

A RESOLUTION SPECIFYING FOLLOW-UP TO THE REZONING REQUEST FOR
401 N. GREENSBORO STREET
Resolution No. 19/2008-09

WHEREAS, the Carrboro Board of Aldermen seeks to consider fully policies, plans and regulations pertaining to development opportunities; and

WHEREAS, the Board of Aldermen has received a request to rezone the parcel known as 7.95.G.9 and located at 401 N. Greensboro Street from R-7.5 to B-2- Conditional; and

WHEREAS, adopted policies call for protection of historic properties and older neighborhoods and this parcel is located in such an area; and

WHEREAS, adopted policies also call for increased commercial opportunities, particularly downtown developments with a mix of uses.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen specifies the following:

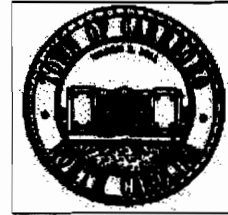
Section 1. Accept the petition, direct staff to prepare an ordinance that rezones 401 N. Greensboro Street (Orange County TMBL 7.95.G.5) from R-7.5 to B-2- Conditional, set a public hearing for October 27, 2008 and refer the rezoning petition and draft ordinance to the Planning Board for review.

Section 2. Refer the draft ordinance to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

- | | |
|---|--|
| <input type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> _____ |

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

TOWN OF CARRBORO



PETITIONER: Miles Fitch, JR.

401 ~~101~~ N. Greensboro St Millhouse

DATE:

6/20/08

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from A75 to B2 zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME MILES FITCH, JR.
ADDRESS: _____
TELEPHONE #: (919) 942-3153
2. INTEREST IN PROPERTY (IES):
owner To Rezone for
conditional commercial use
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: 401 N. GREENSBORO ST. COEXISTING AMONG OTHER
commercial use properties
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
 - a. OWNER: 401 N. GREENSBORO ST. MILES M. FITCH, JR.
TAX MAP: 7.95.G.9 BLOCK: _____ LOT _____ ACREAGE: .29 PARCEL: 9778-37-3291
SUBMISSION NAME: _____ FRONTAGE 100.10' DEPTH: 115.45'
EXISTING STRUCTURES AND USES: 1 frame house
rental (Capelli Hair studio)
 - b. OWNER: _____
TAX MAP: _____ BLOCK: _____ LOT _____ ACREAGE _____ PARCEL: _____
SUBMISSION NAME: _____ FRONTAGE _____ DEPTH: _____

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EXISTING STRUCTURES AND USES:

c. OWNER: _____

TAX MAP: _____ BLOCK _____ LOT _____ ACREAGE _____ PARCEL: _____

SUBDIVISION NAME _____ FRONTAGE _____ DEPTH: _____

EXISTING STRUCTURES AND USES:

d. OWNER: _____

TAX MAP: _____ BLOCK _____ LOT _____ ACREAGE _____ PARCEL: _____

SUBDIVISION NAME _____ FRONTAGE _____ DEPTH: _____

EXISTING STRUCTURES AND USES:

5. NAMES AND ADDRESSES OF ALL PERSONS WHOSE PROPERTY OR ANY PART THEREOF IS WITHIN 1000 FEET IN ANY DIRECTION OF THE PROPERTY SOUGHT TO BE REZONED.

NAME	ADDRESS
See attached label	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES ___ NO
IF "YES", WHEN? _____

7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:

(a) How do the potential uses in the new district classification relate to the existing character of the area?

The existing character of the area is predominately commercial and faces GREENSBORO street. We wish to preserve the integrity of the millhouse setting as well as be good long term neighbors to other residential neighbors.



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(b) In what way is the property proposed for rezoning peculiarly/particularly suited for the potential uses of the new district?

401 N. GREENSBORO ST. is facing a very busy highly TRAFFICKED road and would be an ideal location to accommodate the vision 2020 plan for mixed use of Residential and commercial to blend compatibly. The sidewalk creates pedestrian TRAFFIC and it's a lovely setting, indeed.

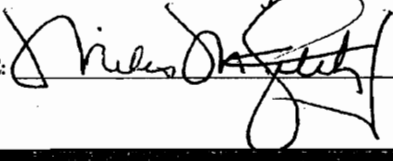
(c) How will the proposed rezoning affect the value of nearby buildings?

Because the value of Residential and commercial property is extremely high, it is doubtful that it would have any or little impact ~~now~~ at this point in time.

