

Town of Carrboro

301 W. Main St., Carrboro, NC 27510



Meeting Agenda - Final

Tuesday, February 27, 2024

7:00 PM

Council Chambers - Room 110

Town Council

7:00-7:10**A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND
ACKNOWLEDGEMENTS****Invasive Species Awareness Week Feb 26 - Mar 3****7:10-7:15****B. ANNOUNCEMENT OF UPCOMING MEETINGS****7:15-7:25****C. PUBLIC COMMENT****7:25-7:30****D. CONSENT AGENDA****1. [24-016](#) Budget Amendment for Professional Services**

PURPOSE: To approve a budget amendment designating \$55,972 of non-departmental funds for a cost-share agreement to support engagement and master plan design services for the jointly owned Greene Tract.

Attachments: [A - Budget Amendment for Greene Tract](#)
[B- Pocket Questions](#)

2. [24-029](#) Appointments to the Economic Sustainability Commission

PURPOSE: This agenda item is for the Town Council to make reappointments to the Economic Sustainability Commission. This does not include any new appointments.

Attachments: [A - Resolution for ESC Appointments](#)
[B - Reappointment Apps and Chair Forms](#)
[C - ESC Information Matrix](#)
[D - Advisory Boards Commissions Recruitment- Racial Equity Lens](#)

7:30-8:45**E. PUBLIC HEARING**

1. [24-019](#) Public Hearing for Modifications to the Stormwater Rate Structure

PURPOSE: To hold a public hearing on potential modifications to the stormwater rate structure to fund a new residential assistance program.

Attachments: [A. Rate Structure Amendment Resolution & Ordinance](#)
[B - Rate Amendment Staff Memo](#)
[C - Residential Assistance Program Design](#)
[D - WRRAP Pocket Questions](#)

2. [24-032](#) Legislative Public Hearing on Land Use Ordinance Text Amendments

PURPOSE: To consider amending the Land Use Ordinance to modify standards relating to height, residential density and non-residential uses in the R-2 conditional district subject to certain criteria. The request is associated with a petition to amend the zoning classification at 1307 West Main Street to R-2-CZ. The Council must receive public comments before taking action on the draft ordinance.

Attachments: [A - Consistency Resolution](#)
[B - LUO Text Amendment Modifying Standards in R-2-CZ](#)
[C - LUO-AME_TownCouncil - TEMPO - 1307 W MAIN ST](#)
[D - Comments Combined.pdf](#)
[E - Pocket Questions-Text Amend](#)

3. [24-033](#) Legislative Public Hearing for Conditional Zoning at 1307 West Main Street

PURPOSE: The Town has received a petition to amend the zoning classification for the property at 1307 West Main Street from B-3 to R-2-CZ for the development of a five-story multi-family residential project. The application includes a request for a text amendment to increase the maximum building height in the R-2 district from 50 feet to 65 feet. The Town Council must receive public input before reaching a decision on this request.

Attachments: [A - Resolution 1307 Map Amendment](#)
[B - Zoning Map Amendment - 1307 West Main](#)
[C - RezoneVicinityR2CZ](#)
[D - Staff Report 1307 W Main_02](#)
[E - Applicant Rezoning Materials - TEMPO - 1307 W MAIN ST \(compiled\).](#)
[F - TEMPO Survey and Plans](#)
[G - TEMPO-1307 W MAIN - NIM MATERIALS](#)
[H - Certification-bundle](#)
[I - Recommendations-Combined_02-23-2024\).pdf](#)
[J - LUO ART IX & XX](#)
[K - Racial Equity Pocket Questions for 1307 West Main Rezoning](#)

8:45-9:10

F. OTHER MATTERS

1. [24-030](#) Minor Modification of a Special Use Permit-A

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the front façade of the building at 203 West Weaver Street.

Attachments: [A - Resolution Approving Minor Modification to SUP-A](#)
[B - Original Special Use Permit-A Document](#)
[C - Existing Front Facade at 203 West Weaver Street](#)
[D - Representation of Proposed Front Facade at 203 West Weaver Street](#)
[E - Carrboro, N.C. Architectural & Historical Inventory - Cover Page and Page 34 as Excerpt](#)
[F - SUP-A Minor Modification Pocket Questions](#)

9:10-9:20

G. MATTERS BY COUNCIL MEMBERS



Agenda Item Abstract

File Number: 24-016

Agenda Date: 2/27/2024

File Type: Consent Agenda

In Control: Town Council

Version: 1

Budget Amendment for Professional Services

PURPOSE: To approve a budget amendment designating \$55,972 of non-departmental funds for a cost-share agreement to support engagement and master plan design services for the jointly owned Greene Tract.

DEPARTMENT: Finance

CONTACT INFORMATION: Bret Greene, Finance Director, (919) 918-7439, bgreene@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

The Town has a long and unwavering commitment to collaborating with our local government partners to support the Rogers Road community and achieve their shared interests for the Greene Tract. Information related to the Greene Tract and the current jointly adopted resolution for its future use may be found at Greene Tract | Orange County, NC (orangecountync.gov) <<https://www.orangecountync.gov/3070/Greene-Tract>>. Racial Equity Pocket questions are included as *Attachment B*.

INFORMATION: As a joint owner of the Greene Tract, the Town of Carrboro has been working to advance master planning for the property. The Town Council adopted resolutions on October 3 and November 28, 2023, in support of moving ahead with community engagement and master planning. The agenda materials related to those resolutions are available at the links below.

October 3, 2023- [Town of Carrboro - File #: 23-264 \(legistar.com\)](https://carrboro.legistar.com/LegislationDetail.aspx?ID=6368425&GUID=25F69FE2-00C7-4B50-9A2B-73DDADBEB59&Options=&Search=>)
<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=6368425&GUID=25F69FE2-00C7-4B50-9A2B-73DDADBEB59&Options=&Search=>>

November 29, 2023 - [Town of Carrboro - File #: 23-338 \(legistar.com\)](https://carrboro.legistar.com/LegislationDetail.aspx?ID=6431795&GUID=CE4790D3-EDA5-4C12-97B4-FFE2822945E9&Options=&Search=&FullText=1>)
<<https://carrboro.legistar.com/LegislationDetail.aspx?ID=6431795&GUID=CE4790D3-EDA5-4C12-97B4-FFE2822945E9&Options=&Search=&FullText=1>>. Contract negotiations have concluded, and the total costs of these consultant services is known, with the Town's share totaling: \$55,972.

FISCAL IMPACT: Non-Departmental Funds have been identified to cover these costs. An ordinance amending the FY 2024 Annual Budget to designate funds for these costs is attached (*Attachment A*).

RECOMMENDATION: The Town Manager recommends that the Town Council adopt the attached budget amendment (*Attachment A*).

**AMENDMENT TO FY 2023-24 ANNUAL BUDGET ORDINANCE FOR COMMUNITY
ENGAGEMENT AND MASTER PLAN DESIGN SERVICES FOR THE GREENE
TRACT**

Ordinance No. FY 23/24

WHEREAS the Town of Carrboro will designate \$55,972 to fund Rogers Road community achieve community interests for the Greene Tract as a joint owner (14%).

WHEREAS it is appropriate to amend the FY 2023-24 General Fund budget to incorporate this initiative;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15:

NOW THEREFORE, BE IT RESOLVED by the Carrboro Town Council that:

Section 1. The following General Fund appropriations are modified as follows:

Project/Activity	Change Increase/(Decrease)
Non-Departmental	(\$55,972)
Community Engagement and Master Plan Design Services Costs for Jointly Owned Greene Tract	\$55,972

Section 2. Funding be granted to households in accordance with the process determined.

Section 3. This resolution is effective immediately and a copy of this resolution shall be forwarded to the Town's Finance Officer within five (5) days.

This the 27th day of February 2024.

Race and Equity Pocket Questions

Title and purpose of this initiative:

Budget Amendment Designating Unreserved Fund Balance towards Cost-Share for Community Engagement and Master Plan Design Services for the Greene Tract

Department:

Planning, Finance

What are the racial and equity impacts?

The 164-acre tract is within Chapel Hill's Extraterritorial Jurisdiction (ETJ) and located on the eastern border of the Historic Rogers Road Neighborhood boundary, a historically Black community at the boundary of Carrboro and Chapel Hill. Roughly 60 acres of the land have been set aside for the Headwaters Preserve, with the layout of the remaining 104 acres to be refined by this upcoming process of community engagement and master planning. The consultant firms selected scored highly for their inclusive, effective, and meaningful community engagement and the quality of their site design skills. Development on the tract could have racial impacts; the 2021 adopted resolution and the 2016 Mapping Our Community's Future report identify uses including the creation of new recreative and educational facilities and the provision of mixed-use development (with affordable housing stated as a primary interest). Future changes could also affect the property values in nearby neighborhoods; the engagement and subsequent design processes' purpose is to create a master plan that is compatible with the Mapping Our Community's Future report in conjunction with the Rogers Road Community.

Who is or will experience community burden?

Nearby community members may long-term face burden if development on the Greene Tract affects their neighborhood landscape and/or their properties. The community engagement and design activities aim to limit that burden through residents' input and by prioritizing historically marginalized and disenfranchised communities, including the Historic Rogers Road Neighborhood. Community engagement may burden residents and stakeholders in all three jurisdictions in the short-term that require them to attend meetings or workshops and bring attention to the Tract. Similarly, a prolonged community engagement period may delay potentially equitable outcomes of project build out.

Who is or will experience community benefit?

This process of community engagement and master planning will prioritize historically marginalized and disenfranchised communities, including the Historic Rogers Road Neighborhood. This prioritization will benefit current residents by continuing to identify them as key stakeholders and ensuring they have a platform with which to shape the future of nearby development, as well as agency in the types of benefits they hope to see from future land uses. These could include resources such as pedestrian access to recreational and educational facilities, open space, and low intensity commercial and maker spaces that supplement the RENA Community Center.

What are the root causes of inequity?

Methods and strategies of public engagement that do not acknowledge known barriers for low-income stakeholders and/or historically marginalized stakeholders including scheduling opportunities to engage that preclude shift workers from participation, do not provide childcare, are too infrequent, or are promoted with resources that are relatively unused by such stakeholders. Lack of representation in government staff, volunteers, and elected officials is also a barrier to participation by historically marginalized community members. Economic inequities such as accumulation of generational wealth, accessibility of affordable housing and of recreative space, can be attributed to historical, discriminate lending practices and exclusionary development patterns at larger geographic scopes than that of the Greene Tract.

What might be the unintended consequences of this action or strategy?

An unintended consequence of the planned engagement and design could be that some residents are not included in the public engagement process; for example, these may stem from gaps in diversity of engagement events and methods or gaps in neighborhood demographic data. One unintended consequence from long-term development might be changes to property values, affordability and/or character of nearby neighborhoods and properties. Another unintended consequence may be new stressors on ecologically sensitive lands like streams and riparian buffers from new development. Additional community engagement could also result in the original intentions of previous planning and engagement being altered.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

An Environmental Assessment was completed in 2020 of the Greene Tract identifying road, utility, and land use development layouts that would protect the most sensitive ecological areas; the 60-acre Headwaters Preserve also protects these natural resources. The core working group includes neighborhood and affordable housing representatives. Additionally, zoning changes in Chapel Hill and Carrboro designed to implement the goals of the Mapping Our Community's Future community planning effort, completed in May 2016, seek to preserve the character of the currently lower-density area that would be most affected by future land use changes in the Greene Tract to the east.



Agenda Item Abstract

File Number: 24-029

Agenda Date: 2/27/2024

File Type: Consent Agenda

In Control: Town Council

Version: 1

Appointments to the Economic Sustainability Commission

PURPOSE: This agenda item is for the Town Council to make reappointments to the Economic Sustainability Commission. This does not include any new appointments.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Wendy Welsh, Interim Town Clerk, 919-918-7310, wwelsh@carrboronc.gov, Jon Hartman-Brown, 919-918-7319, jhartman-brown@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

The Town Council follows the Advisory Board Recruitment and Appointment Policy which was adopted on 11-21-2017. Text amendments to this policy were approved by the Town Council on 12-1-2020 and 4-13-2021, respectively, to the section entitled “Composition” which related to expanding the racial and ethnic diversity on advisory boards and commissions. It should be noted that the Advisory Board Recruitment and Appointment Policy has been evaluated using the Racial Equity Lens tool which was finalized in May 2023. A copy of this completed lens is attached here as Attachment D.

INFORMATION: The Economic Sustainability Commission composed of ten members, nine of whom shall be appointed by the Town Council.

- The members will include three residents of the Town, at least one of whom shall reside within the downtown area,
- Three owners of businesses within the Town,
- Three at-large members.
- The tenth member (the “liaison member”) shall be a member of the Arts Committee designated by the Arts Committee to attend meetings of the Economic Sustainability Commission and fill the seat reserved for the designee of the Arts Committee.

David Jessee is the current chair and is up for reappointment. Mr. Jessee is a member of the Carrboro Business Alliance and owns commercial and residential property in Carrboro. Mr. Jessee continues to promote the wellbeing and successful integration of the business and residential community.

Jim Porto is the current vice-chair and is up for reappointment. Mr. Porto occupies the downtown resident seat and is a former Carrboro Mayor, the former chair of the Appearance Commission, a former Chamber member

and is part of the Summer Careers Academy Steering Committee. Mr. Porto is invested in making progress on developing a unified plan to stimulate more sustainable economic growth to shift the tax base from the residential property owners to commercial activity.

Jack Moracco is a Carrboro resident and is up for reappointment. Mr. Moracco is self-employed and serves as advisory counsel for multiple small businesses. Mr. Moracco is a youth baseball coach and believes we are stronger and develop better policies when we have diverse perspectives and input.

Nadia Taylor is a Carrboro resident and is up for reappointment. Ms. Taylor is a chef and has lived in Carrboro for 8 years. Ms. Taylor thinks it is important to be a role model in the community and values working with community leaders.

All reappointment applications and chair forms are in Attachment B.

The ESC informational matrix is Attachment C.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff recommend council reappoint David Jesse, Jim Porto, Jack Moracco, and Nadia Taylor to their second three-year term (Attachment A).

**A RESOLUTION MAKING APPOINTMENTS TO THE
ECONOMIC SUSTAINABILITY COMMISSION (ESC)**

Section 1. The Carrboro Town Council hereby appoints the following to the Economic Sustainability Commission:

Appointee	Term Expiration
David Jessee	02/2027
Nadia Taylor	02/2027
Jack Moracco	02/2027
Jim Porto	02/2027

Section 2. This resolution shall become effective upon adoption.

This the 27th day of February, 2024.

Wendy Welsh

From: noreply@civicplus.com
Sent: Thursday, February 1, 2024 11:23 AM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	David
Last Name	Jessee
Date	2/1/2024
Address1	1543 Pathway Drive
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	No
Telephone (111)-111-1111	9195486408
Email Address	davidjessee@mindspring.com
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
What Year Were You Born?	1966
Race	White
Sex	Male
Ethnicity	American

Occupation	Self employed
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	12 years
Length of Residence in the Town of Carrboro	12 years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Economic Sustainability Commission
Advisory Board Preference	ESC
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	<i>Field not completed.</i>
Number of Years Employed	<i>Field not completed.</i>
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	Carrboro Business Alliance
Relevant Experience:	Commercial/residential property owner
Reasons You Wish to be Appointed	Continue to promote the wellbeing and successful integration of the business/residential community in Carrboro
We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of	Carrboro is comprised of a racially diverse population and as such, deserves to be represented at the government and committee level by a diverse membership that reflects our town's demographic.

local government and
community work.

Have you ever served on any Town of Carrboro Committee or Board?	Yes
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If yes, which one(s)?	ESC
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Are you currently serving on a Town Board or Committee?	Yes
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If yes, are you applying for a third consecutive term?	Yes
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If yes, please describe how you meet one, or more, of the following exceptions noted below.	In all of my years serving on the ESC, we have yet to have a full roster of members. We currently have vacancies and have recently failed to meet quorum.
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Email not displaying correctly? [View it in your browser.](#)

Wendy Welsh

From: noreply@civicplus.com
Sent: Thursday, February 1, 2024 5:07 PM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Follow Up Flag: Follow up
Flag Status: Flagged

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Economic Sustainability Commission
Chair Name	Jon Hartman-Brown
Applicant First Name:	David
Applicant Last Name:	Jessee
1. Has the applicant previously served on this or another advisory board?	Yes
2. If yes, how many total years have they served?	4+
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	Yes (Skip to Last Question)
4. Is the applicant already serving on this advisory board and completed their two full terms?	Field not completed.
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	Field not completed.
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board	Field not completed.

meeting, did you contact them via phone or email?

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:

Field not completed.

10. If no, briefly explain:

Field not completed.

11. In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Town Council liaison.

Occupation, Experience, or Special Skills

If other, please explain:

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Wendy Welsh

From: noreply@civicplus.com
Sent: Tuesday, January 30, 2024 5:53 PM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Jim
Last Name	Porto
Date	1/30/2024
Address1	107 Watters Rd
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	Planning Jurisdiction
Telephone (111)-111-1111	9199676959
Email Address	jvporto2@gmail.com
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
What Year Were You Born?	1946
Race	W
Sex	M
Ethnicity	Carrboro

Occupation	Retired
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	52 years
Length of Residence in the Town of Carrboro	52 years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Economic Sustainability Commission
Advisory Board Preference	ESC
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	Retired
Number of Years Employed	<i>Field not completed.</i>
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	Prior work on the ESC. Prior Chair of Appearance Commission; prior Town Mayor. Summer Careers Academy Steering Committee. Past member of Chamber.
Relevant Experience:	Past involvement with ESC decisions for several years. Seeking reappointment.
Reasons You Wish to be Appointed	I would like the town to make progress on developing a unified plan to stimulate more sustainable economic development in town that can shift the tax base from residential property owners to commercial activity.
We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in	It is extremely important to get diverse views on any subject to make sure the best public decisions can be made.

advisory board/commission
work but also in all facets of
local government and
community work.

Have you ever served on
any Town of Carrboro
Committee or Board?

Yes

If yes, which one(s)?

ESC, Appearance Committee

Are you currently serving on
a Town Board or
Committee?

Yes

If yes, are you applying for a
third consecutive term?

No

If yes, please describe how
you meet one, or more, of
the following exceptions
noted below.

Not sure about a third term..I think I am at 1 1/2 terms.

Email not displaying correctly? [View it in your browser.](#)

Wendy Welsh

From: noreply@civicplus.com
Sent: Thursday, February 1, 2024 5:01 PM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Follow Up Flag: Follow up
Flag Status: Flagged

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Economic Sustainability commission
Chair Name	David Jessee
Applicant First Name:	Jim
Applicant Last Name:	Porto
1. Has the applicant previously served on this or another advisory board?	Yes
2. If yes, how many total years have they served?	6
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	Yes (Skip to Last Question)
4. Is the applicant already serving on this advisory board and completed their two full terms?	Field not completed.
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	Field not completed.
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board	Field not completed.

meeting, did you contact them via phone or email?

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:

Field not completed.

10. If no, briefly explain:

Field not completed.

11. In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Town Council liaison.

Occupation, Experience, or Special Skills

If other, please explain:

Field not completed.

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Wendy Welsh

From: noreply@civicplus.com
Sent: Saturday, February 17, 2024 3:44 PM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	John
Last Name	Moracco
Date	2/17/2024
Address1	213 cobblestone dr
Address2	<i>Field not completed.</i>
City	Chapel Hill
State	North Carolina
Zip	27516
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	Planning Jurisdiction
Telephone (111)-111-1111	9194521056
Email Address	moraccoj@gmail.com
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
What Year Were You Born?	1969
Race	White
Sex	Male
Ethnicity	Italian american

Occupation	Self-employed
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	18 years
Length of Residence in the Town of Carrboro	18 years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Economic Sustainability Commission
Advisory Board Preference	Economic Sustainability Commission
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	Consultant
Number of Years Employed	18
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	Carrboro Parks & Rec baseball program (coach youth baseball)
Relevant Experience:	Serving as advisory counsel for multiple area small businesses.
Reasons You Wish to be Appointed	I have served one term on the ESC already and I have brought valuable perspective to this commission.
We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of	Totally agree. We are stronger and develop better policies when we have diverse perspectives and input.

local government and
community work.

Have you ever served on any Town of Carrboro Committee or Board?	Yes
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If yes, which one(s)?	Economic Sustainability Commission
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Are you currently serving on a Town Board or Committee?	Yes
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If yes, are you applying for a third consecutive term?	No
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If yes, please describe how you meet one, or more, of the following exceptions noted below.	<i>Field not completed.</i>
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Wendy Welsh

From: noreply@civicplus.com
Sent: Wednesday, February 21, 2024 7:13 AM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Economic Sustainability Commission
Chair Name	David Jessee
Applicant First Name:	Jack
Applicant Last Name:	Moraco
1. Has the applicant previously served on this or another advisory board?	Yes
2. If yes, how many total years have they served?	3
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	Yes (Skip to Last Question)
4. Is the applicant already serving on this advisory board and completed their two full terms?	Field not completed.
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	Field not completed.
7. Did the applicant attend an advisory board meeting?	No
8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?	Field not completed.

