



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

PLANNING DEPARTMENT

DELIVERED VIA: ☒ HAND ☐ MAIL ☐ FAX ☐ EMAIL

To: David Andrews
Mayor and Board of Aldermen

From: Jeff Kleaveland, Planner/Zoning Development Specialist

Date: September 7, 2011

Subject: Follow-up review of Northern Study Area Design Workshop concept plans with preliminary rezoning analysis

Background

The Joint Planning Agreement (JPA) between the governments of Carrboro, Chapel Hill and Orange County formed the first regulatory framework designed to guide development in the NSA. It was adopted on November 2nd, 1987.

The JPA includes a land use map that identifies in the Carrboro planning jurisdiction, two regions known as *Transition Area I* and *Transition Area II*; these areas are then surrounded by regions known as *Rural Buffer* and *Rural Buffer, University Lake*.

Growth management is the primary goal of the JPA. The JPA addresses development timing as well; Transition Area I, which is closer to the Town city limits, be developed to a certain level of density before allowing development in Transition Area II, to encourage an orderly growth of infrastructure and services while providing a uniform urban-to-rural transition in the landscape.

The most comprehensive planning document concerning the management of future growth in Carrboro's NSA is the *Facilitated Small Area Plan for Carrboro's Northern Study Area* (NSA Plan) which was adopted by the Board on May 26th, 1998 and incorporated into the JPA in 1999. This plan was the result of facilitated community meetings and it goes much further than the JPA by describing specific desired outcomes for development in the NSA. The following two excerpts from the NSA Plan best characterize the overall tone of the plan:

Small-Town Character

- *Development in the study area should be consistent with the preservation of Carrboro's small-town character. Policies such as limiting roads to two lanes, encouraging plantings along roads, preserving historic areas and scenic vistas, and retaining unspoiled open spaces and other natural resources, will help to ensure that the features which make Carrboro an attractive community in which to live will continue to enhance the quality of life in the area in the future.*
- *Village-type development in the study area should be encouraged. This type of development blends residential and commercial opportunities, is easily negotiated by pedestrians, and includes focal points such as parks and other types of open space. In addition to preserving the small-town character of Carrboro and preserving a pedestrian-scale orientation, village-type*

development improves the Town's ability to provide services efficiently and would likely reduce the traffic impacts of new development.

Both the ideas of “small-town character” and “village-type development” reflect the desired form of development promoted by NSA Plan. The Office/Assembly and Village Mixed Use “floating” conditional use districts encoded in the Land Use Ordinance (LUO) are two of the regulatory tools created in an attempt to realize this vision. The LUO was amended with these provisions in 1999.

In the NSA, the Village Mixed Use (VMU) and Office/Assembly (O/A) zones are considered “Conditional Use Zoning Districts” (a “floating” zone) which means that there are no areas proactively zoned VMU or O/A. Instead, these districts require the owner to submit, concurrently, the VMU or O/A rezoning request and Conditional Use Permit request concurrently.

The plans submitted must demonstrate compliance with the entirety of the VMU or O/A provisions in order to qualify for a rezoning. This requires considerable design and engineering efforts in the development of a plan without a guarantee that the rezoning will be approved.

The VMU ordinance can be considered a “form-based” code in that it presents standards that guide the site design and architecture of the development. Using historical villages as a template, the VMU reflects a “neo-traditional” design aesthetic requiring such components as a “storefront area” and a “village green”. It is further defined by a network of streets laid out as blocks that are expected to radiate from the village core. Since one 66 acre VMU has been approved, 284 additional acres can be rezoned to this district (a maximum of 350 acres is allowed at this time).

The O/A conditional use district is intended to provide for office, administrative, professional, research, and limited manufacturing uses in close proximity to an arterial street and is intended to provide employment near residential areas. It provides basic design standards intended to create buildings that are mainly “residential” in scale. In the NSA, this district can be anywhere from four to twenty acres in size; only a total of 25 acres of O/A district may be created throughout the Town.

Since the inception of these floating zones, *one* VMU, (Winmore) and *no* O/A districts have been created in the NSA. Meanwhile, residential development has continued in the NSA under the existing zoning districts. Because of Planning Board concerns that the goals of the NSA PLAN were not being realized, the Board of Aldermen established the *Northern Study Area Plan Implementation Review Committee* (NSAPIRC) in the spring of 2007.

After approximately eight months, the NSAPIRC presented 13 recommendations for the Board's consideration on December 11, 2007. In light of these recommendations, a six month development moratorium in the NSA was enacted by the Board on March 27, 2007. Meanwhile, after a work session and subsequent staff analysis, the Board decided to move forward with examining the following four NSAPIRC recommendations*:

1. Target and rezone specific tracts on the east side of Old NC 86 for new commercial and/or Village Mixed Use (VMU) development. Tracts chosen for commercial and VMU development must have good access to arterial roads and minimal environmental constraints (see Town of Carrboro's Primary Constraint Map). Some possible tracts include:

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- a. The Hogan tract on Homestead Road (64 acres);
 - b. The Hogan Heirs tract which borders the Twin Creeks Park to its west and Duke Forest Property to its North (59 acres);
 - c. The tract(s) of land (the Parker Louis, LLC property) which Adam and Omar Zinn are proposing to develop at the corner of Eubanks and Old N.C. 86 (27 acres).
2. In order to maximize the expansion of Carrboro's commercial tax base, rezone the Hogan tract off Homestead Road for mixed use development to include a larger scale convenience or basic goods store (for example a grocery store, a drug store or a hardware store, not big box retail) in addition to other uses. According to the RTS, Inc. report, "Creating Carrboro's Economic Future", one of these larger scale stores would generate an estimated ten to twenty times the yearly tax revenue of a restaurant or a specialty retail store.
 3. Revise the existing VMU ordinances as follows:
 - a. Require minimum commercial components (minimum percentage of commercial).
 - b. Require size limited and affordable housing, targeting Carrboro's need for energy efficient housing affordable to people making 60% to 150% of area median income.
 - c. Eliminate the tract size minimum for VMU developments.
 Maintain the 40% open space requirement. Modify setbacks, building heights and minimum lot widths rather than allow reductions in the 40% open space requirement.
 4. Examine tract size minimum and maximum for commercial requirements in VMU developments (this recommendation includes NSAPIRC recommendation #10).
- * Since adopting these recommendations, portions of two developments, Ballentine and Claremont, have been rezoned to Residential-10, Business-3, Planned Unit Development (R10B3PUD).*

In an effort further clarify the desired development behind these recommendations; the Board authorized the NSA Design Workshop, a facilitated community design charrette, which was held in the winter of 2011. The results of this workshop are the primary subject of this report.

NSA Design Workshop team concept plans

A description of the workshop process is contained in the report prepared by DAD entitled the [*Northern Study Area-Eubanks Site, Facilitated Workshop*](#). This document was presented-to and accepted-by the Board on February 21, 2012. The report herein draws upon various components of the DAD report while going further to flesh-out some of the technicalities of the concept plans and how they relate to our LUO.

The Five Concept Plans

Copies of the concept plans are attached (Attachment B)

The programs of the plans share an interest in "community" scale designed for the benefit of local residents and neighborhoods. This implies good connections to existing greenways and the provision of sidewalks and other pedestrian amenities. Each plan changes the character of Eubanks Road such that it is substantially different than Old NC 86. The following is a cumulative list of uses mentioned by the teams as being compatible with the neighborhood context:

- commercial and civic services that would be useful to the entire surrounding community and especially the adjacent school property and the future county park,
- medical offices,
- retirement community,
- hospice
- community store (but not a strip center),
- child care center,

- afterschool uses,
- cafe or coffee shop,
- old fashion gas station (not shared by all the teams),
- restaurant, local bakery,
- specialty market,
- small grocer.

