

DECISION ON SPECIAL USE PERMIT-A

400 North Greensboro Street Multifamily Residential Project, 400 North Greensboro Street

On June 17, 2025, the Town Council held a quasi-judicial hearing on the application of Jim Spencer Architects, PA for a Special Use Permit-A to allow for construction of a multifamily residential project, consisting of a three-story building approximately 11,000 square feet in size, along with associated infrastructure. The permit allows up to seven (7) multifamily residential dwelling units within the building (land use category 1.321). The property is located at 400 North Greensboro Street. Based on the evidence submitted at the hearing, the Council makes the following Findings of Fact, Conclusions, and Decision:

Findings of Fact

1. The property that is the subject of the application, located at 400 North Greensboro Street, PIN No. 9778-87-6328, is 0.37 acres in size and is zoned B-1(g) Conditional Zoning, B-1(g) CZ.
2. The surrounding land uses are: to the North, mixed-use; to the South, Parker Street right of way and commercial; to the West, North Greensboro Street right of way and single-family residential; and to the East, commercial.
3. The applicant proposes to build multi-family residential dwelling units (land use category 1.321), along with associated infrastructure on the property, which is a permitted use with a Special Use Permit-A in the B-1(g) conditional zoning district under use classifications listed in the Table of Permissible Uses.
4. According to the Staff Report, the Application is complete and the proposed uses satisfy all of the Land Use Ordinance requirements regarding traffic, parking, bike parking, tree protection, screening, shading of the parking lot, tree canopy, drainage and grading, and requirements pertaining to utilities and refuse collection, subject to the conditions noted below.
5. Mr. Richard C Kirkland, Jr. a N.C. Certified Appraiser, rendered the opinion that the proposed uses will have no negative impact on the nearby property values.

Conclusions

1. The Application is complete.
2. The Application complies with all applicable requirements for the Land Use Ordinance.
3. The proposed use will not materially endanger the public health or safety.
4. The proposed use will not substantially injure the value of adjoining or abutting property.
5. The proposed use will be in harmony with the area in which its is to be located.
6. The proposed use will be in general conformity with the Land Use Plan and Thoroughfare Plan.

Decision

Based on the foregoing findings of fact and conclusions, the Council grants the requested Special Use Permit-A to Jim Spencer Architects, PA, subject to the following statements and conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the required affordable housing payment (for two units) must be submitted to the town before any building permit is issued at the subject site. The amount to be paid will be in accordance with the amount identified in the town's fee schedule for an affordable housing payment-in-lieu at the time the payment is submitted.
4. That a detail drawing for brick-edged sidewalks common to downtown Carrboro be included in the construction plans, and be constructed for the sidewalks along both North Greensboro Street and Parker Street.

5. That Town Council finds that the tree canopy requirement is hereby reduced to 20% for the project, based on the information provided by the applicant in accordance with LUO Section 15-319.
6. That the applicant shall provide to the Zoning Division, prior to the approval of a building permit, or before the release of a bond if some features are not yet in place at the time of issuing the first building permit, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in PDF format and shall include a base map of the whole project and all separate plan sheets. As-built PDF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.
7. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Stormwater Utility staff for approval prior to construction plan approval.
8. That, prior to issuance of a CO, or the certification of a stormwater SCM, the applicant shall submit a performance security to be posted and held by the Town for a period of two years per the provisions of Section 15-263(i).
9. That the developer shall follow all established town procedures associated with the installation of SCMs within the development, including but not limited to filing Operation and Maintenance Agreements and submitting and receiving approval of as-built drawings for all SCMs, in accordance with established town procedures in place at the time. The developer must also make clear to both the town staff and the OA representatives in place at such time exactly when any related responsibilities have transitioned to the OA.
10. Fire flow calculations shall be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
11. That the applicant receive a CAPS certificate from the Chapel Hill-Carrboro City Schools district pursuant to Article IV, Part 4 of the Carrboro Land Use Ordinance prior to construction plan approval.
12. That, prior to issuance of a building permit, the Owner's declarations and covenants shall satisfy the applicable provisions of the Land Use Ordinance subject to review and approval of the Town Attorney.

Signed, this the ____ day of June 2025.

Barbara Foushee, Mayor, Town of Carrboro

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