

STAFF REPORT

TO: Board of Aldermen

DATE: June 26th, 2018

PROJECT: Conditional Use Permit for Mixed Use Building at 603 Jones Ferry Road

OWNER/APPLICANT: FJC Trust
Contact: Francis Chan
101 Harkness Circle
Durham, NC 27705

PURPOSE: A request for Conditional Use Permit for Mixed Use Building at 603 Jones Ferry Road.

EXISTING ZONING: O (Office)

PIN: 9778-34-6032

LOCATION: 603 Jones Ferry Road

TRACT SIZE: 1.1 acres (47,916sf)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Mixed Use Building-1st floor to be office space (use# 3.120) and 2nd floor to be four (4) residential units (use# 1.200)

SURROUNDING
LAND USES: North: O, Willow Creek Office Complex
South: R-3, Ashbrook Apartments
West: R-3, Poplar Place Apartments
East: R-3, Ashbrook Apartments

ZONING HISTORY: Office Zoning District since 1980

ANALYSIS

Background, Concept Plan Development

Background

Francis Chan has submitted an application for a Conditional Use Permit (CUP) for Mixed Use Building consisting of four (4) office space units on the 1st floor with four (4) residential uses on the 2nd floor for the property located at 603 Jones Ferry Road.

The applicant intends to construct a new 9,600sf two (2) story mixed use building with the first floor containing 4,800sf of office space on the 1st floor. There will be four (4) office space units with each being 1,200sf each in size.

The 2nd floor will be 4,800sf in size and contain four (4) residential units. Each of these residential units will be 1,200sf in size and contain two (2) bedrooms each.

It should be noted that this project received two (2) variances from the Board of Adjustment at their February 15th, 2017 meeting. The two variances granted were: 1.) to allow encroachment into Zone 2 Water Quality Buffer 2.) to allow encroachment into the front setback requirement for the construction of a new mixed use building.

The subject property is an O (Office) zoning district containing 1.1 acres (47,916sf) and is listed as Orange County Parcel Identification Number 9778-34-6032.

Density, Affordable Units

Density

Section 15-181(a) of the LUO states that residential units within the O zoning district require 7,500 sf of land area per dwelling unit- this would require 30,000 sf of land area for the proposed four (4) dwelling units. The proposed density is within the allowable parameters since the lot is 47,916sf in size.

Affordable Units

This project is not required to provide an affordable unit due to the number of residential units. Section 15-54.1(b) of the LUO states that residential developments containing five or more dwelling units should consist of affordable housing units.

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

Access, Trip Generation/Traffic Impact

Access

Access to the proposed development will be via Jones Ferry Road. The applicant will be required to obtain an approved NCDOT driveway permit for the proposed connection to Jones Ferry Road.

Trip Generation/Traffic Impact

The site is expected to generate less than ten (10) new trips in each of the AM and PM peak hours which will be adequately accommodated by the existing road network. No road improvements are warranted.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to access, trip generation/traffic impact with the following condition:

- That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.

Parking, Pedestrian/Bicycle Facilities, Bus Stops

Parking

Per section 15-291(g) of the LUO, office space requires one (1) parking space per 400 sq ft of gross floor area- this equates to twelve (12) parking spaces. The four (4) residential units requires one (1) parking space per bedroom plus one (1) additional space per four (4) units- this equates to nine (9) parking spaces. The required total number of parking spaces is twenty-one (21).

This project will be providing the required twenty-one (21) parking spaces and of these spaces, eleven (11) will be standard parking spaces, nine (9) will be compact parking spaces and one (1) will be an ADA parking space.

Pedestrian/Bicycle Facilities

There is an existing 5 ft wide sidewalk along Jones Ferry Road. This sidewalk will be slightly moved in the area where the proposed driveway entrance/exit is proposed. A new portion of sidewalk will be installed along the front portion of the building in order to allow entrance/exit from the units.

Section 15-291(h) of the LUO requires that the office portion of the project provide a minimum of 5 bike parking spaces and that the residential portion requires 1.5 bike parking spaces per unit- this requires a total of eleven (11) bike parking spaces where 50 percent are to be covered.

The applicant will be providing a total of eleven (11) U-type racks where a total of twenty-two (22) bikes can be parked- all of these spaces will be covered in the rear portion of the building.

Bus Stops

There are two bus stops within close proximity to this project- one is located in front of this project with an additional bus stop located across the street in front of the Willow Creek office complex.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to parking, pedestrian/bicycle, bus stop facilities.