A few of the design differences between the plans are as follows:

- Whether the development is made visible from Old NC 86;
- Whether the 100' buffer along Old NC 86 is preserved;
- Whether a “gateway” feature (landmark building or open space) is articulated along Old NC 86 such that it identifies a transition from the county into the Carrboro planning limits;
- Whether Eubanks is used as the organizing “street” of the development or whether a new “main street” is located *off* of Eubanks (this effects the facing of the buildings);
- Whether a somewhat central, public “green” defined by a few buildings is provided;
- The number and size of commercial/unified buildings;
- Where commercial buildings are grouped in relationship to the existing traffic circle;

Quantities

The following comparative list of take-offs from the concept plans is useful for the sake of comparing the proposals to other known, existing developments.

Because the concept plans are not fully designed, the total square footage of only the *ground floors* of the buildings is shown. To provide a residential density reference, I’ve provided numbers based upon the existing RR zoning and a potential R-10 zoning.

Regardless of the number of buildings shown on the plans, the gross *ground floor* square footage of their footprints are indicative of a project’s scale as is the number of parking spaces. Following this, the plans will be generally compared to other similar developments in the area.

	Team One	Team Two	Team Three	Team Four	Team Five
Building envelope available from the 31 acre parent tract(s) (excluding open space requirements and environmentally sensitive areas)	15 acres (approx.)	15 acres (approx.)	15 acres (approx.)	15 acres (approx.)	15 acres (approx.)
Density allowed under current RR zoning.	21	21	21	21	21
Baseline density available at R-10 & R-7.5 (reduced per ordinance to account for open space and environmentally sensitive site features.)	84/121	84/121	84/121	84/121	84/121
Number of larger,	7	4	9	7	11

commercial, mixed-use or multi-family type buildings					
Total <i>ground floor</i> square footage of the above buildings (<i>Actual</i> square footage would be larger as it would include additional stories).	91,747 sf	100,277 sf	81,336 sf	273,360 sf	108,890 sf
Number of parking spaces shown	196 spaces	148 spaces	248 spaces	None shown	241 spaces
Number of single family detached residential units shown	15	Cottages proposed but not shown	22	9	None
Attached Townhome units (with lots shown)	None	None	None	15	28
On-street parking on Eubanks	No	No	Yes	Yes	No
Approximate Total acreage (including road frontage) of Mixed-Use, Office/Institutional, and/or Commercial areas	5-7 acres	6-8 acres	6-8 acres	6-8 acres	6-8 acres
Percentage Mixed-Use, Office/Institutional, and/or Commercial areas of gross project acreage (31 acres).	25-35%	35-45%	30-40%	30-40%	30-40%

Design Precedents

In order to understand the scale of the team proposals and the site it is useful to look at design precedents for comparison. Attached are images of Winmore, Southern Village, Fearington, and other locales that can be used for this purpose (Attachment C). Note that the Fearington village used historic English hamlets as its design inspiration.

In addition, the site plan and elevations for the recently approved PTA Thrift Shop is also attached for reference; this project, built on an assemblage of 1.4 acres, has 71 parking spaces and about 26,000 square feet of development in two, 2-story buildings (Attachment C-8). The building was designed under the LUO's Downtown Development Guidelines.

For further reference, attached are site and architectural images from the Appendix C of the DAD report (Attachment D). The DAD group presented at the workshop, the "hamlet" scale of settlement as a useful design precedent.

Note in these examples the variations in building heights, frontages, streetscapes, parking lot locations, and context. The design team *programs* all support a kind of development on the site that reflect a local, "community scale" compatible with the rural and residential character of the surroundings; whether the designs achieve this intention is a question for consideration.

If these concerns for building and site design are to be translated into a new zoning district for the Parker Louis property, then this new district will need to include standards to reflect the desired character of the place.

Rezoning Considerations

Prior to discussing the particulars of a rezoning for the property it is useful to again review the “Small-Town Character” principles from the NSA Plan provided at the beginning of this memo.

The LUO’s Village Mixed Use *conditional use* zoning district was one of the original rezoning strategies adopted by the Board to realize some of the goals from the NSA Plan. This district includes many building and site design provisions and is structured as a template for a complete “neo-traditional” village. Because of this, it has a 50 acre minimum requirement and requires the village commercial core to be located at least 200’ from the nearest arterial road.

Again, because it is a conditional use zoning district, the Board cannot proactively rezone properties to VMU. Instead, the rezoning application has to come from the developer/owner and must be accompanied by a complete design for the village. As a zoning tool, the VMU district is therefore entirely voluntary, dependent upon the developer/landowner. The Town has approved one VMU since the inception of the district (Winmore).

If the Board is interested in a proactive approach realizing some of the goals of the NSA Plan, on a smaller scale than the VMU, they can look to the existing general use zoning districts from the LUO. Rezoning to these districts does not require initiation by the developer/owner and allows a broad pallet of uses dependent upon the district. However, the existing general use districts each have limitations when applied to the team concept plans. For example:

- The B-1-G, General Business, while intended to allow many business uses adjacent to residential neighborhoods, allows buildings from 3 to 4 stories and does not allow the “senior citizen residential complex” use (featured in several of the team concepts).
- The B-3, B-3-T districts, while intended to accommodate business needs that arise on the neighborhood level, do not allow developments in excess of five acres nor do they allow restaurant uses. Recall that the team concepts plans provide multi-use/commercial areas that all exceed the five acre minimum and, feature restaurants.
- The O/A, Office Assembly, while intended to provide employment near residential areas and, while having a *minimum* lot size requirement of 5 acres, allows for a 35’ building height and does not allow the “senior citizen residential complex” use.
- The B-4, Outlying Concentrated Business, is design to accommodate businesses that provide goods and services to a larger market than B-3 & B-3-T, allows for 50’ building heights.
- Planned Unit Development, is a collection of general use districts that restricts the commercial portion to 10% of the PUD, it requires initiation by the property owner and does not allow conditions to restrict development types.

In addition, except for the B-4, the rest of these general use districts allow residential use and do not mandate commercial development. Should a rezoning to one of these districts take place, a developer would not be prohibited from simply building a residential development. Such rezonings cannot be given “conditions” to prevent certain kinds of development.

In reviewing the design precedents provided with this memo, Fearington village offers many commonalities with the rural/commercial ideals described in the NSA Plan. The commercial area

contains a bank, a travel agency, a book store, two restaurants, an outdoor bar, a café, a bed and breakfast, an event venue (the barn), and attractive pedestrian scaled surroundings. It generally serves the 1800 residents of the village but is accessible to others as well.

The PTA Thrift store too is another example of development that is inherently local that is attractive to residents throughout the Town. While it is not a village core, per se, it is vibrant with its community function, one that will be enhanced by the addition of new possible uses.

The two recent PUD re-zonings in the NSA, one for Claremont, the other for Ballentine, each opened the door to the possibility of a few commercial services in the area. PUDs are a general use zoning tool and cannot include conditions to prevent certain kinds of development.

