

# BOARD OF ALDERMEN

ITEM NO: D(1)

## AGENDA ITEM ABSTRACT

MEETING DATE: OCTOBER 22, 2002

**TITLE: PUBLIC HEARING FOR THE OLD FARMER'S MARKET OFFICE BUILDING  
CONDITIONAL USE PERMIT, 300 ROBBERSON STREET**

<b>DEPARTMENT: PLANNING DEPARTMENT</b>	<b>PUBLIC HEARING: YES</b>
<b>ATTACHMENTS:</b> <b>A. PROJECT PLANS</b> <b>B. STAFF REPORT</b> <b>C. LAND USE PERMIT APPLICATION</b> <b>D. EXCERPTS FROM TRANSPORTATION IMPACT ANALYSIS</b> <b>E. PARKING JUSTIFICATION LETTER FROM APPLICANT</b> <b>F. LETTER FROM TOWN ENGINEER</b> <b>G. SECTION 15-185 OF THE LUO</b> <b>H. NEIGHBORHOOD INFORMATION MEETING FORM</b> <b>I. LETTER FROM CITIZEN REGARDING ENVIRONMENTAL CONCERNS</b> <b>J. ZONING DIVISION'S RESPONSE LETTER REGARDING ENVIRONMENTAL CONCERNS</b> <b>K. LETTER FROM APPLICANT REGARDING TOWN-ADOPTED POLICIES &amp; PLANS FOR DOWNTOWN AREA</b> <b>L. LETTER RECEIVED FROM CITIZEN ON 10/18/2</b> <b>M. ADVISORY BOARD RECOMMENDATION STATEMENTS (INCLUDING SUMMARY SHEET)</b> <b>N. CONDITIONAL USE PERMIT WORKSHEET</b>	<b>FOR INFORMATION CONTACT:</b> <b>MARTY ROUPE, 918-7333</b>

### PURPOSE

N. R. Milian Associates, on behalf of Carr Mill Limited Partnership, has submitted an application for a major modification to an existing Conditional Use Permit (CUP) to allow for the construction of a three-story mixed-use office building to be located at 300 Roberson Street. Pursuant to Section 15-64(c) of the Town of Carrboro Land Use Ordinance, a major modification to a CUP shall be processed as an application for a new CUP. Prior to reaching a decision on a request for a CUP, the Board must hold a public hearing to receive input. The Administration recommends that the Board review, deliberate, and make a decision regarding the conditional use permit application.

### INFORMATION

The CUP for Carr Mill Mall was originally issued on February 11, 1976. Various modifications to the CUP have been granted since that time. The application currently before you amounts to a major modification, which is processed as a new CUP application. If approved, the CUP would allow the

addition of a three-story, 18,755 square foot office building, consisting of various office and retail uses, on the site where the Farmer's Market was once held. The land currently serves as a parking lot for Carr Mill Mall, and is located south of Roberson Street, west of Sweet Bay Place, and east of the Maple Avenue/Carr Street intersection. A detailed staff report analyzing the proposed project is attached – **see Attachment B.**

## **RECOMMENDATION**

The Administration recommends that the Board of Aldermen approve the Conditional Use Permit to allow the construction of a three-story mixed use office building (Use 27.000, consisting of Uses 2.120, 3.110, 3.120 and 3.130) at 300 Roberson Street, subject to the following conditions:

1. That the Board hereby finds that 596 parking spaces are sufficient to serve the proposed office building as well as the Carr Mill Mall Shopping Center. The Board makes this finding based on the evidence submitted showing that between 40-60 parking spaces regularly remain vacant at 300 Roberson Street, based on the development's close proximity to the central business district, and based on the site's proximity to bus lines;
2. That the construction plans shall appropriately illustrate the re-striping of parking spaces, to match the number of subcompact spaces described in the chart on page L-1 of the CUP plans;
3. That the construction plans shall include a bike rack within the bicycle parking area, along with a detail drawing for a 'wave' model bike rack that can accommodate at least five (5) bikes; and
4. That all on-site lights be reduced to a maximum height of fifteen-feet (15'), in accordance with Section 15-243(c) of the Land Use Ordinance, prior to the issuance of a 'certificate of occupancy' for the building.

Additionally, the Board may wish to discuss the following issues with the property owners:

1. A possible dedication of additional sidewalk right-of-way along Roberson Street. It is staff's suggestion that the right-of-way line should extend to the beginning of the handicap ramp on the Roberson Street side of the property, and that the dedication of sidewalk right-of-way should extend the entire length of the northern side of the property. Further, staff suggests that the Board may want to consider requesting that the edges of the sidewalk within the public right-of-way be clearly demarcated with a brick border, consistent with other sidewalks in the downtown area. If the property owners are willing to do this, then staff recommends that the dedication of sidewalk right-of-way and the brick borders be shown on the construction plans;
2. A possible dedication of additional sidewalk right-of-way along Sweet Bay Place. In this case, it is staff's suggestion that the right-of-way line should extend to the beginning of the water garden feature on the Sweet Bay Place side of the property, and that the dedication should extend from the Roberson Street/Sweet Bay Place intersection to the proposed entrance/exit point on the property. Further, staff suggests that the Board may want to consider requesting that the edges of the sidewalk within the public right-of-way be clearly demarcated with a brick border, consistent with other sidewalks in the downtown area. If the property owners are willing to do this, then staff recommends that the dedication of sidewalk right-of-way and the brick borders be shown on the construction plans;

3. A possible dedication of additional sidewalk right-of-way along Sweet Bay Place from the entrance/exit point to the southern property line. During the review process, staff had discussed a possible twelve-foot (12') dedication. If the property owners are willing to do this, then staff recommends that the dedication of sidewalk right-of-way be shown on the construction plans;
4. A possible dedication of additional right-of-way along Roberson Street for the provision of on-street parallel parking. If the property owners are willing to do this, then staff recommends that nine and one-half feet (9 ½') of additional right-of-way be dedicated to provide ample space for parallel parking spaces. It should be noted that doing so likely would result in a loss of four (4) parking spaces at 300 Roberson Street. Therefore, if the additional right-of-way is dedicated, then the Board should be prepared to reduce the number of parking spaces found to be 'sufficient to serve' the development (i.e.- Formal Recommendation #1) by an amount equal to the number of spaces lost due to the dedication of right-of-way (i.e.- 4 less spaces, for a total of 592 spaces). If the property owners are willing to do this, then staff recommends that the dedication of right-of-way be shown on the construction plans; and
5. A possible reduction in the peak size of the building. If the Board feels that the proposed building design does not meet the intent of the language adopted in the January 2001 text amendment regarding building heights, then the Board may wish to discuss a possible reduction in the building's peak size. If the Board chooses to make this a requirement of the issuance of the CUP, then staff recommends that the reduction in the height of the building be shown on the construction plans. As a reminder, please note that staff feels that proposed building design does meet the requirements of Section 15-185 of the LUO.