

STAFF REPORT

TO: Board of Aldermen

DATE: March 27th, 2018

PROJECT: Conditional Use Permit for Merritt Mill Affordable Housing
at 802 & 806 Merritt Mill Road

APPLICANT: CASA NC
Attention: Jess Brandes
624 West Jones Street
Raleigh, NC 27603

OWNER: Glenn Greenstreet
206 Oak Park Drive
Chapel Hill, NC 27517

PURPOSE: A request for Conditional Use Permit for twenty-four (24)
unit affordable apartment complex at 802 & 806 Merritt
Mill Road

EXISTING ZONING: R-7.5 Residential District

PIN: 9778-93-0135 & 9778-93-1183

LOCATION: 802 & 806 Merritt Mill Road

TRACT SIZE: 86,833sf (1.99 ac)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Three (3) story multi-family apartment (use #1.330)
complex. Total of twenty-four (24) units with two (2)
bedrooms within each unit

SURROUNDING
LAND USES: North: M1, Village Self Storage
South: Chapel Hill Planning Jurisdiction
West: R-7.5, single-family residences
East: Chapel Hill Planning Jurisdiction

ZONING HISTORY: R-7.5 since 1980

ANALYSIS

Background, Concept Plan Development

Background

CASA NC has submitted an application for a Conditional Use Permit (CUP) for a multi-family apartment complex. This will be a three (3) story building that will contain twenty-four (24) units with two (2) bedrooms within each unit. It should be noted that this project is a joint planning effort with Chapel Hill as an additional twenty-four (24) apartments will be constructed on the property to the east (or within Chapel Hill Planning District). Of note, some portions of the project located on the Chapel Hill side of the site are being utilized to demonstrate compliance with Town of Carrboro Land Use Ordinance provisions. This is permissible under the Town's definition of lot.

All the units will all be affordable as CASA is a non-profit housing developer and the units will be available to households below 60 percent of the AMI, with a priority for people who are homeless and/or who have disabilities.

The subject property is currently zoned R-7.5, but the applicant is requesting a Conditional Use Rezoning of the property to R-2. The two (2) properties within the Carrboro Zoning District contain 1.99 acres (86,833sf) and is listed on the Orange County Parcel Identification Numbers 9778-93-0135 & 9778-93-1183.

Density, Affordable Units

Density

The present zoning for this property is R-7.5, but the applicant is requesting a Conditional Use Rezoning of the property to R-2. If the rezoning of property to R-2 is approved, then Section 15-182(a) of the LUO states that multi-family units within the R-2 zoning district requires 2,000 sf of land area per dwelling unit- in essence, a total of forty-three (43) units could be requested. The applicant is requesting a total of twenty-four (24) units with each unit containing two (2) bedrooms.

Affordable Units

All twenty-four (24) units will be affordable (as well as those units within Chapel Hill) as CASA is a non-profit housing developer and the units will be available to households below 60 percent of the AMI, with a priority for people who are homeless and/or who

have disabilities. These units will remain as affordable for a time span of 99 years per Section 15-182.4(f) of the LUO. The following condition related to affordability is recommended:

- That deed restrictions must be placed on the property restricting use of the land to only affordable housing, in accordance with LUO Section 15-182.4, for a period of 99 years.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to density, affordable units and open space.

Traffic Analysis, Sidewalks, Bike Lane, Transit, Parking, Bicycle Parking

Traffic Analysis

See the applicants attached statement (attachment F). The project has been reviewed and approved by NCDOT.

Because NCDOT has reviewed but not formally approved the project for construction, the following condition is recommended:

- 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 agreement for installation of necessary infrastructures.

Sidewalks

Installation of a five (5) foot wide sidewalk will be installed along the front portion of this project. This new sidewalk will connect to the existing sidewalk in front of the Lincoln Center to this east of this project.

Bike Lane

A bike lane will be installed along the front portion (north side of Merritt Mill Road) of this project. This bike lane will end or merge back into Merritt Mill Road at the western edge of this project.

Transit

The project does not propose the installation of a bus stop, but there are two existing bus stops to the east and two bus stops to the west. This project was forwarded to Chapel Hill Transit for review, but no review comments to date have been received.

Parking

Section 15-291(g) of the LUO requires one (1) parking space per unit due to these units being low income. This would require a twenty-four (24) parking spaces, but the

applicant will be providing thirty-one (31) parking spaces within the Carrboro portion of this project.

Bicycle Parking

Section 15-291(h) of the LUO requires 1.5 bicycle parking spaces per unit- this would require thirty-six (36) bicycle parking spaces with 50 percent of those being covered spaces.

A total of thirty-six (36) bicycle parking spaces with 50 percent or eighteen (18) bicycle spaces will be covered- this meets Section 15-291(h) of the LUO.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Traffic Analysis, Sidewalks, Bike Lane, Transit, Parking and Bicycle Parking.

Tree Protection, Screening, Parking Lot Shading and Tree Canopy

Tree Protection

Section 15-316 of the LUO states that large trees have a diameter of eighteen (18) inches or greater and are to be retained whenever possible. There are currently sixty (60) rare trees and fifty-one (51) specimen trees located on the Carrboro portion of this project. The project will require the removal of forty-two (42) of the rare trees and forty-six (46) of the specimen trees.

