

# BOARD OF ALDERMEN

ITEM NO. D(1)

## AGENDA ITEM ABSTRACT

MEETING DATE: SEPTEMBER 18, 2007

**SUBJECT: PUBLIC HEARING ON THE CONDITIONAL USE PERMIT REQUEST FOR THE COMMERCIAL DEVELOPMENT PROPOSED FOR 405 JONES FERRY ROAD**

<b>DEPARTMENT:</b> PLANNING DEPARTMENT	<b>PUBLIC HEARING:</b> Yes <u>X</u> No <u>   </u>
<b>ATTACHMENTS:</b> A. PROJECT PLANS B. STAFF REPORT C. LAND USE PERMIT APPLICATION D. PARKING REDUCTION LETTER FROM APPLICANT E. TREE REMOVAL JUSTIFICATION LETTER F. INFORMATION RELATED TO NEIGHBORHOOD MEETING G. TOWN POLICIES STANDARDS LETTER FROM APPLICANT H. COMPLIANCE WITH ARCHITECTURAL STANDARDS LETTER FROM APPLICANT I. LIST OF STAFF AND ADVISORY BOARDS RECOMMENDATIONS J. ADVISORY BOARDS RECOMMENDATIONS K. LETTER FROM HARRIS TEETER DEALING WITH BARNES STREET INGRESS AND EGRESS L. CONDITIONAL USE WORKSHEET	<b>FOR INFORMATION CONTACT:</b> JAMES THOMAS, 918-7335

### PURPOSE

Northwest Property Group is requesting a Conditional Use Permit for commercial development consisting of three (3) buildings. One building (proposed grocery store) will be 52,250 square feet in size and the second building (labeled as building A), consisting of eleven (11) individual shops will be 17,550 square feet in size. The third building (labeled as building B) consisting of five (5) individual shops will be 7,900 square feet in size.

### INFORMATION

Northwest Property Group is requesting a Conditional Use Permit for the current Mellot Construction Yard at 405 Jones Ferry Road, further identified as Orange County Tax Number 7.101.A.1 & 7.101.A.1A (to be recombined into one lot). Three building are proposed for the lots and square footage of building one (labeled as grocery store) is 52,250 square feet, Building A is 17,550 square feet and will consist of eleven (11) individual shops, Building B is 7,900 square feet and consists of five (5) individual shops. The use will be Permissible Use # 2.110- High Volume Traffic Generation Sales. A detailed staff report analyzing the proposed project is attached – see **Attachment B**.

**RECOMMENDATION**

Town Staff recommends that the Board of Aldermen consider the project, decide whether to support and/or modify any of staff's recommendations as related to the Conditional Use Permit application for construction of commercial development (use #2.110) at 405 Jones Ferry Road, subject to the following recommendations/conditions:

1. That the applicant must obtain a driveway permit from Town of Carrboro and NCDOT prior to Construction Plan approval.
2. That the applicant shall provide to the Zoning Division, prior to the release of the Certificate of Occupancy or before the release of a bond if some features are not yet in place at the time of wishing to obtain the Certificate of Occupancy, mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be DXF format and shall include a base map of the whole project and all separate plan sheets. As build DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
3. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
4. That an engineer must verify compliance with LUO Section 15-243(d)'s light pollution limits of 0.2 foot candles across property lines by sealing a plan for all proposed lighting prior to Construction Plan approval.
5. That the Appearance Commission review the proposed outdoor seating area and fountain at the corner of Barnes Street and Jones Ferry Road as a courtesy review prior to installation.
6. That additional right-of-way at the corner of Barnes Street and Jones Ferry Road be dedicated to the Town of Carrboro and NCDOT for the possible future installation of a round about at this intersection prior to the Certificate of Occupancy being issued for the proposed buildings. Amount right of way dedication shall be sufficient to construct 120 foot diameter roundabout.
7. That all temporary and/or permanent construction and drainage easements be obtained prior to Construction Plan approval. The storm water easement on University Lake Apartments shall be reviewed and approved by the Town Attorney and must include language specifically disclosing that the property owner has received and acknowledged the complete stormwater report (stormwater plans, calculations, etc) for the project.
8. That the proposed sidewalk along Barnes Street be constructed per the "collector street" (standard drawing #26) in Appendix C of the LUO, except that the right-of-way shall extend a minimum of two (2) feet from the back edge of sidewalk rather than 4.5 feet. Additional street right-of-way be dedicated to the town, if necessary, prior to Construction Plan approval to construct as described.

9. That per Section 15-291 of the LUO, the Board of Aldermen hereby finds that 348 parking spaces is sufficient to serve the proposed development, based on information submitted by the applicant regarding proximity to both nearby, residential neighborhoods and bus lines.
10. That curb stops be added to parking areas adjacent to landscaping and sidewalks per Sections 15-295(b) and 15-317(d) of the LUO prior to Construction Plan approval.