

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: J. B. Culpepper, Planning Director
Gene Poveromo, Development Manager

SUBJECT: Request from the Inter-Faith Council for Social Service for Expedited Processing and a Text Amendment to the Land Use Management Ordinance

DATE: June 8, 2009

PURPOSE

The purpose of this report is to respond to a request from GGA Architects regarding expedited processing of an application for a men's shelter and amendment to the Land Use Management Ordinance. The shelter is proposed to be located on a portion of the former Duke Energy property at the corner of Homestead Road and Martin Luther King Jr. Boulevard (Attachment 1).

Adoption of the attached Resolution would authorize expedited processing of the Interfaith Council Men's Shelter Concept Plan application and Special Use Permit application and direct the Town Manager to initiate a Land Use Management Ordinance Text Amendment increasing the residential occupancy for homeless shelters.

BACKGROUND

On May 4, 2009, the Town Council received a petition from the Inter-Faith Council and referred it to the Town Manager for review and recommendation. The petition (Attachment 2) requested expedited processing of a Concept Plan application and a Special Use Permit application for the Inter-Faith Council Men's Shelter as well as processing of a Land Use Management Ordinance Text Amendment.

The petition indicates the needs of the Inter-Faith Council to receive expedited processing to maintain a certain schedule through the review process, including specific target dates associated with several funding sources. The petition also notes that the current definition of "shelter" limits the residential population for a shelter to 25 persons. Because the proposed shelter includes a potential residential occupancy of 50, the petition is requesting that the Town initiate a text amendment to increase the occupancy limit.

The housing offered by this proposed shelter is considered affordable housing, and therefore this project will not be subject to the application fees as defined on the Planning Department's fees schedule. The fee schedule includes a provision to exempt 100 percent affordable housing projects from Planning Department fees.

EXPEDITED PROCESSING

Expedited processing grants priority status for review at every step of the process and grants priority status in being scheduled on agendas of advisory boards and the Town Council. A Special Use Permit application normally requires nine months to a year to be reviewed by boards and commissions and to be heard at a Public Hearing.

Following Council approval, an application normally takes four to six months to obtain approval of detailed construction drawings and final plans, prior to obtaining a Building Permit. The review process is often long because of the breadth and depth of review and analysis, and because many projects are usually being reviewed at any given time.

However, because of the other applications previously granted such status, there will likely not be much shortening of the review time for this project if expedited processing is granted.

We follow the Council-endorsed criteria listed below in making recommendations to the Council on requests for expedited processing:

1. Recommend expedited processing only in cases where there is a public interest or public objective involved.
2. Recommend expedited processing only when a project that involves the public interest would be harmed by following normal rules of procedures.
3. Recommend expedited processing in cases where an applicant has submitted evidence, as endorsed by the Town Council and provided in Attachment 3, that the applicant is actively pursuing the development of a project that will:
 - a. meet or exceed the LEED Silver certification; and
 - b. exceed the energy standards by 20 percent of ASHRAE 90.1-2004.
4. Avoid expedited processing in situations where other applications that do not carry this special status would be delayed.

DISCUSSION OF EXPEDITED REQUEST

Several development applications are currently working toward being placed on the Council's Public Hearing schedule. The impact of granting expedited processing for Interfaith Council Men's Shelter is that one less space would be available on the Council's schedule for which other applications are competing. Projects that have been granted expedited processing are identified in Attachment 3.

For the following reasons, we believe that the proposal meets the objectives for public purpose in the criteria above for granting expedited processing status:

- The Inter-Faith Council has served a public interest/objective over the years providing shelter for the homeless, meal services, food pantry, and counseling;
- The Inter-Faith Council potential funding sources are subject to certain schedule and funding cycles.

RECOMMENDATION

We recommend that the Council adopt the attached Resolution to grant expedited processing of a Concept Plan and Special Use Permit application for a proposed Men's Shelter, and that the Council direct the Town Manager to begin work on a Land Use Management Ordinance Text Amendment to increase the occupancy of Shelters from the current limit of 25 residences.

ATTACHMENTS

1. Area Map (p.).
2. Petition from the GGA Architects, P. A. dated May 4, 2009 (p.).
3. List of Projects Granted and Not Granted Expedited Processing (p.).