

A RESOLUTION SPECIFYING FOLLOW-UP TO THE REQUESTS TO AMEND THE LAND
USE ORDINANCE TO MODIFY THE B-1(G) CONDITIONAL ZONING DISTRICT AND A
PETITION TO REZONE FOUR LOTS AT AND NEAR 500 N. GREENSBORO STREET
Draft Resolution No. 112/2010-11

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 four lots known as Orange County PIN 9778-87-7556, addressed as 500 N. Greensboro Street, from B-1(g) CZ (General Business, Conditional), and 9778-87-7448, 9778-97-0512, 9778-87-9369, addressed as, 404 N. Greensboro Street, 406 N. Greensboro Street, and 113 Parker Street, respectively, from CT (Corporate Town) to B-1(g) CZ; and

WHEREAS, adopted policies call for new commercial development to minimize negative environmental impact, to emphasize appropriate buffers, and not compromise the integrity of established neighborhoods.

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

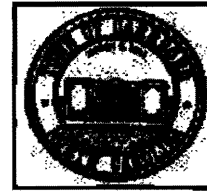
- 1) Accept the LUO amendment request and direct staff to prepare an ordinance to modify the Land Use Ordinance to allow greater residential density in the the B-1(g) CZ zoning district where creating the goal of a more vibrant and successful community are served; and
- 2) Accept the rezoning petition and direct staff to prepare an ordinance that rezones four lots known as Orange County PIN 9778-87-7556, addressed as 500 N. Greensboro Street, from B-1(g) CZ (General Business, Conditional), and 9778-87-7448, 9778-97-0512, 9778-87-9369, addressed as, 404 N. Greensboro Street, 406 N. Greensboro Street, and 113 Parker Street respectively, from CT (Corporate Town) to B-1(g) CZ, subject to the new zoning exhibit and conditions; and
- 3) Set a public hearing for June 14, 2011 and refer the draft ordinance to the Planning Board and Orange County and the rezoning petition and draft ordinance to the Planning Board for review.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

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

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

TOWN OF CARRBORO



To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

Residential density Section 15-182 (a) all lots in B-1(G) zone (Section 15-136(2)) shall have at least 3,000 square feet per dwelling unit for residential use.

- 2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

Modification to allow Board of Alderman flexibility to approve greater density in the B-1(G)-CZ.

- 3) State the reasons for the proposed amendment:

Subject to parameters attached to a Conditional Zoning (-CZ), the Board of Alderman may allow greater residential density where the goals of creating a more vibrant and successful community are better served. This amendment shall take into consideration the benefits afforded by providing diverse, affordable housing options, an increased commercial tax base, LEED / Green building design, MWBE employment opportunities, direct access to public transportation, and a vibrant architectural design creating a live/work community adjacent to established neighborhoods and commercial businesses. The combination of these benefits create a more sustainable pattern of development when placed in the downtown core, where utilizing existing infrastructure allows for a more efficient and sustainable use of public, private, and natural resources.

SIGNATURE:

[Signature]
applicant

Kenneth M. Renter Belmont
Sayre
(print)

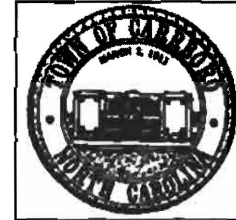
ADDRESS:

300 Blackwell St. Suite 101 B
Durham, NC 27701

TELEPHONE NUMBER:

919.259.2088

TOWN OF CARRBORO



"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: Belmont Sayre c/o Ken Reiter

DATE: 04/08/2011

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from B-1(G)-CZ & CT to B-1(G)-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME: Belmont Sayre c/o Ken Reiter
 ADDRESS: 300 Blackwell Street, Suite 101-B, Durham, NC 27701
 TELEPHONE #: (919) 259-2088
2. INTEREST IN PROPERTY(IES): Contract option on property
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: The 4 adjoining lots located at 500 North Greensboro St, across from the intersection with Shelton St., bounded by the railroad ROW to the east and a portion of Parker street to the south.
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
 - a. OWNER: Green Equity, LLC, 119 Viburnum Way, Carrboro, NC 27510
 TAX MAP: 7.93 BLOCK: A LOT: 4 ACREAGE: 0.69 PARCEL: 9778-87-7556
 SUBDIVISION NAME: N/A FRONTAGE: 81.17 DEPTH: 357.24
 EXISTING STRUCTURES AND USES: SINGLE FAMILY RESIDENCE

