

## APPENDIX A – 2

# PETITION FOR CHANGE OF ZONING FORM

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## PETITION FOR CHANGE OF ZONING



PETITIONER:

Tempo Investco, LLC (J. Allen Knight)

DATE:

April 12, 2022

**The Petitioner named above respectfully requests the Town Council of the Town of Carrboro to rezone the below-described property from B-3 to R-2-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.**

1. PETITIONER'S NAME J. Allen Knight/ Erik M. Lensch c/o Tempo Investco, LLC  
 ADDRESS: 8591 Pickards Meadow Road, Chapel Hill, NC 275216  
 TELEPHONE #:( 919) 524-2074
2. INTEREST IN PROPERTY(IES): Managing Partner, Tempo Investco, LLC (owner)
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS : 1307 West Main Street, Carrboro Pin # 9778 28 6664, lot directly north of Berkshire 54 Apartments, Northwest corner adjacent to West Main Street, 1 lot east of NC 54 Bypass West
4. DESCRIPTION OF INDIVIDUAL LOT SOUGHT TO BE REZONED:
  - a. OWNER: Tempo Investco, LLC (J. Allen Knight/Erik M. Lensch)  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: 1.16 ac PARCEL: Pin # 9778 28 6664  
 SUBDIVISION NAME: Berkshire Manor FRONTAGE: 324.63' DEPTH : ~ 123'  
 EXISTING STRUCTURES AND USES:  
Vacant lot, previously part of Berkshire Apartments Lot,  
Has existing loose fill redevelopment from another project  
on western end of lot
  - b. OWNER: n/a  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: \_\_\_\_\_ PARCEL: \_\_\_\_\_  
 SUBDIVISION NAME: \_\_\_\_\_ FRONTAGE: \_\_\_\_\_ DEPTH : \_\_\_\_\_

**CARRBORO DEVELOPMENT GUIDE  
APPENDIX A**

**EXISTING STRUCTURES AND USES:**


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c. OWNER:   n/a  

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

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

**EXISTING STRUCTURES AND USES:**


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d. OWNER:   n/a  

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

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

**EXISTING STRUCTURES AND USES:**


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

NAME	ADDRESS
see attached list and map	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES \_\_\_ NO X (unverified)  
IF "YES", WHEN? \_\_\_\_\_ We have not discovered another zoning change

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?

See attached # 7 narrative for these four findings

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CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

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

See attached # 7 narrative for these four findings

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

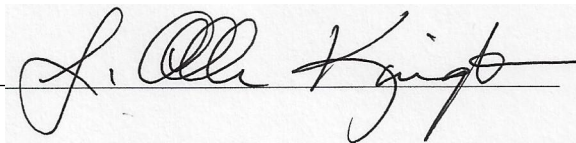
See attached # 7 narrative for these four findings

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

See attached # 7 narrative for these four findings

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 12th DAY OF April, 2022.

PETITIONER'S SIGNATURE: \_\_\_\_\_



### PLEASE NOTE:

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.





JIM SPENCER ARCHITECTS, PA  
109A Brewer Lane | PO Box 385  
Carrboro, NC 27510  
919.960.6680

April 11, 2022

**Petition for Change of Zoning  
Tempo – Multi-family building  
1307 West Main Street, Carrboro  
PIN # 9778 28 6664**

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?

Response:

*The new district would allow multi-family with higher density on the site. The Carrboro Connects (new comprehensive plan) document specifically describes the Town's need to develop and provide housing opportunities along existing transportation corridors. This site is such an opportunity.*

*This potential use relates well to the existing character of the area. This site is adjacent to a major intersection at the west entry to Carrboro. The character here is variety. There are multi-family residential buildings to the south, single family dwellings to the east and across Main Street to the north, a busy service station to the east, a post office to the northwest, and a major shopping center/strip center to the west across NC 54. Additionally, the character will be modified extensively by the new Lloyd Farm mixed-use development already approved by the Town. The development contains both grocery, other retail, and senior multi-story residential.*

