

BOARD OF ALDERMEN

ITEM NO. A(1)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, April 12, 2011

TITLE: Continued Discussion of a Land Use Ordinance Map Amendment Related to the Property Located at 210 Hillsborough Road

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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. LUO Sections 15-321, 322 and 325 F. Recommendations and Public Comments G. Rezoning Protest Petition H. LUO Section 15-326 I. Board Minutes from 3-22-11 J. Response from Orange County K. Aerial Photo of Shelton Street Near Carrboro School	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 held a public hearing on April 22, 2011 and continued the discussion to this date to receive responses to questions related to the rezoning. A written response to questions has been prepared and Orange County staff will be available to respond to questions.

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).

Other agenda materials, including a staff memo and mailed notice certification may be found on the Town's website at http://www.townofcarrboro.org/BoA/Agendas/2011/03_22_2011.htm. Relevant Land Use Ordinance provisions are attached (*Attachment E*). The rezoning petition was referred to the

Planning Board, Transportation Advisory Board, Appearance Commission, and Economic Sustainability Commission for recommendations (*Attachment F*). Attachment H also includes written comments that have been submitted to the Town Clerk's office related to this matter. 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 G*). Per section 15-326 (*Attachment H*) 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.

On March 22nd, the Board of Aldermen continued discussion to April 19th. (Minutes from the March 22nd Public Hearing are attached as *Attachment I*.) Subsequently, staff learned that Orange County's option to purchase the property expires on April 19th. On April 5th, the Board of Aldermen rescheduled its continued discussion to April 12th. Orange County has the opportunity to obtain a 90-day extension with an additional earnest deposit of \$10,000.

Board members requested responses from Orange County to a number of questions related to the library site and requested rezoning. A written response has been prepared (*Attachment J*).

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. Per the tax rates at http://www.co.orange.nc.us/revenue/tax_rates.asp, which are shown per one dollar value, the breakdown of the taxes generated from the property at 210 Hillsborough Road is as follows (property is valued at \$548,760):

	Rate	Taxes
Town of Carrboro	.005894/\$	\$3,234.39
Chapel Hill – Carrboro City Schools	.001884/\$	\$1,033.86
Orange County	.00858/\$	\$4,708.36

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*).