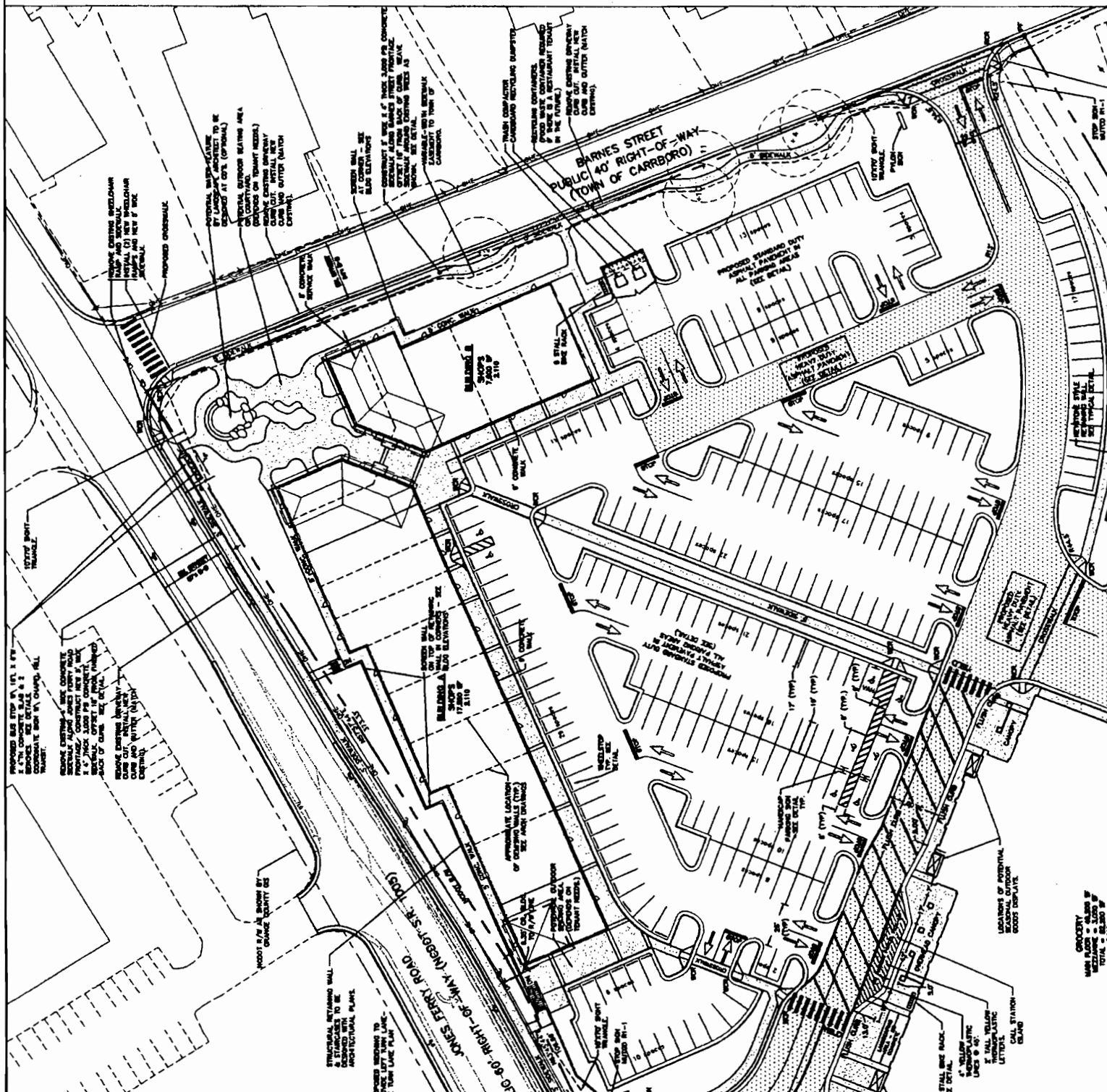


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**STAFF REPORT**

**TO:** Board of Aldermen

**DATE:** September 18<sup>th</sup>, 2007

**PROJECT:** Conditional Use Permit for Combination Use  
Commercial Development

**APPLICANT:** Northwest Property Group  
PO Box 537  
Skyland, NC 28776

**OWNER:** Calvin & Nora Mellot  
PO Box 336  
Carrboro, NC 27510

**PURPOSE:** 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.

**EXISTING ZONING:** M1- Light Manufacturing

**TAX MAP NUMBER:** 7.101.A.1 & 7.101.A.1A

**LOCATION:** 405 Jones Ferry Road

**TRACT SIZE:** 7.71 acres or 335,858 sq. ft.

**EXISTING LAND USE:** Construction Yard- Permissible Use # 3.220

**PROPOSED LAND USE:** Use 2.110- High-Volume Traffic Generation Sales

**SURROUNDING LAND USES:** North: M1- OWASA/Jones Ferry Road  
South: R-7.5- University Lake Apartments  
East: R-7.5, Single-family residences/Barnes Street  
West: R-7.5- Abbey Court Condos

**ZONING HISTORY:** M1, since 1980.

**RELEVANT  
ORDINANCE  
SECTIONS:**

Section 15-54- Special Use Permits and Conditional Use Permits.

Section 15-316, 317 & 318- Retention and Protection of Trees.

Section 15-262 & 15-263- Drainage, Stormwater Management.

Section 15-242 & 15-243- Site Lighting.

Section 15-178- Architectural Standards for Downtown Development

Section 15-292- Flexibility in Administration of Parking

**Analysis**

**Background**

Northwest Property Group is requesting a Conditional Use Permit (**see attachment C**) 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 combined 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.

**Access, Traffic, Parking and Sidewalk**

**Access and Circulation:**

Currently, the site is being served by an existing driveway off Jones Ferry Road. The applicant intends to continue the use of this existing driveway off Jones Ferry Road with improvements. The new entrance/exit will be forty-one feet in width and consist of two (2) exit lanes (one turning left and one turning right) and have one entrance.

The applicant is proposing a new driveway entrance onto Barnes Street. This driveway cut will be twenty-nine (29) feet in width and consist of one entrance and one exit lane.

The two points of entry lead to seven (7) different drive aisles each measuring a minimum of 24-feet in width, as required by the LUO for two-way traffic in parking areas. Since all drive aisles support two-way traffic, automobile flow on the site may proceed in any number of different directions.

The design also includes a loading/service area on the eastern side of the building labeled grocery. This loading/service area will also house the garbage compactor and food waste containers.

