



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Meeting Agenda Board of Aldermen



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Tuesday, May 22, 2018

7:30 PM

Board Chambers - Room 110

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**A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND  
ACKNOWLEDGEMENTS**

1. [17-554](#) Proclamation: Gun Violence Awareness Day 2018
2. [17-551](#) Charges Issued to Recently Appointed Advisory Board Members

**B. ANNOUNCEMENT OF UPCOMING MEETINGS**

**C. CONSENT AGENDA**

1. [17-550](#) Approval of April 17, 2018 and April 24, 2018 Meeting Minutes
2. [17-533](#) Request-to-Set a Public Hearing on a Land Use Ordinance  
Amendment Relating to Reasonable Accommodations  
**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act.

**Attachments:** [Attachment A - Resolution](#)

[Attachment B - Reasonable Accommodations Ordinance by GNH  
4-2-2018](#)

3. [17-529](#) Human Services Funding for Fiscal Year 2018-19  
**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider human services funding allocation recommendations for FY 2018-19

**Attachments:** [Attachment A - A RESOLUTION ACCEPTING THE  
RECOMMENDATIONS FROM THE HUMAN SERVICES ADVISORY  
COMMISSION FOR FISCAL YEAR 2018](#)  
[Attachment B - TOC Human Services Advisory Board Recommendations](#)  
[Attachment C - Chapel Hill Human Service Advisory Board  
Recommendations 2018](#)  
[Attachment D - Orange County Manager Outside Agency  
Recommendations](#)

4. [17-541](#) Use of South Orange Fire District Fund Balance

**PURPOSE:** The purpose of this agenda item is to seek Board of Alderman approval for the Town Manager to request use of the South Orange Fire District Fund Balance to purchase a Command Staff Vehicle.

**Attachments:** [RESOLUTION TO REQUEST USE OF SOFD FUND BALANCE](#)

5. [17-546](#) Request-to-set Public Hearings on the Lloyd Farm Conditional Rezoning at 700 Old Fayetteville Road and associated LUO Text Amendments

**PURPOSE:** The Town has received a revised application to rezone property at NC Hwy 54 and 700 Old Fayetteville Road to B-4-conditional (B-4-CZ) for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building and duplexes. Applications for text amendments to the Land Use Ordinance, relating to the project have also been submitted; these include requests for three text amendments dating from the 2016 application and four new amendments. The Board of Aldermen must receive public input before reaching decisions on these requests. A hearing date of September 25, 2018, has been identified. Resolutions setting two public hearing are provided for the Board's use.

**Attachments:** [Attachment A-1 Resolution for Rezoning](#)  
[Attachment A-2 Resolution for LUO TXT Amend](#)  
[Attachment B-1 Petition for Change of Zoning & Q7 4-2018](#)  
[Attachment B-2 Request for Text Amend combined 5-2018](#)  
[Attachment C-1 Applicant Proposed Conditions 2018](#)  
[Attachment C-2 Draft Text Amendments 12-2016](#)  
[Attachment D Vicinity Map for Rezoning](#)  
[Attachment E Illustrative Master Plan](#)  
[Attachment F Plan Modifications 2016 to 2018](#)  
[Attachment G LUO Excerpts](#)

6. [17-544](#) Request to Authorize the Town Manager to Accept a Bicycle Planning Grant from the North Carolina Department of Transportation, and to Select and Award a Contract to a Transportation Planning Firm to Update the Town's Comprehensive Bicycle Transportation Plan.

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider authorizing the Town Manager to both accept the award of a 2018 Bicycle and Pedestrian Planning Grant from the North Carolina Department of Transportation and to select a planning firm and to award a contract with such a firm for planning services to update the Town's Comprehensive Bicycle Transportation Plan.

**Attachments:** [Attachment A - Grant Project Ordinance - Bike Planning Grant](#)  
[Att B - Resolution for Bike Plan Update](#)

**D. PUBLIC HEARING**

1. [17-543](#) Public Hearing on Town Manager's Recommended Budget for FY 2018-19

**PURPOSE:** To hold a public hearing on the Town Manager's Recommended Budget for the upcoming fiscal year as required by G. S. 159-12 (b).

2. [17-552](#) Public Hearing on a Request for Voluntary Annexation of Property Contiguous to the Town Limits

**PURPOSE:** The purpose of this item is for the Board of Aldermen to receive public comment on a request for voluntary annexation of two properties, 905 and 921 Homestead Road. An ordinance annexing these properties into the Town limits is provided for the Board's use.

**Attachments:** [Attachment A - Ordinance](#)  
[Attachment B - Petition for Annexation](#)

3. [17-545](#) Public Hearing for Conditional Rezoning at 905 & 921 Homestead Road

**PURPOSE:** The purpose of this item is for the Board to provide an opportunity for public comment on a request to rezone property at 905 and 921 Homestead Road to R-10-CZ.

**Attachments:** [Attachment A - New Consistency Resolution-Zinn](#)  
[Attachment B - Draft Zoning Map Amendment](#)  
[Attachment C - Vicinity Map](#)  
[Attachment D - Petition for Conditional Rezoning for 905 & 921 Homestead Rd 3-19-2018](#)  
[Attachment E - Rezoning Exhibit](#)  
[Attachment E-2 Proposed Site Plan Modification to Avoid Tree](#)  
[Attachment F - 905&921 Homestead Neighborhood mtg](#)  
[Attachment G - Staff Report with LUO Excerpts](#)  
[Attachment H - Certification Packet](#)  
[Attachment I - Advisory Boards Combined](#)

**E. OTHER MATTERS**

1. [17-549](#) Update on 203 S. Greensboro Project - Design Contract and Public Process

**PURPOSE:** The purpose of this item is to provide the Board with an update on the status of the design contract and the proposed public process for the project.

2. [17-548](#) Discussion of Future Considerations for the Greene Tract

**PURPOSE:** The purpose of this agenda item is to support a Board discussion of the Greene Tract and possible reconfiguration of the Headwaters Preserve in follow-up to the January 30th Assembly of Governments meeting.

**Attachments:** [Attachment A - Greene Tract Materials, 1-30-18](#)

3. [17-218](#) Exploration of Affordable Housing on Town-Owned Land

**PURPOSE:** The purpose of this item is for the Board to receive an update on work staff and the Affordable Housing Task Force conducted on the exploration of possible affordable housing development strategies on town-owned land.

**Attachments:** [Attachment A - Evaluation of Use - Crest St](#)  
[Attachment B - Evaluation of Use - Hill St](#)  
[Attachment C - Evaluation of Use - Pathway](#)  
[Attachment D - Criteria for Identifying Potential Sites](#)  
[Attachment E - Affordable Housing Authority](#)



**F. MATTERS BY BOARD MEMBERS**

**G. MATTERS BY TOWN MANAGER**

**H. MATTERS BY TOWN ATTORNEY**

**I. MATTERS BY TOWN CLERK**





# Town of Carrboro

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## Agenda Item Abstract

**File Number:**17-554

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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Proclamation: Gun Violence Awareness Day 2018





# Town of Carrboro

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## Agenda Item Abstract

**File Number:**17-551

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### Charges Issued to Recently Appointed Advisory Board Members

The following charge will be issued:

- 1) Kelli Crispin - Arts Committee
- 2) Kerri Petrin - Planning Board





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## Agenda Item Abstract

**File Number:**17-550

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**Agenda Date:** 5/22/2018

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**Version:** 1

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Approval of April 17, 2018 and April 24, 2018 Meeting Minutes







# Town of Carrboro

Town Hall  
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## Agenda Item Abstract

**File Number:**17-533

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Request-to-Set a Public Hearing on a Land Use Ordinance Amendment Relating to Reasonable Accommodations

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider setting a public hearing on text amendments to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Patricia McGuire - 919-918-7327; Christina Moon - 919-918-7325; Bob Hornik - 919-929-3905

**INFORMATION:** The change to the definition of family has brought attention to a need for the Town to establish provisions for reasonable accommodations per the Americans with Disabilities Act. A draft ordinance has been prepared.

The Board of Aldermen must receive public comment before adopting amendments to the Land Use Ordinance. Orange County and Planning Board review are also needed.

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution, setting a public hearing for June 26, 2018 and referring the proposed amendment to Orange County and the Planning Board.

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE  
CARRBORO LAND USE ORDINANCE PROVISIONS WITH RESPECT TO  
REASONABLE ACCOMMODATIONS

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on June 26, 2018, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance with Respect to Reasonable Accommodations.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following Town of Carrboro advisory boards and commissions.

☐

Appearance Commission

☐

Recreation and Parks Commission

☐

Transportation Advisory Board

☐

Northern Transition Area Advisory  
Committee

☐

Environmental Advisory Board

☐

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☐

Economic Sustainability Commission

☐

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This is the 22nd day of May in the year 2018.

**AN ORDINANCE TO AMEND THE TOWN OF CARRBORO'S  
LAND USE ORDINANCE TO PROVIDE FOR REASONABLE ACCOMMODATIONS**

\*\*DRAFT 4-2-2018\*\*

BE IT ORDAINED BY THE CARRBORO BOARD OF ALDERMEN THE FOLLOWING:

Section 1. Article V of the Carrboro Land Use Ordinance is amended to establish the following new "Section 15-97 Reasonable Accommodations":

Section 15-97. Reasonable Accommodations

(a) The Board of Aldermen is authorized to grant reasonable accommodations under the Federal Fair Housing Act and Americans with Disabilities Act under the circumstances set forth in this section.

(b) An application for a reasonable accommodation may be filed only by the owner of the land affected by the reasonable accommodation; an agent, lessee, or contract purchaser specifically authorized by the owner to file such application; or any unit of government that is not the owner of the lot but proposes to acquire the lot by purchase, gift or condemnation.

(c) An application for a reasonable accommodation shall be filed with the Administrator and contain: (1) the applicant's contact information (name, mailing address, telephone number, fax number, and email address); (2) the contact information for the owner(s) of the property (if different from the applicant); (3) the address of the property at which the reasonable accommodation is requested; (4) a description of the reasonable accommodation requested; (5) a statement explaining how and why the request meets the standards for a reasonable accommodation (see subsection (f) below); and (6) the notarized signature of the applicant and property owner(s) (if different from the applicant). No filing fee shall be required for the application.

(d) The Board shall hold a quasi-judicial hearing on the proposed reasonable accommodation and shall decide the request upon a majority vote of the members.

(e) The quasi-judicial hearing shall be noticed in accordance with Section 15-102(1) and conducted in accordance with Sections 15-103 through 15-106 to the extent not inconsistent with this Section.

(f) The Board shall grant a reasonable accommodation to any provision of the Land Use Ordinance if the Board finds by the greater weight of the evidence that the proposed reasonable accommodation is both reasonable and necessary, in accordance with the following:

(1) “Reasonable”

An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes and effects of existing zoning regulations, and if it will not impose significant financial and administrative burdens upon the Town and/or constitute a substantial or fundamental alteration of the Town’s Land Use Ordinance provisions; and

(2) “Necessary”

An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the affects of the particular disability or handicap, and would afford handicapped or disabled persons equal opportunity to enjoy and use housing in residential districts in the Town.

(g) After the Board approves a reasonable accommodation, the applicant shall follow all applicable Land Use Ordinance procedures for the approval of any permits, certificates, or other approvals required in order to proceed with development or use of the property. All orders, decisions, determinations, and interpretations made by administrative officers under those procedures shall be consistent with the reasonable accommodation granted by the Board.

Section 2. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 3. This ordinance is effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

Ayes: \_\_\_\_

Noes: \_\_\_\_

Absent: \_\_\_\_



# Town of Carrboro

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## Agenda Item Abstract

**File Number:**17-529

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Human Services Funding for Fiscal Year 2018-19

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider human services funding allocation recommendations for FY 2018-19

**DEPARTMENT:** Economic and Community Development

**CONTACT INFORMATION:** Annette D. Lafferty, AICP (919) 918-7319

[alafferty@townofcarrboro.org](mailto:alafferty@townofcarrboro.org)

**INFORMATION:** The Town Manager's recommended budget includes an allocation of \$300,000 to be distributed to local nonprofit agencies providing services to the citizens of Carrboro. Over a period of several months, the applications for funding were reviewed by the Human Services Advisory Commission (HSAC). There were a total of 56 applications received, and requests for funding exceeded \$538,467. The Human Services Advisory Commission is recommending \$300,000.00 in funding.

Chapel Hill's Human Services Advisory Board's funding recommendations can be found in Attachment C and the Orange County Manager's funding recommendations can be found in Attachment D.

**FISCAL & STAFF IMPACT:** The fiscal impact is \$300,000.00 which is included in the proposed FY 2018-19 Budget.

**RECOMMENDATION:** Staff recommends the Board consider approving the funding recommendations by approving the resolution in Attachment A.

A RESOLUTION ACCEPTING THE RECOMMENDATIONS FROM THE HUMAN SERVICES  
ADVISORY COMMISSION FOR FISCAL YEAR 2018-19 HUMAN SERVICES FUNDING

MAY 22, 2018

WHEREAS, the Town of Carrboro established a policy to support human services agencies that provide invaluable services to the citizens of Carrboro; and

WHEREAS, there were fifty-six (56) agencies applying for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has met with all the applicants that applied for funding in the 2018-19 funding cycle; and

WHEREAS, the total amount of the funding request for 2018-19 was \$538,467 and the Human Services Advisory Board is recommending \$300,000 in funding.

NOW THEREFORE BE IT RESOLVED, the Carrboro Board of Aldermen approve the recommendations of the Human Services Advisory Board subject to the Board's approval of the FY 2018-19 Budget for \$300,000 in Human Services Funding.

## 2018-19 Human Services Recommendations for Funding

## Attachment B

<u>Agency</u>	<u>Category</u>	<u>Received 2017-18</u>	<u>Requested 2018</u>	<u>Recommendations</u>
A Helping Hand	Seniors-Health/Nutrition/Disabled	\$ 5,000	\$ 6,000	\$ 5,000
Art Therapy Institute	Mental Health Children, Adolescents	\$ 5,000	\$ 10,000	\$ 6,000
Behavioral Insights		\$ 7,000		
Big Brothers Big Sisters of the Triangle, Inc.	Youth - Mentoring	\$ 4,000	\$ 5,000	\$ 4,000
Boomerang Youth, Inc.	Youth-Mentoring, Conflict Resolution	\$ 3,500	\$ 5,000	\$ 3,500
Boys and Girls Club of Eastern Piedmont	Youth-Mentoring-Education	\$ 3,500	\$ 15,000	\$ 4,000
Bridge II Sports	Youth /Adults with Disabilities	\$ 2,000	\$ 10,000	\$ 2,000
Chapel Hill - Carrboro Meals on Wheels	Senior - Health-Disabled-Nutrition-In Home Meals	\$ 14,000	\$ 18,000	\$ 15,000
Chapel Hill Training & Outreach-Kidscope	Youth-Early Childhood Mental Health	\$ 2,000	\$ 3,000	\$ 2,500
Charles House Assoc.	Senior -Disabled- Day Care	\$ 1,500	\$ 4,000	\$ 1,500
CH-Carrboro Public School Foundation	Youth-Mentoring, Leadership Training	\$ 2,715	\$ 3,500	\$ 2,800
Child Care Services Assoc.	Youth-Education	\$ 6,500	\$ 7,500	\$ 6,500
Club Nova Community Inc.	Health - Nutrition-Safety Net for Vulnerable/Disadvantaged	\$ 19,000	\$ 20,000	\$ 20,000
Community Empowerment Fund	Homelessness-employment-personal savings	\$ 3,000	\$ 3,000	\$ 3,000
Compass Center	Education-Civic Engagement-Safety Net for Vulnerable/Disadvantaged	\$ 9,000	\$ 12,207	\$ 10,000
Diaper Bank of NC	Children-Diaper Distribution	\$ -	\$ 5,000	\$ 1,000
Dispute Settlement Center of Orange County	Youth - Mentoring - Conflict Resolution	\$ 10,000	\$ 14,000	\$ 8,000
Duke Hospice	Senior-Disabled- Hospice/Bereavement Services	\$ 3,800	\$ 3,900	\$ 3,800
El Centro Hispano	Education-Safety Net for Vulnerable/Disadvantaged OC Residents	\$ 18,000	\$ 20,000	\$ 19,000
El Futuro, Inc	Safety Net for Vulnerable/Disadvantaged OC Residents	\$ 8,000	\$ 9,500	\$ 8,500
EmPOWERment Inc.	Housing - Rental - Low Income	\$ 14,000	\$ 20,000	\$ 16,000
Exchange Club Center for the Prevention of Child Abuse	Parent Aid Services	\$ 2,000	\$ 2,700	\$ 2,000
Farmer Foodshare	Nutrition-Children, Families	\$ 4,000	\$ 5,000	\$ 2,000
FPGB Elementary School PTA		\$ 2,000		
Freedom House Recovery Center	Health -Nutrition -Safety Net for Disabled/Disadvantaged	\$ 15,000	\$ 16,000	\$ 15,000
Friends of the Robert and Pearl Seymour Center, Inc	Senior -Disabled- Activity Center	\$ 1,000	\$ 6,350	\$ 1,000
Habitat for Humanity of Orange County	Housing - Rental - Low Income	\$ -	\$ 5,000	\$ 2,500
Human Rights Center of Chapel Hill & Carrboro	Children-Teacher Salaries/Tutoring/Housing Rights	\$ 6,000	\$ 9,000	\$ 6,000
IFC for Social Service	Health, Food, Nutrition-Safety Net for Vulnerable/Disadvantaged	\$ 11,950	\$ 15,000	\$ 12,000
IFC for Social Service(Food for the Summer)	Youth Program-Weekday Lunches	\$ 1,500	\$ 1,500	\$ 1,500
IFC Food Fiest Building Project	Health, Food, Nutrition-Safety Net for Vulnerable/Disadvantaged	\$ -	\$ 50,000	\$ -
Josh's Hope Foundation, Inc.	Mental Health Children, Adolescents	\$ -	\$ 7,600	\$ 1,000
Kidzu Children's Museum	Youth-Arts	\$ 1,000	\$ 1,980	\$ 1,000
Ligo Dojo of Budo Karate	Youth - Delinquency	\$ 2,000	\$ 4,000	\$ 1,500
Marion Cheek Jackson Ctr for Saving/Making HX	Youth-Low Income/Communication Education	\$ 4,000	\$ 12,000	\$ 7,000
OE Enterprise, INC	Senior-Youth-Disabled	\$ 4,000	\$ 4,000	\$ 4,000
Orange County Dept on Aging(Senior Lunch Program)	Health-Nutrition-Disabled	\$ 5,000	\$ 5,000	\$ 5,000
Orange County Dept on Aging(Volunteer Connect 55+)	Senior Program/Resources	\$ 1,450	\$ 1,450	\$ 1,450
Orange County Disability Awareness Council	Education-Senior-Disabled	\$ 7,000	\$ 30,000	\$ 5,000
Orange County Living Wage	Living Wage	\$ -	\$ 6,000	\$ 500
Orange Co Literacy Council	Education-Safety Net for Vulnerable/Disadvantaged	\$ 5,000	\$ 6,000	\$ 5,000
Orange Co Partnership for Young Children	Education-Health-Nutrition-Youth	\$ 6,000	\$ 7,000	\$ 6,000

2017-18 Human Services Recommendations for Funding

Orange Co Rape Crisis Center	Education-Human Services	\$ 15,000	\$ 19,000	\$ 17,000
Our Wild Neighbors, Inc.	Wildlife Rehabilitation	\$ -	\$ 3,600	\$ -
Pathways to Change	Batterer Intervention and Anger Management	\$ 7,000	\$ 6,000	\$ 2,000
Piedmont Health Services	Health - Nutrition-Safety Net for Vulnerable/Disadvantaged	\$ 5,000	\$ 15,000	\$ 9,000
Planned Parenthood South Atlantic	Education-Health-Nutrition	\$ 1,000	\$ 1,000	\$ 1,000
PORCH, Inc.	Nutrition-Children, Families	\$ 5,000	\$ 5,900	\$ 5,000
RENA-Rogers Eubanks Neighborhood Assoc.	Education-Health-Nutrition--Youth	\$ 15,000	\$ 45,000	\$ 10,000
SKJAJA	Youth-After School-Summer Camp	\$ 1,500	\$ 2,280	\$ 1,500
TABLE	To fund the weekend meal backpack program	\$ 9,000	\$ 15,000	\$ 9,950
Tides Center (Youth Forward)	Youth	\$ -	\$ 5,000	\$ -
The ARC of the Triangle	Senior-Disabled Safety Net for Vulnerable/Disadvantaged	\$ 6,000	\$ 7,500	\$ 6,000
Town of Chapel Hill Dept of Housing & Community	Low to moderate youth-summer employment program	\$ 10,000	\$ 10,000	\$ 10,000
Triangle BikeWorks	2017 Summer tour cycling sections of Trail of Tears-Youth	\$ 3,000	\$ 7,500	\$ 3,000
Volunteers for Youth, Inc.	Youth - Mentor	\$ 3,000	\$ 4,000	\$ 3,000
WCOM-LP Radio(Public Gallery of Carrboro)	Radio programming, training of radio host, new equipment	\$ 1,000	\$ 1,500	\$ 1,000
<b>TOTALS</b>		<b>\$ 300,165</b>	<b>\$ 538,467</b>	<b>\$ 300,000</b>



**CHAPEL HILL HUMAN SERVICES FUNDING RECOMMENDATION FY18-19**

Agency	Category	Requested 2018-2019	Allocation 2018-2019
A Helping Hand	Health & Nutrition, Transportation Elderly	\$ 6,000	\$ 4,000
Pathway to Change	Education, Youth Adult, Elderly, Disabled	\$ 9,000	\$ 3,300
Big Brothers Big Sisters of the Triangle, Inc.	Education, Menotring, Youth	\$ 10,000	\$ 4,000
Boys & Girls Club of Eastern Piedmont	Education, Health and Nutrition, After School, Youth	\$ 10,000	\$ 2,000
Boomerang	Education, After School Youth	\$ 12,000	\$ 7,000
Bridge II Sports	Education, Menotring, Sports and Activities, After School Activities	\$ 20,000	\$ 8,000
Refugee Community Partnership	Education, Health and Nutrition, Job Training, Youth Adult, Elderly	\$ 8,200	\$ 4,000
Chapel Hill - Carrboro Meals on Wheels	Health and Nutrition Adult, Elderly & Disabled	\$ 23,000	\$ 17,500
Chapel Hill Carrboro Public School Foundation		\$ 9,500	\$ 7,000
Chapel Hill Training & Outreach-Kidscope	Youth-Early Childhood Mental Health	\$ 6,000	\$ 5,000
Charles House Assoc.	Educaton, Preschool Activities Youth	\$ 10,000	\$ 6,500
Child Care Services Assoc.	Education, Employment and Training Support	\$ 12,500	\$ 12,500
Club Nova Community Inc.	Education, Health and Nutrition, Menotring, Job Training, Housing	\$ 20,000	\$ 19,500
Compass Center	Education, Transportation, Safety new for the vulnerable	\$ 41,377	\$ 30,000
Diaper Bank of North Carolina		\$ 5,000	\$ 2,500
Dispute Settlement Center of Orange County	Education, After-School Activities, Mentoring, Mediation, Youth, Adult	\$ 18,000	\$ 14,000
Duke HomeCare and Hospice	Education, Job Training, Menotring, Counseling, Youth Adults & Elderly	\$ 3,200	\$ 3,000
El Centro Hispano	Health and Nutrition, Job Training, Community Education & Outreach	\$ 30,000	\$ 25,000
El Futuro, Inc	Health and Nutrition, Youth, Adults, Elderly, Disabled	\$ 12,000	\$ 11,500
Executive Service Corp.		\$ 6,000	\$ 2,000
Farmer Foodshare	Health and Nutrition, Youth Adults, Elderly, Disabled & Public Housing Res.	\$ -	
FPGB-Elementary School-PTA		\$ -	
Freedom House Recovery Center	Health -Nutrition, Education, Sports and Activities, Mentoring, Transport.	\$ 25,000	\$ 22,350
Friends of the Robert and Pearl Seymour Center, Inc	Health and Nutrition, Elderely	\$ 8,350	\$ 2,000
Habitat for Humanity of Orange County		\$ 10,000	\$ 3,000
IFC for Social Service	Health and Nutrition, Mentoring Housing, Youth, Adult Elderly, Disabled	\$ 35,000	\$ 29,000
IFC for Social Service - Food for the Summer		\$ 1,500	\$ 1,500
IFC Capital Campaign		\$ 300,000	\$ -
Josh's Hope Foundation, Inc.		\$ 7,600	\$ -
Kidzu Children's Museum		\$ 14,015	\$ 5,000
Ligo Dojo of Budo Karate	Sports & Arts Activities, After-School Activities, Youth	\$ 4,000	\$ -
OE Enterprise, INC	Senior-Youth-Disabled	\$ 10,000	\$ 10,000
Orange Co Dept of Aging Senior Lunch Program	Health-Nutrition Elderly	\$ 15,000	\$ 6,500
Orange Co Disability Awareness Council	Education, Job Training, After-School, Transportation, Technology Train.	\$ -	
Orange Co Literacy Council	Education Adult	\$ 18,400	\$ 15,000
Orange County Living Wage		\$ 9,000	\$ 2,000
Orange Co Partnership for Young Children	Education, Health-Nutrition-, Job Training, Leadership & Conflict Training	\$ 7,000	\$ 5,000
Orange Co Rape Crisis Center	Education-Human Services Youth, Adults, Elderly, Disabled, Public Hous.	\$ 37,000	\$ 27,000
Orange County Food Council		\$ -	
Orange County Volunteer Connect 55+	Education, Health and Nutrition, Sports & Activities, Mentoring, Tax Prep.	\$ 12,300	\$ 12,300
Our Wild Neighbors		\$ 11,400	\$ -
Piedmont Health Services	Health - Nutrition-Safety Net for Vulnerable/Disadvantaged	\$ 15,000	\$ 6,160
Planned Parenthood South Atlantic	Education-Health-Nutrition	\$ 2,500	\$ 2,500
PORCH	Health and Nutrition Youth & Adult	\$ 10,960	\$ 10,000
RENA-Rogers Eubanks Neighborhood Assoc.	Education, Health-Nutrition-, After-School, Sports & Activities, Youth, Adult	\$ 12,332	\$ 8,000
Refugee Support Center		\$ 6,000	\$ 2,000
Senior Care of Orange County, Inc.	Health & Nutrition, Adult Day Care/Health Programs Adults, Elderly, Dis.	\$ -	
SKAJA		\$ 3,420	\$ 2,000
St. Joseph Church Heavenly Groceries		\$ -	
TABLE	Health and Nutrition	\$ 15,000	\$ 5,000
The ARC of the Triangle	Senior-Disabled Safety Net for Vulnerable/Disadvantaged	\$ 12,000	\$ 6,000
Tides Center, Inc. (Youth Forward)		\$ 10,000	\$ 2,000
The Community Empowerment Fund	Education, Health and Nutrition, Menotring, Adult, Disabled	\$ 10,000	\$ 8,000
The Exchange Club	Mentoring, Transportation, Parenting Support, Youth Adult, Disabled, PH	\$ 22,390	\$ 12,390
The Institute of Art Therapy	Health and Nutrition, Sports and Activities, Menotring Youth and Adults	\$ 15,000	\$ 3,000
The Marion Cheek Jackson Center	Education, Sports & Activities, After-School, Menotring, Youth, Edlerly	\$ 10,000	\$ 4,500
Triangle Bike Works	Education, Sports & Activities, After-School, Menotring, Transportation	\$ 7,500	\$ -
TROSA		\$ 10,000	\$ 9,000
Volunteers for Youth, Inc.	Education, Job Training, After-School Activities, Menoring, Youth	\$ 13,500	\$ 10,000
Youth Community Project	Education, Asports & Activities, Mentoring, Youth Community-building	\$ -	
<b>TOTALS</b>		<b>\$ 972,944</b>	<b>419,500</b>

# Outside Agencies

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## County Manager Recommendations

### Synopsis

- In FY 2017-18, the Board of County Commissioners appropriated \$1,354,401 for 58 agencies, an increase of \$213,638 above the FY 2016-17 appropriation. This included funding for eight new or previously unfunded agencies, which totaled \$54,486.
  - Refugee Support Center did not apply for Outside Agency funds in FY 2017-18, but was awarded Social Justice funds in the amount of \$11,340.
- On December 13, 2016 the Board of County Commissioners approved a funding target of 1.2% of the County's General Fund expenditures, less the appropriation for education expenses, for the purpose of funding outside agency operations. The County has historically funded Outside Agencies at 1% of the County Budget (Less Education Appropriation). Based on FY 2016-17 Approved Budget (Less Education Appropriation), 1.2% equates to \$1,345,761.
- **Application Process:** For the FY 2018-19 Funding Process, the County received applications from 59 agencies. Requests totaled \$1,828,491, an increase of \$462,750 above the current year's appropriation. Seven, currently unfunded agencies requested \$88,885. Seven, currently funded agencies did not apply in FY2018-19; (\$38,202).
- The County Manager recommends funding for 50 agencies, in FY 2018-19. The recommendation totals \$1,401,173, an increase of \$35,432 from the FY 2017-18 Approved Budget. Seven agencies will be contracted through specific county departments. Based on the County Manager's FY 2018-19 Recommended Budget (Less Education Appropriation), 1.2% equates to \$1,400,896.

The budget includes the following recommendations:

- Increases (+\$35,432): Additional funding for fifty (50) currently funded agencies.
  - Seven agencies, new or previously unfunded, will be paired with appropriate County departments as these agencies represent closely related programs provided by the County.
- All of the outside agencies mentioned in this section are also referenced in the Non-departmental section of this document.

### Attached Materials

- I. County Manager Recommendations
- II. Outside Agency Narratives

## FY 2018-19 Manager Recommended Budget Outside Agency Recommendations

Agency	FY 2017-18 Approved Budget	FY 2018-19 Agency Request	FY 2018-19 Manager Recommended	Change from Approved Budget
<b>1. FY 2017-18 Funded Agencies</b>				
A Helping Hand	6,500	6,500	6,500	-
Big Brothers Big Sisters of the Triangle	5,800	10,000	6,430	630
Boomerang Youth Inc. <sup>1</sup>	11,725	16,000	13,008	1,283
Boys and Girls Club of Durham & Orange Co.	6,500	5,000	5,000	(1,500)
Bridge II Sports	5,438	11,000	6,272	834
Chapel Hill - Carrboro Meals on Wheels	15,000	18,000	15,900	900
Chapel Hill - Carrboro Public School Foundation	563	-	-	(563)
Charles House	22,500	25,000	23,250	750
Child Care Services Association	5,250	35,000	-	(5,250)
Club Nova <sup>2</sup>	107,500	120,000	111,250	3,750
Community Empowerment Fund	13,750	20,000	15,625	1,875
Community Home Trust <sup>2,3</sup>	205,353	208,680	208,680	3,327
Compass Center for Women and Families	65,200	90,458	72,777	7,577
Dispute Settlement Center <sup>1</sup>	81,500	85,000	81,850	350
Duke Homecare & Hospice	1,100	1,200	1,115	15
El Centro Hispano	31,905	35,000	32,834	929
El Futuro <sup>2</sup>	31,250	35,000	32,375	1,125
EmPOWERment	27,500	30,000	28,250	750
Farmer Foodshare	6,250	10,000	7,375	1,125
Freedom House	36,000	37,000	36,300	300
Habitat for Humanity	37,500	50,000	41,250	3,750
Hillsborough Arts Council	9,750	16,500	10,763	1,013
Historic Hillsborough Commission	9,028	9,200	9,054	26
Historical Foundation	6,699	16,388	9,606	2,907
Human Rights Center of Chapel Hill & Carrboro	8,750	15,500	10,775	2,025
Interfaith Council	50,000	101,500	55,150	5,150
KidSCOpe	75,000	75,000	75,000	-
Kidzu Children's Museum	10,460	27,339	12,992	2,532
Ligo Dojo of Budo Karate <sup>1,2</sup>	3,000	4,000	3,000	-
Marian Cheek Jackson Center	11,250	40,000	19,875	8,625
Movement of Youth Inc.	20,213	88,986	30,529	10,316
OE Enterprises, Inc.	54,550	54,550	54,550	-
Orange Congregations in Missions	71,415	92,415	77,715	6,300
Orange County Disability Awareness Council	8,250	10,000	8,513	263
Orange County Food Council <sup>4</sup>	20,376	-	-	(20,376)
Orange County Literacy Council	15,600	17,000	15,810	210
Orange County Living Wage	17,725	20,000	18,408	683
Orange County Partnership for Young Children	5,500	7,000	5,950	450
Orange County Rape Crisis Center	52,500	60,000	54,750	2,250
Orange County Rural Alliance	12,500	40,000	20,750	8,250

## FY 2018-19 Manager Recommended Budget Outside Agency Recommendations

Agency	FY 2017-18 Approved Budget	FY 2018-19 Agency Request	FY 2018-19 Manager Recommended	Change from Approved Budget
<b>1. FY 2017-18 Funded Agencies (cont'd)</b>				
Pathways to Change <sup>5</sup>	9,400	7,000	7,000	(2,400)
Piedmont Health Services, Inc. <sup>2</sup>	16,500	16,500	16,500	-
Piedmont Wildlife Center	4,475	-	-	(4,475)
Planned Parenthood	20,000	20,000	20,000	-
Public Gallery of Carrboro - WCOM-LP Radio	1,000	-	-	(1,000)
Refugee Support Center	11,340	5,000	5,000	(6,340)
Senior Care of Orange County	35,000	35,000	35,000	-
St. Joseph CME Church	3,750	-	-	(3,750)
TABLE	8,500	15,000	10,450	1,950
The Arc of the Triangle	6,450	7,500	6,608	158
The Art Therapy Institute <sup>2</sup>	3,300	5,000	3,555	255
The Arts Center	12,500	15,000	13,250	750
The Exchange Club Child Abuse Prevention <sup>2</sup>	9,638	22,390	13,464	3,826
Tides Center - Youth Forward	750	7,500	-	(750)
Triangle Bikeworks	2,200	7,500	3,790	1,590
Voices Together	17,500	20,000	18,250	750
Volunteers for Youth <sup>1</sup>	8,750	12,000	9,075	325
WHUP Radio	1,000	-	-	(1,000)
Youth Community Project	7,038	-	-	(7,038)
<b>1. Total - FY 2017-18 Funded Agencies</b>	<b>\$ 1,365,741</b>	<b>\$ 1,739,606</b>	<b>\$ 1,401,173</b>	<b>\$ 35,432</b>
<b>2. New or Previously Unfunded Agencies</b>				
Centre for Homeownership	-	25,000	-	-
Diaper Bank of NC	-	10,000	-	-
Josh's Hope Foundation	-	13,600	-	-
Orange Partnership for Alcohol and Drug Free Youth	-	5,385	-	-
Our Wild Neighbors	-	23,000	-	-
Ronald McDonald House	-	10,000	-	-
SKJAJA Fund	-	1,900	-	-
<b>2. Total - New or Previously Unfunded Agencies</b>	<b>\$ -</b>	<b>\$ 88,885</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grand Total</b>	<b>\$ 1,365,741</b>	<b>\$ 1,828,491</b>	<b>\$ 1,401,173</b>	<b>\$ 35,432</b>

### Notes:

1. The agency receives State Juvenile Crime Prevention Council (JCPC) funds; the County provides a 30% match.
2. Finance and Administrative Services administers all agency contracts with the following exceptions: Club Nova (a part of Cardinal Innovations, MOE funds \$95,000), Community Home Trust (Housing), El Futuro (Public Health), Ligo Dojo of Budo Karate (Social Services - Youth Enhancement Funds), Piedmont Health Services (Health), The Art Therapy Institute (a part of Cardinal Innovations, MOE funds \$3,000), The Exchange Club Child Abuse Prevention Center (Social Services).
3. Community Home Trust requested an increase in funding for FY 2018-19. This increase is based on an interlocal agreement formula.
4. Orange County Food Council did not apply for funding through the Outside Agency process. A new division is recommended in The County Manager's Office. Please reference The County Manager's Office section of this document.
5. Behavioral Insights changed their agency name to Pathways to Change in August, 2017.

# Outside Agency Summaries

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## 1. FY 2017-18 Funded Agencies

### **A Helping Hand**

**\$6,500**

A Helping Hand enables senior citizens to live independently, maintain high levels of wellness and avoid institutionalized care. Services provided include transportation to the doctor, assistance with shopping for nutritious food and preparing healthy meals, assistance with business correspondence, and light housekeeping for a clean and safe home environment.

### **Big Brothers Big Sisters of the Triangle**

**\$6,430**

Big Brothers Big Sisters provides children facing adversity with strong and enduring professionally supported one-to-one relationships that change their lives for the better, forever. Big Brothers Big Sisters (BBBS) of the Triangle offers two services: community-based and school-based mentoring.

### **Boomerang Youth Inc.**

**\$13,008**

Boomerang is an alternative suspension program for middle and high school a student that engages youth, at-risk for disconnection and their communities, with a supportive alternative environment for out of school time, and advocating for community. This agency receives a county match through the Juvenile Crime Prevention Council (JCPC) program; see the Public Safety Non-Departmental Section for more details.

### **Boys and Girls Club of Durham & Orange County**

**\$5,000**

The Boys and Girls Club of Easter Piedmont provides Orange County school age children and youth, especially from challenging circumstances, with a professionally supervised, consistent environment where they are safe, equally accepted and able to participate in goal-oriented programs that enhance their self-esteem and assist them to achieve their full potential as productive, responsible and caring citizens.

### **Bridge II Sports**

**\$6,272**

Bridge II Sports creates opportunities for children and adults with physical challenges to participate in team, individual, and recreational activities. Funds will support recruitment efforts and adapted sports programs that serve Chapel Hill residents, with physical disabilities.

### **Chapel Hill-Carrboro Meals on Wheels**

**\$15,900**

The Chapel Hill-Carrboro Meals on Wheels program aims to nourish the bodies and spirits of the homebound with a balanced meal and the human connection they need to help them live independently. The agency uses volunteers to deliver nutritious noonday meals with cheerful personal visits to those who are homebound or recovering from surgery.

### **Chapel Hill – Carrboro Public School Foundation**

**\$0**

The Chapel Hill – Carrboro Public School Foundation become incorporated in 1983. Their mission is to create opportunities for students and teachers. Funding supports the Blue Ribbon Youth Leadership institute. This agency did not apply for Outside Agency funding in FY 2018-19.

## ***Outside Agency Summaries - continued***

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### **Charles House**

**\$23,250**

Charles House is a private, nonprofit organization whose mission is threefold: 1) Enriching the lives of seniors; 2) Supporting families caring for aging family members; and 3) Representing the community's commitment to its elders.

### **Child Care Services Association**

**\$0**

Child Care Services Association mission is to ensure that affordable (no more than 10% of a family's gross earnings are used to purchase childcare for one child), accessible, high quality childcare is available for all young children and their families. This agency is not recommended for funding in FY 2018-19.

### **Club Nova**

**\$111,250**

Club Nova provides opportunities for individuals with mental illness to lead meaningful lives of their choice in the community. Club Nova serves adults in Orange County, living with severe and persistent mental illness, and provides them with structured daily activities, as well as social, vocational and residential opportunities that they would not otherwise have. This agency will be funded with maintenance of effort (MOE) funds through Cardinal Innovations / OPC Mental Health (\$95,000) and county general funds (\$16,250).

### **Community Empowerment Fund**

**\$15,625**

The Community Empowerment Fund (CEF) cultivates opportunities, assets and communities that support the alleviation of homelessness and poverty. CEF is a student-powered nonprofit that pairs volunteers with its members to provide personalized, one-on-one assistance.

### **Community Home Trust**

**\$208,680**

Community Home Trust is a nonprofit provider of affordable housing. Its mission is to create and maintain permanently affordable housing. The agency implements the inclusionary housing policies of local governments. Although the agency's funding is budgeted in the Human Services Non-Departmental accounts, the Department of Housing and Community Development administers the contract.

### **Compass Center for Women and Families**

**\$72,777**

The Compass Center helps individuals and families build stable lives by increasing self-sufficiency and preventing domestic violence. The agency provides direct services, including crisis response and court advocacy, and long-term tools for self-sufficiency, including financial literacy education, career exploration and access to legal information.

### **Dispute Settlement Center**

**\$81,850**

The Dispute Settlement Center promotes and brings about peaceful settlement of disputes and prevents the escalation of conflict through mediation, facilitation, conciliation, and training. This agency receives a county match through the Juvenile Crime Prevention Council (JCPC) program; see the Public Safety Non-Departmental Section for more details.

### **Duke Homecare and Hospice**

**\$1,115**

Duke Homecare and Hospice provides medical, psychosocial, spiritual and bereavement care for terminally ill patients and families, regardless of ability to pay. Bereavement services are provided to anyone in the community, regardless of connection to hospice, through individual, family, and group sessions, as well as in the Chapel Hill-Carrboro and Orange County School Systems.

