



AGENDA ITEM COVERSHEET

PREPARED BY: Miles Murphy, Senior Planner

DEPARTMENT: Planning

MEETING: Town Council – November 10, 2020

SUBJECT: Consider a Conditional Use Permit for an 8-Unit Residential Multi-Family Development to be located at 202 S. Carolina Beach Avenue (PIN - 3130-54-2234)

Applicant: Too Construction Inc

BACKGROUND:

The applicant, T.O.O. Construction, is requesting a Conditional Use Permit (CUP) to build an eight-unit residential Multi-family comprised of eight condos at 202 S. Carolina Beach Avenue. The parcel is zoned T-1 which allows multi-family Residential with a unit density of 29-units per acre.

T.O.O. Construction proposes to construct an 8-unit condo building with an HOA. Each unit will be 3 stories with parking underneath. The structure will also have an elevator servicing each floor. Stormwater will be directed toward Woody Hewitt Avenue. The lot can contain a maximum of 9 units by T-1 zoning standards. T.O.O. Construction is only proposing 8 units.

The property requires 40% lot coverage, standard parking, 25% open space, standard stormwater design, 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 S. Carolina Beach Avenue and Woody Hewitt Avenue.
 - The design will accommodate sufficient parking for the entire structure.
 - A 4' wide sidewalk is requested to be installed along the drive aisle along the S. Carolina Beach Avenue Right of Way.
- (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

- (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 Woody Hewitt Avenue
- (5) Screening and buffering with reference to type, dimensions, and character;
 - A 10' landscape buffer for each side yard is required 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 (39%)
 - Below maximum of 40% lot coverage (36%)

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 T-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 Mixed Use 3 area includes relatively dense residential and commercial lodging use, with single-family and duplex units. A ratio of two-thirds residential to one-third commercial is desired. This district serves as a transition and buffer from the more intense and dense uses of the oceanfront multi-family and central business districts. 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 (A) and (B). Density will be high with 5,000 to 6,000 square foot lot minimums and density ratios averaging around 17 units per acre. Lot coverage will not be allowed to exceed 40%.

ACTION REQUESTED:

Staff recommends approval of the CUP with the inclusion of a 4' wide sidewalk adjacent to S. Carolina Beach Avenue.

Planning & Zoning recommends approval of the CUP with the inclusion of the 4' sidewalk adjacent to S. Carolina Beach Avenue

RECOMMENDED MOTION:

Approve the CUP for an 8-Unit Multi-Family Development, that it is in accordance with the draft grant order and that the applicant shall provide a 4' wide sidewalk on the side of the drive aisle along the S. Carolina Beach Avenue 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.