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:	<i>Field not completed.</i>
<hr/>	
10. If no, briefly explain:	<i>Field not completed.</i>
<hr/>	
11. In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Town Council liaison.	Occupation, Experience, or Special Skills
<hr/>	
If other, please explain:	<i>Field not completed.</i>
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Email not displaying correctly? [View it in your browser.](#)

Wendy Welsh

From: noreply@civicplus.com
Sent: Saturday, February 3, 2024 1:44 AM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Nadia
Last Name	Taylor
Date	2/3/2024
Address1	401 NC 54 Apt I9
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	Unsure
Telephone (111)-111-1111	9842614114
Email Address	Diataylor92@aol.com
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
What Year Were You Born?	1992
Race	Black
Sex	Female
Ethnicity	<i>Field not completed.</i>

Occupation	Chef
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	8 years
Length of Residence in the Town of Carrboro	8 years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Economic Sustainability Commission
Advisory Board Preference	ESC
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	<i>Field not completed.</i>
Number of Years Employed	<i>Field not completed.</i>
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	I like to attend community forums, support local businesses and connect with other community leaders
Relevant Experience:	Working closely with pillars in the community
Reasons You Wish to be Appointed	To make a difference and to know more about the town I live in
We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of	Yes, it's important to see people that look like you accomplishing goals

local government and
community work.

Have you ever served on any Town of Carrboro Committee or Board?	Yes
--	-----

If yes, which one(s)?	ESC
-----------------------	-----

Are you currently serving on a Town Board or Committee?	Yes
---	-----

If yes, are you applying for a third consecutive term?	No
---	----

If yes, please describe how you meet one, or more, of the following exceptions noted below.	<i>Field not completed.</i>
--	-----------------------------

Email not displaying correctly? [View it in your browser.](#)

Wendy Welsh

From: noreply@civicplus.com
Sent: Thursday, February 1, 2024 5:04 PM
To: _Group - Town Clerk; Wendy Welsh
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Follow Up Flag: Follow up
Flag Status: Flagged

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Economic Sustainability commission
Chair Name	David Jessee
Applicant First Name:	Nadia
Applicant Last Name:	Taylor
1. Has the applicant previously served on this or another advisory board?	Yes
2. If yes, how many total years have they served?	3 years
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	Yes (Skip to Last Question)
4. Is the applicant already serving on this advisory board and completed their two full terms?	Field not completed.
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	Field not completed.
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board	Field not completed.

meeting, did you contact them via phone or email?

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:

Field not completed.

10. If no, briefly explain:

Field not completed.

11. In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Town Council liaison.

Diversity, Occupation, Experience, or Special Skills

If other, please explain:

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Membership Information Matrix

Economic Sustainability Commision (ESC)

Name	Address	Year of Birth	Race (as noted by applicant)	Ethnicity (if noted)	Gender	Occupation/Expertise Content	Membership Type
CURRENT MEMBERS							
Sheila Dalton	301 Hillsborough Rd., Apt D	1971	White	White	Female	Small Business Owner	Business Owner
John "Jack" Moracco	213 Cobblestone Dr.	1976	White		Male	Business Owner	Resident
Jim Porto	107 Watters Rd.	1969	White		Male	Homemaker	Resident- Downtown
David Jesse	1543 Pathway Dr.	1966	White		Male	Landlord	Resident
Nadia Taylor	401 NC 54, Apt I-9, Carrboro	1992	Black	African American	Female	Chef	At Large / Resident
Courtnei McWilliams	201 NC 54, #512	1992	Black	Mixed	Female	Branding & Marketing Consultant	At Large
VACANT							Business Owner
VACANT							At Large
VACANT							At Large
VACANT							Arts Committee Liaison
Reappointing							
APPLICANTS Ready to appoint when NEW appointments are allowed							
Melba Ribeiro	405 James St.	1973	Asian	Indian	Female	Healthcare Leader	At Large
Tyler Huntington	616 W. Main st.	1966	White		Male	Commercial Real Estate/Restaurant Consultant	Business Owner
James Keegan	222 Old Fayetteville Rd. Apt A2	1999	White		Male	Student	At Large
*Applicant has attended ESC Meeting and/or met with Chair							



Racial Equity Assessment Lens (REAL)

NAME OF INITIATIVE PROGRAM/PROJECT: Advisory Board & Commission Recruitment Process

Department: Clerk's Office

ORIGIN AND DESCRIPTION

The process for appointments to town advisory boards and commissions are typically completed in February-March of each year, for expiring and vacant terms, leading up to the consideration by Town Council. The Clerk's office works with staff liaisons and advisory board chairs on applications received and/or eligible member reappointments. These recruitment efforts follow the current advisory board recruitment and appointment policy. The Advisory Board Recruitment & Appointment Policy was initially adopted on 11-21-2017. Since then, several text amendments to this policy have been discussed and adopted by the Town Council on 12-1-2020 and 4-13-2021, respectively. These amendments have been within the section entitled "Composition" on page 2 of the policy, which details expanding the racial and ethnic diversity on advisory boards and commissions (full policy attached at the end of this document). As the policy currently states, consideration of advisory board appointments should not be brought forth to Town Council for consideration unless a diverse applicant pool is present. The exception to this rule is if any advisory board or commission is experiencing issues with achieving a quorum due to multiple vacancies, which prevents the board or commission from conducting business.

Processes for advisory board & commission recruitments also follow this policy. Vacancies occur throughout the year on all boards and commissions, and appointments are made by Council at various times outside of February-March as needed. The main recruitment efforts begin in late fall of each year leading up to February-March and includes creation & production of marketing materials for distribution, announcements on website/social media, "word of mouth" recruitment and recruitment assistance from the Town Council. The Clerk's office helps coordinate these recruitment materials & announcements with assistance by the Communications & Engagement Dept. The Clerk's office also notifies Town Council of any issues of diverse applicant pools for advisory boards and commissions and requests their assistance on recruitment, per the policy. As the applicants are submitted, the Clerk's office fields these to the appropriate staff liaison & chair and keeps record of the applications received. Further, the Clerk's office maintains a roster of current members and applicants, bringing forward applicants to Council for consideration following the policy.

What is the specific desired result statement –

The desire is to create a diverse and fair recruitment process and have options that appeal to all demographics with solutions to common barriers e.g., meeting schedule, childcare/transportation options, member stipends, and that there are multiple ways of advertising opportunities that range from print to digital to interpersonal to keep interest levels high and at the forefront.

BENEFITTING INDIVIDUALS OR GROUPS

1. Racial and ethnically diverse communities would benefit from more representation on advisory boards. Having diverse advisory boards will be more likely to recognize, create and promote initiatives that benefit the areas underrepresented traditionally.
2. Those who can afford childcare and/or transportation could still be an advisory board member and attend meetings with little to no issue. Further, those who can afford childcare and transportation, most likely has easier access to use digital means to attend meetings & receive news on recruitment efforts. Advisory board initiatives may proceed that further benefit these groups or individuals because they have a means to attend and participate in meetings with less hardships.

BURDENED INDIVIDUALS OR GROUPS

1. Potentially qualified advisory board members are not able to participate due to lack of childcare or not being able to afford childcare or transportation to attend meetings. Further, these potential members may not have adequate access to internet and could miss out on recruitment efforts, which is why it is important to promote in non-digital ways. This could leave a gap in the voice at the table of/for a particular demographic. As a result, an advisory board may create or proceed with initiatives that further isolate or alienate certain demographics or people who aren't at the table.

Type	Potential Unintended Consequence	Mitigation Strategies to Prevent Consequences and Advance Racial Equity
SOCIAL Consider native and long-term residents, rural residents, transit, trust in government, education, etc.	People of color and other demographics may not trust government's outreach. They may feel that it needs to be broader in its reach. They may feel that the outreach is targeted to one set demographic or neighborhoods of "higher significance."	<p>There could be additional outreach measures added to community outreach and expand the forms of public relations to those other than digital platforms.</p> <p>Council has worked to enhance and promote diverse applicants to advisory boards by amending the advisory board recruitment & appointment policy several times and not making appointments to boards until a diverse pool is achieved (unless there is a quorum issue).</p>
ECONOMIC Consider wages, competition, tourism, unemployment, small businesses, etc.	If stipends were to be made available for advisory board members, it would need to be in an equitable fashion across all boards and consistent (e.g., option to opt-in or out of stipend)	Stipends could be provided for Advisory Board members which could be used for childcare needs and transportation. Public transit vouchers could be given as well.
HEALTH Consider impacts on pollution, health access, existing health disparities, etc.	None identified by staff	None identified by staff
ENVIRONMENT Consider impacts on pollution, natural resources, transit, etc.	None identified by staff	None Identified by staff
OTHER Consider how a resident might interact with this measure "start to finish."	None identified by staff	None identified by staff

RECOMMENDATIONS

1. Continue adhering to the Advisory Board Recruitment & Appointment Policy as written (or as amended in the future).
2. Continue to broaden outreach and recruitment of Advisory Board/Commissions outside of digital means.
3. Place recruitment emphasis on sectors of community where there are more people of color and lower income.
4. Explore stipend or pay for Advisory Board members for attending meetings, for childcare and/or transportation needs. Also consider meeting schedule. Town Council work session will be held to address various advisory board topics and more recommendations may transpire from the Council.
5. Include questions on citizen survey on advisory board participation and seek what limitations may exist.
6. The Advisory Board System is complex. We suggest looking at the system as a whole including “recruitment”, “appointment” and “service including board roles/missions and terms.” These processes are interrelated. For example, a barrier to recruitment may be that the lengths of service, about three years, which may be considered a longtime commitment to some residents.
7. We would like to see additional attachments – primarily data showing the demographic makeup of existing boards. The Town will not know about our progress to diversify boards and commissions without creating an excellent tracking system. This may require assistance from GIS or other data-professionals. It would be important to also show a geographic representation of membership residences across town. We should create a dashboard that is publicly available for review, at the forefront - perhaps on a central webpage. Can we set some goals and track progress for the next five years?
8. Can we consider an exit survey for board members?
9. Advisory boards and commissions need to consider meeting dates/times.
10. Do we have a definition of “diverse applicant pool” within the policy? We use the term frequently – but it’s not defined. Is it reflective of the town population or is there another measurement?
11. Reviewing the calendar for the appointment process, we’re wondering whether the February month for term expirations could be an issue. If the calendar was shifted so that recruitment took place at the beginning of the school year (August or September), would that be helpful to residents?
12. Regarding the note about funding for the initiative (stipends, childcare, etc.), please also include funding for recruitment/advertising. Many clubs and marketing initiatives offer bonuses for existing members who bring in new members. Could we test something like that?
13. The Citizen’s Academy is often considered a recruitment method for advisory boards. How does this play into the analysis?
14. Remove obstacles from participating.
15. Advertise board and commission vacancies using multiple platforms – radio stations – WCOM, newspapers (?), kiosks/information centers, drop off locations that community members frequent, cybrary, churches and UNC.

- 16.** Set goals to fill seats with diverse voices on every board and commission.
- 17.** Spend time in the community and share information along with other important services, etc. Information should be in different languages.
- 18.** Is it possible to have a “hotline” where people can call in to find out about vacancies and other information items?
- 19.** What is the Town of Chapel Hill doing to fill the seats with representatives that look like us?
- 20.** Can meetings be held throughout Town and not in one place all the time? In community?
- 21.** How about virtual opportunities for those that don’t have internet access?
- 22.** Consider providing childcare for members and transportation to and from meetings (pickup stops). Could be a great part-time job for someone. Rent or use a town van.
- 23.** Offer opportunities for community members to experience serving on a board or commission.
- 24.** Provide training for new members about protocol, etc.
- 25.** Be creative and welcoming to all members of the community.



Agenda Item Abstract

File Number: 24-019

Agenda Date: 2/27/2024

File Type: Agendas

In Control: Town Council

Version: 1

Public Hearing for Modifications to the Stormwater Rate Structure

PURPOSE: To hold a public hearing on potential modifications to the stormwater rate structure to fund a new residential assistance program.

DEPARTMENT: Public Works

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager, 919-918-7341, rdodd@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

The residential program design was created in response to direction provided 1) upon completion of the RainReady study in 2020, and 2) as part of the Carrboro Connects Green Stormwater Infrastructure goals and strategies, noting in particular Goal 4 (expanding green stormwater infrastructure to support watershed restoration and climate resilience), Strategy 4.1 (expanding resources to private property owners), action A (develop programming and financial assistance for income eligible households). It is also included in the 13 Council strategic priorities.

INFORMATION: Carrboro's Stormwater Program has worked since 2019 to create the foundation for a new residential assistance program. Details were presented in the January 9, 2024 agenda item. The program design is founded on recommendations from Carrboro Connects and the 2020 RainReady study, an understanding of best practices from similar programs in several nearby jurisdictions, the results of pilot work in 2023 that involved 70 Carrboro residents, program design review by the Stormwater Advisory Commission, and Stormwater staff's input on what is needed to administer the program and integrate it into the larger Stormwater Utility's workload and responsibilities. A stormwater fee increase is recommended to support the program. A public hearing is required for changes to the rate structure. It is recommended that a decision on the recommended changes occur at this meeting or as soon thereafter as possible to provide ample time for preparation of the FY 24/25 operating budget and incorporation as part of the annual stormwater billing cycle implemented through property tax bills. Attachments to support the resolution and recommendation include the racial equity pocket questions, program design document and a staff memo.

FISCAL IMPACT: Approving the recommended change in the Equivalent Residential Unit rate from \$90 to \$100 and associated increase in the fees paid by nonexempt property owners will bring in about \$120k in new revenue per year to the Stormwater Enterprise Fund to support one new Stormwater position and cost share funding for the new program.

RECOMMENDATION: It is recommended that the Council approve the draft amendments to the Stormwater

Utility rate structure to fund the new assistance program.

**A RESOLUTION REGARDING ESTABLISHING A NEW STORMWATER
RESIDENTIAL ASSISTANCE PROGRAM AND
SETTING A PUBLIC HEARING TO CONSIDER A MODIFICATION TO THE
STORMWATER UTILITY RATE STRUCTURE**

WHEREAS the Town of Carrboro modified the Town Code in June 2017 to create a Stormwater Utility Enterprise Fund and Advisory Commission, and adopted a rate structure in June 2018 (with modifications in January 2020) to provide dedicated revenue to stormwater efforts; and

WHEREAS the Town Council supported a “RainReady” study in 2020 and directed staff and the Stormwater Advisory Commission to follow up on the study’s recommendations, Carrboro Connects identified developing an incentive program for income eligible households as part of the Plan’s Green Stormwater Infrastructure recommendations; and

WHEREAS, staff and the Stormwater Advisory Commission have followed up on the RainReady study and Carrboro Connects, including completing a Residential Assessment Pilot Project and developing a draft residential assistance program design document, and the Town Council approved the program design on January 9, 2024; and

WHEREAS, additional revenue will be needed to fund the new residential assistance program, with the recommendation being to change the Equivalent Residential Unit fee from \$90 to \$100; and

WHEREAS any modification to the Stormwater Utility Rate Structure requires a public hearing.

NOW, THEREFORE, The Town Council of the Town of Carrboro hereby approves the recommended changes in the rate structure as presented below:

The resolution is effective upon adoption.

This 27th day of February 2024.

AN ORDINANCE AMENDING THE TOWN CODE
PROVISIONS FOR A STORMWATER UTILITY RATE
STRUCTURE

Draft 2-27-2024

THE CARRBORO TOWN COUNCIL ORDAINS: CHANGES
TO THE STORMWATER UTILITY RATE STRUCTURE

Section 1. Chapter 18, Article II, Section 18-6 of the Carrboro Town Code (Rate Structure) is amended to read as follows:

The service charges shown below shall apply to all non-exempt properties.

Residential

<u>Tier</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>Fee</u>
1	500	5,999	\$100
2	6,000	---	\$200

Non-Residential

<u>Tier</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>Fee</u>
1	500	5,999	\$100
2	6,000	23,999	\$500
3	24,000	41,999	\$1,100
4	42,000	59,999	\$1,700
5	60,000	89,999	\$2,500
6	90,000	119,999	\$3,500
7	120,000	149,999	\$4,500
8	150,000	179,999	\$5,500
9	180,000	209,999	\$6,500
10	210,000	239,999	\$7,500
11	240,000	269,999	\$8,500
12	270,000	299,999	\$9,500
13	300,000	329,999	\$10,500
14	330,000	359,999	\$11,500
15	360,000	389,999	\$12,500
16	390,000	419,999	\$13,500
17	420,000	449,999	\$14,500
18	450,000	479,999	\$15,500
19	480,000	509,999	\$16,500
20	510,000	539,999	\$17,500
21	540,000	569,999	\$16,650
22	570,000	599,999	\$17,550



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL PUBLIC WORKS DEPARTMENT

To: Marie Parker, Interim Town Manager
Town Council

From: Randy Dodd, Stormwater Utility Manager

Cc: Kevin Belanger, Public Works Director
Heather Holley, Stormwater Specialist
Debbie Shoffner, Stormwater Administrator

Date: February 21, 2024

Subject: Proposed Modifications to the Stormwater Rate Structure

Summary

The purpose of this memo is to provide information to supplement the January 9th, 2024 Town Council agenda item regarding a new residential assistance program and the recommended amendments to the stormwater rate structure to fund the new program.

Information

Background

The Stormwater Enterprise Fund and its [rate structure](#) were set up to fund both operational and capital project needs and Stormwater related responsibilities ranging from regulatory (regulated and regulator) to community-based (outreach, education, public participation, technical support) to field and operations work (monitoring, stream determinations, infrastructure, facility, and Stormwater Control Measure inspections, illicit discharge detection and elimination, pollution prevention) to planning support (development review, reviewing town regulations, SCM program coordination), stormwater related project development and implementation, and administration (implementing rate structure, staffing Stormwater Advisory Commission, contracting, grant administration, overseeing 30 miles of infrastructure). Providing assistance to residents regarding concerns on private residential property is one of many program components for stormwater staff.

The recommended next phase of the program will be offering cost share assistance as outlined in the program design document, assuming it and the necessary funding and staffing for the program are approved.

Implementation Steps and Notes

The recommended rate structure, including the number of properties in each tier and amount of the increase for each tier, is provided below (Table 1).

Assuming the rate structure amendment is approved as presented, the plans for moving forward with launching the new program are to:

1. incorporate the program in the draft FY24/25 operating budget submittal (immediate).
 - a. prepare a job description and include the salary for a new Stormwater Assistance Coordinator.
 - b. create budget line items to track program funds (revenue and expenses).
2. update the billing data submitted to the Orange County Property Tax office (spring 2024) to reflect the new rate structure.
3. advertise and fill the Stormwater Assistance Coordinator position (spring/summer)
4. advertise and begin accepting applications to participate in the program (summer)
5. review applications (fall 2024)
6. sign contracts and move forward with the first round of practice installation (late fall/winter 2024-25)

At the January 9th meeting, the Council mentioned an interest in developing more residential tiers. Staff have subsequently discussed this internally and with peer staff in Chapel Hill and Orange County and have added this to our internal workplan for further investigation. For multiple reasons such as spatial accuracy of geodata, additional administrative time and time horizon for FY24/25 budget and property tax billing preparation, desire to focus this rate structure amendment on this one program change and pursue future amendments as a part of larger and longer-term Stormwater program planning, it is recommended that no action on considering more residential tiers be pursued at this time.

Note that additional information is available at the following Carrboro Stormwater webpages:

<https://www.townofcarrboro.org/DocumentCenter/View/7487/RainReady-Final-Report>

<https://www.carrboronc.gov/DocumentCenter/View/12997/RAPP-Report-Carrboro>

<https://www.carrboronc.gov/1138/Stormwater-Utility-Rate-Structure>

Recommendation

It is recommended that the rate structure be modified through an \$10 increase in the Equivalent Residential Unit fee. This rate structure will allow the Town to in general accelerate and expand stormwater residential assistance service delivery and to specifically create a staff position to administer the program and provide cost share funding for the program.

Table 1: Recommended Residential Rate Structure

<u>Tier/ ERUs</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>Annual Fee/ (Increase)</u>	<u># of Parcels</u>
1	500	5,999	\$100/ (\$10)	4382
2	6,000	-	\$200/ (\$20)	222

Draft Non-residential Rate Structure*

<u>Tier</u>	<u>Minimum Impervious Surface (square feet)</u>	<u>Maximum Impervious Surface (square feet)</u>	<u>ERUs**</u>	<u>Annual Fee/ (Increase)</u>	<u># of Parcels</u>
1	500	5,999	1	\$100/ (\$10)	1046
2	6,000	23,999	5	\$500/ (\$50)	246
3	24,000	41,999	11	\$1,100/ (\$110)	38
4	42,000	59,999	17	\$1,700/ (\$170)	14
5	60,000	89,999	25	\$2,500/ (\$250)	10
6	90,000	119,999	35	\$3,500/ (\$350)	7
7	120,000	149,999	45	\$4,500/ (\$450)	6
8	150,000	179,999	55	\$5,500/ (\$550)	3
9	180,000	209,999	65	\$6,500/ (\$650)	5
10	210,000	239,999	75	\$7,500/ (\$750)	5
11	240,000	269,999	85	\$8,500/ (\$850)	2
12	270,000	299,999	95	\$9,500/ (\$950)	1
13	300,000	329,999	105	\$10,500/ (\$1,050)	4
14	330,000	359,999	115	\$11,500/ (\$1,150)	1
15	360,000	389,999	125	\$12,500/ (\$1,250)	1
16	390,000	419,999	135	\$13,500/ (\$1,350)	2
17	420,000	449,999	145	\$14,500/ (\$1,450)	1
18	450,000	479,999	155	\$15,500/ (\$1,550)	1
19	480,000	509,999	165	\$16,500/ (\$1,650)	1
20	510,000	539,999	175	\$17,500/ (\$1,750)	0
21	540,000	569,999	185	\$18,500/ (\$1,850)	0
22	570,000	599,999	195	\$19,500/ (\$1,950)	1

* Includes condominiums

** Equivalent Residential Unit (3000 sf impervious area; see [Town Code](#))



WATERSHED RESTORATION RESIDENTIAL ASSISTANCE PROGRAM

DECEMBER 2023



TOWN OF CARRBORO • NC
STORMWATER DIVISION

PREPARED BY TOWN OF CARRBORO, PUBLIC WORKS DEPARTMENT STORMWATER DIVISION

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Credits

This document represents a collaboration between the Town of Carrboro Stormwater Division, Stormwater Advisory Commission, and Feather Village Farm (Michael Dupree).

