

A RESOLUTION ADOPTING A  
STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN  
AMENDMENT TO THE ZONING MAP OF THE CARRBORO LAND USE ORDINANCE  
Draft Resolution No. 89/2010-11

WHEREAS, an amendment to the map of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: An ordinance amending the zoning classification for the property known as 210 Hillsborough Road (PIN 9778684269) from R-10 to B-2-CZ

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020: Policies through the year 2020, policy 1.22.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks support development of a centrally located and conveniently accessible library.

Section 3. This resolution becomes effective upon adoption.

This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Ayes:

Noes:

Abstentions:

A RESOLUTION ADOPTING A  
STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR REJECTING AN  
AMENDMENT TO THE ZONING MAP OF THE CARRBORO LAND USE ORDINANCE  
Draft Resolution No. 89/2010-11

WHEREAS, an amendment to the map of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: An ordinance amending the zoning classification for the property known as 210 Hillsborough Road (PIN 9778684269) from R-10 to B-2-CZ

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is not consistent with adopted policies.

Section 2. The Board concludes that its rejection of the above described amendment is reasonable and in the public interest because existing zoning classifications are appropriate.

Section 3. This resolution becomes effective upon adoption.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Ayes:

Noes:

Abstentions:

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE  
APPROXIMATELY 2.69 ACRES OF LAND KNOWN AS  
210 HILLSBOROUGH ROAD FROM R-10 TO B-2 CZ

**\*\*DRAFT 3-18-2011\*\***

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:

That property being described on Orange County Tax Maps as:

Orange County Parcel 9778684269, in the Chapel Hill Township, and being the area that is called out on the accompanying map as "210 Hillsborough Road" is hereby rezoned from R-10 (Residential, 10,000 square feet per dwelling unit) to B-2-CZ (Fringe Commercial, Conditional), subject to the following conditions agreed to by the property owner and Board of Aldermen:

1. The only permissible use on the subject property shall be a library, classification 5.320, as described in the Table of Permissible Uses, Section 15-146 of the Land Use Ordinance.
2. The size of the proposed library shall consist of no greater than 20,000 square feet of floor area.
3. The height of the library building shall be limited to a single-story to ensure that the structure is not detracting from adjacent single-family residences or dominating the local landscape.
4. The final design for the library shall incorporate the various architectural standards as contained within Section 15-178 of the Land Use Ordinance, specifically those outlined in provision (a) 1-4 to achieve the most suitable library for the site. If deviations from the specified standards are needed, due to the configuration of the lot and the need to appropriately place the building in relation to setbacks and property lines, the
5. The operating hours, including any ancillary use such as activities or events held in public meeting rooms, shall be limited to:
  - a. Monday through Thursday: 10:00 a.m. to 8:00 p.m.
  - b. Friday: 10:00 a.m. to 6 p.m.
  - c. Saturday: 9:00 a.m. to 5 p.m.
  - d. Sunday: 1:00 – 5:00 p.m. (Labor Day – Memorial Day) no summer Sunday hours
6. All outdoor lighting, with the exception of security lighting on the library building itself, shall be extinguished at:
  - a. 10:00 p.m. Monday through Thursday,
  - b. 7:00 p.m. Friday, and
  - c. 6:00 p.m. Saturday and Sunday.
7. Sidewalks and bike lanes shall be extended to encourage pedestrian access to the proposed library.
8. Traffic and parking impacts, with particular attention to impacts on surrounding properties (especially during peak hours) shall be analyzed and mitigated where possible. The petitioner shall work with the Town of Carrboro, Chapel Hill Carrboro City Schools, the Carrboro United Methodist Church, and the North Carolina Department of Transportation to analyze these impacts and mitigation options.

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall become effective upon adoption.

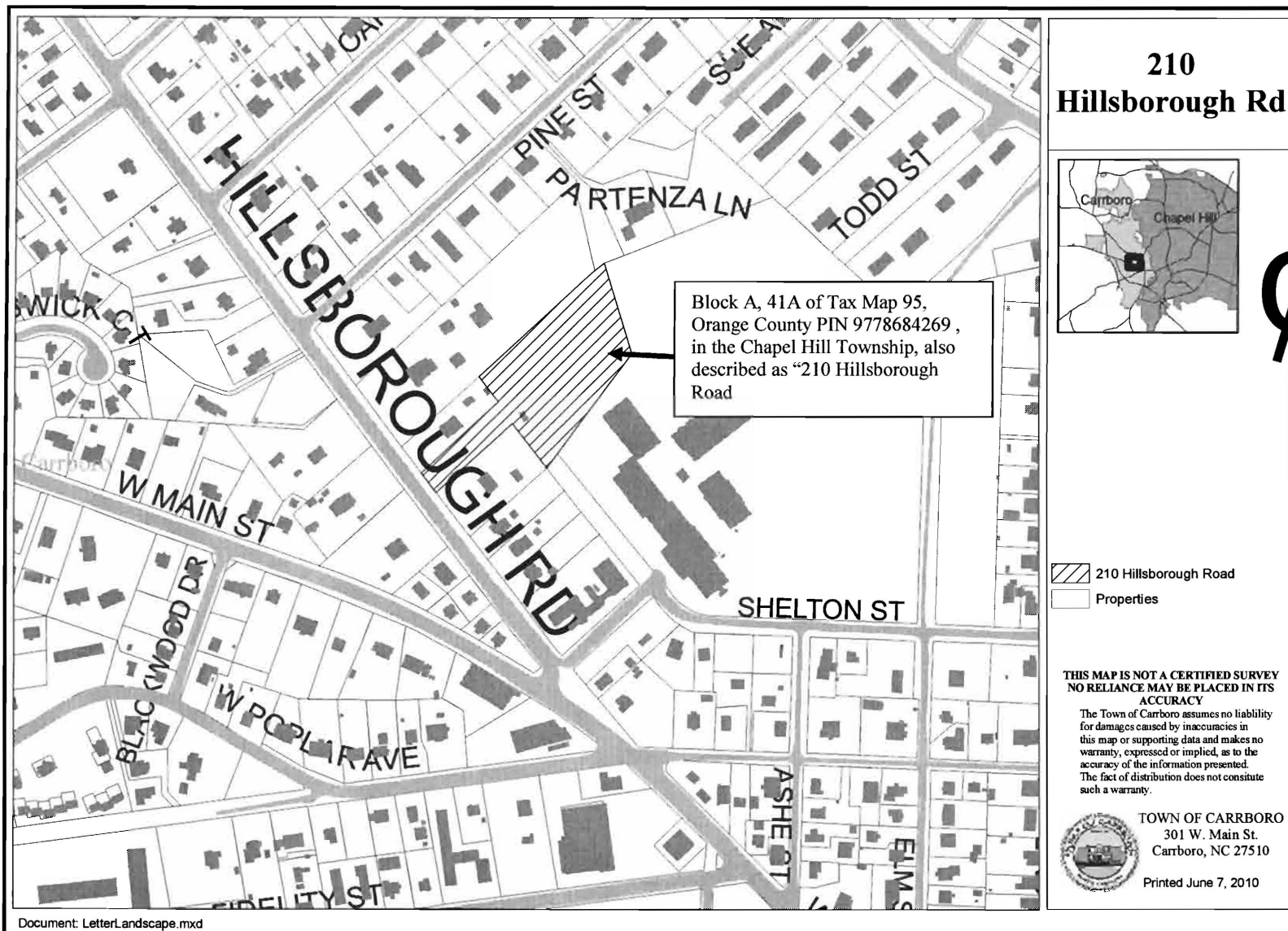
The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted, this the \_\_\_\_\_ day of \_\_\_\_\_ 2011.

AYES:

NOES:

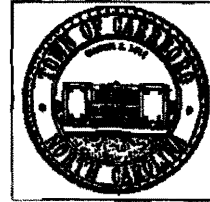
ABSENT OR EXCUSED:





# TOWN OF CARRBORO

## PETITION FOR CHANGE OF ZONING



"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business. Please refer to the 'Checklist for Opening a Business in Carrboro.'

### PETITIONER

Orange County

DATE:

February 4, 2011  
12/1/2010  
ah 2-4-11

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-10 to B-2-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME: Orange County  
 ADDRESS: 200 South Cameron St. PO Box 8181 Hillsborough 27228  
 TELEPHONE #: (919) 245-2300
2. INTEREST IN PROPERTY(IES): Orange County has an option to purchase the property based on obtaining requested rezoning
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: 2.69 acre parcel (PIN 9778-68-4269) adjoining Carrboro Elementary to the east, fronting on Hillsborough Road and Shelton Street
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
  - a. OWNER: NCLA Properties LLC  
 TAX MAP: 7 BLOCK: 95 LOT: A ACREAGE: 2.691 PARCEL: 41A  
 SUBDIVISION NAME: NCLA Prop (102/33) FRONTAGE: 60.21' DEPTH: 713.54'  
 EXISTING STRUCTURES AND USES: Undeveloped

**D. OWNER:** \_\_\_\_\_

**TAX MAP:** \_\_\_\_\_ **BLOCK:** \_\_\_\_\_ **LOT:** \_\_\_\_\_ **ACREAGE:** \_\_\_\_\_ **PARCEL:** \_\_\_\_\_

**SUBDIVISION NAME:** \_\_\_\_\_ **FRONTAGE:** \_\_\_\_\_ **DEPTH:** \_\_\_\_\_

**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

Please See Attached

PETITION FOR CHANGE OF ZONING (con't)  
Page #3

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?

*Please see attached*

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

*Please see attached*

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

*Please see attached*

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

*Please see attached*

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 4<sup>th</sup> DAY OF February, 2011.