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES X NO
IF "YES", WHEN? 2009

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 applicant is proposing a B1(G)-CZ zoning classification with conditions to limit uses to street level retail and upper floor residential. The subject properties are within 300' of a variety of existing compatible land uses, including multi-family residential, single family residential, commercial retail and office. The proposed building massing is similar in footprint to existing commercial developments immediately adjacent to the north, east and south. The project has been designed to combine the downtown development goals (commercial and residential density) with that of the existing residential neighborhoods (residential development and pedestrian scale facades along N. Greensboro street). The proposed building height steps back from the right-of-way to provide a 2 story, pedestrian scale facade, in keeping with the existing streetscape vernacular along the North Greensboro St. In addition to the building step-back at the ROW, the topography slopes 8-10' from the ROW east to the back of the site, providing a lower building height in relationship to N. Greensboro St.

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

Given the proximity of the subject properties to the downtown area, the residential and commercial retail uses proposed serve to meet many of the policy goals outlined in Carrboro's Vision2020. With 114 residential units, the development site is located within 1000' of the downtown core and is ideally situated to create a pedestrian friendly development positioned to benefit from and serve the surrounding community. Access to the Chapel Hill transit system is within walking distance from the site, providing public transportation options for residents. Attentive architectural design has been used along the North Greensboro St. frontage by providing a 2 story facade, active with street level retail. The reduced building facade, accompanied by the proposed and existing streetscape vegetation, will blend the proposed development into the surrounding neighborhood character.

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

Development of the 4 subject parcels will provide economic revitalization for not only these 4 parcels (2 are single family residential, 2 are vacant), but for the surrounding residential neighborhoods and downtown area in general. One of the goals set forth in the Carrboro Vision2020 plan was to look for opportunities to renovate low/moderate housing (3.63 & 6.12). This development will provide rental housing units which are considered affordable by HUD standards.

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

(Carrboro Vision2020 references goals shown in () parenthesis)

The proposed uses are consistent with the many of the goals set within Carrboro's Vision 2020. The mixed-use development (3.28) would provide the downtown area with increased commercial opportunities (3.21), diverse and affordable residential options (2.52 & 6.1), community sensitive infill development utilizing existing public infrastructure (2.11 & 2.53), green building practices (5.41), walkability and public transit access (3.25 & 4.15) and economic redevelopment (3.63). The proposed mix of uses provides a transition development extending from the commercial uses downtown to the lower density residential development to the north and west. The proposed development will provide a combination of 114 market rate and affordable dwelling units in close proximity to downtown and within walking distance to various goods and services, thus decreasing dependency on vehicle use and providing live/work opportunities that are often the cornerstone for sustainable communities.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 8th DAY OF April, 2011.

PETITIONER'S SIGNATURE: [Signature] Kenneth Riter

OWNER'S SIGNATURE: [Signature] David Jessee

OWNER'S SIGNATURE: [Signature] Karen Jessee

OWNER'S SIGNATURE: [Signature] Paul Jessee

[Signature] David Bellin, Manager
Green County LLC

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.

LAND USE ORDINANCE AMENDMENT REQUEST – PROPOSED CONDITIONS

500 NORTH GREENSBORO / SHELTON STATION

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

That property being described on Orange County Tax Maps as:

[_____], in the Chapel Hill Township, and being the area that is called out on the accompanying map as "500 North Greensboro" is hereby rezoned from CT (Commercial, Corporate Town) to B-1(g)-CZ (General Business, Conditional), subject to the following conditions:

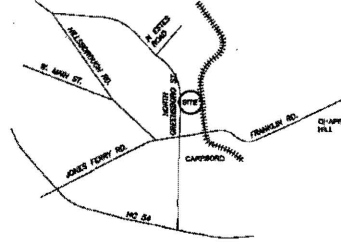
- 1) The height of the building closest to North Greensboro Street shall not exceed 3 stories, with the exception that the portion of the building within the DNP Overlay shall conform to the requirements of that portion of that District.
- 2) Driveway access to the parcel shall be aligned with Shelton Street.
- 3) The minimum required parking shall be 10% less than the minimum number of spaces required by the Ordinance for the proposed uses.
- 4) All structures currently located on the property shall be offered for relocation prior to beginning construction.
- 5) A minimum of 15% of the residential units shall be affordable as defined by the current Town Guidelines.
- 6) The property will be developed substantially in accordance with the attached Concept Plan labeled "500 North Greensboro, RZ-1 & RZ-2" dated April 7, 2011.

