

Governors Village Parcel B-3 Conditional Use Permit Modification



GV COMMERCIAL, L.L.C.,
Applicant

April 20, 2012



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**Application for Modification to Conditional Use Permit
For Planned Residential Development
Chatham County, North Carolina**

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DEVELOPMENT TEAM

Developer:

GV Commercial, L.L.C.
Contact Persons: Jason Dell and Chris Ehrenfeld
50211 Governors Drive
Chapel Hill, NC 27517
(919) 346-3355
jason@buildexnc.com

Civil Engineer/Land Planner:

C.E. Group, Inc.
Contact Person: Mark Ashness, PE, ASLA
301 Glenwood Avenue, Ste. 220
Raleigh, NC 27603
(919) 367-8790
mark@cegroupinc.com

Attorneys:

Bradshaw & Robinson, LLP
Contact Person: Patrick Bradshaw
Post Office Box 607
128 Hillsboro Street
Pittsboro, NC 27312
(919) 542-2400
bradshaw@bradshawrobinson.com

Land Surveyor:

R.S. Jones & Associates
Contact Person: Bobby Jones
121 West Clay street, Suite A
Membane, NC 27302
(919) 563-3623
bobbyj@triad.rr.com

STATEMENT OF PURPOSE AND PROJECT SUMMARY

GV Commercial, L.L.C. is applying to Chatham County for modification of the existing conditional use permit for the Governors Club planned residential development to change the allowed use of Governors Village Parcel B-3 (shown as Lot 3 on the plat recorded at Plat Slide 2001-38, Chatham County Registry) from commercial to residential, to change the maximum number of residential units in the Governors Club planned residential development from 1,975 to 1,981, to allow three (3) residential units approved for condominiums or apartment units over retail and office uses in Governors Village to be used for residential condominiums on Parcel B-3 and to allow up to 15 residential condominiums to be constructed on Parcel B-3.

The proposed increase in residential units is only six (6) units and is the number of units allowed by application of the net land area provision of the Zoning Ordinance. The applicant is seeking no amendment to nor variance from the provisions of the Zoning Ordinance. A 2005 amendment to the Governors Club conditional use permit authorized 20 of the currently approved 1,975 residential units to be constructed as condominiums or apartments over retail and office uses in Governors Village. The applicant, GV Commercial, L.L.C., is the owner/developer of Governors Village Parcels C and D, the last remaining commercial parcels to be developed, and believes that three (3) of those units would be better used as part of the proposed condominium development on Parcel B-3.

A previous owner of Parcel B-3 obtained approval of a site plan from the County in about 2000 for a 10,200 square foot medical office building on the property. All of the parking area and utilities for that planned use were constructed and are still in existence. The footprint of the condominium building proposed in this application will be very similar to that of the site plan already approved, with the addition of some garages similar to those in the apartment development immediately to the north.

A 1997 amendment to the Governors Club conditional use permit authorized up to 358,000 square feet of commercial development in Governors Village. The existing (about 123,500 square feet) and projected (about 49,000 square feet) area of commercial development in Governors Village is expected to total only about 172,500 square feet. Parcel B-3 has not been developed for commercial purposes despite being approved for that use since 1995. The requested change in use will have no negative impact on the development of commercial uses in Governors Village, the residents of the proposed condominiums will provide additional customer support for existing and future businesses in Governors Village and the condominiums will fill a demand in the market for smaller, one-level residential options.

The Governors Club/Governors Village community has provided a significant positive financial impact to Chatham County since the inception of the project in 1988. This application will demonstrate that the proposed change of use on Parcel B-3 will be a very positive contribution to the successful completion of the planned residential development.

APPLICATION FOR

CONDITIONAL USE PERMIT

Chatham County Planning Division
P.O. Box 54
Pittsboro, NC 27312

Tel: 919/542-8204
Fax: 919/542-2698
Email: angela.birchett@chathamnc.org

(1) Applicant Information:

(2) Landowner Information (as shown on deed)

Name: GV Commercial, L.L.C.

Name: GV Commercial, L.L.C.

Address: 50211 Governors Drive
Chapel Hill, NC 27517

Address: 50211 Governors Drive
Chapel Hill, NC 27517

Phone No: (h) _____
(w) 919-346-3355
(m) _____

Phone No: (h) _____
(w) 919-346-3355
(m) _____

Email: jason@buildexNC.com

Email: jason@buildexNC.com

(3) Property Identification:

911 Address: 50051 Governors Drive
Chapel Hill, NC 27517

PARCEL#: 0076561

S.R. Name: Governors Drive

Deed Book: 1598 Page: 1236 Yr: 2011

S.R. Number: 1811

Plat Book: 2001 Page: 38

Township: Williams

Current Zoning District: R1

Acreage: 1.213 acres

Governors Club Conditional Use Permit

Flood map #: 3710979600J

Watershed District: WS-IV-PA

(2-07-2007)

Flood Zone: X

(4) Requested Conditional Use Permit for the following Uses: List all uses being requested as found in Section 10.13 Table of Permitted uses in the Zoning Ordinance

Modify Governors Club Conditional Use Permit to change use of Governors Village Parcel B-3 from commercial to residential, to change maximum number of residential units from 1,975 to 1,981, to allow three (3) residential units approved for condominiums or apartment units over retail and office uses to be used for residential condominiums on Parcel B-3 and to allow up to 15 residential condominiums to be constructed on Parcel B-3.