1.0 Purpose

This document presents the program design for the Carrboro's Watershed Restoration Residential Assistance Program.

The purpose of the Watershed Restoration Residential Assistance Program is to provide technical and financial assistance to residential property owners in Carrboro. It is motivated by goals to improve surface water ecological health and integrity and create more resilience to runoff and flooding-related impacts. In addition to providing assistance to residents for their property, the benefits of this program have community-scale benefits including the following:

- Increasing rainwater infiltration, interception, and evapotranspiration, thereby reducing runoff and associated negative impacts
- Slowing down runoff and otherwise decreasing erosion and scouring
- Improving water quality (physical/chemical and biological) and stream health of local creeks and downstream waters through protection and restoration of habitat
- Providing recommendations for drainage-related improvements to protect on-site structures while not negatively impacting off-site properties.

The program is one component of Carrboro's overall stormwater management efforts. Applicants to the program may be referred to other programs, resources, and agencies.

2.0 Eligible Properties

Assistance is available to voluntarily reduce stormwater runoff, stop erosion, and address other non-point source pollution from residential parcels by installing practices that capture runoff and the associated pollutants. Landowners whose property meets the following criteria may apply for technical assistance and potential financial assistance.

- Parcel must be residentially zoned
- Parcel must be within the Town limits
- Parcel cannot have an active land-use or building permit

3.0 Annual Funding and Approval Cycle

A line item will be reserved in the Stormwater Enterprise Fund for the program. Program funding will be appropriated on an annual basis as part of the Stormwater operating budget development. An application period for site assessment (Section 4.0) and cost-sharing (Section 6.0) will be opened at least once a year. Applications will be reviewed in a timely manner, with cost-share funding being approved at least two times during the year per the guidelines in Sections 7.0 and 8.0.

4.0 Site Visit Assessment

The first step for residents interested in participating in the program is to submit an application for a site visit and assessment. To ensure applicants meet the criteria of the program, submitted applications will first be screened by the Stormwater Utility Manager or designee. For each accepted application, Town staff or a designated third-party contractor or consultant will schedule a site visit and complete a technical assessment. The assessor will utilize professional knowledge and expertise to provide a report recommending one or more practices. Based on the assessment, a homeowner who chooses to seek financial assistance to implement the practice(s) shall proceed with the process as outlined in this document.

5.0 Eligible and Ineligible Practices

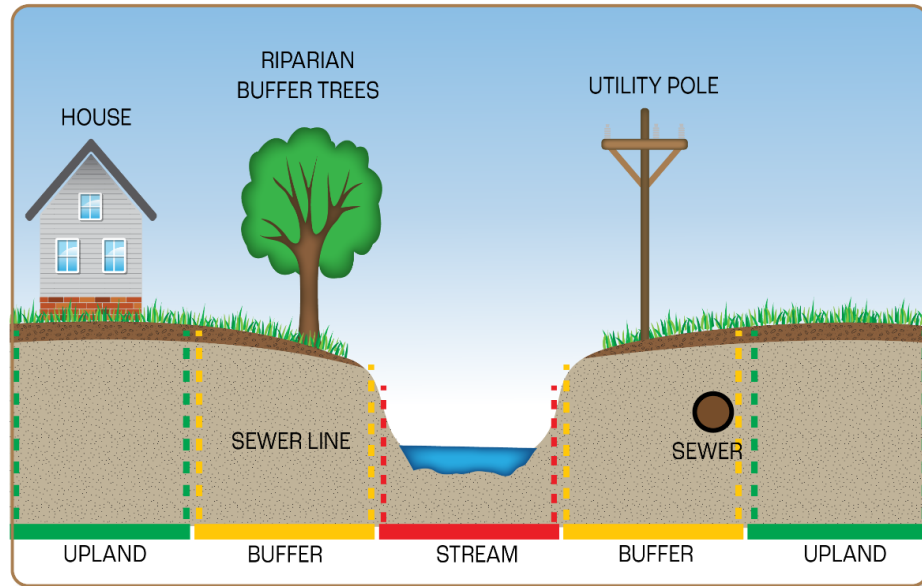
Eligible Practices

There are two categories of eligible practices: practices installed along a stream and in a stream buffer (regulated area)

and practices installed in upland areas. Regulated areas are those governed by local, state, or federal agencies. The image below illustrates those areas that may be regulated, such as the area in red which is the stream corridor and the area in yellow which is the regulated buffer.

Eligible practices are described in this section. Additional practices may be considered on a case-by-case basis.

Stream Corridor and Adjacent Areas



Regulated Areas

Streambank Stabilization

The use of vegetation to stabilize and protect banks of streams. This practice should be used to prevent the loss of land or damage to utilities, roads, buildings, or other facilities adjacent to the banks, to maintain the capacity of the channel, to control channel meander that would adversely affect downstream facilities, to reduce sediment load causing downstream damages and pollution or to improve the stream for fish and wildlife habitat.

Riparian Buffer Enhancement

An area of perennial vegetative cover (grass, shrubs, trees, or a combination of vegetation types) established adjacent to and up-gradient from watercourses or water bodies to improve water quality. Benefits may include reduced soil erosion and nutrient delivery as well as providing wildlife habitat.

Regenerative Stormwater Conveyance (RSC)

An innovative technique to convey and treat stormwater through a sequence of pools, riffles, and cascades. RSCs are used to stabilize eroded gullies and promote infiltration. (These can also be installed in regulated areas.)

Upland Areas

Critical Area Planting/Erosion Control

An area of highly erodible land that cannot be stabilized by turf management strategies that is planted with perennial vegetative cover.

Disconnected Impervious Surface

The practice of directing stormwater runoff from impervious areas to properly sized, sloped, and vegetated pervious surfaces. Both roofs and paved areas can be disconnected and treated by vegetated areas.

Vegetated Swales

A natural or constructed channel that is graded to required dimensions and established in turf or other vegetation to

provide for the stable conveyance of runoff.

Rain Garden

A shallow depression in the ground that captures runoff from a driveway or roof and allows it to soak into the ground, capturing pollutants.

Cisterns

Rainwater harvesting systems used to collect and store rainwater. They are intended to reduce stormwater runoff, encourage runoff infiltration, and conserve water.

Ineligible Practices

While not exhaustive, the list below indicates practice that, in general, are not eligible for cost-sharing through this program. (Other options may be available for residents interested in pursuing ineligible practices or activities, such as through referrals to other agencies and/or assistance in applying for funding beyond what is available from this program.)

- Concerns around creek overbanking and flood mitigation projects (e.g., acquisition, building elevation, floodproofing)
- Crawlspace sealing; and interior moisture issues (mold, mildew, etc.)
- Minor yard flooding; moisture and ponding; other grading/drainage improvements, either on a single lot or across lots, groundwater-related issues
- Channelization of runoff or piping a natural stream; removal of instream debris
- Stream restoration projects requiring state and federal permitting
- Required maintenance or rehabilitation of Stormwater Control Measures permitted under the Land Use Ordinance.

6.0 Applying for Cost-Share

Property owners who have received a technical assessment and plan to implement practices may apply for financial assistance (cost-share). To apply, the property owner must submit an application. An application for projects across multiple lots must be signed by 100 percent of the affected property owners.

Applications for cost-share will be reviewed per the procedures outlined in this document.

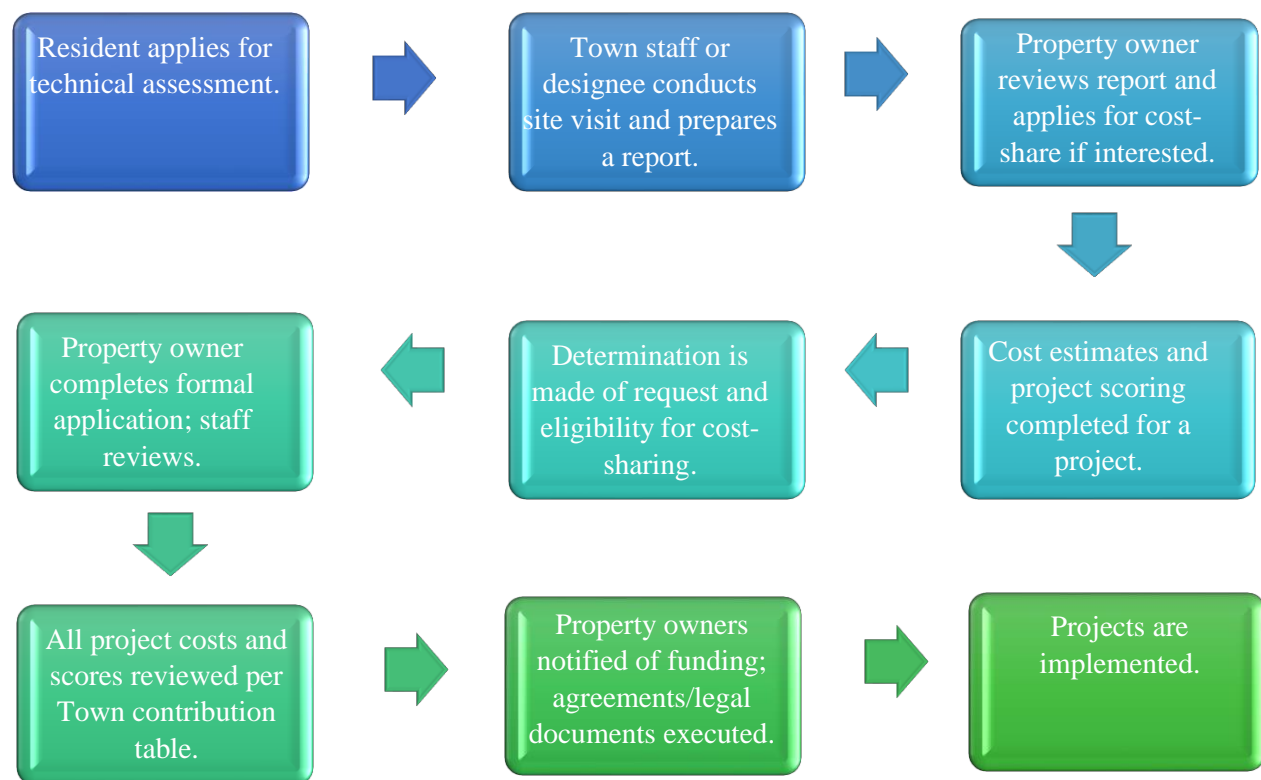
7.0 Cost-Share Approval Process

Preliminary plans and cost estimates for eligible projects will be prepared. These projects will be scored based on the Watershed Restoration Residential Assistance Program Ranking Sheet. (See ranking sheet at the end of this document.) The list of projects will be presented to the Stormwater Advisory Commission to prioritize projects based on the scoring and available funding. Additional review and determination of Town cost-share awards for each project will be pursued as outlined in this section. Staff will then notify all project applicants of the cost-sharing determination, required maintenance activities, and any other project details. The project applicant/property owner will then decide whether to proceed. (See Figure 1 in this section for a summary of the approval process.)

Projects not funded will remain on the list and may be funded in subsequent fiscal years. Approved projects will undergo a final review, and cost-share will be determined by stakeholders as indicated in the table below.

	Town Cost-Share Contribution		
	> \$30,000	\$5,000-\$30,000	Up to \$5,000
Application Evaluation	Stormwater Staff/Public Works Director/Stormwater Advisory Commission	Stormwater Staff/Public Works Director	Stormwater Staff
Application/Project Approval	Town Manager/Town Council	Stormwater Advisory Commission	Stormwater Staff/Public Works Director
Authorization Instrument	Executed Agreement	Executed Agreement	Letter of Notification

Figure 1. Process Summary



8.0 Project Cost-Sharing Details

The decision to fund a project will ultimately be based on how much money is available in the approved program budget and the project's prioritization. Projects not funded in the upcoming fiscal year will be maintained on the list and may be funded in subsequent years. Property owners will be notified once their project has been approved for funding and should notify Town staff if they would like their application to be withdrawn at any point in the process.

The Town's contribution to the cost of implementing approved projects will be a percentage of the total acceptable cost of implementing the project, subject to available Town funding and funding priorities. Acceptable costs of implementing an approved project may include costs for design, soil testing, surveying, construction, installation, materials, equipment, inspection, oversight, and/or supplies necessary for implementation, as determined by the Town staff based on information provided by the applicant and the results of the site assessment.

Cost-Share

Applicants may be eligible to receive 50-100% of the allowable cost associated with the installation of eligible practices as listed in Section 4. This amount is subject to a maximum cost-share amount (per parcel) of \$15,000 for stream, riparian, and regenerative stormwater projects and \$7,500 for other projects. This maximum may be exceeded in special circumstances at the Town's discretion and per the approval guidelines for projects deemed to be of high importance and as available funding allows. The amount of the Town's cost-share percentage is to be determined based on the practice(s) selected and determination of the applicable economic criteria for the owner/applicant per the table below.

Town Cost-Share Percentage

	Eligible Practices (defined above)	
Economic Criteria*	Practices in Regulated Areas	Upland Practices
Owner is eligible for affordable housing assistance or income at time of application is <80% of AMI	100%	100%
Owner's income at time of application is between 80% AMI and 115% AMI	75%	50%
Owner's income at time of application is > 115% than AMI	50%	0%

**Applicants self-certification of adjusted taxable income relative to the Area Median Income (AMI) as defined by HUD for the Durham-Chapel Hill Metro Area at the time of application. (The Town reserves the right to request documentation (most recent tax return) on a case-by-case basis.)*

Conditions Required for Cost-Sharing

1. The project shall be the most cost effective, reasonable, and practical alternative to correct the existing problem, as determined by staff. Any excess costs shall be borne entirely by the property owner.
2. The owner(s) must execute an agreement with the Town that meets Town requirements prior to the Town's proceeding with the project. This includes agreeing to pay for the owner's share of the cost of work defined in the agreement, to record a maintenance agreement for the improvements with the Orange County Registrar of Deeds, and to complete and submit regular inspection reports.
3. The property owner(s) may be responsible for the proper removal of any trees or other encumbrances that would impede the performance of the work.
4. The Town reserves the right to refuse to cost share in any project that is determined to be excessive in cost or of limited benefit or otherwise not desirable, as determined by the Town.
5. Non-qualifying projects or projects without current funding may be pursued by the property owner provided that all required local, state, or federal permits and approvals are obtained prior to starting construction.

Types of Cost-Share Contracts

The Town may share in the cost, as described above, using one of the following options, as mutually agreed upon.¹

1. The Town bears the practice installation expense. The Town will hire a Licensed and Bonded Contractor to install the practice/s on the landowner's property. Upon completion of the project and final inspection and acceptance by Town staff and the owner(s), the contractor will be paid by the Town and the maintenance agreement will be recorded with the Orange County Registrar of Deeds. Annual reports will be prepared as required for the maintenance term.

¹ One of these two approaches will be used for each project. A written agreement will be created prior to project initiation that addresses additional details of project completion.

2. The property owner(s) will bear the practice installation expense. Upon completion of the project and final inspection and acceptance by Town staff and the owner(s), the final cost will be determined and any necessary adjustment to the Town's cost will be made, and reimbursement provided within 60 days of the request. The landowner will record the maintenance agreement with the Orange County Registrar of Deeds. The landowner will provide Town staff with annual reports as required for the maintenance term.

9.0 Design Requirements

Qualifying, eligible projects shall be designed using the following criteria:

- The proposed project shall align with the requirements set forth above in "Eligible and ineligible activities."
- The proposed project shall meet current Town design standards to the maximum extent practical; where a Town design standard does not exist but a State/federal standard exists, the project shall meet applicable State or federal design standards.
- Existing open channels shall not be piped except under extenuating circumstances or for special engineering reasons.
- Streams and their associated riparian buffers shall be protected to the maximum extent practical. Impacts to the riparian buffers must meet requirements listed in Section XVI, Part III of the Town's LUO.
- Project design details and specifications will be developed and cost-shared on a case-by-case basis.
- All materials for the project shall be as determined to be necessary by the Town.

10.0 Maintenance Requirements

For privately maintained improvements, a maintenance plan to which the property owner shall adhere will be included as an exhibit to the agreement or be attached to the letter of notification. This agreement will be recorded by the property owner with Orange County. The property owner shall maintain and keep in good repair and condition the improvements for the maintenance term provided in the table below and shall submit maintenance reports on forms provided by the Town as required below or as otherwise defined in the agreement.

	Town Cost Contribution	
	> \$5,000	< \$5,000
Maintenance Period	10 years	5 years
Maintenance Reports	Annually by property owner	

At staff discretion, the Town may adjust the maintenance period or waive the maintenance requirement and will specify such requirement in the maintenance plan for the project.

The property owner will properly maintain and submit reports to the Town on the continued maintenance of the project for the duration of time per the above table. An applicable maintenance plan will be developed by the Town or its designee on the basis of the cost share, type, complexity, and standard requirements of the feature being installed. The Town may require, at its discretion, that the maintenance plan be recorded with the Orange County Register of Deeds and tied to the Parcel Identification Number of the property where it is located and potentially properties adjacent to the project.

The property owner shall submit reports to the Town annually to certify that maintenance is being performed on the project to ensure its continued function. Such reports shall be made on templates provided by the Town or its designee.

At staff discretion, improvements, or modifications to the project after completion may require additional professional oversight and/or inspection during the maintenance period.

If the property owner is not able or is not willing to fulfill its obligation via the agreement to inspect, maintain and repair the project for the full term of the agreement, the property owner or the Town may request that either of the following arrangements be pursued:

- A. The property owner repays project costs incurred by the Town. The repayment amount will be determined by the Town.
- B. The property owner transfers to another party responsibility for inspecting, maintaining, and repairing the project for the remainder of the maintenance term. The transferee will sign an agreement with the Town assuming this liability.

11.0 Reporting

Town staff will report to the Stormwater Advisory Commission quarterly, and Town staff and the Stormwater Advisory Commission will report to the Town Council annually, regarding projects approved and implemented and funds committed and expended under this program.

12.0 Implementation Details and Future Modifications

The technical and administrative procedures to implement the program will be developed by staff and reviewed by the Stormwater Advisory Commission. This program design document will be periodically reviewed and updated by Stormwater staff and the Stormwater Advisory Commission. Significant modifications will require review and approval by the Public Works Director, Town Manager, and Town Council.

Watershed Restoration Residential Assistance Program Ranking Sheet

Project Information	
Applicant Name: _____	Date: _____
Property Address: _____	PIN: _____
Assessment Completed by: _____	Date: _____

Stormwater Connectivity	Score
Stormwater is directly connected to	
Not Connected	0
To a regulated buffer	5
To an ephemeral channel	10
To an intermittent channel	15
To a perennial channel	20
Total	
Treated Impervious Area Size	Score
Less than 500 sq. ft. impervious	2
500 to 1,000 sq. ft. impervious	5
1,000 to 1,500 sq. ft. impervious	10
1,500 to 2,000 sq. ft. impervious	15
2,000 sq. ft. greater	20
Total	
Landscape Enhancement Plan*	Score
Landscape Enhancement Plan	10
No Landscape Enhancement Plan	0
Total	

Maintenance Term	Score
5-year maintenance	5
10-year maintenance	10
Total	
Type of Practice	Score
Streambank Stabilization	25
Buffer Establishment/Critical Area Planting/ Regenerative Stormwater	20
Rain Garden/Disconnected Impervious	15
Vegetated Swale	10
Cistern	5
Total	
Total cost to remove a Lb. of Nitrogen	Score
< \$2,000	15
\$2,000 to \$3,000	10
>\$3,000 per lb.	5
Total	
TOTAL Ranking SCORE	

*Defined as an enhancement other than the eligible practices that results in an ecological improvement such as a decrease in impervious area, soil quality improvements that increase infiltration and organic carbon content, habitat connectivity, native and bird/pollinator friendly plantings, increase in tree canopy and woody vegetation, halting and avoiding use of herbicides and fertilizers, and invasive species management.

Race and Equity Pocket Questions

Title and purpose of this initiative: Watershed Restoration Residential Assistance Program

Department: Public Works

What are the racial and equity impacts?

Residential property ownership is a requirement for participating in this program. White residents are more likely to own residential lots than BIPOC residents, so there is an intrinsic impact.

From a general perspective, it is not uncommon for BIPOC and low-income residents of a town or city to be housed in areas that are more susceptible to flooding and stormwater management problems. However, this has not been proven nor disproven to be the case in Carrboro. Regardless of the potential inequity, it is the homeowners with lower household incomes who will qualify for the cost-share component of this program. Because of this, and because this program is available to homeowners throughout the Town of Carrboro (versus a specific chosen watershed or district, for example), no negative environmental impacts are anticipated for BIPOC or other marginalized communities.

Who is or will experience community burden?

Those who own property with impervious surface, whether it be residential, commercial, or other, will have an increase in their stormwater fee to support this program.

From a general perspective, it is not uncommon for BIPOC and low-income residents of a town or city to be housed in areas that are more susceptible to flooding and stormwater management problems. However, this has not been proven nor disproven to be the case in Carrboro. Because of this, and because the rate applies throughout the Town of Carrboro municipal limits (versus a specific chosen watershed or district, for example), a more specific burdened community has not been identified.

Who is or will experience community benefit?

Residents will have the opportunity to apply to have a qualified professional visit their property and offer technical assistance at no charge to the homeowner. This technical assistance will recommend practices that may help homeowners with stormwater issues they may be experiencing. In addition, homeowners who qualify for cost-share per the program design may have up to 100% of implementation covered through the cost-share.

Implementation of practices on private property may create more stormwater resilience for downstream properties and the Town as a whole. Additionally, Carrboro and downstream communities will benefit from the overall goal of mitigating stormwater runoff impacts and improving water quality in local watersheds.

