3.110) (both to remain) and a proposal to construct twenty-four (24) single-room occupancy (SRO) units. An existing eight-unit apartment building on the property will be removed and replaced by the proposed SRO units. The project was presented to the Board of Aldermen on April 9, 2002, at which time a Conditional Use Permit was issued for the project. Construction plans have not been submitted. ***The permit recipient contacted Town staff on Tuesday, February 4, 2003 regarding changes that are necessary to the site design. It was also disclosed that a building permit needs to be issued prior to April 1, 2003 in order to comply with the requirements of one or more funding sources for the project. Staff indicated that a Minor Modification likely would be necessary in order to approve the changes to the site's design. Staff also requested that the construction plans be submitted as soon as possible in order to foster the possibility that a building permit could be issued prior to April 1, 2003. Staff indicated that it will be very difficult to accomplish the goal of issuing a building permit by April 1, 2003, if reviewing agencies have any significant comments related to the construction plans. Staff will attempt to coordinate review of the Minor Modification and present the changes to the Board of Aldermen with the aforementioned timeline in mind. The permit recipient approached the Board of Aldermen at the February 11, 2003 meeting to ask for any possible assistance in accomplishing the aforementioned goal. After some discussion, Mayor Mike Nelson indicated that he would write a letter to reviewing agencies concerning the matter once construction plans had been submitted. Construction plans have not been received to date.***

Project status as of 2/15/03 – 24 units approved by CUP, 0 units under construction, 0 certificates of occupancy issued.

#### **Cole/Guthrie Property – 1430 Smith Level Road**

*Developer – n/a*

*Application Date – n/a*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.120..12*

*Acres – 102.96 acres*

As previously mentioned, ten new lots were created from this tract of land via the 'exempt subdivision' process. Each lot exceeds ten acres, and no street right-of-way dedication was involved; therefore, the subdivision was exempt from the town's regulations pursuant to state law. The project is presently in its initial stage of development. The road has been cut through the property and is currently rough graded. This project is included due to its size (approximately 102 acres), even though it is exempt. No building permit applications have been submitted to date. **No change.**

Subdivision status as of 2/15/03 – 10 lots approved by plat, 0 homes under construction, 0 certificates of occupancy issued, 9 vacant lots (one existing house on the 10<sup>th</sup> lot).

#### **Highlands North Subdivision – Tallyho Trail @ Rogers Road**

*Developer – D. Keith Godwin*

*Tax Map # - 7.23.C.25*

*Acres – 9.871 acres*

This project is in general compliance with its CUP. Site improvements are complete, and home construction is underway. Several items must be corrected/completed as a result of a recent site inspection of the development by Public Works and Sungate Design Group. To date, these items have not been resolved. The Town has sent the developer a reminder that the Highlands North Subdivision streets need to be dedicated to NCDOT. The developer and/or the Homeowner's Association are responsible for the maintenance of the street until it is accepted by NCDOT. We are still waiting for the developer to complete the dedication to NCDOT. The developer has informed the Zoning Division that he is working with NCDOT to dedicate the streets. Some minor repairs are necessary before NCDOT can accept the streets. Staff has consistently attempted to try and get in touch with the developer. All of our mail is returned with no forwarding address. The situation with the expired bond is as follows: Staff generally holds a performance bond for the improvements until they are installed and then the warranty bond would cover the minor repairs and deficiencies that remain. In this case, since the street is to be an NCDOT street, the Town did not require a warranty bond to be posted (since they are not Town streets, we could not require such a posting). The general requirements necessary to have the performance bond released (i.e., having all of the improvements installed) was completed. The remaining work is primarily 'warranty work' (i.e., corrections to previously installed facilities). We will assist the Highlands North Homeowner's Association any way that we can in getting NCDOT to accept the streets. We are still unable to find the developer, however. Staff currently is drafting a letter to NCDOT requesting that a 'punch-list' be created to determine exactly what items must be corrected before NCDOT will accept the streets. A resident of the subdivision informed staff that he is working toward completion of all necessary items so that NCDOT will accept the streets. Staff is assisting the resident in his efforts to complete the necessary items. **No change.**

Subdivision status as of 2/15/03 – 18 lots approved by CUP, 18 lots approved by plat, 0 home under construction, 18 certificates of occupancy issued, 0 vacant lots.

#### **Horne Hollow – Property Located off of Autumn and Rock Garden Drives**

*Developer – Layton Wheeler*

*Tax Map # - 7.108..3*

*Acres – 4.85 acres*

This is a 9-lot subdivision (consisting of five single-family dwellings and four townhome units) for the vacant piece of property located between Wexford, William Woods at Cates Farm and Barrington Hills. This is the project that will provide the connection of Autumn Drive between Williams Woods at Cates Farm and Barrington Hills. The Board of Adjustment issued a Special Use Permit for the project on March 20, 2002. Construction plans were submitted to the Zoning Division on July 17, 2002. All comments have been forwarded to the developer. Revised construction plans were received on October 12, 2002. The Zoning Division's comments have been returned to the applicant. Revised construction plans were received on December 13, 2002. The Zoning Division is satisfied with the condition of the construction plans, but the applicant still has to resolve some minor outstanding issues from other reviewing agencies. All reviewing agencies are now satisfied with the condition of the construction plans. **All necessary tree protection fencing is in place and a preconstruction meeting has been held. The permit recipient has indicated plans to begin construction within the next month.**

Subdivision status as of 2/15/03 – 9 lots approved by SUP, 0 lots approved by plat, 0 homes under construction, 0 certificates of occupancy issued.

**Karen Woods – Western side of Old Highway 86 past Eubanks Road**

*Developer – Verner & Bernhard Joint Venture Limited Partnership*

*Tax Map # - 7.20..16*

*Acres – 89.001 acres*

This project was approved as an exempt subdivision. This type of exempt subdivision requires that all of the lots in the subdivision be ten or more acres in area, and that there is no public road. Therefore, this subdivision was exempt from the town's regulations pursuant to state law. The project is presently in its initial stage of development. The road has been cut through the property and is currently rough graded, and no house construction has commenced. This project is included due to its size (approximately 89 acres), even though it is exempt. **No change.**

Subdivision status as of 2/15/03 – 10 lots approved by plat, 0 homes under construction, 2 certificates of occupancy issued, 8 vacant lots.