Additionally, the buildings labeled A and B will not have a designated loading. This was discussed with the applicant and they stated that deliveries will be served from the parking spaces. These deliveries are expected to be brief and if necessary, done during off business hours.

Traffic and Transportation:

The applicant has submitted a traffic study specifically geared toward this development application. Per this traffic study, there are two main issues: 1.) possible need for a stoplight at intersection Barnes Street and Jones Ferry Road 2.) widening of Jones Ferry Road for additional turn lanes.

The first issue of a possible need for a stoplight at the intersection at Barnes Street and Jones Ferry Road was discussed in length with NCDOT District Engineer, Chuck Edwards, the applicant and town staff. Per these meetings, NCDOT stated that this intersection would not require a stoplight due to the volume/grade rating of traffic of this intersection.

The second issue of the street widening on Jones Ferry Road will include a new left turn lane while traveling east on Jones Ferry Road. This new turn lane will be twelve (12) feet in width and be a turn lane into the OWASA property.

Additionally, there will be a new twelve (12) foot left turn lane while traveling west on Jones Ferry Road. This new left turn lane will be into the main entrance of the shopping center.

The installation of a traffic circle at the intersection of Jones Ferry Road and Barnes Street was discussed between town staff, the applicant and NCDOT. Per this meeting, additional right-of-way would need to be acquired for the installation of a traffic circle, Zoning staff requested that the developer set up a meeting with the property owners of ACR Supply and Wilkerson Supply. This meeting was held on June 1<sup>st</sup> with the above noted property owners, town staff and the developer and the outcome of this meeting was that property owners would not be willing to dedicate additional right-of-way to NCDOT in order to place a traffic circle at this intersection.

Staff has requested that the developer dedicate additional right-of-way at the intersection of Barnes Street and Jones Ferry Road for future road improvements. The developer has agreed to this right-of-way dedication. To that end, staff recommends the following:

- 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.

Parking:

The applicant will be providing a total of 348 parking spaces consisting of 340 regular sized parking spaces and 8 handicap parking spaces. The applicant has not chosen to provide compact parking spaces. This item was brought to the attention of the applicant by the Zoning Division in order to justify the requested reduction in parking early in the review process and the applicant stated that the proposed tenant of the property does not want compact parking spaces.

The applicant will be asking for a reduction in the required number of parking spaces. Per Section 15-291(g) of the Land Use Ordinance, the required number of parking spaces for these uses would require 390 spaces. The applicant is requesting from the permit issuing authority (this being the Board of Aldermen) a reduction in the number of parking spaces to 348 spaces (**see attachment D**) per Section 15-291(f) of the Land Use Ordinance. As a result, staff generally agrees with the information found in attachment E and hereby suggests the following condition:

- 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.

The proposed development will also include the installation of two (2) six stall bike racks. These bike racks will be located to the south of building B and in front of the proposed grocery store. It should be noted that the bike rack location in front of the grocery store will be coved by a canopy.

Sidewalk Access:

The applicant is proposing the replacement of the existing four (4) foot sidewalk running along Jones Ferry Road with a new five (5) foot sidewalk. The replacement of this sidewalk is mostly due to the installation of the retaining wall and also, the widening of Jones Ferry Road.

Additionally, a new five (5) wide sidewalk will be installed along Barnes Street. This sidewalk will begin at the intersection of Barnes Street and Jones Ferry Road and run to the southern property line. Per the current plans there are three areas where the sidewalk will be curved and will not be in the public right-of-way. The purpose of this curving in the sidewalk is to retain four large pine trees along this property line.

The Town of Carrboro Public Works recommends that this sidewalk run parallel with Barnes Street and be within the public right-of-way. This would require the removal of these four pine trees. Public Works is stating that the pine tree's roots are presently causing the existing curbing to crack and that with the addition of the sidewalk that it will be so close to the root system of the four pine trees that they will most likely die in the near future. The Zoning Staff agrees with the Public Works assessment of this situation and offers the following condition:

- 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.

The internal sidewalks of the proposed commercial development allow a general interconnectedness. In essence, five (5) foot sidewalks are provided from all main road entrances and from the proposed grocery store to Buildings A & B.

With the proposed widening of Jones Ferry Road, the applicant has agreed to complete the rough grading for the possible future installation of a sidewalk along Jones Ferry Road in front of the OWASA property. The actual installation of the sidewalk will require additional right-of-way dedication from OWASA, to which the town will need to pursue.

**Conclusion:**

The proposed CUP complies with all provisions of the LUO related to traffic, parking and sidewalks.

**Tree Protection, Screening and Shading**

**Tree Protection:**

Section 15-316 of the LUO specifies that all trees greater than 18 inches in diameter or any specimen trees must be preserved, to the extent practicable. There are 91 specimen trees on this property and 82 specimen trees are to be removed (see **attachment E**).

In essence, nine (9) specimen trees are to remain on-site and this does not include the removal of the four (4) pine trees along Barnes Street that Public Works recommends be removed in order to straighten the sidewalk along Barnes Street.

**Screening**

An examination of the screening requirements of Section 15-308 of the LUO reveals the type of screening required for this project. Specifically, a “Type C” screen is required along the Jones Ferry Road and Barnes Street property lines. This screening is being provided by a mixture of magnolias, hollies etc.

A “Type B” screening is required along the southern and western property lines. This screening requirement is being provided by a mixture of evergreen and deciduous trees. It should be noted that the applicant has stated that if the existing stream buffer along the western property does not meet the required “Type B” screening requirement that additional trees will be planted.

**Shading**

Section 15-317 of the LUO requires that 20% of all vehicle accommodation areas be shaded with shade trees complying with the recommendation of Appendix E-10. The applicant is required to provide a minimum of 30,302 square feet of shaded area and is surpassing this with providing 38,906 square feet of shading within the parking lots.

**Conclusions:**

The proposed CUP complies with all provisions of the LUO related to tree protection, screening and shading.

**Drainage, Grading, and Erosion Control**

The existing impervious surface of the construction yard is 183,799 square feet (54.7 percent) and the proposed impervious surface for the new shopping center will be 261,005 square feet (77.7 percent).

The applicant will be using a combination of bio-retention basins and storm water detention on the site in order to meet the water quality/quantity provisions of the LUO. The applicant will be placing two (2) bio-retention basins on the property- one being located in the southeastern portion of the property and the other being located northwestern portion of the property.