In light of the principles contained in the NSA Plan, the content of the concept plans developed at the workshop and, the limitations of existing general use zoning districts the Board may wish to consider creating a zoning district that would offer some defense against the “unintended consequences” of the existing general use zoning districts. While repurposing the provisions of the VMU to a general use zoning district may sound appealing, the team concept plans have been extensively reviewed with respect to its provisions and it is evident that the VMU does not easily “scale-down” to the needs of a parcel the size of the Parker Louis assemblage. So if the VMU isn’t revised into a general use zone, and the existing zoning district choices present unacceptable risks, what kind of characteristics would a new business zoning district in the NSA have? Here is a list of some considerations for such a district:

- Include design standards that require the building and site be designed to a “neighborhood” scale in a rural context. Include regulations for building height and parking areas.
- Include design standards that discourage “single-use” building types than do not lend themselves to adaptive reuse.
- Include streetscape provisions which calm traffic specific to this district.
- Consider increasing the amount of commercial space allowed with the idea that this district would function as a kind of “village-core” for the existing settlement pattern.
- Provide a mandate for the amount of commercial and residential uses required;
- Include provisions to make it responsive to existing commercial uses in the NSA;
- Include provisions to make it consider, support and enhance existing zoning district provisions.
- Provide a district specific list of permissible uses.

Summary

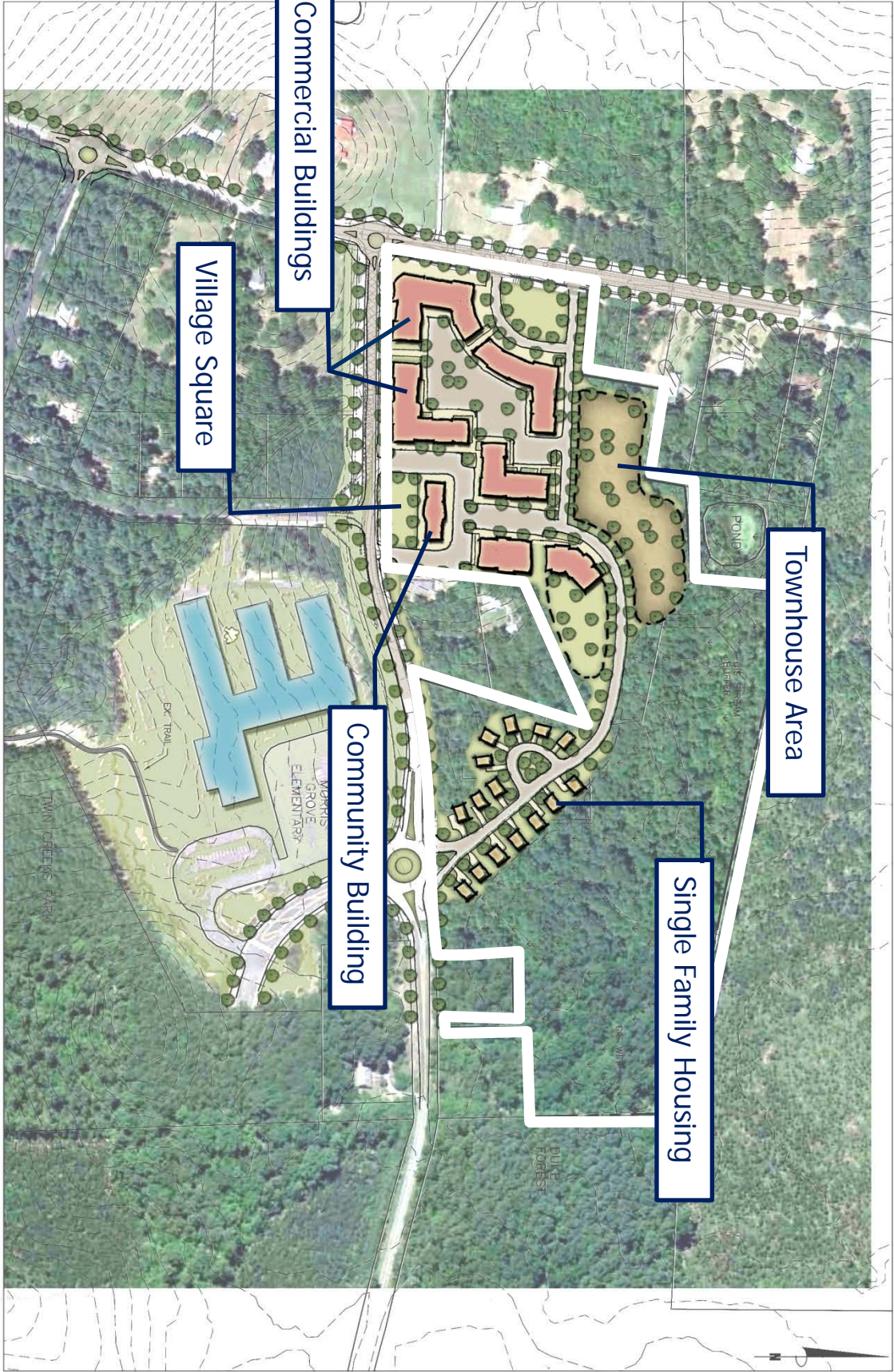
In terms of preserving the rural character of the NSA, the open space provisions of the LUO have steadily set aside large areas of permanent undeveloped space for the enjoyment of the residents and the protection of resources. This in itself has addressed many of the objectives of the NSA Plan. Still, the NSA has yet to provide for itself commercially. The mixed-use plans developed during the NSA design workshop offer a glimpse into those kinds of commercial uses that are appealing to local residents in this area. Some of the plans reflect also cynicism as to whether viable commercial uses can survive at the intersection of Eubanks Road and Old NC 86.

The Parker Louis property exists in the context of a new elementary school (Morris Grove), a future county park (Twin Creeks), a generous greenways infrastructure, a historic highway (Old NC 86) and the daily commuting route of many of the local residents. Any commercial use that occurs on this property will be well served if it has the kind of pre-existing vitality that is not entirely dependent upon location. Notwithstanding this, the commercial uses will need to build on local needs, one of which is for goods and services that require a minimum of driving distance, or, better yet can be accessed by bicycle or foot.

Staff recommendation

That the Board receives the staff memo and presentation, discuss the subjects therein.

