

BOARD OF ALDERMEN

ITEM NO.: (1)

AGENDA ITEM ABSTRACT

MEETING DATE: MARCH 8, 2005

TITLE: WORKSESSION: ACCESS ISSUES AROUND THE BREWER LANE AREA

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES __ No <u>X</u>
ATTACHMENTS: A. RESOLUTION ACCEPTING REPORT B. MAP OF BREWER LANE AREA C. TABLE OF STREET AND RIGHT-OF-WAY WIDTHS FOR THE BREWER LANE AREA D. TABLE OF ZONING DESIGNATIONS FOR PROPERTIES IN THE BREWER LANE AREA	FOR INFORMATION CONTACT: MARTY ROUPE, 918-7333 DALE McKEEL, 918-7329

PURPOSE

At its February 13th and 14th retreat, the Board of Aldermen requested that staff explore access issues around the Brewer Lane area and provide the Board with an opportunity to discuss such issues during the March 8, 2005 work session. In response, staff is providing the Board with information about the area's transportation network along with information about potential development sites where either a Land Use Permit Application has been received or where individuals have recently approached the Town Staff to discuss potential development projects in the area. The Town Staff requests that the Board of Aldermen receive the report and consider providing additional guidance or direction.

INFORMATION

At its recent retreat, the Board of Aldermen requested that staff explore access issues around the Brewer Lane area in downtown Carrboro. The action requested by the Board was written as follows:

"Discuss Padgett Lane/Brewer Lane/Cameron Avenue development at March 8 work session and identify any areas with connectivity problems or that need rezoning to commercial to support sustainability efforts for future discussion."

Projects Currently Under Review

Merritt Mill Apartments:

A Land Use Permit Application was received on May 11, 2004 for a 164-unit multifamily residential project, which would be located on a parcel directly behind (south of) the Ready Mix concrete plant (**see Attachment B**). Prior to this action, the applicant had submitted a rezoning application on January 6, 2003, but later withdrew the request. The project requires the issuance of a Conditional Use Permit (CUP) by the Board of Aldermen. Review of the project for compliance with the Town's Land Use Ordinance (LUO) is underway and several substantive issues remain under consideration at this point. No meetings with the Town's Advisory Boards or with the Board of Aldermen are currently scheduled. The property has street frontage along both Merritt Mill Road and Crest Street, though Crest Street and approximately one-acre of land adjacent to Crest Street are in the Town of Chapel Hill's jurisdiction (**see**

Attachment B). As the plans are currently designed, no disturbance is proposed within Chapel Hill's jurisdiction.

The primary access point for the project, as currently designed, is a private drive connecting to Merritt Mill Road (**see Attachment B**). Staff discussed with the applicant the possibility of creating a public road to serve the project, rather than a private drive. In response, the applicant indicated that they would not be able to create a public road because of insufficient width of the property in one or more areas needed to accommodate the right-of-way width dictated by the LUO. The last plan submittal shows the private drive extending across the bike path and train tracks on the northeast side of the property, where it then connects to Merritt Mill Road. The applicant recently discussed with staff the possibility of modifying the access point so as to avoid crossing the bike path and train tracks. Instead, the private drive would connect to Merritt Mill Road immediately north of the Hunt Electric site (**see Attachment B**). The proposal creates a right-in/right-out driveway on Merritt Mill Road with a concrete median to prevent left turns into the property. Revised plans showing such a connection have not yet been submitted, so staff has not conducted a formal analysis of the change. Please note that any connection to Merritt Mill Road is subject to the receipt of a driveway permit from NCDOT, since the road is state-maintained.

Staff suggested in an early meeting with the applicant possibly working with Mr. Sam Hunt (owner of Hunt Electric) to move his building or otherwise arrange for a way to create a four-way intersection at Merritt Mill Road and Cameron Avenue. The applicant reported to staff that negotiations with Mr. Hunt did take place, but that mutual agreement on the matter was not possible.

The current plans also include an 'emergency-only' access point through the concrete plant property (**see Attachment B**), across the plant's vehicle accommodation area and a private driveway easement known as Guthrie Avenue. To be clear, this access point will provide a way for emergency vehicles to reach the site if the primary access point from Merritt Mill Road were not available; it is not intended for regular use.

