

BOARD OF ALDERMEN

ITEM NO. C(4)

AGENDA ITEM ABSTRACT

MEETING DATE: January 10, 2006

TITLE: Request to Set a Public Hearing on an Ordinance Authorizing Offices in the B-3 Zoning District

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Text Amendment Request C. Map showing location of B-3 Zoning D. Draft Ordinance E. Letter from Village Square Homeowners Assoc.	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

The Town has received a request from William Douglas Mitchell, owner of property in the B-3 zoning district, to amend the text of the Land Use Ordinance to allow offices with a special use permit in that district. A draft ordinance that responds to this request has been prepared. It is necessary for the Board to receive public comment and to allow comment from the Planning Board and Orange County on the ordinance prior to taking any action. A resolution that sets a public hearing for March 23, 2006 is recommended for the Board's adoption.

INFORMATION

William Douglas Mitchell has submitted a text amendment request to add office uses to those allowed currently in the B-3 zoning district (*Attachment B*). A map illustrating the location of the properties with B-3 zoning is attached (*Attachment C*). A draft ordinance that responds to this request has been prepared (*Attachment D*). The office uses noted would be allowed subject to the issuance of a special use permit by the Board of Adjustment. It should be noted that the ordinance also proposes an amendment to the definition of the B-3 district. This change has been included as a strict interpretation of the current language related to this "Neighborhood Business" district could create some differing opinions regarding whether office uses are a need that arises at the neighborhood level. The Village Square Homeowners Association has submitted a letter of support for the proposed amendment (*Attachment E*).

Should the Board of Aldermen proceed with setting a public hearing on this item, it will be necessary to refer the draft ordinance to Orange County and the Planning Board.

FISCAL IMPACT

A public hearing is required for review of the ordinance establishing a moratorium, with associated notice costs, the bulk of which are typically captured within the application fee for the text amendment request.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the attached resolution setting a public hearing on the draft ordinance that would authorize some office uses within the B-3 zoning district (*Attachment A*).