Team One

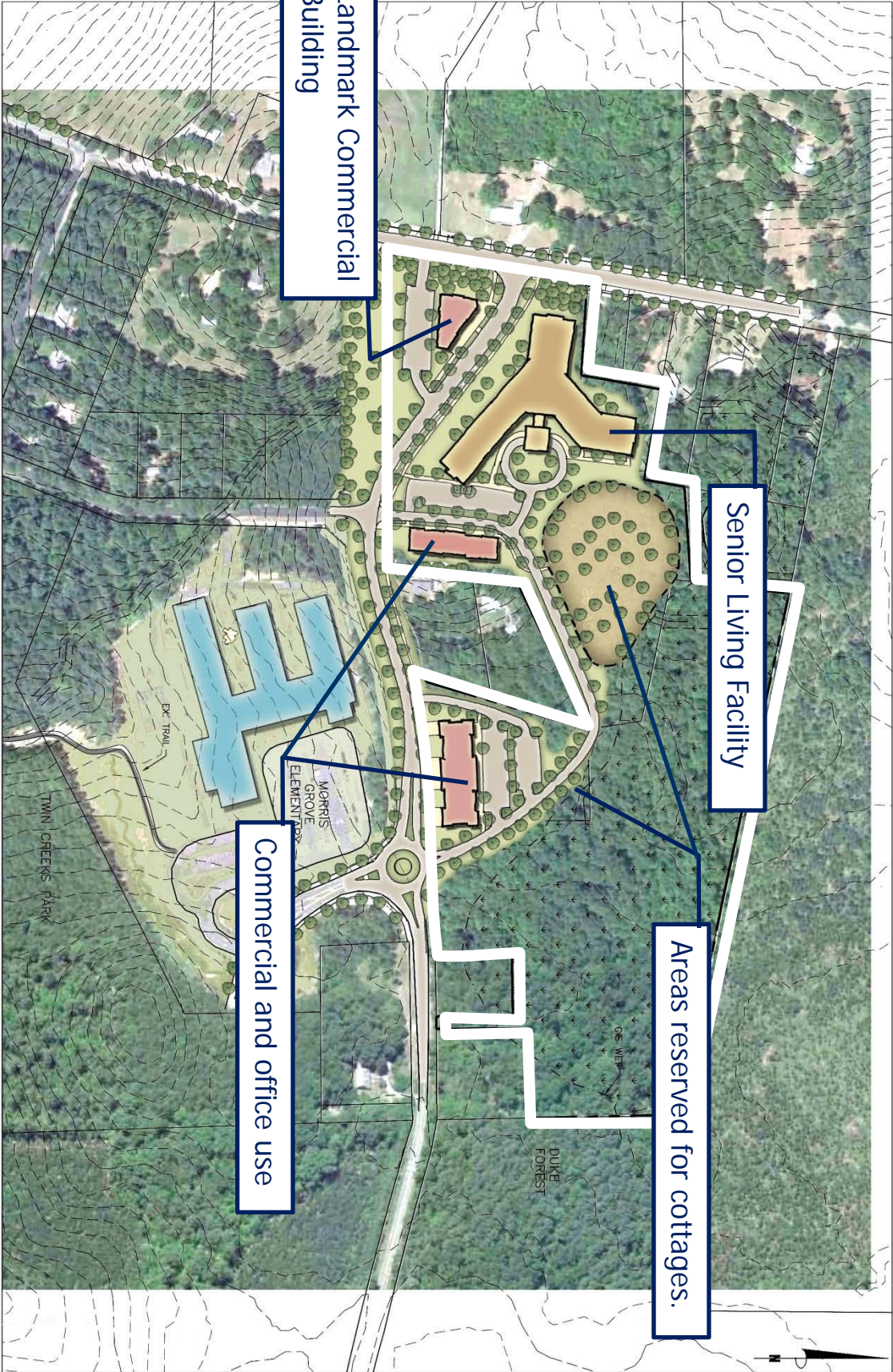


NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers



Team Two



Landmark Commercial Building

Senior Living Facility

Areas reserved for cottages.

