



Legislation Details (With Text)

File #: 16-216 **Version:** 1 **Name:**
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File created: 6/22/2016 **In control:** Board of Aldermen
On agenda: 6/28/2016 **Final action:**
Title: Public Hearing on the LUO Text Amendments Providing Flexibility to Street Design Standards and allowing Multifamily Residential Uses, with an Increased Building Height Limit in the B-4-CU and B-4-CZ Districts Subject to Certain Criteria.

PURPOSE: The Town has received an application for text amendments to the Land Use Ordinance relating to the B-4-CU and B-4-CZ districts. A draft ordinance has been prepared. The Board of Aldermen must receive public input before reaching a decision on the draft ordinance.

Indexes:

Code sections:

Attachments: 1. Attachment A-1 - Consistency Resolution for Ordinance Adoption, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft LUO amendment, 4. Attachment C - Request for LUO Text Amendments, 5. Attachment D - Comments, 6. Attachment E- Excerpts from 12 ART-IX_5-2016

| Date | Ver. | Action By | Action | Result |
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DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333, Patricia McGuire - 919-918-7327, Nick Herman - 919-929-3905

INFORMATION: In February 2016, Ted Barnes of Argus Development Group, LLC, submitted a text amendment request to modify the Land Use Ordinance in three areas related to the B-4 zoning district: to amend Section 15-216 of the LUO to add flexibility to the collector street standards and to amend sections 15-141.3, 15-141.4, 15-147 and 15-185 to allow certain multi-family use classifications at a density of approximately 1,500 square feet per dwelling unit in the B-4-CU and B-4-CZ districts. The maximum building height for the identified multi-family use classifications could be increased to 65 feet, (the current maximum height for the B-4 district is 50 feet) subject to certain criteria relating to subsurface parking and site contours. The amendments are being put forth as part of a request to rezone property along Old Fayetteville Road to B-4-CZ for the purpose of constructing a mixed-use development.

The draft ordinance was referred to Orange County and presented at the Joint Advisory Board Review meeting

on June 2, 2016 and the Economic Sustainability Commission on June 8th. Comments are provided.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review. The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider adopting the resolution finding consistency (Attachment A-1) and the draft ordinance to the Land Use Ordinance provided as (Attachment B).