What are the root causes of inequity?

In the context of this program, inequity in ownership may be due to income discrepancies among different races as well as redlining, generation wealth and access to resources and information regarding home ownership and assistance program.

What might be the unintended consequences of this action or strategy?

As this program is directed to people who own properties in residentially zoned areas, an unintended consequence could be the suboptimal participation from interested renters who are unable to get the owner to apply. This may be offset by the fact that renters are less likely to be, at least directly, paying an annual stormwater fee. Additionally, social, and cultural barriers may prevent homeowners from participating if these concerns are not addressed.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

Stormwater staff have been communicating with the Town's Race and Equity and Communications staff along with external organizations over the past year who can assist in ensuring that appropriate outreach to typically underserved residents occur. Most recently, staff have reached out to Empowerment, Inc. to seek assistance in planning for eventual program implementation and engagement with historically underrepresented residents. Upon the implementation of this program, efforts to connect with BIPOC and underserved residents will be ongoing. The goal is to foster resources and activities to overcome language barriers, cultural differences, and geographical obstacles. This may include targeted education and outreach, strategically located community meetings, and enlisting the assistance of external resources with common goals.



Agenda Item Abstract

File Number: 24-032

Agenda Date: 2/27/2024
In Control: Town Council
Version: 1

File Type: Agendas

Legislative Public Hearing on Land Use Ordinance Text Amendments

PURPOSE: To consider amending the Land Use Ordinance to modify standards relating to height, residential density and non-residential uses in the R-2 conditional district subject to certain criteria. The request is associated with a petition to amend the zoning classification at 1307 West Main Street to R-2-CZ. The Council must receive public comments before taking action on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning and Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov; Nick Herman, Town Attorney, 919-929-3905, herman@broughlawfirm.com

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

Legislative public hearings are a required step for text amendments in accordance with North Carolina state statutes and Town Regulations. The Council is required to adopt a statement of consistency as part of its decision. Racial Equity pocket questions are provided as Attachment E.

INFORMATION: J. Allen Knight of Tempo Investco, LLC., has submitted a text amendment request to allow an increase in the maximum building height in the R-2 Zoning District from 50 feet to 65 feet (*Attachment C*). The request was submitted as part of a petition to amend the zoning classification at 1307 West Main Street to allow for the development of a five-story residential project, considered as part of a separate agenda item. A draft text amendment has been prepared, that if approved, would allow the Town Council, as part of a SUP-A to allow the maximum building height to be increased from 50 to 65 feet, the property to be developed at a higher level of residential density with up to 20-percent of the building's gross floor area designated for non-residential uses not otherwise permissible in the R-2-CZ district, if the proposed development contains site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, such as affordable housing (*Attachment B*).

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented to advisory boards at the February 1, 2024, Joint Review meeting, and discussed again at the Stormwater Advisory Commission (SWAC) on February 8th and the Affordable Housing Advisory Commission on February 21st. Comments are attached (*Attachment D*). Of note, the Environmental Advisory Board did not have a quorum and therefore did not provide comments.

FISCAL IMPACT: Public hearings involve staff time and public notice costs associated with advisory board and Town Council review. The applicant has paid the Town fees associated with processing a text amendment

to the Land Use Ordinance.

RECOMMENDATION: Staff recommends that the Town Council consider the resolution finding consistency (*Attachment A*), and the draft ordinance (*Attachment B*).

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN COUNCIL’S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT 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: A LAND USE ORDINANCE TEXT AMENDMENT TO MODIFY DEVELOPMENT STANDARDS IN THE R-2-CZ DISTRICT.

NOW, THEREFORE, the Town Council of the Town of Carrboro Resolves:

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

_____ *Consistent* with the Town of Carrboro 2022-2042 Comprehensive Plan, *Carrboro Connects*, particularly strategies relating to:

- Affordable Housing – adding multifamily residential to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3)
- Climate Action – increasing the use of renewable energy, energy efficiency (1.1 and 4.2)
- Transportation & Mobility – expanding opportunities for transportation options (3.1)

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

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

Changed circumstance(s):

Amendment to current adopted plan:

Section 2. The Town Council's action is reasonable and in the public interest for the following reason(s):

The proposed text amendment is reasonable and consistent with the public interest because of the relationship between the additional height, density and uses and the site and building elements deemed to satisfy the standard.

Section 3. Therefore, the Carrboro Town Council has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

Adopted by the Carrboro Town Council this 27th day of February 2024.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MODIFY
DEVELOPMENTS STANDARDS IN THE R-2-CZ DISTRICT

02-8-2024

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The first sentence of Subsection 15-141.4(c) of the Carrboro Land Use Ordinance (“LUO”) is amended to read:

Subject to the provisions of subsections (k), (l), (n) and (o), 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 conventional use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (f) of this section.

Section 2. Section 15-141.4 is amended to add a new subsection (o) to read as follows:

(o) The Town Council, in approving a special use permit-A for a multi-family apartment building in the R-2-CZ zoning district, may allow the maximum building height to be increased to 65 feet, may authorize the property to be developed at a higher level of residential density than that otherwise permissible in R-2 zoning districts under Section 15-182, and may allow up to 20% of the building’s gross floor area to be designated for non-residential uses not otherwise permissible in the R-2-CZ district if it concludes that the development contains the following site and building elements that will create a more vibrant and successful community and provide essential public infrastructure.

- 1) At least 20% of the residential units approved in an R-2-CZ development shall meet the affordable criteria specified in Sections 15-54.1 and 15-182.4.
- 2) At least two of the following five site and building elements: enhanced stormwater management; water conservation; energy conservation; on-site energy production; and substantial transportation improvement and alternative transportation enhancement.
- 3) The increase in building height will not cast a shadow on existing buildings on adjoining or adjacent property as determined by Appendix A-6(26).

Section 3. Appendix A-6(26) is amended to read as follows:

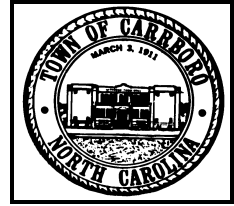
(26) Plans showing the maximum extent to which all buildings taller than 40 feet will cast a shadow at 12 noon, on June 21st and December 21st.

Section 4. All provisions any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption.

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST



"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 Town Council, 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 Town Council 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):**

Article XII, Section 15-185 Building Height Limitations

For Zone R-2, maximum height = 50'

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

Maximum height in R-2-CZ of 65'

- 3) State the reasons for the proposed amendment:**

Building multi-family residential with the density encouraged by the Town of Carrboro's new Comprehensive Plan (Carrboro Connects) would allow for five (5) stories. This building height and size (already allowed in B-1-C and B-1-G) maximizes efficiency and minimizes building footprint, impervious surface, and dependence on new infrastructure.

SIGNATURE:

J. Allen Knight
applicant

J. ALLEN KNIGHT
{print}

ADDRESS:

Tempo Investco, LLC PO Box 786, Carrboro, NC 27510

TELEPHONE NUMBER:

919-524-2074



PLANNING and INSPECTIONS

Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

TRANSMITTAL DELIVERED VIA EMAIL

January 29, 2024

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on January 26, 2024 and proposed for town public hearing on February 1, 2024:

- *An Ordinance Amending the Carrboro Land Use Ordinance to Increase the Building Height Limit for Multi-family Buildings in the R-2-CZ District.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Perdita Holtz".

Perdita Holtz, AICP
Deputy Director, Long-Range Planning and Administration



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, FEBRUARY 1, 2024

Land Use Ordinance Text Amendment to Increase the Building Height Limit for Multi-family Buildings in the R-2-C-Z District

Motion was made by Buckner and seconded by Gaylord-Miles that the Planning Board recommends that the Town Council approve the draft ordinance.

VOTE:

AYES: (7) Poulton, Buckner, Gaylord-Miles, Foushee, Barber, Kirkpatrick, Sinclair

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (1) Peretin

Associated Findings

By a unanimous show of hands, the Planning Board membership indicated that no members have any direct, substantial and/or readily identifiable financial impact relating to the development regulation under consideration that would pose a conflict of interest.

Motion was made by Gaylord-Miles and seconded by Buckner that the Planning Board of the Town of Carrboro finds the proposed text amendment is consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, particularly strategies relating to:

- Affordable Housing – adding multifamily residential to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Climate Action – increasing the use of renewable energy, energy efficiency (1.1 and 4.2)
- Transportation & Mobility – expanding opportunities for transportation options (3.1)

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment, is reasonable and in the public interest because of the relationship between the additional building height and the site and building elements deemed to satisfy the standard.

VOTE:

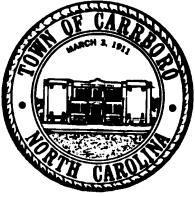
AYES: (7) Poulton, Buckner, Gaylord-Miles, Foushee, Barber, Kirkpatrick, Sinclair

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (1) Peretin

Bryan Lancher 2-3-24
(Chair) (Date)



TOWN OF CARRBORO

Stormwater Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

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

FEBRUARY 8, 2024

1307 West Main Street Conditional Rezoning to R-2-CZ

and

Land Use Ordinance Text Amendment to Increase the Building Height Limit for Multi-family Buildings in the R-2-C-Z District

Motion was made by John Cox and seconded by Margaret Kurz that the Stormwater Advisory Commission recommends that the Town Council adopts the draft ordinance and text amendment with the recommended changes/conditions provided below.

- Applicant replace current 36" CMP and junction box with RCP.
- That the applicant agrees to match the predevelopment peak flow for the 50 year and 100 year design storms in addition to the design storms in the LUO as a condition.
- Applicant landscape with plants native to the Piedmont (or at least the southeast) and consider mitigating the street trees that need to be removed with native canopy trees other than willow oak to avoid monoculture.

Overall, we appreciate the measures being taken to reduce stormwater impacts on the site, including leaving 40% of the property undeveloped by choosing to build up instead of out.

VOTE:

AYES: (Cox, Paul, Kurz, O'Connor, Hardesty)

NOES: ()

ABSTENTIONS: ()

ABSENT/EXCUSED: (Chadwick, Vollins)

Associated Findings

By a unanimous show of hands, the Stormwater Advisory Commission membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by Mike Paul and seconded by Deanna Hardesty that the Stormwater Advisory Commission of the Town of Carrboro finds the proposed map and text amendments demonstrate consistency as indicated with the following stormwater related provisions of Town of Carrboro 2022-2042 Comprehensive Plan:

- Green Stormwater Infrastructure and Climate Action and Environment strategies 1.1 (increase use of native plants) (*more information needed*); and
- Green Stormwater Infrastructure strategy 2.1 (improve tree canopy downtown) (*n/a*); and
- Green Stormwater Infrastructure strategy 2.2 (improve tree canopy along roads, in open spaces, and on private lots) (*is consistent*); and

- Green Stormwater Infrastructure strategy 3.1 (coordinate transportation and public infrastructure improvements with green stormwater infrastructure) *NA*; and
- Green Stormwater Infrastructure strategy 4.1 (expand resources for green stormwater infrastructure to private property owners) *NA*; and
- Climate Action and Environment strategy 1.1 (D) (establish and protect native vegetation in riparian projects) *more information needed*, and
- Water strategy 2.1 (F) (limit riparian disturbance while maintaining sewer infrastructure and greenways) *is consistent*; and
- Climate Action and Environment strategy 1.1 (E) and Water strategy 2.2 (A) (implement structural and non-structural management measures for redevelopment and infill and add retrofits in dense locations to increase stormwater volume control *N/A*; and
- Water strategy 2.2 (B) (incentivize Low impact Development practices for any new developments that reduce impervious surfaces and mimic natural hydrology) *more information needed*; and
- Climate Action and Environment strategy 1.2 (C) (implement bioengineering/restoration methods to protect and/or restore riparian and aquatic habitats *is consistent*; and
- Water strategy 2.2 (C) (stabilize vegetation in new construction beyond the minimum erosion control requirements) *more information needed*.

The Stormwater Advisory Commission furthermore finds that the above-described amendments are reasonable and in the public interest because they use a mechanism that allows rezonings and amendments to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

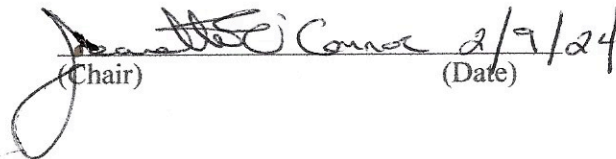
VOTE:

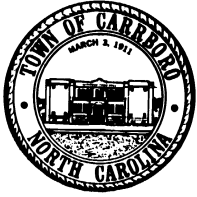
AYES: (Cox, Paul, Kurz, O'Connor, Hardesty)

NOES: ()

ABSTENTIONS: ()

ABSENT/EXCUSED: (Chadwick, Vollins)

 (Chair) 2/9/24 (Date)



TOWN OF CARRBORO

Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, FEBRUARY 1, 2024

Land Use Ordinance Text Amendment to Increase the Building Height Limit for Multi-family Buildings in the R-2-C-Z District

Motion was made by Jordan Dalton and seconded by David Salvesen that the Transportation Advisory Board recommends that the Town Council approve the draft ordinance with the following consideration:

- That the Town Council clarify whether it intends for the permission granted to convert the first floor to non-residential uses includes a waiver of any resulting parking ordinance noncompliance.

VOTE:

AYES: (5) (Jones-Peretto, Keefe, Salvesen, Dalton, Doll)

NOES: (1) (Swan)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)

Associated Findings

By a unanimous show of hands, the Transportation Advisory Board membership indicated that no members have any direct, substantial and/or readily identifiable financial impact relating to the development regulation under consideration that would pose a conflict of interest.

Motion was made by David Salvesen and seconded by Elyse Keefe that the Transportation Advisory Board of the Town of Carrboro finds the proposed text amendment is consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, particularly strategies relating to:

- Affordable Housing – adding multifamily residential to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Climate Action – increasing the use of renewable energy, energy efficiency (1.1 and 4.2).
- Transportation & Mobility – expanding opportunities for transportation options (3.1).

Furthermore, the Transportation Advisory Board of the Town of Carrboro finds the proposed text amendment, is reasonable and in the public interest because of the relationship between the additional building height and the site and building elements deemed to satisfy the standard.

VOTE:

AYES: (5) (Jones-Peretto, Keefe, Salvesen, Dalton, Doll)

NOES: (1) (Swan)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)

(Chair)

Feb 13, 2024

(Date)

RECOMMENDATION

Land Use Ordinance Text Amendment to Increase the Building Height Limit for Multi-family Buildings in the R-2-C-Z District

ABSENT/EXCUSED: (Heather Nash)

ABSTENTIONS: (0)

Betty Curry 2/21/24
(Chair) (Date)

APPEARANCE COMMISSION MINUTES

February 1st, 2024 (REMOTE MEETING)

6:30pm

Members Present:

David Markiewicz (Chair)

James Scott

Samantha Carney

Members Absent:

Sharon Reilly (Vice Chair)

Whitney Fry

Nathan Jorgensen

Eliazar Posada (Council Member)

Staff Present: Ann Stroobant- Planner/Zoning Development Specialist

David called the meeting to order.

I. Approval of Minutes from December 7, 2023 Meeting

Motion made by James and seconded by Samantha to approve the minutes from the December 7, 2023 meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

Motion approved.

II. Approval of Minutes from January 11, 2024 Meeting

Motion made by Samantha and seconded by James to approve the minutes from the January 11, 2024 meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

Motion approved.

III. Approval of signage-no signage submitted for approval at this time

IV. Review and discussion of items for February 1st, 2024 Joint Review

1. Item A-1307 West Main Street, Proposed Conditional Rezoning to R-2-CZ & Associated Text Amendments (text amendment relates to maximum building height)

- Member feedback on the 1307 West Main Street proposal was as follows:
 - There was a hesitancy to change anything because Carrboro will lose its feel. Don't want to have what has happened on Franklin Street in Chapel Hill.
 - The location is a great one, given the housing needs of Carrboro.
 - The location will cause the least amount of disruption.
 - The new development could possibly help revitalize Carrboro Plaza.
 - The designers will need to work around and sensitively accommodate the steam buffer.
 - The five-story building is well designed and members generally liked **this particular project in this particular place**. However, they did not want the text amendment.
- Member feedback on the text amendment relating to the five-story maximum building height was as follows:
 - The text amendment would open up a Pandora's Box.
 - Is this text amendment creating the possibility of more five story developments in Carrboro?
 - The text amendment could help meet affordable housing and transportation needs in the future.
 - The text amendment will change the look of the town.
 - Members did not want to approve the text amendment if it opens up the possibility of more five story developments throughout town.
- Members were invited to attend the full Joint Review session at 7:30pm.

V. Other Business

1. Update on Hillsborough process for their Downtown Mural Review

David said that this item will be discussed in a future meeting as we were nearing the time for Joint Review.

Motion made by Samantha and seconded by David to adjourn the meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

ADJOURN

Race and Equity Pocket Questions

Title and purpose of this initiative: Legislative Public Hearing on Land Use Ordinance Text Amendments to Modify Standards for the R-2-CZ District. The purpose of this agenda item is for the Town Council to consider amending the Land Use Ordinance to modify standards relating to height, residential density and non-residential uses in the R-2, Conditional District, subject to certain criteria.

Department: Planning

What are the racial and equity impacts?

This text amendment adds flexibility to the development standards for the R-2 conditional zoning district, relating to maximum building height, residential density and the possible inclusion of a percentage of non-residential uses, typically not permissible in the district, subject to certain criteria. The modifications provide the opportunity for developments to provide additional housing units and/or some commercial uses by way of the conditional district mechanism, which involves the inclusion of a site specific development plan and conditions to the approval. The amendment is structured such that the additional density/height/commercial uses is predicated on the inclusion of at least 20-percent affordable housing units and other building and site elements that provide public benefits, thereby creating additional housing opportunities for more diverse residents in locations closer to transit, commercial resources, and employers. Pocket Question for the R-2-CZ map amendment for 1307 West Main Street map amendment discuss the racial impacts relating to the proposed rezoning.

Who is or will experience community burden?

The specific burden relating to the text amendment would be dependent on the location or specific project for a future conditional rezoning. Pocket Question for the R-2-CZ map amendment for 1307 West Main Street map amendment discuss the racial impacts relating to the proposed rezoning.

Who is or will experience community benefit?

Adding density and diversity to areas close to downtown, the text amendment creates opportunities for residents to live closer to work. The inclusion of the 20-percent affordable housing requirement and associated building and site elements link the developer benefits with community benefits. Thereby creating opportunities for low-income residents, and residents who are service workers or shift workers. The extent of potential benefits would be dependent on the location or specific project for a future conditional rezoning. Pocket Question for the R-2-CZ map amendment for 1307 West Main Street map amendment discuss the racial impacts relating to the proposed rezoning.

What are the root causes of inequity?

Root causes of inequity can be related to governmental actions like land use planning that overlooks the interests of historically Black communities/communities. On a national scale, the status quo investment in single family zoning has contributed to disparities in wealth, resource accessibility, and quality of living along racial lines. While the Town does not have single family zoning districts and has offered mixed use zoning and diverse housing options for over sixty years, larger structural racism in government decision making has still alienated residents of color and other members of marginalized communities from public participation. If areas of town pursue rezonings to this district, a public hearing will be necessary and thus barriers to public participation will be important to continue identifying and eliminating.

What might be the unintended consequences of this action or strategy?

Development projects impact surrounding properties in various ways. Changes to property values benefit some and harm others. Depending on the location and size of a new development, new buildings can create a shadow on existing smaller buildings and/or create stormwater run-off concerns.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The amendment includes a requirement for the new development to show the extent to which the project may throw shadow on adjacent properties. Existing stormwater management standards in the Land Use Ordinance necessitates that new developments manage stormwater on site.



Agenda Item Abstract

File Number: 24-033

Agenda Date: 2/27/2024

File Type: Agendas

In Control: Town Council

Version: 1

Legislative Public Hearing for Conditional Zoning at 1307 West Main Street

PURPOSE: The Town has received a petition to amend the zoning classification for the property at 1307 West Main Street from B-3 to R-2-CZ for the development of a five-story multi-family residential project. The application includes a request for a text amendment to increase the maximum building height in the R-2 district from 50 feet to 65 feet. The Town Council must receive public input before reaching a decision on this request.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning and Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov; Nick Herman, Town Attorney, 919-929-3905, herman@broughlawfirm.com

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

The Town Council must hold a legislative public hearing for the consideration of a zoning map amendment. The Town Council is required to adopt a statement of consistency as part of its decision. Racial Equity pocket questions have been prepared (*Attachment K*).

INFORMATION: Tempo Investco, LLC, has submitted a petition to rezone the 1.16-acre property at 1307 West Main Street from B-3 (Neighborhood Business, 7,500 square feet per dwelling unit) to R-2-CZ (Residential, 2,000 square feet per dwelling unit) for the purpose of constructing a multifamily residential development. The proposal is for 34 residential units including a combination of 1-bedroom, 2-bedroom units and 3-bedroom units along with shared common space on the upper story. The site is currently undeveloped. A vicinity map has been provided (*Attachment C*).

Materials submitted by the applicant include the petition for change of zoning with answers to the four-part question seven addressing consistency with the comprehensive plan, a short project narrative, site plans and building elevations (*Attachments E and F*). Materials relating to the neighborhood information meeting (NIM) held on March 1, 2023, are provided as (*Attachment G*). On September 13, 2023, the Board of Adjustment approved a variance to allow encroachment into and placement of fill within the Special Flood Hazard Area (SFHA) along the eastern portion of the property. (Agenda materials may be found here:

https://www.carrboronc.gov/AgendaCenter/ViewFile/Agenda/_09132023-4322.)

The applicants have also submitted an associated text amendment request to allow an increase in the maximum building height in the district from 50 feet to 65 feet to accommodate the proposed 5-story building. A draft

ordinance for the text amendment has been prepared and will be considered as part of a separate agenda item (24-032).