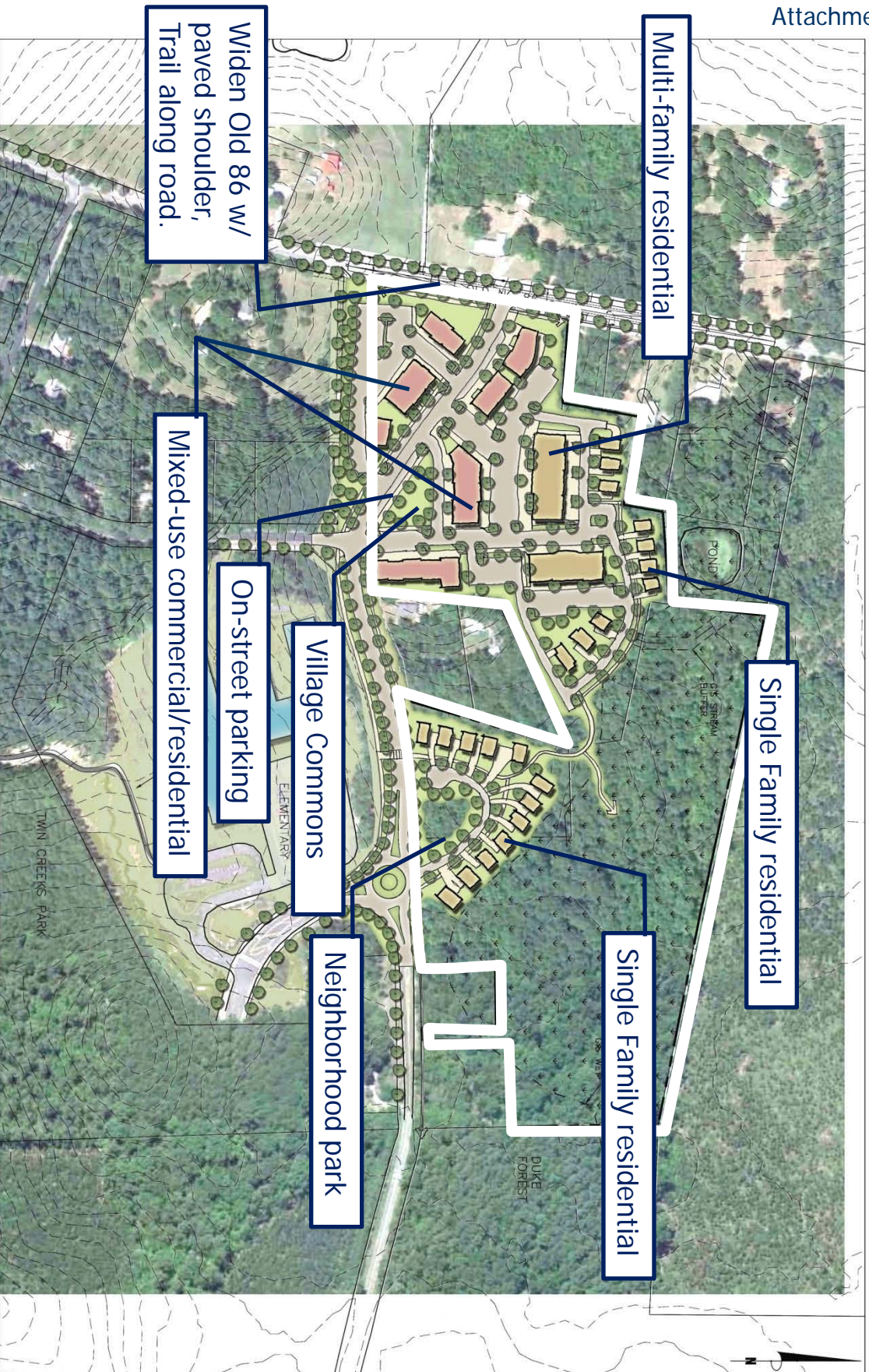
Commercial and office use

NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
Durham Area Designers



Team Three



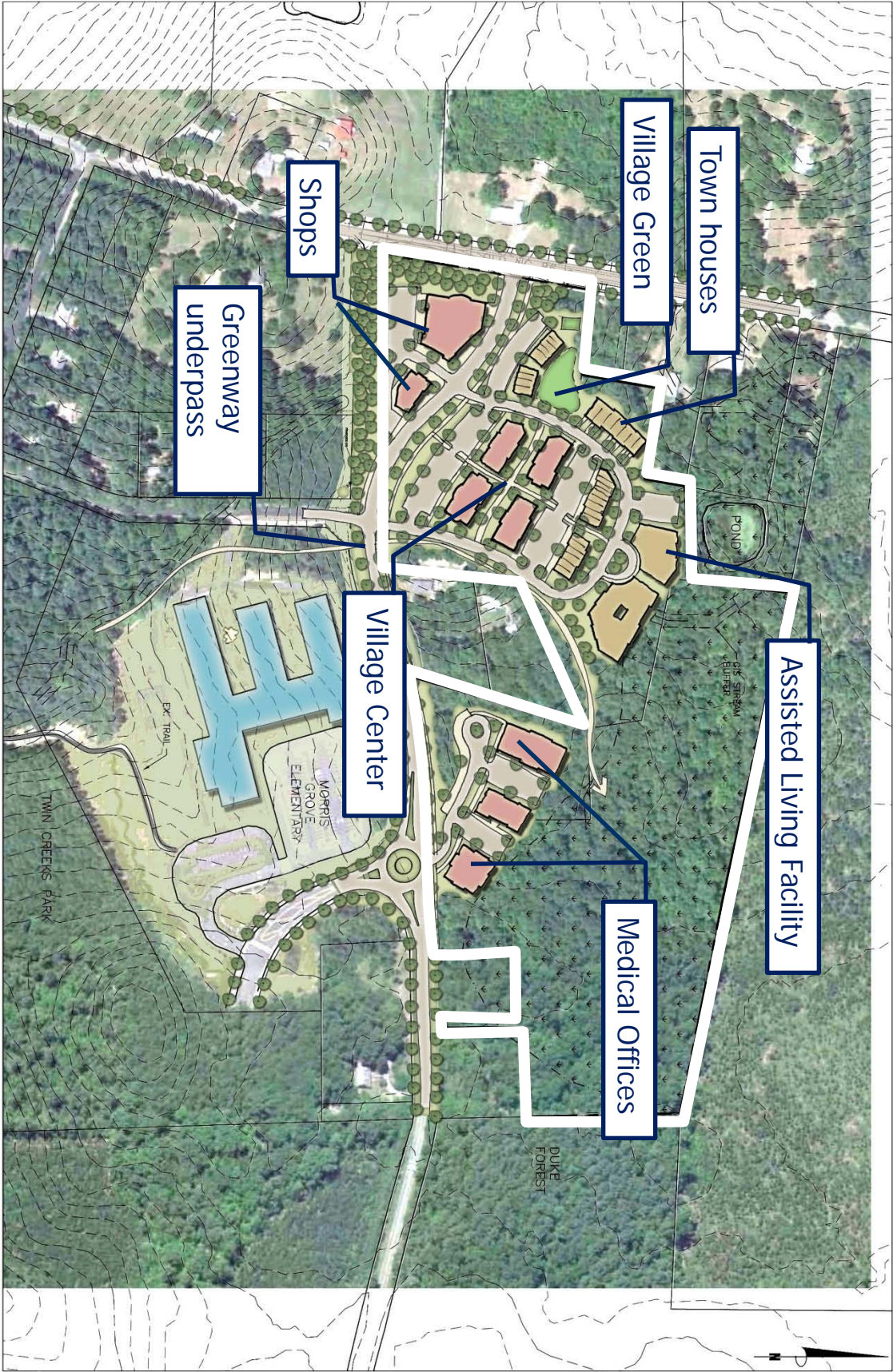
NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

Town of Carboro
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Team Five



NORTHERN STUDY AREA - EUBANKS ROAD & OLD NC 86

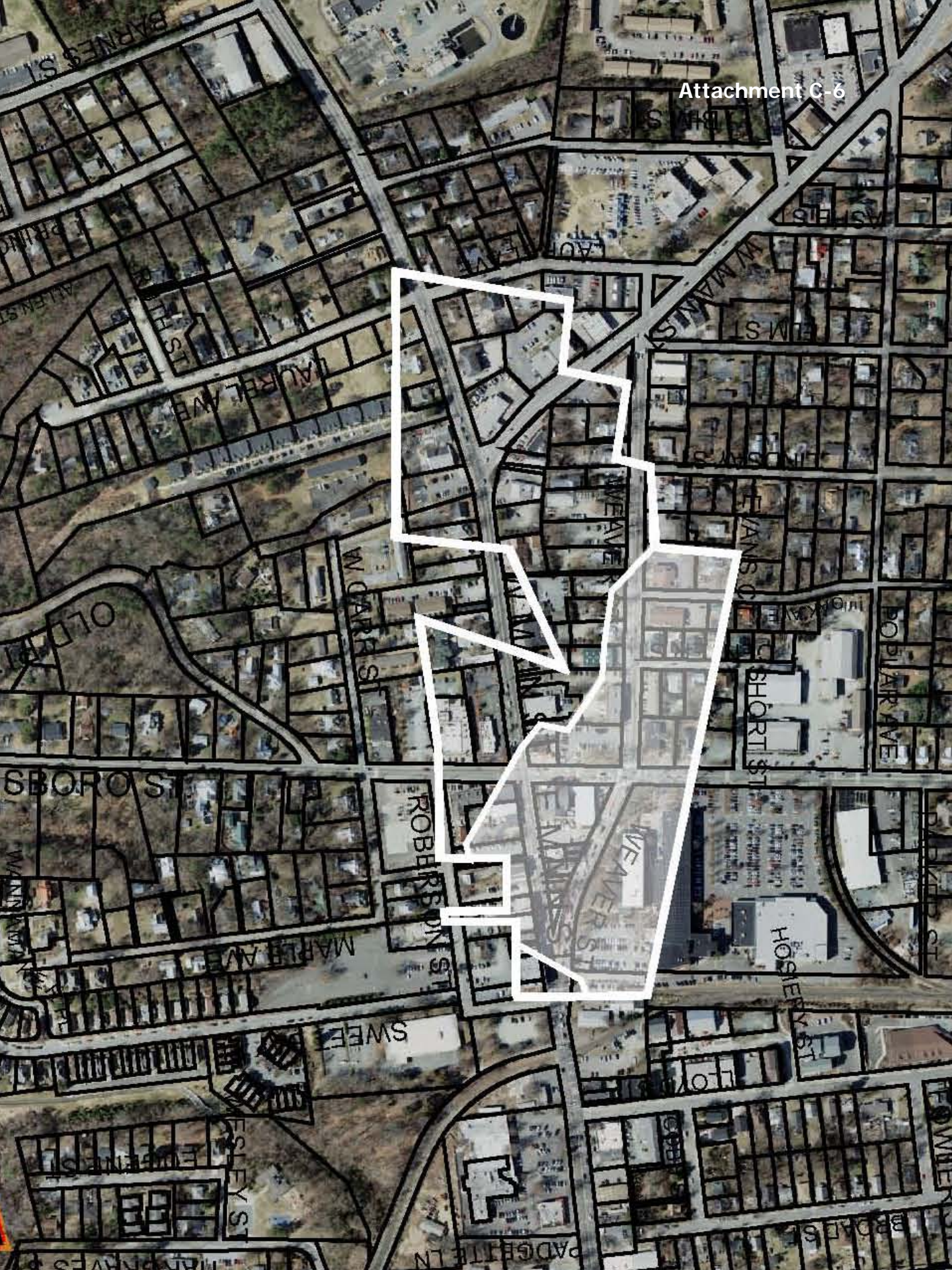
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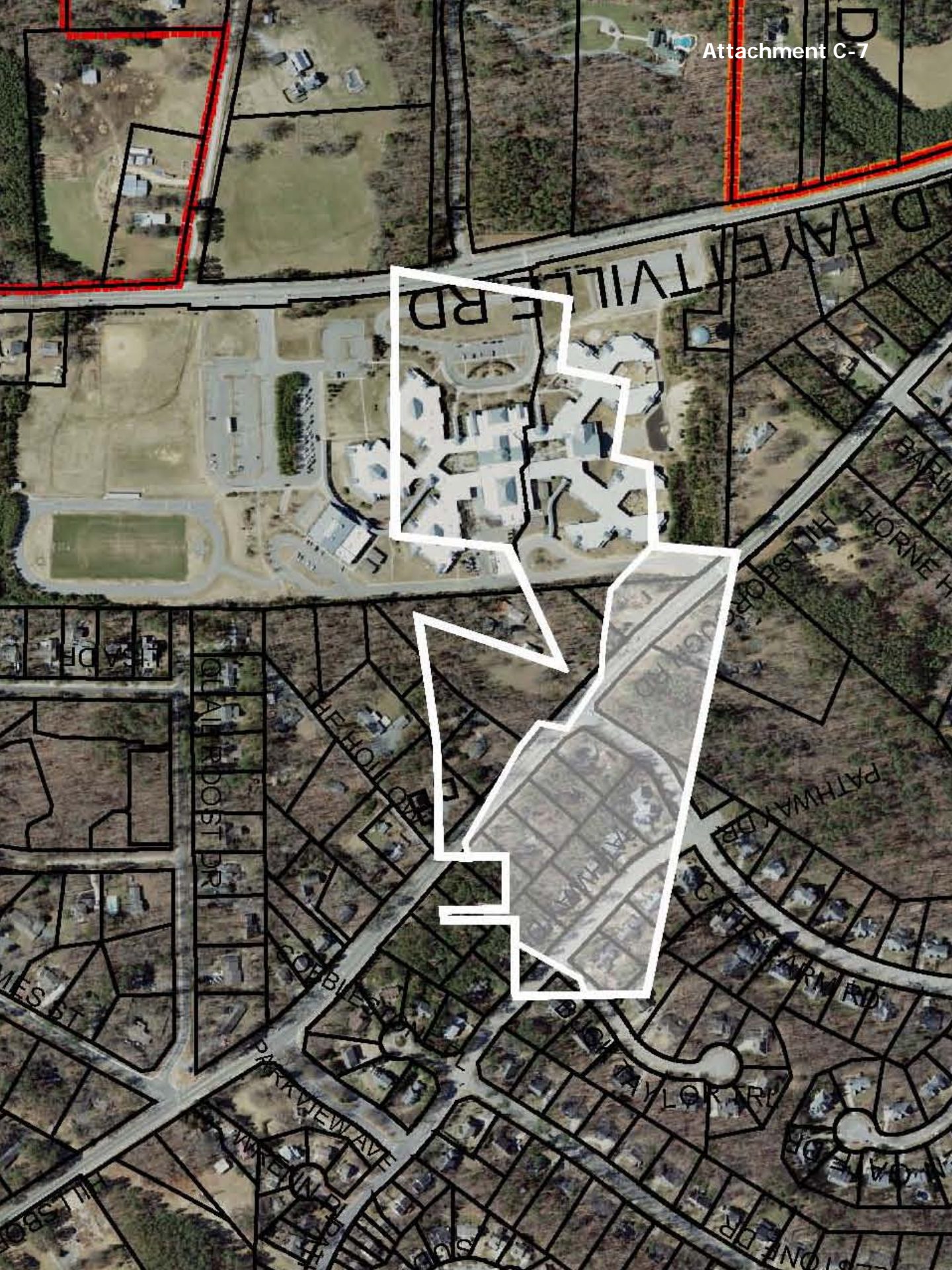