(d) In what way does the rezoning encourage the most appropriate use of the land in the planning jurisdiction?

Conditional Re-zoning of this property will provide and protect the millhouse image and will promote the vision for the future that Carrboro is striving to achieve. There is a sense of pride in feeling that we will be a part of this.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE THIS IS THE 20th DAY OF June, 2008.

PETITIONER'S SIGNATURE: 

For all the persons identified under "5", please attach addressed envelopes with the correct postage. Oversight of this requirement could delay processing your rezoning request.

~~Return to State of zoning form~~

The 401 N. Greensboro St. millhouse would be an excellent

- 1) office space for serving clients on premises
- 2) office space with little or no client traffic
- 3) home occupation
- 4) Residential
- 5) B & B

A low impact limited hours business such as a small hair salon, art studio, art gallery, computer office would blend into the community setting and lend itself to being residential if it is so desired in the future.

Thank you
Patricia Patterson

EXCERPT OF LAND USE ORDINANCE

Section 15-135 Residential Districts Established.

(a) The following basic residential districts are hereby established: R-20, R-15, R-10, R-7.5, R-3, R-2, R-R, R-S.I.R., and R-S.I.R.-2. The purpose of each of the foregoing residential districts is to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts. (AMENDED 5/12/81; 12/7/83; 2/4/86)

B-2 FRINGE COMMERCIAL. This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes and proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to residential areas. Any development within the B-2 district shall comply with the following requirements: (AMENDED 09/06/88; 06/20/06).

- a. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;
- b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets; and

Section 15-141.4 Conditional Zoning Districts

(a) Conditional zoning districts are zoning districts in which the development and use of the property so zoned are governed by the regulations applicable to one of the general use zoning districts listed in the Table of Permissible Uses, as modified by the conditions and restrictions imposed as part of the legislative decision creating the district and applying it to the particular property. Accordingly, the following conditional zoning districts may be established: B-2-CZ.

(b) The conditional zoning districts authorized by this section may be applied to property only in response to a petition signed by all the owners of the property to be included within such district.

(c) The uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the general use zoning district to which the conditional district corresponds as described in subsection (a), except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d).

(d) When a rezoning petition for a conditional zoning district is submitted (in accordance with Article XX of this chapter), the application shall include a list of proposed conditions (which may be in the form of written statements, graphic illustrations, or any combination thereof) to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. The list of proposed conditions may be modified by the planning staff, advisory boards, or Board of Aldermen as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the applicant and the Board may be incorporated into the conditional zoning district. Conditions and site-specific standards imposed in a conditional district shall be limited to (i) those that address the conformance of the development and use of the site to the provisions of this chapter or to applicable plans adopted by the Board, and (ii) those that address the impacts reasonably expected to be generated by the development or use of the site.

(e) All uses that are permissible in the conditional zoning district shall require the issuance of the same type of permit that such use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses), i.e. a zoning permit, special use permit, or conditional use permit.

ARTICLE XX

AMENDMENTS

Section 15-320 Amendments in General

(a) Amendments to the text of this chapter or to the zoning map may be made in accordance with the provisions of this article, or in the case of nonsubstantive editorial changes, may be made administratively by the planning director, as described in Section 15-38 of this ordinance. **(AMENDED 09/01/87)**

(b) The term “major map amendment” shall refer to an amendment that addresses the zoning district classification of five or more tracts of land in separate ownership or any parcel of land (regardless of the number of lots or owners) in excess of fifty acres. All other amendments to the zoning district map shall be referred to as “minor map amendments.”

(c) All properties within the University Lake Watershed are zoned WR, B-5, WM-3 or C. As provided in Subsection 15-137(b), no additional areas may be rezoned WM-3 or B-5, and no areas within the University Lake Watershed may be rezoned to any classification other than WR, or C. **(AMENDED 10/15/96)**

(d) The regulations applicable to the watershed districts do, and all amendments to these regulations shall, comply with the water supply watershed protection rules promulgated by the State pursuant to G.S. 143-214.5. Copies of all amendments to Sections 15-265 or 15-266 shall be sent to the Division of Community Assistance, Division of Environmental Health, and Division of Water Quality. **(AMENDED 10/15/96)**

Section 15-321 Initiation of Amendments

(a) Whenever a request to amend this chapter is initiated by the Board of Aldermen, the planning board, the board of adjustment, the appearance commission, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Board of Aldermen so that a date for a public hearing may be set.