A draft rezoning ordinance has been provided and includes a list of draft conditions (*Attachment B*). It is anticipated that the conditions may be further refined during the public hearing process. The final list of conditions must be mutually agreed upon by the Town and the applicants. The Town Council must receive public comment before deciding on the rezoning request. The proposed map amendment was presented at the Joint Advisory Board meeting on February 1, 2024. Comments from the Planning Board, Transportation Advisory Board and Stormwater Advisory Commission and Affordable Housing Advisory Commission are provided (*Attachment I*). The draft minutes from the Appearance Commission discussion are also provided; the Environmental Advisory Board did not have a quorum.

Should the Town Council approve the rezoning, the applicants would follow with an application for a Special Use Permit-A. The illustrative site plan provided as a condition of the rezoning would be binding and dictate the overall design for the development. As noted in the conditions for the rezoning (*Attachment B*), certain elements of the project would be determined as part of the rezoning and other elements would be determined as part of the SUP plans which include much more detail to ensure compliance with the Land Use Ordinance. As noted in the staff report (*Attachment D*) the Future Land Use Plan in the Comprehensive Plan, identifies the subject property for park use in error. The adoption of the consistency statement (*Attachment A*) will amend the Future Land Use Plan to identify the site as multi-family.

FISCAL IMPACT: The petitioner has submitted materials and fees, as applicable, for reviewing and processing this request, including providing envelopes for the mailed notice for the rezoning. Staff time is necessary for public notice and agenda preparation for advisory board review and public hearings.

RECOMMENDATION: Staff recommends that the Town Council receive public input and consider whether the proposed rezoning to R-2-CZ is consistent with Town plans and policies as well as the advancement of the public health, safety and welfare. A resolution for consistency (*Attachment A*) and a draft ordinance for the map amendment (*Attachment B*) are provided.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN COUNCIL’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 1.16 ACRES OF PROPERTY KNOWN AS 1307 WEST MAIN STREET FROM B-3 (RESIDENTIAL, 7,500 SQUARE FEET PER DWELLING UNIT) TO R-2-CZ (RESIDENTIAL, 2,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

NOW, THEREFORE, the Town Council of the Town of Carrboro Resolves:

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

_____ *Consistent* with the Town of Carrboro 2022-2042 Comprehensive Plan, *Carrboro Connects*, particularly the strategies described below:

- Affordable Housing Strategies to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Transportation & Mobility Strategies to encourage non-automobile use and expand opportunities for transportation options that do not rely on fossil fuel/SOVs (2.1, 3.1, & 4.20).
- Green Stormwater Infrastructure, Water & Energy, Energy Strategy to reduce greenhouse gas emissions from motor vehicle use (1.1).
- Land Use Strategy – to develop fifteen-minute neighborhoods and make efficient use of land (4.1).

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

_____ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Town Council’s approval shall also be deemed an amendment to the existing adopted Future Land Use Plan, as described below.

Changed circumstance(s): The Future Land Use Plan in the 2022-2042 Comprehensive Plan identifies the subject property as a park. Staff believes that the park designation was an error.

Amendment to current adopted plan:

The Future Land Use Map in the 2022-2042 Comprehensive Plan would be amended to show the subject property as a multi-family use instead of a park.

Section 2. The Town Council'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 Town Council 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 Town Council this the 27th day of February 2024.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 1.16 ACRES OF PROPERTY KNOWN AS 1307 WEST MAIN
STREET FROM B-3 (RESIDENTIAL, 7,500 SQUARE FEET PER DWELLING UNIT) TO
R-2-CZ (RESIDENTIAL, 2,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

01-16-2024

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows:

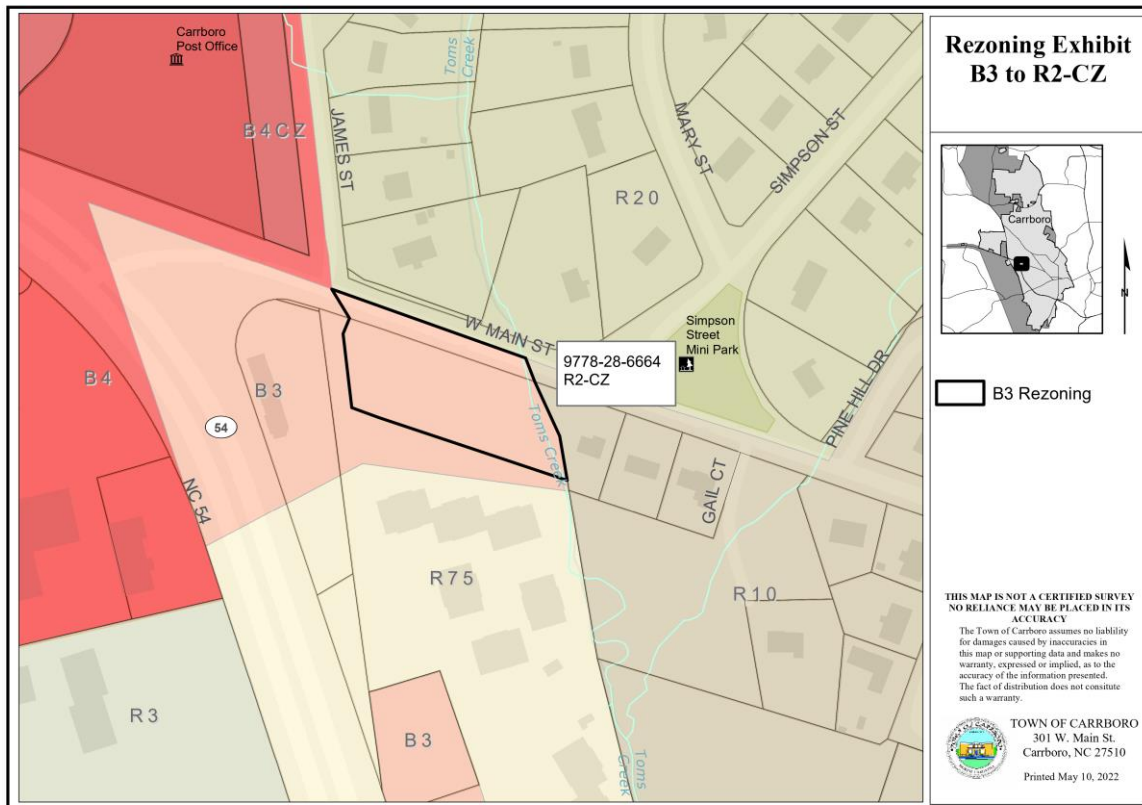
That property being described on Orange County Tax Maps by parcel identification numbers shown below shall be rezoned as noted and subject to the following conditions:

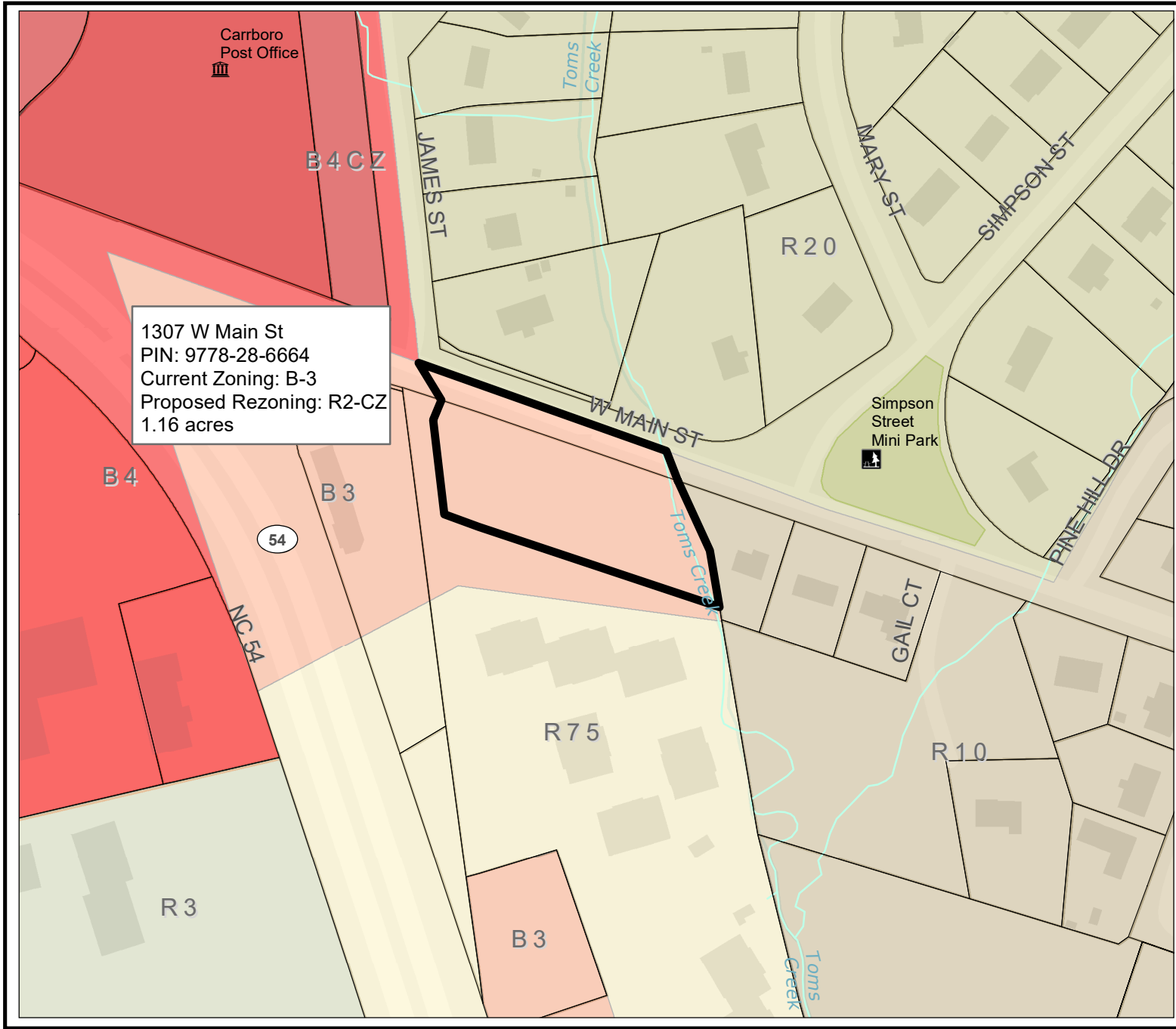
PIN	Existing Zoning	Acreage	Proposed Zoning
9778-28-6664	B-3	1.16	R-2-CZ

1. The Concept Plan labeled “_____,” dated _____ is approved and incorporated herein to indicate all potential land uses, the general location of buildings and parking areas, vehicular and bicycle-pedestrian access points, circulation patterns, stream buffers, stormwater control areas, areas of preserved trees and other landscaped areas, and the location of proposed recreational facilities. Other features and issues remain to be decided at the time a special use permit-A is requested for the development. Those features and issues include, but are not necessarily limited to, the location of EV charging stations, bicycle parking, including covered bicycle parking, open space and recreation facilities, landscaping and tree planting plan, and stormwater management devices, and all other elements necessary to determine compliance with the Land Use Ordinance.
2. The residential density of the project shall be capped at a maximum of 40 dwelling units of a combination of use classifications, 1.331 (multi-family apartments, max 20% units > 3 bedrooms), 1.332 (multi-family apartments, no bedroom limit).
3. Construction of the building shall allow for future conversion to commercial use on the entire ground floor.
4. The development shall include alternate transportation amenities including but not limited to bike lockers and infrastructure for E-bicycle charging. The specific number and location of E-bicycle charging to be determined as part of the special use permit-A.
5. The location of stormwater management features shall comply with the variance approved by the Board of Adjustment on September 13, 2023.
6. As part of the special use permit-A, the applicant shall analyze the project’s compliance with the provisions of Article XVI, Part II, of the LUO, Stormwater Management.
7. The applicant shall replace the existing junction box and all sections of the existing 36-inch CMP pipe on the site.
8. Maintenance of stormwater facilities on the proposed site will be managed by the Homeowners’ Association in accordance with homeowners documents provided at the time that the special use permit-A is requested.

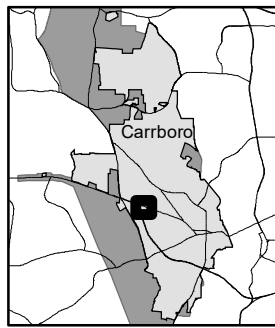
SECTION 2. This ordinance shall become effective upon adoption.


The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this ____ day of _____ 2024:





Proposed R2-CZ Rezoning



 R2CZ Rezoning

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
Printed May 10, 2022



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

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

To: Marie Parker, Interim Town Manager

From: Tina Moon, Planning and Transportation Administrator

Date: February 9, 2024

Subject: Request for Map Amendment to R-2-CZ for 1307 West Main Street and Associated Text Amendment

PROJECT DESCRIPTION/BACKGROUND

The Town has received a petition from J. Allen Knight and Erik M. Lensch, owners of Tempo Investco, LLC, to rezone the property at 1307 West Main Street from B-3 (Neighborhood Business, 7,500 square feet per dwelling unit) to R-2-CZ (Residential, Conditional, 2,000 square feet per dwelling unit) for the purpose of developing a multi-family residential project. The proposal involves the construction of a five-story building, approximately 48,000 sq.ft. in size, and containing of a combination of 1-bedroom, 2-bedroom and 3-bedroom units along with common areas.

The applicants have also requested a text amendment to allow the maximum building height in the R-2-CZ district to be increased from 50 feet to 65 feet, to accommodate the fifth story. A draft text amendment has been prepared. If adopted the Town Council could, as part of a SUP-A allow the maximum building height to be increased from 50 to 65 feet, the property to be developed at a higher level of residential density with up to 20-percent of the building's gross floor area designated for non-residential uses not otherwise permissible in the R-2-CZ district, if the proposed development contains site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, such as affordable housing. Formal consideration of the draft text amendment is part of a separate agenda item.

Advisory boards received a presentation on the development proposal as part of a courtesy concept plan review in June 2021, and at that time, the project included a commercial component on the ground floor. The design program has since been revised and the commercial component removed. During the Town Council agenda item to set the public hearing on November 29, 2023, however, there was a request from the Council to include a condition as part of the rezoning that the ground level be constructed such that it could be converted to commercial use at some time in the future. (<https://carrboro.legistar.com/MeetingDetail.aspx?ID=1133526&GUID=AB99B0B3-F1F3-470C-B7C8-A61D5B9185FE&Options=&Search=>).

In March 2022, Mr. Knight and Jim Spencer, the project architect, held a neighborhood information meeting (NIM); ten residents signed in. Materials from the NIM, including the mailing notice and a scan of the sign-in sheet are provided (*Attachment G*).

The applicants received a variance from the Board of Adjustment on September 13, 2023, to allow for encroachment into and placement of fill within the Special Flood Hazard Area (SFHA) along the eastern portion of the property, along the edge of the parking area. The terms of the variance are referenced on the site plan and by condition in the draft rezoning ordinance.

The applicants presented their formal application to the advisory boards on February 1, 2024. Comments are provided (*Attachment I*). Of note, the Appearance Commission only commented on the proposed text amendment, and the Environmental Advisory Board (EAB) did not have a quorum and therefore did not provide comments.

A draft ordinance for the map amendment (rezoning) has been provided (*Attachment B*). The rezoning ordinance includes a list of draft conditions; it is anticipated that the conditions will be further modified during the public hearing process. The final list of conditions must be mutually agreed upon by the Town and the applicant. Should the Town Council approve the text amendment and the rezoning, the applicants would follow with an application for a special use permit-A. The special use permit involves a separate public hearing process; however, the main elements of the development proposal will be determined as part of the consideration of the rezoning.

REZONING OVERVIEW

The process for amending the official Carrboro Zoning Map is described in Article XX of the Land Use Ordinance. The request would be considered a minor map amendment, in that it involves fewer than five parcels and less than fifty acres. The petition form includes four key questions for the applicant to answer: A) how is the proposed rezoning consistent with Town plans and policies, B) in what way is the subject property particularly suited for the potential uses of the new district, C) how will the purposed rezoning affect the value of nearby buildings, and D) in what way does the rezoning encourage the most appropriate use of the land?

More specific information relating to conditional zoning is discussed in Section 15-141.4, of Article IX. As part of the application to rezone property to a conditional district (Section 15-141.4(d)) the applicant must submit a list of proposed conditions which may be in the form of written statements, graphic illustrations, or any combinations thereof, to be incorporated into the ordinance that rezones the property.

PETITIONERS/OWNERS

The petitioners for the rezoning request are J. Allen Knight and Erik M. Lensch of Tempo Investco, LLC. Mr. Knight has also applied for the text amendments on behalf of Investco.

DESCRIPTION OF THE AREA

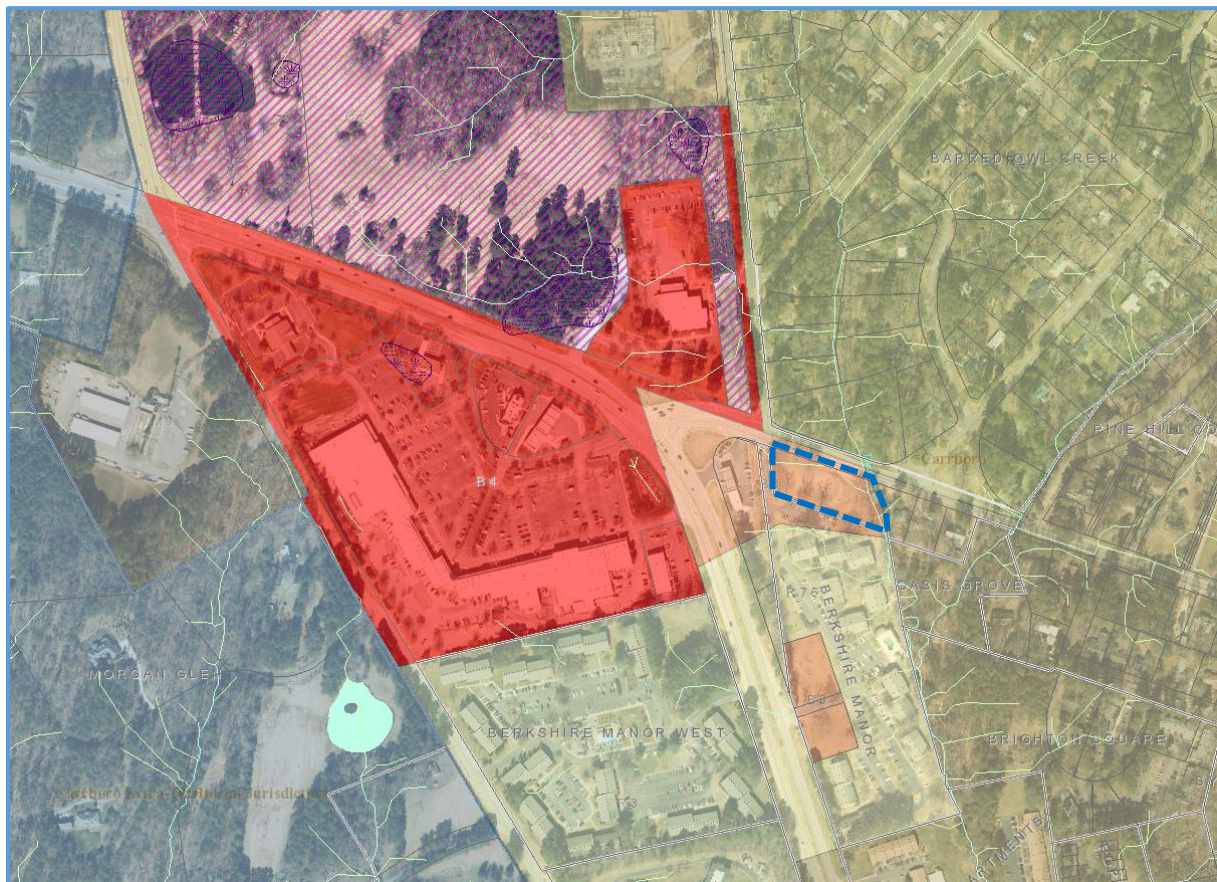
The subject property is the undeveloped parcel located along the south side of West Main Street in front of the garden-style Berkshire Manor apartments. The surrounding area includes mainly single-family one-story ranch style homes along West Main Street, James Street, and Simpson Street. The

area becomes more commercial to the west, with the gas station/convenience store along the same side of the street, the Post Office at the corner of West Main and James streets and Carrboro Plaza on the south side of NC 54 West. The property may be more specifically identified by the table below.

Address	PIN	Existing Zoning	Proposed Zoning	Acres
1307 West Main	9778-28-6664	B-3	R-2-CZ	1.16

ADJACENT ZONING & LAND USES

The map below shows the site (outlined in blue) and adjacent properties with the zoning classifications. The subject property is shaded in pink to indicate the B-3 Zoning District. The Berkshire Manor site is zoned R-7.5 (Residential, 7,500 square feet per dwelling unit), the other surrounding residential areas heading north, and east are zoned R-10 (Residential, 10,000 square feet per dwelling unit). The Post Office and Carrboro Plaza complete are zoned B-4 (Outlying Concentrated Business). The future Shoppes at Lloyd Farm development is zoned B-4, conditional, and the property along the southwest side of Old Fayetteville Road, Watershed Residential).



Density and Dimensional Regulations

More specific information relating to the dimensional standards for the subject property and the surrounding residential districts is provided in the table below. A comparison of the density and dimensional requirements between the existing (B-3) and proposed zoning district (R-2-CZ) is also provided in the table and offers a sense of the potential development impact on adjacent properties,

should the zoning change occur. It should be noted that the draft text amendment includes a requirement to evaluate the potential for developments in the R-2-CZ districts seeking to increase the building height to 65 foot to show the potential for the new building to cast a shadow on existing buildings adjacent lots.