## ***Outside Agency Summaries - continued***

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### **El Centro Hispano**

**\$32,834**

El Centro Hispano is a grassroots community-based organization dedicated to strengthening the Latino community and improving the quality of life of Latino residents in Carrboro, Chapel Hill, and the surrounding area. El Centro Hispano in Carrboro creates programs to build community strengths and skills through referral/resource services, translation/interpretation, employment services, legal consultations and mediation; and English for speakers of other languages (ESOL) literacy.

### **El Futuro**

**\$32,375**

El Futuro addresses the behavioral health needs of North Carolina's Latino community by promoting behavioral health awareness, enhancing existing services, and developing a model clinic. Funds will support mental health and substance abuse services, for uninsured Orange County residents, for whom there are no other available services. The Health Department – Public Health division will administer and oversee this agency's grant. MOE funds will be associated with agency's funding (\$27,500).

### **EmPOWERment**

**\$28,250**

The mission of EmPOWERment is to emPOWER people and communities to control their own destinies through affordable housing, advocacy, community organizing and grassroots economic development. With funding provided through the Human Services grant, EmPOWERment, Inc. has created a one-stop shop for affordable rental programs and services.

### **Farmer Foodshare**

**\$7,375**

Farmer Foodshare connects farm fresh food with agencies that serve the hungry. Formed by the farmers and shoppers of the Carrboro Farmers' Market, the agency provides fresh food to agencies, such as food pantries and local schools that needed the healthiest possible food in their programs.

### **Freedom House Recovery Center**

**\$36,300**

Freedom House promotes enhances and supports recovery for men, women, and children affected by substance use disorder and mental illness by using a holistic, evidence-based and person-centered approach. Our expertise and broad array of treatment services stabilize nurture and enhance the personal growth and development of those we serve so that they can recover to live rich, full lives.

### **Habitat for Humanity of Orange County**

**\$41,250**

Habitat for Humanity provides decent affordable housing for families earning less than half of the area median income and who live in substandard housing. HHOC constructs simple, well-built homes that are then sold to qualifying families at affordable prices. Funding supports their "A Brush with Kindness" program.

### **Hillsborough Arts Council**

**\$10,763**

The Hillsborough Arts Council's mission is to "Enrich our Community through the Arts". Funding will assist with the year-end goals of: (1) Sustain Current Programs, (2) Expand Revenue-generating art lessons and retail opportunities, and (3) use our 30<sup>th</sup> anniversary to rebrand HAC and build development efforts.

## ***Outside Agency Summaries - continued***

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### **Historic Hillsborough Commission**

**\$9,054**

The Historic Hillsborough Commission maintains and preserves the Burwell School Historic Site, located on Churton Street in Hillsborough; interprets the history of 19th century Hillsborough for the enrichment of the public; and to celebrate and promote the culture and heritage of Hillsborough and Orange County.

### **Historical Foundation of Hillsborough and Orange County**

**\$9.606**

The Orange County Historical Museum, located in Hillsborough, enlightens and engages the community and visitors from around the world by preserving and interpreting the history of Hillsborough and Orange County.

### **Human Rights Center of Chapel Hill and Carrboro**

**\$10,775**

The Human Rights Center dba Refugee Community Partnership builds a powerful community support infrastructure to enable and sustain the complex process of rebuilding home. Through relationship-based support, opportunity development, and cultural stewardship, RCP bridges the gap between local refugee communities and the services, resources, and opportunities they need. Funds will support bi-weekly ESL classes and general agency operations. The Refugee Community Partnership operates under The Human Rights Center of Chapel Hill and Carrboro.

### **Inter-Faith Council for Social Service (IFC)**

**\$55,150**

The Inter-Faith Council meets basic needs and helps individuals and families achieve their goals. They provide shelter, food, direct services, advocacy and information to people in need. The IFC accomplishes this through strong partnerships with volunteers, staff and those we serve. They rely on the active involvement of caring individuals, congregations and other community organizations.

### **KidSCope**

**\$75,000**

KidSCope is an early intervention program that offers services to young children who are experiencing social, emotional, and/or behavioral difficulties. KidSCope will provide therapeutic mental health services and parent education to young Orange County children and their families.

### **Kidzu Children's Museum**

**\$12,992**

With focus on S.T.E.M., the arts, child health and wellness and emerging literacy, "Kidzu's mission is to inspire children and the adults in their lives to learn through creative and purposeful play." Funding supports the Outreach STEM program and access to STEM programs.

### **Ligo Dojo of Budo Karate**

**\$3,000**

Ligo Dojo strengthens the minds, bodies and hearts of young people through karate training, because hard physical training leads to increased spiritual strength and patience, which in turn leads to the ability to make better life decisions. The agency also deepens relationships between people of diverse backgrounds, strengthens American communities, and creates create individuals who are 'community minded' and open-minded. This agency receives a county match through the Juvenile Crime Prevention Council (JCPC) program; see the Public Safety Non-Departmental Section (Young Warriors) for more details. Ligo Dojo of Budo Karate will contract directly with Social Services and funds will be administered from Social Services' Youth Enhancement funds.



## ***Outside Agency Summaries - continued***

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### **Marian Cheek Jackson Center**

**\$19,875**

The Marian Cheek Jackson Center advances the vitality, diversity, and historical integrity of neighborhoods struggling with displacement. Established in 2008, the agency preserves, engages, and acts on the rich history of Northside and Pine Knolls.

### **Movement of Youth, Inc.**

**\$30,529**

Movement of Youth (MOY) prepares diverse youth to lead and succeed in the 21<sup>st</sup> Century through mentoring and targeted enrichment activities led by college students. MOY aspires to be the nation's leading movement for young people to disrupt the status quo and build a safer, smarter, more socially conscious world. Funding supports the My Brother's Keeper program.

### **OE Enterprises**

**\$54,550**

OE Enterprises is a community rehabilitation program. OE Enterprises provides vocational training and sheltered employment programs for Orange County citizens who have employment barriers. OE Enterprises is a thriving business that promotes achievements, self-reliance, life choices and respect through relationships with community partners.

### **Orange Congregations in Mission (OCIM)**

**\$77,715**

Orange Congregations in Missions provides services to economically-challenged and homebound northern Orange County residents through volunteer efforts of diverse congregations and individuals. The agency provides nutritious food and financial assistance to the economically insecure population of northern Orange County and provides nutritious meals to the frail and elderly in our community.

### **Orange County Disability Awareness Council**

**\$8,513**

The Orange County Disability Awareness Council offers educational and advocacy projects to promote opportunities for persons with disabilities to work and live in an environment free of architectural, attitudinal, economic, structural, and societal barriers.

### **Orange County Food Council**

**\$0**

The Orange County Food Council's mission is to build the community food security, encourage economic development through promotion of a healthy, local food system, and preserve farmland in Orange County. This agency did not apply for funds during the Outside Agency process. A new division is recommended in The County Manager's Office.

### **Orange County Literacy Council**

**\$15,810**

The Orange County Literacy Council helps adults reach their education, employment and life goals. Trained volunteers provide individualized and small group instruction to adult learners who want to improve their reading, writing, basic math, English language and GED preparation skills.

### **Orange County Living Wage**

**\$18,408**

Orange County Living wage is a non-profit 501c3 organization that is focused on promoting a living wage in Orange County, North Carolina. Through our employer certification program, we certify Orange County employers that pay their employees a living wage. The certification is voluntary on the parts of the employees.

## ***Outside Agency Summaries - continued***

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### **Orange County Partnership for Young Children**

**\$5,950**

The Orange County Partnership for Young Children aims to ensure that all young children arrive at school healthy and ready to succeed. Funds support the Transplanting Traditions Community Farm refugee farm project and Growing Health Kids Community Gardens Project.

### **Orange County Rape Crisis Center**

**\$54,750**

The Orange County Rape Crisis Center works to stop sexual violence and its impact through support, education, and advocacy. The agency provides residents with 24-hour crisis intervention services, community education, training, and provides educational programs for students, in Chapel Hill-Carrboro City Schools and Orange County Schools.

### **Orange County Rural Alliance**

**\$20,750**

Orange County Rural Alliance (OCRA) is part of a community-based alliance that is building awareness of the needs of rural seniors and supports them with what they need to age in place with independence and dignity. OCRA helps with access to county services, safe homes, nutritious food and friendly human contact. OCRA delivers hot meals to rural seniors in underserved areas. Funding supports OCRA's meals on wheels program.

### **Pathways to Change**

**\$7,000**

A pathway to Change, Inc. provides classes to meet the needs of those required by a North Carolina mandate to participate in a state certified domestic violence Batterer Intervention Program. Additionally, Pathways to Change intends to provide other services to identify client needs and link clients to needed services. This agency requested a reduction in funding for FY 2018-19. Behavioral Insights Inc. changed their agency name to Pathways to Change in August, 2017.

### **Piedmont Health Services**

**\$16,500**

Piedmont Health Services has served the health care needs of the citizens of central North Carolina, since 1970. The agency operates several community health centers, provides high quality, comprehensive family health care services and offers payment on a sliding fee scale, for those who qualify. The agency also provides bilingual care to a growing Spanish-speaking population. The Department of Health will budget and administer the contract funds, in FY 2018-19.

### **Piedmont Wildlife Center**

**\$0**

Piedmont Wildlife fosters healthy connections among people, wildlife and nature through nature education, conservation and a wildlife assistance program. The center's education programs are geared to school-aged children, their families and the general public; it works to instill awareness and deeper appreciation for nature and the wildlife that share the community's environment. This agency did not apply for funds through the Outside Agency process in FY 2018-19.

### **Planned Parenthood of Central North Carolina**

**\$20,000**

Planned Parenthood is an essential health care provider, committed to educating our communities and expanding and protecting access to reproductive health services. The agency provides education programming to reduce rates of unintended pregnancy and sexually transmitted infection in the County, and educates residents about insurance plans available under the Affordable Care Act and provides information to help them enroll.

## ***Outside Agency Summaries - continued***

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### **Public Gallery of Carrboro (WCOM-LP Radio)**

**\$0**

Public Gallery of Carrboro's missions is to educate, inspire, and entertain the diverse populations of Carrboro, Chapel Hill, and nearby areas. WCOM-LP Radio cultivates local music and facilitates the exchange of cultural and intellectual ideas, with particular regard for those who are overlooked or under represented by other media outlets. This agency did not apply for Outside Agency funding in FY 2018-19. The Community Relations department will contract with this agency to provide necessary services.

### **Refugee Support Center**

**\$5,000**

The Refugee Support Center (RSC) is a volunteer-based organization established to facilitate the transition of Orange County refugees in their adjustment and integration into American culture. Our goal is to help refugees develop the skills and access the tools they need to thrive in their new home and allow them to become self-sufficient, contributing members of our society. This agency did not apply for Outside Agency funds in FY 2017-18, but was awarded Social Justice funds in the amount of \$11,340.

### **Senior Care of Orange County**

**\$35,000**

Senior Care of Orange county, Inc. provides program services to frail or disabled older adults to help remain in their homes with family as long as possible. The program provides financial support to the Florence Gray Soltys Adult Day Health Program under the auspices of Senior Care of Orange County, Inc.

### **St. Joseph CME Church**

**\$0**

At the heart of Saint Joseph Christian Methodist Episcopal Church's mission is to transform lives through the message of faith, hope and love. Services are the hallmark of these three areas of our mission of Saint Joseph and must be communicated with more than mere words. Funding supports the Heavenly Groceries, emergency food assistance program. This agency did not apply for funds through the Outside Agency process in FY 2018-19.

### **TABLE**

**\$10,450**

TABLE's mission is to provide healthy, emergency food aid every week to hungry children living in Chapel Hill and Carrboro, NC.

### **The Arc of the Triangle**

**\$6,608**

The Arc of the Triangle works with and for people who have or are at risk for intellectual and/or developmental disabilities to promote full participation in areas of life in our community. Funds will offset the cost to provide educational and social experiences, not funded through Medicaid or State funding.

### **The Art Therapy Institute**

**\$3,555**

The Art Therapy Institute (ATI) provides counseling services for children in schools, adult refugees at a local community health center, and adult women through refugee support groups. The services provided by ATI help their clients return to jobs and family life, and reintegrate into their communities. This agency will be funded with maintenance of effort (MOE) funds through Cardinal Innovations / OPC Mental Health (\$3,000), and county general fund (\$555).

## ***Outside Agency Summaries - continued***

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### **The Arts Center**

**\$13,250**

The ArtsCenter exists in order to inspire creativity and to enrich the lives of people of all ages. The Arts Center links art, artists and audiences in Orange County through programs, events and classes designed in response to community needs and interests. Funds support youth programs and school shows.

### **The Exchange Club Child Abuse Prevention Center of NC/Alamance Family Ctr. \$13,464**

The Exchange Club seeks to prevent and treat child abuse and neglect. The Parent Aide program will provide in-home visitation services to 18 families at-risk for and/or involved in child abuse and neglect. Provision of services will be offered to all Orange County residents, for free. The Department of Social Services will budget and administer the contract funds, in FY 2018-19.

### **Tides Center – Youth Forward**

**\$0**

Tides accelerate the pace of social change, working with innovative partners to solve society's toughest problems. Youth Forward, a project of Tides Center, is dedicated to advance a seamless array of services aligned to the needs of all youth in Chapel Hill – Carrboro by working with non-profits, schools, local governments, and others. This agency is not recommended for funding in FY 2018-19.

### **Triangle Bikeworks**

**\$3,790**

Triangle Bikeworks has been in operation for four years and incorporated in the state of North Carolina since October 2012. The youth participants of Triangle Bikeworks are enriched in mind, body and spirit through transformative community, cultural and cycling experiences.

### **Voices Together**

**\$18,250**

Voices Together is an Orange County-based non-profit that uses a specialized music therapy approach to help people with intellectual and developmental disabilities speak, communicate and express their thoughts, feelings and needs. The agency does this through groups in classrooms that employ our proprietary model and by training teachers, parents, therapists and caregivers in its methods and approach.

### **Volunteers for Youth**

**\$9,075**

Volunteers for Youth provides services to Orange County youth to integrate them into the community in ways that help them make responsible choices and recognize that they have a stake in their future. This agency receives a county match through the Juvenile Crime Prevention Council (JCPC) program; see the Public Safety Non-Departmental Section for more details.

### **WHUP**

**\$0**

WHUP is a Hillsborough based radio station. This agency did not apply for funds through the Outside Agency process in FY 2018-19. The Community Relations department will contract with this agency to provide necessary services.

### **Youth Community Project**

**\$0**

Youth Community Project strives to create youth-run cultural center /café, where all teens can gather to discover and nurture their passions, in an open, respectful environment that celebrates the unique contributions of all people. This agency did not apply for funds through the Outside Agency process in FY 2018-19.

## ***Outside Agency Summaries - continued***

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### **2. New or Previously Unfunded Agencies**

#### **Centre for Homeownership**

**\$0**

The mission of Centre for Homeownership is to enrich, empower, and invest in the economic growth of the community by providing housing counseling services, financial capability, homebuyer education, affordable housing opportunities, and small business training. The Manager does not recommend funding for this agency in FY 2018-19. However, the Housing and Community Development department will collaborate with this agency on programs not currently offered by the County to enhance services.

#### **Diaper Bank of NC**

**\$0**

The mission of the Diaper Bank of North Carolina is to promote and protect dignity of each resident by improving access to personal hygiene products and other basic necessities, thereby removing barriers to education, employment, and personal fulfillment. The Manager does not recommend funding for this agency in FY 2018-19. However, the department of Social Services will collaborate with this agency on programs not currently offered by the County to enhance services.

#### **Josh's Hope Foundation**

**\$0**

Josh's Hope Foundation bridges gaps in services to young adults 18-35 years old with mental illness or substance abuse issues which help reduce risk factors around unemployment, homelessness, poverty, and incarceration, substance use, suicide and isolation from family friends while improving outcomes which increase a participants quality of life, resiliency, successful independent living and appropriate inclusion in the community. The Manager does not recommend funding for this agency in FY 2018-19. However, the Criminal Justice Resources department will collaborate with this agency on programs not currently offered by the County to enhance services.

#### **Orange Partnership for Alcohol and Drug Free Youth**

**\$0**

OPADFY is a community coalition working to prevent underage drinking and substance abuse in Hillsborough and surrounding areas through community collaboration, education, policy advocacy and youth empowerment. The Manager does not recommend funding for this agency in FY 2018-19.

#### **Our Wild Neighbors**

**\$0**

The mission of Our Wild Neighbors is to strive to promote the understanding of nature and the protection of wildlife. We seek to meet our mission by dedicating ourselves to the care of orphaned and injured wildlife, and by actively engaging in the community as educators and advisors. The Manager does not recommend funding for this agency in FY 2018-19. However, the Animal Services department is developing a Request for Proposal (RFP) for Wildlife services.

#### **Ronald McDonald House**

**\$0**

The Ronald McDonald House of Chapel Hill (RMH) enables access to quality health care by providing a home-away-from-home for families of seriously ill or injured children who are receiving treatment at area hospitals. The House offers families of pediatric patients a safe and comfortable place to rest during their child's treatment. The Manager does not recommend funding for this agency in FY 2018-19.

## ***Outside Agency Summaries - continued***

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### **SKJAJA Fund**

**\$0**

SKJAJA Fund provides kids in families with limited resources in Chapel Hill and Carrboro, NC, the opportunity to participate in social and education enrichment activities including, but not limited to: team sports, art or dance classes, private music lessons, academic tutoring, summer camps, and school band/orchestra. Each child who receives funding is required to “pay it forward” – i.e., do a good deed for someone else without expecting anything in return. The Manager does not recommend funding for this agency in FY 2018-19 as this program is closely related to Social Services Youth Enhancement Fund.



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-541

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Use of South Orange Fire District Fund Balance

**PURPOSE:** The purpose of this agenda item is to seek Board of Alderman approval for the Town Manager to request use of the South Orange Fire District Fund Balance to purchase a Command Staff Vehicle.

**DEPARTMENT:** Fire-Rescue Department

**CONTACT INFORMATION:** Susanna Schmitt Williams, Fire Chief

919.918.7349

swilliams@townofcarrboro.org

**INFORMATION:** Orange County contracts with Carrboro Fire-Rescue to provide fire, rescue, and EMS services to the South Orange Fire District (SOFD). In addition to the fire tax revenue paid from the SOFD to the Town of Carrboro, each year fund balance accumulates when a district exceeds anticipated County revenues.

The district may use accumulated fund balance for several reasons - purchase of vehicles, equipment, or to avoid increasing the district's property tax rate.

Fund balance is calculated each year on June 30. As of June 30, 2017, the available fund balance for the SOFD was \$171,888.

Carrboro Fire-Rescue Department has identified that the current Brush Truck does not meet the needs of the department and has not been utilized for its intended purpose. Over the last seven years the truck has only been utilized on average 83 times per year and most use has not been as a brush truck. In the last seven years it has been utilized as a brush truck 35 times or an average of five times a year. Most uses are as a service vehicle to supplement response calls and its 4x4 capabilities during inclement weather for the ToC and SOFD.

As a result of non-use of the diesel engine, Brush 1 has experienced extensive and expensive maintenance issues placing it out of service for extended periods of time. Gasoline engines are more conducive to periods of standby. The Brush Truck is not serving the Town or SOFD in the proper manner. The department would like to utilize the SOFD fund balance purchase a replacement 4x4 SUV better suited to meet the needs of the Town and SOFD. The intended use will be as a command staff vehicle. The current command staff vehicle will be repurposed as a service truck (needed per ISO requirements). All command staff vehicles are 4x4 SUVs and

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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are utilized extensively during inclement weather to protect the larger apparatus.

The amount requested to utilize for the vehicle purchase is \$48,000.

**FISCAL & STAFF IMPACT:** Fiscal impacts - potential reduction in vehicle maintenance costs and fuel costs. Gasoline engines are better suited to periods of standby and therefore the new vehicle will not experience the past issues the Brush Truck diesel engine has. Gasoline engines are also more fuel efficient than diesel.

Staff impacts - efficiencies in service delivery in having a vehicle better suited to the needs of the Town and SOFD. When at full staffing the vehicle can be utilized to respond to medical emergencies thus extending the life of the larger apparatus. The new vehicle can transport additional personnel to mutual aid where only personnel are needed instead of taking larger apparatus. Personnel can utilize a command staff vehicle to carpool attend trainings outside of ToC thus reducing carbon footprint from multiple vehicles.

**RECOMMENDATION:** Staff recommends the Board of Alderman approve the request authorizing the Town Manager to make the request to Orange County for the use of the fund balance to purchase a 4x4 SUV to be used by command staff at a cost of no more than \$48,000.



RESOLUTION TO REQUEST USE OF SOUTH ORANGE FIRE DISTRICT FUND BALANCE TO PURCHASE A  
COMMAND STAFF VEHICLE

WHEREAS, The Town of Carrboro provides fire, rescue and EMS services to the South Orange Fire District; and

WHEREAS, the taxes paid by property owners in the South Orange Fire District are used to pay the Town of Carrboro for services provided to the South Orange Fire District; and,

WHEREAS, the South Orange Fire District has accumulated at fund balance of \$171,888 through June 20, 2017; and,

WHEREAS, the Town of Carrboro has identified a need to purchase a vehicle for command staff at an estimated cost of \$48,000; and.

WHEREAS, a new vehicle for command staff is expected to potentially reduce vehicle maintenance and fuel costs, as well as improve efficiency in service delivery;

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

1. Authorizes the Town Manager to submit a letter of request to Orange County requesting to use available Fund Balance from South Orange Fire District.
2. Such letter of request shall be limited to an amount not to exceed \$48,000.
3. This Resolution is effective upon passage by the Town of Carrboro Board of Aldermen.
4. A copy of this resolution shall be forwarded to the Finance Officer within 2 days.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-546

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### **TITLE:**

Request-to-set Public Hearings on the Lloyd Farm Conditional Rezoning at 700 Old Fayetteville Road and associated LUO Text Amendments

**PURPOSE:** The Town has received a revised application to rezone property at NC Hwy 54 and 700 Old Fayetteville Road to B-4-conditional (B-4-CZ) for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building and duplexes. Applications for text amendments to the Land Use Ordinance, relating to the project have also been submitted; these include requests for three text amendments dating from the 2016 application and four new amendments. The Board of Aldermen must receive public input before reaching decisions on these requests. A hearing date of September 25, 2018, has been identified. Resolutions setting two public hearing are provided for the Board's use.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325, Marty Roupe - 919-918-7333, Patricia McGuire - 919-918-7327, Nick Herman - 919-929-3905

**INFORMATION:** In April, Ted Barnes of Argus Development Group, LLC, submitted a revised conditional zoning application for the Lloyd Farm, a proposed mixed use development for property located at 700 Old Fayetteville Road. The purpose of this agenda item is to provide a summary of the changes to the project from the previous design considered in the fall of 2016, and to consider setting a public hearing for the rezoning and associated text amendments for the end of September. The schedule is intended to provide an opportunity for the advisory boards to familiarize themselves with the project at the June joint review meeting and offer comments for the applicant to consider during the summer, and have time for a second in September as needed for preparing recommendations. The schedule also provides a larger window of time for citizens to learn about the project and offer input.

The revised application is for a conditional rezoning. With conditional zoning the applicant submits the rezoning request first and, if approved, the follow with an application for the appropriate land use permit, in this case a conditional use permit. The use of conditional zoning offers additional opportunity for public input and allows the Board greater flexibility to participate in conversations about the project outside of formal meetings; binding conditions are linked to the rezoning, not the permit.

**Project Summary.** The vicinity map delineates, with a heavy outline, the extent of entire Lloyd Farm site

which currently falls within different zoning classifications. The subject property includes two parcels located at the northeast corner of NC Hwy 54 and Old Fayetteville Road. The parcels are further identified by Orange County PIN numbers and shown on a vicinity map (*Attachment D*) as Lot 1 (PIN #9779-09-7922), Lot 2 (PIN #9778-19-6618). Both parcels will be included in the forthcoming CUP proposal as part of an architecturally integrated subdivision (AIS). Lot 2 currently falls within two different zoning classifications: R-10 and B-4. If approved all of lots 1 and 2 would be rezoned to B-4-CZ.

The 2016 project included two additional parcels, Lot 3 (PIN # 9779-10-7351) and Lot 4 (PIN # 9779-20-0449) as part of the overall application, with the intention denoted by a condition to offer lots 3 and 4 to the Town for public use. The applicant has included the same commitment to dedicate lots 3 and 4 to the Town in the 2018 application. Moreover, in the 2018 application, these two parcels are omitted from the project altogether as shown in the revised illustrative site plan. The revised petition for change of zoning includes only two of the four parcels: lots 1 and 2. The total size for the revised 2018 application (35.40 acres) reflects the smaller project acreage resulting from the exclusion of lots 1 and 2. The table below offers an “at a glance” summary.

Lot	PIN	Existing Zoning	Proposed Zoning	Acreage
1	9779-09-7922	R-10	B-4-CZ	10.18
2	9778-19-6618	R-10	B-4-CZ	8.61
2	9778-19-6618	B-4	B-4-CZ	16.61
			<b>Total</b>	<b>35.40</b>
	<i>Removed from project</i>			
3	9779-10-7351	R-10	R-10	3.73
4	9779-20-0449	R-20	R-20	0.94

### **Project Design Comparison 2016 to 2018**

The applicant has provided a detailed description of the changes in the project from 2016 to 2018 (*Attachment F*). The following offers a summary of the key aspects of the project:

- 1) Residential use - The residential component of the 2016 proposal remains part of the 2018 plan and includes a senior-living development with approximately 200 apartments, a parking deck and 20 duplex cottages, (restricted to 55 years of age or older).
- 2) Tree protection/open space - The mature hardwood tree stand at the corner of Old Fayetteville Road with NC 54 intended to be preserved as open space without intrusion of buildings or parking, has been enlarged and amenities added including an amphitheater.
- 3) Proposed dedication of land to the Town - The applicant is still offering the 4.67-acre tract (lots 3 and 4) at the northeast corner of the property and near the intersection of James and Carol Streets to be dedicated to the Town of Carrboro.

4) Vehicular access & circulation - The previously considered roundabout at the Old Fayetteville entrance to the project has been removed. The interior circulation network remains largely the same.

5) Stormwater Management - Additional stormwater control measures have added to the site or relocated to better address stormwater management.

6) Outparcels - The design and use of some outparcels have changed. Two buildings along the NC 54 side of the site have been redesigned to accommodate office/medical uses in multi-story structures. An “energy center” with multiple fuel types has been incorporated into the project as has other elements such as a grocery pick-up lane; these modifications reflect changes to the grocery store industry.

7) Other site design changes - The buildings facing the grocery parking area have been moved from the south side of the parking lot to the north side, to provide for the event lawn expansion.

**Process for consideration of Rezoning.** Section 15-141.4 of the Land Use Ordinance, Conditional Zoning Districts, describes the procedure for the Board to consider a conditional rezoning. Should Board approve the rezoning, the applicant would submit an application use permit (CUP). Section 15-57 and 15-322 speak to the role of the Planning Board and other advisory boards in the review of CUPs and rezonings prior to the public hearing.

**Text Amendments.** The applicant has also submitted requests for text amendments. Three amendments proposed with the 2016 plan remain as part of the application and are linked to the B-4 zoning district: 1) adding flexibility to the collector street standards to allow a cross section with a slower design speed; 2) allowing multi-family residential uses at a density of approximately R-3 or 3000 square feet per dwelling unit; and 3) increasing the maximum building height 15 feet taller than the maximum building height for the district (50 feet in B-4). The applicant has also submitted applications for additional text amendments to address features in the revised design. These include: 1) creating a new use subcategory for office/medical uses larger than 10,000 square feet, 2) requesting flexibility in the number of bicycle parking spaces, 3) allowing high volume retail to have goods on display outside and 4) allowing for the pick-up/delivery of goods outside. The last two requested text amendments are relating to the changes in grocery store design and associated facilities. A draft ordinance (Attachment C-2) has been prepared for the original three text amendments. Work on a second ordinance to address the remaining amendments is underway.

The Board of Aldermen must receive public comment before adopting amendments to the Land Use Ordinance (map and text). Planning Board and Orange County review is also needed.

**FISCAL & STAFF IMPACT:** The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation. Staff time will be necessary for public notice and public hearing agenda preparation.

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolutions setting two public hearings for September 25, 2018 and for referring both applications to advisory boards: *Attachment A-1* for the request for rezoning and *Attachment A-2* for the requested LUO text amendments.

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL  
DISTRICT REZONING AT 700 OLD FAYETTEVILLE ROAD

**WHEREAS**, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed projects; and

**WHEREAS**, an application has been received for a Conditional District Rezoning for the property located at the northeast corner of NC Hwy 54 and Old Fayetteville Road, known as 700 Old Fayetteville Road; and

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 26, 2016 to discuss the proposed project at 700 Old Fayetteville Road.

**BE IT FURTHER RESOLVED** that the rezoning petition is referred to the following Town of Carrboro advisory boards and commissions for consideration and recommendation prior to the specified public hearing date:

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☒ Environmental Advisory Board

☐ \_\_\_\_\_

☒ Economic Sustainability Commission

☐ \_\_\_\_\_

This is the 17th day of May in the year 2016.

## **ARTICLE IX**

### **ZONING DISTRICTS AND ZONING MAP**

#### **PART I. ZONING DISTRICTS**

##### **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:

R-20-CZ, R-15-CZ, R-10-CZ, R-7.5-CZ, R-3-CZ, R-2-CZ, R-R-CZ, R-S.I.R.-CZ , and R-S.I.R.-2-CZ

B-1(C)-CZ, B-1(G)-CZ, B-2-CZ, B-3-CZ, B-3-T-CZ, B-4-CZ, CT-CZ, O-CZ, OACZ, M-1-CZ, M-2-CZ **(AMENDED 4/27/10; 06/23/15)**

(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) Subject to the provisions of subsections (f) and (g), 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, 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). **(AMENDED 11/9/11)**

(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. **(AMENDED 10/25/16)**

(d1) A rezoning petition may be submitted to allow use classification 3.260 Social Service Provider with Dining within a building of more than two stories or 35 feet in height. **(AMENDED 10/25/16)**



*Art. IX ZONING DISTRICTS AND ZONING MAP*

(1) The petition shall include information that demonstrates that, if the project is completed as proposed, it:

- a. Will not substantially injure the value of adjoining or abutting property; and
- b. Will be in harmony with the area in which it is to be located. The manner in which a project is designed to accommodate additional building height including, but not limited to, scale, architectural detailing, compatibility with the existing built environment and with adopted policy statements in support of vibrant and economically successful and sustainable, mixed-use, core commercial districts shall be among the issues that may be considered to make a finding that a project is or is not in harmony with the area in which it is to be located. The applicant may use a variety of graphic and descriptive means to illustrate these findings; and
- c. Will be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board. **(AMENDED 03/22/16, 10/25/16)**

(2) All relative provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any conditions incorporated into the conditional zoning district described in subsection (d1) above. **(AMENDED 10/25/16)**

(e) 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 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. **(AMENDED 03/22/16, 10/25/16)**

(f) 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.

(g) Notwithstanding the foregoing, in approving a rezoning to a B-1(g) – CZ zoning district, the Board of Aldermen may authorize the property so zoned to be developed at a higher level of residential density than that otherwise permissible in B-1(g) zoning districts under Section 15-182 if the rezoning includes conditions that provide for site and building elements that will create a more vibrant and successful community. Site and building elements are intended to be selected from at least three of the following seven areas: stormwater management,

*Art. IX ZONING DISTRICTS AND ZONING MAP*

water conservation, energy conservation, on-site energy production, alternative transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use. Conditions that may be included to meet the above stated objective include but shall not be limited to the following: **(AMENDED 11/9/11)**

- (1) Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool
- (2) Energy performance in building requirements to meet one or more of the following
  - a. Achieve 40% better than required in the Model Energy Code, which for NC, Commercial is ASHRAE 90.1-2004-2006 IECC equivalent or better, and Residential is IECC 2006, equivalent or better).
  - b. “Designed to Earn the Energy Star” rating.
  - c. Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type.
  - d. AIA goals of integrated, energy performance design, including resource conservation resulting in a minimum 50 percent or greater reduction in the consumption of fossil fuels used to construct and operate buildings.
  - e. LEED certification to achieve 50% CO2 emission reduction, or LEED silver certification
  - f. US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030.
  - g. Specific energy saving features, including but not limited to the following, are encouraged..
    - i. Use of shading devices and high performance glass for minimizing heating and cooling loads
    - ii. Insulation beyond minimum standards;
    - iii. Use of energy efficient motors/HVAC;
    - iv. Use of energy efficient lighting;
    - v. Use of energy efficient appliances
    - vi. LED or LED/Solar parking lot lighting (50-100% more efficient).
    - vii. Active and passive solar features.
- (3) Provision of onsite facilities (e.g. solar, wind, geothermal) that will provide 5% of electricity demand associated with the project.
- (4) Use of harvested rainwater for toilet flushing.
- (5) Parking lot meets the standard for a “green” parking lot, per the EPA document Green “Parking Lot Resource Guide.”
- (6) Inclusion of Low Impact Development features.
- (7) Provision of covered bike parking sufficient to provide space for one space per every two residential units.
- (8) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips

*Art. IX ZONING DISTRICTS AND ZONING MAP*

- (9) Inclusion of at least one (1) parking space for car sharing vehicles
- (10) Provision of public art and/or outdoor amenities for public use.
- (11) Use of surface materials that reflect heat rather than absorb it.
- (12) Use of devices that shade at least 30% of south-facing and west-facing building facades.
- (13) Provision of affordable housing in accordance with Town policy.

(h) If a B-1(g) – CZ zoning district is created and, pursuant to subsection (f) of this section, a higher level of residential density than that otherwise permissible in B-1(g) zoning districts is approved for that district, then it shall be a requirement of such district that at least twenty percent (20%) of the total leasable or saleable floor area within all buildings located within such zoning district shall be designed for non-residential use. Occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1). **(AMENDED 11/9/11)**

A RESOLUTION SETTING A PUBLIC HEARING ON TWO ORDINANCES AMENDING  
THE CARRBORO LAND USE ORDINANCE RELATING TO THE LLOYD FARM  
DEVELOPMENT

WHEREAS, the Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen sets a public hearing on September 25, 2018, to consider adopting two ordinances: "An Ordinance Amending the Carrboro Land Use Ordinance to Provide Flexibility with Respect to Street Design Standards in the B-4-CZ District, to Allow Multi-family uses in the B-4-CZ District, and to Increase the Building Height Limit for Multi-family Buildings in the B-4-CZ District," and a second ordinance being prepared to create a new use subcategory for office/medical uses larger than 10,000 square feet, to allow flexibility in the number of bicycle parking spaces required, to allow high volume retail to have goods on display outside, and to allow for the pick-up/delivery of goods outside.

BE IT FURTHER RESOLVED that the draft ordinances are referred to Orange County and the Town of Carrboro Planning Board for consideration and recommendation prior to the specified date for the public hearings.

BE IT FURTHER RESOLVED that the draft ordinances are also referred to the following Town of Carrboro advisory boards and commissions

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☒ Environmental Advisory Board

☐ \_\_\_\_\_

☒ Economic Sustainability Commission

☐ \_\_\_\_\_

This is the 22<sup>nd</sup> day of May in the year 2018.

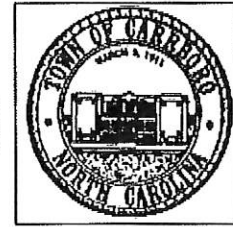
## **APPENDIX A – 2**

# **PETITION FOR CHANGE OF ZONING FORM**

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## PETITION FOR CHANGE OF ZONING



PETITIONER:

ARGUS DEVELOPMENT GROUP, LLC  
13000 S. TRYON STREET, SUITE F-203  
CHARLOTTE, NC 28278

DATE:

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-10-B-4 to B-4-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME TED BARNES FOR ARGUS DEVELOPMENT GROUP, LLC  
 ADDRESS: 13000 S. TRYON STREET, SUITE F-203, CHARLOTTE, NC 28278  
 TELEPHONE #:( ) (704) 376-9848
2. INTEREST IN PROPERTY(IES):  
CONTRACT PURCHASER
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS:  
NE CORNER OF OLD FAYETTEVILLE ROAD AND NC HWY 54
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
  - (a) OWNER: SHELTON GENE LLOYD & BRODY L. LLOYD  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 10.21 AC. PARCEL: 9778097922  
 SUBDIVISION NAME: R S LLOYD FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_  
 EXISTING STRUCTURES AND USES:  
CABIN AND OUTBUILDINGS
  - (b) OWNER: ESTATE OF LLOYD ROY S  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE 25.22 AC PARCEL: 9778196618  
 SUBDIVISION NAME: R S LLOYD FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

EXISTING STRUCTURES AND USES:

NONE

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
(SEE ATTACHMENT A)	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES \_\_\_ NO X  
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?

(SEE ATTACHMENT B)

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 ATTACHMENT B)

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

(SEE ATTACHMENT B)

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

(SEE ATTACHMENT B)

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 1 DAY OF March, 2018.

PETITIONER'S SIGNATURE

*Ted Barnes*

TED BARNES FOR ARGUS DEVELOPMENT GROUP, LLC

### 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.



Owner Signature Addendum

Lloyd Farm Conditional Rezoning Application

Shelton Gene Lloyd

Shelton Gene Lloyd, Co-Executor of the  
Estate of Roy Shelton Lloyd

3/20/18

Date

Brody Lemuel Lloyd

Brody Lemuel Lloyd, Co-Executor of the  
Estate of Roy Shelton Lloyd

MAR 20<sup>th</sup> 2018

Date

Shelton Gene Lloyd

Shelton Gene Lloyd

3/20/18

Date

Brody Lemuel Lloyd

Brody Lemuel Lloyd

MAR 20<sup>th</sup> 2018

Date

## **Attachment B**

### PETITION FOR CHANGE OF ZONING

**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?**

Lloyd Farm is most visible to the community from its NC Highway 54 frontage. And from that vantage point, the proposed non-residential uses within the eastern portion of the frontage are consistent with the existing retail development on the south side of NC Highway 54 and elsewhere along the highway corridor.

While the economic function of the retail component of Lloyd Farm is similar in nature and scale to neighboring retail, its form is more compact and walkable and its building and landscape design more aesthetically pleasing, including preservation of environmental features and large stands of hardwoods. In addition, although similar in scale to the retail buildings south of the highway corridor, Lloyd Farm proposes a portion of its non-residential development program as low-rise offices and/or offices over retail in a vertically-mixed building.

Lloyd Farm also provides on-site multi-family housing in the form of senior-living apartments and duplexes with ADA-accessible pedestrian-friendly connections provided to food and other essential urban services. The juxtaposition of residential use with Lloyd Farm's non-residential uses is consistent with the development pattern on the south side of NC Highway 54 where an apartment community adjoins a retail center. However, provision of residential uses on-site allows more proximate and coordinated access.

The character of the existing single-family neighborhoods to the north and east of Lloyd Farm is preserved by the establishment of building setbacks 200'+ to 400'+ deep in dimension from exterior property lines, the preservation of substantial stands of mature hardwood trees along the northern and eastern edges of Lloyd Farm, and the dedication of the northeastern portion of the property assemblage to the Town for civic use.

Retention of the existing vegetative edge along Old Fayetteville Road, supplemented as necessary by additional evergreen landscape material, maintains and enhances the current evergreen edge along the property's Old Fayetteville Road frontage.

In particular, preservation of the mature homestead tree stands that comprised the front and rear yard areas of the former Lloyd house location, along with preservation of much of the surrounding southeast corner of the property along the western portion of the Highway NC 54 frontage for gathering and event space, preserves a visual Carrboro entry feature and landmark for those arriving from the west.

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

This assemblage of properties was identified in the Town's 2006 "Creating Carrboro's Economic Future" report as an opportunity site on the NC Highway 54 corridor for non-residential development:

"The greatest asset of this corridor is that it has the only commercial area in Carrboro with direct access to a four-lane road (the Highway 54 Bypass), which makes it attractive to retailers. There is one available parcel next to the US Post Office large enough (25 acres) to sustain a significant new retail presence."

A portion (16.6 acres) of this property is already zoned B-4 (Outlying Concentrated Business). The net result of the proposed conditional rezoning (B-4-CZ), once the open space area is deducted, is the approximate amount of developable acreage that was anticipated within that report.

Furthermore, the property is well-served by public transit, with three current bus routes having bus stops located within walking distance and with a bus stop pullover area provided along the central access street directly between Lloyd Farm's non-residential and residential areas for future on-site bus service connections.

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

The conditional rezoning process provides a means by which specific conditions and plans can be attached to the property's zoning to address identified concerns. The application proposes substantial building setbacks and preserved hardwood stands, with additional evergreen landscaping installed as necessary, to buffer property owners to the north and east of the property and to maintain important elements of their viewshed.