500 N. Greensboro

Carrboro, North Carolina

Rezoning Application

CONTEXT MAP



PROJECT TEAM

APPLICANT: KYNETH B. ROSTER
BELMONT SAYRE, LLC
303 BLACKWELL STREET, SUITE 101-B
CARRBORO, NC 27511
919.292.2084
KYNETH@BELMONT-SAYRE.COM

LAND PLANNER: DAN JEWELL, RLA
COURIER JEWELL THOMAS PA
114 WEST MAIN ST.
CARRBORO, NC 27511
(919) 952-0398
DAN@COURIERJEWELLTHOMAS.COM

ARCHITECT: MATT DAMICO
DESIGN COLLECTIVE
401 EAST PRUITT STREET, SUITE 300
BALTIMORE, MD 21202
(410) 690-8885
MATT@DESIGNCOLLECTIVE.COM

TRAFFIC CONSULTANT: ANDREW TOPP, PE, PTOE
WATSON/ALCOCK/RYSDEN, P.C.
4000 WESTCHASE BLVD, SUITE 830
RALEIGH, NC 27607
(919) 829-0328
ANDREW@WATSONALCOCKRYSDEN.COM



PROJECT
500 NORTH
GREENSBORO
Carrboro,
North Carolina

REVISIONS
REV. 01/15/2018
REV. 02/15/2018
REV. 03/15/2018



Sheet Title
COVER SHEET
EXISTING
CONDITIONS
Sheet Number
RZ-1

PROJECT DATA

PROPERTY: PARCEL 1
EXISTING ZONING: B-1 (DCE) W/ DNP OVERLAY
PROPOSED ZONING: B-1 (DCE) W/ DNP OVERLAY
ACREAGE: 0.95 ACRES
ADJACENT: 402 N. GREENSBORO ST.
P.O. 8778-87-7508
OWNER: GREEN COUNTY, LLC

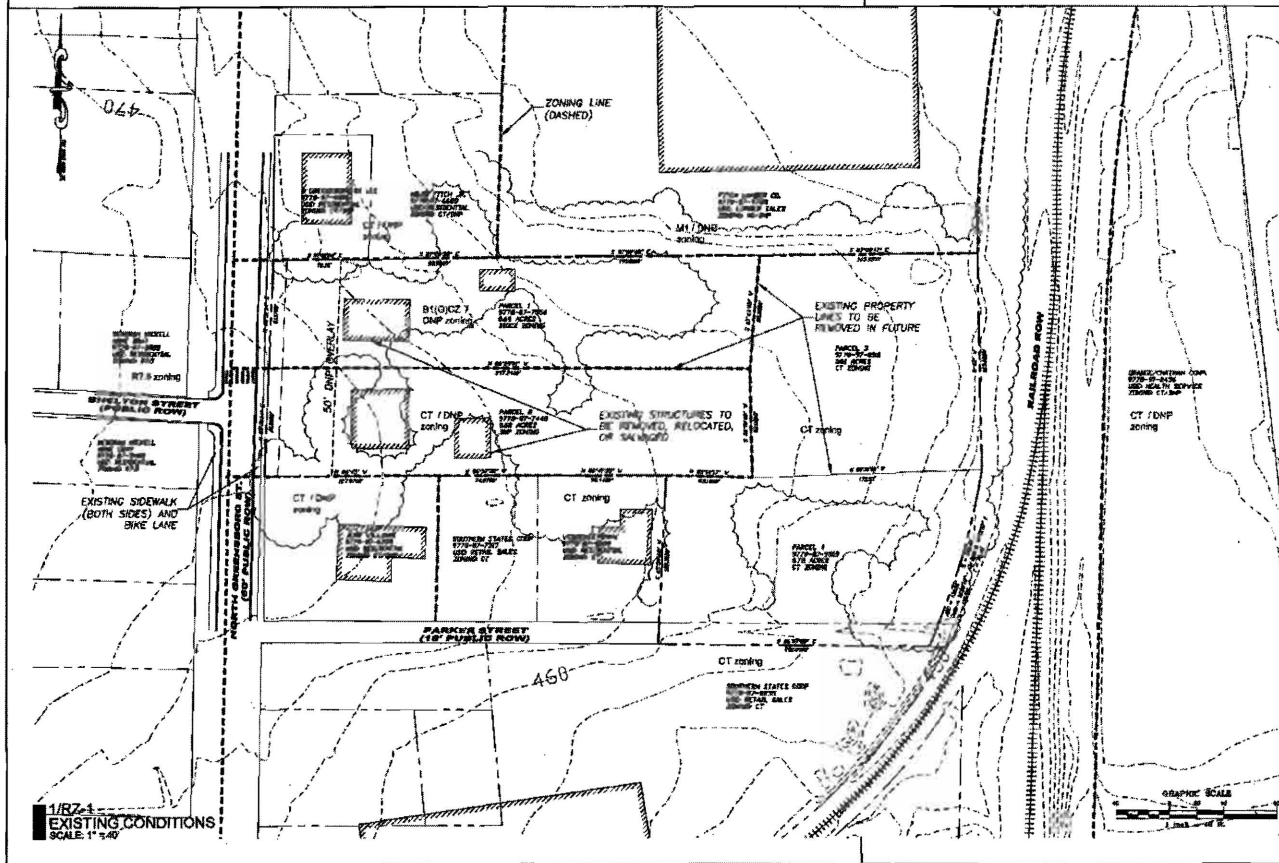
PARCEL 2
EXISTING ZONING: CT W/ DNP OVERLAY
PROPOSED ZONING: B-1 (DCE) W/ DNP OVERLAY
ACREAGE: 0.43 ACRES
ADJACENT: 402 N. GREENSBORO ST.
P.O. 8778-87-7508
OWNER: DAVID AND KAREN JESSET