	Existing Zoning B-3	Surrounding Zoning R-7.5	Surrounding Zoning R-10	Proposed Zoning – R-2-CZ
Density	7,500 per dwelling unit	7,500 per dwelling unit	10,000 per dwelling unit	2,000 per dwelling unit
Height	28 feet	35 feet	35 feet	50 feet*
Setbacks	15/20 r/w; 15 lot boundary	25/12.5 r/w; 10 lot boundary	25/12.5 r/w; 12 lot boundary	15/7.5 r/w; 8 + 2 per additional ft above 35 ft for lot boundary

As currently zoned, the property at 1307 West Main would yield a residential density of 6.75 units, with a possible increase to 10 units using the affordable density bonus (adding 2 affordable units and 2 market rate units). The proposed rezoning from B-3 to R-2, conditional, would increase the residential density to base yield of 25.26 units with a maximum of about 38 units utilizing the density bonus of 12 additional units (6 affordable and 6 market rate). The proposed text amendment would allow the Town Council to approve a higher density subject to meeting criteria.

COMPARISON OF ZONES

Zoning provides the planning mechanism that allows certain land uses to occur in defined areas or districts. Article IX of the LUO provides descriptions of the different zoning districts in the Town. Descriptions of the existing and proposed districts are provided below.

Existing Residential District. The B-3 Neighborhood Business District is designed to accommodate commercial needs arising at the neighborhood level, such as grocery stores, branch banks, gas sales, and the like, as well as other commercial and office uses that are of such size and scale that they can compatibly coexist with adjoining residential neighborhoods. To insure compatibility between B-3 areas and the neighborhoods, no B-3 district shall be greater than five acres, and no areas shall be zoned B-3 if any portion of a pre-existing business district lies within one-half mile in any direction.

Proposed Residential District. The purpose of the 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 R-2 district provides for a higher density residential zone.

The Table of Permissible Uses, found in Article X, Section 15-146 of the Town of Carrboro Land Use Ordinance (LUO) lists the land uses that are allowed in each zoning district along with permitting requirements (i.e. special use permit-A, special use permit-B, zoning permit). <http://www.townofcarrboro.org/DocumentCenter/View/691/Article-X-Permissible-Uses-PDF-with-table>

A comparison of permitted uses in the zoning districts is summarized in the table below.

General Use Category	Number of Uses Permitted in B-3 District	Number of Uses Permitted in R-2 District	Change in Uses Permitted B-3 to R-2
Residential (1.000)	21	28	+7
Sales and Rental of Goods (2.000)	5	0	-5
Office, Clerical, Research (3.000)	6	0	-6
Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment (4.000)	0	0	0
Educational, Cultural, Religious, Philanthropic, Social (5.000)	3	3	0
Recreation (6.000)	4	4	0
Institutional Residence or Care of Confinement Facilities (7.000)	0	1	+1
Restaurant, Bar, Nightclub (8.000)		0	0
Motor Vehicle-related (9.000)	1	0	-1
Storage and Parking (10.000)	0	0	0
Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards (11.000)		0	0
Services and Enterprises Related to Animals (12.000)		0	0
Emergency Services (13.000)	4	4	0
Agricultural, Silvicultural, Mining, Quarrying (14.000)	0	0	0
Public/Semi-public Utility Facilities (15.000)	4	1	-3
Dry Cleaner, Laundromat (16.000)	2	0	-2
Utility Facilities (17.000)	7	3	-4
Towers and Related Structures (18.000)	4	3	-1
Open Air Markets, Horticultural Sales (19.000)	3	0	-3
Funeral Home (20.000)	0	0	0
Cemetery (21.000)	1	1	0
Day Care (22.000)	4	4	0
Temporary Structure or Parking (23.000)	1	2	+1
Bus Station (24.000)	0	0	0
Commercial Greenhouses (25.000)	0	0	0
Subdivisions (26.000)	2	2	0
Combination Uses (27.000)	1	1	0
Planned Unit Developments (28.000)	0	0	0*
Special Events (29.000)	1	1	0
Planned Industrial Development (30.000)	0	0	0*
Off-Premises Signs (31.000)	0	0	0
Village Mixed Use (32.000)	0	0	0*
Office/Assembly Planned Development (33.000)	0	0	0*
Temporary Lodging (34.000)	0	2	+2

Comparison of the Number of Uses, by General Category, in Existing and Proposed Zoning Districts.

* Permissible only in Planned Unit Development District, Planned Industrial Development, Village Mixed Use District, or Office/Assembly Planned Development (respectively) and subject to a conditional use permit.

ANALYSIS

The conditional zoning mechanism allows for the approval of a site-specific development plan and conditions tailored to the individual project. The conditions, including the site plan, become binding

to the rezoning and subsequent permit, in this case a special use permit-A. If approved, the existing neighborhood business classification would be removed and the new residential classification applied. The specific project design and number of residential units would be approved as part of the rezoning. The proposal is currently designed with 34 residential units; a proposed condition would allow a maximum of 40 units. The use of a density range provides the applicant with a certain amount of flexibility during the development process to make minor adjustments to the development program, if necessary, without having to go back and to amend the conditional district. As noted above, conditions must be mutually agreed upon by the applicant and the Town. Discussions with the applicant have included the possibility of exceeding the stormwater management requirement, such as designing to a higher storm year, and may be considered during permit application. The permit application will require a greater level of detail than the rezoning exhibit and another public hearing, but the overall design must remain consistent with the illustrative site plan approved as part of the rezoning.

The provisions set out in the draft text amendment would allow the maximum building height to be increased from 50 to 65 feet, the approximate equivalent of a full story. The text amendment links the increase in building height to a minimum of 20-percent affordable units (physical or payment in-lieu) and the inclusion of certain site and building elements in the development that will create a more vibrant and successful community and provide essential public infrastructure. This structure follows the same framework established as part of the B-1G, conditional district and M-3, conditional district, whereby an applicant can seek additional uses and/or density for developments that further Town interests. Of note, should the applicants wish to utilize the additional building height, provided by the text amendment, the project would be subject to the 20-percent affordable unit requirement, which exceeds the 15-percent policy goal.

Consistency with Adopted Plans/Policies

Carrboro Connects 2022-2042 Comprehensive Plan provides goals, strategies, and projects that are expected to guide the Town's growth and development. 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 relevant sections of Carrboro Connects Comprehensive Plan.

Chapter	Staff Comments	Applicable Strategies
Affordable Housing	<p>The applicant has identified a commitment to provide at least 15% affordable units; the mechanism, number of units, and availability of rental units versus sold units has not yet been determined.</p> <p>If the applicant wishes to use the additional building height provided by the text amendment, 20% affordable units will be required. Additional information on which units (1-, 2-, or 3-bedroom units) will be affordable would be required as part of the SUP-A.</p> <p>Of note, rents at Berkshire Manor currently meet the ordinance's definition of appropriately sized affordable housing unit for both one- and two-bedroom units. (under \$1574 for 1br; \$1799 for 2br)</p>	<p>Consistent with: Supports Town policy for 15%, details needed.</p> <p>Inconsistent with: -</p> <p>Inconclusive: 1.1, 2.1, 2.3, 4.4, 7.2</p>
Climate Action & Environment	(CLIMATE 1.1) More information is needed as to whether residents will be able to access weatherization and/or energy	Consistent with: ENV 1.2

	<p>efficiency programs; the current proposal does not increase use of renewables.</p> <p>(ENV 1.1 & 1.2) The development commits to providing additional flood storage within the water quality buffer on-site and further vegetate the buffer. The Land Use Ordinance includes a recommended plant list and encourages the use of native plants.</p> <p>(ENV 2.1) The site falls within the restriction that development is only allowed to increase the annual volume leaving the property by double the current amount. All runoff in the bio-retention basin will drain down through installed media and infiltrate, or discharge through the underdrains. Strategy 2.1 notes a need to evaluate individual permits within a broader context to ensure that stormwater impacts do not burden flood-prone neighborhood or low-income residents. The site is located in a QCT (107.7), and a census block group identified as a “REINVEST” area by the DCHC MPO (more than 28% of the population is below 150% of the poverty level).</p> <p>The project will be required to meet the stormwater management provisions in the LUO. There may be an opportunity design to a higher storm year, during the permit review process, when the applicant is required to complete the stormwater analysis.</p>	<p>Inconsistent with:</p> <p>Inconclusive: ENV1.1, ENV 2.1, CLIMATE 1.1</p>
Transportation & Mobility	<p>(2.1) The development meets the “close-to-transit” definition in Carboro Connects and will provide new density near an existing commercial hub. The closer the bus stop to the front façade of the project, the more the project meets goals outlined in strategy 2.1.</p> <p>(3.1) The development is adding bicycle parking and is located on Main Street where existing bike and pedestrian infrastructure may incentivize residents to use alternative transportation.</p> <p>(4.2) The project is designed to provide one vehicular parking space per unit, which meets new residential parking maximum standards. If the number of residential units is increased, the applicant may need to consider if additional parking spaces are needed.</p>	<p>Consistent with: 2.1, 3.1, 4.2</p> <p>Inconsistent with: -</p> <p>Inconclusive: -</p>
Green Stormwater Infrastructure, Water, & Energy	<p>(GSI 2.2) Construction would involve removing street trees along West Main Street but includes planting new street trees on the site. The project does not encroach on the water quality buffer for Toms Creek and the 100-year floodplain.</p> <p>(WATER 2.1 & 2.2) The project utilizes retaining walls, an underground stormwater storage system, and a stormwater retention basin to prevent water runoff toward Berkshire Manor residential areas south of the project. The development commits to providing additional flood storage</p>	<p>Consistent with: GSI 2.2, WATER 2.1, ENERGY 1.1</p> <p>Inconsistent with: -</p> <p>Inconclusive:</p>

	<p>within the water quality buffer on-site and further vegetate the buffer. More detail on SCMs and treatment is necessary to determine if the proposed stormwater designs are consistent with other goals in this chapter.</p> <p>(ENERGY 1.1, 1.2 & 1.3) The project's limitation on parking provided, and proximity to existing transit and bike/ped facilities aim to limit additional GHG emissions from automobile use by new residents. The project will meet state energy codes, and notes higher density offers higher efficiency of systems—more detail is needed on weatherization efforts or and renewable energy opportunities (either in construction of the project, or for residents that live there)</p>	<p>WATER 2.2, ENERGY 1.2, ENERGY 1.3</p>
Economic Sustainability	<p>(2.2) Proximity to an existing commercial node (Carrboro Plaza) will provide residents nearby access to a variety of businesses. While the development is not mixed-use, the applicant notes that the development could in the future convert the first floor to commercial use (though that is not a requested use for the project).</p>	<p>Consistent with: 2.2</p> <p>Inconsistent with: -</p> <p>Inconclusive: -</p>
RPCR	Not applicable	N/A
Land Use	<p>(8.1) NC54 Corridor future land use map identifies this parcel as open space/park. Adjacent future land uses include residential to the east and denser multifamily residential to the south. The NC 54 Corridor section of the plan prioritizes the addition of multi-modal amenities to enhance walkability and bikeability, pedestrian improvements to existing development, and creation of new public or private open spaces.</p> <p>(8.1) This project's location does not improve or worsen safety cyclists and pedestrians at NC54 and West Main Street.</p> <p>(8.1) The project does commit to a mulched/pervious trail along Toms Creek, which touches on the plan's vision of a bike/ped connection from West Main Street to Poplar Avenue—the Comprehensive Plan identifies a desire to explore easements for such a facility.</p> <p>(2.1, 2.2, 2.5) Strategies 2.1 and 2.2 may be relevant—the development is located along a key corridor, is transit-accessible, and near businesses—however without further details about the provision of affordable housing, consistency cannot fully be evaluated.</p> <p>(3.1) More detail is needed to determine consistency with strategy 3.1—"pursue development provisions that preserve and maintain natural areas by incorporating environmentally sensitive development and building practices." It is anticipated that the strategy will be addressed as part of the site and building elements identified in the text amendment.</p>	<p>Consistent with: 4.1</p> <p>Inconsistent with: 8.1 *see summary comments</p> <p>Inconclusive: 1.2, 2.1, 2.2, 2.5, 3.1</p>

	(4.1) The development's proximity to transit, connection to existing bike and pedestrian facilities, and reduced parking does meet the plans goals of promoting development that reduces GHG emissions by reducing auto-dependence.	
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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 increased residential density particularly along transit corridors.
- The site's location provides connections to surrounding neighborhoods within reasonable distances for walking, biking.
- The applicant identified policy provisions appear to be consistent with the request.
- *As noted above, the Future Land Use Map in Carrboro Connects, identifies the subject property as a park. This is a clerical error. Per Section 15-6(b)(1), the Town Council's action to amend the Official Zoning Map will also amend the Future Land Use Map.

ACTION REQUESTED

Staff requests that the Town Council receive public comment and consider the request to rezone the property at 1307 West Main Street to R-2-CZ.

RELEVANT ORDINANCE PROVISIONS

The LUO describes the steps for the Council when adopting or rejecting any zoning map or text amendment, as noted in the excerpt below from Section 15-324.

The Council shall adopt a statement describing whether the action is consistent or inconsistent with an adopted comprehensive plan.

- If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan, and no additional request or application for a plan amendment shall be required. The consistency resolution prepared in the packet includes language to guide the Council's action to amend the Future Land Use Map.
- A plan amendment and zoning amendment may be considered concurrently.
- When adopting or rejecting any petition for a zoning map amendment the Council shall adopt a statement explaining the reasonableness of the proposed rezoning. The statement of reasonableness may consider, among other factors: (i) the size, physical conditions, and other attributes of any area proposed to be rezoned; (ii) the benefits and detriments to the landowners,

the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development and the development permissible under the proposed amendment, (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

Section 15-325 of the LUO specifies that when considering an amendment, the central issue before the Town Council is “whether the proposed amendment advances the public health, safety or welfare.” The Council 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.

Please also note the expanded conflict of interest provisions adopted as part of 160D, which extends the conflict of interest to include familial, business, or other associational relationships.

Relevant excerpts from Land Use Ordinance articles IX and XX are provided as Attachment J.

APPENDIX A – 2

PETITION FOR CHANGE OF ZONING FORM

TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING



PETITIONER:

Tempo Investco, LLC (J. Allen Knight)

DATE:

April 12, 2022

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

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

**CARRBORO DEVELOPMENT GUIDE
APPENDIX A**

EXISTING STRUCTURES AND USES:

c. OWNER: n/a

TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE: _____ PARCEL: _____

SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH: _____

EXISTING STRUCTURES AND USES:

d. OWNER: n/a

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 list and map	

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

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

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

See attached # 7 narrative for these four findings

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

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

See attached # 7 narrative for these four findings

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

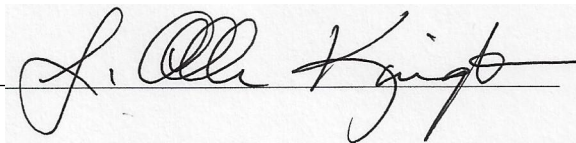
See attached # 7 narrative for these four findings

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

See attached # 7 narrative for these four findings

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

PETITIONER'S SIGNATURE: _____



PLEASE NOTE:

For all the persons identified under "5", please attach addressed envelopes with the correct postage. Oversight of this requirement could delay processing your rezoning request.



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

April 11, 2022

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

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

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

Response:

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

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

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

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

Response:

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

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

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

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

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

Response:

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

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

Response:

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

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

Summary statement regarding consistency with Carrboro Connects:

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

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

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

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

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

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

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



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

DRAFT

April 11, 2022

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

Proposed List of Conditions – Petition for Change of Zoning:

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



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

October 24, 2022

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

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

Dear Tina and Planning staff:

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

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

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

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

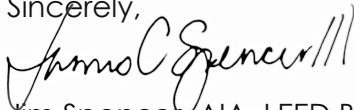
Another key consideration for the project is the affordable housing component. Our team is committing to including affordable units in the project. We will, at minimum, meet the 15% affordable unit threshold in the ordinance. We have potential plans which would increase the percentage of affordable units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

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

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

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

Sincerely,

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

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



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

March 8, 2022

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

36. Sustainability Checklist for Commercial Development

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

Sustainable Site Characteristics

Site Selection

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

Development Density & Community Connectivity

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

Public Transportation Access

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

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

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

Storm water Design- Quantity Control

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

Heat Island Effect- Non-Roof and Roof

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

Light Pollution Reduction

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

Water Efficiency**Water Efficient Landscaping**

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

Energy and Atmosphere**Optimize Energy Performance**

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

Materials and Resources**Construction Waste Management**

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

Recycled Content

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

Regional Materials

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

Rapidly Renewable Materials

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

Indoor Environmental Quality

Outdoor Air Delivery Monitoring

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

Increased Ventilation

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

Construction IAQ Management Plan-During Construction and Before Occupancy

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

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

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

Indoor Chemical & Pollutant Source Control

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

Controllability of Systems- Lighting and Thermal Comfort

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

Thermal Comfort- Design and Verification

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

Daylighting & Views

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

Innovation in Design

Innovation in Design

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

LEED Accredited Professional

Building design will be by LEED accredited professionals.

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510
PIN: 9778286664



SHEET LIST

CVR	COVER
EC	EXISTING SURVEY
C1.3	SITE UTILITY
C1.4	GRADING & DRAINAGE
C1.5	LANDSCAPE & OPEN SPACE PLAN
A1.0	FLOOR PLANS
A2.0	ELEVATIONS
A3.0	PERSPECITVES
A4.0	SITE CONTEXT
S	STRUCTURAL (RESERVED)
E	ELECTRICAL (RESERVED)
M	MECHANICAL (RESERVED)
P	PLUMBING (RESERVED)
FA	FIRE ALARM (RESERVED)

SECTION		EXISTING B-3 (VACANT)	PROPOSED UNDER R-2CZ (1.300)
#	REGULATION		
15-146	PERMISSABLE USES	SPECIAL USE OR CONDITIONAL R-2 W/1.300	CONDITIONAL FOR R-2, 1.321,1.331; 1.332
15-182	RESIDENTIAL DENSITY	-	34 UNITS (MAXIMUM 40)
15-183	LOT SIZE	7,500 SF - 5 ACRE 75' MIN WIDTH	1.16 ACRE
15-184	SETBACKS	15' ROW, 45' CENTER, 68' BOUND	13.92' ROW, 72.86' BOUND
15-185	BUILDING HEIGHT	50'	65'
15-291	PARKING	1.5/BED AND 2/2BED OR MORE	1 PER UNIT = 34
	BICYCLE PARKING	-	52 (42 LOCKERS+10 RACK)
15-250	SCREENING OF DUMPSTERS	-	PROVIDED
15-308	SCREENING & TREES	-	PROVIDED
15-196	RECREATIONAL AREA POINTS	-	320.67
15-198	OPEN SPACE	20%	41.20%
		GROUND LEVEL TO BE CONSTRUCTED SUCH THAT COMMERICAL USES NOT CURRENTLY PERMITTED COULD BE CONVERTED PENDING REVISIONS TO CARRBORO LAND USE ORDINANCE. POSSIBLE USES INCLUDE: 2.120, 3.110, 3.120, 3.220, 8.100, 8.200	
		NOTE: SEE SHEET C1.4 FOR NOTES REGARDING STORM WATER & ASSOCIATED VARIANCE	



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109-A BREWER LANE
CARRBORO, NC 27510

919.960.6690
JSPENCERJSA@GMAIL.COM

OWNER

TEMPO INVESTCO LLC
C/O Erik M. Lensch
8591 Pickards Meadow Rd.
Chapel Hill, NC 27516

SITE & CIVIL ENGINEER

C3 Design & Engineering, PLLC
Chad E. Abbot, PE
2537 East Lyon Station Rd.
Suite 102
Creedmoor, NC 27522-0361

chad@c3designeng.com
919.625.7368

STRUCTURAL ENGINEER

Summit Design & Engineering Services
Chris Berg, PE
320 Executive Ct.
Hillsborough, NC 27278

919.322.0115

PME ENGINEER

GENERAL CONTRACTOR

Allen Knight
Housewright Building Co.
PO Box 786
Carrboro, NC 27510

allen@housewrightbuilding.com
919.524.2074

CONDITIONAL
REZONING
APPLICATION



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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

