



Ballentine

Associates, PA

Integrity. Service. Results.

South Green

Text Amendment & LUO Rezoning Narrative

19 May 2023

The South Green/Triem property was rezoned to M-3-CU in June 2015 concurrently with the approval of a Conditional Use Permit. In 2019, the zoning district was automatically converted to M-3-CZ in accordance with changes made to NC law through approval of GS 160D. When the South Green project was going through the original approval process, the inclusion of residential uses was considered, but the developer ultimately decided not to pursue those uses, as the vision for South Green was to establish more of a retail and dining destination.

As we all witnessed, COVID-19 had huge negative impacts on the retail and restaurant industries. Although it has been challenging, the development of South Green Lots 1 and 3 has been completed. However, the owner has not been able to find a suitable tenant or buyer for Lot 2, which lies on the eastern end of the property. As a result, this lot has been sitting vacant for several years.

Legacy Real Property Group, a local developer specializing in quality residential & mixed-use development, has gone under contract for Lot 2 and desires to construct a mixed-use project on the site featuring small commercial spaces on the ground floor with residential units above. For this plan to be approved, the Carrboro Land Use Ordinance must be amended to allow residential uses in the M-3-CZ zoning district. Since development in the M-3-CZ zoning district is governed by the regulations applicable to the M-1 zoning district, a text amendment application has been submitted to request that the following use groups be added to the M-1 zoning district.

- 1.321 Multi-Family Townhomes, Max 20% Units > 3 bedrooms/du
- 1.322 Multi-Family Townhomes, no bedroom limit
- 1.331 Multi-Family Apartments, Max 20% Units > 3 bedrooms/du
- 1.332 Multi-Family Apartments, no bedroom limit

A second text amendment application has been submitted to request that Land Use Ordinance Section 15-185(a)(2) be revised to increase the maximum height in the M-1 zoning district from three stories to four stories.

A third text amendment application has been submitted to request that Land Use Ordinance Section 15-204(a) be revised to add the M-1 zoning district to the list of the zoning districts where the Downtown Livability Area and Urban Amenities Provisions apply.

A rezoning will also be required to modify the South Green Conditional Zoning approval to include the revised site plan. A revised illustrative site plan reflecting the proposed new layout and uses on Lot 2 has been submitted with this rezoning request.

No changes are proposed to South Green Lots 1 and 3 as part of these requests.

The applicant believes the proposed development of Lot 2 as shown on the revised illustrative plan will be in harmony with the surrounding area. The Project proposes to include a community garden area, dog park, and outdoor amenities to promote community gathering and activities. The Project will be enhanced with plentiful native plants and sustainable green construction practices and opportunities. The multi-modal path will link to other pathways and adjacent transit connections. The Project will provide quality workforce housing opportunities on a site that has excellent connectivity to surrounding areas and downtown Carrboro.

Commercial Space

South Green Lofts provides an opportunity for local businesses to purchase and occupy their own space. This commercial space will front the main commercial area of South Green and is well suited to provide a live/work opportunity.

Housing

In response to abundant community discussion, South Green Lofts proposes to provide the Carrboro community with 100% workforce and affordable home ownership opportunities. By implementing a strategic design approach, the typical residential unit in the Project is smaller than an average market unit but will also remain more affordable. Although AMI and interest rates will vary (which always define and drive what someone can afford), the pricing of South Green Lofts will inherently stay lower than market, due to size compared to comparable units in the market. Using currently available data; 56% of the South Green Loft units would be affordable to an individual or family making 80% of AMI. As proposed, 90% of the South Green units would be affordable to someone making 100% of AMI or less, and 100% of the units fall into (or less than) the category of “workforce housing” (80%-120% of AMI).

Parking

The Carrboro Town Council (Board of Aldermen at the time) approved a parking reduction for South Green as part of the original 2015 CUP approval, based on a detailed justification prepared by the original developer in accordance with Section 15-292 of the Carrboro Land Use Ordinance. The parking reduction justification demonstrated that the presumptive parking standards of LUO Section 15-291 do not adequately account for the effects of shared parking and the reduction of parking demand that exists when transit and pedestrian facilities are available within and around the project site and that they would result in far too much parking being constructed.

The calculations provided by the original South Green developer with the approved parking reduction request show that a total of 261 parking spaces would have been required using the presumptive standards of Section 15-291, and based on the adjustments recommended in the justification, the Council approved a total of 180 spaces. The approved plan shows

that a total of 85 of these 180 spaces were allocated to Lot 2 and the remaining 95 spaces were allocated to Lots 1 and 3, which are both currently fully developed.

As shown on the Site Data Table on the Illustrative Plan accompanying this rezoning and text amendment request, the presumptive standards of Section 15-291 would require 133 parking spaces for the proposed Lot 2 development. Given the proximity of the site to transit and pedestrian facilities and because the uses within Lot 2 (residential and retail) can successfully share parking, we will be requesting in a future SUP-A application that the Town Council approve the use of parking ratios allowed in the downtown zoning districts, as shown in Part II of the table in Section 15-291(g) of the Land Use Ordinance, along with the joint use reductions allowed in these same zoning districts per LUO Section 15-297. Using these provisions, the following calculations show that 77 spaces are required on Lot 2. 89 spaces are currently proposed on Lot 2, which we believe will be adequate.

