

BOARD OF ALDERMEN

ITEM NO.: **D(1)**

AGENDA ITEM ABSTRACT

MEETING DATE: APRIL 18, 2006

TITLE: COURTESY REVIEW OF POTENTIAL DEVELOPMENT APPLICATION FOR 100 ROBERSION STREET (FORMER ANDREWS-RIGGSBEE HARDWARE STORE SITE), PRIOR TO FORMAL SUBMITTAL OF LAND USE PERMIT APPLICATION

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| DEPARTMENT: PLANNING DEPARTMENT AND COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT | PUBLIC HEARING: YES __ No <u>X</u> |
| ATTACHMENTS: A. LETTER FROM POTENTIAL APPLICANT B. VICINITY MAP C. CONCEPTUAL PLAN INFORMATION | FOR INFORMATION CONTACT: MARTY ROUPE, 918-7333 JAMES HARRIS, 918-7319 |

PURPOSE

Mr. David Ripperton is interested in discussing certain policy issues with the Board of Aldermen prior to possibly submitting a development application for 100 Roberson Street. To that end, Mr. Ripperton requested that the Board of Aldermen conduct a courtesy review of conceptual information related to a potential application. Conceptual design materials and a letter of explanation related to the policy issues are attached. Town staff requests that the Board of Aldermen review the attached information and discuss the potential project with Mr. Ripperton.

INFORMATION

Mr. Ripperton, on behalf of the 100 Roberson Street property owners, is preparing a possible CUP application for a multistory, mixed use project consisting of office, retail, and residential uses. In discussing the project with staff, a few policy issues have arisen for which non-binding feedback from the Board of Aldermen may assist in the preparation of an application. A summary of the issues follows, as further explained in a letter from Mr. Ripperton (**see Attachment A**):

- Building projections into the Roberson Street public right-of-way. The preliminary design shows three (3) separate portions of the building projecting northward into the Roberson Street right-of-way (**Attachment C**). These portions of the building form part of a colonnade over a portion of east-west sidewalk. Since no setback requirements exist in the B-1(g) zoning district, it may be legally permissible for a building to project over a property line and onto public right-of-way, but this feature will only be acceptable if the Board of Aldermen approves the design accordingly. In effect, the Board of Aldermen would have to formally sanction the encroachment while granting a CUP for the project, if such a permit is issued. Town staff may have comments and concerns about the details of such an arrangement, if and when a request formally comes before the Board of Aldermen. At this time, however, Mr. Ripperton is only interested in receiving non-binding feedback about the idea.

An alternative idea is the possible modification of the adopted Roberson Street right-of-way plan. In other words, the Board could choose to modify the Roberson Street right-of-way plan to allow portions of the plan to be contained on private property rather than within public right-of-way, so long as the pertinent elements of the plan are included. In this situation, a portion of the sidewalk potentially would be created on private property underneath a colonnade.

- Alterations to elements of the adopted Roberson Street Right-of-Way plan. Mr. Ripperton also is interested in discussing specific details of the adopted Roberson Street plan. Where the adopted plan calls for a five-foot landscaping strip adjacent to the curb and a minimum ten-foot sidewalk adjacent to the landscaping strip, Mr. Ripperton's preliminary design includes a five-foot sidewalk adjacent to the curb, followed by a ten-foot landscaping strip, with an additional seven-foot sidewalk adjacent to the landscaping strip (see **Attachment C**). Again, the preliminary design places the last seven-foot sidewalk under a proposed seven-foot wide colonnade within the site proper (i.e.: on private property).

Similar to the alternative idea described above (bullet point #1), another idea is to consider modifying the adopted Roberson Street right-of-way plan. In other words, the Board could consider modifying the Roberson Street right-of-way plan to allow greater flexibility with regard to the widths and locations of sidewalks, planting strips, etc, in addition to the possibility of explicitly allowing some portions of these respective elements to be contained on private property rather than within public right-of-way, so long as the pertinent elements of the plan are included.

- On-street parking along Carr Street. Lastly, Mr. Ripperton is interested in discussing whether the Board of Aldermen would like for the design to include parallel on-street parking on the north side of Carr Street. Given the proximity of residentially-zoned land on the south side of Carr Street, Mr. Ripperton is unsure whether it is appropriate to include such parking in the design. Note that the recently-completed *Downtown Circulation Plan* refers to possible improvements at the Carr Street/South Greensboro intersection, but does not contemplate whether on-street parking is appropriate along Carr Street.

RECOMMENDATION

The Town Staff recommends that the Board of Aldermen review the attached information and discuss the potential project with Mr. Ripperton. As with all courtesy reviews, the information shared is considered non-binding.