No vehicular connections are proposed to the adjoining neighborhood streets. Instead, paved greenway connections to Lloyd Farm are provided mid-block to the north and mid-block to the east for neighborhood bicycle and pedestrian access and circulation throughout the site.

The introduction of public space and the provision of food and other essential urban services enhances the livability of this area of Carrboro. The value of nearby properties is preserved and enhanced by the provision of convenient and direct access to urban services and amenities within easy walk/bike distance, which is a desirable feature for residential neighborhoods to have as an active-living-by-design option.

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

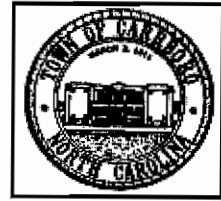
Conditional rezoning of the property in the manner proposed fulfills the Town's goal of encouraging non-residential development within designated areas and furthers the goal of creating a diversity of housing by providing senior-living housing proximate to the urban services and amenities provided by Lloyd Farm's non-residential components.

The NC Highway 54 corridor from Jones Ferry Road to Fayetteville Road is designated as being suitable for retail development, particularly because of the access provided to Orange County residents by the divided-median highway corridor. All three of the Town's existing B-4 zoning districts are located along this highway corridor.

This proposed conditional rezoning to B-4-CZ adjusts one of those three existing B-4 zoning districts to be similar in net developable acres to that of neighboring commercial property. However, by use of compact design, shared parking, and vertical construction, the similarly-sized non-residential program includes office uses along with retail uses and also adds senior-living housing within approximately the same total amount of developable acreage as the existing traditional non-residential development on the south side of NC Highway 54.

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

TOWN OF CARRBORO  
LAND USE ORDINANCE AMENDMENT REQUEST



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):

Street Design - See Attachment A

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

See Attached

- 3) State the reasons for the proposed amendment:

See Attached

SIGNATURE:  Ted Barnes for Argus  
applicant Development Group, LLC  
{print}

ADDRESS: 2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER: 704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Street Design

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

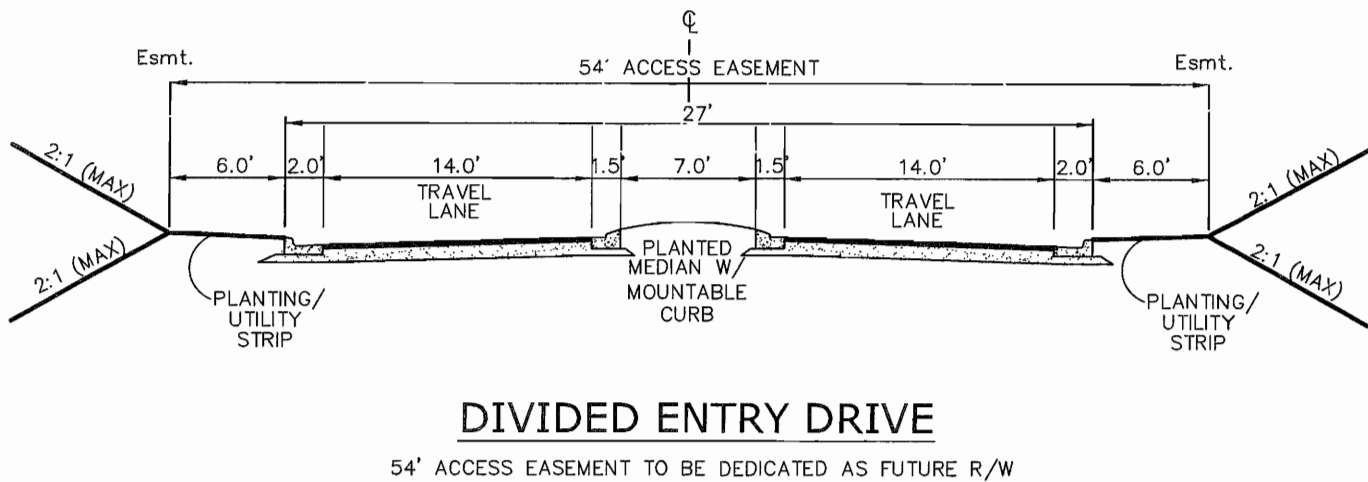
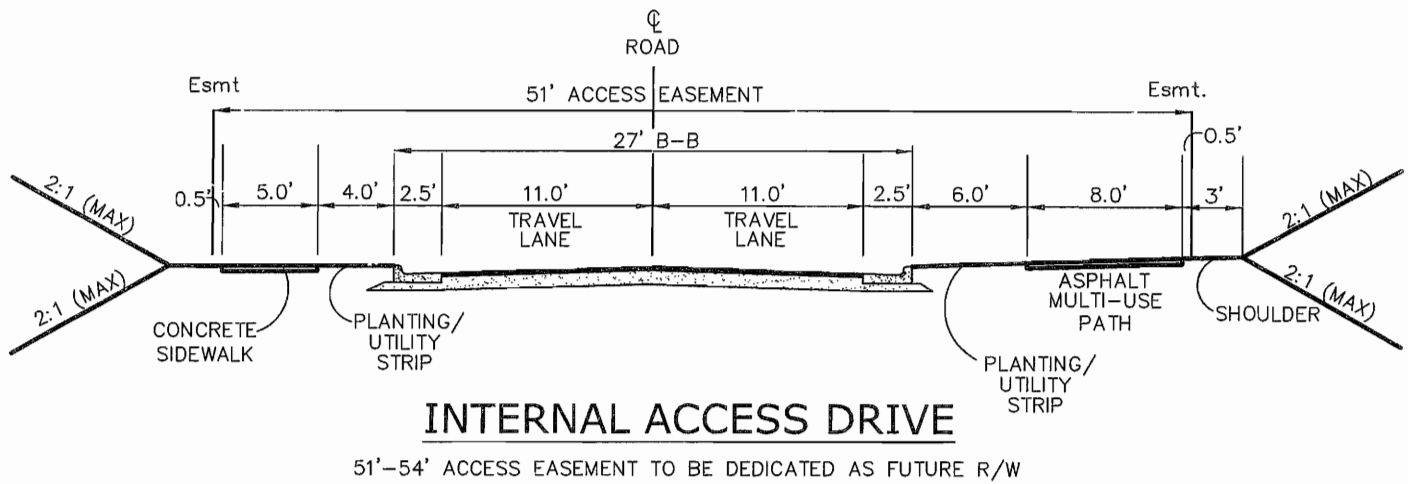
Article XIV (Streets and Sidewalks) contains definitions for various classifications of public streets that are based upon their level of traffic count volume. Article XIV then refers to minimum design components (street width, radius of curves, etc.) contained in Appendix C that would result in a street design speed that would not be appropriate for the level of traffic calming desired for an internal local access road.

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

**Add Section 15-227 "Flexibility in Administration Authorized" to Article XIV (Streets and Sidewalks) to allow the permit issuing authority to be able to lower design speeds and therefore vary the minimum design requirements for internal streets associated with a Conditional Use Permit project.**

3) State the reasons for the proposed amendment:

Without this proposed amendment to Article XIV (Streets and Sidewalks), the permit issuing authority has no means to lower street design speeds below those that are by ordinance associated with a street classification system based solely on traffic counts. Higher minimum design speeds result in streets internal to the project that can be driven faster than might be desirable for traffic calming and pedestrian safety purposes due to increased widths and larger centerline curve radii.



**LLOYD FARM - AIS / CUP / Rezoning**  
Carrboro, North Carolina  
**Street Cross Sections**



**THE DESIGN RESPONSE**  
214 E. Chatham Street  
P.O. Box 3585  
Cary, NC 27519-3585  
(919) 469-2080

DATE: 6-15-13  
SCALE: NTS  
DRAWN BY: EAP  
JOB NO.: 000-001  
SHEET NO. 1 OF 1 SHEETS

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TOWN OF CARRBORO  
LAND USE ORDINANCE AMENDMENT REQUEST



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):

Permissible Use - See Attachment A

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

See Attached

- 3) State the reasons for the proposed amendment:

See Attached

SIGNATURE:

*applicant*

Ted Barnes for Argus  
Development Group, LLC

*{print}*

ADDRESS:

2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER:

704-376-9848



Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Permissible Use

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

Article X, Section 15-146, Multi-Family Apartments 1.331 Maximum 20% > 3 bedrms/du is currently not an allowable use in the B-4 zoning district.

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

Designate Multi-Family Apartments 1.331 as an allowable use within the B-4 zoning district by adding a "C" in the B-4 column, thereby requiring a Conditional Use Permit.

3) State the reasons for the proposed amendment:

The proposed amendment allows the incorporation of rental multi-family housing into the B-4 zoning district, as allowed within most other business zoning districts, specifically in the form of apartments where no more than 20 percent of the units can be greater than three bedrooms (versus the "no bedroom limit" option).

If deemed desirable, the mixed-use ratio standards incorporated into the B-1(g) zoning district for mixed-use projects could be similarly used for B-4 zoning district mixed-use projects, with a base residential density of R-3.

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TOWN OF CARRBORO  
LAND USE ORDINANCE AMENDMENT REQUEST



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):

Building Height - See Attachment A

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

See Attached

- 3) State the reasons for the proposed amendment:

See Attached

SIGNATURE:

*applicant*

Ted Barnes for Argus  
Development Group, LLC

*{print}*

ADDRESS:

2908 Oak Lake Blvd., Ste. 203, Charlotte, NC 28208

TELEPHONE NUMBER:

704-376-9848

Attachment A

LAND USE ORDINANCE AMENDMENT REQUEST

Building Height

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

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size or setback restrictions except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

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

Article XII, Section 15-187 (a)

In any architecturally integrated subdivision, the developer may create lots and construct buildings without regard to any minimum lot size, **building height** or setback restrictions except that:

(1) Lot boundary setback requirements shall apply where and to the extent that the subdivided tract abuts land that is not part of the subdivision; and

(2) Each lot shall be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this chapter.

**(3) The building height in B-4 districts may not be increased more than fifteen feet above the district height limitation as set forth on the table in Section 15-185 (a) (2) and is consistent with all other applicable requirements of this chapter.**

3) State the reasons for the proposed amendment:

Since the intent of the Architecturally Integrated Subdivision option is to allow reviewable design flexibility in order to maximize open space preservation, among the dimensional attributes subject to that flexible approach and design review should be the vertical height of the proposed building envelope, not just the horizontal envelope, in order to maximize open space preservation opportunities

Specifically for Lloyd Farm, the design review process afforded by adding building height to the horizontal design elements within the Architectural Integrated Subdivision approach is a more appropriate means to evaluate building heights (both overall and at specific locations) than the standard building height method based on mean average grade. Additionally, only then can building height envelopes be considered in relationship to Lloyd Farm's internal streets, sidewalks, and other public places, plus any external viewsheds, where visual setbacks are much greater. In particular this flexible design review approach will be useful to meaningfully evaluate Lloyd Farm's apartment building that is designed to step up the existing site's slope while wrapping around an internal parking deck.

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## TOWN OF CARRBORO

## LAND USE ORDINANCE AMENDMENT REQUEST



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):

L.U.O. doesn't allow Use 2.210 (High Volume Traffic Generation) to display goods outside its enclosed building. See Article X, page 2 of The Table of Permitted Uses

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

A retailer within the 2.210 use category to display goods for sale outside its fully enclosed building.

- 3) State the reasons for the proposed amendment:

Grocery stores and similar retailers, considered high volume generators, have us an integral part of their merchandise and business plan the display of goods for sale outside its fully enclosed building.

SIGNATURE:

Paul Barnes  
applicant

Paul Barnes for Angus Development  
{print}

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704-376-9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO



## LAND USE ORDINANCE AMENDMENT REQUEST

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):

L.U.O. requires 1.5 bicycle parking spaces per unit.  
Article XVIII, Section 15.291 For use 1.300

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

Allow the senior living component to reduce the required  
bicycle parking to a presumptive standard below the 1.5 per unit.

- 3) State the reasons for the proposed amendment:

The age specific demographic of this multi-family development  
does not require the standard appropriate for a more typical,  
non-age specific multi-family development.

SIGNATURE:

applicant

{print}

For Angus Developer

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704-376-9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## LAND USE ORDINANCE AMENDMENT REQUEST



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):

Use 3.130 is allowed in B42C up to 10,000 square feet of gross floor area for offices or clinics

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

Allow use 3.130 in B42C to have offices or clinics greater than 10,000 square feet of gross floor area

- 3) State the reasons for the proposed amendment:

Flexibility to allow a single named operator, such as Duke Medical or UNC Medical, to lease more than 10,000 sf for one or more offices or clinics within a single building.

SIGNATURE:

applicant

{print}

Ron Angus Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704 376 9848

CARRBORO DEVELOPMENT GUIDE  
APPENDIX A

## TOWN OF CARRBORO

## LAND USE ORDINANCE AMENDMENT REQUEST



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):

THIS LAND USE ORDINANCE CURRENTLY DOES NOT ALLOW ANY DISPLAY (SALES) OF GOODS OUTSIDE A FULLY ENCLOSED BUILDING (2.200 TYPE USES) WITHIN B-4 ZONING DISTRICTS, INCLUDING SURSETS OF THAT USE SUCH AS PICK-UP OF PRE-ORDERED AND/OR PRE-PURCHASED GOODS OUTSIDE THE ENCLOSED BUILDING.

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

DELIVERY OF PRE-ORDERED RETAIL ITEMS BY STORE EMPLOYEES OR MECHANICAL SYSTEMS TO CUSTOMERS IN THEIR VEHICLES WITHOUT THE NEED TO ENTER THE BUILDING (SEPARATE FROM DRIVE-IN WINDOW SERVICE WHERE THE ORDER IS PLACED VIA A SPEAKER SYSTEM AND CUSTOMER WAITS FOR ORDER FULFILLMENT).

- 3) State the reasons for the proposed amendment:

A RELATIVELY NEW FORM OF RETAIL COMMERCE HAS EMERGED UTILIZING ONLINE ORDERING OF GROCERY ITEMS AND PHARMACEUTICAL PRESCRIPTIONS THAT ARE THEN DELIVERED TO WAITING VEHICLES IN EITHER CURBSIDE PARCEL PICKUP LOCATIONS IN FRONT OF THE STORE AND/OR DESIGNATED PARKING SPACES WITHIN THE PARKING LOT.

SIGNATURE:

applicant

(print)

Ron Arger Development

ADDRESS:

13000 S Tryon St, Suite F-302, Charlotte NC 28278

TELEPHONE NUMBER:

704 376 9848



AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE  
APPROXIMATELY 35.4 ACRES OF LAND KNOWN AS 700 OLD FAYET-  
TEVILLE ROAD FROM R-10 AND B-4 to B-4 CZ

\*\*DRAFT \_\_\_\_\_\*\*

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 by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

PIN	Existing Zoning	Proposed Zoning	Acreage
9779-09-7922	R-10	B-4-CZ	10.18
9778-19-6618	R-10	B-4-CZ	8.61
9778-19-6618	B-4	B-4-CZ	16.61

1. The Concept Plan labeled “Lloyd Farm Carrboro, North Carolina Illustrative Master Plan,” *dated March 14, 2018* is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, stormwater management features, setbacks, preserved trees and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, traffic improvements at the entrance on Old Fayetteville Road and NC Hwy 54, required parking, and approval of associated text amendments to the Carrboro Land Use Ordinance.
2. The residential density of the project shall be capped at a maximum of 250 dwelling units, comprising of a combination of use classifications 1.232 (duplex, no bedroom limit), 1.242 (two family apartment, no bedroom limit), 1.322 (multi-family townhomes, no bedroom limits), and 1.332 (multi-family apartments with no bedroom limits).
3. The residential portions of the development containing use classifications 1.322 and 1.332 shall be designed and constructed for a 55 and older community and as such may include certain dining, health and wellness related amenities not typically included in a multi-family complex intended for the general population.
4. Related to the project’s contribution to the Town’s affordable housing goals, the following shall occur:
  - a) Prior to the issuance of a certificate of occupancy for the residential portion of the development, the applicant shall submit a payment of \$743,057 to the Town of Car-

- rrboro in lieu of providing affordable housing on site.
- b) Prior to the issuance of conditional use permit for the project, the applicant shall affirm its intention to either increase the payment in lieu of providing affordable housing on site by \$250,000 or provide for the Town's approval a pricing mechanism for a portion of the over-55 rental apartments that results in affordability for such units substantially consistent with the Land Use Ordinance Section 15-148.1.
  - c) The final plat and restrictive covenants shall designate four of the "cottages" as permanently affordable, for-sale units, consistent with the provisions of Land Use Ordinance Section 15-148.1.
5. Two parcels, (PIN 9779-10-7351 and PIN 9779-20-0449), comprising approximately 4.6 acres of the 40- acre assemblage shall be dedicated to the Town of Carrboro for its future use. These 2 parcels are not included in the rezoning request.
  6. The conditional use permit plans shall be designed such that the meandering multi-use path alongside the internal road shall be constructed with a pavement width of 10-feet.
  7. \$15,000 shall be provided to the Town of Carrboro to conduct a neighborhood-level traffic calming study of the Plantation Acres, Plantation Acres Extension, and R.S. Lloyd subdivisions, known collectively as the "Plantation Acres" neighborhood and/or to pay for the installation of traffic calming devices or other improvements. The traffic calming study shall be conducted within one-year after (a)(i) at least 80% of the commercial gross floor area of the development (including the grocery store) have received certificates of occupancy and are occupied by tenants, and (a)(ii) all of the residential units have received certificates of occupancy and (a)(iii) at least 75% of the units have owners/tenants or (b) one and one-half years after all of the residential units have received COs, whichever occurs sooner. Traffic calming shall include the installation of MUTCD approved signage on Carol Street to read Local Traffic Only (MUTCD R11-3) or No Thru Traffic (MUTCD R11-4), subject to NCDOT review.
  8. The development shall include the design and installation of a visual and physical barrier between the southern boundaries of the lots on Carol Street and the commercial uses and associated vehicle accommodation areas constructed as part of the development. In addition to preserved trees, physical barriers and/or vegetative materials that will satisfy a Type A screening requirement shall be installed. The visual barrier shall be designed to retain portions of the existing wooded areas immediately adjacent to the northern property line and may additionally consist of such features as, but not necessarily limited to, a berm, landscaping or fencing, or a combination of such features.
  9. The conditional use permit application shall include a timeline for the installation of stormwater features as well as the schedule for converting erosion control features into permanently maintained BMPS.
  10. All commercial buildings shall display a uniform architectural design in terms of materials and detailing, consisting predominately of brick and other first-class materials in a traditional color with four primary elevations, rather than a façade and secondary or rear elevations. The commercial buildings shall also conform to the design standards described in Section 15-178(5) of the Carrboro Land Use Ordinance as it relates to articulating large buildings into smaller increments through the use of different techniques such as setbacks or entrances or window bays.

11. Deliveries to retail tenants shall be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.
12. Trash/recycling collections shall be limited to the hours of 7:30 am and 10:00 pm, and not after 9:00 pm whenever possible
13. Landscaping maintenance shall be limited to the hours of 7 am to 6 pm or sunset, whichever is earlier, Monday through Saturday and 12 pm to 6 pm or sunset, whichever is earlier, on Sundays.
14. The greenspace area shown on the site plan at the southwest corner of the site shall not be developed but shall remain as open greenspace.
15. The conditional use permit plans shall be designed to allow for the Town's future construction of a side path along NC Hwy 54, as per the Town's preliminary plans for bike and pedestrian access to Anderson Park and parts west. The side path project must be designed so as to not encroach into the parking areas along the southern edge of the developed portion of the site.
16. As part of the conditional use permit, the applicant shall demonstrate through a feasibility study compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management. Prior to construction plan approval, the applicant shall demonstrate the post-development peak discharge rates from the project will be less than or equal to the predevelopment peak discharge rates for the 1-, 2-, 5-, 10-, 25-, 50-, and 100- year 24-hour design storms at the discharge points from the property. The applicant will coordinate the analysis with the Town Engineer.
17. In advance of draining the property's constructed ponds near Old Fayetteville Road, the applicant will engage a wildlife relocation organization such as NC State Turtle Rescue Team to assess options for and develop and implement a strategy to relocate turtles currently residing in the ponds. The applicant shall evaluate its stormwater management plan to determine if the construction of stormwater devices can provide a receiving area for some or all of the existing turtles.
18. The applicant will seek NCDOT approval for left turns out of the site at either the NC 54 exit, the Old Fayetteville exit or both exits during the conditional use permit process. NCDOT's rejection of either or both designs shall not prevent approval of the conditional use permit for the project.
- 19.

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 \_\_\_\_\_ 2018.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FLEXIBILITY WITH RESPECT TO STREET DESIGN STANDARDS IN THE B-4-CU AND B-4-CZ DISTRICTS, TO ALLOW MULTI-FAMILY USES IN THE B-4-CU AND B-4-CZ DISTRICTS, TO INCREASE THE BUILDING HEIGHT LIMIT FOR MULTI-FAMILY BUILDINGS IN THE B-4-CU AND B-4-CZ DISTRICTS.

\*DRAFT 6-22-2016\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-216(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

“Subject to subsections (d), (d1), (e), and (f), collector streets and other streets not constructed according to the requirements of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219.”

Section 2. Section 15-216 of the LUO is amended by adding the following new Subsection (d1):

(d1) The Board may, for any development approved with a conditional use permit on property zoned B-4-CU or B-4-CZ, authorize a deviation from the standards set forth in subsection (b) and Appendix C relative to streets and sidewalks if the Board concludes that (i) the proposed streets and sidewalks would serve the functions they are designed to serve as well as or better than streets and sidewalks constructed in conformity with subsection (b) and Appendix C; and (ii) such streets and sidewalks will not impose on the town any undue or unreasonable costs or burdens relating to repairs and maintenance.

Section 3. Subsection 15-141.3(c) is amended to read as follows:

(c) Except as otherwise provided in this subsection, the uses permissible within a conditional 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 district corresponds. 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 subsection.

- (1) Property that is zoned B-4-CU may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits), 1.332 (multi-family apartments with no bedroom limits), 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit and the following: (i) not more than 25% of the area covered by the CUP in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).
- (2) (Reserved)

Section 4. Subsection 15-141.4(c) is amended to read as follows:

(c) Subject to the provisions of subsections (f) and (g), 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, 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).

(1) Property that is zoned B-4-CZ may be developed for use classifications 1.322 (multi-family townhomes, no bedroom limits) and 1.332 (multi-family apartments with no bedroom limits) 1.232 (duplex, no bedroom limit) and 1.242 (two family apartment, no bedroom limit) in addition to other uses permissible in the B-4 district, subject to a conditional use permit, and the following: (i) not more than 25% of the area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

(2) (Reserved)

Section 5. Subsection 15-147 is amended by adding a new subsection (p) to read as follows:

(p) Notwithstanding the foregoing, use classifications 1.322 and 1.332 may only be permitted in the B-4-CU district, subject to subsection 15-141.3(c) and in the B-4-CZ zoning district, subject to a conditional use permit.

Section 6. Section 15-185 of the LUO (Building Height Limitations) is amended by adding a new subsection (h) to read as follows:

(h) Notwithstanding the remaining provisions of this section, the Board of Aldermen in approving a conditional use permit for a multi-family apartment building within the B-4-CU or the B-4-CZ zoning districts, may allow the maximum building height authorized in subsection (a)(2) of this section to be increased by one foot for every ten feet the building is set back from the otherwise applicable setback line, up to a maximum height of 65 feet, if the Board of Aldermen finds that (i) at least one full story of the building is devoted to parking, and (ii) the building is designed and constructed in relation to the contours of the site in such a manner as to minimize the visual impact of the additional height on adjoining properties.

Section 7. Subsection 15-141.3(d) is amended to read:

(d) Subject to subsection(s) (f) and (g), 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.

Section 8. Subsection 15-141.4 is amended by inserting a new subsection (f) to read as shown below. The existing subsections (f) and (g) to be retained in full and renumbered accordingly as subsections (g) and (h).

(f) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district shall require the issuance of a conditional use permit.

Section 9 Section 15-141.3 is amended by adding a new subsection (g) to read as follows:

(g) If a tract is rezoned to a B-4-CU zoning district, the Board of Aldermen may, in connection with that rezoning, approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CU.
- (2) Except as provided in subsection (1), the provisions of Section 15-64 and Subsection 15-141.3 shall apply to proposed changes to a CUP issued in connection with a B-4-CU rezoning.

Section 10. Section 15-141.4 is amended by adding a new subsection (i) to read as follows:

(i) For property that is zoned B-4-CZ, the Board of Aldermen may approve a conditional use permit that authorizes the tract to be divided into two or more lots, so long as (i) the application for the CUP contains sufficient information to allow the Board of Aldermen to

approve (and the Board does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e, the subdivision and development of such lot(s) require no further review by the Board); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Board.

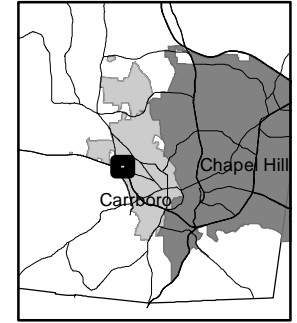
(1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a CUP for the entire tract does not provide sufficient information to allow development approval of such lots by the Board, the Board shall specify (by way of a condition upon the CUP) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Board shall consider the extent to which the initial CUP imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Board's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Board. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.



(2) Except as provided in subdivision (1) above, the provisions of Section 15-64 and Subsection 15-141.4 shall apply to proposed changes to a CUP issued in connection with a B-4-CZ rezoning.

Section 11. All provisions any town ordinance in conflict with this ordinance are repealed.

Section 12. This ordinance shall become effective upon adoption.

# Proposed B-4CZ Rezoning Lloyd Farm



-  Proposed Rezoning  
 Lloyd Farm Properties

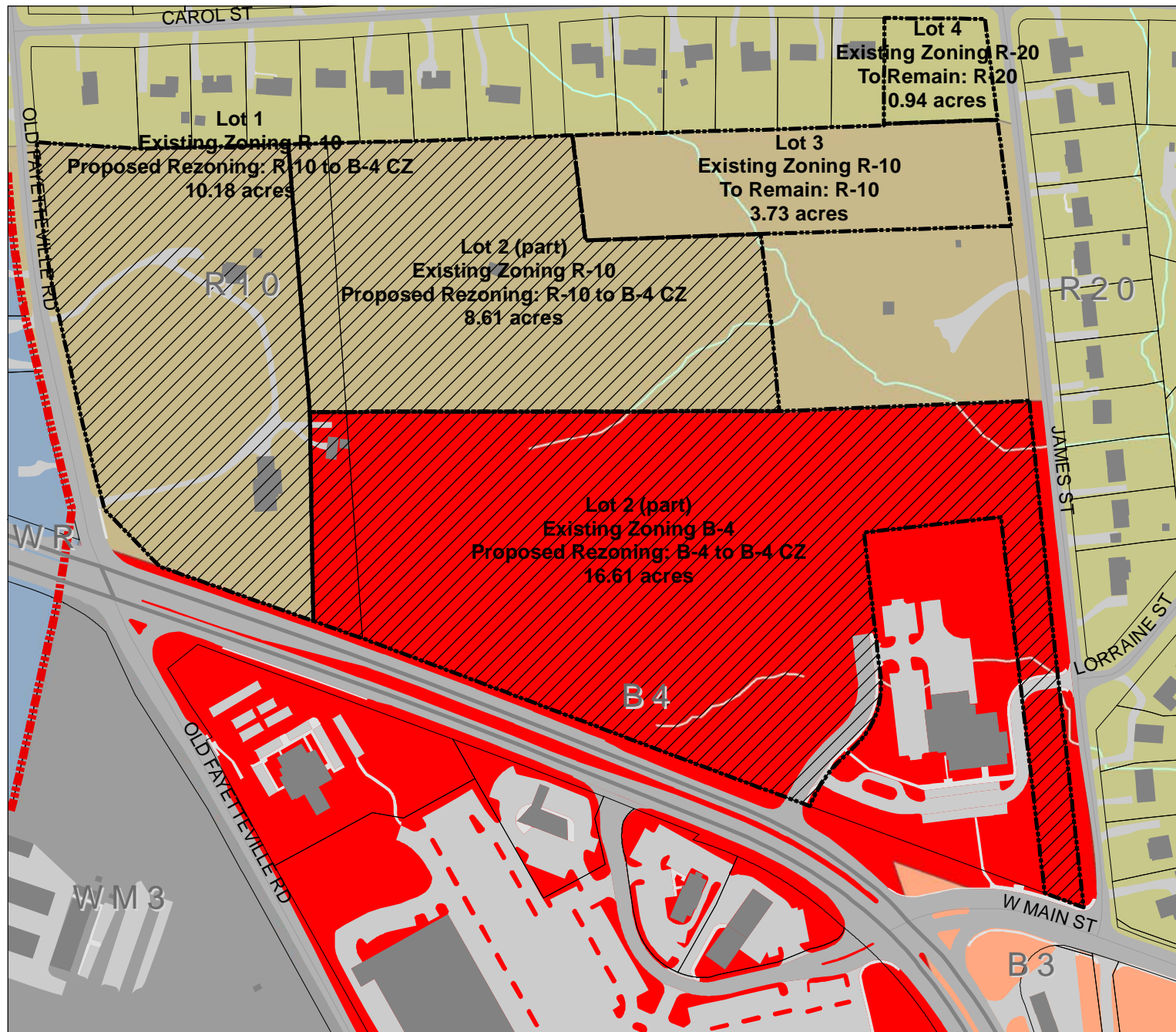
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**TOWN OF CARRBORO**  
301 W. Main St.  
Carrboro, NC 27510

Printed Sept. 5, 2014







DEVELOPMENT SUMMARY	
<b>DEVELOPER:</b> CARRBORO RETAIL, LLC C/O ARGUS DEVELOPMENT GROUP, LLC	
<b>SITE AREA:</b> 40.07 ACRES	
<b>ZONING:</b> EXISTING: B-4, R-10 PROPOSED: B-4-CZ	
<b>COMMERCIAL USES</b>	
ANCHOR: GROCERY STORE	± 64,260 SF
MEZZANINE	± 2,754 SF
MINORS: RETAIL / OFFICE / RESTAURANT	± 26,400 SF
OUTPARCELS: OFFICE / RETAIL / ENERGY CENTER	± 51,908 SF
<b>TOTAL</b>	<b>± 145,322 SF</b>
<b>RESIDENTIAL USES</b>	
SENIOR LIVING	± 220 UNITS
<b>COMMERCIAL PARKING</b>	
GROCERY / MAIN RETAIL AREA	± 370 SPACES
OUTPARCELS	± 202 SPACES
NOTE: THE USES ILLUSTRATED ON THE OUTPARCEL LOTS ARE SPECULATIVE IN NATURE AND THESE LOTS COULD BE DEVELOPED WITH OTHER USES PERMISSIBLE IN THE B-4-CZ ZONING DISTRICT.	

LLOYD FARM  
CARRBORO, NORTH CAROLINA

03.14.2018

017150

ILLUSTRATIVE MASTER PLAN

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Lloyd Farm  
Carrboro, NC

Summary of Modifications in Master Plan (November 2016 Plan vs. March 2018 Plan).

1. The 2016 plan anticipated use for the frontage parcel immediately east of the main access drive off Highway 54 (and in front of the Senior Living Project) has been modified from single-story retail building with a drive-thru, oriented in the middle of the parcel, to a multi-story office/medical office facility oriented towards the internal road. The multi-story facility is designed to be up to 3 stories, with a total of just over 31,000 square feet. Parking is provided at a ratio of approximately 3.75 spaces per 1,000 square feet.
2. Stormwater Control Measures ("SCM") have been modified and relocated throughout the site. Specifically, a SCM has been relocated to immediately west of the main access drive off Hwy 54 to more effectively serve the entire southwest corner of the site and take advantage of the natural topography.
3. The 2016 plan proposed a financial institution use with a drive-thru on the parcel immediately to the east of the main access point off Hwy 54. The 2018 plan indicates an Energy Center on the first developable parcel east of this main access point. The Energy Center will consist of gasoline/diesel fuel options, electric car charges stations, parking for car sharing services, and bicycle repair equipment.
4. The parcel immediately northwest of the Energy Center was proposed on the 2016 plan as a single-story 3,800 square foot retail/restaurant/office building. The 2018 plan indicates a three-story building of approximately 24,750 square feet. This building can be a mixed-use building with office over first floor retail. The parking area to the west of this building has been increased to service the larger building footprint and will also serve as off-hour parking for the Event Lawn.
5. The Event Lawn, located on the southwest portion of the site at the Old Fayetteville Rd/Hwy 54 intersection, has been significantly enlarged and enhanced. An area for an amphitheater has been added at the lower topographical area of the Event Lawn, taking advantage of the natural slope in that area. Walkways will connect this lower area to the upper area of the Event Lawn, which will feature existing shade trees, man-made shade areas and a large enough open area for outside events such as craft fairs.
6. The main retail parking lot has been consolidated in the 2018 plan to allow for one-stop parking, where visitors can park in any portion of the lot and conveniently shop any of the retailers. Additional parking spaces have been provided along the southern edge of the parking area to serve as an area for Event Lawn parking. An additional walkway through the parking area is present in the 2018 plan, connecting the southern retail building to the sidewalk in front of the grocery store.
7. The main service area for the retail shops has been relocated from the south side of the main parking area to the north side, due primarily to topographical concerns.
8. The grocery store footprint has been "flipped" so to orient their entrance to the south side of the parking area. 3,900 square feet of retail space adjacent to the grocery store indicated on the 2016 plan has been removed from the 2018 plan.
9. The two retail buildings on the east side of the main parking area have been reduced in size by approximately 4,100 square feet.

10. Two retail/restaurant buildings indicated on the south side of the main parking area on the 2016 plan have been relocated to the north side on the 2018 plan, with 1,000 square feet increase in total size of these two buildings, to create a more effective street-scape along the main internal roadway.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-544

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Request to Authorize the Town Manager to Accept a Bicycle Planning Grant from the North Carolina Department of Transportation, and to Select and Award a Contract to a Transportation Planning Firm to Update the Town's Comprehensive Bicycle Transportation Plan.

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider authorizing the Town Manager to both accept the award of a 2018 Bicycle and Pedestrian Planning Grant from the North Carolina Department of Transportation and to select a planning firm and to award a contract with such a firm for planning services to update the Town's Comprehensive Bicycle Transportation Plan.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Zachary Hallock - 919-918-7329; Christina Moon - 919-918-7325

**INFORMATION:** At the September 19, 2017 Board of Aldermen meeting, the Board authorized staff to submit an application for a 2018 bicycle planning grant. (Agenda materials may be found at <https://carrboro.legistar.com/MeetingDetail.aspx?ID=532837&GUID=A7711104-31F4-4BB8-AE0C-23C5B8BEBDCC&Options=&Search=>>) The application was finalized in November and subsequently, in March of 2018, staff received notice that the Town was one of the successful recipients.

Funds from the grant will be used toward updating the Town's Comprehensive Bicycle Transportation Plan (which was adopted in 2009) to better reflect the changing conditions and development trends within the Town of Carrboro as well as provide guidance on the newest treatments and technologies in bicycle facility design.

Once a municipal agreement is approved, staff will develop a Request for Proposals to select a qualified firm to deliver the project. Work on the RFP is underway and staff anticipates being ready to advertise and select a consulting firm during the summer.

**FISCAL & STAFF IMPACT:** The total project budget is \$70,000. Bicycle Planning Grant funds (70%) of the project budget, are comprised of \$25,667 in Federal State Planning and Research (FSPR) funds and \$23,333 in state Division of Bicycle and Pedestrian Transportation (DBPT) funds. Board appropriation of \$21,000 of General Fund Balance to meet the 30% local match of this grant would be needed. Staff time for project management would also be needed.

**RECOMMENDATION:** Staff recommends that the Board consider adopting the resolution provided (

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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*Attachment A*), authorizing the Town Manager to accept the award of a 2018 Bicycle Planning Grant and the resolution (*Attachment B*) to select a planning firm and to award a contract with such a firm to perform the planning services required to update the Town's Comprehensive Bicycle Transportation Plan.

**NCDOT BICYCLE PLANNING GRANT PROJECT ORDINANCE NO. \_\_\_\_\_**

WHEREAS, the Town of Carrboro, through the Planning Department, has been awarded a Bicycle Planning Grant from the North Carolina Department of Transportation to update the Town's Comprehensive Bicycle Transportation Plan; and,

WHEREAS, the grant award requires the Town to enter into a Municipal Agreement with NCDOT; and,

WHEREAS, the grant award requires a local match of \$21,000 or 30% of the total project cost; and,

WHEREAS, the Board of Aldermen for the Town of Carrboro deems this activity to be a worthy and desirable undertaking:

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. The grant is hereby accepted and authorized to update the Town's Comprehensive Bicycle Transportation Plan; and is hereby authorized to be undertaken until all project activity is completed.
2. The following revenues are anticipated to be available to the Town of Carrboro to complete this project:

Federal State Planning & Research	\$ 25,667.00
Division of Bicycle Pedestrian Transportation	\$ 23,333.00
Town of Carrboro Local Match	\$ 21,000.00
Total Revenues	<u>\$ 70,000.00</u>

3. The following amount is appropriated for this project to be expended in the following manner:

Update of the Town's Comprehensive Bicycle Transportation Plan	\$70,000.00
Total Appropriation	<u>\$70,000.00</u>

4. The Town Manager is authorized to execute the required funding agreement, execute a Municipal Agreement with NCDOT and undertake any other administrative actions necessary to secure this funding.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this grant project ordinance with the Finance Director.

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELECT A PLANNING FIRM AND TO EXECUTE A CONTRACT FOR PLANNING SERVICES TO UPDATE THE TOWN'S COMPREHENSIVE BICYCLE TRANSPORTATION PLAN**

WHEREAS, the Town of Carrboro has received confirmation that it is a recipient of a State Bike/Ped Planning Grant from the North Carolina Department of Transportation's Division of Bicycle and Pedestrian Transportation to update the Town's Comprehensive Bicycle Transportation Plan; and

WHEREAS, the Town last underwent a Bicycle Transportation Planning process in 2009; and

WHEREAS, an update to the plan would reaffirm the Town's commitment to ensuring our community provides a safe, comfortable, and efficient environment for cyclists by better considering the changing conditions and development trends within the Town of Carrboro as well as provide guidance on the newest treatments and technologies in bicycle facility design which have occurred over the past ten years; and

WHEREAS, Town staff will prepare a Request for Proposals to select the most qualified firm to deliver the project.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board Authorizes the Town Manager to select a planning firm and to execute a contract for planning services with the selected firm to update the Comprehensive Bicycle Transportation Plan.

This is the 22<sup>nd</sup> day of May in the year 2018.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-543

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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**TITLE:** Public Hearing on Town Manager's Recommended Budget for FY 2018-19

**PURPOSE:** To hold a public hearing on the Town Manager's Recommended Budget for the upcoming fiscal year as required by G. S. 159-12 (b).

**DEPARTMENT:** Town Manager

**CONTACT INFORMATION:** David L. Andrews, 918-7315 and Arche L. McAdoo 918-7439

**INFORMATION:** On May 1, 2018 the Town Manager presented his recommended budget for Fiscal Year 2018-19. The recommended budget totals, \$49,264,123 comprised of the following: General Fund \$22,892,722; Capital Fund \$23,403,462; Special Revenue Fund \$2,097,939; and Stormwater Utility Enterprise Fund \$900,000.

To ensure that the public has access to the budget document and is aware of the public hearing, North Carolina G.S. 159-12 (a) requires the Town Clerk to have the budget document available for public inspection until the budget ordinance is adopted. The document is also available on the Town's website at [www.townofcarrboro.org](http://www.townofcarrboro.org).

The statute also requires the Town Clerk to make a copy of the budget available to all news media in the county and to publish a statement that the budget has been submitted to the governing board, and is available for public inspection. The statement must also give notice of the time and place of the budget public hearing.

**FISCAL & STAFF IMPACT:** The total recommended budget for FY 2018-19 is \$49.2 million comprised of the following: General Fund \$22.8 million; Capital Fund \$23.4 million; Special Revenue Fund \$2,0 million; and Stormwater Utility Enterprise Fund \$900 thousand.

