

**BOARD OF ALDERMEN**

ITEM NO.: (2)

**AGENDA ITEM ABSTRACT**

**MEETING DATE: NOVEMBER 22, 2005**

**TITLE: PUBLIC HEARING: MINOR MODIFICATION TO THE PACIFICA AIS CONDITIONAL USE PERMIT**

<b>DEPARTMENT:</b> PLANNING DEPARTMENT	<b>PUBLIC HEARING:</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<b>ATTACHMENTS:</b> <b>A. RESOLUTION</b> <b>B. VICINITY MAP</b> <b>C. SITE PLAN, WITH MODIFICATION</b> <b>D. SITE PLAN, ORIGINAL CUP</b> <b>E. APPLICANT PARKING JUSTIFICATION EVIDENCE</b> <b>F. MINUTES FROM ORIGINAL PERMIT HEARING</b> <b>G. CONDITIONAL USE PERMIT</b> <b>H. NEIGHBORHOOD INFORMATION MEETING</b> <b>I. CITIZEN LETTERS</b> <b>J. SUNGATE APPROVAL LETTER</b> <b>K. TRANSPORTATION ADVISORY BOARD COMMENTS</b>	<b>FOR INFORMATION CONTACT:</b> <b>JEFF KLEAVELAND, 918-7332</b>

**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 24<sup>th</sup>, 2003 for the Pacifica AIS. The modification proposes additional parking be provided on-site. The applicant first presented this application to the Board on October 4<sup>th</sup>, 2005 whereupon it was decided to call a public hearing prior to rendering a decision on the requested changes. Tonight’s meeting opens the public hearing on the proposed Minor Modification to the Pacifica AIS Conditional Use Permit.

The Board, after receiving formal public comment, is requested to approve, approve with conditions or, deny the request.

**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 & G).

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 G). The minutes from the original permit hearing(s) are attached (Attachment F).

#### Neighborhood Impact

In order to invite neighborhood input regarding the modification, the applicant conducted a Neighborhood Information Meeting at Town Hall on August 22<sup>nd</sup>, 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).

##### Transportation Advisory Board

The Transportation Advisory Board's comments are attached (Attachment K).

#### **STAFF RECOMMENDATION**

The Staff recommends that the Board of Aldermen review, deliberate, and make a decision regarding the requested change. If the Board chooses approval, the attached resolution may be completed (Attachment A).