PETITIONER'S SIGNATURE:

*[Signature]*

*Orange County Mgr*  
*2-4-11*

Property Owner's Signature:

*[Signature]* 2/28/11

NCLA Member Mngr

### PLEASE NOTE

1. 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.
2. If a rezoning or master plan is approved, a Certificate of the Adequacy of Public School Facilities (CAPS) will be required from the Chapel Hill Carrboro City School District before the approval of a conditional or special use permit for a residential development shall become effective. The rezoning of property or approval of a master plan provides no indication as to whether the CAPS will be issued.

## INTRODUCTION:

Orange County is pleased to submit this Conditional Zoning District rezoning application proposing to rezone the aforementioned property, as detailed within the attached application package, for the purpose of developing the southwestern regional branch of the Orange County public library.

Specifically, through the submittal of this rezoning petition the County is requesting that the property be rezoned from R-10 to **B-2-CZ** in accordance with Section 15-141.4 *Conditional Zoning District* of the Town of Carrboro Land Use Ordinance (hereafter 'Ordinance') for the specific and sole purpose of developing a maximum 20,000 square foot public library.

## PROCESS – CONDITIONAL ZONING AND CONDITIONAL USE PERMIT:

In reviewing this Town of Carrboro's Ordinance, there are two (2) processes that are available to the County supporting this application, specifically:

- **Conditional Zoning:** Requiring the submittal of a rezoning petition seeking to rezone property to a conditional zoning designation for the development of a specific use, in this case a library.

As part of the Ordinance, if the rezoning petition is approved by the Carrboro Board of Aldermen, the County would still need to submit a detailed site plan for review and approval through the Conditional Use Permit process in accordance with the Carrboro Land Use Ordinance. The main differentiation with this process and Conditional Use Zoning is that the timing of this submittal, and actual commencement of construction activities, would not be prescribed by the Town's Land Use Ordinance.

The Conditional Zoning would provide the County with an immediate decision, with respect to the possible development of the parcel as a library, so we could move forward with the development of the formal site plan necessary to secure the required Conditional Use Permit authorizing land disturbing activity.

- **Conditional Use Zoning:** Requiring the submittal of a rezoning petition as well as a site specific development plan requesting authorization to develop a specific use, in this case a library, on a parcel of property. This process requires the review and approval of a rezoning petition, rezoning the property to a requested designation, as well as the review and approval of formal site plan with the issuance of a Conditional Use Permit issued by the Board of Aldermen authorizing the commencement of land disturbing activity.

This means that the architectural drawings, parking lot layout, access management issues, stormwater retention, and open space management plans would have to be finalized for review and approval by the Town with the submission of the rezoning request.

The County chose the Conditional Zoning option as the means of seeking authorization for the library project for the following reasons:

- a. The County has a limited window of opportunity to make a final decision with respect to the purchase of this property and needs approval indicating that the development of a library on this parcel is possible. The Conditional Zoning process fits in with our limited 'window of opportunity'.

This parcel became available in late 2010 and the County has made an offer to purchase contingent on being able to develop the proposed library. There is insufficient time available to complete all required submittal components necessary for the Conditional Use Permit process, as described by the Ordinance, and adhere to our time limitations on making a formal decision.

The Conditional Zoning process provides a decision within six (6) months from the application being submitted. County staff has estimated that it would take anywhere from six (6) months to a year to develop the detailed plans required for the Conditional Use Zoning review process.

From the County's perspective this is the only process that provides the necessary answer within the available time frame.

- b. Local residents and community members have been requesting a library for twenty (20) years. While numerous sites have been discussed, no formal action has been taken.

Prior to engaging in a lengthy and costly process to produce the site development plans for this property, the County needs a determination that the proposed site will be acceptable for the project.

- c. The County does not intend to break ground on this project in the foreseeable future.

With the Conditional Use Zoning process there are practical limits established by the Ordinance requiring the County to commence land disturbing operations that have not yet been anticipated from a budgetary standpoint.

The County needs the time afforded to use by the Conditional Zoning process to properly plan for the development of this project over multiple budget years

- d. The County has not begun development of the necessary architectural plans or site development plans required for the Conditional Use Zoning process.

While the County has determined that this property provides the best location for the southwest branch of the Orange County Library, we are still considering a variety of options for design for the structure, the parking lot, and open space management.

The County needs the assurance obtained through the Conditional Zoning process that a library could be developed on the site so that we can begin the site design and outreach processes.

- e. The County has not engaged in the necessary comprehensive public outreach campaign planned to solicit public comment with respect to the actual design and layout of the site.

We had hoped to receive some indication that the property was acceptable for the development of the library prior to beginning our outreach program as such an undertaking will involve committing staff and financial resources.

#### **PROPOSAL – LAND USE:**

If the rezoning application is approved, the County intends to develop a stand-alone full service library for the residents of southwest Orange County. This branch library would be modeled after the new Main Library in Hillsborough, including children's, young adult, and adult collections, reference services, computer availability, public meeting rooms, and programming for all ages. This branch would also combine the services and staff already available at the Cybrary and Carrboro McDougle Middle School. These branches currently operate with limited collections and hours of operation due to their multi-use facilities.

According to the Carrboro Land Use Ordinance, current R-10 zoning regulations would allow for a library to be built on the property, through the typical site plan approval process, with an overall building limit of 3,500 square feet. The County has determined that it is in our, and the communities', best interest to pursue a library of approximately 20,000 square feet to serve patron needs, necessitating this conditional rezoning request.

#### **RESPONSE TO APPLICATION QUESTIONS:**

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

The uses surrounding the subject parcel range from:

- **North:** single-family residential;
- **South:** single-family and multi-family residential structures, condominiums, offices (i.e. along Main Street);
- **East:** single-family, institutional (i.e. Carrboro Elementary and Carrboro United Methodist Church);
- **West:** single-family residential.

The area in question supports diverse residential development along with several institutional and professional office land uses. There are several non-residential land uses along Main Street, approximately 500 feet away from the subject property.

It is our opinion that the request is consistent with the overall intent and purpose of the B-2 zoning district given the current transition evident, with respect to the existing land uses



in the area, to more institutional and non-residential, most notably Carrboro Elementary School to the east of the subject property.

The County also believes that this property is suitable to provide a beneficial public service to existing local residents from a central location and to complement educational and cultural opportunities in cooperation with the Chapel Hill/Carrboro City School system given the proximity to the Carrboro Elementary School.

To help foster and promote the existing neighborhood aesthetic, the County suggests the following conditions be placed on the rezoning:

1. The County shall only develop the subject property for Use Classification 5.3020 libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) as described in the Table of Permissible Uses, Section 15-146 of the Land Use Ordinance.

The County will work with the Town to design and construct the most suitable library for the site given the existing constraints, with particular attention to the visual impact of the building and parking areas.

2. The County shall limit the size of the proposed library to no larger than 20,000 square feet of floor area.
3. The County proposes limiting the library to a single-story structure to ensure that the structure is not detracting from adjacent single-family residences or dominating the local landscape.
4. The County will work with Town Planning to incorporate the various architectural standards as contained within Section 15-178 of the Ordinance, specifically those outlined in provision (a) 1-4.

It should be recognized, however, that the County will more than likely request the alternative decision review process with the appearance commission due to the configuration of the lot and the need to address the proposed structures setbacks from various property lines.

5. The County proposes to mirror the operating hours of our new Main Library in Hillsborough, which are:

- |                             |   |
|-----------------------------|---|
| a. Monday through Thursday: | <b>10:00 a.m. to 8:00 p.m.</b>  |
| b. Friday:                  | <b>10:00 a.m. to 6 p.m.</b>   |
| c. Saturday:                | <b>9:00 a.m. to 5 p.m.</b>  |
| d. Sunday:                  | <b>1:00 – 5:00 p.m. (Labor Day – Memorial Day) no summer Sunday hours</b> |

As part of this recommended condition, any ancillary use of the library facility, such as the use of the aforementioned public meeting rooms, shall not occur outside of established normal operating hours.

6. The County proposes to extinguish all outdoor lighting, with the exception of security lighting on the library building itself, at:
  - a. 10:00 p.m. Monday through Thursday,
  - b. 7:00 p.m. Friday, and
  - c. 6:00 p.m. Saturday and Sunday.
7. The County shall, in a logical manner consistent with Town policy, extend sidewalks and bike lanes to encourage pedestrian access to the proposed library.
8. The County shall work with the Town, Chapel Hill Carrboro City Schools, the Carrboro United Methodist Church, and the North Carolina Department of Transportation to analyze options, and where possible mitigate, the impact of vehicular traffic and parking to surrounding properties with particular attention to adjoining properties especially during peak hours.

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

Given the property's proximity to the elementary school and the Carrboro United Methodist Church, County staff believes that the property is well suited for the development of a public library.

Staff believes that allowing additional residential development on the subject parcel would create conflicts between the aforementioned constructed residence and the adjacent elementary school in that the local resident residing on the subject property would be impacted by the use of existing recreational fields and traffic accessing the school.

In our opinion an institutional land use is the most practical use of the property given the intensive nature of the adjacent elementary school land use.

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

Given the surrounding institutional and non-residential land uses already in existence, County staff does not foresee this project creating an adverse economic impact on surrounding residential land uses. In fact, we believe that the development of a library on the property could be viewed as a community asset in terms of harmonizing with local aesthetics and promoting the sale of surrounding residential dwelling units.

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

In selecting this property, the County was guided by several of the Town's development principles as documented within Carrboro Vision 2020, most notably:

- a. Policy 1.22: *The Town should support a centrally located and conveniently accessible library*

**Comment:** The subject parcel is located within a highly populated area of the Town with access to roadways and other transportation facilities (i.e. mass transit, sidewalks, bicycle lanes, etc) affording convenient and multi-modal access to local residents.