Residential	TOTAL	1 BR / 1 BA	2 BR / 2 BA
Total number of units	57	28	29
Bedrooms / unit		1.00	2.00
Total number of Bedrooms	86	28	58
Parking spaces / Bedroom		1.00	1.00
Req'd Parking Spaces - Residential	86	28	58
<i>After shared reduction taken</i>	1.4		
	61		

Commercial	Total
Retail (Use 2.000/2.120)	
Gross Floor Area	2650
GFA for each parking space	300
Req'd parking spaces - total	8.83
<i>After shared reduction taken</i>	1.2
	7
Office (Use 3.000)	
Gross Floor Area	2650
GFA for each parking space	400
Req'd parking spaces - total	6.63
<i>After shared reduction taken</i>	1.4
	5
Common Space	
TOTAL PARKING SPACES REQ'D.	73

Proposed Zoning Conditions

1. Except for the prohibition of residential uses, all conditions that were included in the June 2015 approval of the M-3-CU zoning district shall remain in effect.
2. Residential uses shall be limited to:
 - 1.321 Multi-Family Townhomes, Max 20% Units > 3 bedrooms/du
 - 1.322 Multi-Family Townhomes, no bedroom limit
 - 1.331 Multi-Family Apartments, Max 20% Units > 3 bedrooms/du
 - 1.332 Multi-Family Apartments, no bedroom limit

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING

PETITIONER: Woodhill NC LLC

DATE: 28 Mar 2023

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

1. PETITIONER'S NAME Woodhill NC LLC, Attn: Gary Hill
ADDRESS: PO Box 4022 Chapel Hill, NC 27515
TELEPHONE #:(919)913-1116
2. INTEREST IN PROPERTY(IES):
Owner
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS : Lots 1-3 of South Green (Triem), east of S. Greensboro St. and bisected by Two Hills Dr.
4. DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED:
 - a. OWNER: Woodhill NC LLC
TAX MAP: _____ BLOCK: _____ LOT: 1 ACREAGE: 1.25 PARCEL: PIN 9778837930
SUBDIVISION NAME: South Green/Triem FRONTAGE: 600' DEPTH : 182'
EXISTING STRUCTURES AND USES:
(1) bldg, 17,908 sf retail use
 - b. OWNER: Woodhill NC LLC
TAX MAP: _____ BLOCK: _____ LOT: 2 ACREAGE: 2.99 PARCEL: PIN 9778931738
SUBDIVISION NAME: South Green/Triem FRONTAGE: 198' DEPTH : 414'

**CARRBORO DEVELOPMENT GUIDE
APPENDIX A**

EXISTING STRUCTURES AND USES:

vacant

c. OWNER: Woodhill NC LLC

TAX MAP: _____ BLOCK: _____ LOT: 3 ACREAGE: 0.97 PARCEL: PIN 9778837669

SUBDIVISION NAME: South Green/Triem FRONTAGE: 438' DEPTH: 126'

EXISTING STRUCTURES AND USES:

(2) bldgs, 7,867 sf total, retail use

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 attached	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES X NO ____
IF "YES", WHEN? 9 June 2015

7. PLEASE SET OUT AND EXPLAIN THOSE CIRCUMSTANCES PERTINENT TO THE PROPERTY AND THE MANNER IT RELATES TO THE TOWN THAT DEMONSTRATE THAT THE PROPOSED ZONING DISTRICT CLASSIFICATION IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE PLAN. MORE SPECIFICALLY:

- (a) How do the potential uses in the new district classification relate to the existing character of the area?

The proposed rezoning would add limited residential uses to the list of allowable uses in M-3-CZ. Residential uses are the prominent use in the area, so the proposed uses will relate well to the existing character of the area.

**CARRBORO DEVELOPMENT GUIDE
APPENDIX A**

The residential uses proposed to be added to the zoning district include the following:

- 1.310 Multi-Family Conversion
- 1.321 Multi-Family Townhomes, Max 20% Units > 3 bedrooms/du
- 1.322 Multi-Family Townhomes, no bedroom limit
- 1.331 Multi-Family Apartments, Max 20% Units > 3 bedrooms/du
- 1.332 Multi-Family Apartments, no bedroom limit
- 1.350 Triplex

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

The proposed rezoning would add the limited residential uses above to the list of allowable uses in M-3-CZ. Being part of the South Green development and being close to downtown, the property is very well-suited for residential uses due to its excellent connectivity to retail opportunities and employment centers. Rezoning to allow residential uses in within South Green is in the public interest, as there is a shortage of quality housing and in particular, housing that is affordable to lower income families who are part of the Carrboro community.

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

The proposed rezoning is necessary to ensure timely development of this currently vacant and underutilized property and development of the property with quality residential opportunities can only enhance the value of nearby properties. In addition enhancing the value of nearby property, we believe the proposed rezoning advances public health, safety, and welfare, as it will allow the thoughtful development of this property to move forward, which once completed will eliminate an undeveloped piece of property in Town that could become an attractive nuisance if left vacant for an extended period of time.

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

The rezoning encourages greater live/work/play opportunities by adding a much-needed residential component to the South Green development, making it a true mixed-use development. Mixed-use developments situated near transit facilities and downtown areas help to promote greater pedestrian and bicycle transportation and transit use, each of which help to reduce greenhouse gases. Prior to COVID-19, market conditions were more conducive to commercial/retail development and these uses would have been most appropriate at the time. Changed conditions, however, have made residential uses the most appropriate uses for the remainder of the property.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 28th DAY OF March, 2023.

PETITIONER'S SIGNATURE:


Gary Hill, Woodhill NC, 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.