(b) Any other person may also petition the Board to amend this chapter. The petition shall be filed with the planning department and shall include, among the information deemed relevant by the planning department:

- (1) The name, address, and phone number of the applicant.
- (2) A description of the land affected by the amendment if a change in zoning district classification is proposed.
- (3) Stamped envelopes containing the names and addresses of all those to whom notice of the public hearing must be sent as provided in Section 15-323.

Art. XX AMENDMENTS

- (4) A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.
 - (5) A concise statement of the reasons why the petitioner believes the proposed amendment would be in the public interest.
- (c) Upon receipt of a petition as provided in (b), the planning staff shall either:
- (1) Treat the proposed amendment as one initiated by the town administration and proceed in accordance with subsection (a) if it believes that the proposed amendment has significant merit and would benefit the general public interest; or
 - (2) Forward the petition to the Board with or without written comment for a determination of whether an ordinance should be drafted and a public hearing set in accordance with subsection (d).
- (d) Upon receipt of a proposed ordinance as provided in subsection (a), the Board may establish a date for a public hearing on it. Upon receipt of a petition for an ordinance amendment as provided in subsection (b), the Board may summarily deny the petition or set a date for a public hearing on the requested amendment and order the attorney, in consultation with the planning staff, to draft an appropriate ordinance.

Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments (AMENDED 10/24/06)

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues. (AMENDED 09/19/95)

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Land Use Plan, Thoroughfare Plan, or other applicable plans officially adopted by the Board of Aldermen. The planning board shall provide a written recommendation to the Board of Aldermen that addresses plan consistency and other matters as deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Board of Aldermen may proceed in its consideration of the amendment without the planning board report. (AMENDED 10/24/06)

(c) A comment by the planning board that a proposed amendment is inconsistent with the Land Use Plan, Thoroughfare Plan or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Board of Aldermen, and the Board

40. Clark House
600 North Greensboro Street

Long-time Carrboro residents identify this house as one of the oldest dwellings in this portion of N. Greensboro St. north of the mill housing yet within the early limits of the town. The house was built in the first years of this century for the large family headed by "Miss Fanny" Clark. Three of her daughters — Anna Brookbanks, May Mann and "Bob" Sparrow — also were well-known lifelong residents of Carrboro. Anna Brookbanks lived here for many years after inheriting the house from her mother. Distinguishing features of the "stem" or entrance wing, of this T-shaped structure include the exterior stone and brick chimney in the gable end and the gable with curved raking boards above the entrance. In the front gable on the southeast wing, the attic vent is in the form of a pointed arch with the same detailing and pitch as that of the gable. Other features include molded box cornices with returns, plain frieze boards and corner boards with a strip of molding at the top. Between 1915 and 1925, a wing with porches on two sides was added to the rear of the house.

41. Braxton House
610 North Greensboro Street

This typical 1920s bungalow of one-and-one-half stories with an engaged full-facade front porch is known as a "builder's house," probably culled from a contractor's manual or mail-order plans featured in popular magazines of the day. A gable-roofed dormer marks the second story and two chimneys with corbelled stacks project symmetrically from the crest of the roof. The exposed rafter ends and porch supports of tapered box posts on brick plinths also are characteristic bungalow features. Originally, the house had an engaged shed across the rear, half of which was a porch that later was enclosed; otherwise the Braxton House remains virtually intact. Recently, the house received a new roof and a fresh coat of paint. It is named for its long-time residents, the Braxton family.

42. Taylor-Luther House
700 North Greensboro Street

Numa Taylor built this one-story house around 1930 after winning the property in a raffle drawing. This hip-roofed house with a recessed porch across the front is constructed of cement block covered with stucco. The porch piers resting on brick plinths also are made of cement. Some of the most distinctive features of the house are its very tall windows. A brick exterior chimney, faced with concrete below the stack, rises from the east elevation. The two-room-deep main block of the house has been expanded with a sizeable shed wing across the rear facade. Martin and Myrtle Luther purchased the house around 1960.

