



Legislation Details (With Text)

File #:	17-444	Name:	
Type:	Agendas	Status:	Passed
File created:	3/13/2018	In control:	Board of Aldermen
On agenda:	3/27/2018	Final action:	3/27/2018
Title:	Public Hearing on the Conditional Use Rezoning and Conditional Use Permit for 802 & 806 Merritt Mill Road		

PURPOSE: The Town has received applications for an R-2-conditional use rezoning and a conditional use permit (CUP) to allow for the construction of a twenty-four (24) unit affordable apartment complex at 802 and 806 Merritt Mill Road. Prior to reaching a decision, the Board of Aldermen must hold a public hearing to receive input on the rezoning request and the CUP.

Indexes:

Code sections:

Attachments: 1. Part I. Attachment A - Consistency Resolution, 2. Part I. Attachment B - Draft LUO Map Amendment 802-806 S Merritt Mill, 3. Part I. Attachment C - Vicinity Map, 4. Part I. Attachment D - Petition for Rezoning - CASA, 5. Part I. Attachment E - Staff Report - Rezoning, 6. Part I. Attachment F - Legal Certification packet, 7. Part I. Attachment G - Combined Comments-PB-TAB-EAB-AHAC, 8. Part II Attachment A - Staff Report, 9. Part II Attachment B - Vicinity Map, 10. Part II Attachment C - Complete Plans, 11. Part II Attachment D - Neighborhood Information Meeting, 12. Part II Attachment E - Staff Advisory Boards Summary Sheet, 13. Part II Attachment F - Traffic Impact Information, 14. Part II Attachment G - Tree Removal Justification, 15. Part II Attachment H - CUP Worksheet

Date	Ver.	Action By	Action	Result
3/27/2018	1	Board of Aldermen	approved	Pass

TITLE:

Public Hearing on the Conditional Use Rezoning and Conditional Use Permit for 802 & 806 Merritt Mill Road

PURPOSE: The Town has received applications for an R-2-conditional use rezoning and a conditional use permit (CUP) to allow for the construction of a twenty-four (24) unit affordable apartment complex at 802 and 806 Merritt Mill Road. Prior to reaching a decision, the Board of Aldermen must hold a public hearing to receive input on the rezoning request and the CUP.

DEPARTMENT: Planning

CONTACT INFORMATION: James Thomas 919-918-7335; Christina Moon 919-918-7325; Marty Roupe 919-918-7333; Patricia McGuire 919-918-7327

INFORMATION: The Town has received an application from CASA NC for a conditional use rezoning/conditional use permit for property at 802 and 806 South Merritt Mill Road to allow for the development of an affordable multi-family apartment complex. The total project encompasses four properties, two in the Town of Carrboro and two in the Town of Chapel Hill. The Carrboro parcels, containing approximately 1.99 acres (86,833 square feet), are currently zoned R-7.5. The proposal is to rezone both

parcels to R-2-Conditional Use (R-2-CU). The parcels may be more specifically described by their Orange County PIN numbers 9778-93-1183 and 9778-93-0153. Materials relating to the rezoning are included as Part I. (Attachments A-G).

CASA NC has also submitted an application for a Conditional Use Permit (CUP) for the multi-family apartment complex. This will be a three (3) story building that will contain twenty-four (24) units with two (2) bedrooms within each unit (Use Classification #1.300). As noted above, the project will also include an additional twenty-four (24) apartments on the two parcels in Chapel Hill, which are being developed subject to Chapel Hill requirements. Of note, some portions of the project located on the Chapel Hill side of the site are being utilized to demonstrate compliance with Town of Carrboro Land Use Ordinance provisions. This is permissible under the Town's definition of lot. Materials relating to the CUP are included as Part II. (Attachments A-H).

All the units will be affordable as CASA is a non-profit housing developer and the units will be affordable to households below the 60 percent of the AMI, with priority for people who are homeless and/or who have disabilities.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review; staff time is also required for plan review and processing. The Board approved a request from the applicant to waive the fees for the rezoning and CUP review on March 13th.

RECOMMENDATION: Part I. R-2 Conditional Use Rezoning: Town staff recommends that the Board of Aldermen receive public comment and consider if the proposed rezoning is consistent with Town plans and policies as well as the advancement of the public health, safety and welfare of the Town (*Attachment A for consistency and Attachment B for the map amendment ordinance*). Approval would be subject to conditions specified in association with the conditional use permit application for the development of the multi-family apartment units.

Part II. Conditional Use Permit Application: If the rezoning is found to be appropriate, Town staff recommends that the Board of Aldermen review the Conditional Use Permit application for the development of the site for affordable multi-family housing.

Town staff recommends that the Board of Aldermen review the Conditional Use Permit proposal with the following staff conditions and prepare recommendations. The CUP Worksheet is attached (see *Attachment H*):

1. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
2. That the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP

in the development, performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town Engineer and Environmental Planner for approval prior to construction plan approval.

3. That prior to construction plan approval, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment/maintenance agreement for installation of necessary infrastructures.
4. That if any substantive changes to the site design are necessary to meet all applicable stormwater related provisions of the LUO, then the applicant will bring such changes back to the Board of Aldermen for review, including an additional public hearing if deemed necessary.
5. That deed restrictions must be placed on the property restricting use of the land to only affordable housing, in accordance with LUO Section 15-182.4, for a period of 99 years.