

JOINT REVIEW BOARDS

AGENDA ITEM ABSTRACT
MEETING DATE: MARCH 5, 2009

**TITLE: JOINT ADVISORY BOARDS REVIEW OF CONDITIONAL USE PERMIT REQUEST FOR ARBORS
 AT WINMORE**

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES No <input checked="" type="checkbox"/>
ATTACHMENTS: A. STAFF REPORT B. LAND USE PERMIT APPLICATION C. VICINITY MAP	FOR INFORMATION CONTACT: MARTY ROUPE, 918-7333

PURPOSE STATEMENT

Crosland, LLC, as represented The John R. McAdams Company, has submitted an application for the construction of a 22 dwelling unit project located within the Winmore Village Mixed Use project at 1400 Homestead Road. The Conditional Use Permit, if approved, would allow the creation of 22 multifamily units with associated infrastructure. At this time, the Joint Advisory Boards are asked to review the application and make a recommendation on the project to the Board of Aldermen. The expected public hearing date is March 24, 2009.

INFORMATION

The subject property is zoned Village Mixed Use (VMU). The subject lot is 0.95 acres (41,333 sf) and is listed on the Orange County Tax Map as number 7.171..178. For a vicinity map, see Attachment B. Additional details are provided in the staff report (**Attachment A**).

STAFF RECOMMENDATION

Town Staff expects to recommend that the Board of Aldermen approve the Conditional Use Permit request; however, a final, formal list of conditions and recommendations is still under construction. Additional information should be available at the Thursday, March 5, 2009 meeting.

Attachment A-

STAFF REPORT

TO: Joint Review Advisory Boards

DATE: March 5, 2009

PROJECT: Conditional Use Permit for Arbors at Winmore

APPLICANT
and OWNERS: Applicant:
Crosland, LLC
5020 Weston Parkway, Suite 300
Cary, NC 27513

Owner:
Capkov Ventures, Inc.
211 LD Franklin Grove Drive
Chapel Hill, NC 27516

PURPOSE: A Conditional Use Permit allowing for construction of 22
two additional phases for property located at 1001
Homestead Road.

EXISTING ZONING: VMU (Village Mixed Use)

TAX MAP NUMBER: 7.171..178

LOCATION: 1400 Homestead Road (Winmore VMU), 109 West
Winmore Avenue (site0

TRACT SIZE: 0.95 acres (41,333 sf)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 1.331, multi-family building
1.321, multi-family townhouses

SURROUNDING
LAND USES: North: Private Alley, Single-Family Homes, and West
Winmore Avenue
South: Open Space
West: Single-Family Home
East: Open Space and West Winmore Avenue

ZONING HISTORY: VMU, since 2003; R-20 before

ANALYSIS

Background, Concept Plan Development

Background

Crosland, LLC, as represented by John R. McAdams, Inc has submitted an application for a Conditional Use Permit (CUP) for Arbors at Winmore (**Attachment B**). The project is contained entirely within the Winmore Village Mixed Use project off Homestead Road, on a vacant lot that was expected to develop in a similar manner to what is currently proposed (see **Attachment C**, Vicinity Map). If approved, the Conditional Use Permit will allow for construction of 22 dwelling units (10 townhomes + 12 multifamily units in a single building) and associated infrastructure. The subject property was rezoned from R-20, Residential to Village Mixed Use (VMU) during the approval of Winmore.

Of note, this development is intended entirely as affordable housing meeting (and actually exceeding) the provisions of LUO Section 15-182.4. Crosland is receiving NC Tax Credits for the project and accordingly is under a definite deadline to begin and complete the project. This in mind the rest of the report simply refers to dwelling units, generically, but all proposed units are to meet or exceed the affordable housing provisions of the LUO.

Density, Affordable Housing, Size-restricted Units

Density, Affordable Housing

As described above, all dwelling units currently proposed will meet or exceed the LUO's provisions for affordable housing. The Winmore CUP establishes that up to 24 units are permissible on this lot. The applicant is only proposing 22 at this time (10 townhomes and 12 units in an apartment building), but is increasing the density on the South Camelia portion of the development, which is being processed separately as a CUP Minor Modification. On balance, the total number of affordable dwelling units being constructed is increasing from 48 to 58.