PARCEL 3
EXISTING ZONING: CT ZONING
PROPOSED ZONING: B-1 (DCE)
ACREAGE: 0.81 ACRES
P.O. 8778-87-0812
OWNER: DAVID AND KAREN JESSET

PARCEL 4
EXISTING ZONING: CT ZONING
PROPOSED ZONING: B-1 (DCE)
ACREAGE: 0.52 ACRES
P.O. 8778-87-8769
OWNER: DAVID AND KAREN JESSET

SHEETS

RZ-1 COVER SHEET / EXISTING CONDITIONS
RZ-2 CONCEPT PLAN



Coulter
Jewell
Thames



Belmont Sayre
DESIGN COLLECTIVE

Project
600 NORTH
GREENSBORO

Camboro,
North Carolina

RETURN

7/24 2/28/2014
7/28/2014
7/28/2014

NOT FOR CONSTRUCTION

CJT Job Number: 1142

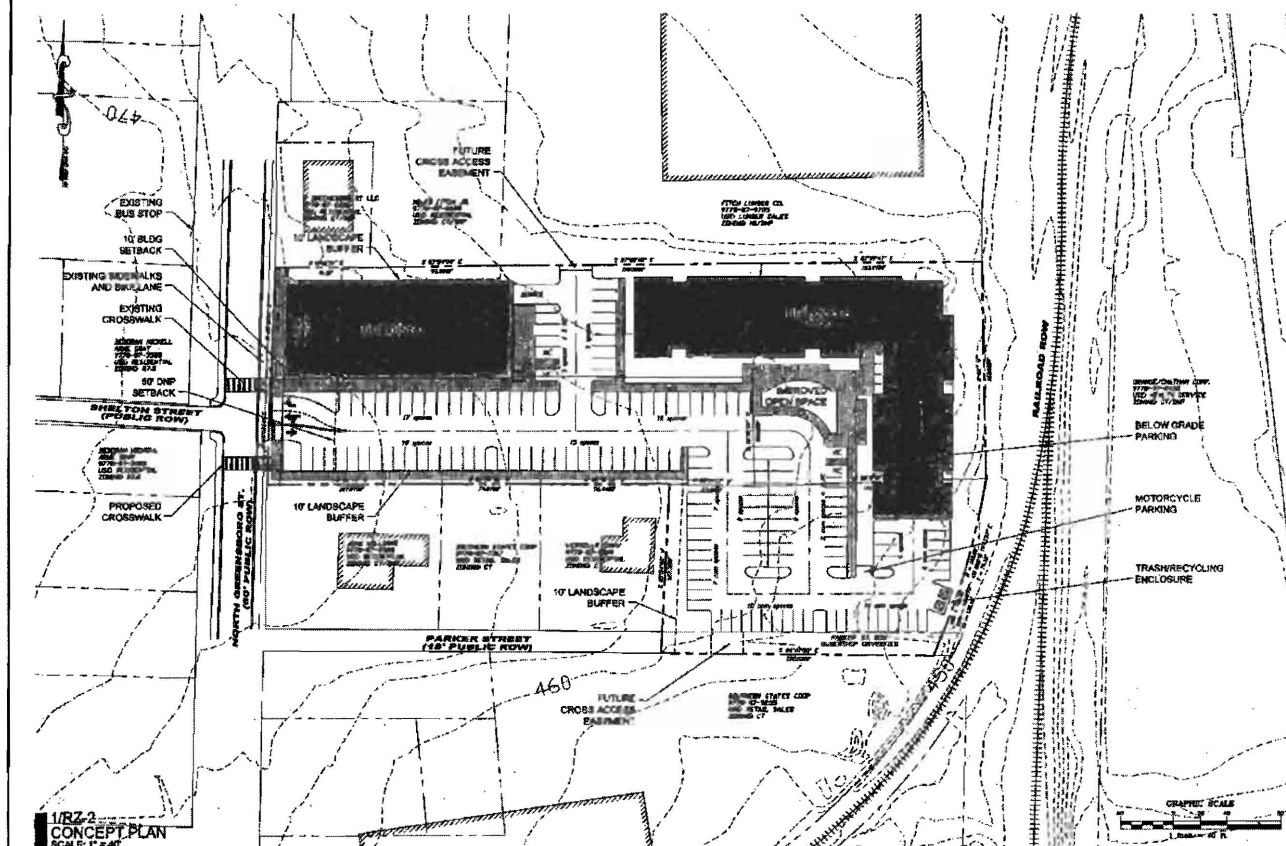
Drawn: [blank]
Checked: [blank]
By: [blank]
Reviewed: [blank]