*We feel the development would aid the character of the existing area by addressing several goals of the Carrboro Connects document. The new building would add density and diversity to the housing stock in Carrboro. It would preserve existing trees on site and treat and store stormwater on site. It would use far fewer natural resources per habitant than single family or lower density housing. The comprehensive plan states that Carrboro needs to accommodate up to 10,000-15,000 new citizens in the next 30 years. This site is an opportunity to help with that goal, without major infrastructure burden or destruction of existing buildings or natural features.*

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

Response:

*The property is particularly well suited for a dense multi-family development. The existing access points and utility infrastructure are in place. The relatively lower trip count for vehicles (in relation to the potential number of tenants) will balance the high trip counts and heavy retail uses nearby. The site has good access to alternate transportation means (bus, bike, pedestrian).*

*Carrboro Connects states in its Plan Goals section regarding Land Use that Carrboro should:*

*"Plan for the expansion of affordable housing availability through land use tools of planning, zoning and development review". Adding density and height to this site opportunity will aid this goal.*

*"Expand appropriate development opportunities that meet the goals of the comprehensive plan". This site will add much needed housing stock with little extra infrastructure required.*

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

Response:

*The rezoning may allow construction of a new owner-occupied residential building of approximately 40,000-50,000 square feet. The current vacant lot's value will increase dramatically with the newly built residential. Preliminary pricing places the constructed value of the building around \$10-13 million. Adding new construction residential will increase property values for both existing uses (residential and retail). It will also place these new town of Carrboro residents within walking distance (and bike and vehicular as well) of the many retail and office uses nearby, adding to the vitality and economic success of the area.*

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

Response:

*The rezoning will allow a much higher density of use and value than the existing B-3 zone. A low-density business use such as office, retail or lower density residential would create comparable or higher traffic and infrastructure needs, but without nearly the tax revenue and added economic benefits of new residents in the area. The real estate term "highest and best use" seems to apply here. When showing the concept plans for this development to the various Carrboro Boards (planning, economic sustainability, transportation, affordable housing, etc), we were encouraged to add density and height to the extent possible (by rezoning).*

The Town's new Carrboro Connects document stresses the need for all kinds of new housing in the near future, with special emphasis on affordable and "missing middle" housing. The rezoning of this lot would allow a higher density, which allows more affordable units and more units with less dependence on cars and energy use (efficiency through density).

### **Summary statement regarding consistency with Carrboro Connects:**

The current draft of Carrboro Connects – the Carrboro Comprehensive Plan, contains plan goals and outlines specific strategies for a variety of subjects to guide development.

Consistent themes in the area of development/redevelopment are: sustainability (both environmental and economic), density, inclusivity, resilience, and transportation connectivity and efficiency. This project would utilize a currently vacant site to aid Carrboro's inevitable growth in many of these ways. More density and less reliance on cars can both be addressed with this project. Sites which can be developed that are on existing transportation corridors lessen the need for new infrastructure and for users to rely on their own transportation. This new construction will be highly energy efficient and use progressive sustainability measures and stormwater control. The proposed plan maintains the maximum area of green space on the property and controls and treats storm water on the site for the first time.

These are specific plan goals from the Carrboro Connects documents which we feel are directly addressed by the project:

"Expand appropriate development opportunities that meet the goals of the comprehensive plan." Please see notes above – the plan adds needed housing, density along existing transit corridors, promotes alternate means or transit, promotes green building and environmental and energy efficiency.

"Plan for the expansion of affordable housing availability through land use tools or planning, zoning, and development review." Adding more dense residential developments like Tempo will also increase opportunities for affordable housing. Building more units on less land simply makes the economics of adding affordable units to the project work.

"Support development patterns that advance climate action goals and environmental protection." Development with more density and less need for new infrastructure advances these goals. The ability for people to walk/bike/bus to needed goods and services is key, along with new construction which is more efficient and environmentally responsible.

No single project can embody all of the goals of Carrboro's ambitious new comprehensive plan. Our project team feels that this is an opportunity to utilize this site with these goals in mind – to create a denser, more sustainable housing stock in Carrboro.