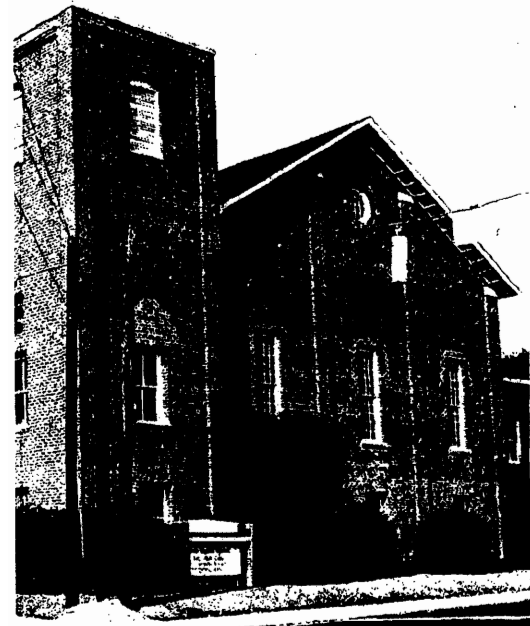
43. House
401 North Greensboro Street

Thomas F. Lloyd or another local investor had this one-story house built at the turn of the century for rental to workers employed in Lloyd's Alberta Cotton Mill one block away. Very similar to the houses at 101 to 107 Shelton St., this house and the two identical neighboring houses at 403 and 405 N. Greensboro St. form an ensemble that preserves the character of the mill village in their simple and neat forms with minimum foundation plantings. An ell extends from the rear of the main block, which consists of two rooms separated by a wall containing an interior chimney with a corbelled stack. Like the Shelton St. houses, this single-family house was built with an outside door to each of the front rooms so that workers in various shifts could come and go without disturbing other members of the family. The house differs from the Shelton St. houses in its hip-roofed front porch with chamfered posts and a railing with square-in-section balusters. The recent refurbishing of this house included an attractive two-color paint scheme.

rior buttresses to which a one-story hip-roofed wing is appended along the east elevation. On the main, west elevation, flat-roofed towers with recessed window planes topped with corbelling distinguish each corner; the southwest tower marking the major intersection of Main and Weaver streets is taller due to the addition of a belfry. Originally, the tower windows were larger, in the form of pointed arches. When this church was completed, Union Chapel was dismantled and its materials were used for the construction of McDuffie Baptist Church, named for one of Carrboro Baptist Church's well-known early ministers, on N.C. 86 north of Chapel Hill. During the 1960s, brick additions were made to Carrboro Baptist Church between the towers and along the north elevation.

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46. House

507 North Greensboro Street

The simple house is unusual in Carrboro. It is similar in form to the Tom Ray House a few blocks to the south, this example of the type is broader in its overall proportions. Also like the Tom Ray House, this house has gabled walls. Its plan is organized around a center hall. The main block of the house is expanded on the rear with a shed wing and an ell. The original exterior with a belled stack remains standing in the south gable end. The front porch has been partially enclosed and the original porch has been covered with asbestos shingles. Mill ownership or construction or rental has not been determined for this house. A previous occupant of the house was C. B. Andrews, who was not associated with Carrboro's textile enterprises.



40. Clark House



41. Braxton House



42. Taylor-Luther House



43. 401 North Greensboro Street

47. Johnson House

509 North Greensboro Street

The Johnson House and the neighboring houses at 511 and 601 N. Greensboro St. all have identical one-story, one-room-deep forms with a triple-A roofline and rear ell; they differ only with regard to their ornamentation. This house type, one of the most popular across North Carolina throughout the 19th century and well into the 20th, typifies much of Carrboro's early residential architecture, including many of the houses built privately or by the mills for rental to mill workers. The broad proportions and long rear ell set the Johnson House, and 511 and 601 N. Greensboro St. as well, apart from the more diminutive houses known to have been built by the mills. All three houses were built around 1910. Although these particular houses have not been identified as built by a mill or privately built for speculative rental, some of their occupants were mill workers, including members of the Johnson family. The Johnson House retains its original patterned pressed tin roof and bands of sawtooth and offset shingles in the front gable. Minimal spandrels, perhaps replacements,



44. Tom Ray House



45. Whitaker House



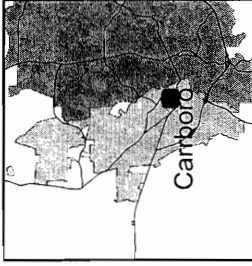
46. 507 North Greensboro Street



47. Johnson House

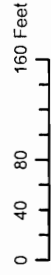
branch out from the top of the turned posts supporting the porch roof.

401 N. Greensboro St.



Legend

- 401 N Greensboro St
- Properties



**THIS MAP IS NOT A CERTIFIED SURVEY
NO RELIANCE MAY BE PLACED IN ITS
ACCURACY**

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TOWN OF CARRBORO
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Carrboro, NC 27510
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