

BOARD OF ALDERMEN

ITEM NO.D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: NOVEMBER 12, 2002

**SUBJECT: CONTINUATION OF PUBLIC HEARING FOR THE TWIN MAGNOLIAS
CONDOMINIUMS CONDITIONAL USE PERMIT, 107 JONES FERRY ROAD**

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES
ATTACHMENTS: A. PROJECT PLANS B. STAFF REPORT C. LAND USE PERMIT APPLICATION D. SECTION 15-221(B) OF THE LUO E. RESPONSE LETTER FROM APPLICANT REGARDING 15-221(B) OF THE LUO F. TREE REMOVAL JUSTIFICATION LETTER G. LETTER(S) FROM TOWN ENGINEER H. EXAMPLES OF ARCHITECTURAL DRAWINGS I. SECTION 15-182.4 OF THE LUO J. APPEARANCE COMMISSION MINUTES (7/15/02) K. NEIGHBORHOOD INFORMATION MEETING FORM L. LETTERS FROM CITIZENS M. DRAFT OF BOARD OF ALDERMEN MINUTES FROM OCTOBER 22, 2002 N. LETTER FROM PUBLIC WORKS DIRECTOR REGARDING SOLD WASTE COLLECTION O. LETTER FROM APPLICANT REGARDING REQUESTS FOR ADDITIONAL INFORMATION P. MEMORANDUM FROM TRANSPORTATION PLANNER REGARDING TURNING MOVEMENTS AND TRAFFIC COUNTS Q. PROJECT TRANSPORTATION IMPACT STATEMENT R. ADVISORY BOARD RECOMMENDATION STATEMENTS (INCLUDING SUMMARY SHEET) S. CONDITIONAL USE PERMIT WORKSHEET	FOR INFORMATION CONTACT: MARTY ROUPE, 918-7333

PURPOSE

Williams Construction Company, Inc. has submitted an application for a Conditional Use Permit (CUP) to allow a condominium development, consisting of a single-family dwelling (Use 1.111) and two-family dwelling apartment buildings (Use 1.241) at 107 Jones Ferry Road. The request consists of a condominium project including eleven (11) two-family apartment buildings [twenty-two (22) dwelling units] and an existing single-family residence, which will remain. The project would be located at 107

Jones Ferry Road and would be named 'Twin Magnolias Condominiums.' The Board of Aldermen held a public hearing on October 22, 2002. At that time, the Board chose to continue the public hearing during the November 12, 2002 meeting in order to seek additional information related to the application. Additional information is attached. At this time, the Administration recommends that the Board continue review and deliberation, and then make a decision regarding the conditional use permit application.

INFORMATION

The Twin Magnolias Condominiums project would be located on a 3.55 acre piece of property currently containing one single-family dwelling. The property is located directly to the west of the PTA Thrift Shop, which is located at 103 Jones Ferry Road. A detailed staff report analyzing the proposed project is attached – see **Attachment B**.

Additional Information as Requested by Board of Aldermen:

During the public hearing on October 22, 2002, Board members requested additional information related to the following topics: 1) feasibility of using rollout carts, 2) possibility of co-locating entrance through Thrift Shop property, and 3) turning movements and traffic counts (**Attachment M**). Additional information follows:

1) Regarding the feasibility of using rollout carts, please note that the Public Works Director has considered the matter and suggested that rollout carts would be acceptable for the proposed development (**Attachment N**); however, the applicant has submitted a letter including reasons why they feel rollout carts are inappropriate in this case (**Attachment O**). Staff and the applicant also analyzed the possibility of sharing the use of the dumpsters at the adjacent PTA Thrift Store site. The Public Works Director had concerns with this idea related to unauthorized use of the subject dumpsters that has historically taken place (**Attachment N**). PTA Thrift's Executive Director, Buffie Webber, also had concerns about this possibility as evidenced in the letter from the applicant (**Attachment O**). Again, the Public Works Director has stated that either a dumpster located on the subject site or rollout carts would be acceptable for the proposed development.

2) The applicant's letter also addresses the possibility of co-locating the entrance/exit by routing traffic through the PTA Thrift Shop property (**Attachment O**). In the letter, the applicant states that Ms. Webber, representing PTA Thrift Shop, is not interested in this possibility for multiple reasons. Town staff also analyzed the possibility of routing traffic through the PTA Thrift Shop property and identified several impediments including loss of parking spaces and the change in existing grades between the parking lot and the proposed development site as outlined in the attached memorandum from the Town's Transportation Planner (**Attachment P**).

3) Turning movements and traffic counts also are referenced in the attached memorandum from the Transportation Planner (**Attachment P**). In the memo, the Transportation Planner mentions that queued vehicles possibly may block the driveway entrance to the proposed development, particularly during rush hours. However, the memo also points out possible ways of addressing situations that may arise. Possible solutions include but are not limited to the addition of left turn lane on Jones Ferry Road or the construction of a median to prevent left turn movements into the property if problems are identified at some point in the future. Also attached, please find a copy of the applicant's 'transportation impact statement' (**Attachment Q**). The applicant also commented on the issue of traffic safety in the letter submitted (**Attachment O**).

Additional Information Not Related to Requests by Board of Aldermen:

While a direct request was not made regarding the matter, staff did recognize that the matter of children's recreational facilities might resurface during the continuation of the public hearing. Therefore, staff chose to approach the applicant regarding the matter. To that end, please note that the applicant's letter (**Attachment O**) states that they are willing to incorporate into the design of the project a six-foot (6') by twelve-foot (12') swing set worth 12.67 recreation points or 5.3% of the total number of recreation points required. According to the letter, if the swing set were to be incorporated into the project, then the applicant would like to reduce the proposed size of the gazebo from 741 square feet to 695 square feet. Staff has analyzed the numbers presented in the applicant's letter and determined that the proposed recreational equipment would comply with the requirements of the LUO. Specifically, the swing set would bring the applicant into compliance with the language found in Section 15-196(f) regarding children's recreational facilities.

RECOMMENDATION

The Administration recommends that the Board of Aldermen approve the Conditional Use Permit request to allow a condominium development, consisting of 22 two-family apartments (Use 1.241) and a single-family dwelling (Use # 1.111) (to remain on the property), to be located at 107 Jones Ferry Road, subject to the following conditions:

1. That a detail drawing for the proposed brick sidewalk be included on the construction plans;
2. That the construction plans must show the waterline connecting to a main line other than the cogeneration line in the Jones Ferry Road right-of-way;
3. That a 'certificate of occupancy' for the bonus 'market-rate' unit may not be issued until such time as the two affordable units (unit 18 and unit 22) are constructed and offered for sale or rent for an amount consistent with the language found in Section 15-182.4 of the Town of Carrboro Land Use Ordinance, nor until arrangements have been made to assure the continued affordability of the two affordable units, again consistent with the language found in Section 15-182.4 of the Town of Carrboro Land Use Ordinance; and
4. That Homeowner's Association documents be reviewed and approved by the Town Attorney prior to construction plan approval.