**RECOMMENDATION:** The Board is requested to: 1) hold a public hearing and receive comments from the public on the Town Manager's recommended budget; and, 2) provide directions to the Town Manager for preparation of the final budget ordinance for FY 2018-19.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-552

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Public Hearing on a Request for Voluntary Annexation of Property Contiguous to the Town Limits

**PURPOSE:** The purpose of this item is for the Board of Aldermen to receive public comment on a request for voluntary annexation of two properties, 905 and 921 Homestead Road. An ordinance annexing these properties into the Town limits is provided for the Board's use.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Trish McGuire, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)  
<<mailto:pmcguire@townofcarrboro.org>>, 919-918-7327

**INFORMATION:** Petitions for the voluntary annexation of two properties contiguous to the Town's city limits have been received. The addresses and parcel identification numbers (PIN) for these properties, with owners shown in parentheses, are listed below:

- 1) 905 Homestead Road PIN 9779 27 6322 (Parker Louis, LLC)
- 2) 921 Homestead Road PIN 9779 27 8209 (Parker Louis LLC)

A map showing the properties is attached, along with the petitions, which Deputy Town Clerk, Cora Houston found to be complete (*Attachment B*). The 4.784 -acre area to be annexed is contiguous to the Town's municipal boundary and currently contains one dwelling unit. These properties are the focus of a conditional rezoning request under consideration by the Board of Aldermen. Nineteen new lots for the same number of homes are proposed. The existing home located at 905 Homestead Road is to remain and be incorporated into the new subdivision.

The public hearing is being held in in reference to the Board of Aldermen's April 17th acceptance of the petitions for annexation and adoption of a resolution setting the public hearing

**FISCAL & STAFF IMPACT:** A Town property tax obligation will accrue to the subject properties beginning with the effective date of the annexation.

**RECOMMENDATION:** It is recommended that the Board of Aldermen adopt the attached ordinance (Attachment A) that annexes the 4.784 -acre area (Orange County PINs 9779 27 6322

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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and 9779 27 8209) located on the south side of Homestead Road (State Road 1777) just west of Claremont Drive and north of Wyndham Drive (*Attachment A*).

**AN ORDINANCE ANNEXING  
The Parker Louis LLC Properties**

WHEREAS, petitions were received requesting the annexation of the Parker Louis LLC Properties (Orange County PINs 9779 27 6322 and 9779 27 8209) which are contiguous to each other and contiguous to the existing primary corporate limits of the Town of Carrboro and for purposes of this annexation ordinance are being considered together as a single annexation area; and

WHEREAS, the petitions were signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on May 22, 2018, following notice of such hearing published in the Herald Sun on May 11, 2018.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO  
ORDAINS:

Section 1. The Board of Aldermen finds that the petitions requesting the annexation of the area comprised of the Properties described in section 2 were properly signed by the owners of all real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term “contiguous” is defined in G.S. 160-31(f).

Section 2. The area comprised of the following Properties is hereby annexed to and made a part of the Town of Carrboro:

**905 HOMESTEAD ROAD**

**ORANGE COUNTY PARCEL IDENTIFICATION NUMBER 9779 27 6322**

BEING all of that 3.054ACRES AS SHOWN ON THAT PLAT AND SURVEY ENTITLED ‘Property Survey for Parker Louis, LLC’ prepared by Stephen M. Hallstrom, Professional Land Surveyor, dated June 26, 2013, revised July 3, 2017 and further described in Exhibit A; and

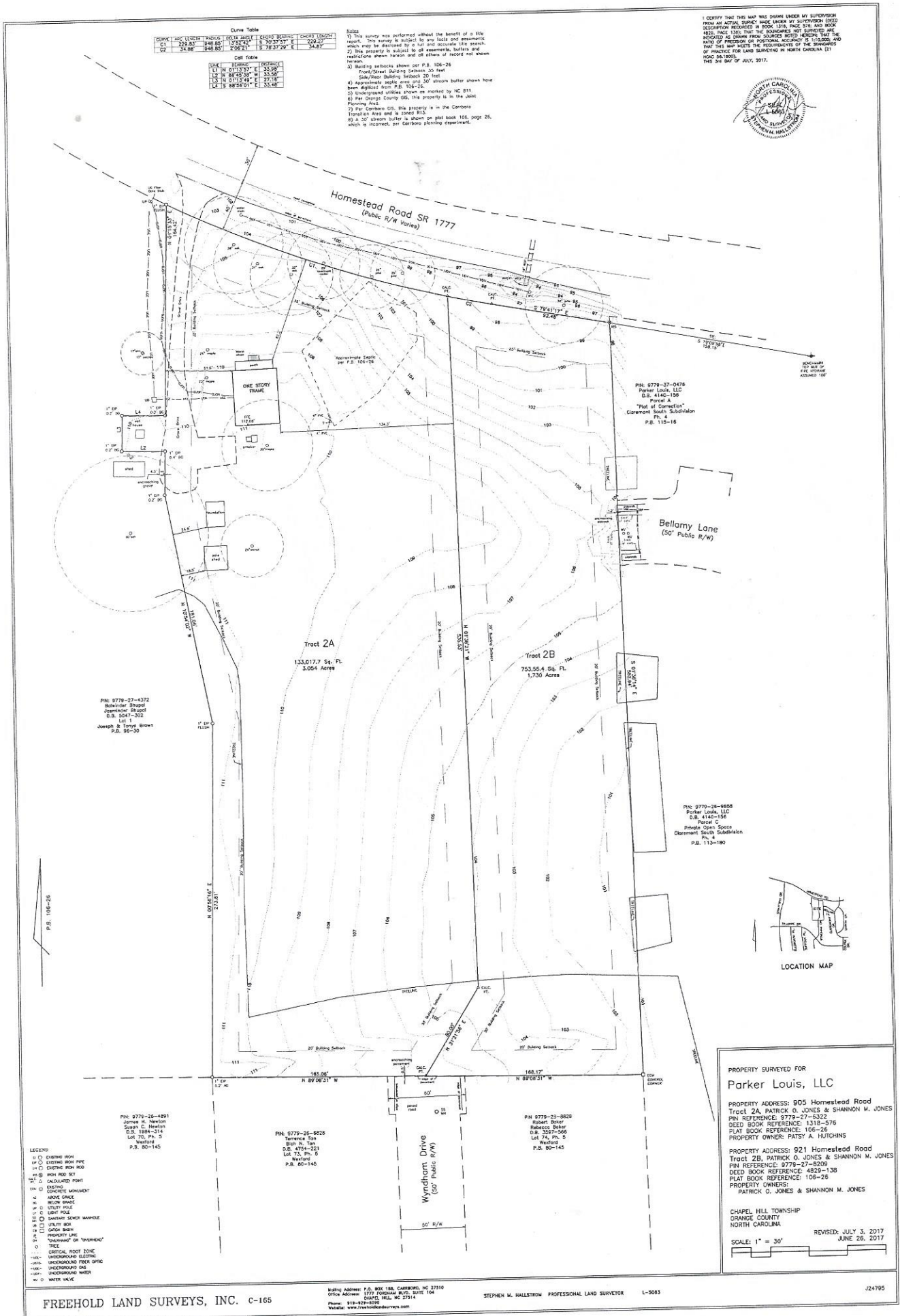
**921 HOMESTEAD ROAD, ORANGE COUNTY PARCEL IDENTIFICATION  
NUMBER 9779 27 8209**

BEING ALL OF that certain 1.730 AS SHOWN ON THAT PLAT AND SURVEY ENTITLED “Property Survey for Parker Louis, LLC” prepared by Stephen M. Hallstrom, Professional Land Surveyor, dated June 26, 2013, revised July 3, 2017 and further described in Exhibit A.

Section 3. The area within the street right-of-way of Homestead Road (to the center of the street) immediately adjacent to the boundaries of the above described area is also annexed to the Town of Carrboro.

Section 4. This ordinance shall become effective upon adoption.

Section 5. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.



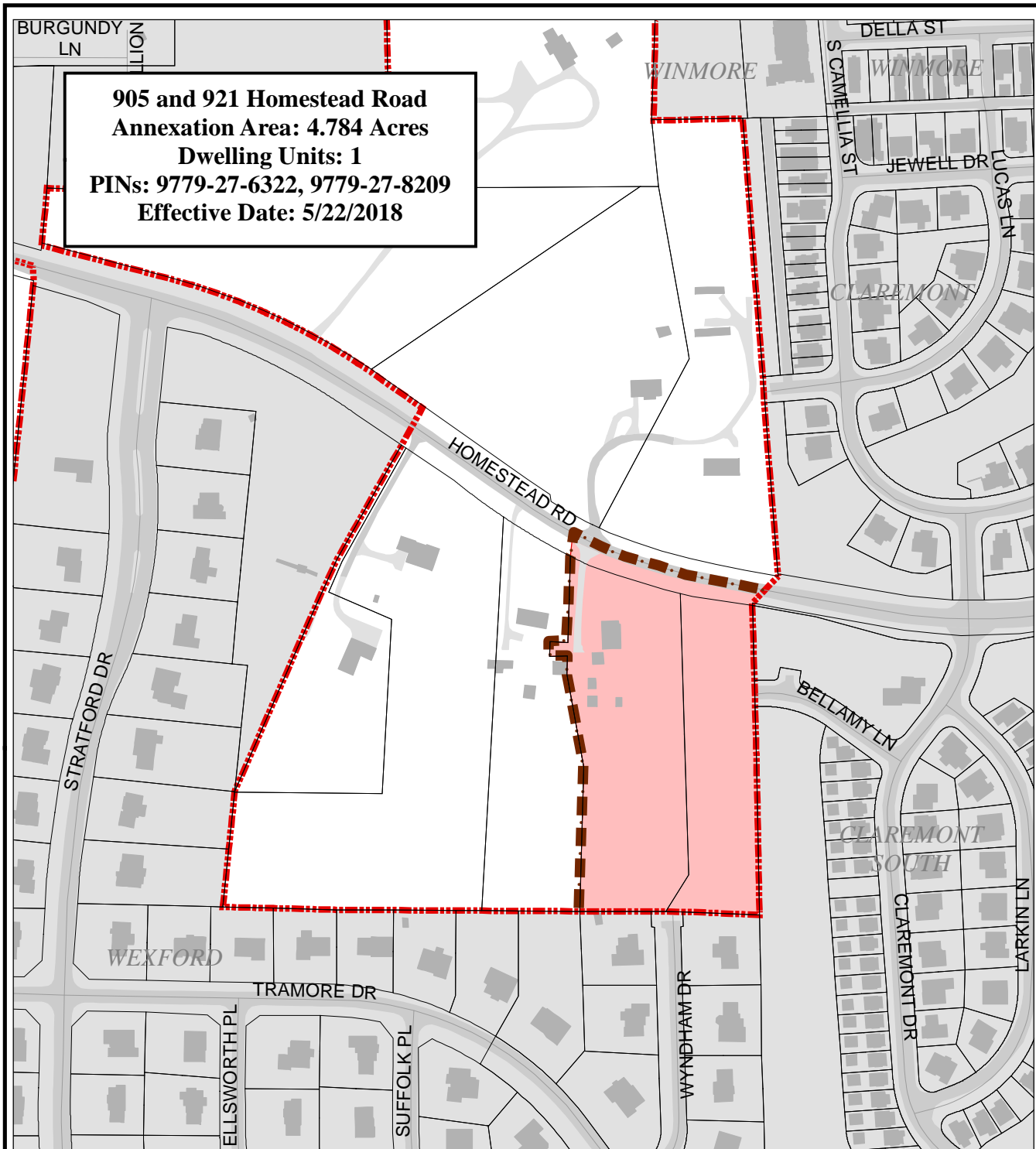


**Exhibit A**

- A combined legal description of 905 Homestead Road and 921 Homestead, Chapel Hill

BEGINNING AT A POINT IN THE SOUTHERN RIGHT OF WAY OF HOMESTEAD ROAD (S.R. 1777), BEING 411.81 FEET FROM THE CENTER LINE OF THE INTERSECTION OF HOMESTEAD ROAD (S.R. 1777) AND CLAREMONT DRIVE, THENCE RUNNING SOUTH  $01^{\circ} 38' 14''$  EAST FOR 582.94 FEET TO AN IRON FOUND IN A CONCRETE MONUMENT; THENCE RUNNING NORTH  $89^{\circ} 08' 18''$  WEST FOR 333.24 FEET TO AN EXISTING IRON PIPE OR STAKE; THENCE RUNNING NORTH  $00^{\circ} 33' 31''$  EAST 273.76 FEET TO AN IRON PIPE OR STAKE; THENCE NORTH  $10^{\circ} 54' 57''$  WEST FOR 181.05 FEET TO AN IRON PIPE OR STAKE; THENCE RUNNING NORTH  $01^{\circ} 13' 07''$  EAST FOR 34.01 FEET TO AN IRON PIPE OR STAKE; THENCE RUNNING NORTH  $88^{\circ} 46' 53''$  WEST FOR 33.59 FEET TO AN IRON PIPE OR STAKE; NORTH  $01^{\circ} 13' 07''$  EAST FOR 27.13 FEET TO AN IRON PIPE OR STAKE; RUNNING THENCE SOUTH  $88^{\circ} 46' 53''$  EAST FOR 33.59 FEET TO AN IRON PIPE OR STAKE RUNNING THENCE NORTH  $01^{\circ} 13' 07''$  EAST 164.59 FEET TO AN IRON PIPE SET IN THE RIGHT OF WAY OF HOMESTEAD ROAD (S.R. 1777); CONTINUING THENCE ON A CURVE IN A COUNTERCLOCKWISE WITH A RADIUS OF 948.85 FEET, AN ARC LENGTH OF 229.97 FEET AND WHOSE LONG CHORD BEARS SOUTH  $70^{\circ} 38' 11''$  EAST A DISTANCE OF 229.40 FEET TO AN IRON PIPE SET; CONTINUING THENCE ON A CURVE IN A COUNTERCLOCKWISE DIRECTION WITH RADIUS OF 948.85 FEET, AN ARC LENGTH OF 34.88 FEET AND WHOSE LONG CHORD BEARD SOUTH  $78^{\circ} 37' 58''$  EAST A DISTANCE OF 34.88 FEET TO A MATHEMATICAL POINT; RUNNING THENCE SOUTH  $79^{\circ} 41' 17''$  EAST FOR 92.48 FEET TO THE POINT AND PLACE OF BEGINNING, AND MORE PARTICULARLY DESCRIBED BEING ALL OF TRACT 2A, CONTAINING 3.054 ACRES AND TRACT 2B, CONTAINING 1.730 ACRES ACCORDING TO SURVEY AND PLAT ENTITLED, FINAL PLAT MINOR SUBDIVISION FOR PATRICK O. JONES & SHANNON M. JONES," AS PREPARED BY HOLLAND LAND SURVEYING, DATED JUNE 29, 2009, REVISED JULY 17, 2008 AND RECORDED IN PLAT BOOK 106, PAGE 26, ORANGE COUNTY REGISTRY.





**905 and 921 Homestead Road**  
**Annexation Area: 4.784 Acres**  
**Dwelling Units: 1**  
**PINs: 9779-27-6322, 9779-27-8209**  
**Effective Date: 5/22/2018**



**TOWN OF CARRBORO**  
 301 W. Main St.  
 Carrboro, NC 27510  
 Printed May 17, 2018

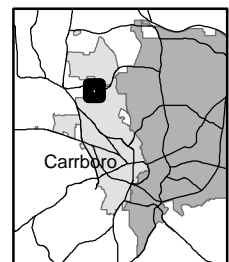
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## Proposed Annexation: 905 and 921 Homestead Rd

- New City Limits Boundary
- City Limits
- Carrboro
- Annexation Area



## TOWN OF CARRBORO

PETITION FOR ANNEXATION OF  
CONTIGUOUS PROPERTY

## TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

1) THE UNDERSIGNED, BEING THE OWNER OF ALL REAL PROPERTY LOCATED WITHIN THE AREA DESCRIBED IN PARAGRAPH #2 BELOW, REQUESTS THAT SUCH AREA BE ANNEXED TO THE TOWN OF CARRBORO, NORTH CAROLINA.

2) THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN OF CARRBORO, AND IS LOCATED AT 905 : 921 Homestead Rd AND TAX MAP REFERENCED \*  
THE BOUNDARIES OF SUCH TERRITORY ARE AS SHOWN ON THE METES AND  
BOUNDS DESCRIPTION ATTACHED HERETO. Exhibit A \*PIN: 9119-27-6322  
\*PIN: 9119-27-8209

3) A MAP (NO LARGER THAN 18" X 24") OF THE FOREGOING PROPERTY, SHOWING ITS RELATIONSHIP TO THE EXISTING CORPORATE LIMITS OF THE TOWN, IS ALSO ATTACHED HERETO.

4) THE TOTAL ACREAGE AND DWELLING UNITS LOCATED ON THIS PROPERTY ARE AS FOLLOWS:

4.784 ACRES 1 DWELLING UNITS

RESPECTFULLY SUBMITTED THIS 15<sup>th</sup> DAY OF September, 2017.

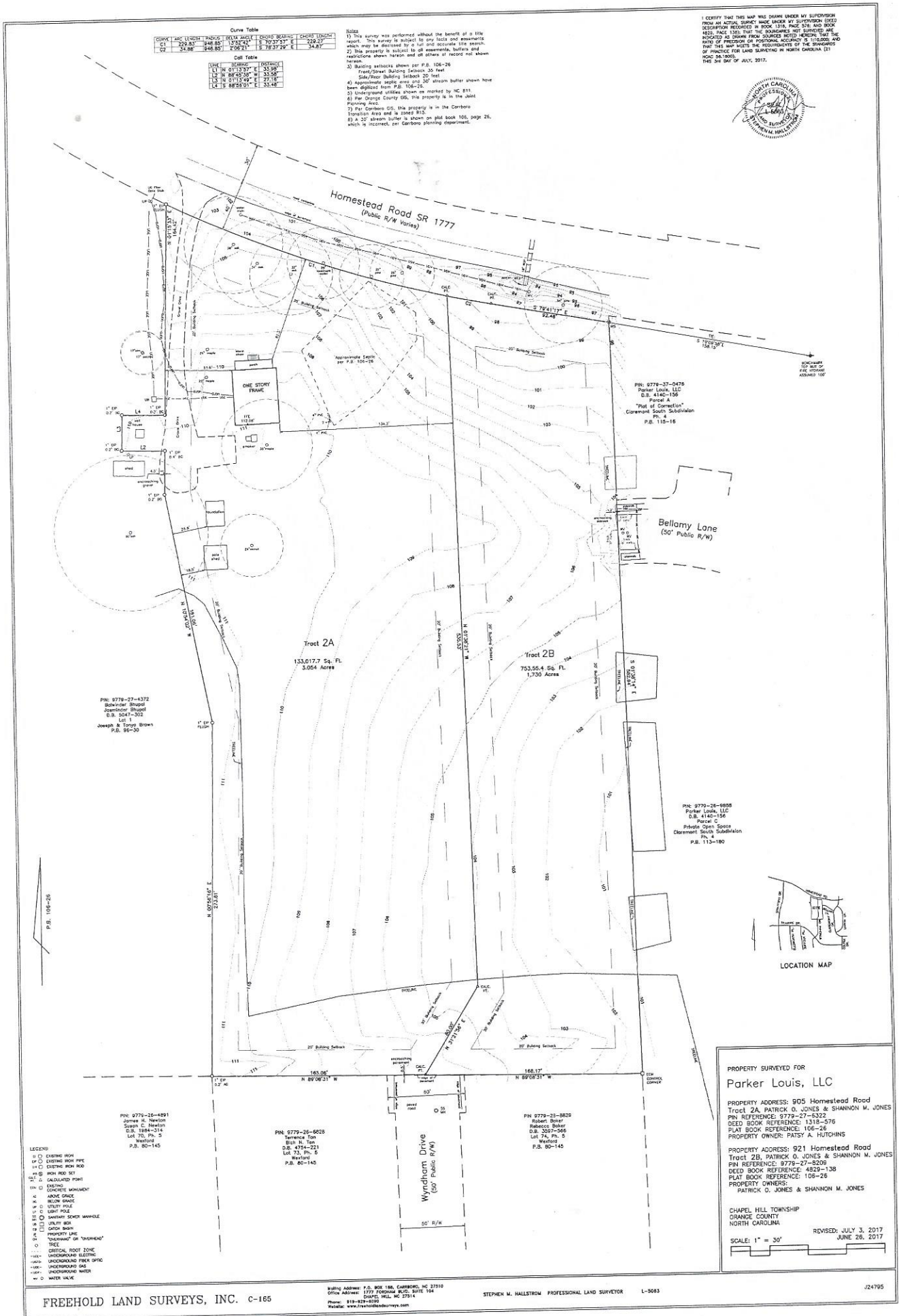
NAME:	<u>Parker Louis LLC</u>
ADDRESS:	<u>301 Montclair Way</u>
	<u>Chapel Hill, NC 27516</u>
OWNER/PRESIDENT:	<u>Adam Zinn</u>

ATTEST: [Signature] SECRETARY

I, Cora Houston, Deputy Town Clerk of the Town of Carrboro, do hereby certify that the sufficiency of the above-reference petition has been checked and found to be in compliance with G.S. 160A-31.

This the 23<sup>rd</sup> day of March, 2018.

Deputy Town Clerk: Cora S. Houston





**Exhibit A**

- A combined legal description of 905 Homestead Road and 921 Homestead, Chapel Hill

BEGINNING AT A POINT IN THE SOUTHERN RIGHT OF WAY OF HOMESTEAD ROAD (S.R. 1777), BEING 411.81 FEET FROM THE CENTER LINE OF THE INTERSECTION OF HOMESTEAD ROAD (S.R. 1777) AND CLAREMONT DRIVE, THENCE RUNNING SOUTH  $01^{\circ} 38' 14''$  EAST FOR 582.94 FEET TO AN IRON FOUND IN A CONCRETE MONUMENT; THENCE RUNNING NORTH  $89^{\circ} 08' 18''$  WEST FOR 333.24 FEET TO AN EXISTING IRON PIPE OR STAKE; THENCE RUNNING NORTH  $00^{\circ} 33' 31''$  EAST 273.76 FEET TO AN IRON PIPE OR STAKE; THENCE NORTH  $10^{\circ} 54' 57''$  WEST FOR 181.05 FEET TO AN IRON PIPE OR STAKE; THENCE RUNNING NORTH  $01^{\circ} 13' 07''$  EAST FOR 34.01 FEET TO AN IRON PIPE OR STAKE; THENCE RUNNING NORTH  $88^{\circ} 46' 53''$  WEST FOR 33.59 FEET TO AN IRON PIPE OR STAKE; NORTH  $01^{\circ} 13' 07''$  EAST FOR 27.13 FEET TO AN IRON PIPE OR STAKE; RUNNING THENCE SOUTH  $88^{\circ} 46' 53''$  EAST FOR 33.59 FEET TO AN IRON PIPE OR STAKE RUNNING THENCE NORTH  $01^{\circ} 13' 07''$  EAST 164.59 FEET TO AN IRON PIPE SET IN THE RIGHT OF WAY OF HOMESTEAD ROAD (S.R. 1777); CONTINUING THENCE ON A CURVE IN A COUNTERCLOCKWISE WITH A RADIUS OF 948.85 FEET, AN ARC LENGTH OF 229.97 FEET AND WHOSE LONG CHORD BEARS SOUTH  $70^{\circ} 38' 11''$  EAST A DISTANCE OF 229.40 FEET TO AN IRON PIPE SET; CONTINUING THENCE ON A CURVE IN A COUNTERCLOCKWISE DIRECTION WITH RADIUS OF 948.85 FEET, AN ARC LENGTH OF 34.88 FEET AND WHOSE LONG CHORD BEARD SOUTH  $78^{\circ} 37' 58''$  EAST A DISTANCE OF 34.88 FEET TO A MATHEMATICAL POINT; RUNNING THENCE SOUTH  $79^{\circ} 41' 17''$  EAST FOR 92.48 FEET TO THE POINT AND PLACE OF BEGINNING, AND MORE PARTICULARLY DESCRIBED BEING ALL OF TRACT 2A, CONTAINING 3.054 ACRES AND TRACT 2B, CONTAINING 1.730 ACRES ACCORDING TO SURVEY AND PLAT ENTITLED, FINAL PLAT MINOR SUBDIVISION FOR PATRICK O. JONES & SHANNON M. JONES," AS PREPARED BY HOLLAND LAND SURVEYING, DATED JUNE 29, 2009, REVISED JULY 17, 2008 AND RECORDED IN PLAT BOOK 106, PAGE 26, ORANGE COUNTY REGISTRY.



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-545

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Public Hearing for Conditional Rezoning at 905 & 921 Homestead Road

**PURPOSE:** The purpose of this item is for the Board to provide an opportunity for public comment on a request to rezone property at 905 and 921 Homestead Road to R-10-CZ.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Bob Hornik - 919-929-3905; Marty Roupe - 919-918-7333

**INFORMATION:** The Town has received a request from Parker Louis, LLC (Adam and Omar Zinn) to amend the official zoning map for two parcels, located along the south side of Homestead Road, from R-15 (Residential, 15,000 square feet per dwelling unit) to R-10-CZ (Residential, 10,000 square feet per dwelling unit, conditional) for the purpose of developing a twenty-lot Architecturally Integrated Subdivision (AIS). Totalling just under 4.8 acres combined, the parcels are shown on the attached vicinity map (*Attachment C*) and may be more specifically identified as Orange County PINs 9779-27-6322 and 9779-27-8209. Should the Board approve the rezoning, the Zinns would follow with an application for a Conditional Use Permit (CUP).

Materials submitted by the applicant include the petition for change of zoning and answers to the four-part question seven, a short narrative of the project, and a conceptual site plan (*Attachments D, E and F*). Proposed conditions are incorporated into the draft ordinance for rezoning (*Attachment B*) and are referenced in the staff memo. The applicants held a neighborhood information meeting on the project on September 15, 2017 and have provided the NIM form; NIMs are not required for conditional rezonings. The applicant has also submitted a petition for voluntary annexation, which is being considered as a separate agenda item.

The Board of Aldermen must receive public comment before adopting map amendments to the Land Use Ordinance. Section 15-141.4 of the Land Use Ordinance, Conditional Zoning Districts, describes the procedure for the Board to consider a conditional rezoning and Section 15-322 describes the role of the Planning Board and other advisory boards in the review of rezonings. Excerpts from the LUO are included in the staff memo.

The rezoning proposal was presented at the Joint Review meeting on May 3<sup>rd</sup>. At the meeting, the applicant provided information regarding a possible alternative design that included a minor modification to the east-west internal street intended to protect the large Oak tree on the adjacent property to the west. The image is included as part of the illustrative site plan, (*Attachment E-2*). Advisory board comments are provided (*Attachment I*).

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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**FISCAL & STAFF IMPACT:** The petitioner has submitted materials and fees, where applicable, for reviewing and processing these requests, including envelopes for mailed notice. Staff time will be necessary for public notice and agenda preparation for the public hearings.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution finding consistency (*Attachment A*), and the draft ordinance for the rezoning (*Attachment B*).

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF  
ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE  
CARRBORO LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 4.8 ACRES OF THE PROPERTY KNOWN AS 905 AND 921 HOMESTEAD ROAD FROM R-15 (RESIDENTIAL, 15,000 SQUARE FEET PER DWELLING UNIT) TO R-10-CZ (RESIDENTIAL, 10,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

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

**Section 1. The Board has reviewed the draft amendment to the map of the Land Use Ordinance and concludes that the proposed amendment is:**

\_\_\_\_\_ *Consistent* with current adopted plans, Carrboro Vision2020 (provisions 2.51, 2.52, 4.51, 4.52, and 6.11) and the Facilitated Small Area Plan for Carrboro's Northern Study Area (goals 2, 4, 5, and 8), for the following reason(s):

**Carrboro Vision2020**

**2.51** The town should support the implementation of our Small Area Plan.

**2.52** The town should continue to require the construction of a diverse housing stock.

**4.51** The town should continue to require developers to install sidewalks and bicycle paths in new developments.

**4.52** New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.

**6.11** Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.

**Facilitated Small Area Plan**

**Goal 2** Patterns of growth which allow for the efficient provision of Town Services

**Goal 4** A variety of housing types and price levels

**Goal 5** A variety of transportation routes, which allow for public, private, bicycle, and pedestrian modes of transportation

**Goal 8** A pedestrian-scale community

\_\_\_\_\_ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

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\_\_\_\_\_ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Board of Aldermen's approval shall also be deemed an amendment to the existing adopted plan, \_\_\_\_\_, as described below.

Changed circumstance(s):

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Amendment to current adopted plan:

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**Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):**

The above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

**Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the map of the Carrboro Land Use Ordinance.**

**Section 4. This resolution becomes effective upon adoption.**

Adopted by the Carrboro Board of Aldermen this the 22<sup>nd</sup> day of May 2018.



AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 4.8 ACRES OF THE PROPERTY KNOWN AS 905 AND 921 HOMESTEAD ROAD FROM R-15 (RESIDENTIAL, 15,000 SQUARE FEET PER DWELLING UNIT) TO R-10-CZ (RESIDENTIAL, 10,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

**\*\*Draft 04-25-2018\*\***

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:

Chapel Hill Township, two parcels at 905 and 921 Homestead Road (PIN #9779-27-6322 and 9779-27-8209) encompassing approximately 4.8 acres (209,088 square feet) is hereby rezoned from R-15 (Residential 15,000 square feet per dwelling unit) to R-10-CZ (Residential 10,000 square feet per dwelling unit, Conditional) subject to the following conditions provided by the applicant:

1. The Concept Plan labeled “Rezoning Exhibit Illustrative Site Plan – 905 & 921 Homestead Road Conditional Rezoning,” dated March 21, 2018 is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, setbacks, and other landscaped areas. Other features and issues remain to be decided at the time a conditional use permit is requested for the development. Those features and issues include, but are not necessarily limited to, the location of stormwater management features, traffic improvements at Homestead Road, and the cross section of the proposed internal streets.
2. The project shall be designed as an Architectural Integrated Subdivision (AIS). As referenced in condition #1 above, the conceptual plan shall include illustrative lot layouts showing the location of setbacks, building footprints, trees, parking area, etc. to ensure the buildability of the proposed lots, as well as the location of proposed open space and recreation facilities.
3. The maximum residential density of the project shall be limited to 20 dwelling units.
4. The applicant has expressed interest in pursuing size-limited dwelling units, and will include up to 25% size limited units. If the project does not include 15% affordable units, the applicant shall participate in an affordable housing meeting with the Board of Aldermen.
5. Per the Town’s connectivity requirements, the proposed north-south internal road shall be constructed to provide a full connection to Wyndham Drive. The proposed east-west internal road may require a T-turnaround or similar feature as determined during the CUP and construction plan approval to allow solid waste/recycling service.

6. The project shall include the construction of a sidewalk or sidepath along Homestead Road, unless determined to be impracticable during the conditional use permit process.

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

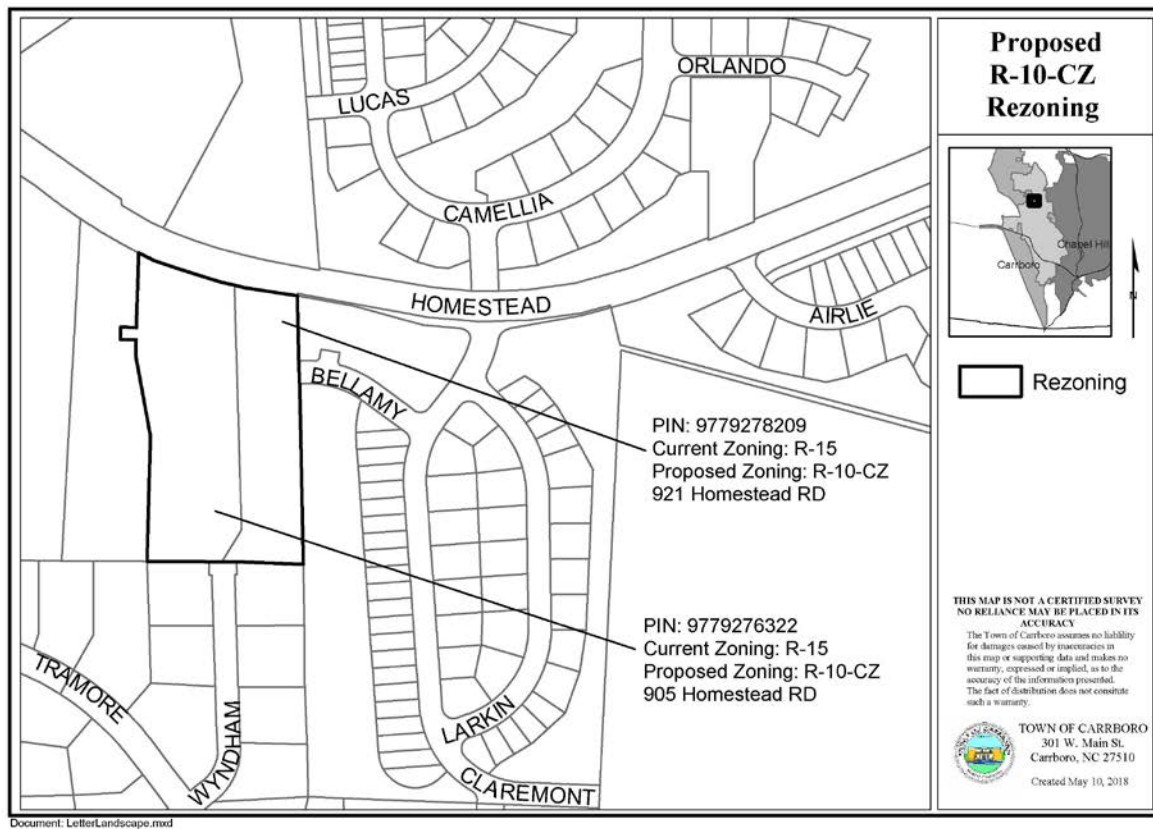
SECTION 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_ day of \_\_\_\_\_ 2018:

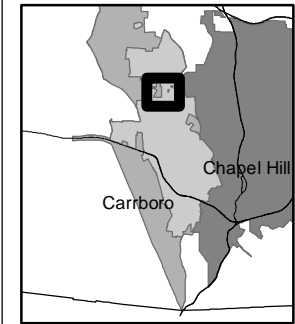
AYES:

NOTES:

ABSENT OR EXCUSED:




# Proposed R-10-CZ Rezoning



 Proposal area

 Town Limits

## ZONING

 R10B3PUD

 R15

 R20

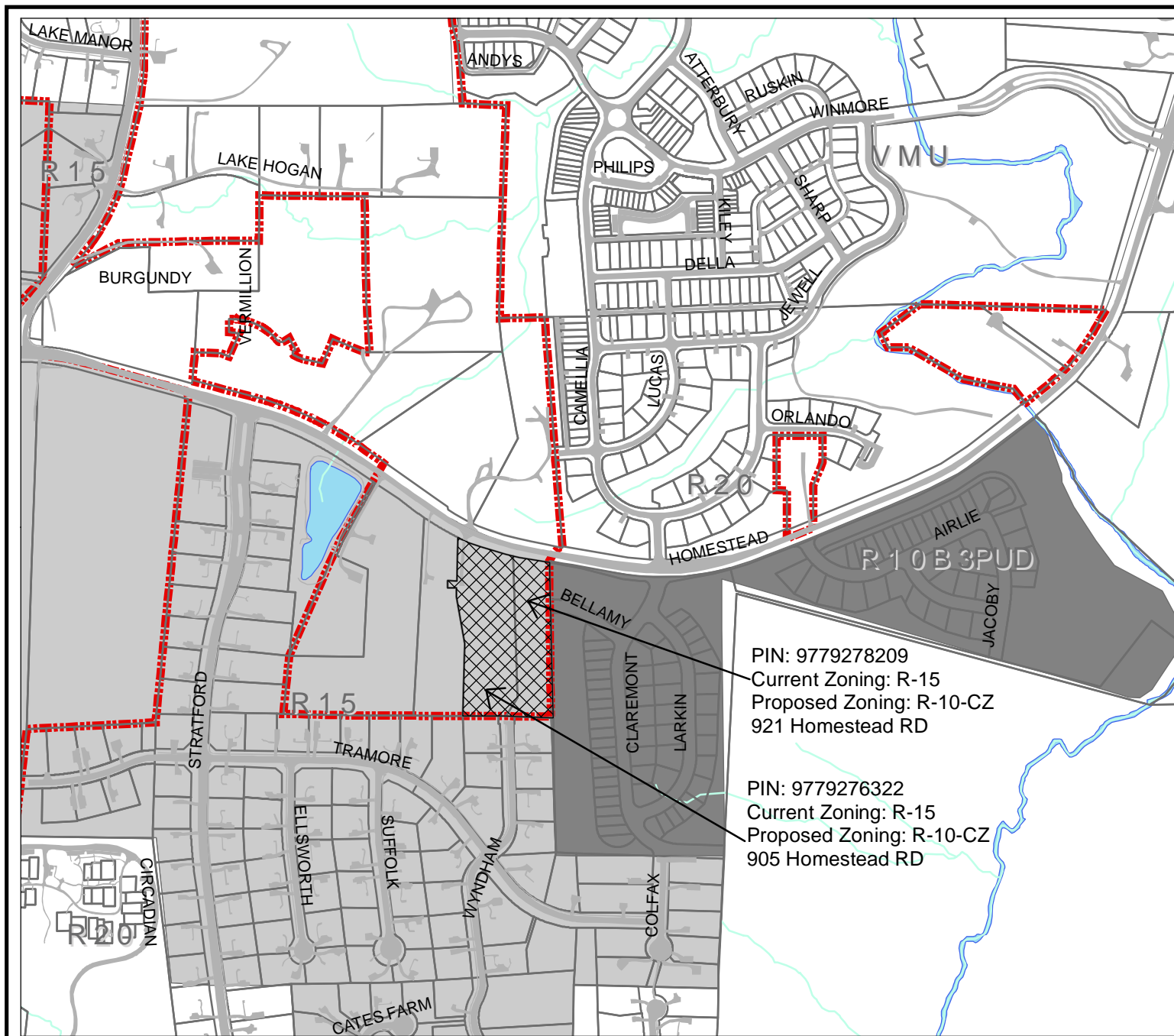
**THIS MAP IS NOT A CERTIFIED SURVEY  
NO RELIANCE MAY BE PLACED IN ITS  
ACCURACY**

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

Created March 13, 2018



## Conditional Rezoning Application for Hutchins/Jones tract.

Parker Louis, LLC is submitting a petition for change of zoning for the Hutchins/Jones tracts (4.784 acres combined) located off of Homestead Road bordering the Claremont South neighborhood.

The current zoning (R-15) would allow 12 single family homes. We feel a better use of the land would be to change the zoning to R-10-CZ to allow for a more dense subdivision. With the increased density, lot sizes would be reduced and the end product would be homes in the 1100-2000 square foot range. This product has done very well in Claremont South and is rarely available as a new home in Carrboro.

Please find the formal petition for change of zoning included in this packet of material.

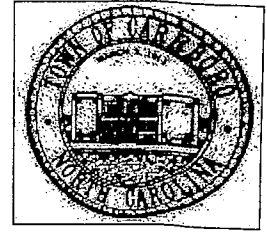
Currently we are not proposing any conditions other than the standard condition to link the rezoning to the subsequent Conditional Use Permit. We are happy to consider other conditions as this project moves through the approval process. As shown on the attached (Rezoning Exhibit R-15 to R-10-CZ), we are developing the site as a small lot and size limited (25%) neighborhood.

Please find a site plan attached (Rezoning Exhibit R-15 to R-10-CZ).

## APPENDIX A – 2

# PETITION FOR CHANGE OF ZONING FORM

## TOWN OF CARRBORO



PETITIONER:

DATE:

Parker Louis, LLC

The Petitioner named above respectfully requests the Board of Aldermen of the Town of Carrboro to rezone the below-described property from R-15 to P-10C1 zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME Parker Louis LLC  
 ADDRESS: 301 Montclair Way, Chapel Hill, NC 27516  
 TELEPHONE #: (919) 422-6477
2. INTEREST IN PROPERTY (IES): owner
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS: 905121 Homestead Rd, directly to the west of Claremont South Phase 5 and Bellamy Lane
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
  - a. OWNER: Parker Louis LLC  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: 3.054 PARCEL: 9779-27-6322  
 SUBDIVISION NAME: N/A FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_  
 EXISTING STRUCTURES AND USES: single family home
  - b. OWNER: Parker Louis, LLC  
 TAX MAP: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ ACREAGE: 1.730 PARCEL: 9779-27-8209  
 SUBDIVISION NAME: N/A FRONTAGE: \_\_\_\_\_ DEPTH: \_\_\_\_\_

Vacant lot

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

1. *Journal of the American Medical Association*, 2000; 283: 2686-2692.

- ADDRESS.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. A vertical line runs down the center of the page, creating two equal-width columns. The paper appears to be from a notebook or a form designed for organized writing or drawing. There are no markings, text, or illustrations on the page.

- the area? *see attached*

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

see attached

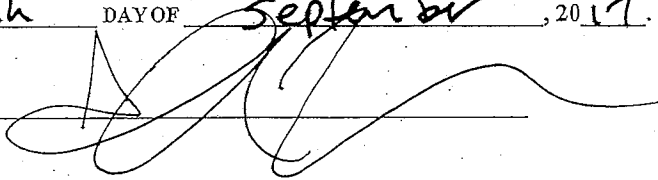
- (c) How will the proposed rezoning affect the value of nearby buildings?

see attached

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

see attached

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 15th DAY OF September, 2017.

