



Town of Carrboro

Town Hall
301 W. Main St.
Carrboro, NC 27510

Agenda Item Abstract

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Status: Public Hearing

In Control: Board of Aldermen

File Type: Abstract/Resolution

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TITLE:

Public Hearing: Review of the Shelton Station Conditional Use Permit

PURPOSE: Belmont Sayre, LLC as represented Coulter, Jewell and Thames, has submitted an application for the construction of a mixed-use commercial/residential development located adjacent to and including 402 N. Greensboro Street. (Attachment C). The Conditional Use Permit, if approved, would allow the creation of a four-story multi-family residential building with 94 dwelling units and a two-story, 22,706 square foot of commercial building with associated infrastructure.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Jeff Kleaveland, 918-7332

INFORMATION: The subject property is zoned B-1(G) CZ and contains four parcels for a combined acreage of about 2.65 acres. These parcels are identified by Orange County PINs 9778877556, 9778877448, 9778879369 & 9778970512. For a vicinity map, see cover sheet of Attachment A.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION:

Town staff requests that the Board hold the public hearing and consider all pertinent evidence presented. In absence of public, health, safety and/or welfare reason(s) to deny, staff recommends that the Board of Aldermen approve the Shelton Station Mixed-Use Conditional Use Permit based on compliance with the Land Use Ordinance, subject to the following conditions:

1. That, per the provisions of 15-141.4(f), the Board hereby finds that the additional density in this permit is authorized by the provision of building and site elements in at least three of the following seven areas: stormwater management, water conservation, energy conservation, on-site energy production, alternative transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use.

2. That the applicant must obtain approval from the Town (either at a staff or Board level), if changes to the allocation of uses in the commercial building areas result in a parking requirement that exceeds the parking amount approved by the permit.
3. Per Section 15-141.4(g), occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1).
4. That the applicant provides regulated affordable housing units sufficient to meet the 10% minimum required in each of the affordability categories described in rezoning condition five. Compliance must be demonstrated prior to construction plan approval. As referenced in rezoning condition five, all affordable units shall be maintained for a term of 99 years from the date of permit approval.
5. That the property management agreements that secure the services of a third party company to manage the regulated affordable units be subject to Town Review prior to issuance of a certificate of occupancy to verify that the affordable housing conditions of the permit will be properly enforced per the provisions of the LUO and the CUP.
6. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment / maintenance agreements for lighting and sidewalks.
7. That prior to construction plan approval, the proposed 10' to 14' pedestrian and greenway easement adjacent to the railroad right-of-way be identified as "public".
8. That, prior to construction plan approval, the right-of-way sidewalk will satisfy the 10 foot sidewalk width requirement of section 15-221(f) of the LUO.
9. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner though they do not satisfy the provisions of Section 15-300 by allowing this loading area to be located within a parking aisle. The Board makes this finding by accepting the applicant's written justification for this arrangement.
10. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built 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.
11. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval.
12. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans;
13. 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.
14. The developer must provide a functional connection from the Parker Street right-of-way for purposes of providing a secondary means of access for emergency situations. A means of accomplishing the connection must be demonstrated on the plans before the

construction plans may be approved and the actual connection must be in place before a Certificate of Occupancy is issued for the residential building.

15. That prior to construction plan approval the lighting plan in the area adjacent to the property identified as 105 Parker Street (Orange County PIN 9778877317) be adjusted to satisfy the provisions of Section 15-242.5 of the LUO.
16. That prior to issuance of a certificate of occupancy the applicant formalizes a Commercial Dumpster Service agreement to address the need for addition solid waste services for the development.
17. That the .81 points/square foot calculation for the *indoor fitness center facility* recreation points ratio is found to be acceptable per the provisions of Appendix G and that the recreational facilities provided by the project satisfy the provisions of Section 15-196 of the LUO.
18. That, prior to construction plan approval, the urban amenities not yet fully described by the permit application be subject to additional review and approval by the Board of Aldermen at a future date, once the design is complete.