As for the storm water detention device, this will be located below the parking area on the western side of the proposed grocery store. In essence, this unit will have a storage capacity of 24,940 cubic feet and once filled to capacity, will release water after treatment with removal of 85 percent suspended solids.

Grading on the site will be minimal. Town staff and the Town Engineer have reviewed the proposed grading plan and find that it meets the requirements of the LUO.

Ren Ivins, of Orange County Erosion Control (OCEC), has indicated to the Zoning Division that the project has received preliminary Erosion Control approval. OCEC also will further examine the project at the construction plan stage.

**Conclusions:**

The proposed CUP complies with all provisions of the LUO related to drainage, grading and erosion control.

**Utilities**

**OWASA:**

The proposed buildings will receive water and sewer service from OWASA by connecting to existing OWASA water and sewer lines. OWASA has reviewed the plans and are satisfied with the plans.

**Electric Services:**

Duke Power Company will provide electrical services to the proposed buildings. The service lines to the buildings will be placed underground in accordance with Section 15-264 of the LUO.

**Refuse and Recycling:**

The applicant has stated that the refuse will be completed by a private contractor. The project was reviewed and design approved by Orange County Solid Waste, should it be necessary for that agency to serve in the future.

**Exterior Lighting:**

Section 15-242 and Section 15-243 of the LUO deal with exterior lighting requirements. The applicant will be providing a mixture of various lighting types, those being: 400 watt type lights to be placed in the parking lot to more decorative 11 foot 6 inch height lights that will be 26 watts located adjacent to the proposed shops.

All proposed lights will have night sky shields installed in order to prevent skyward pollution.

It should be noted the Zoning Division is suggesting the following condition in order to verify compliance with the .2 foot candle pollution requirement across property lines.

- 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.

**Conclusions:**

The proposed CUP complies with all provisions of the LUO related to utilities and exterior lighting.

**Architecture- Exterior Design**

**Height, Square Footage and Placement:**

There are three proposed buildings that will contain a total of 77,700 square feet of space. The proposed grocery store will contain of 52,250 square feet of area- this will be made up of the main floor being 49,200 square feet and the mezzanine being 3,050 square feet. Building A will contain 17,550 square feet and be broken into eleven (11) different shops. Building B will contain 7,900 square feet of area and be broken into five (5) stores.

The building height of the proposed grocery store will vary with the tallest height being thirty-nine (39) feet.

Buildings A & B will be of varying heights with the tallest height being approximate twenty (20) feet.

Section 15-185 governs the permissible height of buildings throughout the jurisdiction and the height limitation for this zoning district is three (3) stories. The proposed buildings are within compliance of this height regulation.

**Building Material:**

The proposed grocery store will be constructed of brick. The front gable will be a fake wall in order to hide all air conditioning or other related mechanical equipment. The west side wall of the grocery store will contain six (6) windows and the eastern side of the



building will contain one (1) window. The reasoning for the lack of windows on the eastern side is due to this area housing freezers and other prep cook areas.

Building A and B will be steel frame with metal studs. The façade will consist of a mixture of two colors of brick veneer, three colors of synthetic stucco and numerous amounts of glazing.

Outside Seating Area & Fountain:

The applicant is proposing the installation of an outside seating area and fountain at the corner of Jones Ferry Road and Barnes Street. This area is not be shown in great detail on the proposed CUP plans and the applicant wishes to submit a more detailed design at the Construction Plan review process.

The zoning staff would recommend the following condition be placed on the approval of the outside seating area and fountain at the corner of Barnes Street and Jones Ferry Road.

- 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.

**Miscellaneous Issues**

Neighborhood Information Meeting:

A neighborhood meeting (see **attachment F**) with all property owners within 1000 feet of the property was held on April 25<sup>th</sup>, 2007. This meeting was attended by approximately thirty (30) property owners and a zoning staff member was present to assist in the answering of any zoning related questions.

Town Adopted Plans & Policies for Downtown:

Staff discussed with the applicant the Town of Carrboro adopted plans and policies, including the Town of Carrboro Downtown Design Guidelines, Vision 2020, and Downtown Carrboro: New Vision. In response to a request from staff, the applicant submitted comments outlining the ways in which the proposed project conforms to or supports adopted Town plans and policies (see **attachment G**).

Architectural Standards for Downtown Development:

Per Section 15-178 of the LUO, the buildings are required to meet certain architectural standards. The applicant has submitted a written narrative (see **attachment H**) describing how these buildings are being designed to meet the practicable extent possible per this section of the LUO.

It should be noted that the applicant originally attended the Appearance Commission meeting on June 7<sup>th</sup>, 2007 in order to participate in the alternative design review process per Section 15-178(b) of the LUO. Per this meeting, the Appearance Commission was not satisfied with the amount of glazing on the Building A and wanted the applicant to provide additional glazing for this building. The Appearance Commission was willing to

receive the revised drawings via e-mail from the applicant. These revised drawings were forwarded to the Appearance Commission via e-mail and this in turn caused additional questions/concerns with the proposed glazing of the Building A.

Zoning staff forwarded all various comments from the Appearance Commission to the applicant. To which, the applicant chose to conform with Section 15-178 of the LUO and presented their argument for meeting each requirement of this section of the LUO at the June 27<sup>th</sup>, 2007 Development Review meeting. Staff generally agrees with the information in Attachment I and concludes that the project complies to the extent practicable.

### **Recommendation**

The town staff recommends that the Board of Aldermen approve the Conditional Use Permit to allow the construction of three commercial buildings (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.