The proposed development is centrally located to afford access to the local population without necessarily requiring the use of a private automobile.

- b. Policy 1.31: *The Town should continue to look for unmet needs, to inform the Orange County Commissioners of those needs, and to urge them to address those unmet needs*

**Comment:** Local residents have been requesting a full-service, community-based, stand-alone, local library for over 20 years. The need and desire has been affirmed through the Library Services Tasks Force, which included significant representation from the Town and surrounding local County residents.

The County selected this property for the location of the library as it is centrally located within the Town corporate limits, had access to diverse transportation facilities, and is located near existing educational facilities with the intent that future partnerships could be established to provide additional educational and cultural opportunities for residents for minimal additional taxpayer investment.

- c. Policy 2.11 *Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas.*

**Comment:** It is the County's opinion that the development of this property is best suited for the proposed library given the proximity to the existing elementary school and the concentration of existing residences in the area.

We believe that this project will enhance the neighborhood by expanding educational and cultural opportunities for local residents while affording advantage of the existing elementary school's location.

County staff believes the development of a library on this property would further complement the existing elementary school and help avoid conflicts between differing land uses that could be developed on this subject property in terms of activities on the school's property (i.e. use of recreational fields, noise, traffic, etc).

- d. Policy 2.41 and 2.42 focusing on the Town of Carrboro's character as follows:

*The town should support the evolution of a downtown district that embodies Carrboro's character. The downtown district should have medium-rise buildings appropriately sited with adequate public access, and it should provide shopping opportunities that meet our citizens' everyday needs. The downtown should remain a center for the community where people work,*

*gather, shop, socialize and recreate. The Century Center should serve as a focal point for the downtown.*

*Development throughout Carrboro should be consistent with its distinctive town character. The town should adhere to policies that limit the widening of roads, encourage plantings alongside roads, preserve historic areas, buildings and older neighborhoods, and retain unspoiled green spaces and other natural areas.*

**Comment:** The County believes that the proposed project incorporates these ideals by allowing for the development of a public library facility on the subject property.

- e. Policy 3.21 *The Town should develop a plan to govern the continuing development of downtown.*

*Policy 3.25 Walkability should be encouraged downtown and pedestrian safety and comfort should be a goal. The Town should improve lighting and shading and create auto barriers.*

**Comment:** The proposed project is consistent with the Town's vision for additional downtown development. As the proposed project also calls for the installation and extension of sidewalks and bicycle lanes, we believe we are adhering to the Town's overall vision of the area and working to promote a 'walkable' development project.

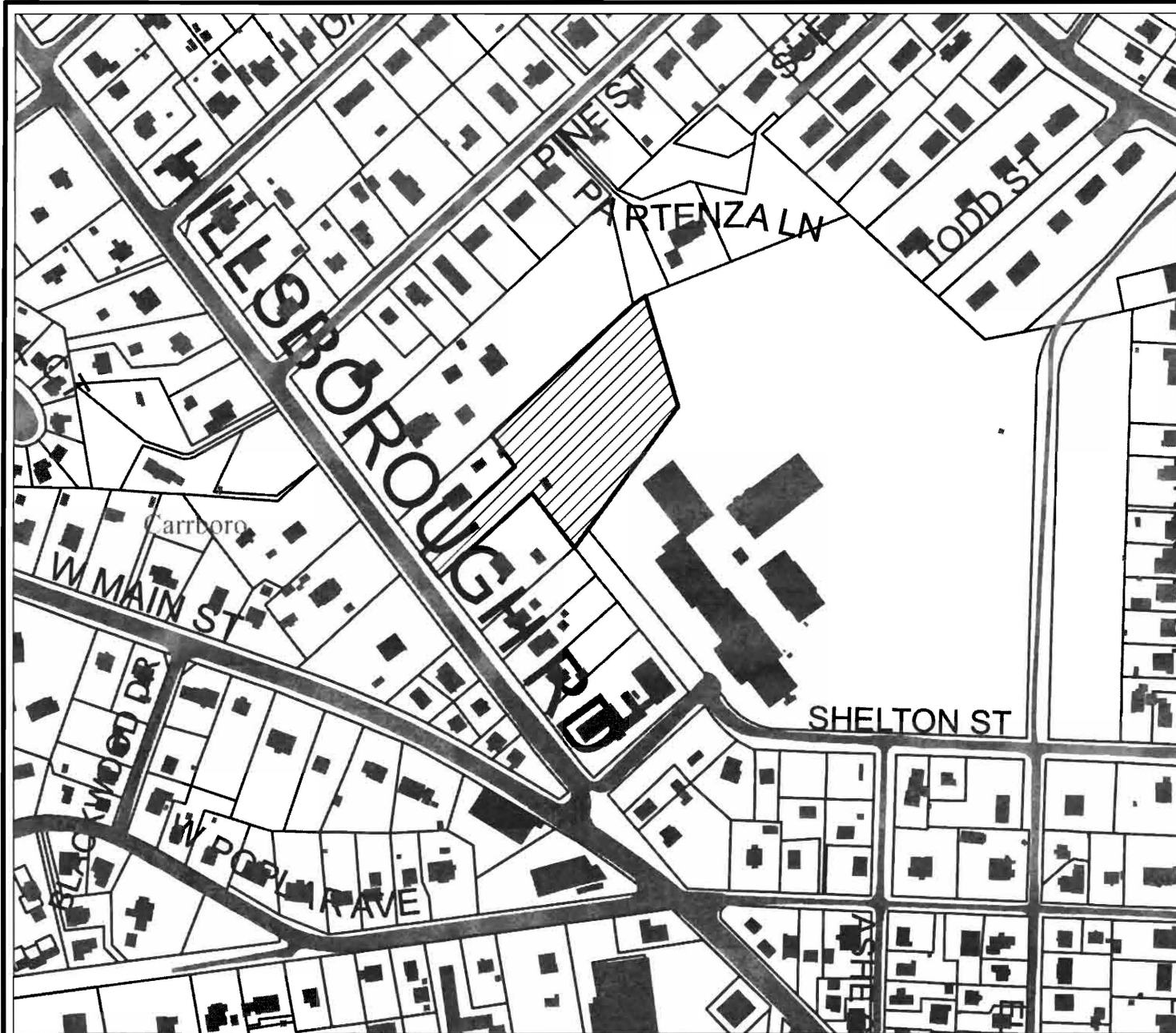
- f. Policy 3.41 *The Town should research ways to support telecommuting*

**Comment:** The proposed library will become a viable location for telecommuting with the relocation of the 'Cybrary' to the property, expanding the availability of digital resources (public computers; NC Live; librarians to assist with navigating research and reference materials) to more local residents than is currently possible.

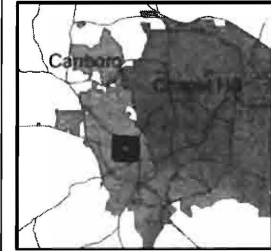
- g. Policy 4.5.1 *The Town should continue to require developers to install sidewalks and bicycle paths in new developments.*



**Comment:** The County agrees and is proposing the extension of existing sidewalks and the development of bicycle lanes to allow pedestrian access to the property

We believe a library would support, and not detract from, existing residential development while being consistent and compatible with the non-residential development already evident in the area. For these reasons we encourage the approval of this rezoning petition.



## 210 Hillsborough Rd



 210 Hillsborough Road  
 Properties

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

The Town of Carrboro assumes no liability for damages caused by inaccuracies in this map or supporting data and makes no warranty, expressed or implied, as to the accuracy of the information presented. The fact of distribution does not constitute such a warranty.

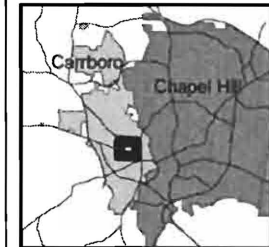


**TOWN OF CARRBORO**  
301 W. Main St.  
Carrboro, NC 27510


Printed June 7, 2010



## 210 Hillsborough Rd



 210 Hillsborough Road

 Properties

**Carr2010**

**RGB**

 Red: Band\_1

 Green: Band\_2

 Blue: Band\_3

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such a warranty.



**TOWN OF CARRBORO**  
301 W. Main St.  
Carrboro, NC 27510

Printed June 7, 2010



## TOWN OF CARRBORO

NORTH CAROLINA

## MEMORANDUM

## PLANNING DEPARTMENT

DELIVERED VIA: ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

**To:** Steve Stewart, Town Manager  
Mayor and Board of Aldermen

**From:** Patricia J. McGuire, Planning Administrator

**Date:** March 17, 2011

**Subject:** Petition to rezone 210 Hillsborough Road from R-10 to B-2-CZ

Description of the area

The property known as 210 Hillsborough is an approximately 258-foot by 389-foot lot connected to Hillsborough Road by a 60-foot by 270-foot flag (2.69 acres) located on the northeast side just north of the intersection of Shelton Street (see Location map). Improvements include a one-story, frame residential outbuilding, in somewhat dilapidated condition. The property is otherwise wooded. The zoning and use of adjacent properties are summarized in the table below.

Address	Parcel Identification #	Zoning	Activity	Use
304 Shelton	9778679691	R-10	School buildings, playgrounds, ballfield	Elementary school, 5.110
208 Hillsborough	9778671859	R-10	Brick residence and accessory	Single family, 1.110
212 Hillsborough	9778681184	R-10	Frame residence and accessory	Single family, 1.110
214 Hillsborough	9778681321	R-10	Frame residence and accessory	Single family, 1.110
Partenza Lane	9778685706	R-10	Vacant	-





### **Land Use Ordinance Provisions**

Article IX of the Land Use Ordinance (LUO). This article presents definitions of each zoning district in Town and includes information on the purpose and essential characteristics of each district. The definitions (included with relevant LUO provisions in *Attachment D*) relevant to a rezoning from R-10 to B-2 CZ are summarized below:

*R-10- (Residential, 10,000 square feet per dwelling unit).* A district designed “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.”

