



Legislation Details (With Text)

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Title: A Request for a Minor Modification to the Winmore VMU Conditional Use Permit to Remove Faye Daniels' Home

PURPOSE: The Board of Aldermen is asked to consider approving a Minor Modification to the Conditional Use Permit for Winmore VMU to remove the Faye Daniels' home from the property prior to the development. A resolution approving the modification is attached should the Board choose to approve the request.

Indexes:**Code sections:**

Attachments: 1. Resolution Allowing Removal of Clubhouse Facility, 2. Pictures of Home From November 2016, 3. Letter From Applicant, 4. Letter From HOA Representatives, 5. Excerpt From Environmental Impact Statement

Date	Ver.	Action By	Action	Result
1/17/2017	1	Board of Aldermen	approved	Pass

TITLE:

A Request for a Minor Modification to the Winmore VMU Conditional Use Permit to Remove Faye Daniels' Home

PURPOSE: The Board of Aldermen is asked to consider approving a Minor Modification to the Conditional Use Permit for Winmore VMU to remove the Faye Daniels' home from the property prior to the development. A resolution approving the modification is attached should the Board choose to approve the request.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, 918-7333

INFORMATION: On June 10, 2003, the Board of Aldermen approved a Conditional Use Permit for construction of a Village Mixed Use project at 1400 Homestead Road. Construction proceeded and the project is nearing build out at this time as related to most of the residential units, with some commercial lots still remaining vacant and unbuilt.

As part of the original CUP, the applicant indicated on the plans that the existing 1,312 square foot home on the land, presumed to be built in either the 1930s or 1940s, would be converted to a clubhouse for use by residents of the development. The home was discussed during development of the project plans as being historically significant due to its age as well as for having been occupied by Andy Griffith during his time living in the Chapel Hill area. As the intended use was a clubhouse facility, the applicant was able to claim and assign 666.5 recreation points for the conversion. No particular details were provided at a plan level regarding the conversion itself, but the general expectation was that the home would be modified in a way that it could be

used as a clubhouse. The applicant noted their intent to save the home in the project's Environmental Impact Statement, excerpted and attached to this agenda item. The staff report for the project also noted that the house was to be converted.

At this time, the home has still not been converted and remains vacant and in ill repair. Staff has visited the home recently and found it to be structurally stable and in acceptable shape to still be converted, when and if existing maintenance issues were addressed. Pictures taken by staff during November 2016 are attached for reference. Meanwhile residents of the community have discussed the status of the home with developer, Capkov Venture, Inc., over the last two years, including during a recent annual HOA meeting that took place between Capkov and the appointed residents serving on the multiple HOAs existing within Winmore. The consensus among residents is that they would prefer to have the structure removed from the site instead of being converted to a clubhouse. The applicant has submitted this application seeking permission to do so, as explained in the attached letter from Mr. Eric Chupp of Capkov Ventures. Pictures of the home are also included in the applicant's letter. Representatives from the multiple HOAs have also submitted a letter for the Board's consideration. The letter is attached unsigned as signatures are still being collected.

Of note Capkov Ventures subsequently applied for and received permission to build a community pool at Winmore. Construction of the pool facility, under the LUO's recreation points table, is assigned 1,414 recreation points, well in excess of the 666.5 recreation points potentially lost if the home is not converted to a clubhouse. As a result, the project as a whole will remain in compliance with the recreation points portion of the LUO.

FISCAL & STAFF IMPACT: No fiscal or staff impacts are noted beyond creating and presenting this agenda item.

RECOMMENDATION: Town staff recommends that the Board consider, deliberate, and make a decision regarding the CUP Minor Modification request. A resolution allowing the home to not be converted to a clubhouse is attached should the Board choose to approve the request.