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.



Petition for Change of Zoning from R-15 to R-10-CZ

7(a) The existing character of the area is predominantly a mix of newer neighborhoods (Claremont, Claremont South, Winmore) and existing neighborhoods mostly developed in the 1990's. The subject properties (totaling 4.784 acres) borders Claremont South (R-10 B-3 PUD) and more specifically, the 23 size limited homes in Claremont South. The requested rezoning change will allow us to continue to develop smaller lots, which will breed smaller, more affordable homes. It also speaks directly to Carrboro Vision 2020, Development section 2.52, to "require the construction of a diverse housing stock."

(b) Under current zoning laws (R-15), the property would produce 12 single family lots. It is better suited for a denser subdivision in the R-10-CZ classification. The tremendous success of the smaller homes in the adjoining Claremont South neighborhood has strengthened our belief that the market for homes in the 1100-2000 square foot range in Carrboro is a product that has demand.

(c) The proposed rezoning will have a positive impact on the value of nearby buildings. Connectivity to Wexford should be a seamless event and buyers/sellers in the area will continue to have a choice of product. The coexistence of smaller and larger homes in Claremont South has shown that a mix of product (with careful aesthetic approval) can thrive.

(d) The most appropriate use of this property is to rezone it to increase density. If not, it will be developed with less affordability for the end user. The town of Carrboro has consistently stated a desire to increase density in this area and this rezoning will accomplish that. Moreover, it provides a product that appeals to more homeowners based on affordability alone and coincides with the Town's Vision.

Property Identification Numbers (PIN) for property:  
 Parcel Address (Parcel 1): 905 Homestead Road  
 Chapel Hill, North Carolina  
 9779-27-6322  
 133,017.7sf. (30.354 acres)  
 Parcel Address (Parcel 2): 921 Homestead Road  
 Chapel Hill, North Carolina  
 9779-27-8209  
 75,355.4sf. (1.730 Acres)

## CONDITIONAL ZONING - Notes and Information

The site plan is illustrative. The project as shown will require a conditional use permit.

The applicant understands and accepts that approval of this site plan exhibit does not in any way relieve applicant from reproducing a site plan for the conditional permit that fully complies with all applicable provisions of The Carrboro LUO.

Current Zoning Designation: R-15

Proposed Zoning Designation: R-10, Conditional (R-10-CZ)

TOTAL PROPERTY AREA: 208,373 sf.

20 lots at 10,000 sf./lot = 200,000sf.

Density Calculation Per LUO Section 15-182.3 (no deduction conditions)

The maximum residential density of the project shall be limited to 20 single family residential dwelling units.

This plan proposes 5 size limited lots north of the proposed Bellamy Way.

2 @ 1,100 sf. and 3 @ 1,350 sf.

All lots shown hereon are proposed as, and are limited to, single family construction.

The project shall be designed as an Architectural Integrated Subdivision (AIS) as referenced in the associated conditions. This site plan includes illustrative lot layout showing the locations of building setbacks, building footprints, trees, and other items to ensure buildability of the proposed lots as illustrated hereon as well as the location of any proposed open space and recreation facilities.

### PROPOSED MINIMUM BUILDING SETBACKS

CUP at R-10 for this development

Front - 0' (steps and stairs 0' setback)

Side - 2.5'

Rear - 2.5' (steps and stairs 0' setback)

Note: Existing Setback for underlying zoning

Per Town of Carrboro Zoning Ordinance

R15 Zoning

Boundary Setback - 20'

Right of Way Setback - 35'

Road Centerline Setback - 55'

This plan proposes not less than 40% open space and this development proposes to comply with The Recreation Facilities Requirement - article XIII of the Carrboro LUO.

This plan proposes to leave the existing home intact. The existing gravel drive will be removed and the area that it occupies will be reclaimed.

### LDO Article XIII Required Recreation Space Allocation:

Single Family Residential Area greater than 15 lots

Proposed 20 lots at 10.39 points / single family residential lot

Project Total Points : 207.8 points

Amenity(s) Required must exceed 207.78 points

Amenity Proposed: Gazebo or Pergola 24x28'

.326 x 672 = 219 points

Amenity Proposed: Hiking Trail 525' x 4'

0.16 x 4 x 525 = 33.6 points

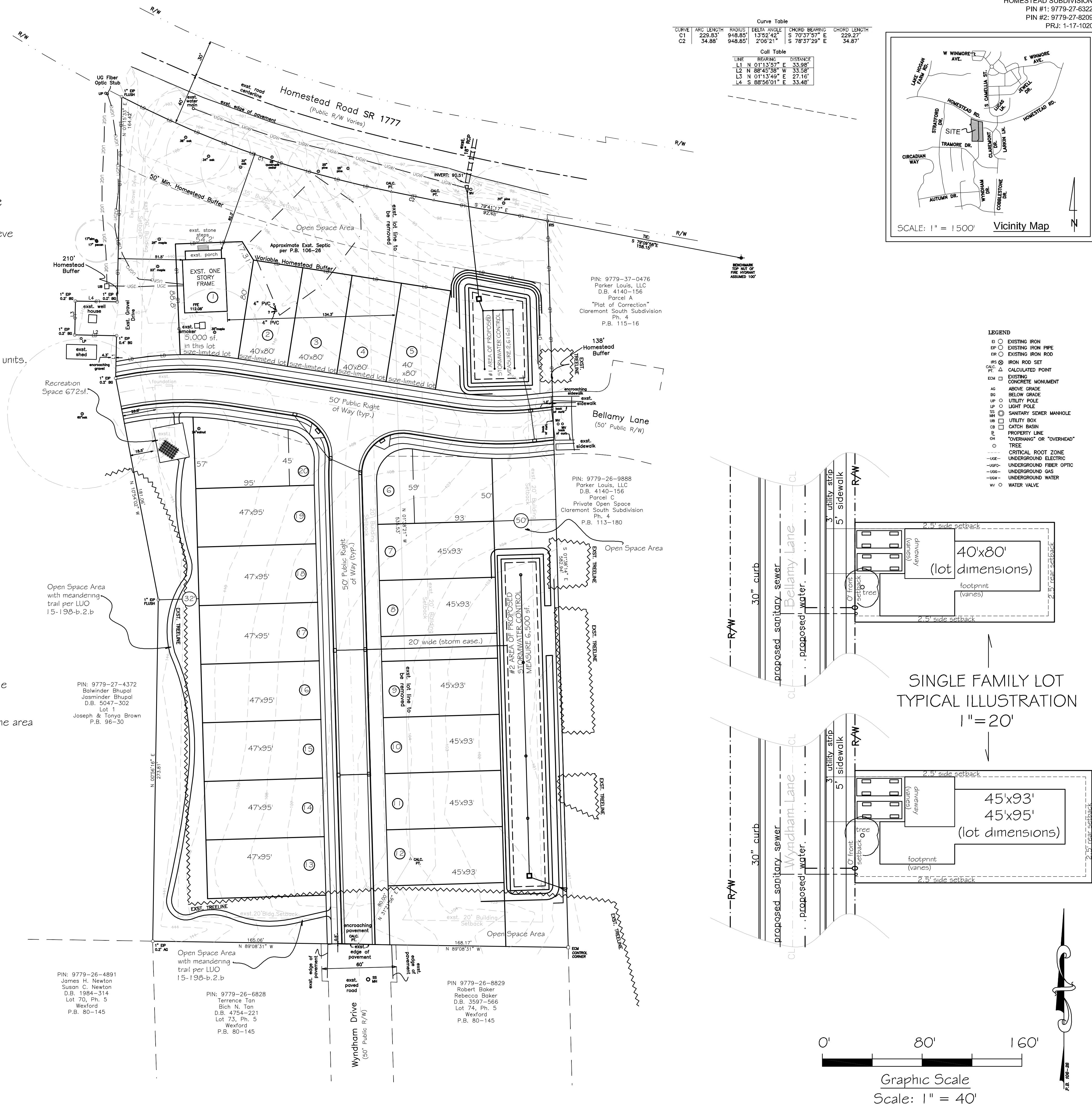
Total Project Recreational Facilities Points Provided: 252 points

meets or exceeds 207.8 required points

### RIGHT OF WAY CONSTRUCTION and MINIMUM PAVING SCHEDULE:

Utility construction within the public right of way, street cross section, and paving section thickness per Carrboro Town Standard Specifications and Details.

Base Survey Information provided by a survey from Freehold Land Surveys, Inc.  
 Carrboro, North Carolina  
 Developer:  
 Parker Louis, LLC  
 301 Montclair Way  
 Chapel Hill, NC 27516



3-21-2018  
 1" = 40'  
 BSB  
 DRAWN IN THE USA BY

3-15-2018  
 Revised map location  
 3-15-2018  
 3-15-2018

1-17-1020  
 PRELIMINARY  
 PRELIMINARY

Preliminary  
 Rezoning Exhibit  
 Illustrative Site  
 Plan  
 8-22-2018  
 CHARLES D. HUFFMAN  
 ENGINEER  
 24924  
 C-1939

Rezoning Exhibit - Illustrative  
 Site Plan  
 905 & 921 HOMESTEAD ROAD  
 PREPARED BY

THE L.E.A.D.S. GROUP, P.A.  
 100 EAST PARK STREET  
 RICHMOND, NC 27215  
 Phone: (336) 222-8007  
 Fax: (336) 222-8009  
 Land Engineering And Development Services







# TOWN OF CARRBORO

## NEIGHBORHOOD MEETING FORM



"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.'

### TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

DUE TO PROPOSED LAND DISTURBING ACTIVITY TO TAKE PLACE ON PROPERTY LOCATED AT:

905 & 921 Homestead Rd.

TO BE CALLED

TBD

AND TAX MAP REFERENCED AS

PIN: 9779-27-6322

I, Adam Zinn,

REPRESENTING

9779-27-8209

Parker Louis LLC

SUBMIT THIS NEIGHBORHOOD MEETING FORM TO ACKNOWLEDGE THAT:

[PLEASE CHECK THE APPROPRIATE BOX BELOW.]



A MEETING WAS HELD WITH THE MEMBERS OF THE NEIGHBORHOOD ON

10/11/17.



Residents (including Property Owners and Renters), up to 1000 feet of the property, were notified of the neighborhood meeting.



A MEETING WAS NOT HELD WITH THE MEMBERS OF THE NEIGHBORHOOD.

THIS NEIGHBORHOOD MEETING FORM IS RESPECTFULLY SUBMITTED TO THE TOWN STAFF ON THIS 12<sup>th</sup> DAY OF October, 2017.

By affixing my signature, I attest to the accuracy of the submitted information.

Signature



## TOWN OF CARRBORO

NORTH CAROLINA

### TRANSMITTAL

### PLANNING DEPARTMENT

**DELIVERED VIA:** ☐ HAND ☒ MAIL ☐ FAX ☐ EMAIL

**To:** David Andrews, Town Manager  
Mayor and Board of Aldermen

**From:** Tina Moon, Planning Administrator

**Date:** May 18, 2018

**Subject:** Request for Conditional Rezoning at 905 & 921 Homestead Road

### **SUMMARY**

The Town has received a petition for change of zoning from Parker Louis, LLC, (Adam and Omar Zinn), to rezone 905 and 921 Homestead Road from R-15 to R-10, Conditional (R-10-CZ) for the purpose of developing a twenty-lot Architecturally Integrated Subdivision (AIS). The two parcels, totaling just under 4.8 acres are located along the south side of Homestead Road, adjacent to Claremont South. Should the Board approve the rezoning, the Zinns would follow with an application for a Conditional Use Permit.

### **REZONING OVERVIEW**

Section 15-320 of the Land Use Ordinance separates zoning map amendments into two categories—major and minor. This proposal is considered a minor map amendment in that it involves fewer than five parcels and less than fifty areas.

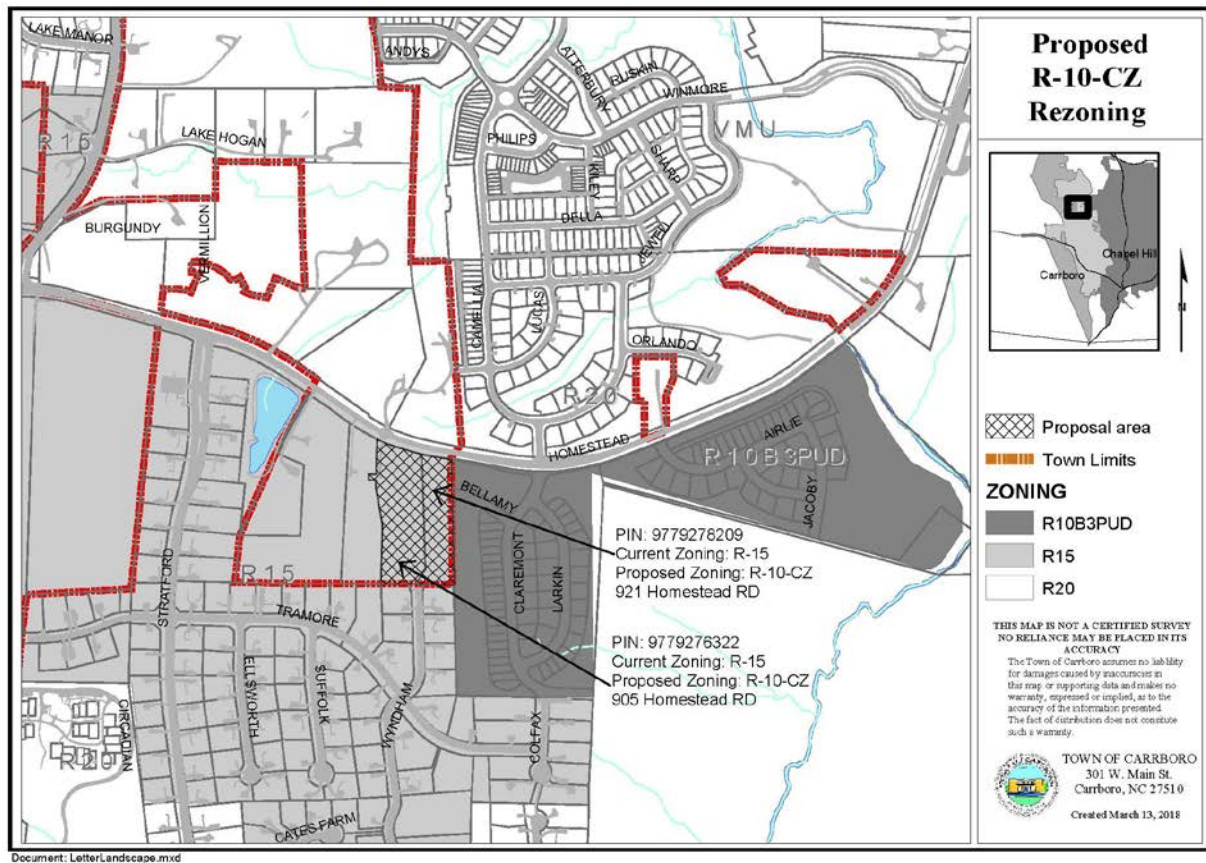
The application for a conditional rezoning, described in 15-141.4(d), includes the formal petition for change of zoning and a list of proposed conditions which may be in the form of written statements, graphic illustrations, or any combination thereof, to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. The applicant has submitted petition form, with answers to the four-part question seven, a short narrative of the project, and a conceptual site plan (Attachments D & E). Draft conditions are provided as part of the rezoning ordinance (Attachment B).

### **PETITIONERS/OWNERS**

Parker Louis, LLC.

## DESCRIPTION OF THE AREA

The subject properties are located at 905 and 921 Homestead Road, in between Stratford Drive and Claremont Drive, in the vicinity of the Claremont development. The parcels may be more specifically identified as Orange County PINs 9779-27-6322 and 9779-27-8209, and are shown in diagonal hatching, in the vicinity map below. There is an existing single family home at 905 Homestead Road; 921 Homestead Road is undeveloped. Both properties are located within Transition Area #1, and the applicants have submitted a request for voluntary annexation.



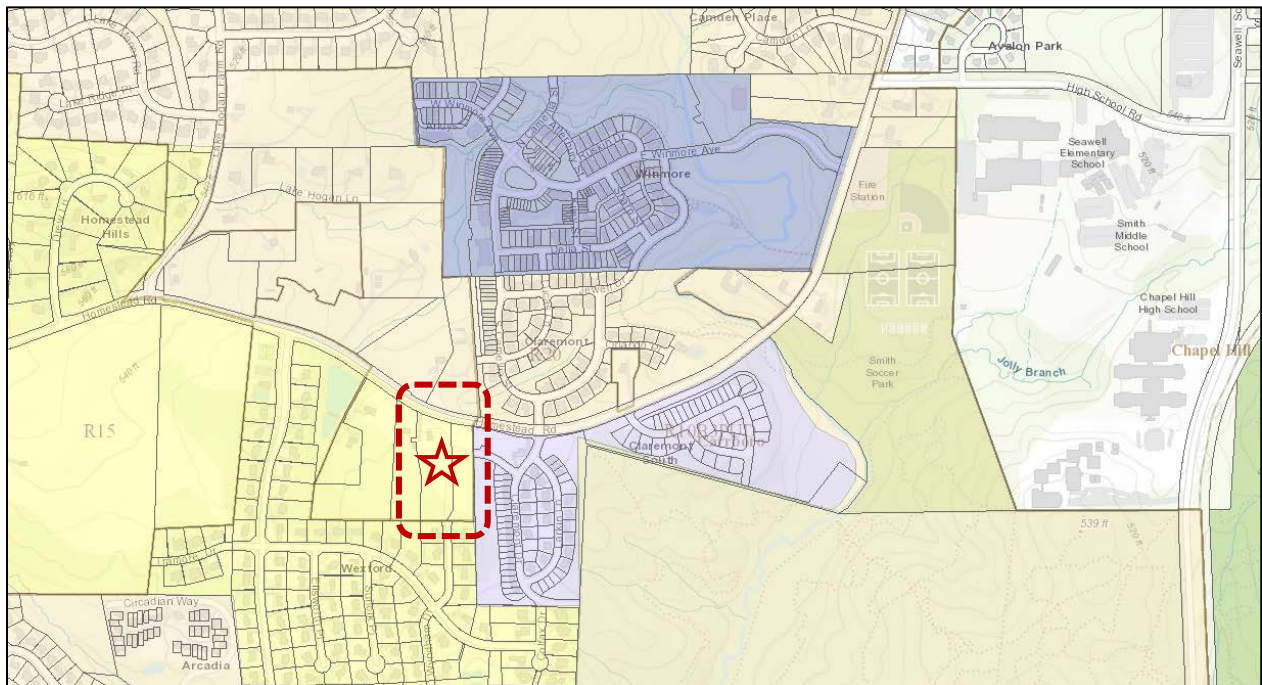
*Vicinity Map: the site is shown in diagonal hatching, the Town limits are shown in red outline.*

Address	PIN	Existing Zoning	Proposed Zoning	Acreage
905 Homestead Road	9779-27-6322	R-15	R-10-CZ	3.054 (approx.)
921 Homestead Road	9779-27-8209	R-15	R-10-CZ	1.730 (approx.)
			Total	4.8 (209,088 sq.ft.)



### **ADJACENT LAND USES AND ZONING**

An excerpt from the Zoning Map showing the subject properties along with adjacent parcels is provided below. Surrounding land uses are primarily single-family residential with varying levels of densities. The two main zoning districts are R-15 (Residential, 15,000 square feet per dwelling unit shown in yellow) and R-20 (Residential, 20,000 square feet per dwelling unit shown in tan). Undeveloped lands include privately owned property, such as 921 Homestead Road, and the more than 700-acre Carolina North Forest property owned by the University of North Carolina. Claremont South, the development located to the east of the two subject properties, is a planned unit development (PUD) consisting of parcels in two zoning district categories: R-10 (Residential, 10,000 square feet per dwelling unit) and B-3 (Neighborhood Business). Properties in the upper right portion of the image shown in the lighter shade, are located in the Town of Chapel Hill's jurisdiction.



*Surrounding Land Uses & Zoning (the site is outlined in dashed line)*

A complete list of uses is described in the Table of Permissible Uses in Section 15-146 of the Town of Carrboro Land Use Ordinance, available at the following link:

<http://www.townofcarrboro.org/DocumentCenter/View/691>

## **COMPARISON OF ZONES**

Sections 15-135 and 15-136 of the Land Use Ordinance (LUO) provide detailed descriptions of the existing zoning classification. The existing R-15 district and the proposed R-10-CZ district are both residential in nature and described by ordinance as follows:

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.

The primary difference between the districts is relating to density—the number of dwelling units per acre, which is based in part on the minimum number of square feet per lot: 15,000 square feet per dwelling unit for R-15 and 10,000 square feet per dwelling unit for R-10. The dimensional requirements are the same for R-10 and R-10, conditional.

It is worth noting that the requested rezoning is for the purpose of developing a twenty-lot Architecturally Integrated Subdivision (AIS). Architecturally Integrated Subdivision. As provided for in Section 15-187, an applicant is allowed more flexibility to create lots without regard to minimum lot size and setbacks restrictions, in an AIS, so long applicable standards of the LUO are met. The proposed layout—including all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, setbacks, and other landscaped areas—is shown on rezoning exhibit illustrative site plan (Attachment E).

A draft list of conditions for the rezoning is also provided as part of the rezoning ordinance (Attachment B). Conditions for conditional zonings are linked to the rezoning, must be mutually accepted by the Town and the applicant, and will be binding. It is anticipated that conditions may be further refined during the review process. If the rezoning is approved the applicant would follow with an application for a conditional use permit (CUP). The CUP application will require a greater level of detail to ensure compliances with all aspects of the Land Use Ordinance, but overall design must remain consistent with the illustrative site plan approved as part of the rezoning.

## **ANALYSIS**

Carrboro Vision2020 presents the policies that are expected to guide the Town's growth and development through the year 2020. In the Petition for Change of Zoning, the petitioners have provided responses in support of their assertion that the proposed zoning district classification is consistent with the Town's adopted plans and policies. Staff has identified the following sections of Carrboro Vision2020, and the Facilitated Small Area Plan for Carrboro's Northern Study Area that pertain to the requested rezoning:

### **Carrboro Vision2020**

- 2.51** The town should support the implementation of our Small Area Plan.
- 2.52** The town should continue to require the construction of a diverse housing stock.
- 4.51** The town should continue to require developers to install sidewalks and bicycle paths in new developments.



- 4.52** New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrians and bicycles, given the added load to the infrastructure and anticipated use of facilities.
- 6.11** Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more non-detached housing, mixed-use development, and communal living options.

**Facilitated Small Area Plan**

**Goal 2** Patterns of growth which allow for the efficient provision of Town Services

**Goal 4** A variety of housing types and price levels

**Goal 5** A variety of transportation routes, which allow for public, private, bicycle, and pedestrian modes of transportation

**Goal 8** A pedestrian-scale community

In the justification for the rezoning, question 7 of the petition for change of zoning form, the applicant has identified Vision2020 provision 2.52, to require the construction of a diverse housing stock, and has noted the site's proximity to the residential portion of Claremont South which is zoned R-10.

**RELEVANT ORDINANCE PROVISIONS**

Section 15-325 of the LUO specifies that when considering a rezoning, the central issue before the Board of Aldermen is "whether the proposed amendment advances the public health, safety or welfare." The Board of Aldermen is obligated to disregard advantages or disadvantages to the individual requesting the change and must consider the impact of the proposed change on the public at large. Summary comments are offered below.

**CONSIDERATIONS/SUMMARY COMMENTS**

- Adopted policies support the establishment of conditional districts.
- The conditional district process (legislative action for the rezoning) is expected to mitigate the associated impacts of the additional density requested as part of this development.
- Town policies acknowledge an interest and need for a diverse mix of housing options, and for compact development in the transition areas.
- The site's location provides connections to existing neighborhoods with facilities for multi-modal travelers, and will provide improved access for destinations such as school sites within reasonable distances for biking and walking, complies with the connectivity requirements of the LUO, Article XIV, Streets and Sidewalks, and is efficient for the provision of public services.
- The applicant's identified policy provisions appear to support the request.

- As currently designed the future extension of the proposed internal road that runs parallel to Homestead Road may impact one or more trees. The applicants have offered a minor modification to the western end of the internal road, intended to limit the impact of the existing large tree, as an alternative design (Attachment E-2).

**ACTION REQUESTED**

Staff requests that the Board receive public comment, and consider the request to rezone two parcels located at 905 and 921 Homestead Road.

**Relevant excerpts from the Land Use Ordinance are attached below.**

## **ARTICLE IX**

### **ZONING DISTRICTS AND ZONING MAP**

#### **PART I. ZONING DISTRICTS**

##### **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)**

##### **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:

R-20-CZ, R-15-CZ, R-10-CZ, R-7.5-CZ, R-3-CZ, R-2-CZ, R-R-CZ, R-S.I.R.-CZ , and R-S.I.R.-2-CZ

B-1(C)-CZ, B-1(G)-CZ, B-2-CZ, B-3-CZ, B-3-T-CZ, B-4-CZ, CT-CZ, O-CZ, OACZ, M-1-CZ, M-2-CZ **(AMENDED 4/27/10; 06/23/15)**

(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) Subject to the provisions of subsections (f) and (g), 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, 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). **(AMENDED 11/9/11)**

(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. **(AMENDED 10/25/16)**

(d1) A rezoning petition may be submitted to allow use classification 3.260 Social Service Provider with Dining within a building of more than two stories or 35 feet in height. **(AMENDED 10/25/16)**

(1) The petition shall include information that demonstrates that, if the project is completed as proposed, it:

- a. Will not substantially injure the value of adjoining or abutting property; and
- b. Will be in harmony with the area in which it is to be located. The manner in which a project is designed to accommodate additional building height including, but not limited to, scale, architectural detailing, compatibility with the existing built environment and with adopted policy statements in support of vibrant and economically successful and sustainable, mixed-use, core commercial districts shall be among the issues that may be considered to make a finding that a project is or is not in harmony with the area in which it is to be located. The applicant may use a variety of graphic and descriptive means to illustrate these findings; and
- c. Will be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board. **(AMENDED 03/22/16, 10/25/16)**

(2) All relative provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any conditions incorporated into the conditional zoning district described in subsection (d1) above. **(AMENDED 10/25/16)**

(e) 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 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. **(AMENDED 03/22/16, 10/25/16)**

(f) 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.

(g) Notwithstanding the foregoing, in approving a rezoning to a B-1(g) – CZ zoning district, the Board of Aldermen may authorize the property so zoned to be developed at a higher level of residential density than that otherwise permissible in B-1(g) zoning districts under Section 15-182 if the rezoning includes conditions that provide for site and building elements that will create a more vibrant and successful community. Site and building elements are intended to be selected from at least three of the following seven areas: stormwater management, water conservation, energy conservation, on-site energy production, alternative transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use. Conditions that may be included to meet the above stated objective include but shall not be limited to the following: **(AMENDED 11/9/11)**

- (1) Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool
- (2) Energy performance in building requirements to meet one or more of the following
  - a. Achieve 40% better than required in the Model Energy Code, which for NC, Commercial is ASHRAE 90.1-2004-2006 IECC equivalent or better, and Residential is IECC 2006, equivalent or better).
  - b. “Designed to Earn the Energy Star” rating.
  - c. Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type.
  - d. AIA goals of integrated, energy performance design, including resource conservation resulting in a minimum 50 percent or greater reduction in the consumption of fossil fuels used to construct and operate buildings.
  - e. LEED certification to achieve 50% CO2 emission reduction, or LEED silver certification
  - f. US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030.
  - g. Specific energy saving features, including but not limited to the following, are encouraged..
    - i. Use of shading devices and high performance glass for minimizing heating and cooling loads
    - ii. Insulation beyond minimum standards;
    - iii. Use of energy efficient motors/HVAC;
    - iv. Use of energy efficient lighting;
    - v. Use of energy efficient appliances
    - vi. LED or LED/Solar parking lot lighting (50-100% more efficient).
    - vii. Active and passive solar features.
- (3) Provision of onsite facilities (e.g. solar, wind, geothermal) that will provide 5% of electricity demand associated with the project.
- (4) Use of harvested rainwater for toilet flushing.

- (5) Parking lot meets the standard for a “green” parking lot, per the EPA document Green “Parking Lot Resource Guide.”
- (6) Inclusion of Low Impact Development features.
- (7) Provision of covered bike parking sufficient to provide space for one space per every two residential units.
- (8) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips
- (9) Inclusion of at least one (1) parking space for car sharing vehicles
- (10) Provision of public art and/or outdoor amenities for public use.
- (11) Use of surface materials that reflect heat rather than absorb it.
- (12) Use of devices that shade at least 30% of south-facing and west-facing building facades.
- (13) Provision of affordable housing in accordance with Town policy.

(h) If a B-1(g) – CZ zoning district is created and, pursuant to subsection (f) of this section, a higher level of residential density than that otherwise permissible in B-1(g) zoning districts is approved for that district, then it shall be a requirement of such district that at least twenty percent (20%) of the total leasable or saleable floor area within all buildings located within such zoning district shall be designed for non-residential use. Occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1). **(AMENDED 11/9/11)**

## **PART II. ZONING MAP**

### **Section 15-142 Official Zoning Map.**

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the town’s planning jurisdiction. This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the planning department.

(b) The Official Zoning Map dated April, 1973 is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section 15-143.

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the administrator may have a new map drawn on acetate or other durable material from which prints can be made. No further board authorization or action is required so long as no district boundaries are changed in this process.

### **Section 15-143 Amendments to Official Zoning Map (AMENDED 4/27/10; 10/26/10); 09/24/13**

- (a) Amendments to the Official Zoning Map are accomplished using the same procedures that apply to other amendments to this chapter, as set forth in Article XX.
- (b) The administrator shall update the Official Zoning Map as soon as possible after amendments to it are adopted by the Board. Upon entering any such amendments to the map, the administrator shall change the date of the map to indicate its latest revision. New prints of the updated map may then be issued.
- (c) No unauthorized person may alter or modify the Official Zoning Map.
- (d) The planning department shall keep copies of superseded prints of the zoning map for historical reference.

## ARTICLE XX

### AMENDMENTS

#### **Section 15-320 Amendments in General**

(a) Amendments to the text of this chapter or to the zoning map may be made in accordance with the provisions of this article, or in the case of nonsubstantive editorial changes, may be made administratively by the planning director, as described in Section 15-38 of this ordinance. **(AMENDED 09/01/87)**

(b) The term “major map amendment” shall refer to an amendment that addresses the zoning district classification of five or more tracts of land in separate ownership or any parcel of land (regardless of the number of lots or owners) in excess of fifty acres. All other amendments to the zoning district map shall be referred to as “minor map amendments.”

(c) All properties within the University Lake Watershed are zoned WR, B-5, WM-3 or C. As provided in Subsection 15-137(b), no additional areas may be rezoned WM-3 or B-5, and no areas within the University Lake Watershed may be rezoned to any classification other than WR, or C. **(AMENDED 10/15/96)**

(d) The regulations applicable to the watershed districts do, and all amendments to these regulations shall, comply with the water supply watershed protection rules promulgated by the State pursuant to G.S. 143-214.5. Copies of all amendments to Sections 15-265 or 15-266 shall be sent to the Division of Community Assistance, Division of Environmental Health, and Division of Water Quality. **(AMENDED 10/15/96)**

#### **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**

(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 and may refer the amendment to the environmental advisory board if the amendment involves community environment issues. **(AMENDED 09/19/95, REWRITTEN 02/25/14)**

(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 15-323 Hearing Required: Notice**

(a) No ordinance that amends any of the provisions of this chapter may be adopted until a public hearing has been held on such ordinance.

(b) The planning staff shall publish a notice of the public hearing on any ordinance that amends the provisions of this chapter once a week for two successive weeks in a newspaper having general circulation in the Carrboro area. The notice shall be published for the first time not less than ten days nor more than twenty-five days before the date fixed for the hearing. This period is to be computed in accordance with G.S. 160A-364, which provides that the date of publication is not counted but the date of the hearing is.

(c) With respect to all map amendments, the planning staff shall mail, by first class mail, written notice of the public hearing to the record owners of all properties whose zoning classification is changed by the proposed amendment as well as the owners of all properties any portion of which is within 1000 feet of the property rezoned by the amendment. For purposes of this section the term "owners" shall mean the persons shown as owners on Orange County's computerized land records system. The planning staff shall also make reasonable efforts to mail a similar written notice to the non-owner occupants of residential rental property located within 1,000 feet of the lot that is the subject of the rezoning. The notices required by this subsection shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. The staff member mailing such notices shall certify to the board that the notices have been mailed, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 10/12/82; 1/22/85; 10/1/85; 04/15/97; 3/26/02)**

(d) The first class mail notice required under subsection (c) of this section shall not be required if the zoning map amendment directly affects more than 50 properties, owned by a total of at least 50 different property owners, and the Town elects to use the expanded published notice provided for in this subsection. In this instance, the Town may elect to either make the mailed notice provided for in subsection (c) of this section or may, as an alternative, elect to publish notice of the hearing as required by G.S. 160A-364, but provided that each advertisement shall not be less than one-half (1/2) of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper

which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent Orange County property tax listing for the affected property, shall be notified according to the provisions of subsection (c) of this section. **(AMENDED 10/24/06)**

(e) For proposed zoning map amendments, the planning staff shall prominently post a notice of the public hearing on the site proposed for a rezoning or an adjacent public street or highway right-of-way. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the planning staff shall post sufficient notices to provide reasonable notice to interested persons.

(f) The planning staff shall take any other action deemed by the Planning Department to be useful or appropriate to give notice of the public hearing on any proposed amendment.

(g) The notice required or authorized by this section (other than the posted notice required by subsection (e)) shall: **(AMENDED 11/24/09)**

- (1) State the date, time, and place of the public hearing.
- (2) Summarize the nature and character of the proposed change.
- (3) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment.
- (4) State that the full text of the amendment can be obtained from the town clerk.
- (5) State that substantial changes in the proposed amendment may be made following the public hearing.

(h) The planning staff shall make every reasonable effort to comply with the notice provisions set forth in this section. However, it is the Board's intention that the notice requirements set forth in this section that are not required by state law shall not be regarded as mandatory, and therefore a failure to comply with such requirements shall not render any amendment invalid. **(AMENDED 11/24/09)**

(i) Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply (regardless of how the staff treats the proposed amendment under subsection 15-321(c)), the applicant shall certify to the Board of Aldermen that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Board of Aldermen that proper notice has been

provided in fact, and such certificate shall be deemed conclusive in the absence of fraud. (AMENDED 11/24/09)

(j) Actual notice of the proposed amendment and a copy of the notice of public hearing required under subsection 15-323(i) of this section shall be by any manner permitted under G.S. 1A-1, Rule 4(j). If notice cannot with due diligence be achieved by personal delivery, registered or certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2), notice may be given by publication consistent with G.S. 1A-1, Rule 4(j1). This subsection applies only to an application to request a zoning map amendment where the application is not made by the owner of the parcel of land to which the amendment would apply. This subsection does not apply to a city-initiated zoning map amendment. (AMENDED 11/24/09)

#### **Section 15-324 Board Action on Amendments (AMENDED 10/24/06)**

(a) At the conclusion of the public hearing on a proposed amendment, the Board may proceed to vote on the proposed ordinance, refer it to a committee for further study, or take any other action consistent with its usual rules of procedure.

(b) The Board is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.

(c) Voting on amendments to this chapter shall proceed in the same manner as on other ordinances, subject to Section 15-326 of the Land Use Ordinance and Section 2-15 of the Town Code.

(d) Prior to adopting or rejecting any zoning amendment, the Board shall adopt a statement describing whether its action is consistent with the Land Use Plan, Thoroughfare Plan, 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 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.

**Section 15-326 Citizen Comments on Zoning Map and Text Amendments (AMENDED 10/24/06, REWRITTEN 12/6/16).**

The Town of Carrboro Land Use Ordinance may from time to time be amended, supplemented, changed, modified or repealed. If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification or repeal to this Ordinance to the Clerk of the Board of Aldermen at least two (2) business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Board. If the proposed change is the subject of a quasi-judicial proceeding under North Carolina General Statutes Section 160A-388 (such as conditional use rezoning in which the legislative rezoning is accompanied by or followed by a quasi-judicial conditional use permit process), the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting. Written statements submitted in connection with a quasi-judicial proceeding may be admitted into evidence at such a proceeding if the Board determines that such statements are admissible in the proceeding. (Amended 12-6-16 ; and enacted pursuant to a Resolution in Opposition to the General Assembly's Repeal of Statutory Authority for Qualified Protest Petitions to Trigger a Super Majority Vote for Certain Zoning Map Amendments, dated 12-6-16).



# TOWN OF CARRBORO

NORTH CAROLINA

## PLANNING DEPARTMENT

**TO: Property Owners and Residents**

**FROM: Christina R. Moon, Planning Administrator**

**DATE: May 10, 2018**

### **PUBLIC NOTICE: Proposed Conditional Rezoning of Properties at 905 and 921 Homestead Road**

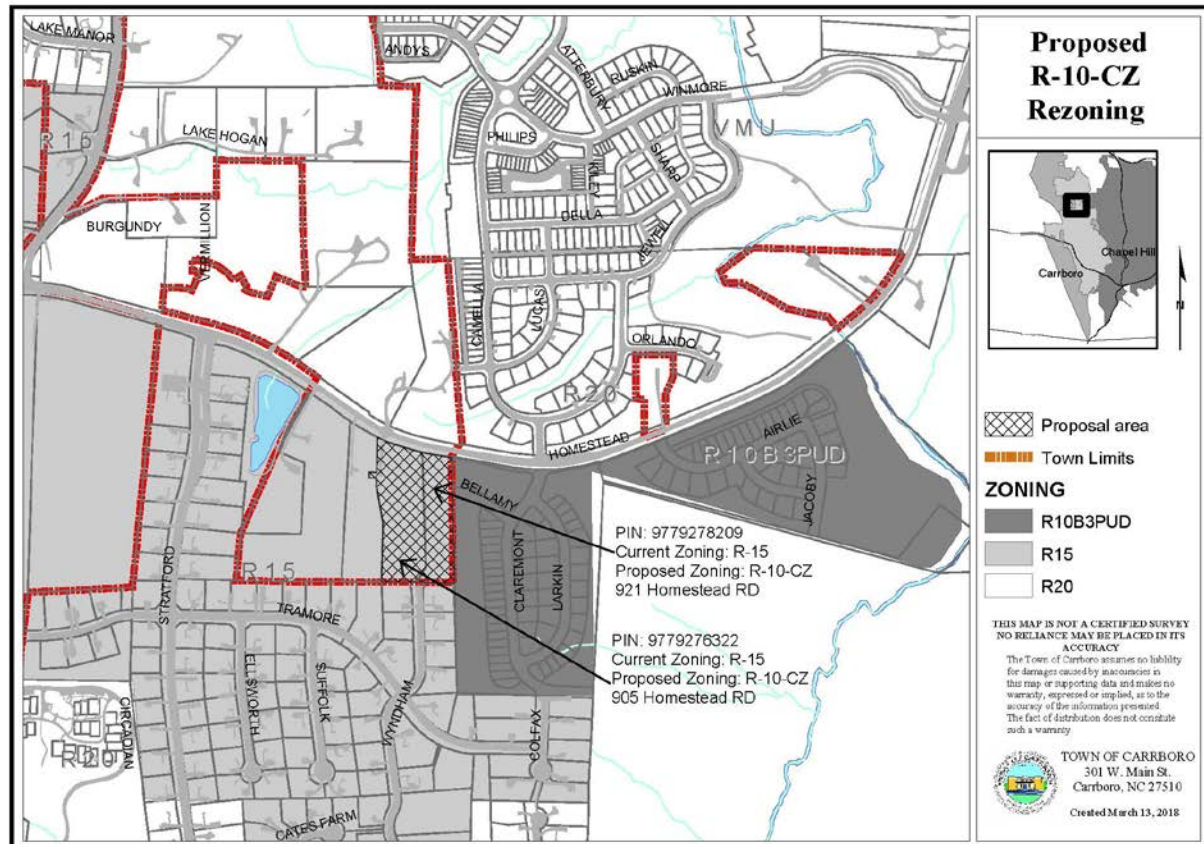
You are receiving this letter because your property or residence is within 1,000 feet of property under consideration for rezoning. The Town has received an application from Parker Louis, LLC (Adam and Omar Zinn), for the rezoning of two properties on the south side of Homestead Road adjacent to the Claremont South development. The existing properties are zoned R-15 (Residential 15,000 square feet per dwelling unit). The applicants are requesting to rezone the property R-10-CZ (Residential, 10,000 square feet per dwelling unit, Conditional) to allow for the development of a twenty-lot Architecturally Integrated Subdivision (AIS). The parcels may be more specifically identified as Orange County PINs #9779-27-6322 and 9779-27-8209, encompassing a combined total of approximately 4.8 acres. A map showing the property location is provided on the reverse side of this letter.