*B-2 CZ- (Fringe Commercial - conditional).* Petitions for rezoning to a conditional zoning district must be initiated by a property owner and must include a list of conditions that will limit uses or the manner in which a property may be developed. The B-2-CZ is based on the B-2, which is described as a “transitional district designed to accommodate commercial uses in areas that were formerly residential but that may be more desirable for commercial activities due to high traffic volumes and proximity to other nonresidential districts.” Unless limited by conditions, the density and dimensional standards, permissible uses, and other regulations of the B-2 district apply to development within a B-2-CZ district.

Section 15-146 - Table of Permissible Uses. Permitted uses in the existing R-10 zone include residential activities, and civic, community, recreational, and utility uses. New commercial opportunities are associated with the B-2 zoning district, such as retail sales, offices, restaurants, veterinarians and open air markets. The petitioner has indicated that the rezoning is being sought for “the specific and sole purpose of developing a maximum



## ATTACHMENT E - 3

20,000 square foot library” and has offered to accept a condition restricting use of the property in this manner being placed on the rezoning.

General Use Category	Number of Uses Permitted in R-10	Number of Uses Permitted in B-2	Change in Uses Permitted
Residential (1.000)	26	26	0
Sales and Rental of Goods (2.000)	0	2	+2
Office, Clerical, Research (3.000)	0	4	+4
Manufacturing, Processing, Creating (4.000)	0	0	0
Educational, Cultural, Religious, Philanthropic, (5.000)	3	4	+ 1
Recreation (6.000)	4	1	-3
Institutional residence or care (7.000)	0	0	0
Restaurant, Bar, Nightclub (8.000)	0	2	+2
Motor vehicle-related (9.000)	0	0	0
Storage and parking (10.000)	0	0	0
Related to animals (12.000)	0	0	0
Emergency Services (13.000)	4	4	0
Agricultural, Silvicultural, Mining, Quarrying (14.000)	3	0	-3
Public/Semi-public Utility Facilities (15.000)	0	1	+ 1
Dry cleaner, Laundromat (16.000)	0	0	0
Utility Facilities (17.000)	2	2	0
Towers and Related Structures (18.000)	2	1	-1
Open Air Markets, Horticultural Sales (19.000)	0	2	+2
Cemetery (21.000)	1	1	0
Day Care (22.000)	4	4	0
Temporary Structure or Parking (23.000)	1	1	0
Bus station (24.000)	0	0	0
Subdivisions (26.000)	3	3	0
Combination Uses (27.000)	1	1	0
Special Events (29.000)	1	1	0
Temporary Lodging (34.000)	1	1	0

A library use, which is classified under the 5.000 uses, is currently permissible in the R-10 district, so long as it occurs within “a building designed and previously occupied as a residence or within a building whose gross floor area is 3,500 square feet or less.” A library is allowed in any permissible structure in the B-2 district.

Density and Dimensional Regulations. The density and dimensional requirements illustrate the differences between the R-10 and B-2 zoning districts, and the potential impacts of development on adjacent properties. These requirements are presented below.

	Existing Zoning – R-10	Requested Zoning – B-2-CZ*
<b>Density</b>	10,000 sqft per dwelling unit	7,500 sqft per dwelling unit
<b>Maximum Height</b>	35 feet	2 stories,
<b>Setbacks</b>	25 r/w; 12 lot boundary	15 r/w; 10 lot boundary

Lots within the B-2 district are subject to the architectural provisions for downtown development found in LUO Section 15-178.

### Pertinent Policy

Carrboro Vision2020. Relevant Carrboro Vision2020 policies include:

1.22 The Town should support a centrally located and conveniently accessible library.

*The 210 Hillsborough Road site is a bit south of the geographic center of the Town limits. Hillsborough Road carries approximately 2,600 vehicles a day, per the NCDOT 2009 ADT traffic counts and is served by the CW bus route, connecting from the Jones Ferry Park and Ride and the State Employees Credit Union on Old Pittsboro Road (Chapel Hill) from 6:30 a.m. to 9:00 p.m. Monday through Friday and 8:30 to 5:30 Saturdays. Sunday transit service is not available. Sidewalk and bicycle facilities along Hillsborough Road connect the site to the downtown and surrounding residential areas. Access to the site is also available via the Shelton Street right-of-way on the southeastern side of the property.*

1.45 The town should continue to encourage active participation of its citizens in community planning.

*The petitioner has expressed its intention to undertake a comprehensive public outreach campaign planned to solicit public comment with respect to the actual design and layout of the site after receiving some indication that the property is acceptable for development of a library; these efforts would involve commitments of staff and financial resources.*

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

*The petitioner has indicated that a variety of options for design of the structure, the parking area, and open space management are under consideration. Conditions to specify hours of operation, lighting limitations, building height and size, and the timing and approach to analyzing parking and traffic impacts are included. The site is proximate to a number of existing homes described in Carrboro, N.C., An Architectural and Historical Inventory as uniquely representative of a wave of development on what was the suburban edge of town in the 1920s. These homes include those at 212 and 214 Hillsborough (Attachment E).*

Downtown Carrboro: New Vision. The property does not fall within the limits of the study area for this project.

#### **Action Options**

- 1) Approve resolution finding consistency of the requested change and approve the ordinance amending the zoning classification for the property.
- 2) Request additional information from the petitioner related to traffic and parking impacts and anticipated mitigation strategies. Reconsider the petition once the additional information is available.

## **ATTACHMENT E - 5**

- 3) Approve the resolution finding consistency with the existing zoning and deny the amendment request.**

**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)

**(Excerpt of) Section 15-136 Commercial Districts Established. (AMENDED 02/4/86; 05/28/02)**

The districts described below are hereby created to accomplish the purposes and serve the objectives indicated:

(3) **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 15-141.3 Conditional Use Zoning Districts (5/25/04)**

(a) The following conditional use zoning districts are hereby established: RR-CU, R-20-CU, R-15-CU, R-10-CU, R-7.5-CU, R-3-CU, R-2-CU, R-S.I.R.-CU, R-S.I.R.-2-CU, B-1(c)-CU, B-1(g)-CU, B-2-CU, B-3-CU, B-4-CU, CT-CU, B-3-T-CU, O-CU, M-1-CU, and M-2-CU. The provisions of this section applicable to these conditional use-zoning districts do not affect or apply to other conditional use zoning districts established under this chapter, including the Office/Assembly Conditional Use District, or the Village Mixed Use Conditional Use District.

(b) The conditional use zoning districts established in 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 use zoning district established herein, 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 use district corresponds, except as otherwise provided in this section. For example, property that is rezoned to a B-2-CU district may be developed in the same manner as property that is zoned B-2, except as provided in this section.

(d) Subject to subsection (f), all uses that are permissible in the conditional use zoning district shall require the issuance of a conditional use permit, regardless of whether a use in the corresponding general use district would ordinarily require (according to the Table of Permissible Uses) a zoning permit, special use permit, or conditional use permit.

(e) When a rezoning petition for a conditional use zoning district is submitted (in accordance with Article XX of this chapter), the applicant shall simultaneously submit a conditional use permit application showing how the applicant proposes to develop the entirety of the property covered in the rezoning petition.

1. The rezoning and conditional use permit applications shall be processed and reviewed concurrently.
2. The Board of Aldermen shall simultaneously conduct a public hearing on the rezoning and conditional use permit applications, in accordance with the procedures applicable to other conditional use permit applications.
3. If the Board concludes in the exercise of its legislative discretion that the proposed rezoning would not be consistent with the public health, safety, or welfare, it may deny the application in accordance with the same procedures applicable to any ordinance amendment request.
4. If the Board approves the rezoning request, it shall then vote on whether to issue the conditional use permit. Such permit may be issued subject to reasonable conditions and requirements as set forth in Section 15-59.
5. If the conditional use permit is allowed to expire (under Section 15-62), the Board may initiate action to rezone the property to any appropriate general use district classification. In addition, notwithstanding any other provision of this ordinance, the Board shall be under no obligation to consider any major modification of a conditional use permit issued in connection with a conditional use rezoning or any new conditional use permit for property that has been the subject of a conditional use rezoning.

(f) If a conditional use permit issued in connection with a conditional use rezoning authorizes the creation of a residential subdivision containing lots intended for development with not more than four dwelling units each, and the conditional use permit application does not provide sufficient information to authorize a development permit for such lots, then such lots may be developed pursuant to the issuance of a zoning permit (i.e. each lot will not require an amendment to the conditional use permit issued for the overall development).

#### **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.

### **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.
  - (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 of Aldermen is not bound by the recommendations of the planning board. (AMENDED 10/24/06)

(d) A member of the planning board and any other advisory committee that provides direct advice to the Board of Aldermen (i.e. it does not report to the planning board) shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. (AMENDED 10/24/06)

**Section 15-325 Ultimate Issue Before Board on Amendments**

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Board is whether the proposed amendment advances the public health, safety or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the mayor and excluded. In particular, when considering proposed minor map amendments:

- (1) Except when the request is to rezone property to a conditional use district or conditional zoning district, the Board shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification. (AMENDED 05/25/99; 05/27/08)
- (2) The Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.