**Kent Woodlands Subdivision – Culbreth Road @ Rossburn Way**

*Developer – Cazco, Inc.*

*Tax Map # - 7.122. B. 15E, 15F and 16*

*Acres – 14.015 acres*

This project is in general compliance with its CUP, except that the developer/Homeowners Association (HOA) has erected a fence around the project that violates the Land Use Ordinance. The fence modification was approved by the Board of Aldermen on August 22, 2000. The developer was fined \$1,000 for erecting the fence without prior approval. The fine was paid on September 8, 2000.

Site improvements are generally complete, and home construction is underway. Curb, gutter, sidewalk and pavement have been installed in this development. The streets have been accepted and are under the 15-month warranty period. **No change.**

Subdivision status as of 2/15/03 – 26 lots approved by CUP, 26 lots approved by plat, 1 home under construction, 24 certificates of occupancy issued, 1 vacant lot.

**Lake Hogan Farms Subdivision – Homestead Road @ Lake Hogan Farm Road**

*Developer – Bolin Creek Investments, LLC*

*Tax Map # - 7.109..2, 3, 4, 5, 5A, 6, 6A, 7, 11D and 24*

*Acres – 310 acres*

This project is in general compliance with its CUP. Site improvements are generally complete, and home construction is underway. Curb, gutter, sidewalk and pavement have been installed in this development. However, these improvements have not yet been accepted due to several ongoing issues with the crossing of Bolin Creek.

Construction plans and the final plat for a portion of phase 3 has been approved and recorded. Curb, gutter and pavement are in place for two-thirds of this phase and home construction has commenced. Sidewalks are installed along Shadowridge Place. All site construction has occurred in the remaining (northern) third of phase 3. The final plat for the northern 1/3 has been reviewed and approved by staff. This created fifteen (15) new lots.

Construction plans for part II of the 'Amenities Center' project (tennis courts, a basketball court, and trails) have been submitted and have been reviewed by staff. We forwarded all comments to the applicant. The revised plans (submitted on May 5, 2000) have been reviewed and all comments have been forwarded to the applicant. An on-site pre-construction meeting was held on July 28, 2000. Construction is complete.

The Zoning Division has approved the phase 4 construction plans. This phase is broken into several sub-phases. Construction of the phase 4C improvements is complete. The second full review of the phase 4C final plat has been completed and the plat has been approved. This created fourteen (14) new lots.



The phase 4D final plat has been submitted and staff has distributed the plat to all reviewing agencies. All comments have been forwarded to the applicant. The phase 4D final plat has been approved and has been recorded. This phase adds 23 lots and almost 14 acres of open space.

The phase 5B construction plans (the Estates) have been approved. A pre-construction meeting was held on January 14, 2000 and construction is underway. A final plat has been received and reviewed for this phase. Staff has approved an insignificant deviation that created a 'sub-phase' of 5B. There is now a phase 5B consisting of 26 lots (already approved), and a phase 5C, consisting of 11 lots. This was necessary so that a floodplain issue for the lots surrounding Lake Hogan could be resolved. Both the phase 5B and phase 5C plats have been recorded. The private driveway problem has been resolved and construction is on-going. The phase 5C recording added 11 lots to the total approved by plat. A revised final plat has been submitted for Phase 5C. The revisions include an accurate representation of the floodplain line in these respective phases. Comments have been returned to the applicant regarding the revised final plat.

The third review of the phase 6 construction plans (North Fields Circle area) has been completed. An on-site pre-construction meeting was held on 7/6/2000 and construction is on-going. The phase 6A final plat has been approved. This adds an additional 23 lots to the total approved by plat.

Revised construction plans for Phase 7 (extension of Lake Hogan Farm Road) have been reviewed by staff. Staff has forwarded all comments to the applicant. The revised plans have been reviewed and approved. An on-site pre-construction meeting was held on October 19, 2000. The phase 7 final plat was approved on July 26, 2001. This adds an additional 25 lots to the total approved by plat. A revised final plat has been submitted for Phase 7. The revisions include an accurate representation of the floodplain line in these respective phases. Comments have been returned to the applicant regarding the revised final plat.

The third set of Phase 10 construction plans have been submitted and reviewed by staff. This is the phase that completes a second means of ingress/egress (to Old NC Highway 86). Phase 10 construction plans were conditionally approved (i.e.- the lots, internal roads, and a portion of Hogan Hills Road) on Thursday, March 7, 2002. The remaining sections of Hogan Hills Road will be submitted separately, but approved as a part of Phase 10 of the project. The plans must be reviewed and approved, and the road must be under construction prior to any additional phases being approved. Phase 10 – Hogan Hills Road Construction Plans (for the remaining portion of Phase 10) were submitted on March 22, 2002 and comments have been forwarded to the applicant. Revised plans have not been submitted. Phase 10 – Hogan Hills Road Construction Plans were resubmitted on June 26, 2002. Minor comments from both the Zoning Division and Sungate need to be addressed prior to the approval of the plans. All comments for the Hogan Hills Road portion of Phase 10 have been addressed and a preconstruction meeting was held on November 20, 2002.

On January 15, 2002, the Zoning Division visited the site to inspect the condition of silt fencing along Bolin Creek. In a few areas along the creek, apparent situations were identified wherein the silt fencing did not appear to be functioning properly. Orange County Erosion Control (OCEC) requested that the developer repair the silt fencing at some locations in the development. Also, in reaction to concerns raised about the possible crossing of a creek bed by a contractor's vehicle, the Zoning Division has contacted the developer and requested that they closely monitor the actions of their contractors to ensure that additional incidents do not occur. At the Board's request, staff contacted Orange County Erosion Control to request an update on the status of silt protection fencing in the subdivision. OCEC indicated that the silt protection fencing is now in satisfactory condition and that they would continue to closely monitor the situation.

Construction Plans for Phase 8 & 9 (Townhome phases) also were submitted on June 26, 2002. Comments for Phase 8 & 9 Construction Plans have been returned to the developer. Revised Phase 8 & 9 construction plans were submitted on September 19, 2002, and comments were returned to the applicant on September 23, 2002.

Construction plans for Phase 11 were submitted for review, and comments have been returned to the applicant. Revised Phase 11 construction plans have been reviewed and comments have been returned to the applicant.

Public Works has been in close contact with the developer regarding remaining conditions for acceptance of streets in the earlier phases of the development. The Zoning Division has discussed this matter with the developer. It has been determined that plan review can continue, but no further phases will be approved until such time as the developer makes substantial progress toward preparing the streets for acceptance in the earlier phases of the development. The developer is working diligently toward this requirement. Staff will

update this report as necessary to reflect the status of this situation. Streets within Phases 1 and 2 now have been accepted by the Town. A preconstruction meeting for Phase 11 was held on December 19, 2002.