The Town has processed an application utilizing NC tax credits in the past, but this is the first project wherein such tax credits directly relate to a binding obligation to provide affordable housing in accordance with a CUP. The applicant has provided sufficient information to bring the application forward for approval, but a CUP condition is included to ensure that the Town Attorney is satisfied with the arrangements prior to construction beginning:

- CUP Condition: That prior to construction plan approval, the applicant must provide information to the Town Attorney's satisfaction ensuring that the units will remain affordable in accordance with the provisions of LUO Section 15-182.4.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to density and affordable housing, subject to the condition mentioned above.

Transportation, Streets, Sidewalk, & Parking

All proposed units are served off an existing private alley, which is located directly behind a row of single-family houses (SFDs) along West Winmore Avenue. The alley connects on each end to a public street (W. Winmore Ave) and is currently 12-ft wide as shown on the original CUP drawings, which is sufficient to serve as a secondary access for the SFDs. However, because the alley will act as a primary access point for all currently proposed units, the applicant worked to widen the alley wherever possible, at the request of the Fire Department. As proposed, the alley is at minimum 16-ft wide, widens somewhat on the western side, and widens to a full access width of 24-ft on the eastern side to make the possible need for fire access manageable. All townhomes and the apartment building have a 5-ft sidewalk in front.

Per section 15-291 of the LUO, each of the proposed units is presumptively required to have one space. The applicant exceeds this number by providing 28 spaces, some of which are parallel to the private alley with the balance contained in a parking area between the townhomes and apartment building. If inspecting the parking data on the cover sheet, please note that this portion of the project is identified as 'Phase 2' (Phase 1 being the S. Camelia St. site).

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to transportation, streets, sidewalk, and parking.

Landscape Plans, Screening and Shading

Sheet LP1.10 provides an ample landscaping plan, with a variety of vegetation proposed on all sides of the development. Further details are provided on Sheet LP2.00. A Type A screen is provided along the western property line where the project abuts a large property containing a single-family house. A table is also included detailing the shading requirements for the vehicle accommodation area. The information included makes it evident that the application exceeds related requirements.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to landscaping, screening, and shading, subject to the inclusion of the condition regarding the landscaping buffer along Homestead Road be incorporated into the CUP plans.

Drainage, Grading, Stream Buffer, & Erosion Control

Drainage

A subsurface Contech Stormfilter© is proposed for stormwater treatment. It will be located under the parking area between the townhomes and apartment building. A series of inlets and pipes feed water into the system, which then filters water through a medium

designed to remove suspended solids. Treated water and overflow water then exits on the southeast side of the parking lot. It flows downhill from there to a drainage channel.

Note that the applicant and Town Engineer are still working through final design details for the system as of my writing this report. That in mind it is not definite but may be necessary to add one or more stormwater-related CUP conditions prior to the public hearing. Both the Town Engineer and applicant's engineer should be available during the meeting to discuss further if necessary.

Grading

A significant amount of grading is necessary to realize the project, but the extent of grading is not drastic in any particular locations.

Stream Buffer

A stream exists near but off the south side of the site. The buffer extends onto the subject property, but the applicant has designed the site in a manner that does not disturb the buffer.

Erosion Control

A single erosion control pond has been designed for the site in the area that eventually will become a parking lot with the subsurface water quality feature. It has been designed such that it does not disturb the stream buffer. Further, it does not involve cutting any trees beyond what must be removed anyway in order to install the eventual parking lot. Orange County Erosion Control has reviewed the plans and found the design acceptable.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Drainage, Grading, Stream Buffers, and Erosion Control.

Utilities, Fire Safety, Lighting and Refuse Collection

Utilities

The water and sewer plans have been reviewed by OWASA and meet with their general satisfaction.

Regarding other utilities such as electric, telephone, etc, the applicant has submitted letters by the respective providers indicating that they can serve the development. Per Section 15-246 of the LUO, the plans specify that all electric, gas, telephone, and cable television lines are to be located underground in accordance with the specifications and policies of the respective utility companies.

