

BOARD OF ALDERMEN

ITEM NO.: D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: OCTOBER 4TH, 2005

TITLE: MINOR MODIFICATION TO THE PACIFICA AIS CONDITIONAL USE PERMIT

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES ___ No <u>X</u>
ATTACHMENTS: A. RESOLUTION B. VICINITY MAP C. SITE PLAN, WITH MODIFICATION D. SITE PLAN, ORIGINAL CUP E. APPLICANT PARKING JUSTIFICATION EVIDENCE F. CONDITIONAL USE PERMIT G. MINUTES FROM ORIGINAL PERMIT HEARING H. NEIGHBORHOOD INFORMATION MEETING I. CITIZEN LETTERS J. SUNGATE APPROVAL LETTER	FOR INFORMATION CONTACT: JEFF KLEAVELAND, 918-7332

PURPOSE STATEMENT

The Carrboro Collaborative Development Association, Inc. (CCDA) has submitted an application for a Minor Modification to the Conditional Use Permit issued on June 24th, 2003 for the Pacifica AIS. The modification proposes additional parking be provided on-site. The Board of Aldermen is requested to approve, approve with conditions, deny the request, or, set a public hearing prior to making a decision.

INFORMATION

The Carrboro Collaborative Development Association, Inc. has revisited the approved CUP and concluded that the parking configuration approved is insufficient to adequately serve the needs of the Pacifica residents and their guests. For this reason they wish to modify the CUP to add ten (10) new compact parking spaces adjacent to the subdivision's main driveway, Viburnum Way (Attachment C).

The original amount of parking proposed for the project was 71 spaces, plus an additional 13, parallel, on-street spaces on Viburnum Way (Attachment D). The applicant provided evidence, by way of a survey and a signed statement, that this amount was sufficient to serve the residents (Attachment E).

During the original public hearing, the parking count for the project was reduced by 11 spaces (adjacent to the southern emergency access) as part of condition seven (7) of the permit (Attachment D & F).

The parking justification evidence provided by the applicant applies to the parking configuration as it was *originally proposed* (Attachment E). In other words, the evidence submitted by the applicant did not anticipate the removal of any parking spaces.

Further, based upon evidence that the development's demographic, proximity and bicycle accommodations would alleviate parking demand, condition seven (7) granted a deviation from the presumptive parking requirements of the LUO (Attachment F). The minutes from the original permit hearing(s) are attached (Attachment G).

Neighborhood Impact

In order to invite neighborhood input regarding the modification, the applicant conducted a Neighborhood Information Meeting at Town Hall on August 22nd, 2005 (Attachment H). Note that this meeting did not follow the formal 1000' notification area but was inclusive of residents that the applicant felt were most directly affected by the proposal. Town staff helped to facilitate the mailing; list of invitees is on record in the Planning Department. See the attached minutes for reference (Attachment H-2). Further, citizen comment was also received by letter (Attachment I).

LUO Impact of Minor Modification

Zoning Division

The new parking spaces are configured to maintain a 24', two-way travel aisle on Viburnum Way as required by Section 15-294 of the LUO. The spaces are inset into the hillside by way of a low (3' maximum) retaining wall. The planting plan remains unchanged, as the parking addition provides a tree island to serve the original plantings (Attachment C-2). Regarding open space, the plans continue to exceed the open space requirements of the LUO though; the total open space has been reduced from 43.5% to 42.1%. In summary, the Zoning Division finds plans remain in compliance with the LUO.

Town Engineer

The revised stormwater calculations and plans have been reviewed by the Town Engineer who finds that the proposed modification continues to satisfy Town regulations pertaining to drainage and stormwater management. (Attachment J).

Public Hearing

It is within the purview of the Board of Aldermen to call a public hearing before rendering a decision on the requested changes. Specifically, with regard to Minor Modification requests, Section 15-64(b) of the LUO states the following: "Unless it is requested by the permit-issuing authority, no public hearing shall be required for such minor modification." If the Board chooses to hold a public hearing staff recommends November 22nd, 2005.

STAFF RECOMMENDATION

The town staff recommends that the Board of Aldermen review, deliberate, and make a decision regarding the requested change or call a public hearing before making a decision. A resolution has been offered, which may be completed as the Board desires. (Attachment A).