***Phase 4E and Phase 4F final plats have been submitted and distributed for review. All comments have been forwarded to the applicant. Revised final plats have not been submitted to date.***

Subdivision status as of 2/15/03 – 438 lots approved by CUP, 308 lots approved by plat, 34 homes under construction, 238 certificates of occupancy issued, 36 vacant lots.

**McFall Subdivision – 726 Lacock Street (off Highway 54 West)**

*Developer – Sammy Martin*

*Tax Map # - 7.114..28*

*Acres – 17.51 acres*

This is a three (3) lot subdivision in the watershed district. The Board of Aldermen approved the CUP on August 20, 2002 with conditions. A revised plat and homeowner's association documents were submitted and reviewed. After a few minor revisions, the final plat and homeowner's association documents were approved and recorded. No new building permits have been issued to date. ***No change.***

Subdivision status as of 2/15/03 – 3 lots approved by CUP, 3 lots approved by plat, 0 homes under construction, 1 certificate of occupancy issued.

**Mulberry Street Apartments – 103 Mulberry Street**

*Developer – Hartley Construction*

*Tax Map # - 7.97.C.5*

*Acres – 1.885 acres*

The site of this development is a 1.994 acre lot on the northeast side of Mulberry Street adjacent to the Southern Railroad right-of-way. The developer is proposing 12 units (one 'affordable' and the bonus unit). Ten (10) of the units are proposed to have three (3) bedrooms (one of which will be an accessible unit), and the other two (2) units will have four (4) bedrooms. The project was approved by the Board of Adjustment on November 15, 2000. The construction plans have not been submitted for review. The Special Use Permit would expire on November 15, 2002 if the developer has not completed more than 10% of the project by that time. Because of this, the developer has submitted a request for an 'extension of the date on which the Special Use Permit would otherwise expire,' per Section 15-62 of the LUO. The request will be taken before the permit-issuing authority, the Board of Adjustment in this case, at their August 21, 2002 meeting. The developer has indicated that he has nearly completed the construction plans for the project, and that he will submit them soon. The Board of Adjustment granted the permit extension request on August 21, 2002. ***Construction plans were submitted on January 15, 2003, and comments have been forwarded to the applicant. Revised construction plans have not been submitted to date.***

Project status as of 2/15/03 – 12 units approved by SUP, 0 units under construction, 0 certificates of occupancy issued.

**Ray Road Exempt Subdivision – Ray Road**

*Owners – Lydia T. Ray & Joyce Ray Collins*

*Tax Map # - 7.119..5*

*Acres – 85 acres*

This subdivision, which is zoned WR Watershed Residential, contains 10 (10+ acre) lots. No building permits have been applied for as of this date. ***No change.***

Subdivision status as of 2/15/03 – 10 lots approved by plat, 0 homes under construction, 0 certificates of occupancy issued, 10 vacant lots.

**Roberson Place Subdivision – Roberson Street @ Sweet Bay Place**

*Developer – Spang Development*

*Tax Map # - 7.99.D.19C*

*Acres – 20.151 acres*

This project is in general compliance with its CUP. Curb, gutter and pavement are complete in phases 1, 2 and 3 of this development. All townhome units are now complete and have been issued COs. The gazebo and playground amenities are complete.

The Phase 4 construction plans have been approved and construction is underway. The recreational amenities in phases 2 through 4 are complete. The revised plat has been resubmitted and has been distributed for review. Staff has forwarded all comments to the applicant. The revised final plat was resubmitted on January 23, 2001 and has been reviewed and approved. The public improvements still have not been offered for dedication and acceptance. Several walkthroughs have taken place and minor repair work is underway. **No change.**

Subdivision status as of 2/15/03 – 91 lots approved (including 63 single family dwellings, 28 townhomes, and 30 accessory apartments) by CUP, 91 lots approved by plat, 4 units under construction, 87 certificates of occupancy issued, 0 vacant lots remain.

**Rose's Walk at University Lake – Old Fayetteville Road (formerly listed as 'Morgan Ridge')**

*Developer – Jim Brandewie*

*Tax map # - 7.116..6*

*Acres – 25.16 acres*

This project will consist of 64 townhome units and will include a 'connector road' between existing Old Fayetteville Road and Berryhill Drive. The project went before the Board on November 27, 2001. The public hearing was continued to the December 11, 2001 Board meeting, at which time the Board approved the CUP. Construction plans were submitted to the Zoning Division on July 3, 2002 and have been reviewed. All comments have been returned to the applicant. Revised construction plans were received on October 7, 2002. All comments for the second submittal of construction plans have been returned to the applicant. Revised construction plans were received on December 16, 2002. Comments from the Zoning Division have been returned. Revised plans have not been submitted to date. **No change.**

Subdivision status as of 2/15/03 – 64 lots approved by CUP, 0 lots approved by plat, 0 homes under construction, 0 certificates of occupancy issued.

**Tramore West – Located at Western Terminus of Tramore Drive in Wexford Subdivision**

*Developer – PIKA Developer's, Inc.*

*Tax Map # - 7.109..19A*

*Acres – 4.9 acres*

This subdivision will consist of six (6) lots and will be located at the western terminus of Tramore Drive adjacent to Wexford subdivision. The project was taken before the Board of Adjustment on September 18, 2002. The Board of Adjustment chose to continue the public hearing until October 16, 2002. Because the Town Engineer still was not satisfied with the plans, and at the applicant's request, the October 16, 2002 Board of Adjustment meeting was postponed until November 20, 2002. At the November 21, 2002 meeting, the Board of Adjustment approved the Special Use Permit. Construction plans have not been submitted to date. **No change.**

Subdivision status as of 2/15/03 – 6 lots approved by SUP, 0 lots approved by plat, 0 homes under construction, 0 certificates of occupancy issued, 6 vacant lots.

**Tupelo Ridge II Subdivision – Union Grove Church Road @ Maple Ridge Drive**

*Developer – Union Grove Development*

*Tax Map # - 7.22.4J and 4K*

*Acres – 43.01 acres*

This project is in general compliance its with SUP. Site improvements are complete in this development, and home construction is underway. The Town has contacted the developer and reminded him of the requirement to dedicate the street improvements to NCDOT. Staff is still waiting on the dedication. **No change.**

Subdivision status as of 2/15/03 – 10 lots approved by SUP within Carrboro Planning Jurisdiction, 10 lots approved by plat, 0 home under construction, 7 certificates of occupancy issued, 3 vacant lots.

