

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT THAT ADDS 5.110 USES AS PERMISSIBLE IN THE B-4
ZONING DISTRICT**

Resolution No. 29/2009-10

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on November 24, 2009 to consider adopting "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY THE TABLE OF PERMISSIBLE USES TO ALLOW 5.110 USES IN THE B-4 ZONING DISTRICT."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|--|--|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Please see the attached printout from the Town’s website of the requirements of the B-4 zoning district.

2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

. Our request is the addition of 5.110, elementary and secondary schools as a permitted use in Section 15-146, the Table of Permissible Uses. As the landowner, I am requesting a zoning permit for this use. PACE Academy would be going into an existing building and site with no substantial changes to the site. This change would not adversely impact property values. It would allow the building to be occupied rather than sit empty for an unknown period of time. The operational hours of PACE would be the same as previous users. There would be not exterior changes needed. There would be no additional impact on traffic than we currently have. They would make use of the existing transportation service located on the edge of my property. There would be no environmental issues to be concerned with. This user would operate in similar conditions that have been on this site in the past.

3) State the reasons for the proposed amendment:

For two years PACE Academy has been looking for a larger building to accommodate additional students. They are overcrowded now with 120 students. They have a waitlist of 41 students. PACE Academy has been unable to find a building that fits its needs of additional space, proper zoning, located within Orange County, and close to public transportation. We know of no other existing building in Orange County that meets these requirements. Approximately 75% of their students use public transportation.

PACE Academy has been in operation since 2004 at a small site on Legion Road in Chapel Hill. They serve students with learning disabilities, mental health diagnoses, autism, social skills

deficits, and emotional issues that affect their academic progress. By using the proposed site, PACE Academy can provide more students with a sustainable program of vocational training. The proposed site would provide: a two-year certification program for future cosmetologists; an agri-science program with offerings in landscape design, sustainable farming methods, and horticulture; early childhood education programming leading to a North Carolina Early Childhood Credential; information technology training in network maintenance and security, graphic design, website design; medical coding and transcription; and coursework in welding; carpentry; and auto mechanics. The vocational program offerings of PACE Academy provide both valuable and necessary services to the community at-large. The sites proximity to near by medical buildings and shopping centers offer greater opportunities for student internships.

SIGNATURE:

_____ *applicant* _____ {print}

ADDRESS:

TELEPHONE NUMBER:

****DRAFT****

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE
TO MODIFY THE TABLE OF PERMISSIBLE USES TO ALLOW 5.110 USES
IN THE B-4 ZONING DISTRICT**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-146 of the Carrboro Land Use Ordinance is amended by the addition of a "C" opposite the 5.110 use classification in the columns for the B-4 zoning district to indicate that these uses are permissible with a Conditional Use Permit in that district.

Section 2. Section 15-147 of the Carrboro Land Use Ordinance is amended by the modifying subsection (l) to read as follows:

Notwithstanding the foregoing, if a use within use classifications 2.112, 2.120, 2.150, 2.220, 2.230, 3.120, or 3.220 is proposed for an existing building within the WM-3 zoning district, or a use within the 5.110 use classification is proposed within an existing building within the B-4 zoning district, and no other changes to the site are proposed that would require the issuance of a new permit under Section 15-46, then such use shall be permissible with a zoning permit.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.