

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

DATE:  
1-15-2016

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: 2908 Oak Lake Blvd., Ste. 203  
 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 & Brodie L. Lloyd  
 Pin# 9779-09-7922 ACREAGE 10.15 AC PARCEL: \_\_\_\_\_  
 SUBDIVISION NAME: RS Lloyd FRONTAGE \_\_\_\_\_ DEPTH: \_\_\_\_\_  
 EXISTING STRUCTURES AND USES: Cabin / Garage
  - b. OWNER: Estate of Roy Shelton Lloyd  
 Pin# 9778-19-6618 ACREAGE 25.22 AC  
 SUBDIVISION NAME: RS Lloyd FRONTAGE \_\_\_\_\_ DEPTH: \_\_\_\_\_

See Attached Maps - Existing and Proposed Zoning

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: \_\_\_\_\_

- [illegible]

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See Attachment B

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

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

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

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 15 DAY OF January, 2016

PETITIONER'S SIGNATURE

*Russ B...*

### 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

5/6/2016  
Date

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

5/6/2016  
Date

Shelton Gene Lloyd  
Shelton Gene Lloyd

5/6/2016  
Date

Brody Lemuel Lloyd  
Brody Lemuel Lloyd

5/6/2016  
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. From that viewpoint, the non-residential uses are consistent with the pattern of land use along NC Highway 54. There is existing retail development on the south side of NC Highway 54 and 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. For example, Lloyd Farm incorporates existing stands of mature hardwoods into its design, maintaining a soft green viewshed at the intersection.

Lloyd Farm also provides on-site multi-family housing in the form of senior-living apartments and cottages 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.

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 the existing viewshed along the property's Old Fayetteville Road frontage.

**(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 bus routes having bus stops located within walking distance and a bus stop provided on-site at Lloyd Farm's retail plaza area.

**(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 to the east for neighborhood bicycle and pedestrian access.

The introduction of public space and the provision of food and other essential urban services enhances 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, a much-desired 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 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.

## **Proposed B-4-CZ Zoning District Conditions**

1. That the Rezoning Site Plan dated February 10, 2016 is incorporated herein to indicate potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle/pedestrian access points, general circulation patterns, stormwater management features, setbacks, preserved trees and other landscaped areas.
2. That approximately 4.6 acres of the 40-acre property assemblage remain zoned residential and be dedicated to the Town of Carrboro for neighborhood civic use.
3. That \$15,000 be provided to the Town of Carrboro for a neighborhood-level traffic calming study to be conducted.
4. That, as a component of any subsequent Conditional Use Permit, appropriate fencing will be installed along the northern property line of the rezoned portion of the property assemblage.
5. That trash/recycling collections and landscape maintenance will be limited to the hours of 6 am to 6 pm on weekdays and 8 am to 5 pm on weekends.
6. That deliveries to retail tenants will be restricted to the hours of 6 am to 10 pm on weekdays and 7 am to 10 pm on weekends.



# Lloyd Farm

## Affordable Housing Payment-in-lieu and Density Calculations

### Affordable housing payment-in-lieu calculation:

To meet the Carrboro Board of Aldermen’s policy goal that 15% of a new residential development’s housing units should be affordable, the residential developer for Lloyd Farm’s senior housing component proposes to make an affordable housing payment-in-lieu, as provided for within Section 15-182.4 “Residential Density Bonuses for Affordable Housing” of the Land Use Ordinance (LUO). The amount of affordable housing payment-in-lieu per unit is established within the Town’s schedule of fees and is currently set at \$32,167 per unit.

Since the LUO recognizes that provision of an affordable housing payment-in-lieu is equivalent to provision of affordable housing units, the incentive density bonus component within that LUO section also applies, allowing two additional market-rate units to be added to the base unit count for every affordable housing unit provided.

Therefore, the current 200 senior living units proposed within the conditional rezoning application and the amount of affordable housing payment-in-lieu is supported by the following set of calculations:

154 base market-rate units	initial base number of market-rate units
(15% of 154 units) = <u>23.1 units</u>	affordable housing units per policy goal
(23.1 units) (\$32,167/unit) = <u>\$743,057.70</u>	affordable housing payment-in-lieu
(23.1 affordable units) (2) -> <u>46 market rate units</u>	bonus density for affordable units
(154 base units) + (46 bonus units) = <u>200 units</u>	total number of market-rate units

### Density calculation:

The lot area for the residential component of Lloyd Farm is 8.44 acres, with 40% of the lot area preserved as open space, as per Town policy for new residential development. Note that while provision of affordable housing allows for both open space and setback reductions, neither of these bonus relief mechanisms are being requested.

The base density of 154 units on 8.44 acres is therefore calculated to be 18.25 units per acre or 1 unit per 2,387 square feet of land.

The total density of 200 units (after adding 46 bonus units for providing affordable housing) on 8.44 acres is calculated to be 23.70 units per acre or 1 unit per 1,838 square feet of land.

# Lloyd Farm Commercial Area