**Twin Magnolias Condominiums – 107 Jones Ferry Road**

*Developer – Williams Construction Company*

*Tax Map # - 7.99.A.10*

*Acres – 3.55 acres*

This is a Conditional Use Permit project that will consist of twenty-three (23) total dwelling units [one existing single-family dwelling to remain, plus twenty-two (22) two-family dwellings in 11 buildings, two dwelling units per building]. The project will be located on property located between PTA Thrift Shop and Laurel Avenue. Two (2) of the units are 'affordable housing density bonus' units, which must meet the affordability criteria of Section 15-182.4 of the LUO. The project was presented to the Board of Aldermen on October 22, 2002, at which point the hearing was continued to November 12, 2002. At the November 12, 2002 Board of Aldermen meeting, the Board approved the Conditional Use Permit for the project. Construction plans were received on January 8, 2003 and are under review. ***All comments have been forwarded to the applicant and revised construction plans have been received. Comments are being forwarded to the applicant upon receipt. The Zoning Division is now satisfied with the construction plans. Comments from other reviewing agencies must be satisfied before a preconstruction meeting can be held.***

Project status as of 2/15/03 – 23 units approved by CUP, 0 units under construction, 0 certificates of occupancy issued.

**Wexford Subdivision – Homestead Road @ Stratford Drive**

Developer – *Holleman / Hughes*

Tax Map # - *7.108..3 and 7.109..16, 19 and 20*

Acres – *61.80 acres*

This project is in general compliance with its CUP. Staff is working with Public Works to require the developer to complete necessary repairs to the streets in phases 2, 4 and 5 and offer the improvements for dedication. Staff has sent a letter to the developer about this issue. The developer has until the middle of June 2000 to fix all outstanding items and offer the streets for dedication. Construction plans have been approved for phases 5 and 6. Final plats have been issued for phases 1,2,3,4 and 5. All improvements in phase 1, 2, 3 and 4 have been installed and accepted by the Town (phase 2 and 4 were just accepted in mid-June, 2000). Phase 5 has been accepted. Construction has begun on the phase 6 improvements. The phase 6 final plat was submitted in early February 2001. Staff has reviewed and approved the phase 6 plat. Home construction is ongoing. Staff sent a letter on March 25, 2002 to remind the developer of their obligation to construct a bicycle/pedestrian path as a part of Phase 6 (between Colfax Drive and Cobblestone Drive). At the Board's request, staff contacted the developer regarding excessive speeding in Phase 6 of the development. The developer stated that he would contact the builders about the matter, and that he would insist that they slow down. ***No change.***

Subdivision status as of 2/15/03 – 95 lots approved by CUP, 95 lots approved by plat, 7 homes under construction, 81 certificates of occupancy issued, 7 vacant lots.

**Winsome Lane Subdivision – Old Fayetteville Road @ Winsome Lane**

Developer – *Phil Szostak*

Tax Map # *7.108..39C and 40*

Acres – *142.42 acres*

This project is in general compliance with its CUP. Site improvements are complete. Home construction is ongoing. ***No change.***

Subdivision status as of 2/15/03 – 25 lots approved by CUP, 25 lots approved by plat, 0 homes under construction, 21 certificates of occupancy issued, 4 vacant lots.

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## **Proposed Commercial Projects**

**605 West Main Street Mixed Use Building – 605 West Main Street**

Developer – *The Boulevard Company*

Application Date – *10/09/02*

Applicable Changes in the LUO since Application – *n/a*

Tax Map # - *7.103.E.7*

Proposed Square Footage – *26,312 sf*

This is a Special Use Permit (SUP) application for a three-story (3) mixed use building, which would consist of two floors of office space, with seven (7) residential units on the third floor. The property is currently vacant, is

zoned B-1(g), and is located adjacent to the S.H. Basnight & Sons building at 601 West Main Street. Plans were distributed for review on October 7, 2002. All comments have been returned to the applicant for the first review of the project.

***Revised plans were submitted on Friday, December 20, 2002 and distributed on Monday, December 30, 2002 (after the Christmas break). All comments have been returned to the applicant. Revised plans have been submitted. Plan review is nearing completion and the project may or may not be taken to the Joint Review Boards in early March. If taken to the Joint Review Boards in early March, the project would proceed to the Board of Adjustment in mid-March.***

***In light of a discussion that took place at the May 21, 2001 Board of Aldermen meeting, staff has explored whether it would be appropriate to raise the permit necessary for this project from a Special Use Permit (SUP) to a Conditional Use Permit (CUP). At the meeting, the Board discussed a possible text amendment that, in part, could have required a CUP for a project on this property. In short, the proposed text amendment did not move forward, and the language currently in the Town's Land Use Ordinance does not allow an SUP project to be raised to the CUP level. Therefore, the project will proceed at the SUP level.***

#### **Carrboro Methodist Church – 200 Hillsborough Road**

*Developer – Carrboro Methodist Church*

*Application Date – 4/29/98*

*Applicable Changes in the LUO since Application – 15-243, 15-263*

*Tax Map # - 7.103.C.1*

*Proposed Square Footage – 977sf*

The Carrboro Methodist Church has submitted an application to modify their existing SUP to expand the on-site daycare facility. As part of the expansion, a special exception will need to be granted. The special exception is to continue an existing setback nonconformity with a portion of the expansion. Staff has reviewed the plans on three (3) occasions and has forwarded all comments to the applicant each time. The revised plans were resubmitted in early August 2000. Several minor issues remain with the Zoning Division. However, there are still several engineering concerns that need to be resolved before the project can move forward. Please note, it has taken, on average, six to seven (6 to 7) months for the applicant to resubmit the revised plans once staff has reviewed them. Many of the remaining comments are comments that have not been addressed throughout the entire process. Staff met with the minister of the church on 10/25/00 at Development Review. This meeting was held to discuss the outstanding items and to explain/recommend how each item needs to be addressed and/or completed.

