



AGENDA ITEM COVERSHEET

PREPARED BY: Miles Murphy, Senior Planner

DEPARTMENT: Planning

MEETING: Town Council Workshop – 11 AUG 2020

SUBJECT: Consider a Conditional Use Permit for an 8-Unit Single-Family Residential Planned Unit Development to be located at 522 N. 7th Street

BACKGROUND:

The applicant, Marlow Construction LLC, is requesting a Conditional Use Permit (CUP) to build a eight-unit residential PUD comprised of eight single-family homes at 522 N. 7th Street. The parcel is zoned R-1 which allows single-family and two-family Residential PUDs with a unit density of 17-units per acre.

The property was previously under construction for one extremely large SFR, but the project stalled. Subsequently, the property went back on the market and Marlow Construction determined it would be a good potential location to feature some of their residential structures, which have been constructed elsewhere in CB. The lot has the ability to contain a maximum of 23 units by R-1 zoning standards. Marlow Construction is only proposing 8 units.

The property requires, 40% lot coverage, standard parking, 25% open space, stormwater retention, and a 10' 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 remain via N. 7th Street
- The design will accommodate 2-way traffic and sufficient parking for each SFR structure.

(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 each individual home's driveway or under the home

(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
- A new fire hydrant is proposed

- A state SW permit is required
- (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 PUD
- (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
 - Below maximum of 40% lot coverage

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 N 7th Street.

RECOMMENDED MOTION:

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.