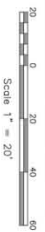
Wetlands (unbuildable)









SD-2.0

PTA Redevelopment Building Elevations

Attachment C-9



north elevation - jones ferry road - building b - retail/restaurant

scale: 3/32" = 1'-0"



west elevation - building b - restaurant/parking

scale: 3/32" = 1'-0"



east elevation - jones ferry road - building a - pta thrift shop / business

scale: 3/32" = 1'-0"



Image: USDA Farm Service Agency

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imagery Date: Jul 6, 2009

6827ft

© 2010 Europa Technologies
Image USA/Farm Service Agency


© 2010 Google

lat: 43.17471° lon: -72.607886° elev: 0 ft

© 2009

GOO

Eye alt: 237



The image shows a lively urban street scene. On the left, a multi-story brick building with a tower-like structure stands next to a sidewalk with trees and a bench. A group of people, including a man in a red shirt and a woman in a blue shirt, are walking. A white car is driving on the road. A person on a bicycle is also visible. In the center, a public transit bus is stopped at a crosswalk. A person on a bicycle is riding past the bus. On the right, a group of people, including a man in a green shirt and a woman in a red shirt, are walking. A white car is driving on the road. A person on a bicycle is also visible. The street is lined with trees and buildings, creating a sense of a vibrant, walkable community.

Pedestrians

Cars

People with
varying degrees
of mobility

Bikes

Public
transit

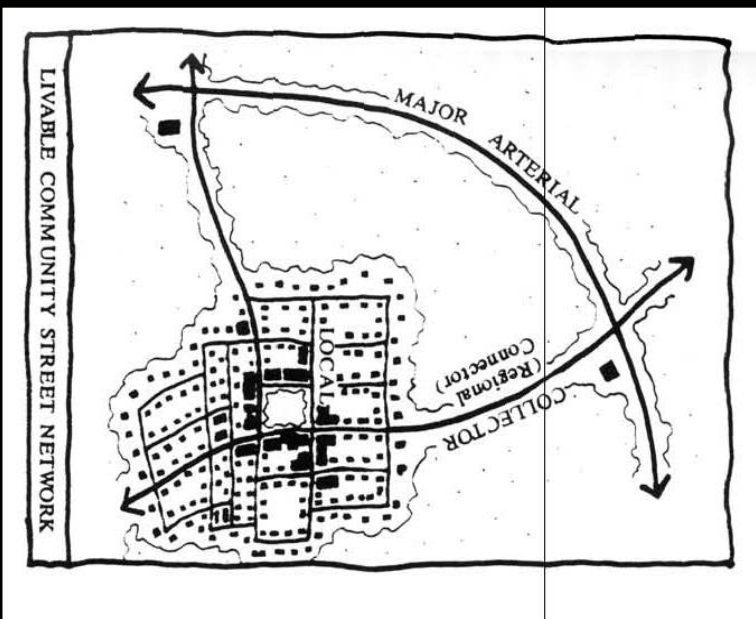
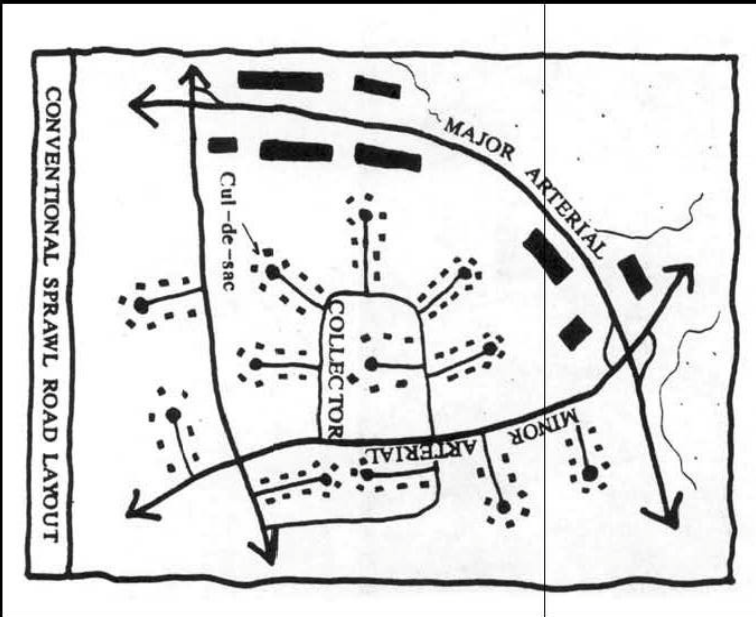
Multiple
activities