On November 12, 2001, staff was notified that the applicant is working with Sungate Design Group and Public Works on drainage and engineering issues related to paving the parking lot on the North side of the Church. Once these issues have been resolved, the plans will be 'approved,' allowing the applicant to pave the existing gravel lot on the North side of the Church. Please note that approval of the 'paving plans' is not related to the proposed modification of the SUP for the expansion of the on-site daycare facility. The 'paving plans' were approved and a pre-construction meeting was held on December 20, 2001. Construction related to the parking lot repaving is on-going. ***No change.***

#### **Carrboro Plaza Veterinary/Office Building – 104 Highway 54**

*Developer – Carrboro Belman SC Limited*

*Application Date – December 11, 2002*

*Applicable Changes in LUO since Application – n/a*

*Tax Map #7.114..31*

*Square Footage – 5,600 sf (new building space)*

The proposed project is being processed as a modification to the existing CUP for Carrboro Plaza. It involves the construction of an additional building at the Carrboro Plaza shopping complex that would be used as veterinary and/or office space. The building is proposed to be located between Food Lion and the State Employees Credit Union. It does not involve any subdivision of the land. An application was filed and plans were submitted and distributed on December 11, 2002. All comments from the first review have been returned to the applicant. Revised plans have not yet been submitted. ***New Item.***

#### **Charles House Adult Day Care – 109 Hillcrest Street**

*Developer – Charles House Association*

*Application Date – December 14, 2001*

*Applicable Changes in LUO Since Application – None*

*Tax Map # - 7.94.A.22*

*Proposed Square Footage – N/A (Change in Use of Existing Building on Property)*

This application was received on December 14, 2001, and consists of a request for renewal of an expired permit (with a few minor changes proposed). A Special Use Permit Modification was granted by the Board of Adjustment on May 21, 1997, which allowed Charles House Adult Day Care (CHADC) to add six beds in an existing, secondary building on the property. The permit expired before CHADC was able to begin conversion of the building; therefore, CHADC must reapply for the Special Use Permit Modification. The additional six (6) beds would give CHADC a total of 24 beds. Additionally, CHADC proposes to add one additional full-time employee. Plans have been distributed and comments have been returned to the applicant. Revised plans have not been submitted. **No change.**

**Franklin Auto – 102 South Merritt Mill Road**

*Developer – John Sale*

*Application Date – January 17, 2003*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.92.I.5*

*Proposed Square Footage – 7,090sf (1,904 sf building space + 5,186 sf vehicle storage area)*

The proposed CUP project is an auto sales lot that would be located near the intersection of Merritt Mill Road and East Main Street, behind Al's Garage. The application generally follows the guidelines and parameters set for such in a text amendment adopted by the Board of Aldermen on June 25, 2002; however, it should be noted that formal review of the application has just begun. The application was filed and plans were submitted on January 17, 2003. Plans have been distributed and comments are being forwarded to the applicant upon receipt. **New Item.**

**Hunt Electric Supply Company – 200 South Merritt Mill Road**

*Developer – Hunt Electric Supply Company*

*Application Date – February 5, 2001*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.92.J11A & 11B*

*Proposed Square Footage – 1,400sf (addition)*

This addition is proposed in the rear of the existing Hunt Electric Supply Company building. The use is a pre-existing non-conforming use (it is located in the R-2 zoning district). As a result, the project must be reviewed and approved by the Board of Adjustment through the SUP process. The expansion is permitted through the 'one-time' expansion provisions under the Non-Conforming Use provision of the LUO. The plans have been reviewed and staff has forwarded the comments to the applicant. **No change.**

**Wilkinson Supply Company – 103 Barnes Street**

*Developer – Andy Wilkinson*

*Application Date – January 16, 2003*

*Applicable Changes in LUO Since Application – n/a*

*Tax Map # - 7.101.B.21*

*Proposed Square Footage – 2,500sf (addition)*

This addition is proposed on the northeast side of the existing building (rear of site) and requires a Zoning Permit per the LUO. The addition amounts to a 35-foot tall one-story building that would be used for storage of products associated with the existing business. Due to the proposed building's height, staff has requested that the applicant hold a Neighborhood Information Meeting, or that the applicant at least formally contact the property owners and tenants within 150-feet of the property to disclose the details of the building plan. In doing so, the applicant must allow the neighbors the opportunity to contact Town Staff if they take issue with the plans for this site. If staff is contacted by one or more neighbors, a decision must be made regarding whether to require a Special Use Permit for the project instead of a Zoning Permit, per Section 15-148 of the LUO. **New Item.**

**Yaggy Property/Town of Carrboro Municipal Parking Lot – 200 East Main Street**

*Developer – Duncan Yaggy and Bill Spang*

*Tax Map # - 7.99.D.19*

*Proposed Square Footage – n/a*

The Yaggy Corporation has submitted for approval construction plans seeking permission to relocate a water main line that traverses their property at 200 East Main Street. The Town of Carrboro is currently leasing this property from the Yaggy Corporation for use as a municipal parking lot. The applicant has indicated that the proposed work on the site will not limit the availability or use of the parking lot. As stated, the water main line currently is located underground and crosses approximately on a diagonal through the middle of the parking lot. The applicant desires to relocate this line to the perimeter of the property, so as to increase the marketability of and development potential of the property. That is to say, that the line in its current location virtually prevents the location of a building on the site. This relocation project does not require the issuance of a Land Use Permit as it is categorized as general site maintenance. Nonetheless, the construction plans have been distributed to several agencies for review and approval before permission will be granted for the work to take place. Plans have been distributed and comments have been returned to the applicant. The Zoning Division is currently awaiting the arrival of revised plans. Comments from Public Works must still be satisfied. All other comments have been addressed. **No change.**

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## **Approved Commercial Projects**

### **BellSouth Tower – Old Fayetteville Road @ NC Highway 54**

*Developer – BellSouth Telecommunications*

*Tax Map # -7.114..1F*

*Square Footage - none*

MelDonna Britt, representing BellSouth Telecommunications, submitted an application for a minor modification to the existing CUP to add a whip antenna and equipment to the existing BellSouth Tower. The project was approved by the Board on May 22, 2001. Construction has not begun. **No change.**

### **Carr Mill Mall/Weaver Street Market Expansion – 200 North Greensboro Street**

*Developer – Ruffin Slater (contact Person)*

*Tax Map # -7.93.A.14*

*Square Footage – 1,288sf addition*

Work has been proposed for the renovation of the old Aurora restaurant portion of the mall. Weaver Street Market is proposing to expand into this portion of the structure, as well as make renovations to the front area of their store and between their building and the main Carr Mill Mall building. The CUP minor modification and construction plans were approved by the Board of Aldermen on 11/9/99. A pre-construction meeting was held on the site on 11/23/99. Work is on-going. The applicant submitted a letter and schematic requesting a deviation from the approved plans to remove a required screen wall (which is to screen the service area). Staff advised the applicant that this request would require review and approval by the Board of Aldermen (constitutes a minor modification). The applicant was further advised that staff is not in support of the request. The screening of the service area is being completed. **No change.**

