



## AGENDA ITEM COVERSHEET

---

**PREPARED BY:** Miles Murphy – Senior Planner

**DEPARTMENT:** Planning

**MEETING:** Town Council – December 8<sup>th</sup>, 2020

**SUBJECT:** Consider a Conditional Use Permit for a 5-Unit Residential Planned Unit Development to be located at 216 Spartanburg Avenue (PIN - 3130-32-7671)

Applicant: Laurel Companies LLC.

---

### **BACKGROUND:**

The applicant, Laurel Companies LLC., is requesting a Conditional Use Permit (CUP) to build a five-unit residential Planned Unit Development at 202 S. Carolina Beach Avenue. The parcel is zoned R-1 which allows Residential PUDs with a unit density of 15-units per acre.

Laurel Companies proposes to construct five units, two 2-Unit townhomes and one 1-Unit townhouse, with an HOA. Each unit will be 3 stories with parking underneath. Stormwater will be directed towards Spartanburg and/or Third. The lot can contain a maximum of 5 units by R-1 zoning standards.

The property requires 40% lot coverage, standard parking, 25% open space, standard stormwater design, and a 5' landscaping buffer. All of these have been met/provided in the proposed layout.

**Specific standards.** No *conditional use* shall be granted by *town council* unless the following provisions and arrangements, where applicable, have been made to the satisfaction of the council:

- (1) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
  - Ingress and egress will be via S. 3<sup>rd</sup> Street.
  - A 4' wide sidewalk is requested to be installed along the drive aisle along the Spartanburg Avenue and S. 3<sup>rd</sup> Street Right of Ways.
- (2) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district;
  - Parking will be contained on the lot and under the structure
  - - The design will accommodate sufficient parking for each structure (3/Unit).
- (3) Refuse and service area, with particular reference to the items in (1) and (2) above;
  - Trash service will be collected via standard residential manner

- (4) Utilities, with reference to locations, availability, and compatibility;
  - Utilities will be provided by Duke and the Town
  - Stormwater will be directed toward Spartanburg Avenue and S. 3<sup>rd</sup> Street
- (5) Screening and buffering with reference to type, dimensions, and character;
  - A 5' landscape buffer for this type of development
- (6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
  - No signage is proposed at this time and any signage will have to meet all standard zoning requirements in the future
- (7) Required yards and other open space and preservation of existing trees and other attractive natural features of the land.
  - There is no required yard or open space beyond general zoning standards for a residential Multi-family
  - Minimum of 25% of open space (51%)
  - Below maximum of 40% lot coverage (37%)

**General conditions.**

- (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;
  - The density falls within the standard R-1 density requirements and the proposed structure follows the setback requirements
- (2) That the use meets all required conditions and specifications;
  - The proposed CUP meets all required conditions.
- (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
  - The proposed structure/use will conform with the neighboring properties
- (4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.
  - The desired Future Land Use of the Residential 1 area includes a predominance of single-family and duplex units. Building height will not exceed a 50' height maximum and shall be consistent with Section 4.3, II. Management Topic: Land Use Compatibility Policies, 31 (B). Density will be moderate with a minimum of 5,000 square foot lots and around 8.7 units per acre, with up to 15 units per acre allowed. Lot coverage will not be allowed to exceed 40%. Provision of infrastructure to undeveloped and un-served areas will be at the expense of the developer. New multi-family residential development shall be prohibited

**ACTION REQUESTED:**

Staff recommends approval of the CUP with the inclusion of a 4' wide sidewalk parallel to Spartanburg Avenue and S. 3<sup>rd</sup> Street.

Planning and Zoning Voted 6-1 in favor of approving the CUP

**RECOMMENDED MOTION:**

Approve the CUP for a 5-Unit Residential Planned Unit Development, with the requirement of a 4' wide sidewalk on the side of the drive aisle along the Spartanburg and 3<sup>rd</sup> Street Right of Ways, that it is in accordance with the draft grant order and that it otherwise meets the 7 specific standards and the 4 general conditions, if developed according to the plan as submitted and approved.

Deny the CUP as it fails to sufficiently meet 1 or more of the general conditions to include (state conditions not met in the motion)

(1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;

(2) That the use meets all required conditions and specifications;

(3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

(4) That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.