

BOARD OF ALDERMEN

ITEM NO. (2)

AGENDA ITEM ABSTRACT MEETING DATE: November 27, 2007

TITLE: Public Hearing: Ordinance amending the Carrboro Land use Ordinance to allow limited retail and office uses in the WM-3 district

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>
ATTACHMENTS: <ul style="list-style-type: none">A. ResolutionsB. Draft OrdinanceC. LUO Amendment Request FormD. Excerpt of TPUE. Map showing location of the WM-3F. Comments and recommendations	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

A draft ordinance that would allow additional uses in the WM-3 zoning district has been prepared. The Board of Aldermen must receive public comments before taking action on the ordinance. The draft ordinance was referred to the Planning Board and Orange County for recommendations and comments.

INFORMATION

John Hill has submitted a request to amend the text of the Land Use ordinance to allow some additional uses in the WM-3 district and to allow flexibility in permitting such uses when they are proposed to occur in existing buildings (*Attachment C*). The current list of permitted uses may be seen in an excerpt of the Table of Permissible Uses (*Attachment C*). The WM-3, Watershed Manufacturing, zoning classification has been applied to five parcels totaling approximately 8.5 acres along NC Highway 54 West (*Attachment E*).

An ordinance amendment has been prepared to address this issue, a copy of which is attached (*Attachment B*). This ordinance attempts to balance the need for additional flexibility of permitted uses in relation to the purposes of the WM-3 district.

On Tuesday, November 20th, representatives of the applicant and prospective tenants of property in the WM-3 district have requested that the new retail uses includes ones that would allow outdoor display. Staff has not had an opportunity to examine this request and would suggest that this occurs before the Board considers adding this change to the draft ordinance. The applicant and others may wish to discuss the request at the public hearing on November 27th.

Evaluation of Draft Ordinance Provisions

Section 15-137(b) of the Land Use Ordinance includes the following description of the WM-3 district:

There is also established a watershed light industrial (WM-3) zoning district. The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection; this area shall not be expanded and no new WM-3 areas shall be designated. **(AMENDED 12/7/83)**

	Use class	Parking Required	Expected duration of operation	Trip Generation Veh/wkday
Existing	Wholesale Sales, inside (2.130)	1 per 400 sq ft	5.5 to 6 days/week	6.73/1,000 sq ft
	Manufacturing, inside (4.100)	1 per two employees on max shift	5 -7 days/week	3.85/1,000 sq ft
Proposed	Speciality high-volume retail (2.112)	1 per 200 sq ft	5.5 -7 days/week	No comparable found
	Low-volume retail, inside (2.120) (e.g. furniture sales)	1 per 400 sq ft	5.5 -7 days/week	.17/1,000 sq ft .37/1,000 sq ft
	Office – in, little customer/client traffic (3.120)	1 per 400 sq ft	5 days/week	No comparable found
	Office – in/out, little customer/client traffic (3.220)	1 per 400 sq ft	5 days/week	No comparable found

The NCDOT traffic survey (2005) shows that average daily traffic on NC Hwy 54 totals 11,000 vehicles. The parking requirements and trip generation rates (see table above), where available, do not suggest that the uses requested for the WM-3 district will significantly add to the vehicular traffic in the area. The text amendment does not involve any changes to impervious surface and stormwater management requirements, or other dimensional requirements.

Address	PIN	Area (acres)	Land Use	In Town?
630 Hwy 54 W	9769217639	1.22	Vacant	No
630 Hwy 54 W	9769219629	1.36	Vacant	No
616 Hwy 54 W	9769312698	2.80	Manufacturing Bldg	Yes
610 Hwy 54 W	9769315687	1.36	Not known	No
600 Hwy 54 W	9769317655	.90	Vacant	No
1306 Hatch Road	9769319894	.91	Vacant	No

Benefits of change: Additional commercial opportunity; existing developed property that is underutilized, but is within the Town limits and taxed, as such. Allowing such new uses to also utilize an existing developed space via a zoning permit approval, rather than conditional use permit approval, would facilitate ongoing use of developed properties.

Limitations of change: Zoning districts/land area that support manufacturing uses are very limited, expanding retail and office uses may reduce the chances for manufacturing uses to locate in these areas. The allowance of new uses, even within existing buildings, to be approved at the zoning permit level is a departure from the structure of land use permitting for the Town within the University Lake watershed. With the reuse of existing sites under this permit structure, discretion will be required of the permit-issuing authority (i.e. Town staff) to determine the extent to which

nonconforming situations, such as impervious surface and stormwater management, must be brought into compliance.

This draft ordinance was referred to the Planning Board, Transportation Advisory Board and Orange County for review. Comments and recommendations are attached (*Attachment F*).

FISCAL AND STAFF IMPACT

None have been noted.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the resolution and draft ordinance (*Attachments A-1 and B*).