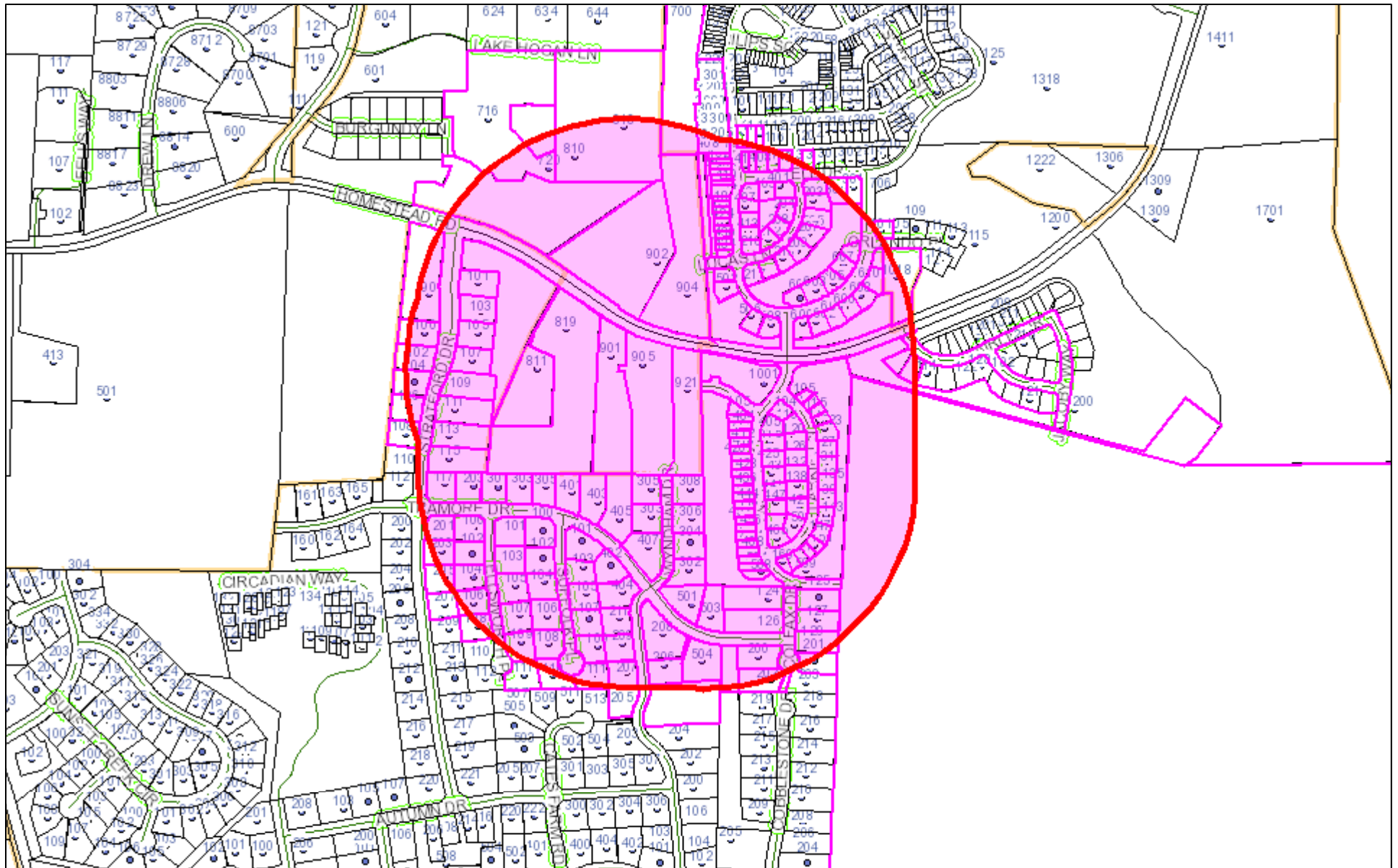
**The Board of Aldermen will hold a public hearing to consider the conditional rezoning per this request on Tuesday, May 22, 2018 at 7:30 p.m. in the Town Hall Board Room (Room 110) located at 301 West Main Street.** You are invited to attend this hearing and to make your opinions on the requested rezoning known.

Additional information regarding the rezoning under consideration is available from the Planning Department located on the second floor of Town Hall and will also be available on the Town's website a few days before the meetings. The Board of Aldermen's agenda materials for the public hearing may be found at <https://carrboro.legistar.com/Calendar.aspx> the Friday before the meeting. Substantial changes to the proposed amendment to the Town's zoning map may be made following the public hearing. If you have questions, or would like additional information, please feel free to contact Tina Moon at (919) 918-7325 or [cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org).

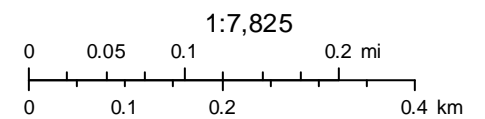
Proposed Conditional Rezoning – 905 & 921 Homestead Road  
May 10, 2018

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March 15, 2018





PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS	CITY	STATE	ZIP
9779380680	WILLIAMS	BRYAN L			100 DELLA ST	CHAPEL HILL	NC	27516
9779167698	MILLS	DAVID A	MILLS		100 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779175631	JOHNSTON	CHRISTOPHER M	JOHNSTON		100 STRATFORD DR	CHAPEL HILL	NC	27516
9779261607	HUEMMER	JOHN M	HUEMMER		100 SUFFOLK PL	CHAPEL HILL	NC	27517
		OCCUPANT			1001 HOMESTEAD RD	CHAPEL HILL	NC	27516
		OCCUPANT			101 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779387135	DEMARCO	VICTOR	DEMARCO		101 ORLANDO PL	CHAPEL HILL	NC	27516
9779178814	EVENS	NOAH	EVENS		101 STRATFORD DR	CHAPEL HILL	NC	27516
9779263601	BEETHAM	JODI			101 SUFFOLK PL	CHAPEL HILL	NC	27516
9779378804	NASH	MILDRED LORETTA			1018 HOMESTEAD RD	CHAPEL HILL	NC	27516
9779167597	SEGARS	BARBARA P	SEGARS		102 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779175530	SPRINGER	MATT LAWRENCE	R		102 STRATFORD DR	CHAPEL HILL	NC	27514
9779261515	WHANGER	KATHLEEN	WHANGER		102 SUFFOLK PL	CHAPEL HILL	NC	27516
9779373030	CHEN	CHIEN H	YEH		102 WOODED HILL WA	CARY	NC	27519
9779169574	NIEDERLAND	ALAN	NIEDERLAND		103 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779178712	DUFFY	JOSEPH J III			103 STRATFORD DR	CHAPEL HILL	NC	27516
		OCCUPANT			103 SUFFOLK PL	CHAPEL HILL	NC	27516
9779167496	MINCHEW	JOE T	MINCHEW		104 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779372360	CAREY	MARK C	CAREY		104 LARKIN LN	CHAPEL HILL	NC	27516
9779281603	THE BERRYHILL GROUP LLC				104 PAINTED TURTLE L	CHAPEL HILL	NC	27516
9779175307	MILLER	ROBERT S	MENDES		104 STRATFORD DR	CHAPEL HILL	NC	27516
9779261422	AMBROZIC	CHRISTOPHER P	AMBROZIC		104 SUFFOLK PL	CHAPEL HILL	NC	27516
9779370341	BACHENHEIMER	AARON	BACHENHEIMER		105 BELLAMY LN	CHAPEL HILL	NC	27516
9779274372	BHUPAL	BALWINDER	BHUPAL		105 BLACK TIE LN	Chapel Hill	NC	27514
9779169470	PRICE	CAROL D			105 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779373367	ROSARIO	MIRTA N	ROSARIO MONTALVO		105 LARKIN LN	CHAPEL HILL	NC	27516
9779178600	WILLIAMS	DAVID C JR	WILLIAMS		105 STRATFORD DR	CHAPEL HILL	NC	27516
		OCCUPANT			105 SUFFOLK PL	CHAPEL HILL	NC	27516
9779263328	GRAVES	M M TRUSTEE	GRAVES TRUSTEE		105 SUFFOLK PL	CHAPEL HILL	NC	27516
9779168324	LIEBE	JENNIFER C	LIEBE		106 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779174285	STERN	RICHARD	STERN		106 STRATFORD DR	CHAPEL HILL	NC	27516
9779261249	PUCHALA	RONALD	ANTHONY		106 SUFFOLK PL	CHAPEL HILL	NC	27516
9779169297	GIDUZ	THOMAS	GIDUZ		107 ELLSWORTH PLACE	CHAPEL HILL	NC	27516
9779177487	COTTRELL	ANTHONY L	COTTRELL		107 STRATFORD DR	Chapel Hill	NC	27516
9779263236	COHEN	DAVID S	COHEN		107 SUFFOLK PL	CHAPEL HILL	NC	27516
9779381660	CLAYTON	STEVEN T	CLAYTON		108 DELLA ST	Chapel Hill	NC	27514
9779168222	HENRIQUEZ	CRAIG S	HENRIQUEZ		108 ELLSWORTH PL	CHAPEL HILL	NC	27516
9779174164	CASE	RANDY S TRUSTEE	CASE		108 STRATFORD DR	CHAPEL HILL	NC	27516
9779261156	BLYTH	KAREN E			108 SUFFOLK PLACE	C CHAPEL HILL	NC	27516

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS	CITY	STATE / ZIP CODE
9779260123	WALKER	STEVEN G	WALKER	JAMIE S	109 ELLSWORTH PL	CHAPEL HILL	NC 27516
9779374304	FERNANDES	JOSE JR	LOVMO	JEANNE E	109 LARKIN LN	CHAPEL HILL	NC 27516
9779177366	REYNOLDS	LEONARD D JR			109 STRATFORD DR	CHAPEL HILL	NC 27516
9779263114	RAGHUNATHAN	KARTHIK	RAGHUNATHAN	UMA	109 SUFFOLK PL	CHAPEL HILL	NC 27516
9779373213	PATEL	KETAN A	PATEL	MITALI K	110 LARKIN LN	CHAPEL HILL	NC 27516
9779261071	WESTOVER	LEE ALAN	WESTOVER	REBEKAH C	110 SUFFOLK PL	CHAPEL HILL	NC 27516
9779260030	REYNOLDS	STEPHEN P	REYNOLDS	GINA E	111 ELLSWORTH PL	CHAPEL HILL	NC 27516
9779177254	SICKORA	CATHERINE E	SICKORA	BRIAN E	111 STRATFORD DR	CHAPEL HILL	NC 27516
9779263020	TREMBATH	DIMITRI G	TROBBIANI	DINA M	111 SUFFOLK PL	CHAPEL HILL	NC 27516
9779289480	SOLUM PROPERTIES LLC				113 SHADOW RIDGE PL	CHAPEL HILL	NC 27516
9779177133	CHEN	FULIN	LI	LILING	113 STRATFORD DR	CHAPEL HILL	NC 27516
9779374320	FOREMAN	AARON C	FOREMAN	JENNIFER S	115 LARKIN LN	CHAPEL HILL	NC 27516
9779177021	LEE	TONG H ETAL	LEE	CHON	115 STRATFORD DR	CHAPEL HILL	NC 27516
9779166838	TEMPLETON	ERNEST DAVID JR	TEMPLETON	KATHLEEN	117 STRATFORD DR	CHAPEL HILL	NC 27516
9779381620	SM RALEIGH LLC				11710 PLAZA AMERICA S	RELSTON	VA 20190
9779374256	BERNGARTT	JOHN			119 LARKIN LN	CHAPEL HILL	NC 27516
9779373136	BRACH	PAUL G	TIEMANN	HOLLY A	120 LARKIN LN	CHAPEL HILL	NC 27516
9779370071	NC BOILER PROPERTIES LLC				123 LAKE HOGAN FARM	CHAPEL HILL	NC 27516
9779374270	GILLETTE	KENNETH	GILLETTE	ANGELA	123 LARKIN LN	CHAPEL HILL	NC 27516
9779179687	WEXFORD HOMEOWNERS ASSC	CHAPEL HILL INC			124 COBBLESTONE DR	CARRBORO	NC 27510
9779361431	KRASNOV	MICHAEL R DR	KRASNOV	PATRICIA P	124 COLFAX DRIVE	CHAPEL HILL	NC 27516
9779364442	FENTON	MICHAEL	FENTON	YOUNG S	125 COLFAX DR	CHAPEL HILL	NC 27516
9779361331	STROHLEIN	FRANK G	STROHLEIN	SUSAN G	126 COLFAX DR	CHAPEL HILL	NC 27516
		OCCUPANT			126 LARKIN LN	CHAPEL HILL	NC 27516
9779364332	WIENER	RUSSELL W	SMITH	MARTHA E	127 COLFAX DR	CHAPEL HILL	NC 27516
9779374182	ALLAN	ELIZABETH			127 LARKIN LN	CHAPEL HILL	NC 27516
9779364232	PEISNER	FEINBERG ELLEN S	FEINBERG	THOMAS N	129 COLFAX DR	CHAPEL HILL	NC 27516
9779374084	SHAW	STEVEN J	SHAW	ERIN C	131 LARKIN LN	CHAPEL HILL	NC 27516
		OCCUPANT			132 LARKIN LN	CHAPEL HILL	NC 27516
9779364976	TELHAN	GAURAV	JAIN	EISHA	135 LARKIN LN	CHAPEL HILL	NC 27516
9779363933	GOVERT	JOHN V	GOVERT	JANINE M	138 LARKIN LN	CHAPEL HILL	NC 27516
9779364879	BHANSALI	DIVYA	VIZER	LISA	139 LARKIN LN	CHAPEL HILL	NC 27516
9779363844	MATTHE	CHRISTOPHER	MATTHE	KRISTIN	142 LARKIN LN	CHAPEL HILL	NC 27516
9779364871	SODEMAN	JEFFREY T	SODEMAN	TENLEY T	143 LARKIN LN	CHAPEL HILL	NC 27516
9779364753	MILLER	DONALD W	MILLER	ERIN M	147 LARKIN LN	CHAPEL HILL	NC 27516
9779363716	TADROS	HANI	LOUIS	DINA M	150 LARKIN LN	CHAPEL HILL	NC 27516
9779364627	FISHER	ERIC	FISHER	HEIDI	151 LARKIN LN	CHAPEL HILL	NC 27516
9779373038	AWONIYI	MUYIWA E	AWONIYI	KRISTIN M	1516 CHAPLEUA DR	ANN ARBOR	MI 48203
		OCCUPANT			159 LARKIN LN	CHAPEL HILL	NC 27516

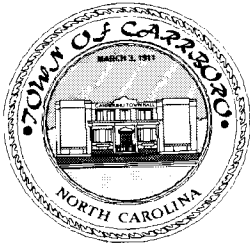
PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS1	CITY	STATE
9779362588	ERTZ	OCCUPANT	OKADA	NONOKO	165 LARKIN LN	CHAPEL HILL	NC 27516
9779373985	CLAREMONT HOMEOWNERS AS	SIMON I			169 LARKIN LN	CHAPEL HILL	NC 27516
9779361154	GARDNER	PAUL	GARDNER	RONNI	180 PROVIDENCE RD S	CHAPEL HILL	NC 27514
9779364142	MCEWEN	LISETTE R	MCEWEN	DAVID W	200 COLFAX DR	CHAPEL HILL	NC 27516
9779384326	DANIELS	ROWELL	EDWARDS	ELIZABETH	201 COLFAX DR	CHAPEL HILL	NC 27516
9779166649	KAEMMER	DAVID	KAEMMER	KATHY	201 LUCAS LN	CHAPEL HILL	NC 27516
9779361063	MECHAM	JEFFREY B	MECHAM	BEVERLY S	201 STRATFORD DR	CHAPEL HILL	NC 27516
9779384238	JOHNSON	MARK G	JOHNSON	TANYA	202 COLFAX DR	CHAPEL HILL	NC 27516
9779166545	FREDERICK	THOMAS J	KERWIN	JANE M	203 LUCAS LN	CHAPEL HILL	NC 27516
9779167887	LOPEZ	FERNANDO A	LOPEZ	KRISTEN	203 STRATFORD DR	CHAPEL HILL	NC 27516
9779382283	MORTON	CHRISTOPHER	MORTON	MINDY	203 TRAMORE DR	CHAPEL HILL	NC 27516
9779384221	INMAN	BRANT A	LAFLECHE	MURIELLE T	204 LUCAS LN	CHAPEL HILL	NC 27516
9779166433	KANNAN	GOVINDAN	CHINNASWAMY	HARIPRIYA	205 LUCAS LN	CHAPEL HILL	NC 27516
9779254834	LEBRATO	SUSAN T TRUSTEE			205 STRATFORD DR	CHAPEL HILL	NC 27516
9779267024	RAFF	EVAN J	RAFF	LAUREN D	205 WYNDHAM DR	CHAPEL HILL	NC 27516
9779384103	ROSENTHAL	MARK ZACHARY	CRAPNELL	KIRSTEN	206 WYNDHAM DR	CHAPEL HILL	NC 27516
9779166351	WARSHANY	ROBERT W	WARSHANY	SHARON	207 LUCAS LN	CHAPEL HILL	NC 27516
9779265022	SAWYER	ROBERT K	SAWYER	BARBARA J	207 STRATFORD DR	CHAPEL HILL	NC 27516
9779382156	LEE	ANDREW	MIYAMOTO	YUKO	207 WYNDHAM DR	CHAPEL HILL	NC 27516
9779266283	DESELM	RICHARD	DESELM	TRACY	208 LUCAS LN	CHAPEL HILL	NC 27516
9779383046	WANG	KYNE M	LAND	JUDY K	208 WYNDHAM DR	Chapel Hill	NC 27516
9779265105	OLUANAIGH	WILLIAM B TRUSTEE	OLUANAIGH TRUSTEE	PAIGE H	209 LUCAS LN	CHAPEL HILL	NC 27516
9779287982	WINMORE COMMUNITY ASSOCI INC				209 WYNDHAM DR	CHAPEL HILL	NC 27516
9779264288	HEBERT	PAUL R TRUSTEE	HEBERT	BECKY A TRUSTEE	211 OLD FOREST GROV	CHAPEL HILL	NC 27514
9779382101	KLEIN	KLARA ETAL	ZEITLER	EVAN	211 WYNDHAM DR	CHAPEL HILL	NC 27516
9779382071	DARLING	TIMOTHY J	DARLING	ELGHAR	212 LUCAS LN	Chapel Hill	NC 27516
9779381027	WILLIAMS	SCOTT	GEORGIEVA	BILYANA	213 LUCAS LN	CHAPEL HILL	NC 27516
9779371924	BELL	ANDRE E	KELLER BELL	YOLANDA D	216 LUCAS LN	Chapel Hill	NC 27516
9779370172	LAKHIANI	AVINASH S	BEHL	MAMTA V	217 LUCAS LN	Chapel Hill	NC 27516
9779474423	PARKER LOUIS LLC	OCCUPANT			2700 JOCKEYS RIDGE TR	APEX	NC 27502
9779169807	AYCOCK	CLAIBORNE BENSON JR AYCOCK	DEBRA G		300 S CAMELLIA ST UNIT	CHAPEL HILL	NC 27516
9779268520	FITZGERALD	MATTHEW	FITZGERALD	AMY	301 MONTCLAIR WAY	CHAPEL HILL	NC 27516
9779260817	NAVARATNAM	SRIVALLIPURANANDAN KANDASAMY	RAMANI		301 TRAMORE DR	CHAPEL HILL	NC 27516
9779266726	HAINES	DENNIS A	HAINES	CAROL A	302 WYNDHAM DR	CHAPEL HILL	NC 27516
9779268624	SCHULER	REECE J	SCHULER	ELIZABETH A	303 TRAMORE DR	CHAPEL HILL	NC 27516
9779385323	NOVEY	BRAD	NOVEY	SHAMA	303 WYNDHAM DR	CHAPEL HILL	NC 27516
9779261837	BABCOCK	BROOKS ROBERT	BABCOCK	NANCY T	304 WYNDHAM DR	CHAPEL HILL	NC 27516
					305 JEWELL DR	CHAPEL HILL	NC 27516
					305 TRAMORE DR	CHAPEL HILL	NC 27516

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS1	CITY	51A ZIPCOI
9779266828	TAN	TERRENCE	TAN		305 WYNDHAM DR	CHAPEL HILL	NC 27516
9779268726	ALEXANDER	MARK K	ALEXANDER		306 WYNDHAM DR	Chapel Hill	NC 27516
9779268829	BAKER	ROBERT	BAKER		308 WYNDHAM DR	CHAPEL HILL	NC 27516
9779383478	KREIDER	STEVEN L	KRIDER		310 JEWELL DR	CHAPEL HILL	NC 27516
9779363684	CAROLINA COTTAGE HOMES LLC				3730 GLEN LAKE DR STE	CHARLOTTE	NC 28208
9779370267	GRAHAM	THOMAS	OLSON		400 CLAREMONT DR	CHAPEL HILL	NC 27516
9779382477	VANDERWOUDE	PHILIP	VANDERWOUDE		400 JEWELL DR	Chapel Hill	NC 27516
		OCCUPANT			400 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779382384	GERSHON	TIMOTHY R	RICHMOND-GERSHON	LORI A	401 JEWELL DR	CHAPEL HILL	NC 27516
9779262847	GAYNES	BRADLEY N	EPLING	CAROL A	401 TRAMORE DR	CHAPEL HILL	NC 27516
		OCCUPANT			402 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779264553	DEL RIO	JOSE M	DEL RIO	AMANDA A	402 TRAMORE DR	CHAPEL HILL	NC 27516
9779381393	BERMAN	KEVIN D	BERMAN	JILL L	403 JEWELL DR	CHAPEL HILL	NC 27516
9779263875	LAPETINA	MARIA E	NOLAND	DAVID B	403 TRAMORE DR	CHAPEL HILL	NC 27516
9779370263	ROGERS	STEFAN G	ROGERS	SHEILA J	404 CLAREMONT DR	CHAPEL HILL	NC 27516
9779382417	SCOTT	BLAIR M			404 JEWELL DR	Chapel Hill	NC 27516
9779289475	CALHOUN	WILLIAM JAMES	CALHOUN	LINH N	404 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779264491	STOUFFER	GEORGE A III	STOUFFER	MARGARET E	404 TRAMORE DR	CHAPEL HILL	NC 27516
9779372213	FREEMAN	JASON S	FREEMAN	STACY M	405 CLAREMONT DR	CHAPEL HILL	NC 27516
9779381313	MILLS	APRIL M	DOOLEY	JOSHUA R	405 JEWELL DR	Chapel Hill	NC 27516
9779264891	NEWTON	JAMES H	NEWTON	SUSAN C	405 TRAMORE DR	CHAPEL HILL	NC 27516
9779289472	WIEDMANN	CORRIE	WIEDMANN	MARK	406 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779381216	PROIA	NICHOLAS	PROIA	MELISSA	407 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779266631	WILLIAMS	KIM EDMISTON			407 TRAMORE DR	CHAPEL HILL	NC 27516
9779370169	FRYE	EMILY M			408 CLAREMONT DR	CHAPEL HILL	NC 27516
9779381467	HERSHEY	DRU			408 JEWELL DR	Chapel Hill	NC 27516
		OCCUPANT			408 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779289387	BARRETT	EUGENE J	BARRETT	MATTHEW	410 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779381210	WAMBLE	DAVID E	WAMBLE	HALEY G	411 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779370165	NIELSEN	ELIZABETH	NIELSEN	JAMES	412 CLAREMONT DR	CHAPEL HILL	NC 27516
9779381427	BEETHAM	MICHAEL			412 JEWELL DR	Chapel Hill	NC 27516
		OCCUPANT			412 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779381114	PYATI	SRINIVAS	PYATI	PADMAVATI K	413 SOUTH CAMELIA S	CHAPEL HILL	NC 27516
9779380497	CANNIZZARO	RUSSELL J	CANNIZZARO	MARGARET DIANE	414 JEWELL DR	Chapel Hill	NC 27516
		OCCUPANT			414 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779372125	GALLAGHER	KRISTALYN			415 CLAREMONT DR	CHAPEL HILL	NC 27516
		OCCUPANT			416 CLAREMONT DR	CHAPEL HILL	NC 27516
		OCCUPANT			416 S CAMELLIA ST	CHAPEL HILL	NC 27516
		OCCUPANT			418 S CAMELLIA ST	CHAPEL HILL	NC 27516

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS1	CITY	STATE
9779370078	SHALAUROV	ANDREY A OCCUPANT OCCUPANT			420 CLAREMONT DR 420 S CAMELLIA ST 422 S CAMELLIA ST	CHAPEL HILL CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516 NC 27516
9779370074	LASSITER	WILLIAM OCCUPANT	BENNETT	IRINA	424 CLAREMONT DR 424 S CAMELLIA ST	CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516
9779372027	ALOMAR	ANTONIO B OCCUPANT OCCUPANT OCCUPANT OCCUPANT OCCUPANT OCCUPANT OCCUPANT OCCUPANT	PIQUE	SUSANA D	425 CLAREMONT DR 426 S CAMELLIA ST 428 CLAREMONT DR 428 S CAMELLIA ST 430 S CAMELLIA ST 432 CLAREMONT DR 432 S CAMELLIA ST 434 S CAMELLIA ST	CHAPEL HILL CHAPEL HILL CHAPEL HILL CHAPEL HILL CHAPEL HILL CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516 NC 27516 NC 27516 NC 27516 NC 27516 NC 27516
9779372030	KRAFT	BRYAN D	KRAFT	KEIRA A	435 CLAREMONT DR	CHAPEL HILL	NC 27516
9779360983	WHITLEY	JONATHAN W	WHITLEY	MEGAN E	436 CLAREMONT DR	CHAPEL HILL	NC 27516
9779360980	MOORE	EUGENE	BURKART	VISHA	440 CLAREMONT DR	CHAPEL HILL	NC 27516
9779362932	GARBUTT	MARY H	EDWARDS	THOMAS A	441 CLAREMONT DR	CHAPEL HILL	NC 27516
9779360886	COWHIG	DAVID			444 CLAREMONT DR STE	CHAPEL HILL	NC 27516
9779362835	SKIBA	DONALD	SKIBA	MARY	447 CLAREMONT DR	CHAPEL HILL	NC 27516
9779360892	OTAMENDI	PHILIP OCCUPANT	OTAMENDI	MARIA G	448 CLAREMONT DR	CHAPEL HILL	NC 27516
9779360795	REVERDATTO	KONSTANTIN OCCUPANT	REVERDATTO	ANNA	452 CLAREMONT DR 456 CLAREMONT DR	CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516
9779361607	HANSON	RODRICK L	HANSON	JESSICA	460 CLAREMONT DR 464 CLAREMONT DR	CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516
9779362740	DWORSCHAK	DORIS TRUSTEE			465 CLAREMONT DR	CHAPEL HILL	NC 27516
9779361604	BOWMAN	WILLIAM A			468 CLAREMONT DR	CHAPEL HILL	NC 27516
9779361610	CLARK	KATHERINE			500 CLAREMONT DR	CHAPEL HILL	NC 27516
9779279984	CID	JAVIER	PAULIN	LISA M.	500 S CAMELLIA ST	Chapel Hill	NC 27516
9779268313	TOMASI	CARLO	GUGLIELMINI-TOMASI	CRISTINA	501 TRAMORE DR	CHAPEL HILL	NC 27516
9779279897	WANG	YICHEN	WANG	YANLI	502 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779269333	PATEL	MINESHKUMAR M	PATEL	MANISHABEN	503 TRAMORE DR	Chapel Hill	NC 27516
9779361526	BULLERI	MICHAEL E OCCUPANT	BULLERI	ROBIN E	504 CLAREMONT DR	CHAPEL HILL	NC 27516
9779371712	BELL	LEE D JR	BELL	REBECCA W	504 TRAMORE DR 506 S CAMELLIA ST	CHAPEL HILL CHAPEL HILL	NC 27516 NC 27516
9779360798	RAO	RAGHAVENDRA N OCCUPANT			507 LONEBROOK DR	CHAPEL HILL	NC 27516
9779372609	SWINNEY	ROBERT P JR OCCUPANT	SWINNEY	STACY H	508 CLAREMONT DR 508 S CAMELLIA ST	CHAPEL HILL Chapel Hill	NC 27516 NC 27516
9779175847	WEXFORD HOMEOWNERS ASSO	CHAPEL HILL INC			509 CLAREMONT DR 5915 FARRINGTON RD #1	CHAPEL HILL Chapel Hill	NC 27516 NC 27517

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS	CITY	STATE
9779373649	CAUSLEY	MARTIN	HOOKS	ELIZABETH	600 S CAMELLIA ST	Chapel Hill	NC 27516
9779373823	CARNEIRO	KEVIN	CARNEIRO	LIANE	601 S CAMELLIA ST	Chapel Hill	NC 27516
9779374721	ZURLIENE	TIMOTHY J	ZURLIENE	GINGER J	602 S CAMELLIA ST	Chapel Hill	NC 27516
9779374817	HUCHKO	MEGAN J	PEARSON	NICOLAS G	603 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779374795	SALMONY	RICHARD O	SALMONY	LINDSAY H	604 S CAMELLIA ST	Chapel Hill	NC 27516
9779375901	MCCULLOUGH	PETER LEE	MCCULLOUGH	KELLY J	605 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779375769	SALINAS	OSCAR J	YBARRA SALINAS	DORIS A	606 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779385085	ROBERTS	DAVID E	ROBERTS	GILLIAN M	607 SOUTH CAMELLIA ST	CHAPEL HILL	NC 27516
9779376834	HINKSON	STEVEN	LEVINESS	ALIISA	608 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779376972	KOTHANDARAMAN	ANITHA TRUSTEE	RAMANI	ASHWIN TRUSTEE	610 S CAMELLIA ST	CHAPEL HILL	NC 27516
9779363529	YANG	HUIZHONG	TIAN	XIAOPING	6309 PEPPER MILL DR	OAK RIDGE	NC 27310
		OCCUPANT			720 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779285015	HOMESTEAD PARTNERS LLC	OCCUPANT			732 SOLOMAN RD	LOUISBURG	NC 27291
		OCCUPANT			810 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779270379	WILLIAMS	JAMES R TRUSTEE JR	BRYAN TRUSTEE	DEBORAH W	811 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779284632	GARCIA	EDGARDO R			818 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779272398	JONES	PATRICK	JONES	SHANNON M	819 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779360987	BALTIC PROPERTIES LLC				8222 SALTWOOD PL	RALEIGH	NC 27617
9779169666	ROGERS	MICHAEL DAVIS			890 CALICO DR	CHAPEL HILL	NC 27516
		OCCUPANT			90 STRATFORD DR	CHAPEL HILL	NC 27516
		OCCUPANT			901 HOMESTEAD RD	CHAPEL HILL	NC 27516
		OCCUPANT			902 HOMESTEAD RD	CHAPEL HILL	NC 27516
		OCCUPANT			904 HOMESTEAD RD	CHAPEL HILL	NC 27516
		OCCUPANT			905 HOMESTEAD RD	CHAPEL HILL	NC 27516
		OCCUPANT			921 HOMESTEAD RD	CHAPEL HILL	NC 27516
9779257807	WILLIAMS WOODS HOMEOWNERS ASSOCIATION INC				P O BOX 164	CARRBORO	NC 27510
9779289183	COMMUNITY HOME TRUST				P O BOX 2315	CHAPEL HILL	NC 27515
9779289180	COMMUNITY HOME TRUST				P O BOX 2315	CHAPEL HILL	NC 27515
9779360029	WEXFORD HOMEOWNERS ASSO	CHapel Hill INC			P O BOX 816 % T HOLLI	CHAPEL HILL	NC 27514
9779268089	WEXFORD HOMEOWNERS ASSO	CHapel Hill INC			PO BOX 1532	CARRBORO	NC 27510
9779263500	KLEISSLER	THOMAS F	KLEISSLER	AMY B	PO BOX 2315	CHAPEL HILL	NC 27515
9779289084	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC 27515
9779289087	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC 27515
9779289189	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC 27515
9779289277	COMMUNITY HOME	TRUST			PO BOX 2315	CHAPEL HILL	NC 27515
9779289570	ORANGE COMMUNITY HOUSING	TRUST			PO BOX 2315	CHAPEL HILL	NC 27515
9779289186	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC 27515
9779289279	COMMUNITY HOME	TRUST			PO BOX 2315	CHAPEL HILL	NC 27515
9779289282	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC 27515

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS	CITY	STATE	ZIP
9779289284	COMMUNITY HOME TRUST				PO BOX 2315	CHAPEL HILL	NC	27515
9779289477	ORANGE COMMUNITY HOUSING TRUST				PO BOX 2315	CHAPEL HILL	NC	27515
9779289733	CHT LANDINGS LLC				PO BOX 2315	CHAPEL HILL	NC	27515
9779886375	UNIVERSITY OF NC				PROPERTY OFFICE CB 1	CHAPEL HILL	NC	27599



## TOWN OF CARRBORO

NORTH CAROLINA

May 10, 2018

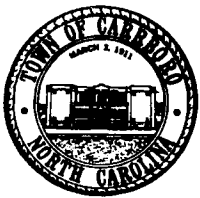
**RE: Proposed conditional rezoning of property at 905 & 921 Homestead Road**

I, Christina R. Moon, do certify that I did cause to have mailed on May 10, 2018, by first class mail, letters informing the owners and non-owner occupants of properties within 1,000 feet of the petition and schedule for considering the proposal to rezone the property at 905 and 921 Homestead Road from R-15 (Residential, 15,000 square feet per dwelling unit) to R-10-CZ (Residential, 10,000 square feet per dwelling unit, Conditional).

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

<u>Christina R. Moon</u>	<u>5/10/2018</u>
Christina R. Moon	
Planning Administrator	5/10/2018





# TOWN OF CARRBORO

## Planning Board

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

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

**MAY 3, 2018**

## **905 and 921 Homestead Road – Conditional Rezoning to R-10-CZ**

Motion was made by Susan Poulton and seconded by Braxton Foushee that the Planning Board recommends that the Board of Aldermen approve the draft ordinance, with the following recommendations:

- We commend the applicant on their thoughtfulness to protect the large tree on the eastern side of the project and the vegetative buffers on the north and south side.
- We recommend that all roads within the subdivision connect to other existing roads, however we recommend that the applicant look into the installation of traffic calming devices.
- We suggest the Board of Alderman continue to pursue 15% affordable housing in this development. We also encourage the Board of Alderman to ask the applicant for 40% (8) of the units to qualify as sized-limited housing, as a condition of the rezoning.

### **VOTE:**

AYES: (7) Foushee, Poulton, Meyer, Whittemore, Petrin, Adamson, Gaylord-Miles)

ABSENT/EXCUSED: (4) Clinton, Rosser, Tiemann, Vance)

NOES: (0)

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.

Motion was made by Catherine Adamson and seconded by Andrew Whittemore that the Planning Board the Town of Carrboro finds the proposed map amendment is consistent with *Carrboro Vision2020*, and the Facilitated Small Area Plan for Carrboro's Northern Study Area, particularly the provisions relating to compact growth with a variety of housings types and prices, and the installation of bike-ped infrastructure in the development and connection to adjacent properties.

The Planning Board furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.


**VOTE:**

AYES: (7) Foushee, Poulton, Meyer, Whittemore, Petrin, Adamson, Gaylord-Miles)

ABSENT/EXCUSED: (4) Clinton, Rosser, Tiemann, Vance)

NOES: (0)

ABSTENTIONS: (0)

  
\_\_\_\_\_  
(Chair)

5/3/16  
\_\_\_\_\_  
(Date)



# TOWN OF CARRBORO

## Transportation Advisory Board

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

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

**MAY 17, 2018**

### **905 and 921 Homestead Road – Conditional Rezoning to R-10-CZ**

Motion was made by *Colleen* and seconded by *Kurt* that the *Transportation Advisory Board* agrees with the staff recommendations and further recommends that the Board of Aldermen *approve* the draft ordinance.

#### **VOTE:**

AYES: Rob, Colleen, John, Kurt, David, Diana (6)

ABSENT/EXCUSED: Linda (1)

NOES: (0)

ABSTENTIONS: (0)

#### **Associated Findings**

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

Motion was made by *Colleen* and seconded by *Kurt* that the *Transportation Advisory Board* of the Town of Carrboro finds the proposed map amendment consistent with Carrboro Vision2020, and the Facilitated Small Area Plan for Carrboro's Northern Study Area, particularly the provisions relating to compact growth with a variety of housings types and prices, and the installation of bike/ped infrastructure in the development and to adjacent properties.

The *Transportation Advisory Board* furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

The *Transportation Advisory Board* would also like to add while that they appreciate the developer addressing the tree issue, they would like to see a traffic calming solution considered for the connector to Wyndham Drive (without requiring a particular treatment) in an attempt to address concerns from current residents regarding traffic speed and safety which may arise.

**VOTE:**

AYES: Rob, Colleen, John, Kurt, David, Diana (6)

ABSENT/EXCUSED: Linda (1)

NOES: (0)

ABSTENTIONS: (0)



(Chair)

on behalf of  
Rob Dow

5/18/18

(Date)



# TOWN OF CARRBORO

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

## RECOMMENDATION

**MAY 3, 2018**

### 905 and 921 Homestead Road – Conditional Rezoning to R-10-CZ

Motion was made by Deb Rich and seconded by Racheal Dirto that the NTAAC recommends that the Board of Aldermen Adopt the draft ordinance. Subject to the following additional recommendation:

**VOTE:**

AYES: 3

ABSENT/EXCUSED: (1)

NOES: 0

ABSTENTIONS: 0

o The NTAAC strongly supports the connectivity requirements of the Land Use Ordinance an being enforced for the Wyndham Drive connection. Instead of allowing bollards at this connection traffic calming measures should be explored.

**Associated Findings**

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

Motion was made by Racheal Dirto and seconded by Deb Rich that the NTAAC of the Town of Carrboro finds the proposed map amendment IS consistent with Carrboro Vision2020, and the Facilitated Small Area Plan for Carrboro's Northern Study Area, particularly the provisions relating to compact growth with a variety of housings types and prices, and the installation of bike-ped infrastructure in the development and to adjacent properties.

The NTAAC furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses. ~

**VOTE:**

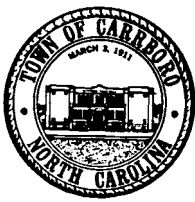
AYES: 3

ABSENT/EXCUSED: 1

NOES: 0

ABSTENTIONS: 0

Ann Juslenem 5/3/2018  
(Chair) (Date)



# TOWN OF CARRBORO

## Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

**MAY 3, 2018**

#### **905 and 921 Homestead Road – Conditional Rezoning to R-10-CZ**

Motion was made by Sinclair and seconded by O'Connor that the EAB recommends that the Board of Aldermen approve the conditional rezoning.

**Additional Comments:**

- 1) The Town should require an easement for a roundabout to protect the tree (as shown).
- 2) The EAB recognizes that connectivity between neighborhoods is important. If neighbors are concerned about traffic impacts, then speed bumps, stormwater bump outs, and other traffic calming measures should be considered.
- 3) The EAB is in support of higher density and housing that is more affordable.

**VOTE:**

AYES: (O'Connor, Sinclair, Skelton, Turner)

ABSENT/EXCUSED: (Perera)

NOES: ( )

ABSTENTIONS: ( )

**Associated Findings**

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

Motion was made by Skelton and seconded by O'Connor that the EAB of the Town of Carrboro finds the proposed map amendment is consistent with *Carrboro Vision2020*, and the Facilitated Small Area Plan for Carrboro's Northern Study Area, particularly the provisions relating to compact growth with a variety of housings types and prices, and the installation of bike-ped infrastructure in the development and to adjacent properties.

The EAB furthermore finds that the above described amendment is reasonable and in the public interest because it uses a mechanism that allows rezonings to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

**VOTE:**

AYES: (O'Connor, Sinclair, Skelton, Turner)

ABSENT/EXCUSED: (Perera)

NOES:

ABSTENTIONS:

For

(Chair)

5/3/2018

(Date)



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-549

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Update on 203 S. Greensboro Project - Design Contract and Public Process

**PURPOSE:** The purpose of this item is to provide the Board with an update on the status of the design contract and the proposed public process for the project.