Fire Safety

Two new fire hydrants are located within the development, one being on the western side of the property and the other more centrally located near the apartment building. The Town's Fire Marshall has found the plans adequate.

Lighting

Lighting very similar to the existing decorative and street lights in Winmore is proposed to be located along the front side of the townhomes and apartment building.

Refuse Collection

Trash collection and recycling services is located near West Winmore Avenue, just inside the private alley drive. Both Public Works and Orange County Solid Waste have found the design acceptable.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to utilities, fire safety, lighting, and refuse collection.

Open Space, Recreation

Both the open space and recreation facilities requirements for this project are satisfied by the Winmore VMU. Still, a clubhouse is included in the design, within the proposed apartment building.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Open Space and Recreation.

Miscellaneous

Neighborhood Information Meeting

The applicant held a neighborhood information meeting on January 27, 2009. Only a few people attended and apparently did not have any unusual concerns.

STAFF RECOMMENDATION:

Town Staff expects to recommend that the Board of Aldermen approve the Conditional Use Permit request; however, a final, formal list of conditions and recommendations is still under construction. Additional information should be available at the Thursday, March 5, 2009 meeting.

TOWN OF CARRBORO

LAND USE PERMIT APPLICATION

DATE: 9-12-08

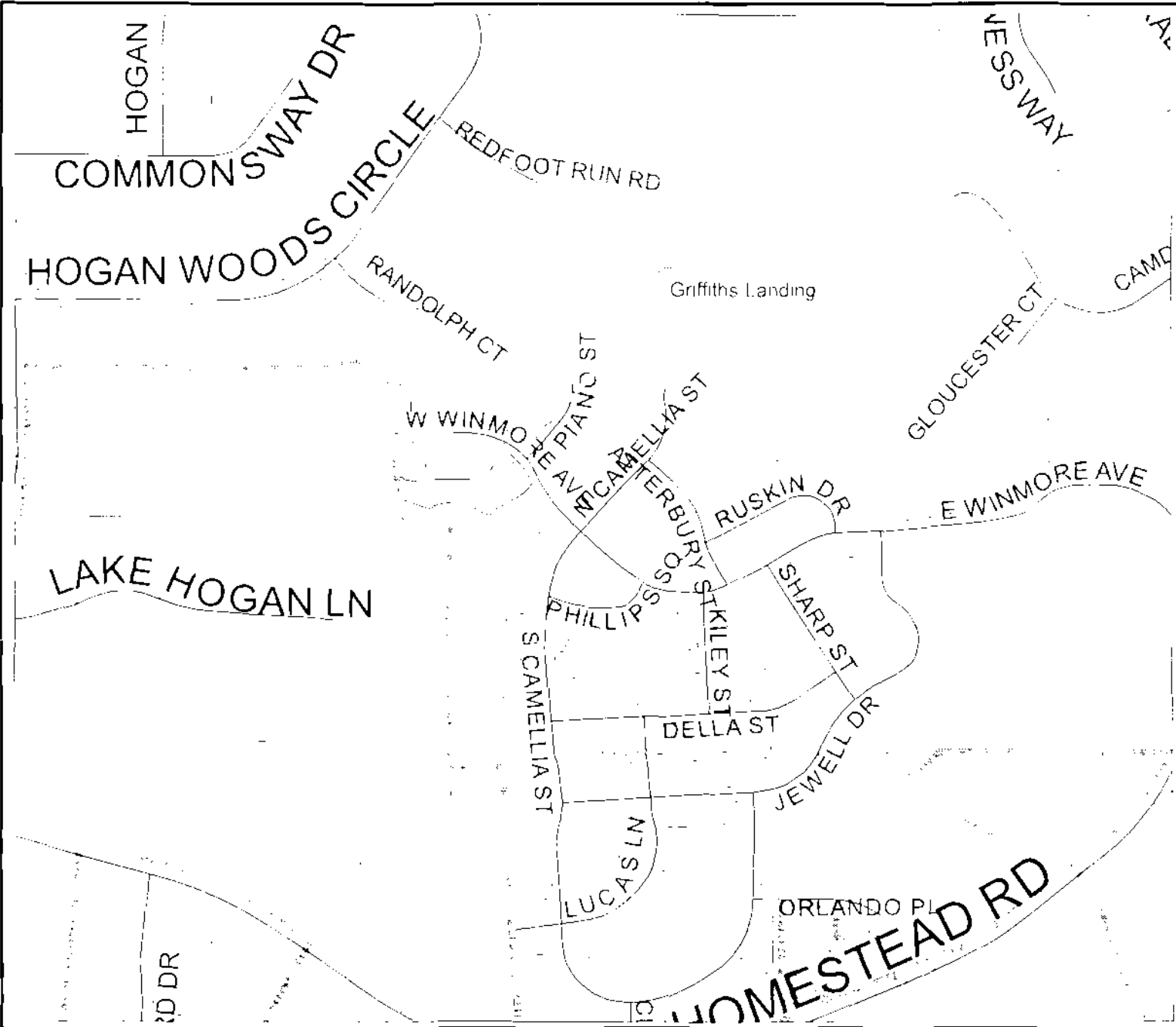
FEE: \$1992 (\$1200 + \$36/unit 22 units)

