

BOARD OF ALDERMEN

ITEM NO. A(1)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, March 22, 2011

TITLE: Public hearing on a Land Use Ordinance Map Amendment Related to the Property Located at 210 Hillsborough Road

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Consistency Resolutions B. Draft Ordinance C. Petition from Orange County for Change of Zoning, With Narrative and Proposed Conditions D. Location Map E. Staff Memo F. LUO Sections 15-321, 322 and 325 G. Mailed Notice Certification H. Recommendations and Public Comments I. Rezoning Protest Petition J. LUO Section 15-326	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

Staff has prepared a draft ordinance related to the placement of a B-2-CZ zoning district on property located at 210 Hillsborough Road. The Board of Aldermen has referred the draft ordinance to advisory boards and is holding a hearing to provide an opportunity for the public to comment on the map amendment before any action is taken.

INFORMATION

Orange County Manager, Frank Clifton, on behalf of Orange County and contract purchaser of the property, and Jared Resnick for property owner NCLA properties, have submitted a petition to amend the zoning map for 210 Hillsborough Road (Orange County PIN 9778684269) from R-10 to B-2 CZ (Fringe Commercial - Conditional) (*Attachment C*). A list of proposed limitations on the use of the property has been included in the petition and a draft ordinance that would amend the zoning map accordingly has been prepared (*Attachment B*). The property is located on the southeastern end of Hillsborough Road, adjacent to the Carrboro Elementary school campus (*Attachment D* - location map).

A staff memo describes the requested rezoning (*Attachment E*). Relevant Land Use Ordinance provisions are attached (*Attachment F*). Notice of the public hearing was carried out per Section 15-323; certification of the mailed notice is provided in *Attachment G*. The rezoning petition was referred to the Planning Board, Transportation Advisory Board, Appearance Commission, and Economic

Sustainability Commission for recommendations (*Attachment H*). Attachment H also includes written comments that were submitted to the Town Clerk's office prior to March 18, 2011. A rezoning protest petition was submitted on March 10, 2011 to the Town Clerk's office and found to be a valid petition on March 15, 2011 (*Attachment I*). Per section 15-326 (*Attachment J*) a valid protest petition triggers the requirement that a proposed zoning map amendment may be adopted only by a favorable vote of $\frac{3}{4}$ (6 of 7 members) of the Board membership.

Orange County's option to purchase the property expires on April 21st. Should the Board decide to continue its consideration of the rezoning petition, the staff has identified April 19th as a date that would allow the Board of Aldermen to decide on the request within the time frame of the current option. Staff understands that the County has the opportunity to obtain a 90-day extension with an additional earnest deposit.

FISCAL AND STAFF IMPACT.

Should Orange County complete the purchase of the 2.69-acre site, the property would cease to generate direct property tax revenues for the community. The current tax rate for the Town of Carrboro and the Chapel Hill Carrboro City Schools is .007778/\$ and .00858/\$ for the County. An estimate of property tax revenues that would cease with the public purchase of the property is \$8,976 per year. Eventual construction and operating expenses are expected to be the primary responsibility of the Orange County government and would represent additional costs beyond those needed to support the two existing Carrboro-based library sites. At some point in the future, relocation of the Cybrary to the new library would allow programming and reservations of Rooms 4 and 5 at the Century Center.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen consider the resolutions of consistency (*Attachment A-1 and A-2*) and the draft ordinance placing the B-2- CZ district at 210 Hillsborough Road (*Attachment B*).