



## Legislation Details (With Text)

**File #:** 16-301 **Name:**  
**Type:** Agendas **Status:** Agenda Ready  
**File created:** 9/27/2016 **In control:** Board of Aldermen  
**On agenda:** 10/18/2016 **Final action:**  
**Title:** Continuation of Public Hearings on the Proposed Rezoning and Associated LUO Text Amendments for the Lloyd Farm development proposal.

PURPOSE: Continuation of the public hearings on the proposed rezoning at 700 Old Fayetteville Road from R-10, R-20 and B-4 to B-4-CZ and the associated text amendments for the Lloyd Farm development proposal. Draft ordinances for the map and text amendments have been prepared.

**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 Text Amendments, 4. Attachment C - Request for LUO Text Amendments, 5. Attachment D - OC & Advisory Board Comments, 6. Attachment E-1 - Consistency Resolution for Ordinance Adoption, 7. Attachment E-2 - Consistency Resolution for Ordinance Denial, 8. Attachment F - Draft Rezoning Ordinance, 9. Attachment G - Board of Aldermen Minutes - June 28, 2016, 10. Attachment H - Staff Memorandum, 11. UPDATED 10-17-16 - Attachment I - Appendices for Staff memo, 12. Attachment J - vicinity map, 13. Attachment K - Petition for Change of Zoning, 14. Attachment L - Advisory Board Comments on Rezoning

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:** On June 28, 2016, the Board of Aldermen opened two public hearings relating to the Lloyd Farm development: a petition for change of zoning and an application for associated text amendments. (Agenda materials from the June meeting may be found here: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456731&GUID=C6B5AC0D-605F-4CBF-A7E7-7BE4BBA20FE5&Options=info&Search=>>) Though each request requires a separate decision, the text amendments first and the rezoning second, the two items have been combined into a single agenda to simplify the Board's deliberation. Both requests have been submitted by Ted Barnes of Argus Development Group, LLC,

who is referred to herein as the applicant. The rezoning site plan includes a mixed-use development with a grocery store, commercial outparcels, a multi-story apartment building surrounded by twenty freestanding duplex units, parking, open space and bike-ped facilities.

A brief summary of each request is described below.

**Rezoning.** The subject property includes four parcels located at the northeast corner of NC Hwy 54 and Old Fayetteville Road and known collectively as the Lloyd Farm. The parcels are further identified by their Orange County PIN numbers: Lot 1 (PIN 9779-09-7922), Lot 2 (PIN 9778-19-6618), Lot 3 (PIN 9779-10-7351) and Lot 4 (PIN 9779-20-0449). If approved, lots 1 and 2 (approximately 35 acres) would be rezoned from R-10 and B-4 to B-4-conditional (B-4-CZ) for the construction of the mixed-use development. No development is proposed for lots 3 and 4. If approved, lots 3 and 4 (approximately 4.6 acres) would retain their existing residential zoning classification with the addition of CZ. In the draft list of conditions associated with the rezoning, the applicant has included a condition to offer lots 3 and 4 to the Town for public use.

**Text Amendments.** Text amendments, if adopted would modify the Land Use Ordinance in three areas related to the B-4-CZ zoning district: 1) adding flexibility to the collector street standards to allow a cross section with a slower design speed; 2) allowing multi-family residential uses at a density of approximately R-3 or 3,000 square feet per dwelling unit; and 3) increasing the maximum building height to 65 feet, 15 feet taller than the current maximum building height for the B-4 district.

At the close of the June 28<sup>th</sup> meeting, the Board voted to continue the public hearings to a future date and requested additional information on the following aspects of the project:

- possible mitigation of traffic congestion
- a better understanding of how stormwater would function during and after construction
- possible ways to incorporate affordable housing units into the project
- potential uses for the 4.6-acre lot fronting James Street that the applicant has offered to dedicate to the town, including the possibility for affordable housing, and
- a fact check of the project revenue projections.

A copy of the minutes from the June public hearing is provided (Attachment G). A staff memorandum summarizing responses to the Board's request for information is also provided and includes more detailed technical analysis in the appendices at the end of the document (Attachment H and Attachment I).

Materials related to the text amendment are included as Attachments A through D. Materials related to the rezoning are provided as Attachments E through L) and the draft ordinance for the rezoning with the associated conditions. Some of the attachments, particularly the applications and advisory board comments were provided at the June public hearing and have not been changed. The list of proposed conditions associated with the rezoning, Attachment F, has been modified and includes three additional conditions. Conditions for conditional rezonings are binding and must be mutually agreed upon by the applicant and Town.

**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 receive public comment, deliberate and consider adopting the resolutions provided. These include for the text amendments: Attachment

A-1 finding consistency and Attachment B the draft ordinance; and for the rezoning to B-4-CZ: Attachment E-1 for consistency and Attachment F for the draft ordinance for the map amendment.