APPLICANT Kevin Hamak, The John R. McAdams Company, Inc.	OWNER Eric B. Chupp Capkov Ventures Inc.
ADDRESS 2905 Meridian Pkwy	ADDRESS P O Box 26815
CITY/STATE/ZIP Durham, NC 27713	CITY/STATE/ZIP Chapel Hill, NC 27515
TELEPHONE/FAX PHONE: (919) 361 5000 FAX: (919) 361-1289	TELEPHONE/FAX PHONE: (919) 942 8005 FAX: (919) 968 4648
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER Consultant	TAX MAPS/ BLOCKS/LOTS 7.171..178
PROPERTY ADDRESS 109 W Winmore Avenue	PROPOSED LAND USE & USE CLASSIFICATION Mixed Use (M-1) Townhouses (1-22) and Apartments (1-24)
PRESENT LAND USE & USE CLASSIFICATION Vacant	LOT AREA 0.95 Acres 41,897 square feet
ZONING DISTRICTS AND AREA WITHIN EACH (including Overlay Districts) VMJ Village Mixed Use, 0.95 acres	
# OF BUILDINGS TO REMAIN 0	# OF BUILDINGS PROPOSED 2
EXISTING GROSS FLOOR AREA OF BUILDINGS 0 square feet	GROSS FLOOR AREA of proposed BUILDINGS - proposed ADDITION n/a residential square feet
	GROSS AREA of LAND DISTRICT PLANNED square feet

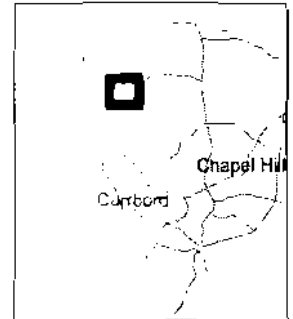
NAME OF PROJECT/DEVELOPMENT: The Arbors at Winmore

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT / EXEMPT PLAT	1, 8, 19, 21, 23, 31, 33, 34, 37
<input checked="" type="checkbox"/> 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, 37
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, 37
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, 37
ZONING PERMIT (Building) <i>Residential Infill & Additions</i>	9, 10, 22, 24, 34, 37 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 37
VARIANCE	4, 5, 10, 20, 29, 34, 37 Attachment A
APPEAL	4, 5, 37, Attachment B
SPECIAL EXCEPTION	1, 4, 5, 8, 10, 20, 35, Attachment C

APPLICANT: *Kevin Hamak*DATE: 9/12/08OWNER: *Eric B. Chupp*DATE: 8/10/2008



Griffiths Landing



- Streets
- - - City Limits
- ▭ Griffiths Landing
- ▭ Properties

THIS MAP IS NOT A CERTIFIED SURVEY
NO RELIANCE MAY BE PLACED ON ITS
ACCURACY

This map is for informational purposes only.
It does not constitute a survey.
For more information, contact:
Town of Carrboro, Planning Department
101 W. Main St., Carrboro, NC 27510
Phone: 919.942.7000

TOWN OF CARRBORO
101 W. Main St.
Carrboro, NC 27510
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