



Conditional Use Permit:
522 N. 7th Street – SF Residential
Planned Unit Development

August 11th, 2020
Miles Murphy – Senior Planner



Location: 522 N. 7th Street

Applicant: Marlow Construction LLC



522 N. 7th Street

Adjacent Properties



526 N. 7th Street



520 N. 7th Street

Adjacent Properties



116 Olde Mariners Way



124 Olde Mariners Way



120 Olde Mariners Way



130 Olde Mariners Way
HOA



128 Olde Mariners Way

Adjacent Properties



105 Palm Breeze Drive



109 Palm Breeze Drive



113 Palm Breeze Drive

Residential PUDs Permitted in R-1

ARTICLE III. – Zoning District Regulations

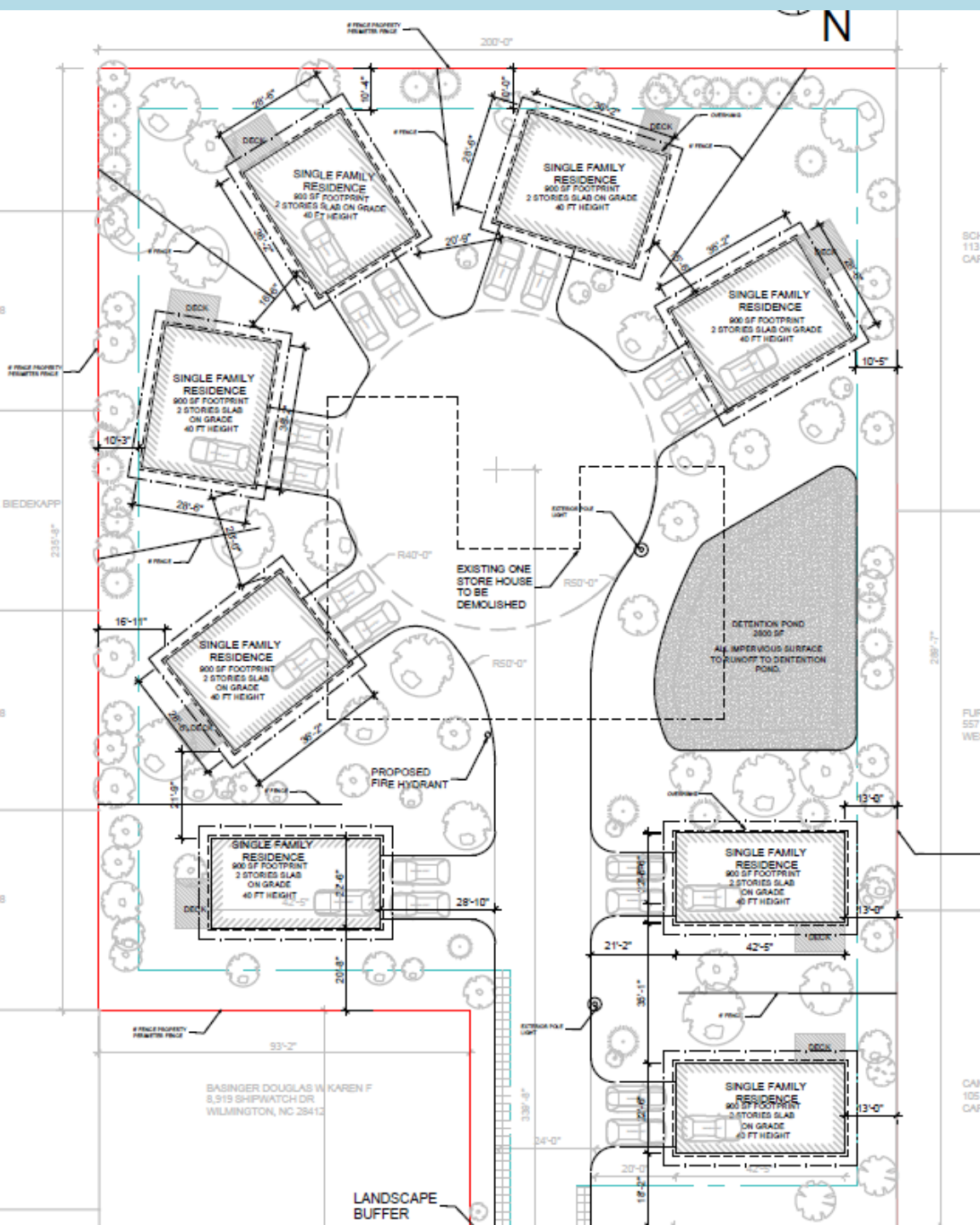
Sec. 40-72. – Table of permissible uses.

USES OF LAND	R-1
Planned unit development, residential (See article XII of this chapter)	C

Dimensional Standards for Lots and Principal Structures, Other Districts

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width ⁵	Min. Front Yard	Min. Rear Yard	Min. Side Yards (Corner Lot-Min 12.5 ft.) ⁵	Max. Density	Max. Height	Max. Lot Coverage
R-1	Single-Family Two-Family	5,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	15 units/acre	45 ft. ¹	40%

1 – exists in a 45' height overlay district



Design

- Landscaping buffer has been met in all areas
- 8 Single-Family homes with a 900ft² footprint
- Drive aisles and parking meet standards for zoning requirements and fire access
- Open space (88%) and Lot Coverage(12%) requirements are met
- State stormwater permit required
- All units meet 15' minimum separation requirement
 - 15.5' is the smallest separation
- All units are 3-4 bedrooms and provide the minimum of 3 required parking spaces per unit based on bedrooms

	Acres	Ft ²	Units
Standard	1.00	43,560	15
Max	1.34	58,271	20 (max)
Proposed	1.34	58,271	8 SFR Units

Specific standards.

- (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 remain via N. 7th Street
 - The design will accommodate 2-way traffic and sufficient parking for each townhome
 - A 4' wide sidewalk is requested to be installed on either side of the drive aisle along the 7th street RoW (note included on site plan)
- (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 property
- (3) Refuse and service area, with particular reference to the items in (1) and (2) above;
 - Trash 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
 - State stormwater permit is required
 - Fire Hydrant will be installed
- (5) Screening and buffering with reference to type, dimensions, and character;
 - A 10' landscape buffer is required for this type of development
 - A 6' fence is proposed around the entire property and along the entry drive aisle
- (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 PUD
 - Minimum of 15' between structures
 - Minimum of 25% of open space (88%)
 - Below maximum of 40% lot coverage (12%)

Required	Proposed
Front - 20'	162
Rear - 10'	11'
Side - 7.5'*	11'

*The requirement for a side setback is actually 10' due to the landscape buffer requirement. This is more strict than the general zoning district requirement

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 structures follows the setback requirements

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

- The proposed CUP 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

- The proposed structures/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. 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.

Staff Recommendation

Staff recommends the approval of the proposed Residential CUP with the requirement of a 4' wide sidewalk extension parallel to the 7th street Right of Way

Motion from Town Council

- Approve the CUP for an 8-Unit Single-Family Residential Planned Unit Development, that it is in accordance with the draft grant order and that the applicant shall provide a 4' wide sidewalk on either side of the drive aisle along the 7th street Right of Way 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.