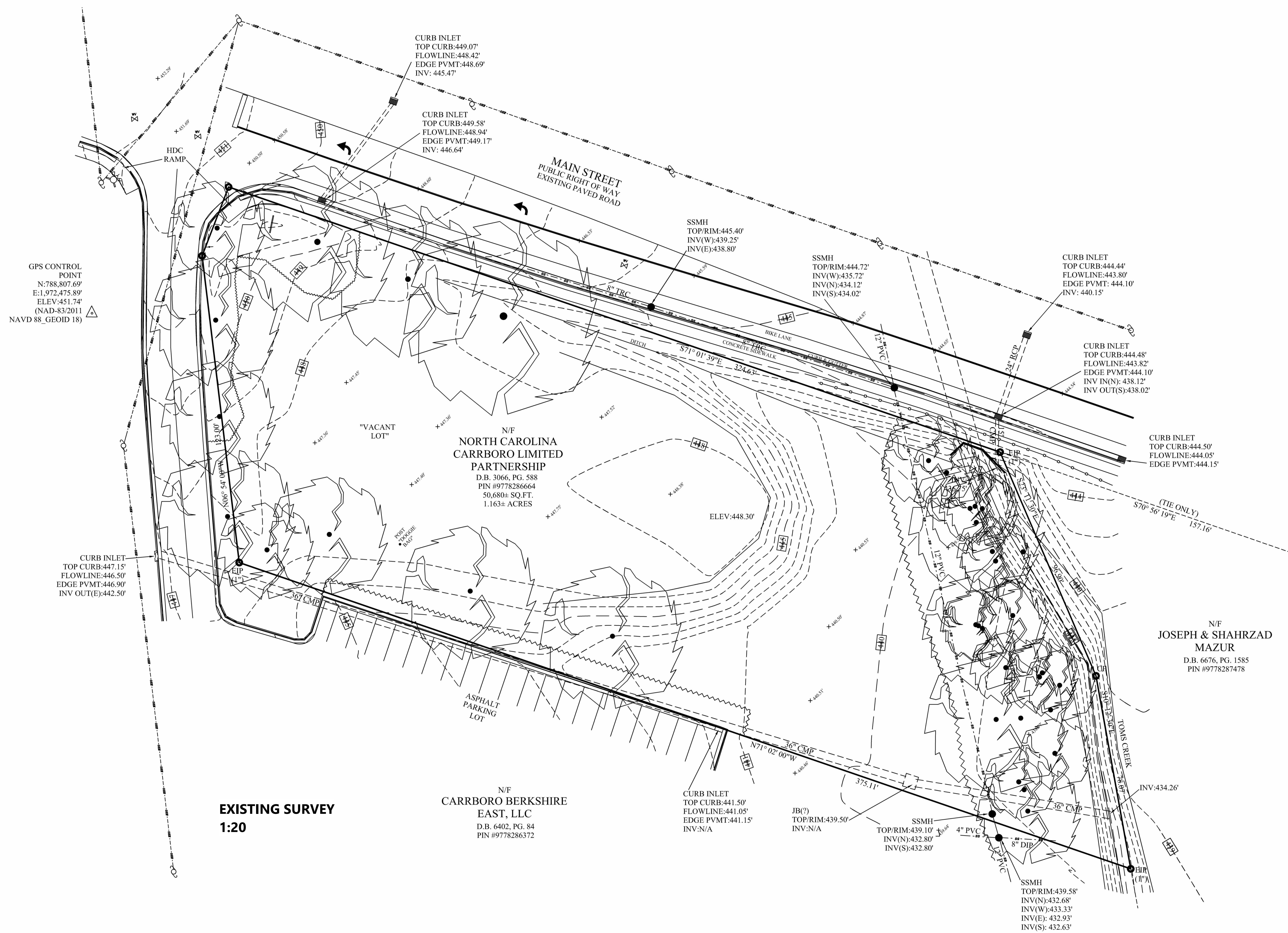
CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: 1_SRV
CHECKED BY: JSA

EXISTING SURVEY

EC

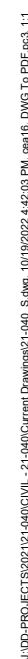


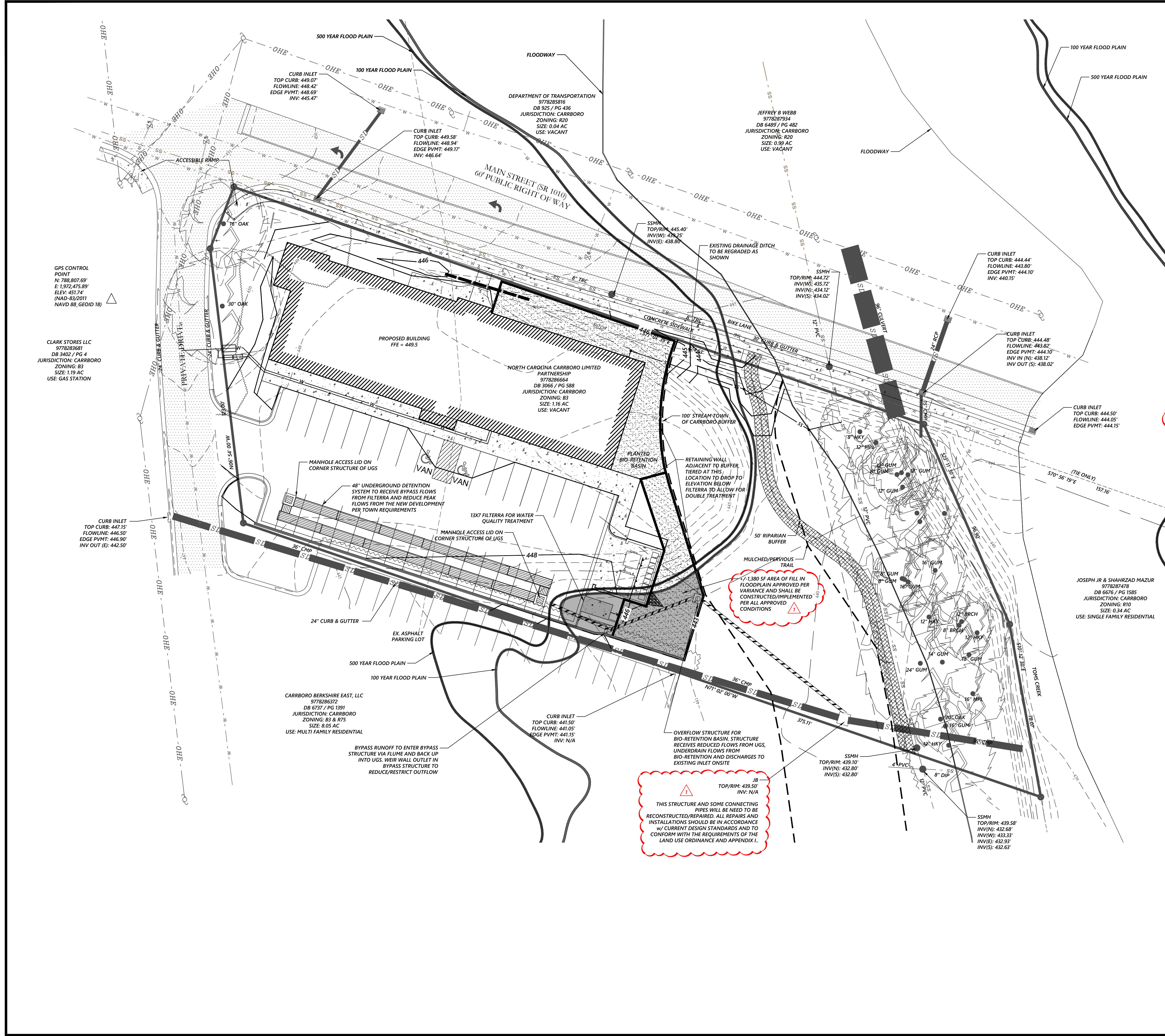
**EXISTING SURVEY
1:20**

N/F
CARRBORO BERKSHIRE
EAST, LLC
D.B. 6402, PG. 84
PIN #9778286372

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND AS SUCH SHALL REMAIN THE PROPERTY OF THE ARCHITECT. THEY HAVE BEEN PREPARED FOR A SPECIFIC PROJECT AND SHALL NOT BE USED IN CONJUNCTION WITH ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ALL RIGHTS RESERVED.

\\jims-new-pc\jso-active\TEMPO-1307 W MAIN LAND USE PERMIT\2022-09-13_TEMPO-v2.dwg





- GRADING AND STORM DRAINAGE NOTES:**
- EXISTING TOPOGRAPHY & SITE CONDITIONS SURVEYED BY HAWKEYE GEOMATICS, DATED JUNE 1, 2021.
 - ALL PIPE TO BE INSTALLED ON-SITE AND IN THE RIGHTS OF WAY SHALL MEET OR EXCEED THE NCDOT ASTM AND AASHTO SPECIFICATION REQUIREMENTS FOR SUCH PIPE MATERIAL.
 - ROOF DRAIN CONNECTIONS AND INLINE CATCH BASINS IN NON-TRAFFIC BEARING LOCATIONS MAY BE HDPE SYSTEMS SUCH AS "NYLOPLAST" BY ADS OR APPROVED EQUAL. (SEE DETAILS FOR USE AS STORM DRAINAGE SYSTEM)
 - ALL ON-SITE PIPE SHALL BE INSTALLED MEETING COVER, BACKFILL AND BEDDING REQUIREMENTS PER NCDOT OR THE MANUFACTURER'S RECOMMENDATIONS, WHICHEVER IS MOST STRINGENT.
 - SUBGRADE PREPARATION FOR BUILDING PAD AND PARKING AREAS SHALL BE CONSTRUCTED PER THE RECOMMENDATION OF THE GEOTECHNICAL REPORT BY MODULUS, PLLC ON JULY 19th, 2021 OR AS DIRECTED BY A VAN ON-SITE GEOTECHNICAL TESTING FIRM HIRED BY THE OWNER. TESTING AND INSPECTIONS SHALL BE REQUIRED FOR ALL AREAS OF BACKFILL, INCLUDING PIPE BACKFILL, PER THE GEOTECHNICAL REPORT. ONSITE TESTING FIRM'S DIRECTION OR MANUFACTURER'S REQUIREMENTS. CONTACT ENGINEER OF RECORD WITH ANY QUESTIONS ABOUT THESE REQUIREMENTS PRIOR TO SUBMITTING BIDS AND STARTING CONSTRUCTION
 - NCDOT PRE-CAST DRAINAGE STRUCTURES / MANHOLES CAN BE USED IN LIEU OF NCDOT STANDARD BRICK OR CONCRETE CATCH BASINS. ANY DEVIATION FROM THE SPECIFIED STRUCTURES SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION AND SHALL MAINTAIN COMPLIANCE WITH ALL CORRESPONDING NCDOT MATERIAL, DRAWING & DETAILED SPECIFICATIONS.
 - CONTRACTOR SHALL FIELD VERIFY THAT PROPOSED GRADES MATCH EXISTING PAVEMENT AT ALL CONNECTIONS/TIE-INS. CONTRACTOR SHALL NOTIFY ENGINEER IF DISCREPANCY OCCURS.
 - ALL WORK WITHIN NCDOT ROW SHALL COMPLY WITH MOST RECENT NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, NCDOT STANDARD DRAWINGS, AND THE MUTCD STANDARDS.
 - ALL ONSITE STORM DRAINAGE CONSTRUCTION SHALL COMPLY WITH MOST RECENT NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, AND NCDOT STANDARD DRAWINGS.
 - ADDITIONAL SPECIFICATIONS AND REQUIREMENTS FOR FOOTER AND BUILDING PAD PREPARATION AND COMPACTION MAY EXIST IN ARCHITECTURAL AND STRUCTURAL DRAWINGS AND SHALL BE EXECUTED/IMPLEMENTED AS REQUIRED.
 - THE GRADE LINES DENOTE THE FINISHED ELEVATIONS OF THE PROPOSED SURFACE. GRADE LINES MAY BE ADJUSTED AT THEIR BEGINNING, ENDING AND AT STRUCTURES AS DIRECTED BY THE ENGINEER IN ORDER TO PROVIDE A PROPER TIE-IN. CONTRACTOR SHALL FIELD VERIFY ALL PROPOSED INVERTS, FFS & FINISHED SURFACES TO ENSURE THAT MINIMUM SLOPE & COVER REQUIREMENTS ARE PROVIDED PRIOR TO INSTALLATION OF REFERENCED ITEMS. CONTACT ENGINEER WITH DISCREPANCIES.
 - THE EARTHWORK ON THIS PLAN DOES NOT NECESSARILY BALANCE. OFFSITE BORROW OR WASTE MAY BE REQUIRED AND SHALL BE INCLUDED IN CONTRACT PRICE/BID. OFFSITE BORROW/WASTE AREAS SHALL BE PERMITTED.
 - ALL PIPE INVERTS TO BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTING GRAVITY SYSTEMS AND SHALL BE ADJUSTED BY THE ENGINEER IF NECESSARY.
 - UNLESS OTHERWISE NOTED, SPILL CURB LOCATIONS SHALL BE FIELD DETERMINED BY THE CONTRACTOR TO ENSURE POSITIVE DRAINAGE THROUGHOUT THE PARKING LOTS AND DRIVE AISLES. NO "BIRD BATHS" OR LOW AREAS THAT WILL HOLD WATER SHALL BE ALLOWED WITHIN THE CURB AND GUTTER OR PAVED AREAS.
 - OUTLET STRUCTURES AND OUTFALLS SHALL CONSIST OF FLARED END STRUCTURES (FES) UNLESS OTHERWISE NOTED. END OF OUTLET STRUCTURES SHALL BE THE END OF THE FES.

STORM DRAINAGE NARRATIVE & SUMMARY:


THE PROPOSED SITE FALLS UNDER THE REQUIREMENTS FOR BOTH WATER QUALITY AND QUANTITY TREATMENT PER THE TOWN OF CARRBORO STANDARDS. THE DRAINAGE FOR THE ROOF AREA ON THE BUILDING WILL BE RELEASED TO THE PARKING SURFACE VIA DOWNSPOUTS ALONG THE REAR OF THE BUILDING. ALL DRAINAGE FROM BOTH THE ROOF AND THE PARKING AREA WILL THEN SHEET FLOW OVER TO THE FILTERRA FROM THE FIRST STAGE OF WATER QUALITY TREATMENT. ALL WATER THAT ENTERS THE FILTERRA WILL DRAIN THROUGH THE PROPRIETARY MEDIA BLEND AND THEN EXIT VIA A 6" UNDERDRAIN THAT DISCHARGES TO THE BIO-RETENTION BASIN. THE BIO-RETENTION BASIN WILL THEN ADDITIONALLY REMOVE REMAINING NUTRIENTS, TSS, AND PROVIDE FOR THE VOLUME REDUCTION REQUIRED FOR THIS PROJECT. THE SITE FALLS WITHIN THE CATEGORY FOR THE 200% VOLUME REDUCTION REQUIREMENT WHEREBY THE SITE IS ONLY ALLOWED TO INCREASE THE ANNUAL VOLUME LEAVING THE PROPERTY BY DOUBLE WHAT IS CURRENTLY LEAVING THE PROPERTY. ALL RUNOFF IN THE BIO-RETENTION BASIN WILL DRAIN DOWN THROUGH THE MEDIA AND INFILTRATE OR DISCHARGE THROUGH THE UNDERDRAINS.

ALL WATER EXCEEDING THE FIRST 1" OF RUNOFF WILL BYPASS THE FILTERRA AND BIO-RETENTION BASIN WHERE IT WILL BE REDIRECTED TO UNDERGROUND STORAGE SYSTEM. THIS SYSTEM WILL DETAIN THE WATER TO MEET THE PEAK FLOW DISCHARGE REQUIREMENTS FOR THE VARIOUS STORMS AS REQUIRED BY THE TOWN ORDINANCE.

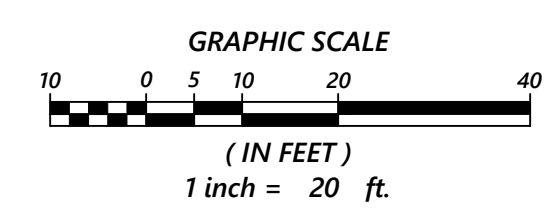
ADDITIONALLY, THERE IS A STREAM BUFFER LOCATED ON THE PROPERTY THAT CURRENTLY IS NOT WOODED AND DOES LITTLE TO ADDRESS THE MITIGATION FACTORS AND PROVIDE FOR THE ENVIRONMENTAL BENEFITS THAT RIPARIAN BUFFERS ARE INTENDED TO ADDRESS. IT WILL BE PART OF THE DEVELOPMENT PLAN TO VEGETATE THIS BUFFER SUCH THAT IT MEETS THE INTENT OF THE STREAM BUFFER REGULATIONS. THE CURRENT CONDITIONS OF THIS BUFFER FALL WELL SHORT OF MEETING THE INTENT AND GOALS OF STREAM BUFFER RULES AND IT IS THE DESIRE OF THIS DEVELOPMENT TO PROVIDE A MODEL AS TO HOW DEVELOPMENT AND ENVIRONMENTAL STEWARDSHIP CAN CO-EXIST ON THE SAME SITE WITH THE PROPER PLANNING AND INITIATIVE.

Pre-Development				
Land Description	Area (sf)	Area (ac)	CN	C
Pervious / Landscape (HSG-B)	23,161	0.53	61	0.30
Wooded (HSG-B)	12,821	0.29	60	0.35
Pervious / Landscape (HSG-D)	14,698	0.34	80	0.30
Total DA-A	50,680	1.16	66	0.31

Post-Development				
Land Description	Area (sf)	Area (ac)	CN	C
Roof	8,216	0.19	98	0.95
Parking/concrete	12,898	0.30	98	0.95
Wooded (HSG-B)	21,832	0.50	55	0.35
Pervious / Landscape (HSG-B)	0	0.00	61	0.30
Pervious / Landscape (HSG-D)	3,934	0.09	80	0.30
SCM	3,800	0.09	61	0.30
Total DA-A1	50,680	1.16	75	0.44



Know what's below.
Call before you dig.



GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 20 ft.

HOUSEWRIGHT BUILDING COMPANY
ALLEN KNIGHT
PO BOX 786
CARRBORO, NC 27516
allen@housewrightbuilding.com
919.524.2074

DESIGN & ENGINEERING, PLLC
NC Firm License #: P-1764
2537 E LYON STATION RD, STE 102 (PHYSICAL)
P.O. Box 36106 (OFFICE)
CARRBORO, NC 27516
chad@designeng.com
919.625.2368

NOT FOR CONSTRUCTION

	JHS	BY
1	10/20/23	

TOWN OF CARRBORO - CLIP PLANS #2 COMMENTS
FIRST ISSUED

REVISIONS

	DATE	
6		
5		
4		
3		
2		
1		

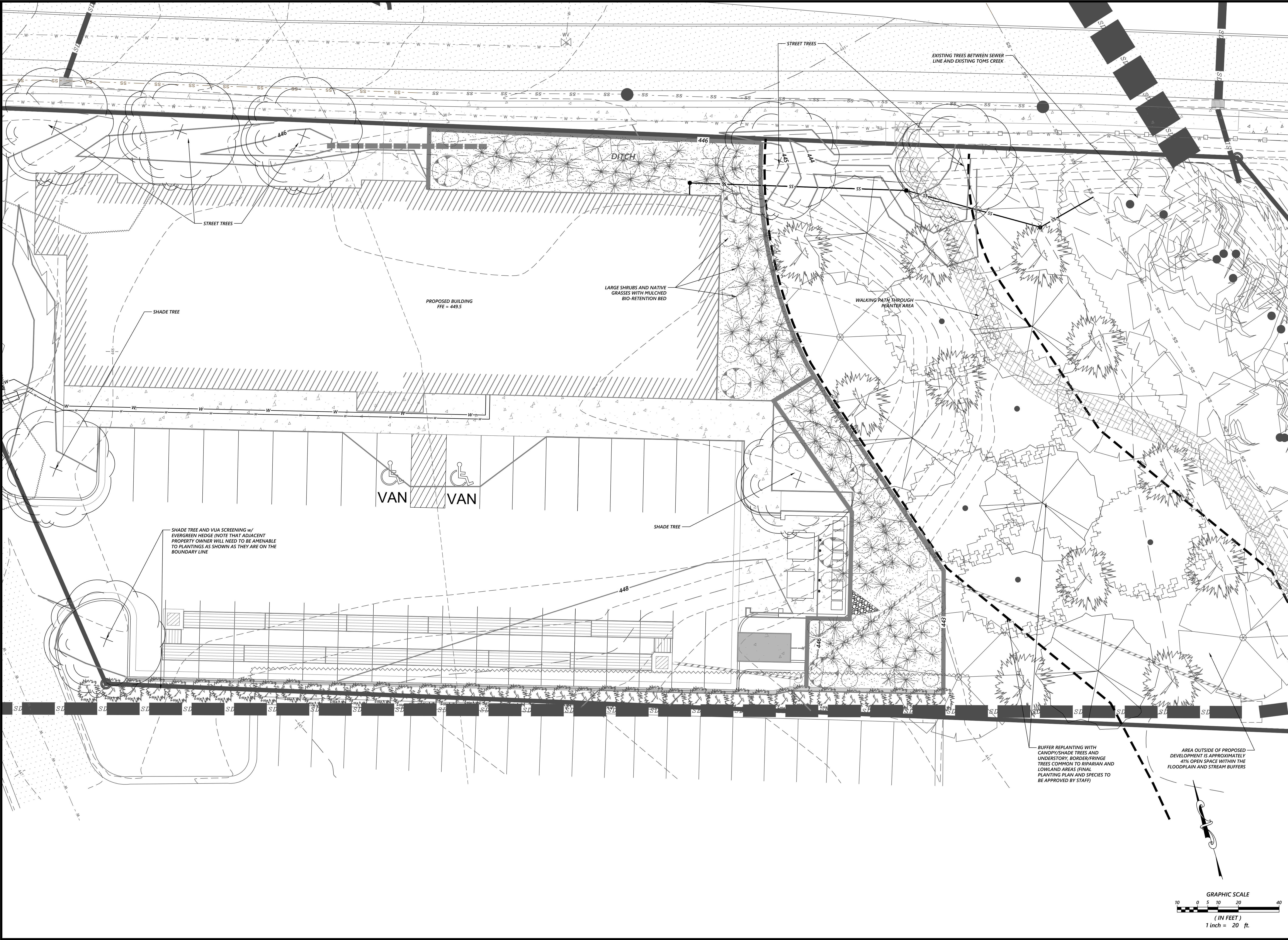
CONDITIONAL USE PERMIT
TEMPO
1307 WEST MAIN ST. CARRBORO, NC 27510
ORANGE COUNTY

GRADING & DRAINAGE PLAN

C3 PROJECT #:
21-040

REVIEW PROJECT #:
XX-XXX

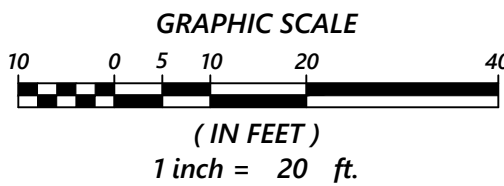
SHEET #:
C-1.4



SHADE TREE AND VUA SCREENING w/
EVERGREEN HEDGE (NOTE THAT ADJACENT
PROPERTY OWNER WILL NEED TO BE AMENABLE
TO PLANTINGS AS SHOWN AS THEY ARE ON THE
BOUNDARY LINE)

BUFFER REPLANTING WITH
CANOPY SHADE TREES AND
UNDERSTORY, BORDER/FRINGE
TREES COMMON TO RIPARIAN AND
LOWLAND AREAS (FINAL
PLANTING PLAN AND SPECIES TO
BE APPROVED BY STAFF)

AREA OUTSIDE OF PROPOSED
DEVELOPMENT IS APPROXIMATELY
91% OPEN SPACE WITHIN THE
FLOODPLAIN AND STREAM BUFFERS



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chad@c3designeng.com
919.625.7268

NOT FOR
PRELIMINARY
CONSTRUCTION

	DATE	BY
6		
5		
4		
3		
2		
1		
	FIRST ISSUED	

CONDITIONAL USE PERMIT
TEMPO
1307 WEST MAIN ST, CARRBORO, NC 27510
ORANGE COUNTY

LANDSCAPING & OPEN SPACE PLAN

C3 PROJECT #:
21-040

REVIEW PROJECT #:
XX-XXX

SHEET #:
C-1.5



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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: JSA
CHECKED BY: JSA

FLOOR PLANS

A1.0

UNIT COUNT NOTES:

PROPOSED AFFORDABLE UNIT COUNT WILL BE AT LEAST 15% OF TOTAL UNIT COUNT. FINAL AFFORDABLE UNIT COUNT T.B.D. BASED ON OVERALL DENSITY PERMITTED AND MAY INCLUDE ADDITIONAL UNITS ABOVE 15%.

