

BOARD OF ALDERMEN

ITEM NO. C(3)

AGENDA ITEM ABSTRACT

MEETING DATE: April 15, 2008

TITLE: Request to Set a Public Hearing to Consider a Minor Map Amendment for the Property Located at 102 Center Street from R-7.5 to B-2-Conditional

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Minutes, March 25, 2008 Meeting of the Board of Aldermen C. Section 15-322	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

Jane Hamborsky, et.al., owners of 102 Center Street, have stated an interest in revising their request for rezoning this property, per the Board's discussion at the March 25th public hearing, seeking rezoning of the property from R-7.5 (Residential, 7,500 square feet per dwelling unit) to B-2–conditional (Fringe Commercial – conditional). A public hearing on a land use ordinance text amendment to establish this type of zoning has been proposed for May 27, 2008. It is necessary for the Board of Aldermen to receive public comment before acting on this revised rezoning request. A resolution that sets a public hearing to consider a revised rezoning request for 102 Center Street for May 27th is recommended for the Board's adoption.

INFORMATION

A petition to amend the zoning map for 102 Center Street from R-7.5 to B-2 was submitted on November 15, 2007. During a public hearing on March 25th (see http://www.townofcarrboro.org/BoA/Agendas/2008/03_25_2008.htm for agenda materials), the Board of Aldermen requested that staff prepare a text amendment to establish conditional zoning districts (*Attachment B*). The Board of Aldermen also suggested that the owners of 102 Center Street initiate the rezoning of the property to the new B-2 conditional district. Staff anticipates that the petition formally making this request will be provided for the Board's review in advance of this meeting. Per the requirements of conditional zoning, the owners are proposing conditions that will limit the use of 102 Center Street if it is rezoned to B-2 conditional.

A draft ordinance amending the Land Use Ordinance to establish conditional zoning districts has been prepared (see Item C(2) in this agenda packet). A public hearing date of May 27, 2008 is proposed for both the text amendment establishing conditional zoning districts and consideration of the rezoning of 102 Center Street to B-2 – conditional.

Section 15-322 (*Attachment C*) requires that any proposed amendments shall be referred to the Planning Board. If applicable, the proposed amendment shall also be referred to the Appearance Commission and/or the Transportation Advisory Board. The resolution (*Attachment A*) currently specifies the Planning Board for review of this proposed rezoning.

FISCAL IMPACT

Per the Board's direction on March 25th, the application fee for this rezoning request has been waived. The applicant will be responsible for costs associated with the mailed notice for the public hearing. Published notice costs for public hearings on rezonings typically total approximately \$250.

The staff impacts associated with this request includes time spent in report preparation and presentation to staff, advisory boards and the Board of Aldermen, and time spent carrying out the required public notice.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the resolution accepting the petition, setting a public hearing for May 27, 2008, and referring the requested rezoning of 102 Center Street from R-7.5 to B-2-conditional to the Planning Board for review (*Attachment A*).