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## LAND USE PERMIT APPLICATION



DATE: 9 Jun 06

FEE: \$4,730

APPLICANT: Northwest Property Group	OWNER:
ADDRESS: P.O. Box 537	ADDRESS:
CITY/STATE/ZIP: Skyland, NC 28776	CITY/STATE/ZIP:
TELEPHONE/FAX: (828) 277-6866 PHONE: (828) 277-6866 FAX: (828) 277-6867	TELEPHONE/FAX: PHONE: FAX:
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Contract Purchaser	TAX MAP(S), BLOCK(S), LOT(S): 7.101.A.1, 7.101.A.1A
PROPERTY ADDRESS: 405 Jones Ferry Road Carrboro, NC 27510	PROPOSED LAND USE & USE CLASSIFICATION: 2.110 Grocery and Retail Shops & 8.100 Restaurant
PRESENT LAND USE & USE CLASSIFICATION: Construction yard - Use group 3.220	LOT AREA: 7.71 Acres 335,858 Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): Exist. Zoning: M-1 (7.71 ac.) to be rezoned to B-1(g)	
# OF BUILDINGS TO REMAIN 0	GROSS FLOOR AREA 0 square feet
# OF BUILDINGS PROPOSED 3,000	GROSS FLOOR AREA (of proposed building or proposed addition) 74,650 square feet

NAME OF PROJECT/DEVELOPMENT: Shoppes at Jones Ferry

TYPE OF REQUEST	INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT	1, 18, 19, 21, 23, 31, 33, 34, 36
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 36 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 36
VARIANCE	4, 5, 10, 20, 29, 34, 36 Attachment A
APPEAL	4, 5, 36, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT:

DATE:

6-8-06

OWNER:

DATE:



**BALLENTINE  
ASSOCIATES, P.A.**

March 26, 2007

Mr. James Thomas  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

221 Providence Road  
Eastowne Office Park  
Chapel Hill, NC 27514

919/929-0481 Chapel Hill  
919/489-4789 Durham  
919/489-2803 Fax

Re: Conditional Use Permit for The Shoppes at Jones Ferry

Mr. Thomas:

In your letter, dated January 2, 2007, you indicated that per Section 15-291(f) of the Land Use Ordinance, the permit issuing authority (Board of Alderman) have the authority to reduce the number of parking spaces by 25 percent. Please provide a copy of this letter to the Board of Alderman, as our request and justification for a parking reduction.

As indicated on our plans, we are proposing 355 parking spaces. The Land Use Ordinance requires 390 parking spaces for this project. We are proposing a parking reduction of approximately 35 spaces below the ordinance requirement, which is approximately 9%. (As we move towards construction documents, it may be beneficial to delete several additional parking spaces, and we request to be allowed to have this flexibility.)

Justification for Parking Reduction:

1. Due to the proximity of nearby residential neighborhoods, it is anticipated that some residents will walk to the proposed shoppes.
2. It is anticipated that some customers will ride the bus to the proposed shoppes.
3. A reduction in parking has allowed us to provide additional landscaped areas for this property, in order to improve aesthetics, and provide bioretention areas.
4. James Thomas, Will Autry, and Kendal Brown of the planning staff of the Town of Carrboro have requested in their comments that we build fewer parking spaces than the number required by the Land Use Ordinance.

Please contact me with any questions or concerns at (919) 929-0481.

Sincerely,  
BALLENTINE ASSOCIATES, PA

George J. Retschle, PE  
Vice President

**BALLENTINE  
ASSOCIATES, P.A.**

221 Providence Road  
Eastowne Office Park  
Chapel Hill, NC 27514

919/929-0481 Chapel Hill  
919/489-4789 Durham  
919/489-2803 Fax

Shoppes @ Jones Ferry  
Carrboro, NC

Tree Removal Justification

The proposed Shoppes at Jones Ferry project, located on Jones Ferry Road and Barnes Street, in Carrboro, NC, will consist of a new Harris Teeter grocery store and approximately 15 retail shoppes. The existing site consists of a contractor's construction yard, including eleven buildings, three trailers, asphalt and gravel driveways, gravel and sand stockpiles, construction vehicles, and other construction-related appurtenances. The existing site is mostly cleared, but it is partially wooded, and contains 91 specimen trees, most of which are scattered across the south and east portions of the site. The proposed project would preserve approximately 9 specimen trees, while removing the other 82. The Town of Carrboro has requested that the development team prepare this letter, in order to explain why this project is worth sacrificing 82 specimen trees.

Overview:

The existing construction yard on this property has done a good job of preserving trees. If the Town is comfortable with the existing use of this property, then the trees can be preserved. We believe that the Town will be better served by replacing the construction yard with a modern grocery store and assorted retail shops, which will provide an array of services to citizens, will increase the Town's tax base, and will provide room for businesses in Carrboro to grow.

Engineering Reasons for Tree Removal:

Additional specimen trees cannot be saved without eliminating part of the proposed project (i.e. building space, parking, drive aisles, service court, dumpster facilities, stormwater detention facilities, bioretention ponds, sediment traps, sidewalks, etc.) Grocery stores are massive buildings, which require large parking areas adjacent to the building. The building pads and the parking lots must be mass graded to approximately the same elevation, necessitating the removal of any trees within the graded area. The best opportunities to save existing trees occur around the perimeter of the site, in areas where grading for the building pad and parking areas are not necessary. The current design has utilized several of these opportunities to save trees around the perimeter. Occasionally, it may be possible to save a specimen tree within a parking area, if the existing topography is consistent with the site grading, and if the tree exists within a proposed parking lot island, which is large enough to not encroach into the critical root zone of the tree. This site is relatively small for a grocery store, and the available space for the needed parking is marginal. For this reason, no specimen trees in the interior of

# TOWN OF CARRBORO

## NEIGHBORHOOD MEETING FORM



### TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

DUE TO PROPOSED LAND DISTURBING ACTIVITY TO TAKE PLACE ON PROPERTY LOCATED AT:

405 Jones Ferry Road, Carrboro, NC 27510

TO BE CALLED Shoppes @ Jones Ferry

AND TAX MAP REFERENCED AS 7.101.A.1, 7.101.A.1A;

I, George Retschle, PE, REPRESENTING Northwest Property Group, LLC,

SUBMIT THIS **NEIGHBORHOOD MEETING FORM** TO ACKNOWLEDGE THAT:

[PLEASE CHECK THE APPROPRIATE BOX BELOW.]

☐

A MEETING WAS HELD WITH THE MEMBERS OF THE NEIGHBORHOOD ON

☐

Residents (including Property Owners and Renters), up to 1000 feet of the property, were notified of the neighborhood meeting.

☒

~~A MEETING WAS NOT HELD WITH THE MEMBERS OF THE NEIGHBORHOOD.~~

A neighborhood meeting has been scheduled for Wednesday, April 25, at 5:30pm in Room 110 of the Carrboro Town Hall. We are in the process of sending out notifications to residents and property owners within 1000 feet of the site.

THIS **NEIGHBORHOOD MEETING FORM** IS RESPECTFULLY SUBMITTED TO THE TOWN STAFF ON THIS 29 DAY OF March, 2007.

By affixing my signature, I attest to the accuracy of the submitted information.

Signature

the site are planned to be retained. Nine specimen trees around the perimeter of the site are proposed to be retained.