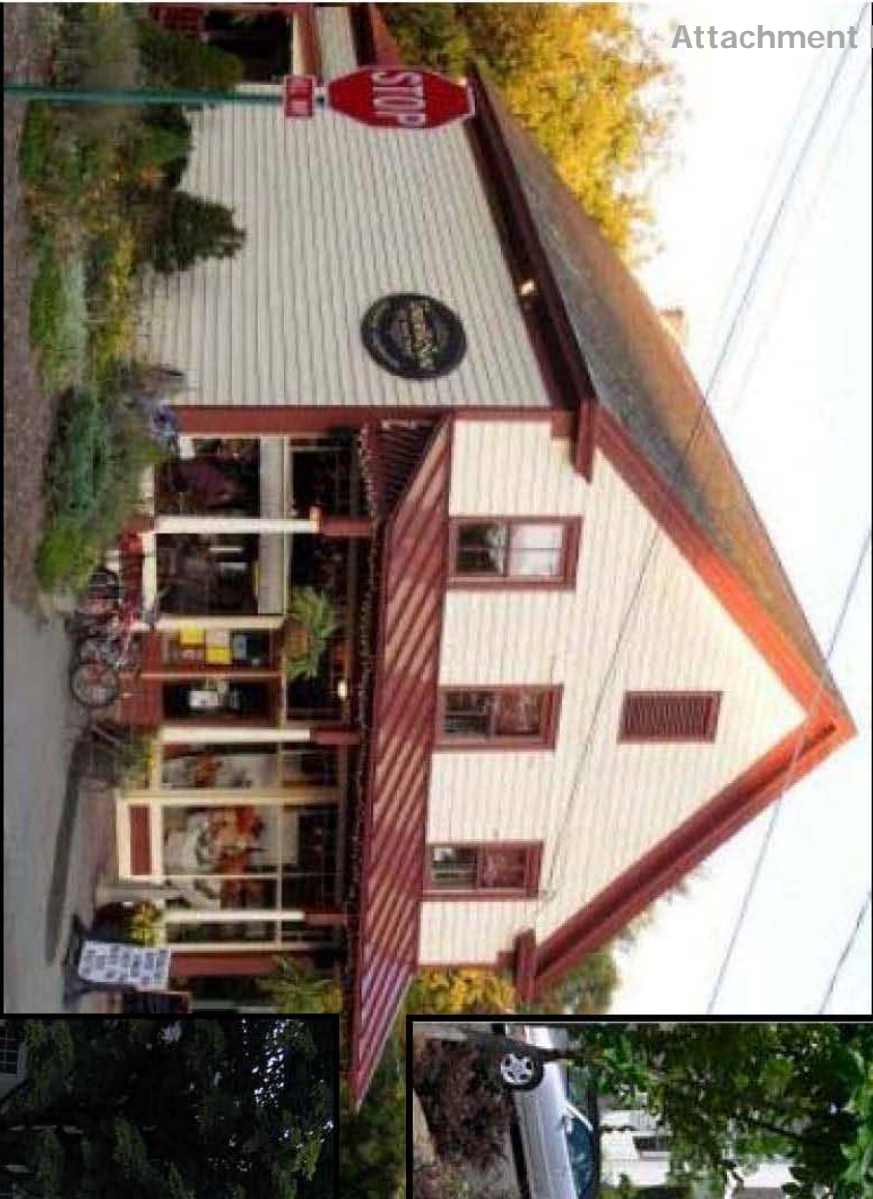
People of
all ages

And the street is a room with walls, a floor, and a ceiling.



Types of Street Networks

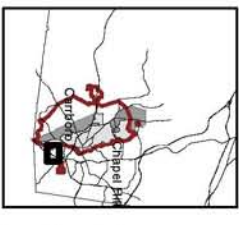
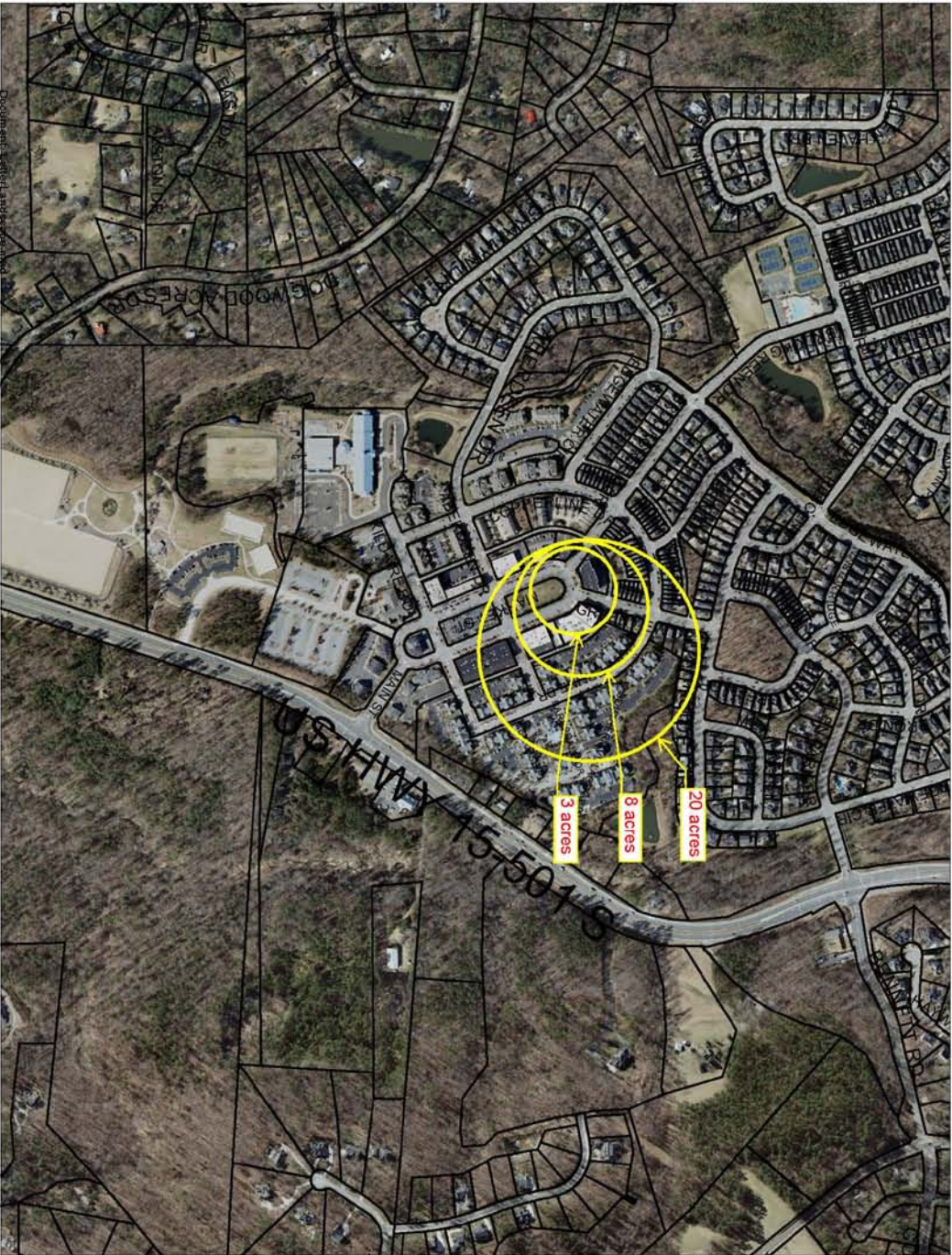