Sheet Title

CONCEPT
PLAN

Sheet Number

RZ-2



DEVELOPMENT PROGRAM

TOTAL GROSS LAND AREA (BY ORANGE COUNTY GIS): 2.66 ACRES

BUILDING A:
RETAIL: 12,000 SF
RESIDENTIAL: 4-24 UNITS

BUILDING B:
BELOW GRADE:
RESIDENTIAL: 4-24 UNITS

PROPOSED TOTALS: RETAIL: 12,000 SF
RESIDENTIAL: 114 UNITS MAX.
DENSITY: 42.4 UNITS/ACRE

REQUIRED PARKING:
RETAIL: 1/300 SF = 40 SPACES
RESIDENTIAL: 24 (10000) UNITS = 24 SPACES
90 (27000) UNITS = 180 SPACES
TOTAL SPACES = 244 SPACES

PARKING REDUCTIONS:
1.2 REDUCTION RATIO FOR JOINT USE (-41 SPACES)
BIKE RACK REDUCTION FOR 1 SPACE (-1 SPACE)
MOTORCYCLE TAG ROW (-10 SPACES)
TOTAL REDUCTIONS (-52 SPACES)

REQUIRED PARKING SPACES: 244 - 52 = 192 SPACES REQUIRED

PROPOSED PARKING:
COMPACT SPACES: 72 SPACES (INCL. 26 COVERED IN GARAGE) (40.7%)
RWD PARK SPACES: 118 SPACES
TOTAL: 177 PARKING SPACES

PROPOSED BUILDING HEIGHT:
BUILDING A: 2 & 3 STORIES
BUILDING B: 4 STORIES

The following ordinance was introduced by Alderman Dan Coleman and duly seconded by Alderman Joal Hall Broun.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY .68
ACRES OF LAND KNOWN AS
500 N. GREENSBORO STREET FROM CT TO B-1(G) CZ
Ordinance No. 21/2009-10

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:

Block A, Lot 4 of Tax Map 93, in the Chapel Hill Township, and being the area that is called out on the accompanying map as "500 N. Greensboro Street" is hereby rezoned from CT (Commercial, Corporate Town) to B-1(g)-CZ (General Business, Conditional), subject to the following conditions:

- 1) Building height shall be limited to 35 feet;
- 2) Parking ratio shall be not less than 2.0 parking spaces per 1,000 SF which may include shared parking for any further subdivision of the parcel;
- 3) Driveway access to the parcel shall be aligned with Shelton Street and a shared ingress and egress easement shall be established over and upon the driveway for the common use of the driveway;
- 4) The house presently located on parcel 9778877448 (7.93.A.6) shall be relocated; parcel 9778877556 (7.93.A.4) may be further subdivided;
- 5) The property will be developed substantially in accordance with the attached concept plan labeled "Green Equity, LLC, Carrboro North Carolina Zoning Exhibit" and dated March 11, 2010, as revised on April 27, 2010.