#### Benefits:

This project will benefit the community in the following ways. For these reasons, the development team believes that it is in the Town of Carrboro's best interest to sacrifice the 82 specimen trees.

1. The proposed project will be a much needed facelift to this part of Carrboro. Generally, citizens in the community consider this location to be an older, lower income area, which has a problem with crime and vagrants. The proposed buildings will substantially improve the streetscape, and will liven up the area.
2. The proposed businesses will generate a substantial tax base for the Town of Carrboro.
3. Harris Teeter is a premium grocery store. They have identified a demand for a new grocery store in this area. The citizens of Carrboro will be delighted to have a brand new grocery store and assorted retail shops at this location.
4. The existing uses on this property are images of a small old country town, and days gone by. The existing property contains many derelict vehicles, barrels, construction equipment, and buildings. We think that the citizens of Carrboro would like to see a more modern and orderly use of this property.
5. It is expected that the replacement of the existing construction yard with a modern shopping center will boost property values of the surrounding land. We believe that the neighbors of the community will be in favor of this.

#### Town of Carrboro Planning Goals:

The citizens of Carrboro have expressed their support of this type of development, based on the following excerpts from Town of Carrboro planning documents:

1. Vision 2020 Section 3.63: "The Town should encourage the development of underutilized property in the downtown area."
2. Vision 2020 Section 3.61: "...it is important that the Town encourage the widest possible diversity of locally operated businesses."
3. Vision 2020 Section 3.0: "With the population of Carrboro expected to increase during the Vision 2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town."
4. Downtown Carrboro: New Vision: "Participants want a diverse, friendly downtown core where they can shop, work, or gather to enjoy their community and its' culture. The success of the Weaver Street Market events and the Farmer's Market has given people a taste of the future they desire. Now the Town and its' citizens are ready to move toward a more vibrant, beautiful, economically sustainable core."



5. Downtown Carrboro: New Vision: "The essential ingredient in attaining the community's vision is to make better use of the available land and public space. A more compact land use pattern with few vacant parcels or lots between buildings is necessary. New mixed use buildings, enhanced appearance of existing buildings, and additional parking will open the downtown to new enterprises and residents."
6. Downtown Carrboro: New Vision: "...there is an expectation of curbside parking in downtown areas."
7. Downtown Carrboro: New Vision: "...participants wanted to preserve their free parking."
8. Downtown Carrboro: New Vision: "In-fill development represents a great opportunity to develop the cohesiveness and critical mass, which will bring prosperity to downtown Carrboro."

In consideration of the above items, we believe that this project will benefit the community in many ways, and that the removal of specimen trees is justified. We believe that the citizens of Carrboro would generally agree.



## BALLENTINE ASSOCIATES, P.A.

**221 Providence Road  
Eastowne Office Park  
Chapel Hill, NC 27514**

**919/929-0481 Chapel Hill  
919/489-4789 Durham  
919/489-2803 Fax**

PROJECT: Shoppes at Jones Ferry

DATE: 10 July 07

SUBJECT: Compliance with Section 15-178  
Architectural Standards for Downtown Development

### General:

This development is not located within the Downtown area of Carrboro; rather, is in what will become a transition area between the Central Business District (the 100 block of Main Street) and the more suburban area along the NC 54 By-Pass (ie, Willow Creek Shopping Center). This site is currently owned and occupied by Mellott Trucking and Contracting Company and has been for more than 30 years. Our adjoining neighbors are: OWASA and a former fuel oil depot across Jones Ferry, plumbing and HVAC wholesale distribution businesses plus a couple of single-family homes across Barnes, and 60s/70s apartment projects to the south and west.

Although this site and this proposed development do not fall within what we normally think of as traditional "downtown development", we are required to comply with this section of the ordinance by virtue of the fact that we are within the zoning district M-1. We have done so to the extent practicable.

This proposal is harmonious and complementary with the existing (and future) buildings within the area and with the community as a whole.

This proposed development conforms to the following requirements in Section 15-178, to the extent practicable:

*(1) A primary entrance shall be oriented toward the right of way and shall be articulated either by a recess or by a detachable awning.*

- The row of shops facing Jones Ferry Road (Building "A") and the row of shops facing Barnes Street (Building "B") have both been designed with two "fronts".....one front facing the road frontages (Jones Ferry & Barnes) and the other front facing the internal parking lot. There is no "rear side" to these shell buildings, either from an architectural or functionality point of view.
- The North Elevation of Building "A" shows a total of eleven (11) pedestrian doors facing Jones Ferry Road. Four of these entrances have articulated awnings (two on either end and two near the center). There are sidewalk/step connections from these entrance doors to the Jones Ferry Road sidewalk.

- The East Elevation of Building “B” (facing Barnes) will be proportionately compatible with the North Elevation of Building “A” with respect to architectural appearance and to pedestrian door entryways.

(2) *With respect to any side of a building that faces the street adjacent to the lot where the building is located and is visible from such street right-of-way, a minimum of 40 percent of the elevation of such side shall consist of a glass surface, and a minimum of 60 percent of the elevation of the ground level of such façade shall consist of a glass surface.*

- This proposed development has two buildings that truly “face” an adjacent street – Building “A” is adjacent to and faces Jones Ferry Road and Building “B” is adjacent to and faces Barnes Street. The North Elevation of Building “A” shows about 42% glazing and therefore exceeds the 40% glazing requirement. The East Elevation of Building “B” will be similar and will also meet the 40% glazing requirement.
- The Ordinance also addresses a 60% glazing requirement for ground level. It is our belief that this requirement was intended for the ground level of multi-story buildings such as those located in the 100 block of Main Street and not single-story structures such as these located outside of the Central Business District. It is not practicable to have 60% glazing on a single-story retail structure due to (1) the amount of façade that is directly in front of and attached to the structural steel frame of the building and (2) the amount of façade that makes up the cornice, corners and parapet. [It is more aesthetically pleasing to create buildings with elements that appear to be taller than one-story even though functioning as single-story. We don’t think it was the intent of the Ordinance to make the buildings as low as possible just to meet a glazing requirement.] This point has been discussed with the Staff at length and we believe we are in agreement on this interpretation.
- We do not believe that this requirement applies to the Harris Teeter Building as it is not adjacent to a street and is not truly “facing” a street; rather, it is at a 45 degree angle to Jones Ferry and is sited back from Jones Ferry in the back corner of the property. However, we have added all the glazing to this building that is reasonably practicable.....considerably more than a traditional food store. The Harris Teeter elevations were well received by the Appearance Commission and the couple of recommendations they made to us regarding this building have been incorporated into the current plan. [In trying to incorporate the maximum amount of glazing practicable to the Harris Teeter, the current plan shows more glazing than the Appearance Commission saw in our presentation and more than they asked us to add. To add glazing beyond what we now show for the Harris Teeter would negatively effect the operation and security.]