### 5. Sturdivant-Mason House

103 Fowler Street

When Luther Sturdivant had this house built in the early 1920s, the surrounding blocks were the undeveloped area known as "Partridge Field." Sturdivant, a Carrboro merchant, and his wife, the Carrboro Graded School principal for many years, believed that the area would become the town's new, fashionable residential neighborhood. Shortly after they built their house, another Carrboro businessman, Knute Mann, and a local builder, John Squires, constructed houses for themselves next door and on a nearby corner, respectively. Around 1940, when only three additional houses had been built and further development appeared stalled, the residents began moving to the Hillsborough Road area which had superseded "Partridge Field" as the most popular neighborhood. Morris Mason, who was employed by the UNC Athletic Department until his retirement in the 1970s, purchased the one-story house from the Sturdivants. The traditional blocky form exhibits a wrap-around front porch and a low-pitched hipped and gabled roofline, accented with two tall interior chimneys. The paired box posts on brick plinths and the deep eaves are bungalow features that were popular at the time the house was built.

### 6. Hundley House

207 East Poplar Avenue

The Sanborn Insurance Maps and recollections of long-time Carrboro residents indicate that this one-and-one-half-story house was built in the early 1920s. The three-room-deep form is augmented by shed-roofed dormers and the engaged wrap-around porch. On the basis of the single surviving turned porch post with sawn spandrels, it appears that the other supports of tapered box posts on brick plinths are replacements of traditional millwork elements. In recent years the weatherboards have been obscured by metal siding. The house is popularly known for its long-time owner, Chris Hundley, who for many years operated a grocery, first located in a two-

story frame building (destroyed) on North Greensboro Street opposite East Poplar Avenue, the present site of the FCX.

### 7. Miles Andrews House (II)

214 Hillsborough Road

This large one-and-one-half-story bungalow is one of Carrboro's most distinctive houses. The siting of the house far back from the road in the middle of a large lot covered with mature hardwoods enhances the building. Its characteristic yet prominent bungalow features include the split shake shingles covering the exterior, the squat tapered box posts on brick plinths supporting the wraparound porch, and the deep eaves with exposed rafter ends. Simple triangle brackets decorate the large gable-roofed dormers. The most distinctive features of the house are the tall interior chimneys with heavily corbelled stacks and the dormer which extends to cover the second tier of the front porch at the entrance bay. Several frame outbuildings attest to the rural character of the area when the house was built for Carrboro businessman Miles Andrews in the 1920s. They also reflect Andrews' interest in livestock, one of his business concerns.

### 8. Dwight Ray House

218 Hillsborough Road

Dwight Ray, remembered as one of Carrboro's successful merchants who also was active in local politics, had this one-and-one-half-story bungalow built in the early 1920s. With Seaton Lloyd, Ray was co-owner of Lloyd-Ray Hardware, which occupied the brick commercial building at 116 East Main Street for approximately forty years. He also served as an Orange County Commissioner. Characteristic of the bungalow mode, simple triangle brackets in deep eaves decorate the gently sloping roof which is splayed to engage the wraparound front porch supported by tapered box posts on brick plinths. The combination of German siding on the first story and split shake shingles in the second enhances the design



6. Hundley House



8. Dwight Ray House



7. Miles Andrews House (II)



9. 217 Hillsborough Road

of the house, as does the exterior chimney that pierces the gable overhang as it rises to a corbelled stack. In the windows, four narrow vertical panes fill the single sashes and upper members of the double-hung sashes. Between 1979 and 1981, the house was completely restored and the large yard manicured by the present owners.

### 9. Houses

212, 213 and 217 Hillsborough Road

All of the houses built along Hillsborough Road in the 1920s and early 1930s are bungalows. In addition to the houses built for Miles Andrews and Dwight Ray at 214 and 218 Hillsborough Road, respectively, three other bungalows, similar to the Dwight Ray House in form, size and detailing, were built at 212, 213 and 217 Hillsborough Road. With the exception of its gable-roofed front dormer and weatherboards covering all of the elevations, this representative example at 217 Hillsborough Road, is

virtually identical on the exterior to the Dwight Ray House. The house at 213 Hillsborough Road differs from the others in its cross-gable roof with the front gable engaging the porch. Indicative of their sources in builders' guides or popular magazines, all of the houses share the standard bungalow features of tapered box posts on brick plinths supporting the engaged front porches and deep eaves with simple triangle brackets or exposed rafter ends. In addition, all of these houses are situated on spacious lots.

F-6



## TOWN OF CARRBORO

NORTH CAROLINA

March 17, 2011

RE: Rezoning of approximately 2.69 acres identified as 210 Hillsborough Road and Orange County PIN 9778684269

I, Patricia J. McGuire, do certify that I did cause to have mailed on March 11, 2011, by first class mail, letters informing the owners and non-owner occupants of properties within 1,000 feet of the proposed rezoning parcel of the schedule and proposal to rezone from R-10, Residential, 10,000 square feet per dwelling unit, to B-2-CZ, Fringe Commercial-Conditional.

A copy of the mailing labels or mailing list used for this purpose indicating the person, where applicable, or addresses to whom the notices were sent are attached.

---

Patricia J. McGuire  
Planning Administrator

03/17/2011

THOMAS R BARTOLOTTA  
115 CHESWICK CT  
CARRBORO, NC 27510

LAG VENTURES INC  
102 GARY ST  
Carrboro, NC 27510

WILBUR CARTER  
217C HILLSBOROUGH RD  
CARRBORO, NC 27510

MATTHEW TONKEN  
116 CHESWICK CT  
CARRBORO, NC 27510

BELLAH H HACKNEY TRUSTEE  
114 OAK ST  
CARRBORO, NC 27510

EMMA O PHILLIPS  
104 PINE ST  
CARRBORO, NC 275101342

MARK SHUMAN  
118 OAK ST  
CARRBORO, NC 27510

ERICH H SONTAG  
BLDG 32 KOBLENZER ST  
BONN 53173, GERMANY

ERICH H SONTAG  
BLDG 32 KOBLENZER ST  
BONN 53173, GERMANY

TOWN OF CARRBORO  
301 W. Main Street  
CARRBORO, NC 27510

LUCY WAGNER LEWIS  
119 OAK ST  
CARRBORO, NC 27510

CHRISTIAN D MARTINSON  
103-B OAK ST  
CARRBORO, NC 27510

PETER J MALONE  
407 LINDSAY ST  
CARRBORO, NC 27510

COOLEY LAWRENCE GAFFIGAN  
700 W MAIN ST  
CARRBORO, NC 27510

FIDELITY HOUSING INC  
PO BOX 278  
CARRBORO, NC 27510

STEPHEN D MILLS  
PO BOX 520  
SNOW CAMP, NC 27349

SUSAN VICTORIA BAKER  
110 PINE ST  
CARRBORO, NC 27510

ERNEST L RIGGSBEE  
304 HILLSBORO RD  
CARRBORO, NC 27510

MARTHA R MANDELL  
116 PINE ST  
CARRBORO, NC 275101342

LOUISE S BECK TRUSTEE  
319 PROVIDENCE RD  
CHAPEL HILL, NC 27514

ROBERT A VERMILYA  
52 CEDAR HILLS CIRCLE  
CHAPEL HILL, NC 275141620

RUSSELL J HOLLERS III  
711 W MAIN ST  
CARRBORO, NC 27510

BRENT WINTER  
311 LINDSAY ST  
CARRBORO, NC 27510

ROY JAMES HOOVER  
701 W MAIN ST  
CARRBORO, NC 27510

GENOVEVA AGUIRRE  
709A W MAIN ST  
CARRBORO, NC 275101627

RICHARD H ROBINSON III  
607 SHELTON ST  
CARRBORO, NC 27510

MICHAEL JOERLING  
1117 HERON POND DR  
CHAPEL HILL, NC 27516

JAMES B STEPHENS  
104 W POPLAR AV EXT  
CARRBORO, NC 27510

MARGUERITE JAY GIGNOUX  
106 W POPLAR AVE EXT  
CARRBORO, NC 275101612

MIRIAM LIEGH ELROD  
P O BOX 4782  
CHAPEL HILL, NC 27516

SCOTT SMITH  
117 WEST POPLAR AVE  
CARRBORO, NC 27510

MICHAEL D WOMBLE  
236 HAYES RD  
CHAPEL HILL, NC 27517

NICK WATTS PROPERTIES INC  
BOX 361  
CARRBORO, NC 27510

NICK WATTS PROPERTIES INC  
BOX 361  
CARRBORO, NC 27510

MICHAEL K MERRYFIELD  
110 CHESWICK CT  
CARRBORO, NC 275101596

ANDREW TRIANTAFILLOU  
114 CHESWICK CT  
CARRBORO, NC 27510

ANNIE LEE STURDIVANT  
TRUSTEE  
1148 WEST NC HWY 54  
CHAPEL HILL, NC 27516

MARC P PARADIS  
213 HILLSBOROUGH RD  
CARRBORO, NC 27510

null null  
null  
null  
null, null null

ELLA S LLOYD  
1235 THE PRESERVE TRL  
CHAPEL HILL, NC 27517

ROY D BROWN  
113 LINDSAY ST  
CARRBORO, NC 27510

CARRBORO UNITED METHODIST  
CHURCH INC  
200 HILLSBOROUGH RD  
CARRBORO, NC 27510

DEPARTMENT OF  
TRANSPORTATION  
PO BOX 9278  
GREENSBORO, NC 27408

SUZANNE MENACHE  
621 W MAIN ST  
CARRBORO, NC 27510

CLARA W HORTON  
100 BLACKWOOD DR  
CARRBORO, NC 27510

CARRBORO UNITED METHODIST  
CHURCH INC  
200 HILLSBOROUGH RD  
CARRBORO, NC 27510

ANN CLAY CARMICHAEL  
100 HILLSBOROUGH RD  
CARRBORO, NC 275101332

CARRBORO UNITED METHODIST  
CHURCH INC  
200 HILLSBOROUGH RD  
CARRBORO, NC 27510

JERRY MICHAEL SPARROW SR  
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CHAPEL HILL, NC 275177738