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.

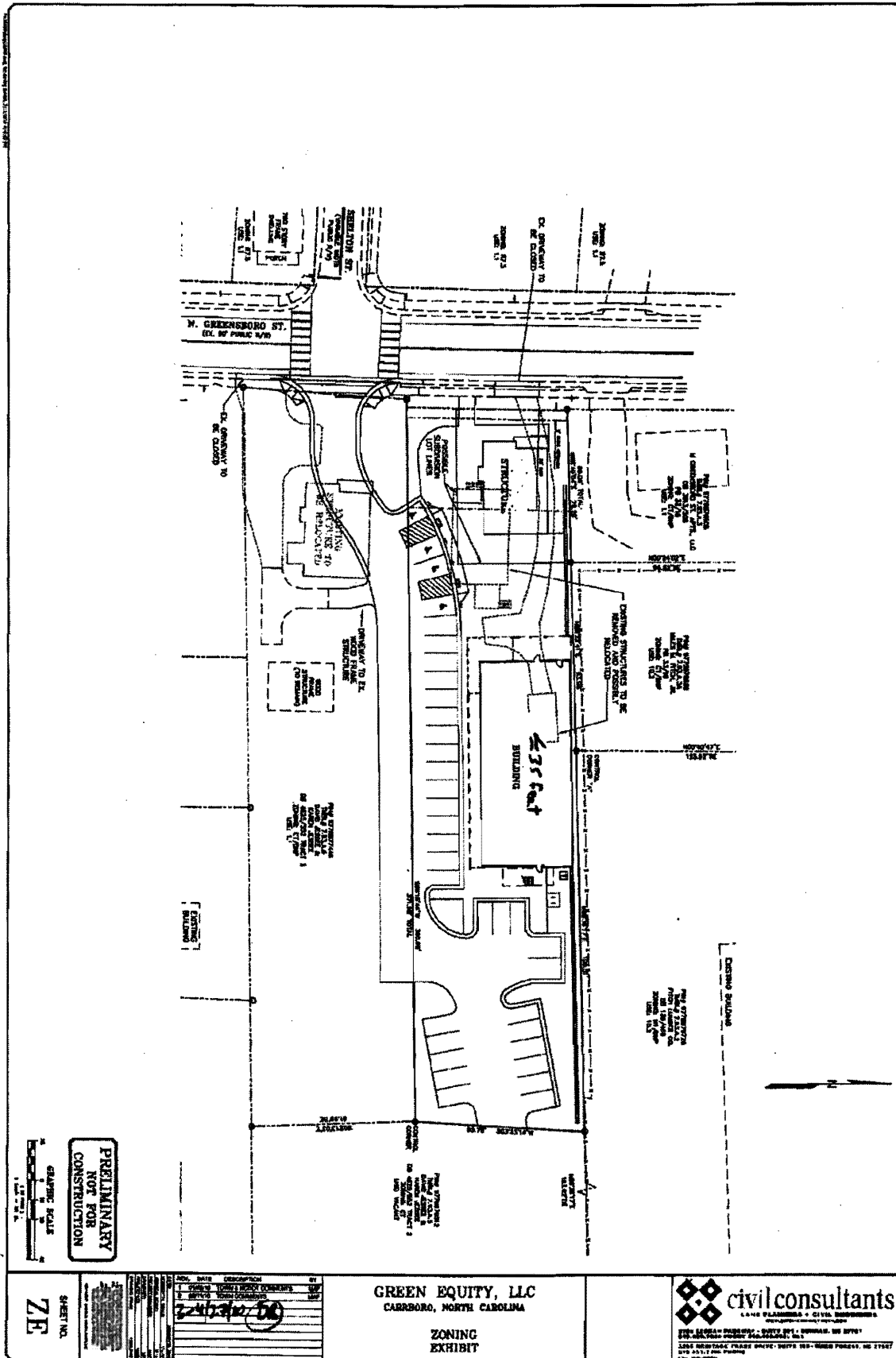
The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this the 27th day of April 2010:

Ayes: Dan Coleman, Sammy Slade, Lydia Lavelle, Mark Chilton, Joal Hall Broun, Jacquelyn Gist, Randee Haven-O'Donnell

Noes: None

Absent or Excused: None





Excerpt of Article IX and Article XX, Land Use Ordinance

Section 15-141.4 Conditional Zoning Districts (AMENDED 5/27/08)

(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 and B-1(G) CZ. (AMENDED 4/27/10)

(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)**