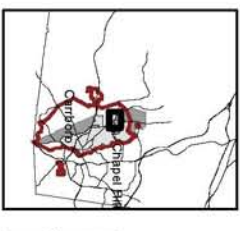
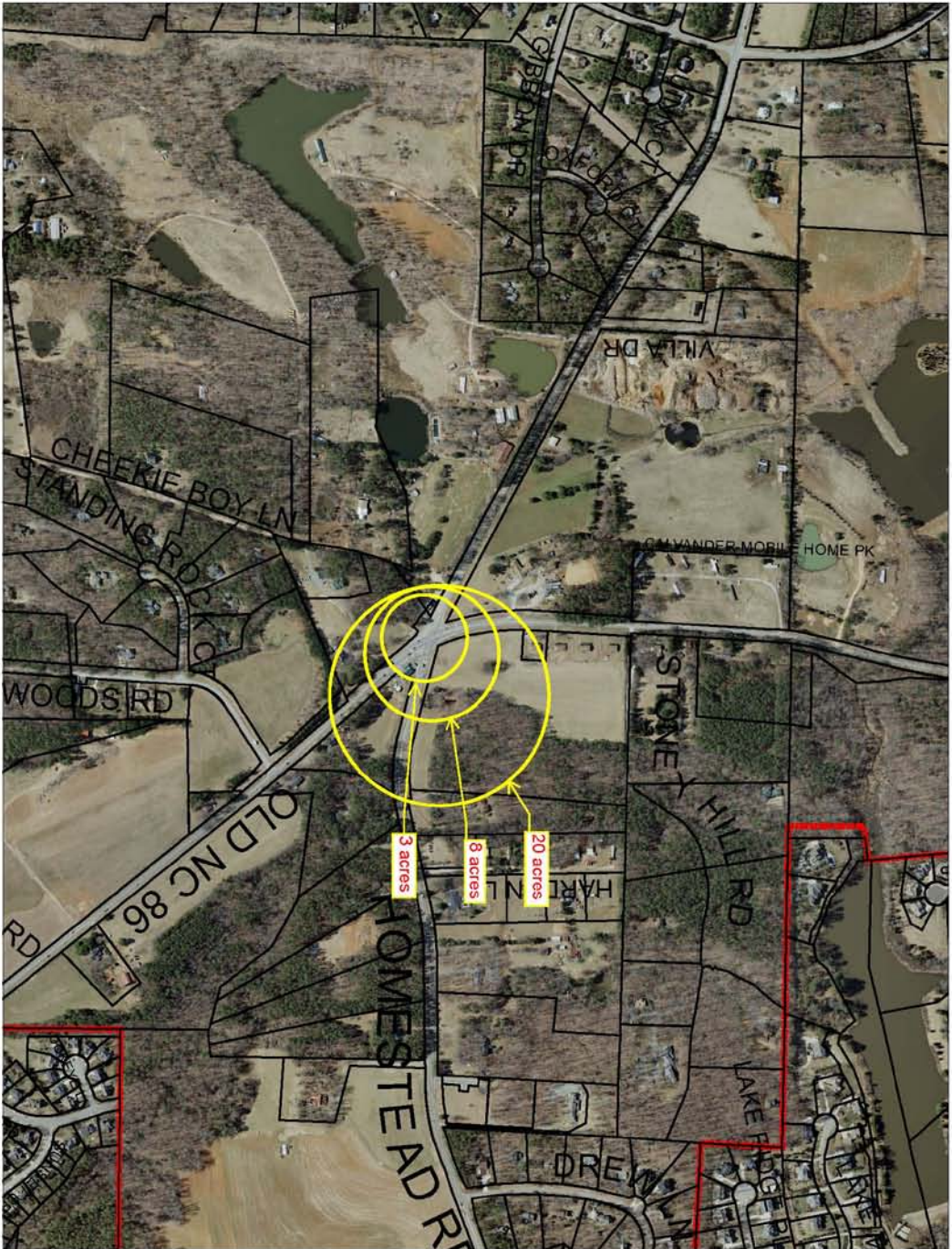


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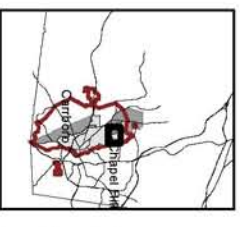
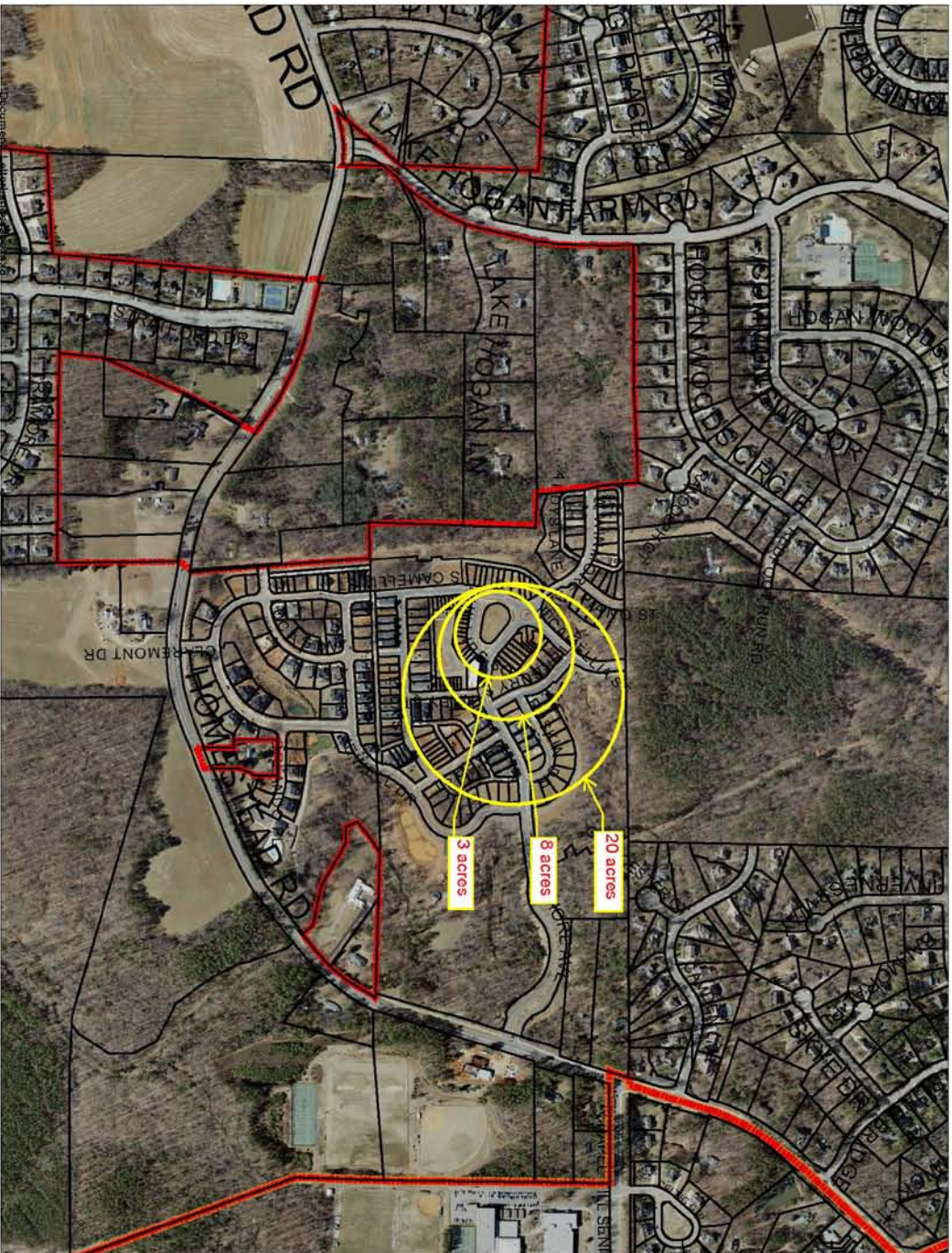
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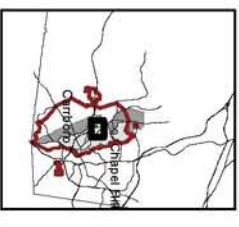


1,300

650

0

1,300 Feet



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