Tree Protection, Screening, Parking Lot Shading and Tree Canopy

Tree Protection

A total of thirty (30) rare or specimen trees have been identified on this site per Section 15-317 of the LUO. The applicant has provided a tree removal justification letter (**see attachment D**) and four (4) specimen trees will be removed- the trees to be removed are all oaks ranging in size from 18" to 22".

The need to remove these trees is to allow the installation of the stormwater management cell in the rear portion of the property.

Screening

Section 15-307 requires a Type B screen along the southern and eastern side property lines- the screening requirement along the southern and eastern property lines will be met by the existing tree line to remain.

A Type C screen is required along Jones Ferry Road- this screening will be met by the installation eight (8) Willow Oak trees. No screening is required along the western property line since it is a vacate lot (owned by the Town of Carrboro).

Parking Lot Shading

Section 15-318(b) states that 35 percent of parking lots must be shaded and the applicant will be providing 40.4 percent parking lot shading. This shading requirement is being met by the installation of four (4) Willow Oak trees within the parking lot itself and also, the shading from two (2) screen trees along Jones Ferry Road.

Tree Canopy

Section 15-319 requires a minimum tree canopy of thirty (30) percent for the subject property- the applicant will be providing forty (40) percent tree canopy for this project. This requirement is being met by the retention of existing trees and the installation of eleven (11) Willow Oak 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, Grading and Erosion Control

Drainage

The drainage/treatment of runoff for the development will be provided by the stormwater management cell in the rear portion of the project.

As stated earlier in the report, a variance was granted by the Board of Adjustment in February 2017 in order for this stormwater cell to encroach into Zone Buffer 2 Water Quality Buffer.

The town engineer has reviewed the plans and verified that the proposed stormwater cell will meet the requirements of the LUO.

Grading

Caution will be taking in order to minimize grading any further than required into the Zone Buffer 2 Water Quality Buffer- prior to any disturbance, tree protection/silt fencing will be installed delineating areas not to be disturbed.

Erosion Control

This development is proposing silt fences to manage erosion during construction. The Erosion Control Plan has been reviewed and approved by Orange County Erosion Control.

CONCLUSION – The project meets all the requirements of the Land Use Ordinance pertaining to Drainage, Grading and Erosion Control.

Utilities and Lighting

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 to date has not submitted letters by the respective providers indicating that they can serve the development. Staff would recommend the following condition:

- The prior to Construction Plan approval, the applicant provide letters from electric, gas, telephone and cable providers that this project can be served to this 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.

Lighting

Section 15-242.5 states that under no circumstance may light pollution exceed .2 foot candles at the property line. Town staff has received one light pollution iteration of the lighting plan, but it did not provide the information necessary to verify compliance with the LUO.

With that being stated, town staff recommends the following condition:

- That prior to Construction Plan approval, the applicant provide the necessary light pollution plan sheet in order to verify compliance with the .2 footcandle requirements at the property line per Section 15-242.5 of the LUO.

CONCLUSION – Town staff recommends the following conditions related to utilities and lighting:

- The prior to Construction Plan approval, the applicant provide letters from electric, gas, telephone and cable providers that this project can be served to this development.
- That prior to Construction Plan approval, the applicant provide the necessary light pollution plan sheet in order to verify compliance with the .2 footcandle requirements at the property line per Section 15-242.5 of the LUO.

Recreation

Recreation

The proposed four (4) residential units generate a total of 38 recreation points per Section 15-196(c). The applicant will be making a payment in lieu for the required recreation points allowed per Section 15-196(d)- this section allows this due to unsubdivided lots with less than eighty (80) recreation points generated.

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 January 4th, 2018 and those property owners/renters within 1000ft were notified by mail of this meeting (**see attachment E**).

Solid Waste

The four (4) solid waste and four (4) recycling roll out containers will be located on the west side of the building behind a six (6) foot high either redwood or trex fencing.

The Town of Carrboro Public Works Department has signed off on the location/accessibility of the proposed solid waste containers. Orange County Solid Waste has reviewed and signed off on the CUP plans as acceptable.

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 F**):

1. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
2. The prior to Construction Plan approval, the applicant provide letters from electric, gas, telephone and cable providers that this project can be served to this development.
3. That prior to Construction Plan approval, the applicant provide the necessary light pollution plan sheet in order to verify compliance with the .2 footcandle requirements at the property line per Section 15-242.5 of the LUO.
4. 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.