Also of note, staff mentioned to the applicant that the Board of Aldermen briefly discussed the project on September 7, 2004. As a reminder, during this meeting some members of the Board expressed a desire to see a mixed-use project on this site. The access point for the project also was briefly discussed. Staff explained to the applicant what the Board said, and suggested that they come to Town Hall and view the tape, so as to better understand what the Board said during the meeting. The applicant also conducted a courtesy review with the Transportation Advisory Board (TAB) on August 5, 2004. The minutes from this meeting state:

"Steve Simpson and Richard Adams discussed transportation issues with the proposed Merritt Mill Road apartments. The primary focus of the discussion was on the proposed driveway crossing the Libba Cotten bikepath and the connection to Crest Street in Chapel Hill. The members of the TAB were in strong support of a second access to the project from Crest Street."

Lastly, staff has discussed with the applicant the possibility of creating a second entrance to the property by connecting to Crest Street (in Chapel Hill's jurisdiction). The applicant approached the Chapel Hill staff and subsequently was given a letter from the Chapel Hill Planning Department stating that approval of such a request is not likely.

Potential Development Projects

Individuals interested in pursuing a Land Use Permit for a development frequently contact staff, prior to submitting an application, to arrange meetings and discuss what they have in mind. Staff meets with such individuals to answer questions and to consider whether their ideas are plausible. Depending on the complexity of the project, several such meetings may take place before a Land Use Permit Application is submitted. Three such projects in the Brewer Lane area are identified below. Please note that a Land Use Permit Application has not been received for any project noted below, and all elements of the project, as described, are subject to change.

300 East Main Street

The owner of 300 East Main Street, Main Street Partners, LLC (MSP), has met with staff on several occasions over approximately the last year to discuss the potential redevelopment of their existing property assembled with seven (7) other parcels in the immediate area (**see Attachment B**). MSP envisions a mixed-use project containing office, retail, cultural, and residential uses. MSP also has provided information to local media outlets and held multiple public meetings to discuss the potential redevelopment project. Most recently, MSP appeared before the Board of Aldermen on January 11, 2005 to present the project to the Board and receive feedback on their ideas. MSP has identified two (2) definite access points along East Main Street for the redevelopment project and discussed two (2) other potential access points for their project: an extension of Roberson Street across the railroad tracks and into the existing site, and a connection to East Main Street adjacent to Domino's Pizza utilizing a portion of the existing Boyd Street right-of-way (**see Attachment B**).

Butler Garage Property

Downtown Urban Ventures, LLC (DUV) acquired two parcels of land directly behind the assembled parcels MSP is considering, on land formerly occupied by Butler's Garage (**see Attachment B**). DUV also has met with staff on several occasions to discuss potential redevelopment of their property. DUV envisions a residential condominium project, though the exact number of units is not yet known. Staff also discussed the possibility of including office or retail uses, but it is not clear whether DUV intends to do so. Staff's understanding from recent communications is that DUV does intend to conduct a 'courtesy review' with the Board of Aldermen prior to formally submitting a Land Use Permit Application, but the exact date of such a meeting is not yet determined.

In meetings with staff, DUV has identified one (1) primary access point for their project: an extension of the existing private driveway for the Chapel Hill – Carrboro Tae Kwon Do/Residential project off Brewer Lane (**see Attachment B**). The access potential of Padgett Lane also has been discussed at length (**see Attachment B**). Access to the Butler property has been provided by Padgett Lane for years, but it is not clear whether it is legally sufficient to serve as an access point for a redevelopment project on the property. It is clear that Padgett Lane is definitely not a public right-of-way. Town Staff has suggested to DUV that they should work with MSP to definitively determine how and if Padgett Lane will be used prior to the public hearing for their project.

Al's Garage Area

Lastly, a developer recently attended the Planning Department's Development Review Meeting to discuss a possible land assembly and redevelopment of properties around and including Al's Garage. The developer has not contacted staff since the meeting and the project apparently is not moving forward.

Miscellaneous

A '*street and right-of-way width table*' for public streets in the Brewer Lane area has been provided as **Attachment C**, and an '*existing zoning designation table*' for properties discussed in this report has been provided as **Attachment D**.

As discussed with staff to this point, both the 300 East Main Street project and the Butler Garage project would require a rezoning.

Staff informed the developers and potential developers mentioned in this report of the Board's upcoming discussion of these issues.

FISCAL IMPACT

N/A

RECOMMENDATION

The Town Staff recommends that the Board of Aldermen adopt the attached resolution (**Attachment A**), which accepts the report on access issues around the Brewer Lane area. The Board also may wish to provide direction to staff on further actions related to access issues around the Brewer Lane area.