**DEPARTMENT:** Town Manager, Planning, Finance

**CONTACT INFORMATION:** David Andrews 919-918-7315, [dandrews@townofcarrboro.org](mailto:dandrews@townofcarrboro.org) [<mailto:dandrews@townofcarrboro.org>](mailto:dandrews@townofcarrboro.org); Patricia McGuire 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org) [<mailto:pmcguire@townofcarrboro.org>](mailto:pmcguire@townofcarrboro.org); Arche McAdoo 919-918-7439, [amcadoo@townofcarrboro.org](mailto:amcadoo@townofcarrboro.org)

**INFORMATION:** Staff have been working with the selected design firm, Perkins + Will, on the scope of work for design, permitting and construction administration of the project. Due to the Town's ownership and management of the property, a zoning permit process is anticipated. Extensive public input, similar to that occurring with the recent Martin Luther King, Jr. Park process, is being planned. Multi-media outreach will seek to engage the communities of interest, including Carrboro townspeople, Orange County library patrons, ArtsCenter supporters, and others. Kickoff of these efforts needs to occur swiftly in order for the project to advance through the schematic design, determination of participation, permitting, et cetera. The first community engagement is currently scheduled for June 16<sup>th</sup>, with outreach efforts to begin in conjunction with finalizing the design services contract this month.

The schedule anticipates construction getting underway in the late summer of 2019; approval of the schematic design which will include the site plan and building massing will be needed in late November. Public input that might affect project design will need to have occurred and be complete by this point as efforts to develop permit and construction plans for the site need to be underway by early December. Requests for changes of significance made after November will likely have negative consequences for the design cost and project scheduling. Updates on the project status will be scheduled throughout.

**FISCAL & STAFF IMPACT:** Design costs have been included in the capital project ordinance adopted on June 20, 2017, available at

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3080797&GUID=393D9697-ADFA-408E-A377-2D3B62146F5A&Options=ID|Text|&Search=Greensboro> . Multiple staff members are participating in the design effort.

**RECOMMENDATION:** Staff recommends that the Board receive the update on the status of the design contract and proposed public process.





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-548

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Discussion of Future Considerations for the Greene Tract

**PURPOSE:** The purpose of this agenda item is to support a Board discussion of the Greene Tract and possible reconfiguration of the Headwaters Preserve in follow-up to the January 30th Assembly of Governments meeting.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org) [<mailto:pmcguire@townofcarrboro.org>](mailto:pmcguire@townofcarrboro.org); Martin Roupe - 919-918-7333; [mroupe@townofcarrboro.org](mailto:mroupe@townofcarrboro.org)

**INFORMATION:** Following the January 30<sup>th</sup> Assembly of Governments meeting, the Board of County Commissioners requested input from the Board of Aldermen and the Chapel Hill Town Council on uses of the Greene Tract and possible reconfiguration of the Headwaters Preserve established in October 2016.

Last year, the Towns and County agreed to have the Mayors and Chair consider different preservation and development options for the property. The exploration of these options resulted in three concepts for possible development of the Greene Tract, ranging from high-, medium-, to low-intensity. Each option included the following features: elementary school site, future park site, preservation of significant environmental and cultural features, preliminary road network, and preliminary infrastructure. The concepts took into account the 2002 resolution, the Rogers Road Task Force report, the Mapping our Community's Future report and previous land use discussions of the Aldermen, the Council, and the Commissioners. The Mayors and Chair also requested an examination of the whole 164 acres so as to consider the preservation of the most environmentally sensitive areas and possible development of the most appropriate areas. Staff provided an amended conceptual plan that reconfigured the Headwaters Preserve and the jointly owned portions of the property. The reconfiguration maintains the same acreage in preserve and jointly owned area. A copy of the agenda materials from January 20<sup>th</sup> is included as *Attachment A*. The Board is asked to consider the following question in its

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**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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discussion:

1. Is there support for the reconfiguration of the Headwaters Preserve which seeks to support protection of the most environmentally sensitive 60 acres on the tract?
2. Is there support for the protection of additional sensitive natural areas through the designation of approximately 21 acres of riparian buffers and other areas of the jointly-owned Greene Tract; such areas would be place in a preserve with appropriate protections that allowed vehicle or pedestrian crossings required by practical necessity?
3. Is there an interest in soliciting public input on the preferred mix of uses and amount of affordable housing on the remainder of the Greene Tract?

**FISCAL IMPACT:**

Any fiscal impact will vary based on specified follow-up actions.

**RECOMMENDATION:**

The staff recommends that the Board of Aldermen discuss the possible reconfiguration and uses and provide comments for the Mayor to share with the Orange County Board Chair and Chapel Hill town Mayor in relation to further discussions.

## **2018 Greene Tract Conceptual Plan (Preservation and Development Scenarios)**

### **Overview**

At the May 17, 2017 Managers, Mayors, and Chair (MMC) meeting, staff was requested to examine the development potential of the existing Greene Tract and provide three alternatives illustrating high, medium, and low development options. The MMCs requested that each alternative include specific elements including, but not limited to, a site for a future elementary school, a site for a future park, highlight environmental and cultural areas of significance, development potential, and preliminary road network and infrastructure.

The three alternatives included a project area of approximately 164 acres (104 acres in joint ownership and 60 acres in County ownership, as requested to be added to a comprehensive review) of land divided into sections based on the project area's environmental conditions, elements of the 2002 Joint Governments Resolution, Rogers Road Task Force report, Mapping Our Community's Future report, and previous land use discussions. The alternatives proposed various land uses and elements based on feedback from the community, previous planning efforts, staff, and local government leaders' objectives for the Greene Tract.

- **Environmental Features:** All three alternatives strive to protect areas of environmental concern including upland hardwood forests, wetlands, intermittent streams, and perennial streams located. These features are identified as areas of preserve which would not be developed in the future on all three alternatives. In *addition* to the acreage proposed for preserve, approximately 10 – 20% of the acreage proposed for development will be utilized for open space to provide areas of on-site preserve and connections to other areas of offsite preserve. Throughout the process, environmental staff from the Town of Chapel Hill, the Town of Carrboro, and Orange County provided feedback to develop alternatives which protected environmental areas and habitats located on the Greene Tract. Conceptual plans also included areas which may provide stormwater protections to the site.
- **Cultural Features:** Alternatives incorporated the location of cultural resources (i.e. footbridge, significant tree, historic homestead) in order to examine the protection and incorporation of these features in the future site design. For example, historical road beds and existing trails may be incorporated into the site design as a future greenway or trail system connecting the areas of preserve throughout the site.
- **Elementary School Site and Recreational Facility Site:** A school site is proposed on the southern portion of the Greene Tract. The original school site was originally proposed as part of the 18 acres designated for development in the Rogers Road Task Force Report. However, due to environmental constraints, the school site was relocated and is not included as part of the original acres identified for development. The proposed recreational facility site is also located on the southern portion of the Greene Tract in order to provide access to the future elementary school students. Chapel Hill—Carrboro City Schools staff was included in the process and provided support for the proposed school site and recreational facility site, which could also support community usage.
- **Development:** The proposed alternatives include areas for development in the short term. The location for future development was determined based on site elevations and proximity to existing public infrastructure. The proposed location focused on the northwest section of the site which was identified for housing (possible mixed-use) in the Rogers Road Task Force Report, but the program of density and affordability integration is a later stage.

- **Land Banking:** Alternatives include areas without critical environmental concerns or constraints for future land banking. These areas would remain undeveloped and preserved, but may be evaluated for development in the long term (10 – 20 years) depending on the needs of the community and planning partner approvals at that time.
- **Road:** The preliminary roadway design was based on existing environmental features and elevations contained on site. The proposed roadway network is similar to the 2017 concept plan, excluding the railroad crossing to Weaver Dairy Extension. Staff has explored the opportunity for an at-grade crossing to Weaver Dairy Extension Road with Norfolk Southern Rail. A new crossing at Weaver Dairy Extension would require the closing of possibly two to three at-grade crossings in other locations along the rail line. The proposed alternatives recognize a need for additional roadway connections similar to all previous planning efforts. Purefoy Drive would not be able to provide the only access to the site. Therein, future access to Eubank Road, Homestead Road, and second access to Rogers Road is noted.
- Further evaluation related to infrastructure (i.e. additional roadway connections), zoning standards, land use regulations, environmental features, cultural resources, and development decisions will impact and alter the proposed alternatives in the future.

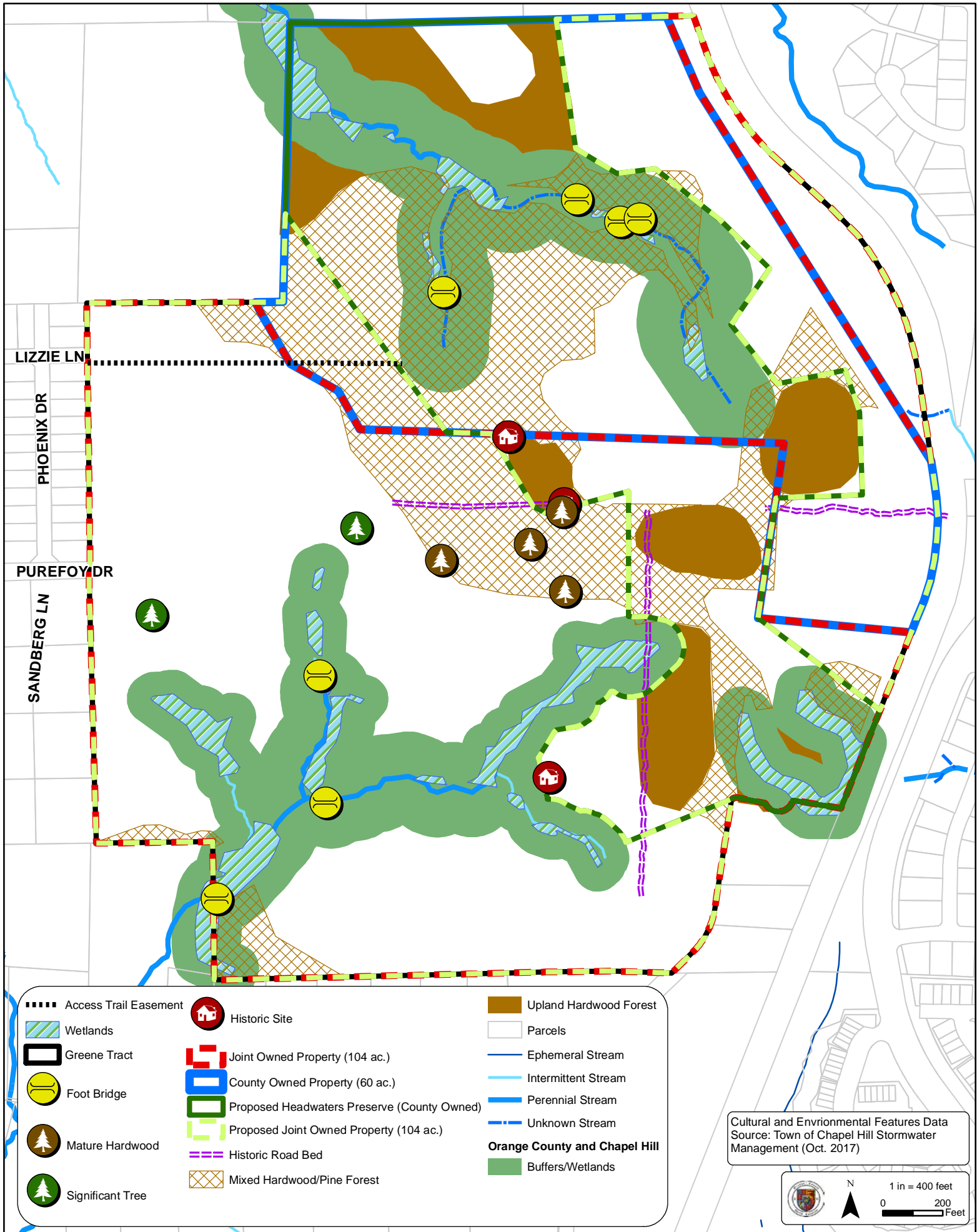
### **August 30 Managers, Mayors, and Chair (MMC) meeting**

During the August 30 MMC meeting, attendees provided comments and recommendations regarding the proposed alternatives. One recommendation was for staff to examine the reconfiguration of the joint owned and county owned tracts. The purpose of this request was to determine the feasibility in adopting a revised resolution supporting the reconfiguration of these tracts. The 60 acres which are county owned will be established as prime preservation areas and be connected to the future joint owned preserve areas of the 104 joint owned lands. As a result, staff has amended the proposed conceptual plan based on the proposed reconfigured joint owned and county owned tracts. The amended plans and reconfigured tracts were drafted with environmental staff from the Town of Chapel Hill, the Town of Carrboro, and Orange County in order to create new parcels which endeavored to protect environmental features and habitats located on site.

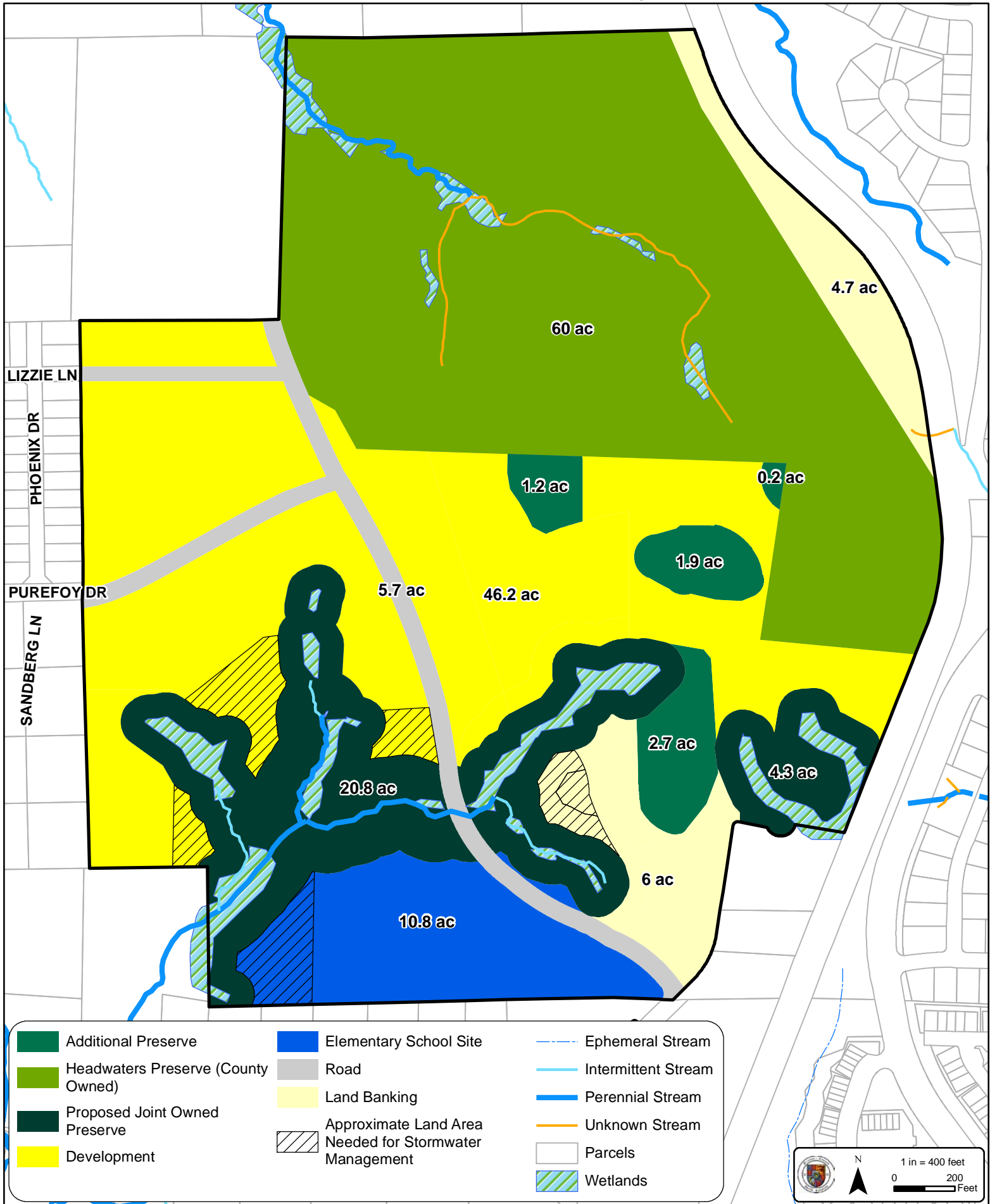
# Greene Tract - Environmental & Cultural Features

Attachment 5b

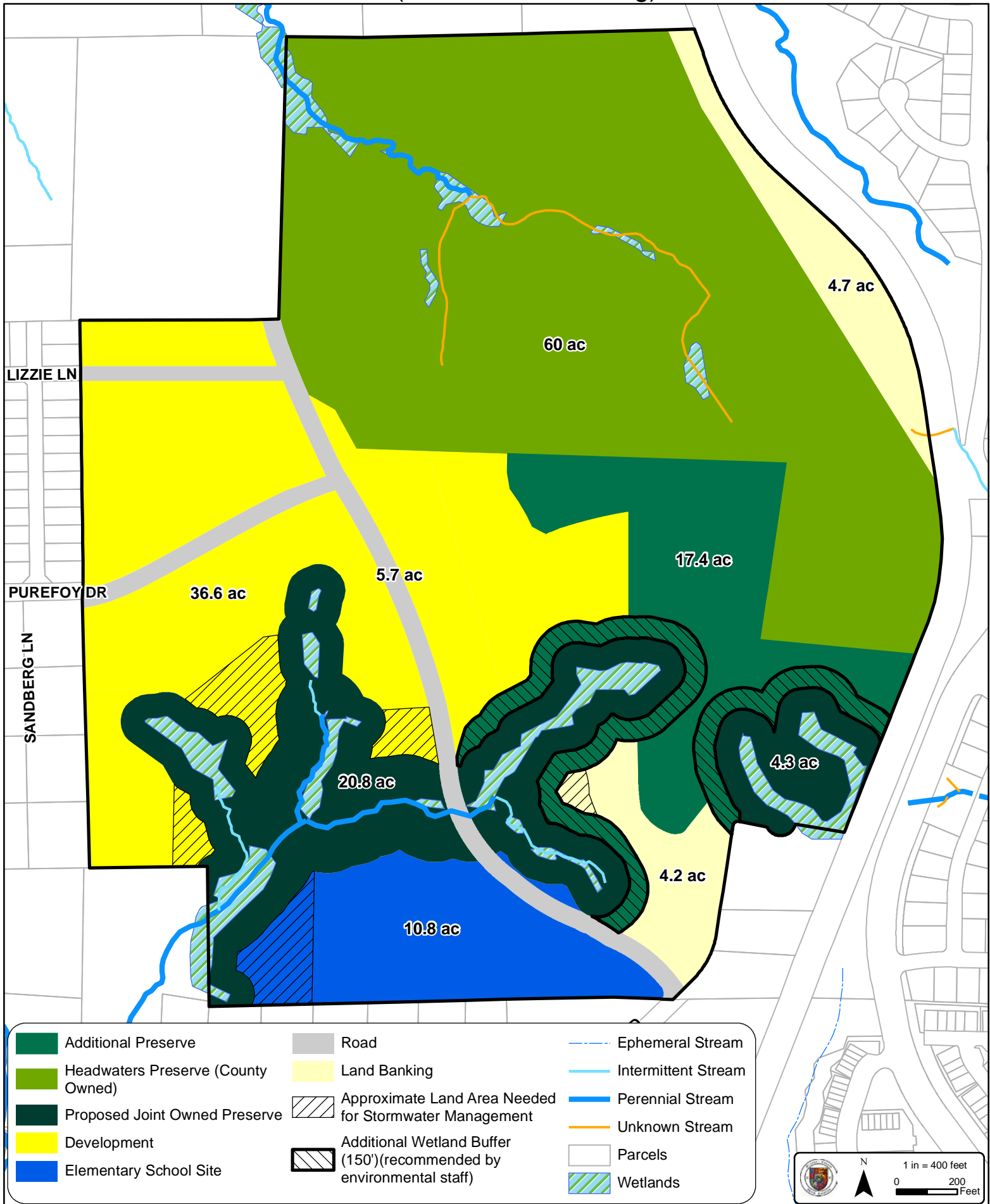
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# Greene Tract Land Use Conceptual Plan - Alternative 1 (High) (Headwaters Existing)



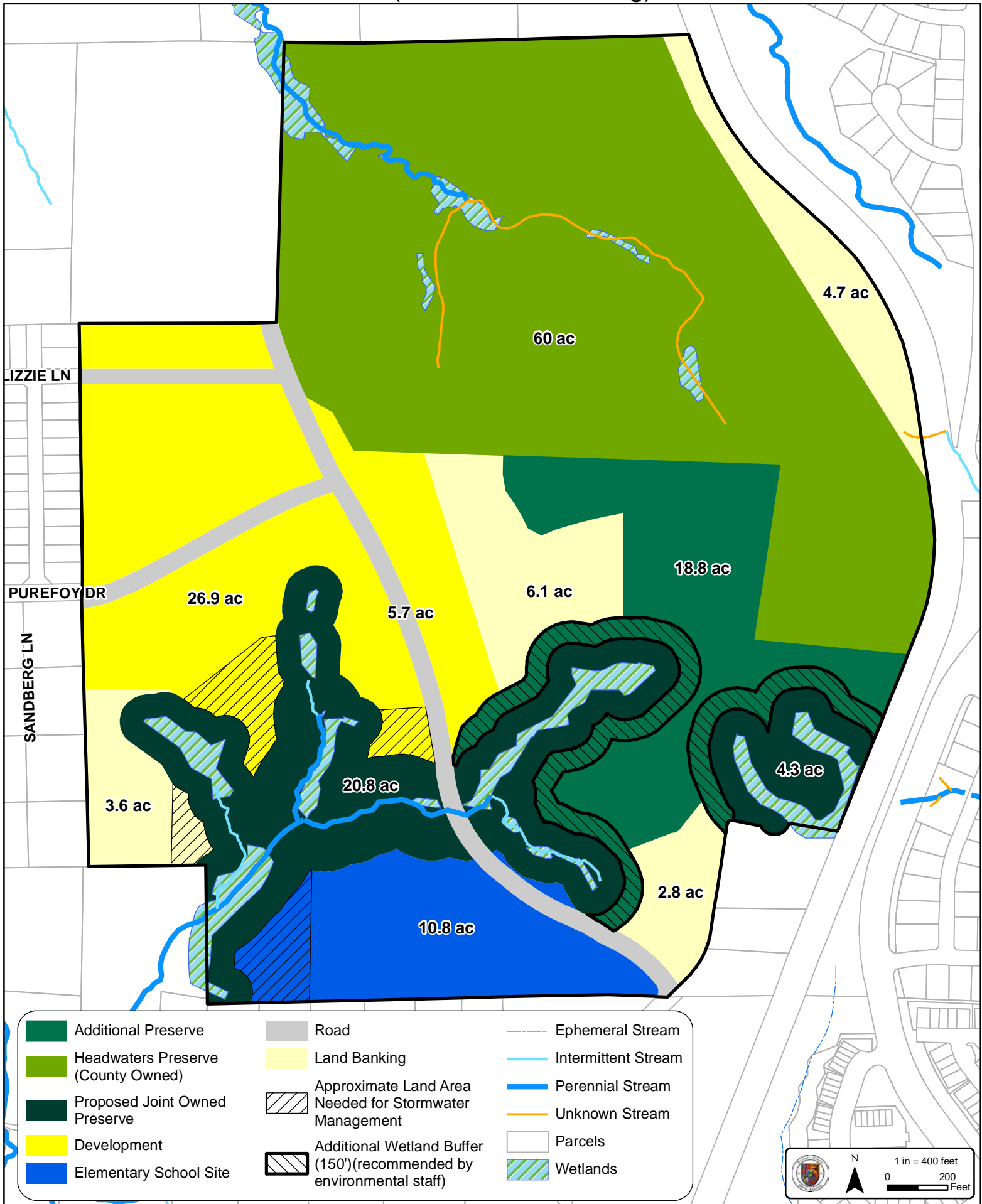
# Greene Tract Land Use Conceptual Plan - Alternative 2 (Medium) (Headwaters Existing)





# Greene Tract Land Use Conceptual Plan - Alternative 3 (Low) (Headwaters Existing)

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# Greene Tract Land Use Conceptual Plan

## (Possible Modifications to Headwaters Preserve Areas)

Three alternatives were drafted which included a project area of approximately 164 acres of land divided into proposed land uses based on the project area's environmental conditions, elements of the 2002 Chapel Hill Resolution, Rogers Road Task Force report, Mapping Our Community's Future report, and local government leaders' objectives for the Greene Tract. All three proposed alternatives are based on possible modifications to the Headwaters Preserve areas.

Alternatives must provide three levels of development and incorporate:

- School site
- Recreational facility site
- Park space
- Natural preservation areas
- Development
- Road network and infrastructure
- Environmental buffers
- Cultural areas of significance

Additional consideration will be required for several elements of the Greene Tract:

- Roadway design
- Site infrastructure (i.e. water, sewer, fiber)
- Open space, recreational facility, and tree canopy preservation
- Environmental (i.e. wetlands, streams, buffers, stormwater regulations)
- Low Impact Development
- Cultural and historical features
- Density, land use, and zoning regulations
- Transit

- Further evaluation will impact and alter the proposed alternatives in the future
- Site plan review process will address additional land use issues and help shape the plan for the Greene Tract

### Land Use Categories

**Proposed Joint Owned Preserve:** Includes areas of existing wetlands and streams located on the Greene Tract. Wetland and stream information is based on information collected from Town of Chapel Hill, Town of Carrboro, and Orange County staff. Buffer standards were determined based on a review of the Towns' and County's standards and utilizing the most restrictive. Additional analysis and delineation will be required moving forward. These areas would not be developed, but will remain as natural preserve areas in the future.

**Additional Preserve:** Includes areas for future preservation and upland hardwood forest which are not contained in the required preserve areas. In addition to the acreage proposed to be preserved, approximately 10 – 20% of the acreage proposed for development will be utilized for open space to provide areas of on-site preserve and connections to other areas of offsite preserve.

**Proposed Headwaters Preserve (County Owned):** Includes the original 60 acres designated for preservation by the Towns and County.

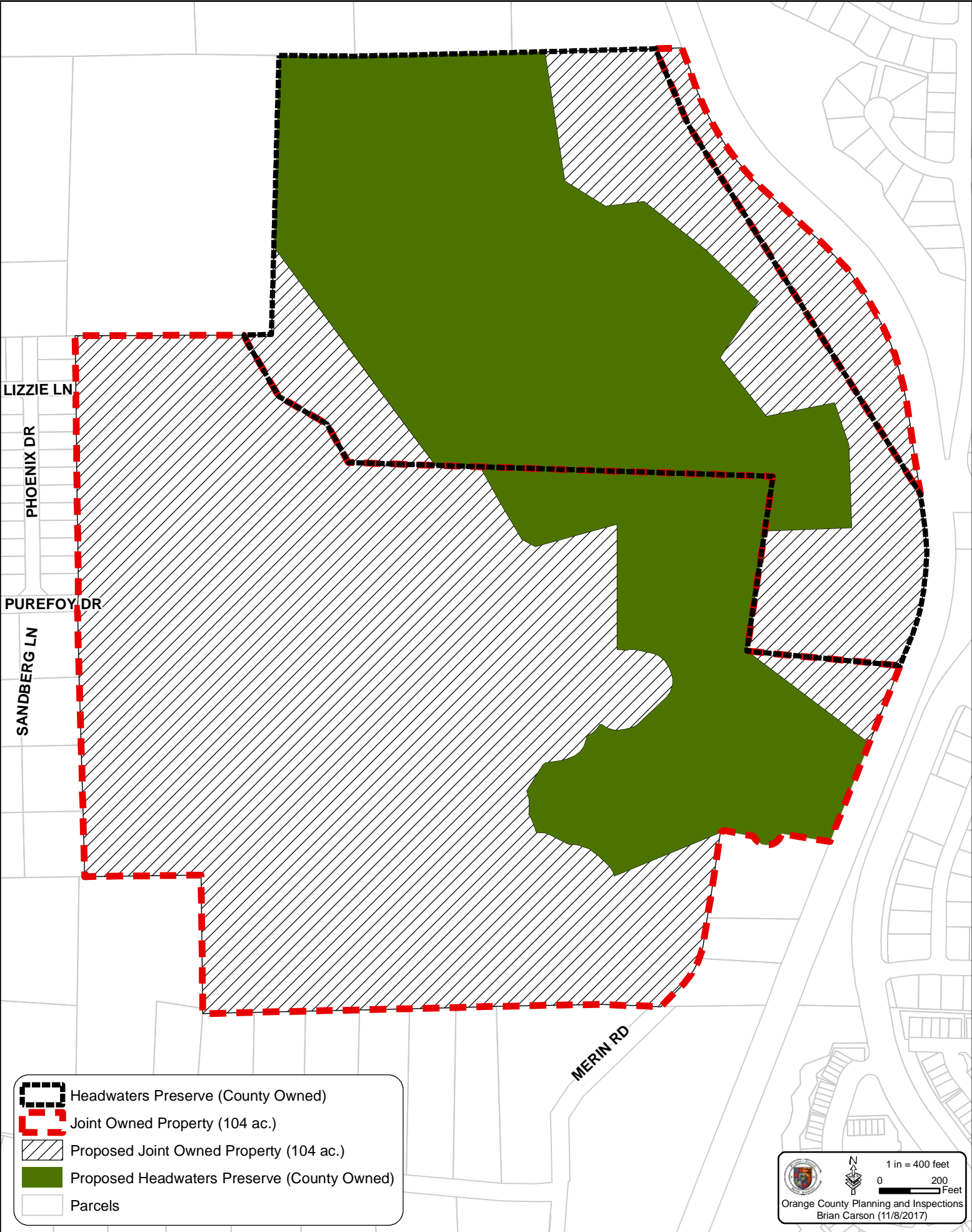
**Elementary School Site:** Includes acreages allocated for a future elementary school site. The proposed school site has been relocated to the southern portion of the site due to environmental constraints and is not included as part of the original 18 acres designated for development in the Rogers Road Task Force Report. Chapel Hill—Carrboro City Schools staff has reviewed the proposed alternatives and provides support for the proposed location.

**Development:** Includes areas proposed for development in the short term. The location for this category was determined based on site elevations and proximity to existing infrastructure. In addition, the proposed location for development includes the original 18 acres identified for affordable housing in the Rogers Road Task Force Report. Includes possible locations for on-site stormwater facilities.

**Road:** The preliminary roadway design was based on existing environmental concerns and elevations contained on site. The proposed alternatives recognize a need for additional roadway connections in the future.

**Land Banking:** Includes areas without environmental concerns and access to infrastructure which may provide an opportunity for future development. These areas will remain undeveloped in the short term, but may be evaluated for development (i.e. residential, commercial, health services, and/or park/recreational facility) in the long term (10-20 years) depending on the needs of the community and planning partners at that time.

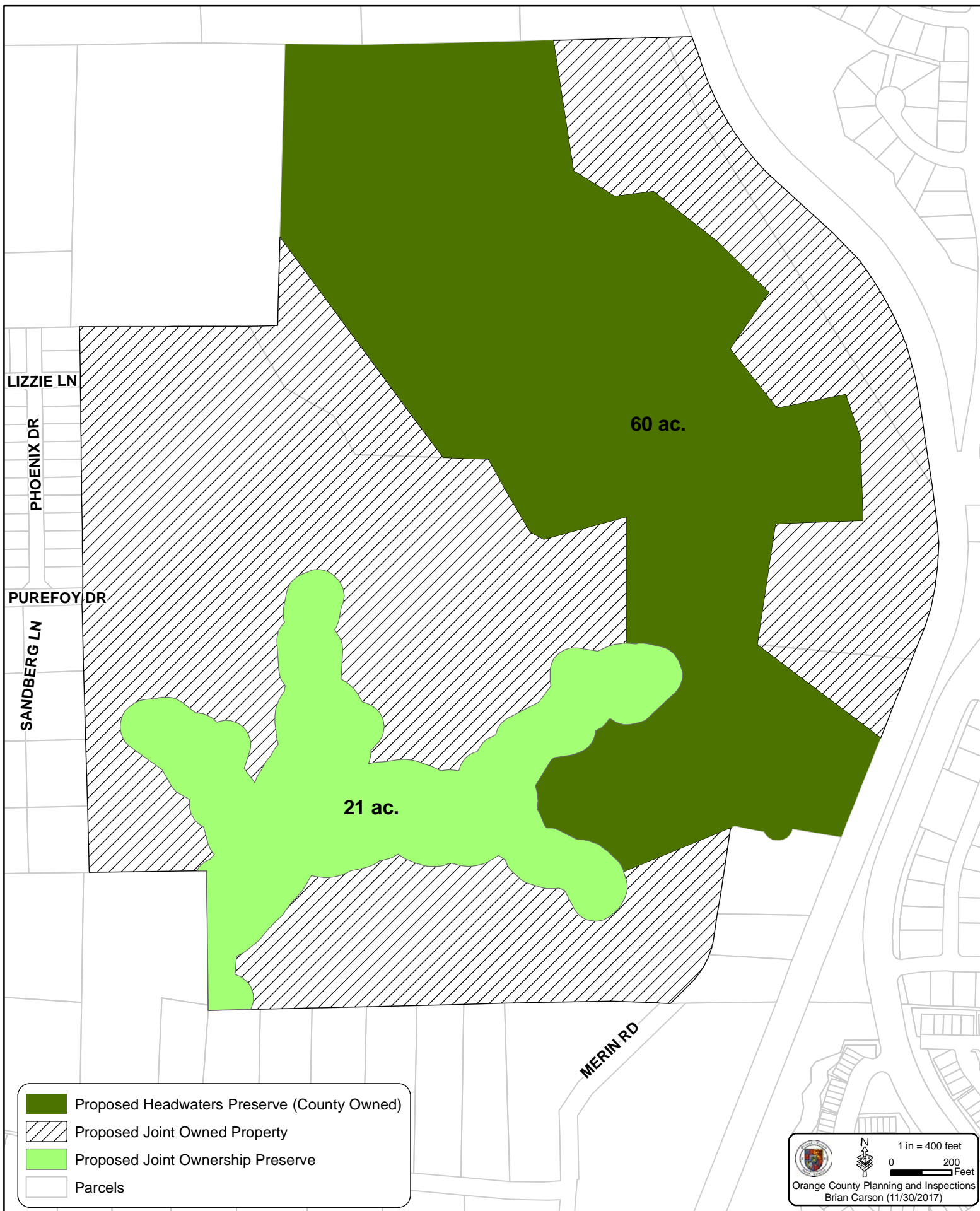
# Possible Modifications to Headwaters Preserve Area<sup>80</sup>



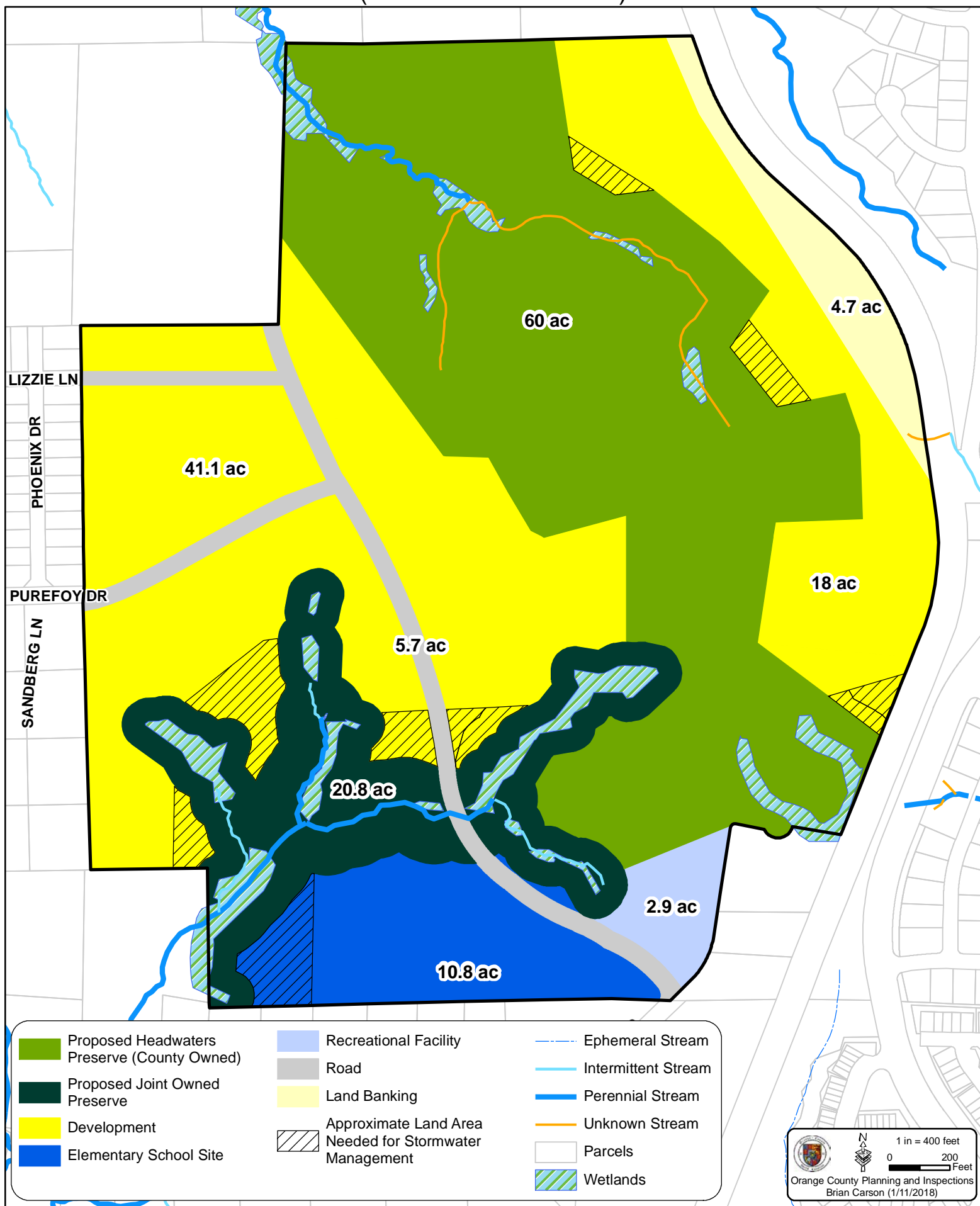
# Possible Modifications to Headwaters Preserve Area

## Total Preserve Area

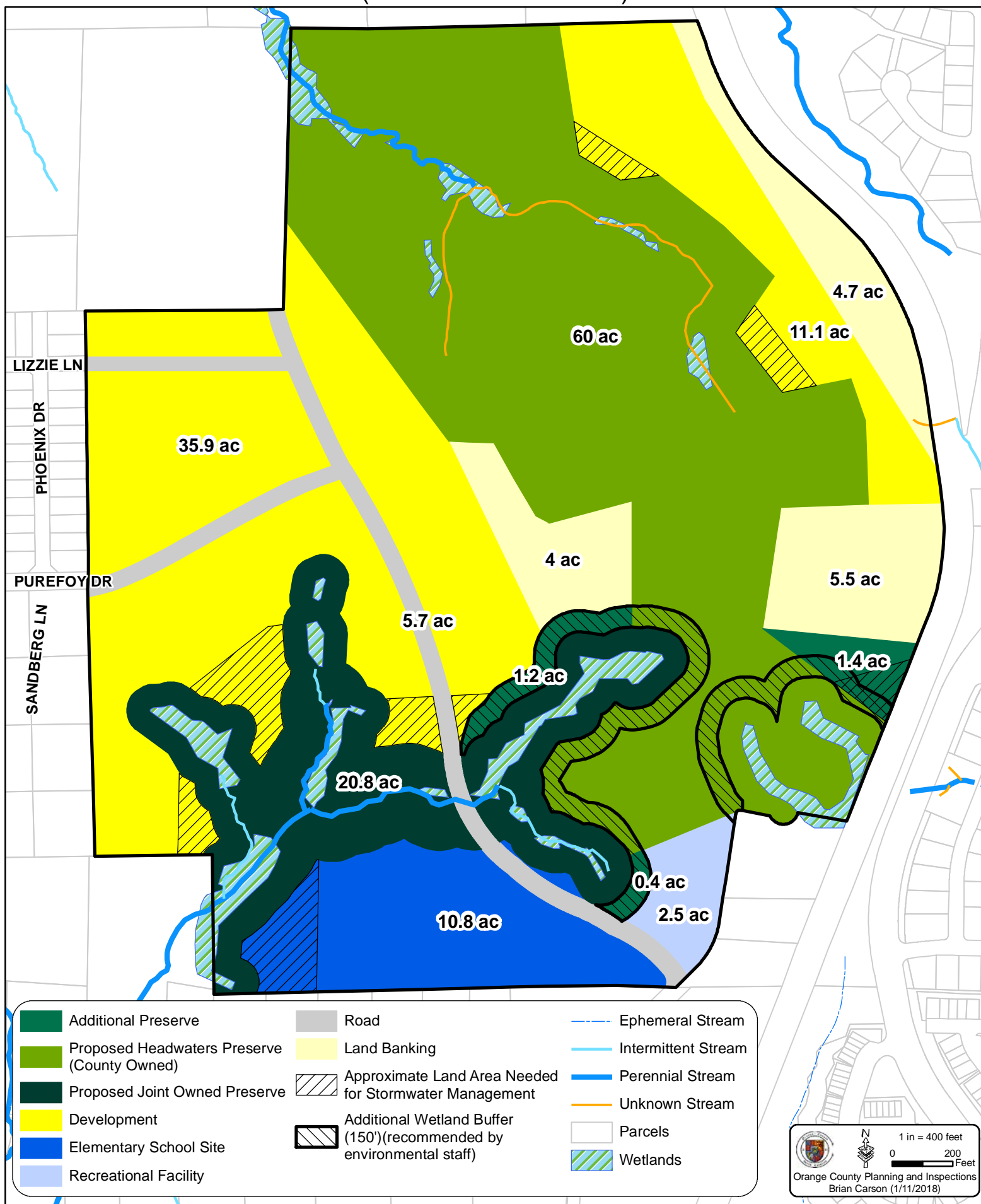
81



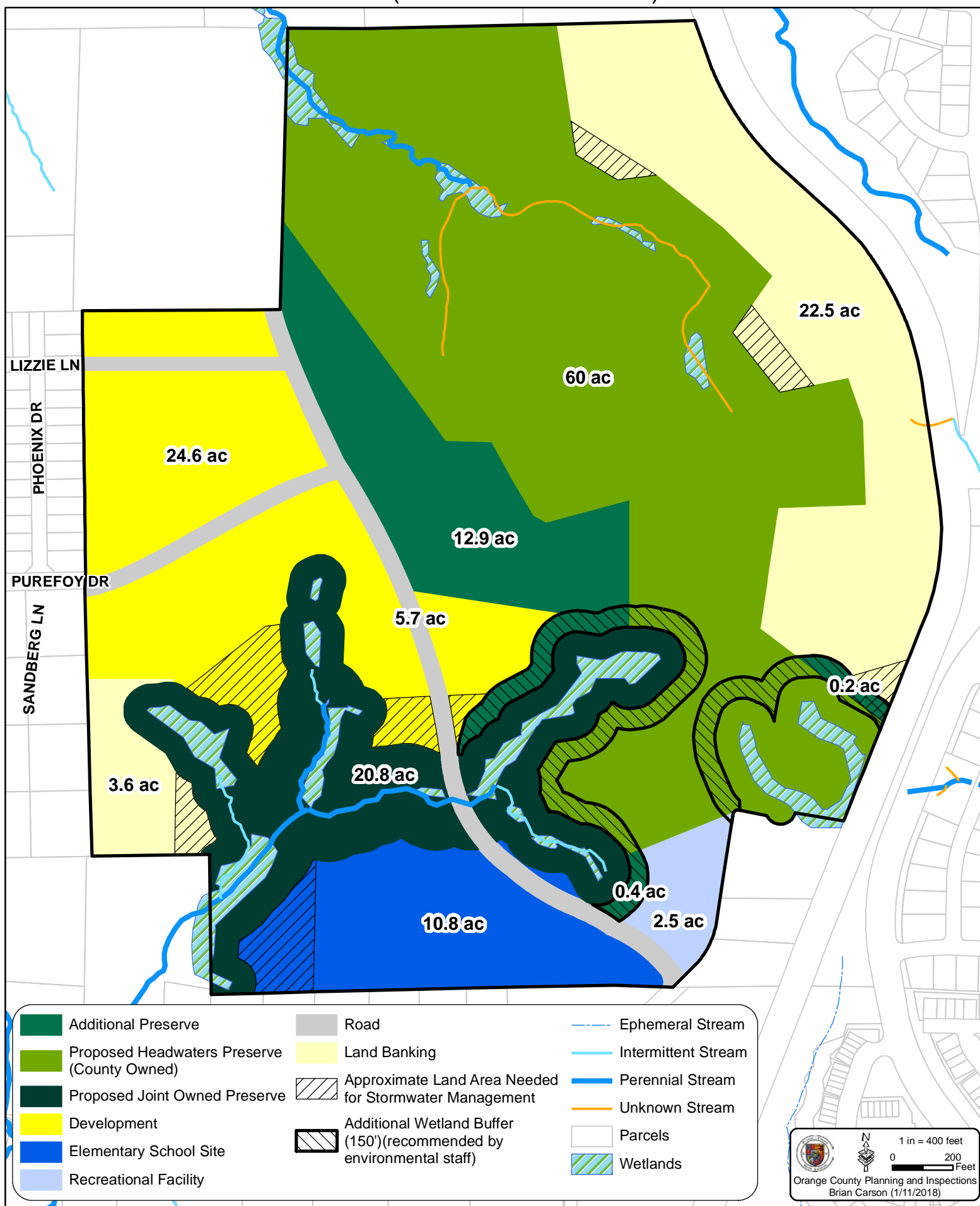
# Greene Tract Land Use Conceptual Plan - Alternative 1 (High) (Headwaters Modified)



# Greene Tract Land Use Conceptual Plan - Alternative 2 (Medium) (Headwaters Modified)



# Greene Tract Land Use Conceptual Plan - Alternative 3 (Low) (Headwaters Modified)





**Alternative 1**

Illustrates a high development option with the greatest amount of acreage designated for development compared to the other alternatives.