(3) *Buildings taller than 40 feet shall maintain a 20-percent shade free area within the public right-of-way between two lines extended north from the easternmost and westernmost points of the building at the street right-of-way as measured at noon on September 21.*

- N/A – none of the proposed buildings are taller than 40 feet.

*(4) Parking or utility areas shall be substantially shielded from the view of adjoining streets by habitable space. For the purposes of this subsection, the term habitable shall mean partially or fully enclosed space within a building that is actively used or occupied by the residents of the building. The active use of these spaces is characterized by the routine and regular presence of the building's residents rather than the routine and regular presence of stored goods, equipment, or other materials.*

- This proposed development will be served by two entrance drives.....the main one on Jones Ferry and a secondary one on Barnes. It is not possible to locate buildings across the entrances and their sight distance triangles. Of the remaining street frontage, we have included a graphic that shows that more than 72% is screened by our shop buildings and therefore demonstrates that we are proposing to substantially screen the parking by buildings.
- We considered an earlier plan that located the Harris Teeter directly on Jones Ferry Road, but quickly rejected it. That option had a slightly higher percentage of screened parking, but we felt that having the rear of a food store directly on a major town entryway was not the kind of image that was desirable.
- The current plan is a good balance of the objectives in the ordinance..... (a) attractive retail storefronts with enhanced architectural features located adjacent to the public streets, (b) pedestrian entryways for customers arriving from the street sidewalk, (c) parking substantially screened by buildings and (d) the enhanced Harris Teeter storefront and side elevations face the interior of the site, while the service area has been situated at the rear.
- The small amount of parking that will not be screened with buildings will be substantially screened by a combination of low walls and landscaping to present a pleasing view from the adjacent public streets.

*(5) A building more than 45 feet in width shall be divided into increments of no more than 45 feet articulation of the façade achieved through the following techniques:*

- (a) Divisions or breaks in materials*
- (b) Window bays*
- (c) Separate entrances and entry treatments*
- (d) Variation in roof line*
- (e) Building setbacks*

- We have met this requirement for each of the proposed buildings by providing variations in our materials, fenestration, entry treatments, roof lines and by adding horizontal building off-sets such that no width of our façade is greater than 45 feet.

## SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS

### CONDITIONAL USE PERMIT FOR COMMERCIAL DEVELOPMENT AT 405 JONES FERRY ROAD

#### STAFF RECOMMENDATIONS

Staff Recommendations w/ Advisory Board support where applicable):	<i>Explanation: Staff recommendations, primarily related to LUO compliance, are represented by #s 1-9 below. If an advisory board voted to 'support' the staff recommendation, then such board is listed after staff in the left-hand column.</i>
Recommended by	Recommendations
Staff, TAB, AC, PB, EAB, ESC	1. That the applicant must obtain a driveway permit from Town of Carrboro and NCDOT prior to Construction Plan approval.
Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.

Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.
Staff, TAB, AC, PB, EAB, ESC	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.

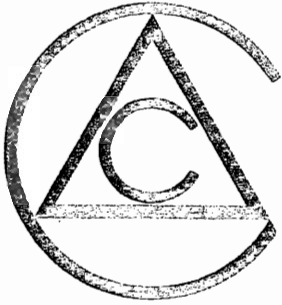
Staff	10. That curb stops be added to parking areas adjacent to landscaping and sidewalks per Sections 15-295(b) and 15-317(d) of the LUO prior to Construction Plan approval.
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ADVISORY BOARD COMMENTS / RECOMMENDATIONS	
Additional Advisory Board Comments & Recommendations:	<i>Explanation: Comments and recommendations solely from advisory boards follow. If a comment involves LUO interpretation, then the applicable LUO section(s) are noted parenthetically. Otherwise, the Board may wish to consider comments in the context of public health, safety, or welfare findings. Staff generally does not endorse nor refute comments from advisory boards.</i>
Recommended by	Recommendations
AC	1. That the applicant include a more diverse selection of landscaping plantings;
	2. That the applicant include more North Carolina native plantings;
PB	1. That the applicant provide more bike racks in high-visibility locations.
	2. Make façade treatment and signage of storefronts along Jones Ferry Road & Barnes Street reflect Carrboro's historic vernacular as found along 100 Block of East Main Street and in the historic Carr Mill building.
	3. That the developer provides pedestrian "stub-outs" to facilitate future walking connections with Carolina Apartments and University Lake Apartments.
	4. That the developer adds two more "tree islands" by eliminating eight (8) parking spaces at the center of the vehicle accommodation area, to be planted with shade tree varieties.
	5. That all buildings should utilize Energy Star rated reflective roofs.
	6. That the developer takes measures, including signage and tenant regulations, to prevent delivery trucks from using the Barnes Street ingress/egress.
	7. That the project is engineered to treat 100% of the stormwater coming onto the site.

	8. That the developer provide some of the shops along Jones Ferry and Barnes Street with ceilings high enough to enable construction of mezzanine areas with eight (8) foot ceilings (such as are found at Camerons and KitchenWorks in University Mall).
	9. That the developer re-design and expand paving areas outside and adjacent to the storefronts along Jones Ferry and Barnes Street so that some merchants will have room for outdoor activities.
	10. That the developer provides one additional stair to connect the Jones Ferry sidewalk with the paving along the storefronts.
	11. That the developer provides a sheltered waiting area for the bus stop along Jones Ferry Road.
	12. That the developer explore with staff ways to maximize safety for pedestrians and cyclists at both ingress/egress locations of the vehicle accommodation area.
	13. Planning Board strongly supports the Board of Aldermen in negotiations with NCDOT that will bring about some resolution of serious safety concerns at the intersection of Jones Ferry and Barnes Street. Particularly, the Planning Board wants a clearly marked crosswalk across Jones Ferry Road leading to a sidewalk on the north side of Jones Ferry, and some form of signalization at this intersection, a flashing warning light at the very least if not a traffic light.
TAB	1. That the number of covered bike parking spaces in front of the Harris Teeter building is increased to 18 and the other shops will have a minimum three bike racks with a minimum capacity of six bikes such that one of those racks is near the proposed fountain and the other two are in front of the shops and that some of those spaces are covered. The developer should look at the recommendations on file with the town for types of acceptable bicycle racks.
	2. That there will be pavement markings and a minimum of three speed humps internal to the site to slow traffic and increase awareness of pedestrian movement.
	3. That the delivery, service and/or dumpster traffic will be prohibited via the Barnes Street access point.
	4. That the Barnes Street access will be ingress only.
	5. That all crosswalks are designed for maximum visibility using paint and texture.
	6. That there is a sheltered waiting area for EZ Rider patrons.
	7. That raised concrete or planted medians are used on Jones Ferry where the current plan show painted striping for the turn lanes.