The remaining existing trees will be preserved and protected by tree protection fencing during construction. As required, the applicant has provided a tree removal justification letter (attachment G).

Screening

Section 15-307 requires a Type C screen along the southern and western side property lines- this screening requirement will be met by the installation of varying hardwood trees and the retention of existing trees. The plans as presented satisfy the screening requirements of the LUO.

Parking Lot Shading

Section 15-318(b) states that 35 percent of parking lot must be shaded- the proposed parking lot shading provided by this project is 36 percent. The base requirements is calculated per the provisions of Appendix E-3 of the LUO.

Tree Canopy

Section 15-319 requires a minimum tree canopy of forty (40) percent for this project- this project will be providing the forty (40) percent tree canopy by the retention of existing trees along the western property line and the installation of nine (9) hardwood trees.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to tree protection, screening, parking lot shading and tree canopy requirements.

Drainage and Water Quality, Grading, Stream Buffers, Erosion Control and Phasing

Drainage and Water Quality

Section 15-263 of the LUO establishes stormwater management criteria that must be met for any project requiring a CUP. In particular, the applicant must meet stormwater runoff standards with respect to water quality, quantity and volume.

The present plans show the installation of an underground stormwater detention device located in the northwestern portion of the property and an additional bio-retention device in the southwestern portion of the property.

The town engineer notes that some minor issues will need to be resolved during construction plan review, but no substantive site design changes are anticipated. The following condition is recommended in case something about the site design does change:

- That if any substantive changes to the site design are necessary to meet all applicable stormwater related provisions of the LUO, then the applicant will bring such changes back to the Board of Aldermen for review, including an additional public hearing if deemed necessary.

Grading

Substantial grading will take place on this site due to the approximate twenty (20) foot change in elevation from the front portion of this property to the rear. This grading will be necessary for the installation of the buildings, parking lot, recreations facility etc.

Stream Buffers

There is an existing stream buffer along the western side property line. This stream buffer has been reviewed by the Environmental Planner and the Town Engineer. This portion of the site is designed to reflect agreement between the applicant and staff about where the buffer originates and improves upon the overall quality of the area by treating the stormwater and reshaping the area through grading.

Erosion Control

The Erosion Control Plan has been reviewed and approved by Orange County Erosion Control.

Phasing

The project is not phased.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Grading, Erosion Control and Phasing. It is staff's recommendation that the

Advisory Board review the proposed Water Quality and Drainage condition and offer any recommendations.

Utilities, Lighting and Refuse Collection

Utilities

The water and sewer plans have been reviewed by OWASA and meet with their general satisfaction.

Regarding electric, gas, telephone and cable television utilities, the applicant has submitted letters by the respective providers indicating that they can serve the development.

Per Section 15-246 of the LUO, the plans specify that all electric, gas, telephone, and cable television lines are to be located underground in accordance with the specifications and policies of the respective utility companies- the existing plans state that all utilities will be placed underground.

Lighting

Section 15-242.5 states that under no circumstance may light pollution exceed .2 foot candles at the property line. A total of two (2) pole type lights will be installed within the parking lot and the proposed lighting does not exceed the .2 foot candle requirement.

Refuse Collection

Trash collection and recycling services will utilize a dumpster location in the northern portion of the property that is within Carrboro's jurisdiction.

The applicant has stated that a private hauler will be used and had provided a letter from Waste Industries that they can serve this project.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Utilities, Lighting and Refuse Collection.

Open Space and Recreation

Open Space

Section 15-184.2(k) of the LUO states that if a project provides affordable housing then the necessary open space within the R-2 zoning district is ten (10) percent. This project is providing fourteen (14) percent open space within the Carrboro portion of the project.

Recreation

The two (2) bedroom, twenty-four (24) units require 227 recreation points per Section 15-196(c) of the LUO. A total of 843 recreational points is being provided within the overall project since a portion of the project is within Carrboro and Chapel Hill.

The proposed recreation amenities include a clubhouse, gazebo, playground and a picnic shelter.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Open Space and Recreation.

Miscellaneous

Neighborhood Meeting

The applicant conducted a Neighborhood Information Meeting on December 6th, 2017 and has provided a Neighborhood Meeting Form and a sign-in sheet of those that attended the meeting (attachment D).

STAFF RECOMMENDATION:

Town staff recommends that the Board of Aldermen review the Conditional Use Permit proposal with the following conditions and prepare recommendations. The CUP worksheet is attached (see attachment H):

1. 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.
2. 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.
3. 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 agreement for installation of necessary infrastructures.
4. That if any substantive changes to the site design are necessary to meet all applicable stormwater related provisions of the LUO, then the applicant will bring

such changes back to the Board of Aldermen for review, including an additional public hearing if deemed necessary.

5. That deed restrictions must be placed on the property restricting use of the land to only affordable housing, in accordance with LUO Section 15-182.4, for a period of 99 years.