JAMES M JR WILLIAMS  
20207 NE 6TH ST  
GAINESVILLE, FL 326094219

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115-A W POPLAR ST  
CARRBORO, NC 27510

NICK WATTS  
BOX 361  
CARRBORO, NC 27510

JENNIFER A CURTIS  
102 PINE ST  
CARRBORO, NC 275101342

ARMIN LIETH  
P O BOX 4752  
CHAPEL HILL, NC 27515

ANDREAS H HAY  
107 PINE ST  
CARRBORO, NC 275101341

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ELIADIS PROPERTIES I LLC  
2310 RIDGEFIELD DR  
CHAPEL HILL, NC 27517

CELESTE NEAL IRUNTINGTON  
616 W MAIN ST  
CARRBORO, NC 275101625

CECIL L FISHER  
P O BOX 53391  
FAYETTEVILLE, NC 283054711

KIM LEE PAGE  
209 HILLSBOROUGH RD  
CARRBORO, NC 27510

DAVID BOWERS  
709 W MAIN ST  
CARRBORO, NC 275100040

PHILIP JOEL PHILLIPS  
367 HENRY ST  
BROOKLYN, NY 112016067

RUTH S PENINGER  
613 W MAIN ST  
CARRBORO, NC 275101628

DANIEL M CABLE  
2444 GREENSBURG RD  
NEW KENSINGTON, PA 15068

JERRY M SR SPARROW  
701 HOMEPLACE DR  
CHAPEL HILL, NC 275177738

ERNEST L RIGGSBEE ETAL  
1228 OLD HILLSBOROUGH RD  
CHAPEL HILL, NC 27516

WEST POPLAR LLC  
PO BOX 17027  
CHAPEL HILL, NC 27516

RACHEL C BECK  
101 W POPLAR EXT  
CARRBORO, NC 275101611

CHRISTOPHER C GUNN  
212 HILLSBOROUGH RD  
CARRBORO, NC 27510

PATSY A RUBISH ETAL  
646 CHRISTOPHER RD  
CHAPEL HILL, NC 275145614

NCLA PROPERTIES LLC  
1308 SMITH LEVEL RD  
CHAPEL HILL, NC 27516

DONALD WHITTIER  
P O BOX 742  
CHAPEL HILL, NC 27514

DONALD A WHITTIER  
PO BOX 742  
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DONALD A WHITTIER  
104 PARTENZA LN  
CARRBORO, NC 27510

RICHARD W TAZEWELL  
102 WEBB DR  
CARRBORO, NC 27510

DONALD A WHITTIER  
PO BOX 742  
CHAPEL HILL, NC 275140742

CHAPEL HILL CARRBORO CITY  
SCHOOLS  
750 S. Merrit Mill Rd  
CHAPEL HILL, NC 27514

null null  
null  
null  
null, null null

ROGER B BERNHOLZ  
217 OVAL PARK PL  
CHAPEL HILL, NC 27517

DISTRIBUTING CORP OF DURHAM  
ERWIN  
PO BOX 1971  
DURHAM, NC 27702

CSC INVESTORS LLC  
PO BOX 3597  
CHAPEL HILL, NC 27517

NINA W HACKNEY  
6713 NC 86  
CHAPEL HILL, NC 27514

STEPHEN AYLWARD  
908 HILLSBOROUGH RD  
CHAPEL HILL, NC 27516

STEPHEN AYLWARD  
908 HILLSBOROUGH RD  
CHAPEL HILL, NC 27516

ANDREA SHAW  
119 HUNTERS RIDGE RD  
CHAPEL HILL, NC 27517

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5140 THREE WATERS RD  
GRAHAM, NC 27253

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5140 THREE WATERS RD  
GRAHAM, NC 27253

DAVID MATCHAR ETAL  
101 BOLINAS WAY  
CHAPEL HILL, NC 275178337

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105 MAJESTIC CT  
CHAPEL HILL, NC 27514

CURTIS NICKLES  
101-A TODD ST  
CARRBORO, NC 27510

ABIGAIL A HAYDON  
102-D TODD ST  
CARRBORO, NC 27510

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SILI. PALAOLE PL  
HONOLULU, HI 968211530

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102C TODD ST  
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JOSEPH M KHOURY  
110 SOUTH FIELDS CR  
CHAPEL HILL, NC 27516

ANDREA LYNNE HECKERT  
110-D TODD ST  
CARRBORO, NC 27510

TODD STREET LLC  
1100 LEON ST APT 6  
DURHAM, NC 27705

TODD STREET LLC  
1100 LEON ST APT 6  
DURHAM, NC 27705

TODD STREET LLC  
1100 LEON ST APT 6  
DURHAM, NC 27705

TODD STREET LLC  
1100 LEON ST APT 6  
DURHAM, NC 27705

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109A TODD ST  
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DAVID LUHR ETAL  
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COURTNEY SOMMER  
110-B TODD ST  
CARRBORO, NC 27510

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107A TODD ST  
CARRBORO, NC 27510

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CARRBORO, NC 27510

ROBERT BARHAM  
107-C TODD ST  
CARRBORO, NC 27510

ELIZABETH MONNETT  
107 TODD ST #D  
CARRBORO, NC 27510

GREGORY DAVID BAKER  
108-A TODD ST  
CHAPEL HILL, NC 27514

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108 B TODD STREET  
CARRBORO, NC 27510

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204 FOREST RIDGE DR  
CHAPEL HILL, NC 27514

DONALD MCMILLAN  
105-A TODD ST  
CARRBORO, NC 27510

SEAN OMARA  
106B TODD STREET  
CARRBORO, NC 27510

DOUGLAS E CRAWLEY  
605-302 #A W MAIN ST  
CARRBORO, NC 27510

MARSHALL C PAYNE  
605 W MAIN ST #304-B  
CARRBORO, NC 27510

ROBERT ARTHUR DICKSON  
116 CIRCADIAN WAY  
CHAPEL HILL, NC 275164604

ROSA M BILBOA  
605 W MAIN ST #301  
CARRBORO, NC 27510

ROBERT L STOVER JR  
3115 THISTLECONE WAY  
DURHAM, NC 27707

NATCHEZ VENTURES LLC  
SUITE 102  
605 W MAIN ST SUITE 102  
CARRBORO, NC 27510

KRISTY D FORD  
605 W MAIN ST #307  
CARRBORO, NC 27510

FFF LLC  
750 WEAVER DAIRY RD #3207  
CHAPEL HILL, NC 275141444

FFF LLC  
750 WEAVER DAIRY RD #3207  
CHAPEL HILL, NC 275141444

LAYTON WHEELER  
2023 FOXWOOD TR  
CHAPEL HILL, NC 27516

SITTING STILL LLC  
4000 SWEETEN CREEK RD  
CHAPEL HILL, NC 275149721

SALMERON PROPERTIES LLC  
1308 BLACKBERRY LN  
HILLSBOROUGH, NC 27278

JOHN C KLINE  
317 NOTTINGHAM DRIVE  
CHAPEL HILL, NC 27517

SATURN PROPERTIES LLC  
8814 GALAX CT  
CHAPEL HILL, NC 27516

MAY LING BECKER  
511 COTTON ST  
CHAPEL HILL, NC 27514

JOHN C KLINE  
317 NOTTINGHAM DRIVE  
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605 W MAIN ST STE 303  
CARRBORO, NC 27510

POPAVE LLC  
605 W MAIN ST ST 106  
CARRBORO, NC 27510

PROPER COURSE INVESTMENT  
GROUP LLC  
503 OAK AVE  
CARRBORO, NC 27510

AGENCY INC FORRESTER &  
ASSOCIATES INSURANCE  
P O BOX 2997  
DURHAM, NC 27715

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ASSOCIATES INSURANCE  
P O BOX 2997  
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CHAPEL HILL, NC 27517

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TRUSTEE  
146 LAKE ELLEN DR  
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EL CERRITO, CA 945300503

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TODD STREET LLC  
1100 LEON ST APT 6  
DURHAM, NC 27705

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1100 LEON ST APT 6  
DURHAM, NC 27705

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1100 LEON ST APT 6  
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RAD TERESA MITCHELL TRUST  
103 WEAVER MINE TR  
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101 PINE RIDGE CT  
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NEWBURY PARK, CA 91320

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110 OAK ST  
CARRBORO, NC 275101340

JAMES A CARNAHAN  
122 OAK STREET  
CARRBORO, NC 27510

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CARRBORO, NC 275101329

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121 CHEEK ST  
CARRBORO, NC 275101329

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CARRBORO, NC 27510

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CHAPEL HILL, NC 27514

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CHAPEL HILL, NC 27515

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CHAPEL HILL, NC 275163203

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401 HILLSBOROUGH RD  
CARRBORO, NC 27510

ERNEST L RIGGSBEE  
304 HILLSBORO RD  
CARRBORO, NC 27510

null null  
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JOY M NEVILLE  
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CARRBORO, NC 27510

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101 PINE ST  
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SEMORA, NC 27343

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B J BLAKE  
121 OAK ST  
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C ASHLEY STANFORD  
1800 N GREENSBORO ST  
CHAPEL HILL, NC 27516

CKB PROPERTIES LLC  
82 JORDAN HILLS DR  
CHAPEL HILL, NC 27517

THOMAS V BURRUS  
118 PINE ST  
CARRBORO, NC 27510

CAROLE SCOTTO  
107 CHESWICK CT  
CARRBORO, NC 27510

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HELEN E ELIADIS TRUSTEE  
2310 RIDGEFIELD DR  
CHAPEL HILL, NC 27517