	8. Soon after occupancy and for a period of up to one year the applicant will conduct traffic counts on Jones Ferry Road and Barnes Street to reevaluate the need for a traffic signal.
	9. That the Town of Carrboro request that NCDOT extend the 20 MPH speed limit on Jones Ferry Road from the center of town to Davie Street.
	10. That the Town of Carrboro restripe Barnes and Prince Streets to narrow the traffic lanes and provide pedestrian lanes, similar to Poplar Ave.
EAB	1. That the applicant agree to treat stormwater from existing, as well as increased impervious surface area.
	2. That in anticipation of more frequent drought conditions and land use ordinance revisions that address the pending Jordan Lake Rules, the applicant replace the proprietary stormwater device with a cistern or other holding device that would capture and re-use the first 1" of stormwater runoff or replace the proposed filter media in the proprietary device with a media that removes nutrients in addition to total suspended solids. If either of the above are impracticable for this project that the applicant demonstrates that he can accommodate retrofitting for nutrient removal.
	3. That the applicant refer to Appendix E of the Carrboro Land Use Ordinances which provides a suggested list for native plants for landscaping.
	4. That the applicant provide additional bicycle racks, at least some of which are sheltered and placed in the vicinity of the shoppes.
	5. That the applicant design the project to facilitate existing and future flow of pedestrian and bicycle traffic around adjacent neighborhoods.
	6. That the applicant extend pedestrian access to adjacent residential properties.



**THURSDAY, September 6<sup>th</sup>, 2007**

**THE SHOPPES AT JONES FERRY CONDITIONAL USE PERMIT**

The Appearance Commission Advisory Board hereby recommends approval of the proposed commercial development at 405 Jones Ferry Road with the following conditions:

- 1.) That the applicant include a more diverse selection of landscaping plantings;
- 2.) That the applicant include more North Carolina native plantings.

VOTING:

AYES: (Wendy Wenck, Chuck Morton, Tom Wiltberger)

NOES: 0

\_\_\_\_\_  
Appearance Commission Chair

\_\_\_\_\_  
Date

**TRANSPORTATION ADVISORY BOARD****RECOMMENDATION****September 6, 2007****SUBJECT: CUP Request for the Shoppes at Jones Ferry**

Motion 1: The Transportation Advisory Board (TAB) recommends that the Board of Aldermen support the staff recommendations for the conditional use permit with the following additional recommendations:

1. The number of covered bike parking spaces in front of the Harris Teeter building is increased to 18 and the other shops will have a minimum three bike racks with a minimum capacity of six bikes such that one of those racks is near the proposed fountain and the other two are in front of the shops and that some of those spaces are covered. The developer should look at the recommendations on file with the town for types of acceptable bicycle racks.
2. There will be pavement markings and a minimum of three speed humps internal to the site to slow traffic and increase awareness of pedestrian movement.
3. Delivery, service and/or dumpster traffic will be prohibited via the Barnes Street access point.
4. The Barnes Street access will be ingress only.
5. All crosswalks are designed for maximum visibility using paint and texture.
6. There is a sheltered waiting area for EZ Rider patrons.
7. Raised concrete or planted medians are used on Jones Ferry where the current plan show painted striping for the turn lanes.
8. Soon after occupancy and for a period of up to one year the applicant will conduct traffic counts on Jones Ferry Road and Barnes Street to reevaluate the need for a traffic signal.

Moved: Charlie Hileman

Second: Daniel Amoni

Vote: Ayes (5 - Daniel Amoni, Charlie Hileman, John O'Leary, Heidi Perry, Dave Deming), Noes ( 1- Tom High )

Motion 2: The Transportation Advisory Board has the following additional recommendations to the Town:

1. That the Town of Carrboro request that NCDOT extend the 20 MPH speed limit on Jones Ferry Road from the center of town to Davie Street.
2. That the Town of Carrboro restripe Barnes and Prince Streets to narrow the traffic lanes and provide pedestrian lanes, similar to Poplar Ave.

Moved: Charlie Hileman

Second: Daniel Amoni

Vote: Ayes (6- Daniel Amoni, Charlie Hileman, John O'Leary, Heidi Perry, Dave Deming, Tom High), Noes ( 0 )

\_\_\_\_\_  
**TAB Chair**

\_\_\_\_\_/\_\_\_\_\_/07  
**DATE**



TOWN OF CARRBORO

# PLANNING BOARD

*301 West Main Street, Carrboro, North Carolina 27510*

## \* D R A F T \* R E C O M M E N D A T I O N

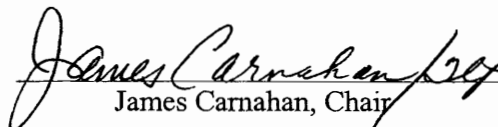
SEPTEMBER 6, 2007

### CUP for Shoppes at Jones Ferry Road

The Planning Board supports the Shoppes at Jones Ferry Road with the inclusion of the staff recommendations and the following:

- 1) Developer provides more bike racks in high-visibility locations.
- 2) Make façade treatment and signage of storefronts along Jones Ferry Road & Barnes Street reflect Carrboro's historic vernacular as found along 100 Block of East Main Street and in the historic Carr Mill building.
- 3) Developer provides pedestrian "stub-outs" to facilitate future walking connections with Carolina Apartments and University Lake Apartments. \*
- 4) Developer adds two more "tree islands" by eliminating eight (8) parking spaces at the center of the vehicle accommodation area, to be planted with shade tree varieties. \*
- 5) All buildings should utilize Energy Star rated reflective roofs.
- 6) Developer takes measures, including signage and tenant regulations, to prevent delivery trucks from using the Barnes Street ingress/egress. \*
- 7) Engineer project to treat 100% of the stormwater coming onto the site.
- 8) Developer to provide some of the shops along Jones Ferry and Barnes Street with ceilings high enough to enable construction of mezzanine areas with eight (8) foot ceilings (such as are found at Camerons and KitchenWorks in University Mall). \*
- 9) Developer re-design and expand paving areas outside and adjacent to the storefronts along Jones Ferry and Barnes Street so that some merchants will have room for outdoor activities. \*
- 10) Developer provides one additional stair to connect the Jones Ferry sidewalk with the paving along the storefronts. \*
- 11) Developer provides a sheltered waiting area for the bus stop along Jones Ferry Road.
- 12) Developer explore with staff ways to maximize safety for pedestrians and cyclists at both ingress/egress locations of the vehicle accommodation area. \*
- 13) Planning Board strongly supports the Board of Aldermen in negotiations with NCDOT that will bring about some resolution of serious safety concerns at the intersection of Jones Ferry and Barnes Street. Particularly, the Planning Board wants a clearly marked crosswalk across Jones Ferry Road leading to a sidewalk on the north side of Jones Ferry, and some form of signalization at this intersection, a flashing warning light at the very least if not a traffic light.

VOTE: AYES: (8) Barton, Bell, Carnahan, Chadbourne, Clinton, Cook, Lavelle, and Paulsen; NOES: (0); ABSENT/EXCUSED: (3) Fritz, Poulton, and West; ABSTENTIONS: (0).

 September 7, 2007  
James Carnahan, Chair (date)

Items followed by asterisk \* indicate the applicant, present during the PB's discussions, agreed to these recommended conditions.

ATTACHMENT 1

**Town of Carrboro  
Environmental Advisory Board**



**RECOMMENDATION**

September 6, 2007



*Request from the Environmental Advisory Board that the Board of Aldermen approve the CUP application for the Shoppes at Jones Ferry subject to the conditions in the staff report and the following additional conditions:*

1. That the applicant agrees to treat stormwater from existing, as well as increased impervious surface area.
2. That in anticipation of more frequent drought conditions and land use ordinance revisions that address the pending Jordan Lake Rules, the applicant either replace the proprietary stormwater device with a cistern or other holding device that would capture and re-use the first 1" of stormwater runoff or replace the proposed filter media in the proprietary device with a media that removes nutrients in addition to total suspended solids. If either of the above are impracticable for this project that the applicant demonstrates that he can accommodate retrofitting for future nutrient removal.
3. That the applicant chooses only plants from Appendix E-10 of the Carrboro Land Use Ordinance, Recommended List of Trees and Shrubs, for their final plant list and best management practice plant list.
4. That the applicant provides additional bicycle racks placed in a prominent location near the shoppes and/or Harris Teeter, at least some of which are sheltered.
5. That the applicant designs the project to facilitate existing and future flow of pedestrian and bicycle traffic around adjacent neighborhoods.
6. That the applicant extends pedestrian access to adjacent residential properties.

VOTE: AYES (4) Apple, Buckner, Elting, Taylor; NOES (0); ABSENT (2) Cors, Everett, Rabinowitz

 9/12/07  
Carolyn Buckner, Vice-Chair      Date

# Memo

**To:** Mayor and Board of Aldermen  
**From:** Jefferson Parker  
**CC:** James Harris, Director of Economic and Community Development  
**Date:** 9/12/2007  
**Re:** Comments on the Shoppes at Jones Ferry

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The ESC has reviewed the Shoppes at Jones Ferry project. This project will assist the Town of Carrboro in its effort to increase the commercial tax base. This project will also provide an additional opportunity for citizens to acquire goods and services without having to leave Carrboro. This location is located within walking distance of many Carrboro neighborhoods which will encourage citizens to walk and thereby lessen the impact of vehicle use on the environment.



Phone: 703-541-1210  
Fitchburg, NC 27426  
Toll-free: 1-800-541-3111

September 12, 2007

Honorable Mayor Chilton and The Town of Carrboro Board of Aldermen,

Regarding the matter of the proposed driveway connection with Barnes Street, we understand that some of the neighbors have voiced concern about the project adding traffic to Barnes Street, particularly truck delivery traffic. We further understand that some of your advisory boards have suggested that the Barnes Street driveway be limited to one-way in (ingress only). I must regretfully inform you that Harris teeter will not proceed with involvement in this project without two means of ingress and egress, as we have had numerous undesirable results at other locations with only one means of ingress/egress.

What I can offer is that Harris Teeter will take all steps necessary to have our large (18-wheel/75 foot) delivery trucks use only the main Jones Ferry Rd driveway for both ingress/egress.

From what we understand about the neighboring traffic patterns and demographics, we expect that most of the additional Barnes Street traffic will be from the residents in that part of Carrboro coming to and from the Shoppes at Jones Ferry. As such, it will be much easier for them to use the Barnes Street driveway for their return trip home, rather than having to use the Jones Ferry entrance and then turn right on Barnes.

I sincerely hope that you will approve the project as proposed regarding the two-way Barnes Street driveway so that we can continue with our plans to be long term tenants in this project. We look forward to continuing our long relationship with the Town of Carrboro.

Sincerest Regards,

Fred Morganthall  
President  
Harris Teeter, Inc.



# TOWN OF CARRBORO



## CONDITIONAL OR SPECIAL USE PERMIT WORKSHEET

### I. COMPLETENESS OF APPLICATION

- ☐ The application is complete  
☐ The application is incomplete

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### II. COMPLIANCE WITH THE ORDINANCE REQUIREMENTS

- ☐ The application complies with all applicable requirements of the Land Use Ordinance  
☐ The application is not in compliance with all applicable requirements of the Land Use Ordinance for the following reasons:

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### III. CONSIDERATION OF PROPOSED CONDITIONS

If the application is granted, the permit shall be issued subject to the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

**IV. GRANTING THE APPLICATION**

- ☐ The application is granted, subject to the conditions agreed upon under Section III of this worksheet.

**V. DENYING THE APPLICATION**

- ☐ The application is denied because it is incomplete for the reasons set forth above in Section 1.
- ☐ The application is denied because it fails to comply with the Ordinance requirements set forth above in Section II.
- ☐ The application is denied because, if completed as proposed, the development more probably than not:

- 1. Will materially endanger the public health or safety for the following reasons:**

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- 2. Will substantially injure the value of adjoining or abutting property for the following reasons:**

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- 3. Will not be in harmony with the area in which it is to be located for the following reasons:**

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- 4. Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen for the following reasons:**

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