Preserve		Development		Land Banking	
20.8 ac.	20%	78.5 ac.	75.5%	4.7 ac.	4.5%
Based on 59.1 acres	Low Density (4-6 units/acre)	Medium Density (6-10 units/acre)		High Density (10-20 units/acre)	
	236 - 354	354 - 591		591 - 1182	

**Pros**

- More acreage designated for development in the short term
- Provides greatest opportunity for highest number of affordable housing and market rate housing to help meet housing demand in the urban area
- More acreage available for development to offset infrastructure costs
- Allows for double road frontage to offset road and infrastructure costs
- More development and residential units to support transit

**Cons**

- Additional stormwater treatment will be needed due to greater amount of potential development and increased impervious surfaces
- Protects the least amount of mixed hardwood/pine forest from short term development
- Only allows for the required 80 foot wetland buffer
- Depending on density, may have greater traffic impacts to Purefoy Drive and Merin Road

**Alternative 2**

Illustrates a moderate development option by shifting acreage away from the development land use with the transfer of acreage to additional preserve and land banking. Also allows for a 150 buffer along a portion of the existing wetlands located onsite.

Preserve		Development		Land Banking	
23.8 ac.	22.9%	66 ac.	63.4%	14.2 ac.	13.7%
Based on 47 acres	Low Density (4-6 units/acre)	Medium Density (6-10 units/acre)		High Density (10-20 units/acre)	
	188 - 282	282 - 470		470 - 940	

**Pros**

- Proposes 150 foot wetland buffer adjacent to wildlife corridor
- Allows for additional areas of preserve
- Provides opportunity for a mid-range of affordable housing and market rate housing to meet the general housing demand
- More acreage available for development to offset infrastructure costs
- Allows for double road frontage to offset road and infrastructure costs

**Cons****Alternative 3**

Illustrates a low development option by shifting additional acreage away from the development land use category to the additional preserve and land banking.

Preserve		Development		Land Banking	
34.3 ac.	33%	43.6 ac.	41.9%	26.1 ac.	25.1%
Based on 24.6 acres	Low Density (4-6 units/acre)	Medium Density (6-10 units/acre)		High Density (10-20 units/acre)	
	98 - 147	147 - 246		246 - 492	

**Pros**

- Proposes 150 foot wetland buffer adjacent to wildlife corridor
- Allows for additional areas of preserve
- Strives to protect the existing wildlife corridor and provide for landscape connectivity
- Protects the greatest amount of Mixed Hardwood/Pine Forest from short term development
- Depending on density, may have less traffic impacts to Purefoy Drive and Merin Road

**Cons**

- Less acreage is available for development in the short term
- Provides lowest opportunity for affordable housing and market rate housing to help meet housing demand in the urban area
- Less acreage available for development to offset infrastructure costs
- Does not allow for double road frontage to offset road and infrastructure costs
- Less development and residential units to support transit

## Affordable Housing Potential

Alternative 1 (High) – Potential Number of Residential Units			
Based on 59.1 Acres	Low Density 4 - 6 units/acre	Medium Density 6 - 10 units/acre	High Density 10 - 20 units/acre
	236 - 354 units	354 - 591 units	591 - 1182 units
Potential Number of Affordable Housing Units			
15%	35 – 53 units	53 – 88 units	88 – 177 units
20%	47 – 70 units	70 – 118 units	118 – 236 units
35%	82 – 123 units	123 – 206 units	206 – 413 units

Alternative 2 (Medium) – Potential Number of Residential Units			
Based on 47 Acres	Low Density 4 - 6 units/acre	Medium Density 6 - 10 units/acre	High Density 10 - 20 units/acre
	188 - 282 units	282 - 470 units	470 - 940 units
Potential Number of Affordable Housing Units			
15%	28 – 42 units	42 – 70 units	70 – 141 units
20%	37 – 56 units	56 – 94 units	94 – 188 units
35%	65 – 98 units	98 – 164 units	164 – 329 units

Alternative 3 (Low) – Potential Number of Residential Units			
Based on 24.6 Acres	Low Density 4 - 6 units/acre	Medium Density 6 - 10 units/acre	High Density 10 - 20 units/acre
	98 - 147 units	147 - 246 units	246 - 492 units
Potential Number of Affordable Housing Units			
15%	14 – 22 units	22 – 36 units	36 – 73 units
20%	19 – 29 units	29 – 49 units	49 – 98 units
35%	34 – 51 units	51 – 86 units	86 – 172 units





# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Agenda Item Abstract

**File Number:**17-218

**Agenda Date:** 5/22/2018

**File Type:**Agendas

**In Control:** Board of Aldermen

**Version:** 1

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### TITLE:

Exploration of Affordable Housing on Town-Owned Land

**PURPOSE:** The purpose of this item is for the Board to receive an update on work staff and the Affordable Housing Task Force conducted on the exploration of possible affordable housing development strategies on town-owned land.

**DEPARTMENT:** Town Manager's Office, Planning Department

**CONTACT INFORMATION:** Julie Eckenrode, Assistant to the Town Manager, 919-918-7308, [jeckenorde@townofcarrboro.org](mailto:jeckenorde@townofcarrboro.org); Trish McGuire, Planning Director, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)

**INFORMATION:** Town staff and the Affordable Housing Task Force explored the potential for affordable housing development on parcels of town-owned land. This agenda item is to provide the Board an update on this work, for the Board to consider continuing to pursue this strategy, and for the Board to provide feedback on preferred methods for moving forward, if desired.

### Overview of Exploration

In 2016, staff began exploring the possibility of facilitating development of affordable housing on publicly-owned land. This work began in partnership with Orange County and the Town of Chapel Hill through a regional workgroup. This workgroup established a standard set of criteria for evaluating publicly owned land to assist in determining viability of development on existing parcels. Attachment D has more information on this criteria and the process of identifying potential sites.

Town staff was then able to identify town-owned land that were potentially feasible sites for affordable housing development. Staff worked with the Affordable Housing Task Force to further analyze sites and explore possibilities for facilitating development. This work culminated in the identification of three sites in town that appear to be feasible for affordable housing development. These three sites are located on Crest Street, Hill Street, and Pathway Drive.

Attachments A, B, and C are evaluations and descriptions of these sites, along with maps and photographs. Staff will present to the Board the evaluations of these sites.

### Relationship of Exploration to Affordable Housing Plan

The exploration of the potential for facilitating affordable housing on town-owned land has been pursued as a method to assist in reaching Goal 1.1 and Goal 2.1 of the Town's Affordable Housing Plan. Goals 1.1 and 2.1

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are to increase the number of permanently affordable homeownership and rental units in Carrboro. This work is also in line with strategy 2.1B, which calls for staff to work with partners to identify and reserve land for future affordable housing development.

**FISCAL & STAFF IMPACT:** There is no fiscal impact associated with this agenda item.

**RECOMMENDATION:** Staff recommends the Board receive the update, provide direction on whether staff should continue to pursue this strategy, and provide feedback on desired methods for moving forward, if the Board wishes to continue pursuing this exploration.



## Crest Street

**PIN:** 9778899390

**Size:** 1.08 acres

**Value:** \$308,928

**Zoning:** R75

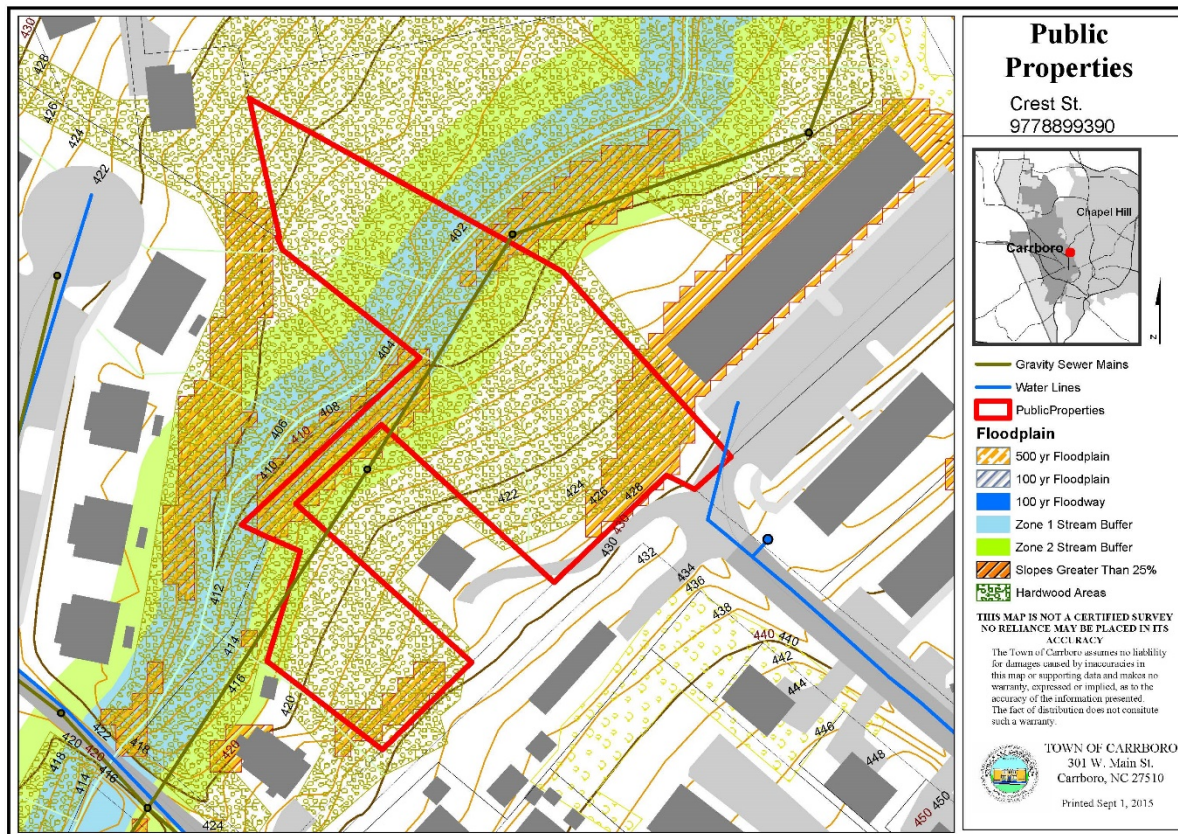


<b>Known assets favorable to development</b>	1. All utilities are adjacent to the property 2. Most of the property does not contain significant slopes
<b>Known issues that could potentially restrict development or add costs</b>	1. A property currently cuts off a large portion of the property, limiting density 2. Stream buffer towards the back of the property
<b>Zoned density</b>	6 units, 9 units with density bonus
<b>Current uses</b>	Open space
<b>Future uses currently under consideration</b>	Affordable housing
<b>Transit</b>	Approximately .4 miles to nearest bus stop
<b>Relevant Notes</b>	The Town of Chapel Hill conveyed the Crest Street property to the Town of Carrboro in 2003 for the use as affordable housing. The property was part of the Oakwood Public Housing complex before conveyance.





## Map and Photograph of Property



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View of site from Crest Street



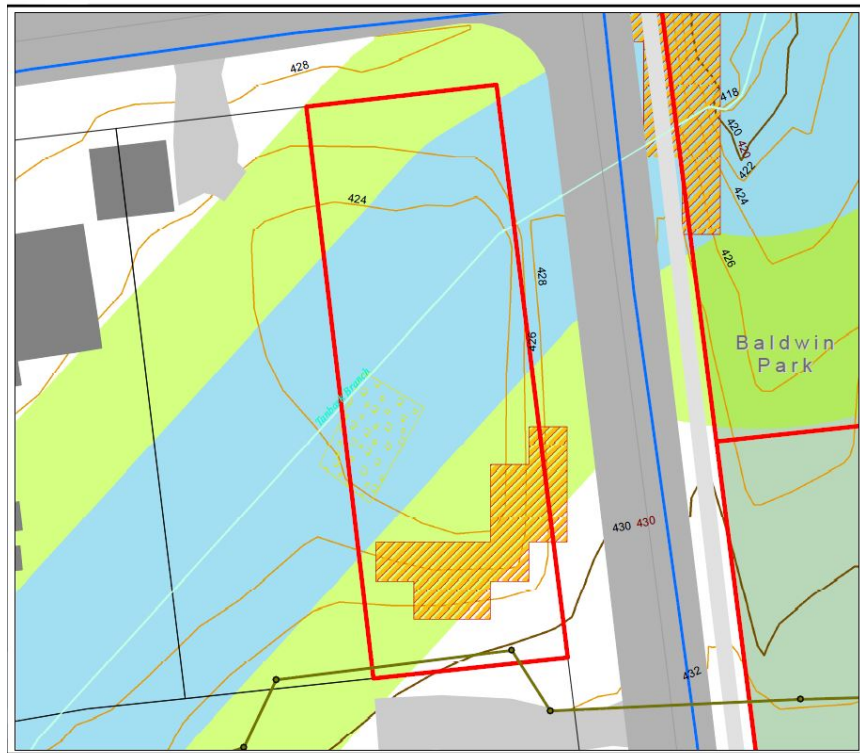
## 106 Hill Street

**PIN:** 9778975883

**Size:** .17 acres

**Value:** \$17,000

**Zoning:** R75

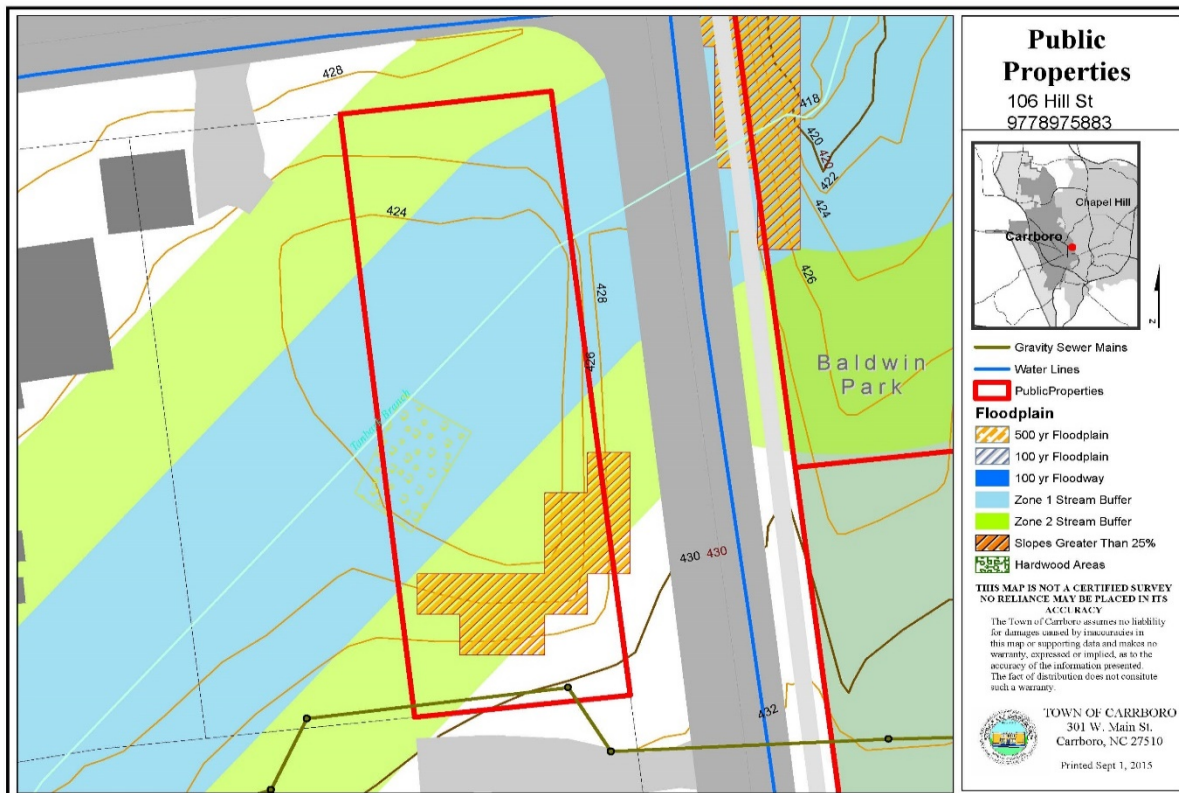


<b>Known assets favorable to development</b>	1. All utilities are adjacent to the property
<b>Known issues that could potentially restrict development or add costs</b>	1. Stream buffer runs through most of the property 2. OWASA easement on property 3. Duke Power easement on property 4. Would require a variance from the Board of Adjustment
<b>Zoned density</b>	1
<b>Current uses</b>	Open space
<b>Future uses currently under consideration</b>	Affordable housing
<b>Transit</b>	Approximately .4 miles to nearest bus stop
<b>Relevant notes</b>	Deeded to the Town in May 2006





## Map and Photograph of Property



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View from near the corner of Lloyd St and Hill St



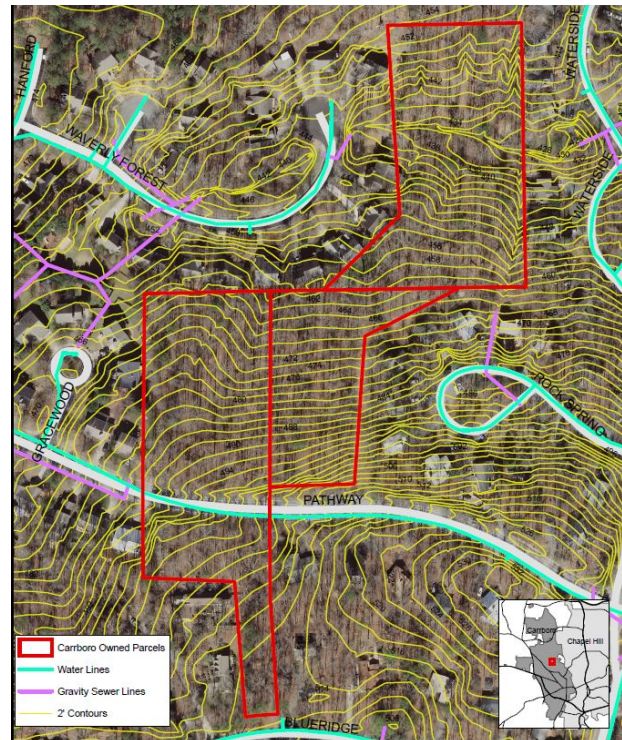
## 1814-1816 Pathway Drive

**PIN:** 9779427516, 9779429615, 9779531130

**Size:** 6.3 acres total

**Value:** \$261,728

**Zoning:** R15, RSIR, RSIR2

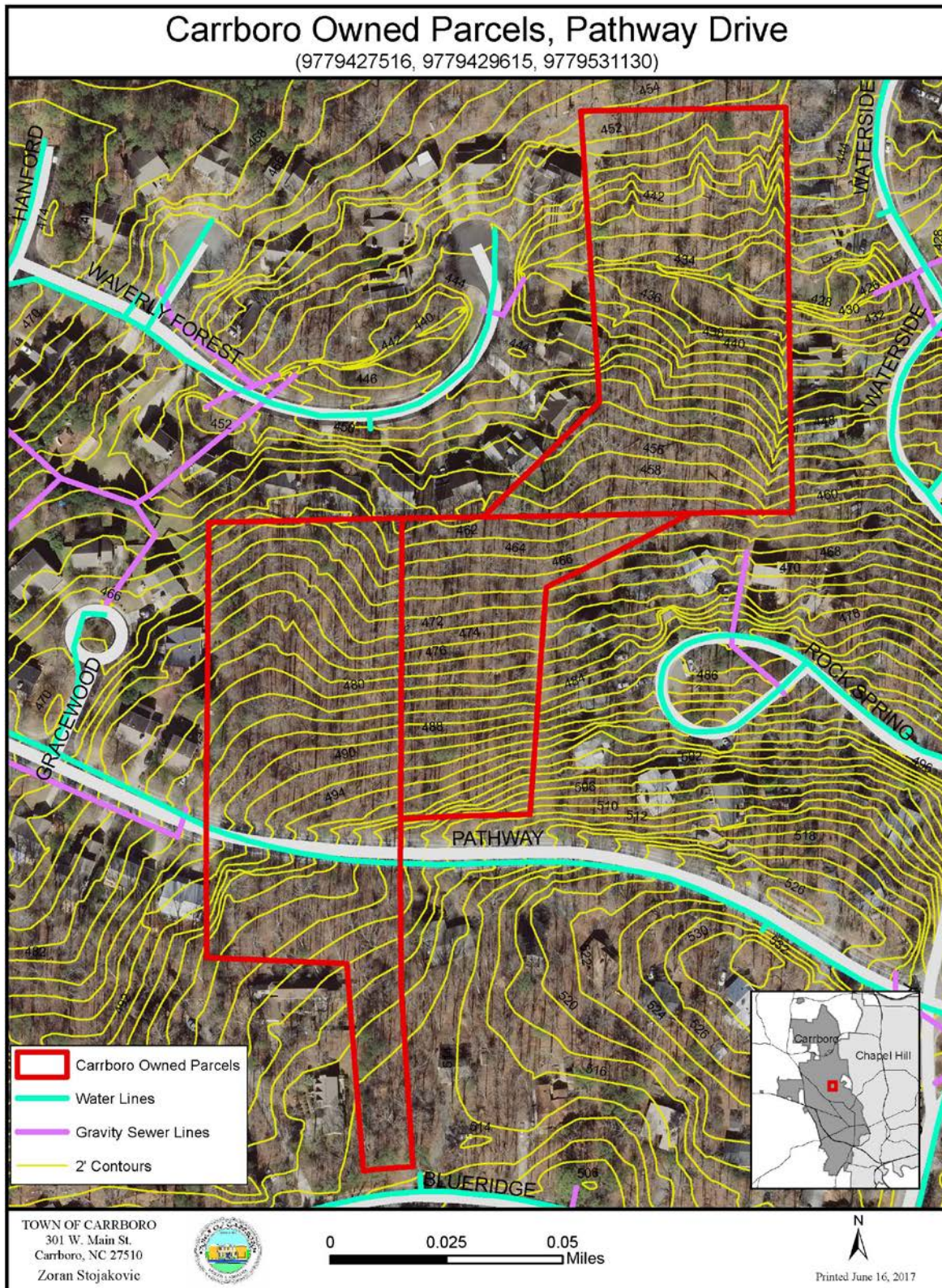


<b>Known assets favorable to development</b>	1. All utilities are adjacent to the property 2. Few slope/grading issues 3. Stream buffers only located in the northern most property
<b>Known issues that could potentially restrict development or add costs</b>	1. It is anticipated that an in-depth community engagement process would be conducted to assist in determining the scope of potential development on the parcels.
<b>Zoned density</b>	23 units collectively, 34 units with density bonus collectively
<b>Current uses</b>	Open space
<b>Future uses currently under consideration</b>	Affordable housing
<b>Transit</b>	Approximately .5 - .7 miles to nearest bus stop
<b>Relevant Notes</b>	The 2006 Recreation and Parks Comprehensive Master Plan states that, with the acquisition of MLK Park, none of the Pathway Drive parcels were needed to serve as recreation or park space.





## Map and Photographs of Property







Street view near the center of the properties along the street



Street view on the western portion of the properties along the street





Street view from the eastern portion of the properties along the street



Street view of the portion of the site that crosses over the street

## Criteria for Identifying Potential Affordable Housing Sites

Staff started with 47 parcels of land owned by the Town of Carrboro. By applying the below criteria, conducting site visits, and with guidance from the Affordable Housing Task Force, the list has been narrowed down to 5 parcels, or 3 sites with the highest potential for affordable housing development. Parcels from the original 47 were immediately excluded if they fell into any of the following categories:

- 1) Within a conservation easement
- 2) Inside a Long-Term Interest Areas (WASMPBA)
- 3) No water or sewer nearby
- 4) Within 100 year floodplain
- 5) Within dedicated right-of-way
- 6) Parcel completely developed
- 7) Inside Rural Buffer zoning

There might be other restrictions on these parcels that might exclude them from being potential affordable housing locations.

To: David Andrews

From: G. Nicholas Herman & Kevin R. Hornik

Date: February 15<sup>th</sup>, 2018

Re: Options for Developing Town Property for Affordable Housing

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Mr. Andrews,

You have directed The Brough Law Firm, PLLC, on behalf of the Town of Carrboro (the “Town”), to research and outline the options available to the Town for developing affordable housing units on property owned by the Town. This Memorandum shall form the basis of the Town’s Affordable Housing Commission’s planning efforts with respect to how best to use Town property to provide affordable housing units for the community. The results of our research are outlined below.

North Carolina’s Housing Authorities Law (N.C. Gen. Stat. § 157-1, et seq.) authorizes local governments to create a “housing authority,” or a “public body and a body corporate and politic” vested with the power to undertake housing projects designed to provide housing for those with low or moderate income. However, N.C. Gen. Stat. § 157-4.1 authorizes city councils to either create a city-run “redevelopment commission... to exercise the powers, duties, and responsibilities of a housing authority” or to exercise those powers and duties itself. If the city council chooses to exercise those duties itself, it may assign the administration of those duties to any new or existing department of the city.

Local governments are authorized to engage in a number of different “housing projects” in an effort to provide affordable housing. This authority is detailed in N.C. Gen. Stat. § 157-1 through -70. The term “housing projects” covers a wide variety of activities related to the provision of affordable housing, including: planning for buildings or improvements related to affordable

housing, demolition of existing structures, construction, reconstruction, alteration, and repair of improvements, and any other work related to affordable housing. Of course, any fiscal involvement by the Town must meet the basic constitutional requirement that the expenditure of public funds be tied to some public purpose. However, a number of North Carolina Supreme Court Opinions clearly state that the provision of housing for persons and families with low income is a constitutionally-valid public purpose.<sup>1</sup>

Generally, there are two categories of action available to the Town. The Town may engage in supply-oriented programs, which are designed to provide affordable housing options through affordable housing development projects either undertaken by the Town or subsidized by the Town. The Town may also engage in demand-oriented programs, which are designed to provide housing assistance funds to those seeking affordable housing. As the Town has already appropriated land in a number of subdivisions with the intention of providing affordable housing units to the community, our research efforts have focused primarily on the Town's supply-oriented authority.

Below, you will find an explanation of the Town's authority to use Town-owned land to provide affordable housing to persons of low to moderate income.

### **I. Authority to Finance Affordable Housing Projects**

N.C. Gen. Stat. § 159-48(d)(7) very clearly authorizes city governments to borrow money and issue general obligation bonds to finance the development of affordable housing units. The statute specifically allows local governments to:

“[provide] housing projects for the benefit of persons of low income, or moderate income, or low and moderate income, including without limitation (i) construction or acquisition of

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<sup>1</sup> See *In re Denial of Approval to Issue \$30,000,000.00 Single Family Housing Bonds and \$30,000,000.00 of Multi-Family Housing Bonds for Persons of Moderate Income*, 307 N.C. 52, 296 S.E.2d 281 (1982); *Martin v. North Carolina Housing Corp.*, 277 N.C. 29, 175 S.E.2d 665 (1970); *Wells v. Hous. Auth. Of City of Wilmington*, 213 N.C. 744, 197 S.E. 693 (1938).

projects to be owned by a city, redevelopment commission, or housing authority, and (ii) loans, grants, interest supplements and other programs of financial assistance to persons of low income, or moderate income, or low and moderate income, and developers of housing for persons of low income, moderate income, or low and moderate income. A housing project may provide housing for persons other than low or moderate income, as long as at least twenty percent (20%) of the units in the project are set aside for housing for the exclusive use of persons of low income. No rent subsidy may be paid from bond proceeds.”

This statute makes clear that the Town is authorized to develop affordable housing units, to be owned by the Town, or to provide financial assistance to those with low or moderate incomes, or to grant subsidies to developers who intend to provide housing for those with low or moderate incomes. The Town may finance these projects through the typical general obligation bond process, outlined in the Local Government Bond Act (N.C. Gen. Stat. § 159-43, et seq.).

## **II. Authority to Dispose of Public Property for the Provision of Affordable Housing**

As a general rule, North Carolina local governments are required to dispose of public property through competitive bidding procedures—i.e., sealed bids (per G.S. 160A-268), upset bids (G.S. 160A-269), or public auctions (G.S. 160A-270). Further, local governments may not place conditions on the sale of public property that will depress the value of the property. However, one key exception to these general rules deals with local government authority to dispose of public property for the creation of affordable housing stock.

In cases where public property is sold to ensure the availability of safe, decent, and affordable housing for persons of low to moderate income, local governments may use “private sale” procedures to convey public property to the buyer of its choice, without undergoing the public bidding process.<sup>2</sup>

It is important to note, however, that under no circumstances may a local government convey property for less than it is worth. Article I, Section 32 of the North Carolina Constitution

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<sup>2</sup> N.C. Gen. Stat. § 160A-279 and N.C. Gen. Stat. § 160A-267



prohibits the conveyance of “exclusive emoluments”—i.e., gifts of money, property, or privilege from the government—without some commensurate value in return. Where public property is being conveyed at less than market value, the local government must receive some valuable public service in return for any subsidy the government provides.

It is also worth noting that the North Carolina Constitution authorizes local governments to spend money “for public purposes only.”<sup>3</sup> The North Carolina Supreme Court has determined that the expenditure of public money to provide affordable housing stock serves a “public purpose” when it is necessary—i.e., when decent affordable housing is “not otherwise available” to persons of low to moderate income.<sup>4</sup> This is significant in that it requires a showing that private enterprise has not provided adequate housing on its own.

Because the conveyance of public property for less than fair market value is equivalent to an expenditure of public funds for the benefit of the recipient, the public purpose for the conveyance must be clearly articulated. This may be managed by demonstrating the lack of affordable housing stock for persons of low to moderate income in the community, and a description of how the local government’s financial support will benefit those with low to moderate incomes. Generally, this should be accompanied by a clearly defined budget and projected costs, as any public money expended in excess of what is necessary to provide the stated public benefit will be considered an unconstitutional exclusive emolument or gift to the developer.

Additionally, it is wise to require specific performance guarantees from the recipient. This can be accomplished by drafting a clear written agreement between the local government and the recipient, detailing, among other things: how many affordable housing units will be provided, any eligibility criteria for households to purchase or rent the affordable housing units, the affordability

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<sup>3</sup> Article V, Section 2(1) of the North Carolina Constitution

<sup>4</sup> *Martin v. North Carolina Housing Corporation*, 277 N.C. 29, 50 (1970).

level of housing units as a percentage of household income, timing and phasing of the development and construction of affordable housing units, the process for certification of eligible households and the process for transfer from one eligible owner or tenant to another, and the period for which affordable housing must be provided on the property and whether the property will be returned to the local government at the end of that period.

Another common method for ensuring the provision of affordable housing following the conveyance of public property is through the inclusion of restrictions on the deed, which may also include a reverter clause. Such restrictions would prohibit the property from being used for any purpose other than the provision of affordable housing. A reverter clause would ensure that if, at any time, the property ceases to be used for affordable housing or otherwise violates the deed restrictions or other written agreements between the recipient and the local government to provide affordable housing on the property, ownership of the property will revert back to the local government.

In addition, local governments must clearly identify statutory authority to convey public property for affordable housing. There are a number of statutes which provide this authority, varying depending on what type of local government unit is making the conveyance (municipality or county), the recipient of the property (for-profit or non-profit), and the type of conveyance made (sale or lease). The following will briefly detail the statutory authority for municipal governments to sell or lease public property to for-profit and non-profit entities for the provision of affordable housing units.

#### A. Sale to Non-Profit Entities

Pursuant to N.C. Gen. Stat. § 160A-279, whenever a local government is authorized to appropriate funds to non-profit entities carrying out a public purpose, the local government is also

authorized to convey public property by “private sale” to that entity. Private sales allow local governments to choose their preferred buyer, as opposed to entering into a competitive bidding process. Private sales must be conducted according to the procedures outlined in N.C. Gen. Stat. § 160A-267 and, as described above, the local government must attach “covenants or conditions” to the conveyance to ensure that the property will be put to public use.

Municipalities are specifically authorized to make appropriations for affordable housing under the Housing Authorities Law<sup>5</sup> and N.C. Gen. Stat. § 160A-465(b), which states that: “[a]ny city council may exercise directly those powers granted by law to...municipal housing authorities, and may do so whether or not a...housing authority is in existence in such city.” Therefore, since cities are authorized to exercise the powers of a housing authority and to make appropriations for the provision of affordable housing pursuant to that authority, N.C. Gen. Stat. § 160A-279 permits municipalities to convey public property by private sale to non-profit entities that covenant or agree to use the property and any associated subsidies to provide affordable housing for persons of low to moderate income.

#### B. Sale to For-Profit Entities

The provisions of N.C. Gen. Stat. § 160A-279, described above, which allow local governments to convey property to non-profit entities, do not apply to conveyances to for-profit entities. However, Pursuant to N.C. Gen. Stat. § 157-9, housing authorities are generally exempt from property disposition regulations. The statute specifically states that “[n]o provisions with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to a[] [housing] authority unless the legislature shall specifically so state.”

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<sup>5</sup> N.C. Gen. Stat. Chapter 157

As a result, when a municipality properly assumes the role of housing authority, as authorized by N.C. Gen. Stat. § 160A-456, the municipality is not obligated to follow the general procedures for the disposition of property by a municipality. As a result, municipal governments may convey public property to for-profit entities in much the same way they are authorized to convey property to non-profit entities, provided that the requirements of the Housing Authority Law and North Carolina Constitution are met.

### C. Lease of Public Property for Affordable Housing

Finally, N.C. Gen. Stat. § 160A-278 authorizes municipal governments to engage in private negotiations to lease property to any entity that will use the property to construct affordable housing for persons of low to moderate income. This authority stands on its own, and does not require municipal governments to exercise or assume the powers of a housing authority.

## **III. Types of “Housing Projects” that Local Governments May Engage In**

N.C. Gen. Stat. § 157-9(a) authorizes housing authorities, and, by extension, local governments acting under N.C. Gen. Stat. § 160A-456(b), to “prepare, carry out and operate housing projects” and to “provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof.” This provides very broad authority to engage in the provision of affordable housing to persons of low to moderate income, when necessitated by the housing market.

“Housing project” is broadly defined under N.C. Gen. Stat. § 157-3(12), and includes the direct provision of affordable housing stock, payment of rent subsidies, provision of grants and loans to persons of low to moderate income, and the provision of grants, loans, or other financial assistance to public or private developers engaging in the construction or provision of affordable housing stock to persons of low to moderate income.

It is worth noting that where a housing authority, or local government acting as a housing authority, assists in the provision of a multi-family affordable housing development, the following requirements must be met:

1. At least 20% of the units in the housing project must be set aside for the exclusive use of persons of low income,
2. Units set aside for persons of low income must continue to be set aside for at least 15 years, and
3. “Persons of low income” must be defined as those in households earning no more than 60% of the local area median family income.

Additionally, it is common practice for municipal governments to oversee or regulate the rental or sale prices for affordable housing units, and to oversee the budget for construction and operation of affordable housing projects subsidized by the local government to ensure compliance with N.C. Gen. Stat. § 157-29’s requirement that the cost of affordable housing units be at “the lowest possible rates consistent with...providing decent, safe, and sanitary dwelling accommodations” and that the housing project cannot “provide revenues for other activities of the city.”

#### **IV. Conclusion**

Ultimately, it is clear that the Town has significant authority to provide affordable housing within the community. The Town may do so by selling or leasing Town-owned property to for-profit or non-profit entities who will construct affordable housing units on the property, so long as the housing market and the available housing stock necessitate government action. It is also clear that the typical open bidding procedures are not required in these circumstances. Rather, the Town may engage in a “private sale” so long as any resulting sales agreements clearly express the public

benefit to be provided, the projected budget, and the projected costs to the developer. In essence, it must be clear that any benefit conveyed to the developer—whether through a subsidy or reduction in sales price—does not exceed the value of the public benefit provided.