CHAPEL HILL CARRBORO  
CITYSCHOOLS  
750 S Merritt Mill Road  
CHAPEL HILL, NC 27514

DIANE RAULLI  
112 CHESWICK CT  
CARRBORO, NC 27510

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CARRBORO, NC 275101755

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CARRBORO, NC 27510

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701 HOMEPLACE DR  
CHAPEL HILL, NC 275177738

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218 OLD HILLSBOROUGH RD  
CARRBORO, NC 27510

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ELIADIS PROPERTIES I LLC  
2310 RIDGEFIELD DR  
CHAPEL HILL, NC 27517

DOROTHY E TAYLOR  
208 HILLSBOROUGH ST  
CARRBORO, NC 275101334

EDWIN ANDREWS PROPERTIES  
102 BREWER LN  
CARRBORO, NC 27510

TOMAS NAVRATIL  
706 W MAIN ST  
CARRBORO, NC 27510

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CARRBORO, NC 27510

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CARRBORO, NC 27510

BETHANY EVELYN CHANEY  
113 DILLARD ST  
CARRBORO, NC 27510

MICHAEL SINGER  
217 D HILLSBOROUGH RD  
CARRBORO, NC 27510

COOLEY LAWRENCE GAFFIGAN  
700 W MAIN ST  
CARRBORO, NC 27510

PEGGY L HEARN  
710 W MAIN ST  
CARRBORO, NC 275101723

MATTHEW VIZITHUM  
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CARRBORO, NC 275101626

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LINDA WHITEHEAD LLOYD  
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CARRBORO, NC 275100278

MARK CHILTON  
203 ASHE ST  
CARRBORO, NC 27510

CARRBORO UNITED METHODIST  
CHURCH INC  
200 HILLSBOROUGH ST  
CARRBORO, NC 27510

MARK H CHILTON  
203 ASHE ST  
CARRBORO, NC 27510

CARRBORO WEST PARTNERS LLC  
610 W MORGAN ST APT 203  
DURHAM, NC 27701

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PO BOX 9278  
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ALBERT REGISTER  
205 N GRAHAM ST  
CHAPEL HILL, NC 275162208

BERTRAM PROPERTIES LLC  
4310 BAER HILL RD  
EFLAND, NC 27243

POPLAR PROPERTIES LLC  
120 CELESTE CIRCLE  
CHAPEL HILL, NC 27517

SCOTT SMITH  
117 WEST POPLAR AVE  
CARRBORO, NC 27510

KRISTEN ENGLS  
107 E POPLAR AVE  
CARRBORO, NC 27510

MERRILL WOLF  
104 BLACKWOOD DR  
CARRBORO, NC 27510

DANIEL WHITTLE  
609 SHELTON ST  
CARRBORO, NC 27510

MICHAEL ANDREWS  
504 MEADOWMONT LANE  
CHAPEL HILL, VA 27517

DANIEL M CABLE  
2444 GREENSBURG RD  
NEW KENSINGTON, PA 15068

FIDELITY HOUSING INC  
PO BOX 278  
CARRBORO, NC 27510

GERALD M FARRELL  
202 QUAIL ROOST DR  
CARRBORO, NC 27510

MARK H CHILTON  
203 ASHE ST  
CARRBORO, NC 27510

MOUNTAIN VIEW BUSINESS  
CENTER LLC  
575 DIMMOCKS MILL RD  
HILLSBOROUGH, NC 27278

HERBERT L RIGGSBEE ETAL  
1228 OLD HILLSBOROUGH RD  
CHAPEL HILL, NC 27516

BOYD R SWITZER  
2437 SPRINGVIEW TRL  
CHAPEL HILL, NC 275146816

BRODIE L LLOYD  
711-A W MAIN ST  
CARRBORO, NC 275101627

PARDUS FAMILY LLC  
10605 BENT TWIG DR  
RALEIGH, NC 276136325

MICHAEL D ROBERTS  
106 W POPLAR AVE  
CARRBORO, NC 275101612

KIRSTEN ANNE GARDNER  
312 UMSTEAD DR  
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null  
null  
null, null null

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IDA MARGARET WATTS  
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103 PINE ST  
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null  
null  
null, null null

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RESIDENT  
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RESIDENT  
100 PARTENZA LN  
CARRBORO, NC 27510

RESIDENT  
100 PINE ST  
CARRBORO, NC 27510

RESIDENT  
100 SUE ANN CT UNIT A  
CARRBORO, NC 27510

RESIDENT  
100 SUE ANN CT UNIT B  
CARRBORO, NC 27510

RESIDENT  
101 BLACKWOOD DR  
CARRBORO, NC 27510

RESIDENT  
101 PINE ST  
CARRBORO, NC 27510

RESIDENT  
101 SUE ANN CT UNIT A  
CARRBORO, NC 27510

RESIDENT  
101 SUE ANN CT UNIT B  
CARRBORO, NC 27510

RESIDENT  
101 SUE ANN CT UNIT C  
CARRBORO, NC 27510

RESIDENT  
101 SUE ANN CT UNIT D  
CARRBORO, NC 27510

RESIDENT  
101-A PINE ST  
CARRBORO, NC 27510

RESIDENT  
102 BLACKWOOD DR  
CARRBORO, NC 27510

RESIDENT  
102 HILLSBOROUGH RD  
CARRBORO, NC 27510

RESIDENT  
102 PINE ST UNIT A  
CARRBORO, NC 27510

RESIDENT  
102 SUE ANN CT UNIT A  
CARRBORO, NC 27510

RESIDENT  
102 SUE ANN CT UNIT B  
CARRBORO, NC 27510

RESIDENT  
102 TODD ST UNIT A  
CARRBORO, NC 27510

RESIDENT  
102 TODD ST UNIT B  
CARRBORO, NC 27510

RESIDENT  
102 W POPLAR AVE  
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RESIDENT  
102 BLACKWOOD DR  
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RESIDENT  
103 E POPLAR AVE  
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RESIDENT  
103 OAK ST  
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RESIDENT  
103 SUE ANN CT UNIT A  
CARRBORO, NC 27510

RESIDENT  
103 SUE ANN CT UNIT B  
CARRBORO, NC 27510

RESIDENT  
103 SUE ANN CT UNIT C  
CARRBORO, NC 27510

RESIDENT  
103 SUE ANN CT UNIT D  
CARRBORO, NC 27510

RESIDENT  
103 TODD ST UNIT A  
CARRBORO, NC 27510

RESIDENT  
103 TODD ST UNIT B  
CARRBORO, NC 27510

RESIDENT  
103 TODD ST UNIT C  
CARRBORO, NC 27510



RESIDENT  
103 TODD ST UNIT D  
CARRBORO, NC 27510

RESIDENT  
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115 PINE ST UNIT 2  
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115 W POPLAR AVE  
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909 N GREENSBORO ST UNIT E  
CARRBORO, NC 27510

**Catherine Wilson**

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**From:** Bill Soeters <store3651@theupsstore.com>  
**Sent:** Thursday, March 10, 2011 3:42 PM  
**To:** Catherine Wilson  
**Cc:** Holly Holland; rwsaunders@msn.com; brian@carrborocoworking.com; chris@cjstephenson.com; alderdan@gmail.com; davidjessee@mindspring.com; jeffersondparker@gmail.com; nestedhome@gmail.com; havenod@gmail.com; terri@weaverstreetrealty.com  
**Subject:** [LIKELY SPAM CONTENT - ToC IT] ESC Recommendations to the board on Library site  
**Importance:** Low  
**Follow Up Flag:** Follow up  
**Due By:** Friday, March 18, 2011 8:30 AM  
**Flag Status:** Flagged

Cathy,

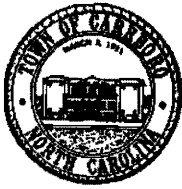
As requested by the board of Alderman, on March 9, the ESC discussed the draft resolution and rezoning request for the proposed county library at 210 Hillsborough Road.

The following was voted on and passed with a 6 - 1 margin. Please forward these ESC recommendations to the board.

1. The ESC is in favor of this site for use as a library. It is particularly attractive because of its downtown location and being next to a school.
2. A comprehensive traffic & parking study should include the needs of the library, school and church in total. It should consider and minimize the impact on the neighborhoods at access points. It should include pedestrian and biking access points.
3. The library will serve the SE portion of Orange County and will attract new people to downtown Carrboro. The ESC feels this will result in a positive economic impact as these visitors frequent Carrboro businesses during these trips.

Respectfully submitted,

Bill Soeters  
ESC Chairman  
919.918.7161



# TOWN OF CARRBORO PLANNING BOARD

*301 West Main Street, Carrboro, North Carolina 27510*

## R E C O M M E N D A T I O N

THURSDAY, MARCH 17, 2010

Conditional Rezoning Request for Potential Library at  
210 Hillsborough Road from R-10 to B-2

Motion was made by Richard Jaimeyfield and seconded by Robert Williams that the Planning Board notes that there are pros and cons to the selected site for a county library. The Planning Board recommends that the Board of Aldermen postpone making a decision whether to approve or deny the rezoning request in order to allow time for the county, the town, and private entities to gather more information about alternative sites for the library.

**VOTE:** AYES: (6) Barton, Jaimeyfield, Killeen, Rodgers, Seils, Williams; NOES: (0); RECUSED: (1) Clinton; ABSENT: (1) Poulton; ABSTENTIONS: (0)

### Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the Planning Board finds that the amendment is not wholly consistent with Carrboro Vision 2020. Specifically, Carrboro Vision 2020 Policy 1.22 related to accessibility and Policy 2.11 related to infill development and Policy 3.21 related to the nature of economic development are particular matters of concern.