### **Carrboro Methodist Church Paving Project – 200 Hillsborough Road**

*Developer – Carrboro Methodist Church*

*Tax Map # - 7.103.C.1*

*Square Footage – none*

The 'paving plans' for the parking lot on the North side of the Church were approved and a pre-construction meeting was held on December 20, 2001. Please note that approval of the 'paving plans' is not related to the proposed modification of the SUP for the expansion of the on-site daycare facility. Construction is ongoing. **No change.**

### **Carrboro Plaza Retaining Wall – 104 Highway 54**

*Developer – Carrboro Belman SC Limited*

*Application Date – May 3, 2002*

*Applicable Changes in LUO since Application – n/a*

*Tax Map #7.114..31*

*Square Footage – None*

Carrboro Plaza has submitted for approval construction plans for the replacement of the retaining wall behind the shopping center (generally in the area to the rear of Food Lion). This item does not require the issuance of

a Land Use Permit because it is seen as general required site maintenance. Nonetheless, the Zoning Division has distributed the construction level plans to several agencies for review and approval before granting permission for the work to take place. The wall replacement will involve the removal of virtually all the trees along Old Fayetteville Road. Because of this, the plans were submitted to the Appearance Commission for review and discussion of proposed replacement landscaping plantings. The Appearance Commission reviewed the plans on June 6, 2002 and voted to approve the plans with two changes to proposed plant species. Plans have been distributed and comments have been returned to the applicant. Revised plans were submitted and reviewed. All comments have been satisfied and work has begun on the wall replacement. Construction is ongoing. ***Due to a large amount of rock located on the site, some minor changes are necessary to the design of the retaining wall. The changes are being reviewed and construction of the wall should resume shortly.***

#### **Carrboro Town Hall Cell Tower – 301 West Main Street**

*Developer – Bellsouth Personal Communications*

*Tax Map # - 7.98.L2.*

*Square Footage – n/a*

The applicant proposes to replace three existing panel antennas and add two additional equipment cabinets at ground level. The applicant has found that the three antennas to be replaced, which were added to the tower in 2000, are not functioning adequately. The project was presented to the Board of Aldermen on May 14, 2002, at which point the Board postponed a decision until the May 21, 2002 meeting. The Board approved the minor modification request at their May 21, 2002 meeting and a preconstruction meeting was conducted. Construction is ongoing. ***No change.***

#### **Chan Mixed Use Development – 113 Merritt Mill Road**

*Developer – Frances Chan*

*Tax Map # - 7.92.B.1*

*Square Footage – 2,200sf (2,200sf – Office, plus 19 SRO units)*

This is a special use permit project consisting of a mix of offices and SRO residential units on the former Mason Motel site. The Board of Aldermen approved the Conditional Use Permit on May 7, 2002. Construction plans for the project were submitted on December 16, 2002. On Tuesday, December 17, 2002, the applicant appeared before the Board of Aldermen to request any assistance possible in reviewing and approving the construction plans and building plans for the project prior to the end of the year because a change to the North Carolina Building Code would require the project to be redesigned if a building permit was not issued before January 1, 2003. Staff indicated that it would not be possible for the construction plans to receive approval under this time frame. Board members deliberated the possibility of issuing a building permit prior to the approval of the construction plans, but ultimately directed staff to proceed according to normal review procedure. Construction plans are currently under review. ***No change.***

#### **Chapel Hill Park and Ride Facility – Old Fayetteville Road Extension**

*Developer – Chapel Hill Transit*

*Tax Map # - 7.116..10*

*Square Footage – None (437 parking spaces)*

This project is located off of Old Fayetteville Road Extension within the R-10 zoning district. Since this is a ground level facility (no building) constructed by another political subdivision of the state, the project is not required to receive the approval of the local jurisdiction. However, Chapel Hill Transit has agreed to go through a review and approval process similar to our CUP process. The Board approved the CUP Agreement on October 23, 2001. Construction Plans were received on March 13, 2002. Comments have been forwarded to the applicant. Revised plans have been submitted and have been approved. The preconstruction meeting was held and construction is ongoing. The applicant has nearly completed construction of the project. A 'letter of agreement' (in lieu of a bond) has been submitted to the Town regarding the installation of landscaping for the project, which will be completed when weather conditions are acceptable. An additional letter now has been received from the Town of Chapel Hill regarding stormwater facilities and any other items as yet unfinished. Essentially, the letter puts forth that the Town of Chapel Hill will complete any unfinished items. The lot opened on October 21, 2002. ***Landscaping installation is now complete, but the Town Engineer is not yet satisfied with the information submitted related to stormwater facilities.***



**Club Nova – 103 West Main Street***Developer – OPC Foundation**Tax Map # - 7.99.B.7**Square Footage – n/a (new portion of project only includes 24 SRO units)*

This is a Conditional Use Permit project consisting of an existing thrift shop (Use #2.110) and office building (Use #3.110) (both to remain) and a proposal to construct twenty-four (24) single-room occupancy (SRO) units. An existing eight-unit apartment building on the property will be removed and replaced by the proposed SRO units. The project was presented to the Board of Aldermen on April 9, 2002, at which time a Conditional Use Permit was issued for the project. Construction plans have not been submitted. ***The permit recipient contacted Town staff on Tuesday, February 4, 2003 regarding changes that are necessary to the site design. It was also disclosed that a building permit needs to be issued prior to April 1, 2003 in order to comply with the requirements of one or more funding sources for the project. Staff indicated that a Minor Modification likely would be necessary in order to approve the changes to the site's design. Staff also requested that the construction plans be submitted as soon as possible in order to foster the possibility that a building permit could be issued prior to April 1, 2003. Staff indicated that it will be very difficult to accomplish the goal of issuing a building permit by April 1, 2003, if reviewing agencies have any significant comments related to the construction plans. Staff will attempt to coordinate review of the Minor Modification and present the changes to the Board of Aldermen with the aforementioned timeline in mind. The permit recipient approached the Board of Aldermen at the February 11, 2003 meeting to ask for any possible assistance in accomplishing the aforementioned goal. After some discussion, Mayor Mike Nelson indicated that he would write a letter to reviewing agencies concerning the matter once construction plans had been submitted. Construction plans have not been received to date.***

**Lake Hogan Farms Cell Tower – 200 Redfoot Drive***Developer – Sprint PCS, Incorporated**Tax Map # 7.109F..35**Square Footage – n/a*