JIM SPENCER ARCHITECTS, PA  
109A Brewer Lane | PO Box 385  
Carrboro, NC 27510  
919.960.6680

**DRAFT**

April 11, 2022

**Petition for Change of Zoning  
Tempo – Multi-family building  
1307 West Main Street, Carrboro  
PIN # 9778 28 6664**

**Proposed List of Conditions – Petition for Change of Zoning:**

1. The Concept Plan labeled “\_\_\_\_\_,” dated \_\_\_\_\_ is approved and incorporated herein to indicate potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, storm-water management features, setbacks, preserved trees and other landscaped areas.
2. If the final landscaping and additional planting plan proposes alternate compliance with Town of Carrboro tree canopy requirement other than as is shown on the Concept Plan, the final planting plan shall be approved by the Town Council.
3. Height of the structure will be applied based on approval of a text amendment allow sufficient height for a five-story structure (proposed as 65' maximum height)
4. Maintenance of storm water facilities on the proposed site will be managed by the home owners' association under a plan approved by the Town of Carrboro staff.
5. Vehicular parking for the site and building is proposed at one parking space per dwelling unit. Alternate transportation amenities will be provided such as bike lockers and racks.



JIM SPENCER ARCHITECTS, PA  
109A Brewer Lane | PO Box 385  
Carrboro, NC 27510  
919.960.6680

October 24, 2022

Christina Moon, Planning Administrator  
Town of Carrboro  
301 West Main Street  
Carrboro, North Carolina 27510

Re: Resubmission of Tempo, 1307 West Main Street development narrative

Dear Tina and Planning staff:

We are supplementing our resubmission package for Tempo (multi-family development) at 1307 West Main Street with this narrative regarding modifications we have made to the application.

We developed our initial plans based on our own site and town observations and experience. We made some revisions to these plans based on our initial interactions and comments from the Town or Carrboro's boards and commissions. We want to point out that the various boards and commissions encouraged dense development on this site and incorporation of affordable housing and sustainable building methods. We were also encouraged to promote alternate means of transportation and access to the existing services and transit options nearby.

The original design attempted to balance the building's footprint and parking with our desire to save the existing oaks on the northwest corner of the site. Through the first round of review, it is clear to our team that the need to keep the building and parking out of the existing 100' stream buffer supersedes the preservation of all of these trees. We have therefore moved the building footprint and parking completely out of the buffer and redesigned the storm water treatment and storage.

Other modifications we have made include changes to the building shape and façade treatments. We have revised the building to have a more pronounced pedestrian and public entry along Main Street. We have also redesigned the westernmost end of the building to provide a more dynamic gateway into Carrboro from the NC 54W corridor.

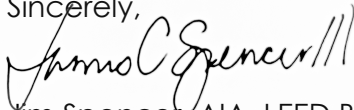
Another key consideration for the project is the affordable housing component. Our team is committing to including affordable units in the project. We will, at minimum, meet the 15% affordable unit threshold in the ordinance. We have potential plans which would increase the percentage of affordable units (and increase the overall number of affordable units). These may depend on the

density we can achieve on the site – which depends on the allowed height and footprint of the building.

Finally, we would like to discuss the scale and density of the proposed project. We believe that the scale (both height and floor area) of the building is appropriate in this area of Carrboro. The new comprehensive plan acknowledges that more density will be required to meet housing demand in Carrboro. The development existing near this major intersection now (both commercial and residential) includes very suburban models of car-based form-making. The multi-family apartments to the south contain moderate density two-story structures surrounded by parking and drives. The shopping mall across 54 west covers nearly its entire site with impervious paving and one-story buildings. The proposed (and approved) Lloyd Farm development contains many multi-story buildings and parking. As Will Rogers famously said about land, “they ain’t making any more of the stuff.” This project is responsible infill – working with the existing natural constraints but building density on a lot which has good infrastructure in place.

Please let us know if you have any additional questions or comments regarding the proposal. We look forward to discussing it with the Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Spencer", with a stylized flourish at the end.