(5) Directions to property from Pittsboro:

Mt. Carmel Church Road and Governors Drive in Governors Village.

(6) Attach the following:

- ☒ List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
- ☒ Written legal description
- ☒ Map of the property per Section 19.3.B.1 of the Zoning Ordinance
- ☐ EIA (Environmental Impact Assessment) if disturbing two (2) or more acres

(7) Attach all supporting documentation, maps, or plans that meet the five (5) findings as required (see Submission Materials Checklist form)

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

Applicant Certification Attached

Signature

Date

The owner must sign the following if someone other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.

Signature

Date

APPLICANT CERTIFICATION

I hereby certify that GV Commercial, L.L.C. is the owner of the property identified in this Application for Conditional Use Permit and that the information provided is complete and the statements given are true to the best of my knowledge.

Applicant:

GV COMMERCIAL, L.L.C.

By: 

Chris Ehrenfeld, General Manager

Date of Execution: April 20, 2012

Adjacent Landowners

(Property owners across a public or private road, easement, or waterway are considered adjacent landowners.)

1. CSP Community Owner LLC
P. O. Box 638
Addison, TX 75001
Parcel ID#: 73471
2. Bold GV, LLC
50201 Governors Drive
Chapel Hill, NC 27517
Parcel ID#: 76560
3. Governors Village Property Owners
c/o Talis Management Group, Inc.
P. O. Box 99149
Raleigh, NC 27624
Parcel ID#: 74431
4. GV Commercial LLC
50100 Governors Dive
Chapel Hill, NC 27517
Parcel ID#: 80957
5. Domiciler Realty LLC
50201 Governors Drive
Chapel Hill, NC 27517
Parcel ID#: 88915
5. Strontium Partners LLC
50211 Governors Drive
Chapel Hill, NC 27517
Parcel ID#: 88914
7. Brown Estate Holding LLC
1815 Martin Luther King, Jr. Parkway #2
Durham, NC 27707
Parcel ID#: 88909, 88911
8. Brown Estate Holding LLC
11312 US Hwy. 15-501 N
Ste. 107, PMB 190
Chapel Hill, NC 27517
Parcel ID#: 88910
9. CKH, LLC
16122 Morehead
Chapel Hill, NC 27517
Parcel ID#: 74963

10. Governors Village Retail I, LLC
c/o GFD Management, Inc.
14600 Weston Pkwy, Ste. 200
Cary, NC 27513
Parcel ID#: 74964

11. Governors Club POA Inc.
10134 Governors Drive
Chapel Hill, NC 27517
Parcel ID#: 73841

12. RBC Bank (USA)
P. O. Box 1220
Rocky Mount, NC 27802
Parcel ID#: 19433

13. Stroup Enterprises Ltd.
HJNVCN LLC
c/o Altus Group US, Inc.
930 West First St., Ste. 303
Fort Worth, TX 76102
Parcel ID#: 76493

Written Legal Description

BEING all of that tract of land containing 1.213 acres more or less, located in Williams Township, Chatham County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe found in the eastern right-of-way line (allowing 80 feet) of Mt. Carmel Church road, said iron pipe being the northwestern property corner of Lot 3 and the southwestern property corner of Summit Properties Partnership property as recorded in Plat Slide 97, Page 247 of the Chatham County Register of Deeds, thence with the southern property lines of Summit Properties Partnership the following three calls: (1) north 88 deg. 09 min. 38 sec. east 252.62 feet an iron pipe found, (2) with a curve to the left having a radius of 256.02 and an arc distance of 194.91 feet and a chord bearing and distance of south 24 deg. 45min. 36 sec. east 190.23 feet to an iron rod set and (3) with a curve to the left having a radius of 180.00 and an arc distance of 88.34 feet and a chord bearing and distance of south 60 deg. 40 min. 23 sec. east 87.46 feet to an iron pipe found, said iron pipe found being the southeastern corner of Lot 3 and a corner of Lot 2 as recorded in Plat Slide 2000, Page 214 of the Chatham County Register of Deeds, thence along the northern property line of Lot 2 the following six calls: (1) south 57 deg. 11 min. 28 sec. west 71.60 feet to an iron pipe set, (2) north 37 deg. 15 min. 21 sec. west 26.39 feet to an iron pipe set, (3) north 46 deg. 36 min. 48 sec. west 88.23 feet to a P.K. Nail set, (4) south 88 deg. 08 min. 58 sec. west 177.11 feet to a P.K. Nail set, (5) south 83 deg. 36 min. 13 sec. west 25.58 feet to a P.K. Nail set, and (6) south 88 deg. 08 min. 59 sec. west 60.00 feet to an iron pipe set in the eastern right-of-way line (allowing 80 feet) of Mt. Carmel Church Road, thence along the eastern right-of-way line (allowing 80 feet) of Mt. Carmel Church road north 01 deg. 52 min. 15 sec. west 175.26 feet to the BEGINNING POINT.