Motion in support of this finding was made by Michael Rodgers and seconded by Matthew Barton.

**VOTE:** AYES: (4) Barton, Jaimeyfield, Killeen, Rodgers; NOES: (2) Seils, Williams; RECUSED: (1) Clinton; ABSENT: (1) Poulton; ABSTENTIONS: (0)

Dana Seils 3-18-11  
(Chair) (Date)



**TOWN OF CARRBORO**

**TRANSPORTATION ADVISORY BOARD**

**RECOMMENDATION**

**March 17, 2011**

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**SUBJECT:** Conditional Rezoning Request for 210 Hillsborough Rd.

**MOTION:** The Transportation Advisory Board recommends approval of the conditional rezoning to allow for use of a library. The site has access to downtown, public transit, and pedestrian and bicycle infrastructure, and coordinates well with Safe Routes to School plans. Additionally, this site has the potential to minimize parking by sharing the Carrboro Elementary lot. The Orange County library staff provided Hillsborough main library usage and traffic counts, which did not seem excessive.

Moved: Michler

Second: Perry

**VOTE:** Ayes (6): LaJeunesse, Michler, Perry, Krasnov, Pergolotti, Curtis. Nays (0). Abstain (0). Absent (1): Štolka.

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TAB Chair

\_\_\_\_\_/\_\_\_\_\_/11  
DATE

A full-service library has been at the top of Carrboro's community facilities wish list for decades. So, the recent announcement of a contract to purchase a 2.7-acre site on Hillsborough Road was, in some ways, welcome news. Unfortunately, however, it is not clear that this site will fulfill Carrboro's dream of a place downtown for the community to gather and learn.

While we heartily salute the County Commissioners' determination to bring a library to downtown Carrboro, one has to wonder what indicates that the parcel behind Carrboro Elementary would be the most suitable site. It is served by only one bus line, it is difficult to get to, and traffic would further complicate and congest an already problematic intersection near our elementary school. When did the public have an opportunity to comment on the site selection, or its selection criteria?

A location in the heart of downtown Carrboro along our three bus routes would be a far better option. To be sure, the higher cost of land poses a challenge to finding a site downtown. But there are imaginative solutions to this challenge. For example, the County could partner with the Town and/or private entities to site a library as part of a downtown mixed-use project. The recent proposal to relocate Chapel Hill's Library at University Mall is a good example of a project that integrates commercial and institutional uses.

Below is a picture of the Bookmark Apartments in Portland, Oregon. In addition to the ground-floor library and coffee shop, there are 3 floors above with 49 apartments, including 19 affordable units.



For Carrboro, three possibilities for an innovative and sustainable community project like this are already available to us:

- Carrboro owns the parking lot opposite the Century Center & police station. It is already paid for and could easily accommodate a multi-story mixed-use building that could include commercial, institutional and residential uses. Giles Blunden has a concept model done for this site in 2000 (see image at end).

- The 300 E. Main Street property already has development plans approved around the Arts Center's parcel. The Arts Center has not expressed any plans to expand their current use of their site, yet the site is currently zoned in a way that could provide our community with more amenities.

- A drugstore chain is proposing to construct two-story building on the northwest corner of Weaver & Greensboro Streets, and a significant portion of the parcel is zoned for up to 5 floors. A rezoning will be necessary for the project they are proposing, so the Board of Aldermen has an opportunity to encourage the developers to provide a public amenity in the process. Why couldn't a four-story building at this corner include a library?

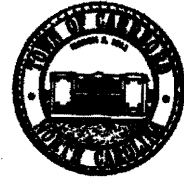
As important as it is to have a library in Carrboro, for current residents and those who follow us, the selection of the Hillsborough Road site seems hasty. Sure, this location is expedient and cheap, but it is appropriate for this important civic purpose? Even if public expense is the most significant consideration, aren't there possibilities other than finding land that is "bargain-priced"? We ask the County Commissioners to rethink this purchase and work with the Carrboro Board of Aldermen to find a more suitable location, in the heart of downtown Carrboro, accessible via transit, and alongside the places that bring people together to experience what makes Carrboro "Carrboro."

James Carnahan, Vice-chairman; Carrboro  
Benjamin Haven, Treasurer; Chapel Hill  
*For the Board of Directors of The Village Project, Inc.*





## TOWN OF CARRBORO



## PETITION TO PROTEST ZONING DISTRICT CHANGE

ZONING CHANGE BEING PROTESTED: R-10 to B2 CZ

Pursuant to Section 15-326 of the Carrboro Land Use Ordinance, if a petition opposing a change in the zoning classification is filed in accordance with the provisions of this section, then the proposed amendment may be adopted only by a favorable vote of three-fourths of the Board of Aldermen membership. To trigger the three-fourths vote requirements, the petition must:

- 1) Be signed by the owners of twenty percent (20%) or more of the area of any one of the following:
  - a. The lots included in a proposed change; or
  - b. The lots or portions of lots immediately adjacent to the rear of the lots included in a proposed change and extending 100 feet therefrom; or
  - c. The lots or portions of lots immediately adjacent to either side of the lots included in a proposed change and extending 100 feet therefrom; or
  - d. The lots or portions of lots directly opposite (i.e., across the street from) the lots included in a proposed change and extending 100 feet from the street frontage of the opposite lots.

If property is owned by a husband and wife, both must sign. If property is otherwise owned in common by two or more parties, all must sign.

- 2) Be in the form of a written petition actually being the signature of the requisite number of property owners and stating the signers do protest the proposed change or amendment.
- 3) Be received by the town clerk in sufficient time to allow the town at least two (2) normal working days before the date established for a public hearing on the proposed amendment to determine the sufficiency and accuracy of the petition. For example, if the hearing is scheduled for a Tuesday evening, the petition must be received not later than 8:30 A.M. on the previous Friday.
- 4) Be on a form provided by the town clerk and contain all the information requested on this form.

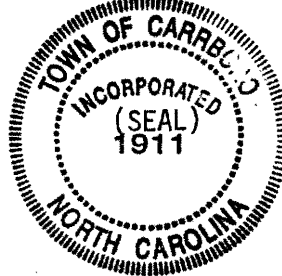
According to the above requirements, we the owners of the following properties do hereby protest the proposed zoning district changes:

We are opposed to the request by  
Orange County to amend the land use  
ordinance to rezone the property at  
210 Hillsborough Rd. Parcel known as  
7.95.A.41A

I, Catherine C. Wilson, Town Clerk of the Town of Carrboro, do hereby  
certify that the sufficiency of the above-referenced petition has been  
checked and found to be in compliance with Section 15-326 of the  
Carrboro Land Use Ordinance.

This is the 15<sup>th</sup> day of March, 2011

  
Town Clerk



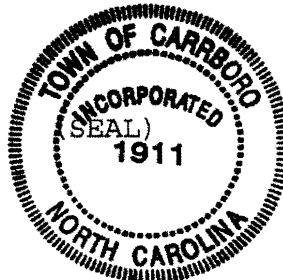
[illegible]

TMBL	name	address	Signature
7.103.A.18	Kate Parrish	213 Hillsborough	Kate HP

I, Catherine C. Wilson, Town Clerk of the Town of Carrboro, do hereby certify that the sufficiency of the above-referenced petition has been checked and found to be in compliance with Section 15-326 of the Carrboro Land Use Ordinance.

This the 15<sup>th</sup> day of March, 2011.

Catherine C. Wilson  
Town Clerk





CRAY + KATHY GUNN  
 DOROTHY SENTER  
 JEFF + BARBARA RUBISH  
 KIM PAGE  
 MARK PARADIS

PIN # 97786 81184  
 PIN # 97786 71859  
 PIN # 97786 81321  
 PIN # 97785 79639  
 PIN # 97785 78813

*Art. XX AMENDMENTS*

or other applicable plan officially adopted by the Board and explaining why the Board considers the action taken to be reasonable and in the public interest. This statement is not subject to judicial review.

(e) A Board member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. (See also Carrboro Town Code Section 2-35).

**Section 15-325 Ultimate Issue Before Board on Amendments**

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Board is whether the proposed amendment advances the public health, safety or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the mayor and excluded. In particular, when considering proposed minor map amendments:

- (1) Except when the request is to rezone property to a conditional use district, the Board shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification. **(AMENDED 05/25/99)**
- (2) The Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.

**Section 15-326 Protests to Zoning Map Amendments (AMENDED 10/24/06).**

(a) If a petition opposing an amendment to the zoning map is filed in accordance with the provisions of this section, then the proposed amendment may be adopted only by a favorable vote of three-fourths of the Board membership. For the purposes of this subsection, vacant positions on the Board and members who are excused from voting shall not be considered "members of the Board" for calculation of the requisite supermajority.

(b) To trigger the three-fourths vote requirement, the petition must: **(AMENDED 11/26/85)**

- (1) Be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100-foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot

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buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the Town may rely on the Orange County tax listing to determine the “owners” of potentially qualifying areas. **(AMENDED 10/24/06)**

- (2) Be in the form of a written petition actually bearing the signatures of the requisite number of property owners and stating that the signers do protest the proposed change or amendment.
- (3) Be received by the town clerk in sufficient time to allow the town at least two normal working days before the date established for a public hearing on the proposed amendment to determine the sufficiency and accuracy of the petition.
- (4) Be on a form provided by the town clerk and contain all the information requested on this form.

(c) A person who has signed a protest petition may withdraw his or her name from the petition at any time prior to the vote on the proposed zoning amendment.

(d) The foregoing provisions concerning protests shall not be applicable to any amendment which initially zones property added to the territorial coverage of this chapter as a result of annexation or otherwise.