Sprint PCS has submitted an application for a modification to the existing CUP for the Lake Hogan Farms Cell Tower. Sprint PCS represents a new user for this tower. The project consists of four new antennas to be added to the tower along with associated equipment at ground level. Plans were distributed for review on February 25, 2002. Comments have been returned to the applicant. Final plans have not yet been submitted to the Zoning Division. Once the plans are submitted, the project will be scheduled for presentation to the Board of Aldermen. The project will be presented to the Board of Aldermen on April 16, 2002. The Board of Aldermen approved the minor modification request on April 16, 2002. Construction has not begun. ***An application has been received requesting permission to add additional antenna and ground level equipment to the tower and surrounding area. The application is under review and comments will be forwarded to the applicant upon completion.***

**Love Overboard Kennels – 710 West Rosemary Street***Owner – Julie Mann**Tax Map # -7.93.H.27**Square Footage – 1,200sf addition*

The project was approved by the Board of Adjustment on April 19, 2000. The plans have been changed to incorporate the conditions of approval. An on-site pre-construction meeting was held on 9/15/00. Please note that at the pre-construction meeting, it was noted that the large Elm tree behind the existing building (but on another property) is unhealthy. There is existing trunk damage near ground level (bark is off and the tree has less than a full canopy). We encouraged the developer to contact the Town Arborist to examine the tree for documentation purposes. It is clear that there is a problem with the tree prior to construction activity beginning. Construction is on-going. ***No change.***

**McDougle Middle & Elementary School – 900 Old Fayetteville Road***Developer – Chapel Hill/Carrboro Board of Education**Tax Map # - 7.108..31A**Square Footage – 2,850sf in three modular units*

The Board of Aldermen approved the modular units at the June 19, 2001 meeting. The construction plans have been approved, the building permit has been issued and work is on-going for the modular units. Construction is complete on two of the units – the third unit is not being constructed (erected) at this time. ***An application has been received for minor changes to the school site. These changes include the addition of a***

***paved fire lane in an area that is primarily dirt currently and the addition of a rubberized play surface in an area where children have historically played. The play surface essentially would make the area safer for the children. These changes are being processed as an Insignificant Deviation to the plans.***

**Morningstar Mini-Storage – Jones Ferry Road @ N.C. Highway 54**

*Developer – Development Engineering, Inc.*

*Tax Map # - 7.114..15A*

*Proposed Square Footage – 164,000sf*

The CUP was approved by the Board of Aldermen on November 14, 2000 with several conditions. The applicant must revise the plans to incorporate the conditions of approval. Further, prior to beginning construction, construction plans must be reviewed and approved and an on-site, pre-construction meeting must be held. The construction plans were submitted on 1/9/2001 and have been reviewed. Staff has forwarded all review comments to the applicant. The plans have been approved and an on-site, pre-construction meeting was held on 5/8/01. Work is on-going. Staff is closely monitoring the site. The applicant is working on a CUP modification for a phase change. This modification was approved by the Board on September 25, 2001. Construction has been slow over the past several weeks as the Town and Project Engineers work on some retaining wall re-design (insignificant changes). The permanent fencing (providing a Type A screen) has been erected around the bulk of the perimeter of the North and East sides of the site. Staff contacted David Branch (Alabama Avenue resident) and discussed his concerns about the project. The developer, developer's contractors, Zoning Division staff, and Chris Gerry (Town Arborist) met on-site on January 29, 2002 to discuss the placement of Eastern Red Cedars (as shown on the plans) behind the six-foot tall screening fence along the perimeter of Gary Road and Alabama Avenue. The developer submitted an application on January 31, 2001 requesting a change to the phasing plan. The Board of Aldermen approved the new phasing plan (authorizing six phases) on March 5, 2002. Certificates of Occupancy have been issued for Phases 1, 2, and 3. Construction plans for Phases 4, 5, and 6 have not been submitted. ***No change.***

**Old Farmer's Market Office Building – 201 Maple Street**

*Developer – Carr Mill Mall Limited Partnership*

*Tax Map # - 7.99.O.19A & 7.99.O.19B*

*Square Footage – 18,755sf*

This project consists of a three-story office building to be located on the site of the old farmer's market [i.e.- within existing parking lot (owned by and serving Carr Mill Mall) next to South Orange Rescue Squad Building]. The project was reviewed as a major modification to the existing CUP for Carr Mill Mall. The Board of Aldermen held a public hearing for the project on October 22, 2002, at which point the hearing was continued to the November 12, 2002 meeting. On November 12, 2002, the Board of Aldermen approved the Conditional Use Permit. Construction plans have not been submitted to date. ***No change.***

**Orange County ABC Store at Carrboro Plaza – 106 Highway 54 West**

*Developer – Orange County ABC Board*

*Tax Map # - 7.114..32*

*Square Footage – 2,000sf addition*

This application consists of a proposed one-story addition to the existing Orange County ABC building. Orange County ABC Board wishes to utilize the new space for wholesale sales (Use Classification #2.130). On March 26, 2002, the Board of Aldermen approved the Minor Modification to the Conditional Use Permit. Construction plans were distributed for review on April 29, 2002. Comments have been forwarded to the applicant. Revised construction plans were submitted and have been approved. The preconstruction meeting was held and construction is ongoing. ***No change.***

**OWASA Water Treatment Plant Operations Center – 406 Jones Ferry Road**

*Developer – OWASA*

*Tax Map # - 7.98.I.1*

*Square Footage – 35,500sf*

OWASA submitted plans for the construction of a new operations center. This building would replace the WWII vintage shelters and other scattered mobile units and outdoor storage currently used by OWASA. This building will constitute a major modification (a new SUP). The Board of Adjustment approved the project on February 20, 2002. Construction Plans have been submitted, reviewed, and approved. A preconstruction meeting was held on September 3, 2002. Construction is ongoing. ***No change.***

**OWASA Water Treatment Plant – 406 Jones Ferry Road***Developer – OWASA**Tax Map # - 7.98.I.1**Square Footage - none*

OWASA applied for a modification to their SUP to construct various improvements designed to increase water treatment capacity at the 406 Jones Ferry Road plant. A previous SUP modification was approved by the Board of Adjustment on 1/19/2000. The latest proposal involves adding an ammonia and electrical feed building, adding some underground vaults and reconfiguring some parking and paving. The project was approved by the Board of Adjustment on 12/20/00.

