



## Legislation Details (With Text)

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| <b>File #:</b>        | 19-84  | <b>Name:</b>         |                   |
| <b>Type:</b>          | Agendas  | <b>Status:</b>       | Agenda Ready      |
| <b>File created:</b>  | 2/20/2019  | <b>In control:</b>   | Board of Aldermen |
| <b>On agenda:</b>     | 2/26/2019  | <b>Final action:</b> |                   |
| <b>Title:</b>         | Review of Preliminary Draft Ordinance, Master Plan, and Schedule for Considering a Petition to Rezone Property at Old NC 86 and Eubanks Road to a Site Specific, Flexible Zoning (FLX) District<br>PURPOSE: The purpose of this item to provide the Board with an opportunity to review the preliminary draft ordinance and graphic illustrations prepared as part of the application to rezone property to a FLX district and to consider a schedule for moving forward to a public hearing for formal consideration. |                      |                   |
| <b>Indexes:</b>       |  |                      |                   |
| <b>Code sections:</b> |  |                      |                   |
| <b>Attachments:</b>   | 1. Attachment A - Resolution with Possible Schedule, 2. Attachment B - Request to Apply for Rezoning - Narrative with Area Plan, 3. Attachment C - Petition for Change of Zoning-form & attachments, 4. Attachment D - Preliminary Draft Ordinance_Old86-EubanksFLX_02-22-19, 5. Attachment E - FLX-PermissibleUseTable-Draft-_2-20-2019-EU, 6. Attachment F - Draft Master Plan 2019-02-22 Eubanks  |                      |                   |

| Date | Ver. | Action By | Action | Result |
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### TITLE:

Review of Preliminary Draft Ordinance, Master Plan, and Schedule for Considering a Petition to Rezone Property at Old NC 86 and Eubanks Road to a Site Specific, Flexible Zoning (FLX) District

**PURPOSE:** The purpose of this item to provide the Board with an opportunity to review the preliminary draft ordinance and graphic illustrations prepared as part of the application to rezone property to a FLX district and to consider a schedule for moving forward to a public hearing for formal consideration.

**DEPARTMENT:** Planning

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

**INFORMATION:** Since the Board approved the request from Parker Louis, LLC, Adam and Omar Zinn, to submit a petition to rezone property at the northeast corner of Old NC 86 and Eubanks Road, to a Site Specific, Flexible Zoning (FLX) district, staff began meeting with the Zinns to sketch-out a master plan and the elements of an ordinance. (

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=525879&GUID=908B3993-850E-41B9-BA80-238F41BCD2C6&Options=&Search=>>). Efforts began in earnest in October 2018 and followed with the receipt of the formal rezoning application in February. During this time, staff have participated in a series of regular meetings with the Zinns, and their project engineer, to prepare a preliminary draft ordinance and draft master plan that would begin the iterative review process outlined in the Land Use Ordinance (*Attachments D, E, and F*).

At this milestone, the Board is requested to provide initial feedback on the preliminary draft ordinance and associated draft master plan, and to consider a schedule for moving forward. The schedule includes advisory board review and public input as the next step, with a return to the Board in April to request a public hearing date for May or June.

#### Background

The Zinns participated in a Town-sponsored charrette in 2011 to consider possible development options for their property that would further the recommendations of the Northern Study Area Plan Implementation Review Committee (NSAIRC) to implement the Facilitated Small Area Plan for Carrboro's Northern Study Area Plan (NSA Plan), by allowing for opportunities for commercial uses at a neighborhood scale subject to performance standards. The charrette yielded five concept plans, elements of which became the basis for the creation of a new zoning district, one that would offer similar opportunities for mixed-use as the VMU but would allow more flexibility for adjusting to changing market conditions and be suitable for smaller projects (25 acre minimum rather than 50 acres). Over the course of the next couple of years the Board reviewed a number of iterations of different types of zoning districts intended to allow mixed-use options, and ultimately, on June 21, 2016, adopted text amendments to establish the FLX district ( <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456730&GUID=A9E1D501-E000-491C-AD97-A421C8756A89&Options=&Search=>>).

As described in Section 15-141.5, the process by which a FLX district is established is similar to a conditional district, but includes as its primary prerequisite a Town sponsored site specific planning study to inform the selection of land uses and overall themes of the district. The incorporation of community-based input at the front end of the approval process is intended to provide the applicant and the Town with a sense of the parameters within which the district can be development to meet the spirit of the planning study without the more detailed site plan requirements of a conditional use permit. The FLX district ordinance and master plan is drafted in an iterative process with check-in points at key intervals to ensure consistency with the shared elements of the planning study while taking into account the requirements of the applicant to create a successful development project.

**FISCAL & STAFF IMPACT:** Staff time will also be necessary for public notice, drop-in sessions and public hearing agenda preparation.

**RECOMMENDATION:** Staff recommends that the Board consider the resolution provided ( *Attachment A*) offering initial input on the preliminary ordinance and master plan and direction on the possible schedule for moving forward toward a public hearing.