Jim Spencer, AIA, LEED BD+C  
Jim Spencer Architects, PA



JIM SPENCER ARCHITECTS, PA  
109A Brewer Lane | PO Box 385  
Carrboro, NC 27510  
919.960.6680

March 8, 2022

**Conditional Rezoning Permit Application**  
**Tempo – 1307 West Main Street**  
**Carrboro, North Carolina 27510**  
**PIN # 9778 28 6664**

### **36. Sustainability Checklist for Commercial Development**

The partners/owners at 1307 West Main (Tempo) and Jim Spencer Architects, PA and our team are committed to sustainable development. We have listed here a summary of sustainable features of the project.

#### **Sustainable Site Characteristics**

##### **Site Selection**

The site is a redevelopment site in terms of having previously been graded and recombined from another development site. We will use great care in design of all site elements and storm water systems. The site has been chosen for excellent location and transportation flexibility for its users. It is an opportunity site for higher density housing in Carrboro that is already near denser housing and other retail uses.

##### **Development Density & Community Connectivity**

The site development provides density and community connectivity to goods and services.

##### **Public Transportation Access**

Site provides access to multiple bus lines as well as bicycle and pedestrian access.

##### **Alternative Transportation- Bikes and Low-Emission & Fuel-Efficient Vehicles**

Bike racks will be provided for both residents and visitors to the property, along with bike lockers for residents. We also plan to have the opportunity for EV charging on site.

**Storm water Design- Quantity Control**

Volume of stormwater will be controlled and treated for the first time on-site, and we will carefully design storm water systems for the site that will assist in not creating detrimental downstream effects from Tom's Creek.

**Heat Island Effect- Non-Roof and Roof**

Parking spaces are partially under cover, reducing heat island effect of large surface parking areas. We are minimizing impervious surface on the site by designing a more vertical structure with a slender profile. Roofs of structures will be designed to minimize heat gain for the site (white TPOs, etc).

**Light Pollution Reduction**

Site lighting will be designed to provide dark-sky compliant fixtures and meet town requirements minimizing light spill over at the lot lines.

**Water Efficiency****Water Efficient Landscaping**

We are investigating using captured rainwater to irrigate landscaping on the site- goal is to use no potable water for landscape watering.

**Energy and Atmosphere****Optimize Energy Performance**

The building will be designed to meet or exceed all energy performance standards required by the state energy codes. Higher density of the development will allow higher efficiency of systems.

**Materials and Resources****Construction Waste Management**

Specifications for the project will include directions for managing waste during construction, segregating recyclables and minimizing volume of disposal.

**Recycled Content**

The building will be designed to specify the maximum practical amount of material with recycled content.

**Regional Materials**

The building will specify many materials that originate from within 500 miles of project site.

**Rapidly Renewable Materials**

The building will be designed to specify the maximum practical amount of rapidly renewable construction materials.



## **Indoor Environmental Quality**

### **Outdoor Air Delivery Monitoring**

Monitoring of carbon dioxide concentrations for indoor spaces will ensure well ventilated and healthy spaces.

### **Increased Ventilation**

The building will have spaces designed to have natural ventilation or to surpass ASHRAE standards for mechanical ventilation.

### **Construction IAQ Management Plan-During Construction and Before Occupancy**

Contractors will control air quality and distribution systems before and after construction to ensure minimal dust, moisture and filtration issues.

### **Low-Emitting Materials- Adhesives, sealants, paints, coatings, and carpet, composite wood & Agrifiber**

The building design will specify the maximum practical number of products which reduce air contaminants.

### **Indoor Chemical & Pollutant Source Control**

The building will be designed to minimize exposure of building occupants to hazardous particulates and chemical pollutants.

### **Controllability of Systems- Lighting and Thermal Comfort**

The building is planned to have a high level of controllability by individual users to minimize wasted energy in occupied spaces.

### **Thermal Comfort- Design and Verification**

Consultants will design building HVAC systems that will meet or exceed ASHRAE standards for quality performance over time.

### **Daylighting & Views**

The building will be designed to provide daylighting and views to occupants, increasing quality of the user experience.

## **Innovation in Design**

### **Innovation in Design**

The building will be designed to stress communal spaces and interaction, while maintaining a slender profile on site. The building is meant to provide a striking gateway building into Carrboro's western entry.

### **LEED Accredited Professional**

Building design will be by LEED accredited professionals.