We met with OWASA at Development Review on 2/14/01 to discuss the final phase of the water treatment plant upgrades that have been under construction over the past year. Based on the discussions at the meeting, this change will more than likely constitute a minor modification to the existing SUP. This minor modification was approved by the Board of Adjustment on June 27, 2001. **No change.**

**Rock Haven Center Commercial Subdivision – Smith Level Road @ Rock Haven Road***Developer – Jim Hodgins**Tax Map # - 7.122.A.5F**Square Footage – 10,500sf (building #1, only)*

This project is in general compliance with its SUP. The final plat has been released for recordation. The Board of Adjustment approved a modification to the SUP plans modifying the drainage plans and location of one building on August 18, 1999. The revised construction plans were approved 10/13/99. Construction is on-going (although by a different general contractor). The final plat bond, set to expire at the end of June 2000, has been extended until June 2001. The new contractor on the site is fixing several problems that were neglected by the previous contractor and seems to have the project back on the right track. Work is on-going. The CO for the building was issued on 11/9/00. There are still several items/requirements with the subdivision that need to be resolved/completed but the two (2) performance bonds cover all outstanding items. The Town may be forced to cash one or both of these bonds to ensure that the outstanding work is completed. **No change.**

**Smith Middle School Athletic Fields – Homestead Road near High School Road***Developer – Chapel Hill/Carrboro Schools**Tax Map # - 7.109..11A**Proposed Square Footage - none*

This project is a joint-use project between the Chapel Hill/Carrboro school system and the Town of Carrboro. The project consists of tennis courts, soccer/multi-use fields and a softball/baseball field. The project was approved by the Board of Aldermen on May 22, 2001. The Construction Plans were submitted on June 25, 2001. Staff has reviewed the plans and has forwarded all comments to the applicant. The revised plans were resubmitted on July 26, 2001. Staff has deemed the plans 'approvable' but the Town Engineer is still waiting on comments from several review agencies. The construction plans have been approved. An on-site pre-construction meeting was held on September 26, 2001. Construction is ongoing. Town staff met with representatives of Orange County on September 20, 2002 to discuss the timeline and requirements related to adding lights to the playfields. At the meeting, it was determined that the application for the addition of lights should be a joint-application between all three (3) involved parties (i.e.- Orange County, Town of Carrboro, and Chapel Hill—Carrboro City Schools). Final details regarding how this application will be handled are being worked out. **No change.**

**Yaggy CUP Modification – 400 Roberson Street***Developer – Duncan Yaggy and Bill Spang**Tax Map # - 7.99.D.19D**Proposed Square Footage – n/a*

An application for a CUP modification has been submitted for the one-story office building located at the corner of Roberson Street and Sweet Bay Place. The modification involves adding some additional parking on the site for the proposed commercial project proposed by Yaggy/Spang on the corner of Roberson Street and East Main Street. The proposed plans have been distributed and are currently under review. The Board of Aldermen approved the minor modification on May 22, 2001. The approval notification letter has been mailed to applicant explaining what steps must be completed. To date, the revised plans incorporating the Board of Aldermen's conditions of approval have not been submitted. **No change.**

**STATUS OF PLAN REVIEW FOR VARIOUS PROJECTS\***

This list generally does not include on going work with exempt plats, and other project proposals, which are not official submittals at this time. Additionally, only large, higher profile ZP plans are included on this list. Smaller ZP projects are administered in a similar manner to individual home construction.

**NEW COMMERCIAL AREA APPROVED IN 2002:**

ABC Store at Carrboro Plaza	Approved by CUP 3/26/02	2,000sf(new)
Chan Mixed-Use Building	Approved by CUP 5/07/02	2,200sf(office portion)
Sheryl-Mar II Office Building	Approved by ZP 5/20/02	27,104 sf
Old Farmer's Market Office Building	Approved by CUP 11/12/02	18,755 sf

50,059 (in year 2002)

**NEW COMMERCIAL AREA APPROVED IN 2001:**

TEACH Bldg. (Renee' Lynne Ct.)	Approved by ZP 1/12/01	16,613sf
The Clay Centre (Lloyd St.)	Approved by SUP 9/19/01	2,315sf

18,928 (in year 2001)

**NEW COMMERCIAL AREA APPROVED IN 2000:**

Arby's	Approved for const. 5/11/00	3,000sf
Love Overboard Expansion	Approved for const. 9/15/00	1,200sf
The Pantry	Approved for const. 4/11/00	2,500sf
El Mercado Central	Approved for const. 1/14/00	1,800sf
304 West Weaver St.	Approved for const. 5/30/00	3,953sf(new)
Village Self-Storage	Approved for const. 1/10/00	15,000sf(new)
Council Daycare	Approved by permit 12/6/00	2,000sf
Willow Creek Offices	Approved by permit 11/28/00	40,000sf
Morningstar Mini-Storage	Approved by permit 11/14/00	137,050sf

206,503sf (in year 2000)

**COMMERCIAL AREA APPROVED 1995-1999:**

Tae Kwon Do Studio (Brewer Ln.)	CO in August 1997	5,600sf
Vocational Rehab Bldg. (Smith Level Rd.)	CO in Sept. 12996	4,500sf
Carramore Bldg. (Smith Level Rd.)	CO in Jan. 1995	10,500sf
Univ. Research Glass (Merritt Mill Rd.)	CO in Feb. 1995	9,200sf
Ontjes Bldg. (205 Lloyd St.)	CO in May 1999	10,640sf
SECU Bldg. (100 Hwy. 54 W)	SUP approval in 1998	4,800sf
Meineke Muffler Redev. (E. Main St.)	Approved in 1996	4,750sf
Bleeker Street Studio (E. Main St.)	Approved in 1996	5,335sf
Cliff's Wholesale Dist. Center (Jones Ferry)	Approved in 1999	2,880sf
Butterfly Ridge Architects (400 W Weaver)	Approved in 1999	1,200sf

59,405 (over 5 years)

**AFFORDABLE HOUSING DENSITY BONUS UTILIZATION TO DATE:**

**ATTACHMENT A-21**

Mulberry Street Condominiums	Approved by SUP 11/15/00	1 unit
110-B Dillard Street (Existing Single-Family Dwelling To Be Converted to Duplex)	Approved by ZP 6/5/02	1 unit
Twin Magnolias Condominiums	Approved by CUP 11/12/02	2 units

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**4 units**

**SIZE-LIMITED DWELLING UNITS (REQUIRED BY LUO)**  
**TO DATE:**

Rose's Walk at University Lake Townhomes	Approved by CUP 12/11/01	15 units
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**15 units**