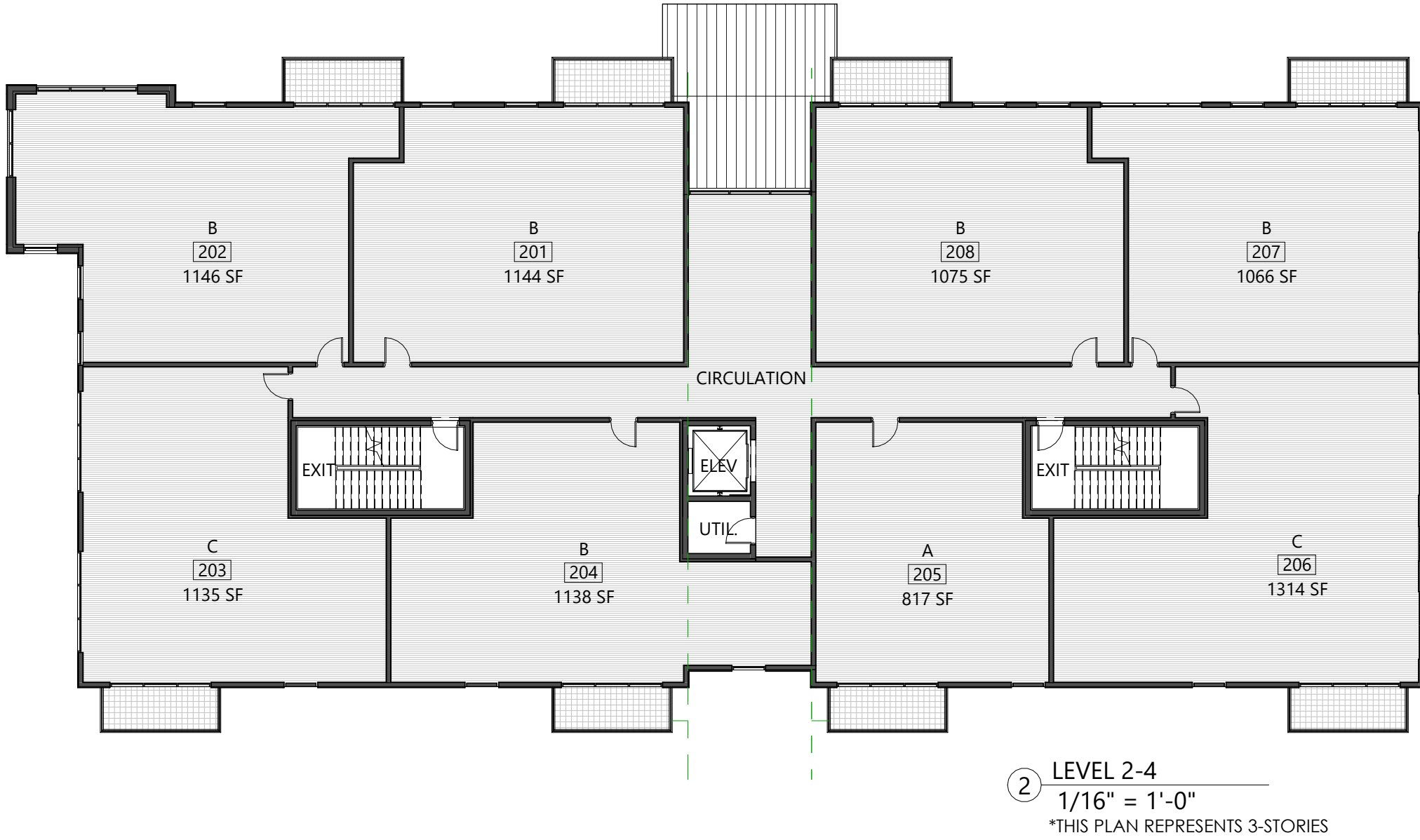
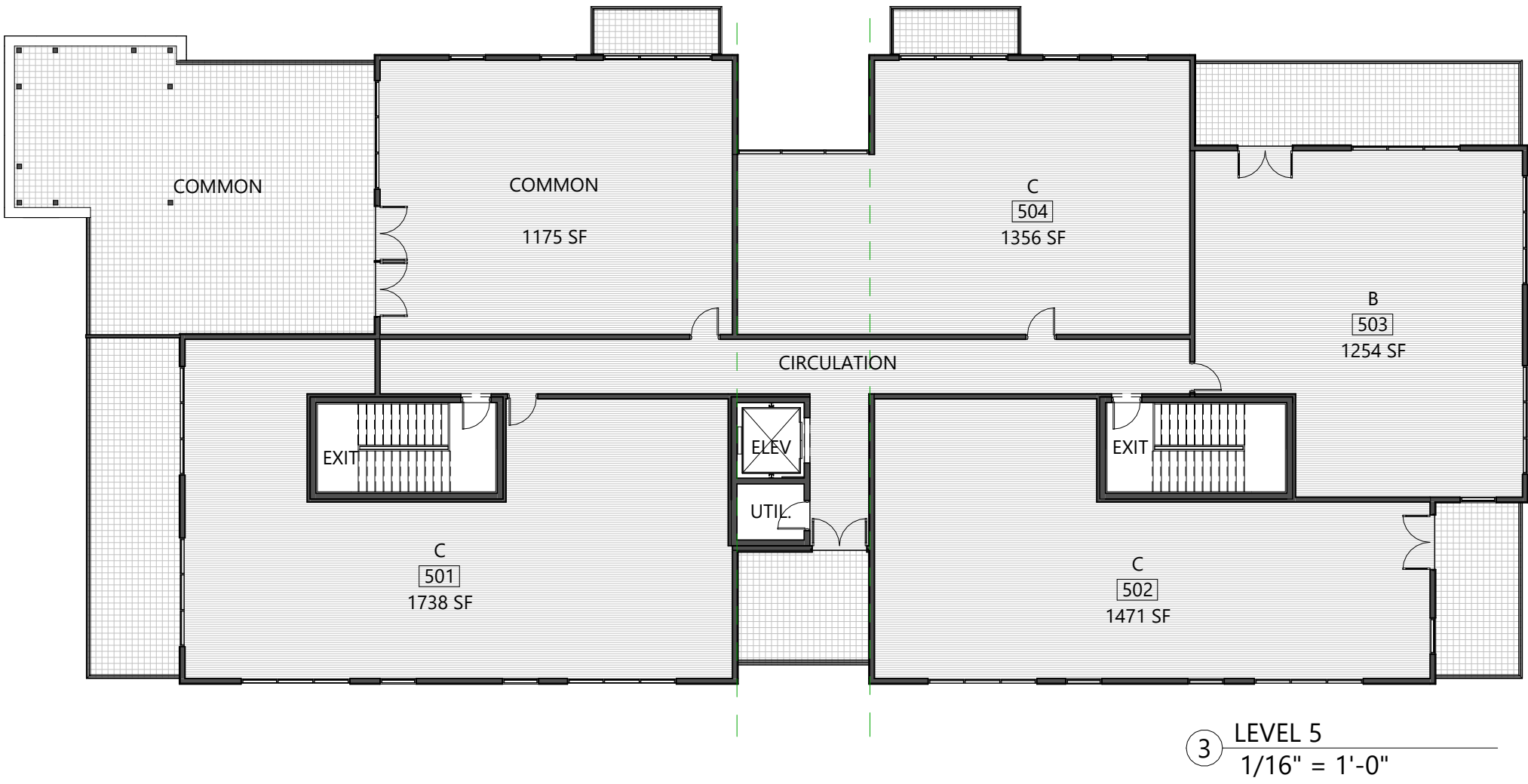
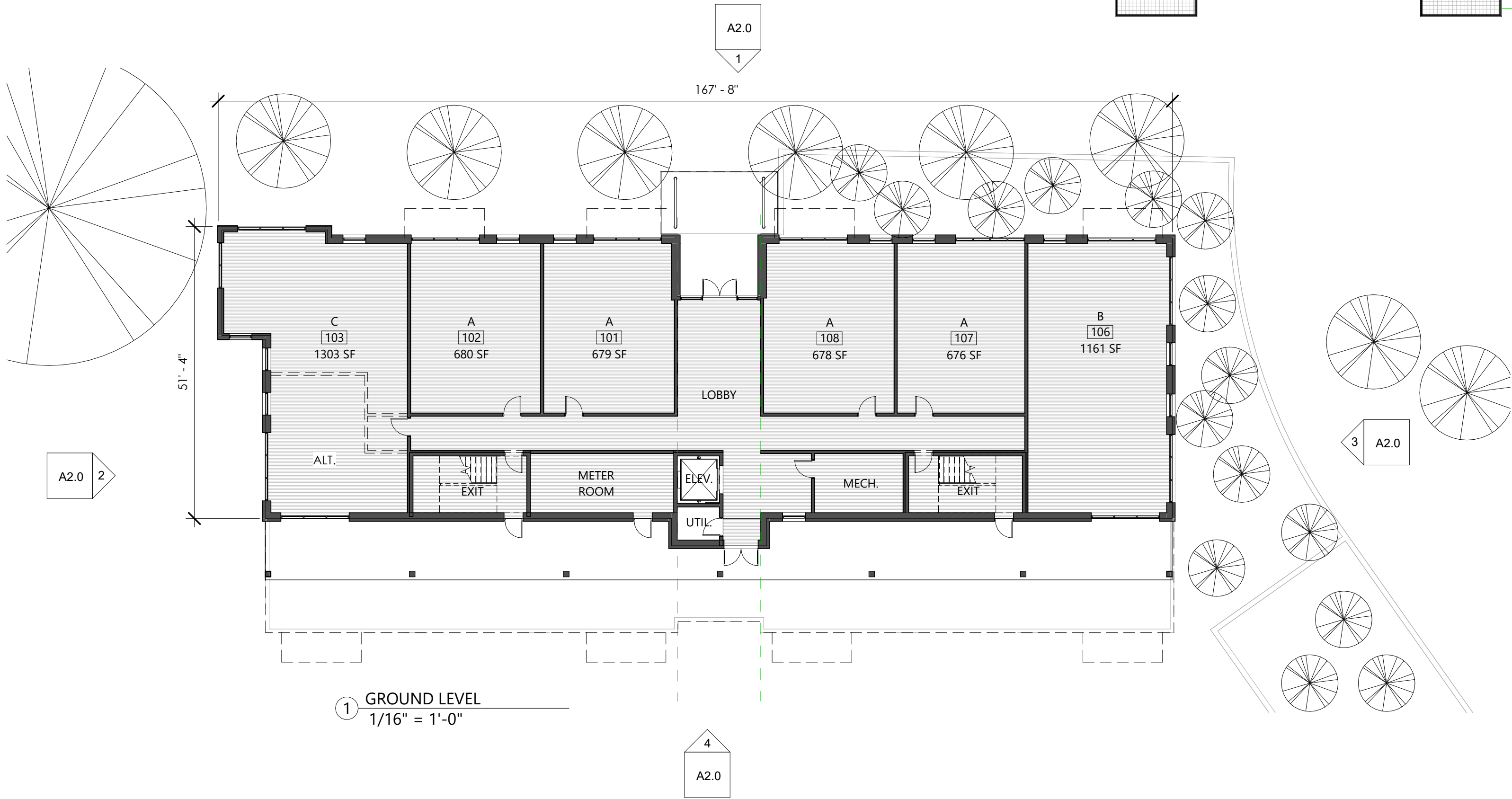
UNIT TYPES AND COUNTS BASED ON PROPOSED FLOOR PLATES:

A = 1-BEDROOM 7 UNITS, 7 BEDS
B = 2-BEDROOM 17 UNITS, 34 BEDS
C = 3-BEDROOM 10 UNITS, 30 BEDS

RQD RECREATION POINTS: 320.67
1-BED: 5.94 x 7 = 41.58
2-BED: 9.47 x 17 = 160.99
3-BED: 11.81 x 10 = 118.10

UNIT COUNT TABLE		
UNIT TYPE	UNIT COUNT	BED COUNT
GROUND LEVEL		
A	4	4
B	1	2
C	1	3
LEVEL 2		
A	1	1
B	5	10
C	2	6
LEVEL 3		
A	1	1
B	5	10
C	2	6
LEVEL 4		
A	1	1
B	5	10
C	2	6
LEVEL 5		
B	1	2
C	3	9

Grand total: 34





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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: 3_JSA
CHECKED BY: JSA

ELEVATIONS

A2.0



1 NORTH ELEVATION
1/16" = 1'-0"



3 EAST ELEVATION
1/16" = 1'-0"



2 WEST ELEVATION
1/16" = 1'-0"



4 SOUTH ELEVATION
1/16" = 1'-0"

EXTERIOR FINISHES	
KEYNOTE	DESCRIPTION
A	GRAY MASONRY
B	FIBER-CEMENT SHIPLAP SIDING, PAINTED
C	WOOD OR ENGINEERED WOOD VERTICAL SIDING
D	CLAD OR ALUMINUM WINDOWS
E	METAL GUARDRAIL



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JSPENCERJSA@GMAIL.COM

TEMPO

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CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: JSA
CHECKED BY: JSA

PERSPECTIVES

A3.0



1 PRELIMINARY PERSPECTIVE



2 SOUTHWEST



3 NORTHWEST



4 SOUTHEAST



5 NORTHEAST

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JSPENCERJSA@GMAIL.COM

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL REZONING APPLICATION

[illegible]

DATE: 2022.10.24

DRAWN BY: 3_JSA

CHECKED BY: JSA

SITE CONTEXT

A4.0

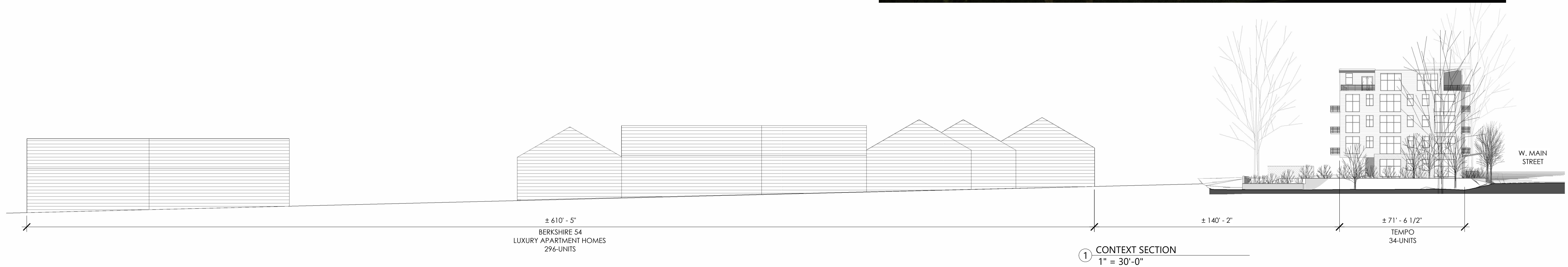


— PROPOSED SITE

SEE CONTEXT SECTION BELOW

← SOUTH

NORTH _____



① **CONTEXT SECTION**
1" = 30'-0"



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

March 6, 2023

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

Neighborhood Information Meeting Summary
Meeting Date: March 1, 2023, Carrboro Town Hall

On Wednesday, March 1, 2023, a neighborhood information meeting was held at Carrboro Town Hall for a proposed conditional zoning request for Tempo (a multi-family project proposed for 1307 West Main Street in Carrboro).

An attendees list is attached. This list does not include Town of Carrboro staff who were in attendance. The applicants (Erik Lensch and Allen Knight) were represented by architects Jim Spencer and Ryan Fitzsimmons of JSA Architects in Carrboro, along with civil engineer Chad Abbott of C3 Design and Engineering. After a staff introduction regarding the process from Tina Moon with the Town of Carrboro, Jim Spencer gave a project overview.

The attached presentation materials were shown to the attendees. The applicants noted the existing variety of uses and zoning districts adjacent and near the site and intersection, and the new Carrboro Connects comprehensive plan's emphasis on new development in areas with existing utility and transportation infrastructure. It was noted that the project was working through site planning issues with the Town staff and reviewers (including storm water, trees and landscaping) and that the applicant was also requesting a text amendment to allow the height of the structure in the proposed zone.

Questions were asked by the attendees regarding the parking, the storm water treatment, and the public transportation options. After questions for the applicant, attendees Jeff Rubish and Tom Whisnant spoke in favor of the project.

N

1307 WEST MAIN STREET

NAME **(PLEASE PRINT)**	ADDRESS, PHONE & EMAIL **(PLEASE PRINT)**
1. Patricia Owen	302 Spring Valley Rd Carrboro 919-259-3122 patricia@patriciaowen.com
2. Jeff Russell	TERRAPIN LANE HILLSBORO 919-971-2584 jeff@jeffrussell.com
3. Tom Witberger	503 Oak Ave. Carrboro 919-451-0740 Tom@tomwitberger.com
4. Jeff Rubish	215 Simpson St Carrboro 919-971-2584 jeff@highlandrubish.com
5. Jim Spurrer	Arduett jspurrerj@gmail.com 919-593-4150
6. Thomas Whisnant	Tom@TRACmanagement.com
7.	153 Viburnum Way, Carrboro
8. Amanda Klepper	1102 B West Main St. 919-704-5726 acklepper@gmail.com
9. Erik Lensch	8591 Pirkards Meadows Rd, Chapel Hill elensch7@earthlink.net
10. DAVID BECK	101 HAWAII ST DAVIDSBECK@GMAIL.COM
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

Tempo – 1307 West Main Street Multifamily Residential Project



Tempo – 1307 West Main Street

Project Introduction and Fact Sheet

The new Carrboro Connects Comprehensive Plan acknowledges that more density will be required to meet housing demand in Carrboro. It also encourages development along existing transit corridors which will have limited demand for extensive infrastructure. The existing development near the site of this proposal includes very suburban models of car-based form and place making. Future development must be more compact and dense to accommodate the estimated 8,500-13,500 new Carrboro residents by 2050. We feel this proposed multi-family project is responsible infill – working with the existing natural constraints but building density on a lot which has good infrastructure already in place.

Primary facts regarding Tempo:

- Multifamily residential building (new construction) with 34 units on 1.16 acre lot. The building is proposed as five-story and located out of (to the west of) existing flood hazard areas and buffers
- On-site parking for 36 vehicles – one per unit plus accessible parking
- On-site storm water management
- Affordable housing units to meet or exceed Town requirements
- Extensive landscaping and sustainability features in construction
- **No** new curb cuts/entry drives on Main Street – entry from existing drive to the west of site
- Bicycle lockers, wider sidewalk and new bus stop/shelter to encourage alternate transportation

The project is currently going through the Town of Carrboro's Conditional Rezoning and text amendment processes. The current zoning is B-3, and the proposed zoning is R-2CZ. Development Owner – Tempo Investco, LLC – Erik Lensch and Allen Knight; Civil Engineering – C3 Design and Engineering; Architect – JSA Architects, PA, Carrboro





VICINITY MAP

N.T.S.

1307 WEST MAIN STREET - PROPOSED MIXED USE DEVELOPMENT

- EXISTING SITE IS 1.163 ACRES AND ZONED B-3; VACANT LOT
- KEY FEATURES
- PROGRAM: ONE FLOOR SMALL OFFICE SUITES (LOW DENSITY), THREE/FOUR FLOORS FOR SALE RESIDENTIAL UNITS, WITH EMPHASIS ON AFFORDABILITY AND WALKABILITY
- SURFACE PARKING - 33 SPACES PROVIDED ON SITE, ACCESS TO BUS, COVERED BIKE PARKING, PEDESTRIAN ACCESS TO SIDEWALKS AND POTENTIAL CROSSWALK ON MAIN
- STORM WATER TREATMENT ON SITE
- PARK AND PUBLIC ACCESS TO EXISTING GREEN SPACE ALONG TOM'S CREEK AND LARGE WILLOW OAKS AT WEST OF SITE
- GATEWAY PROJECT FOR CARRBORO DOWNTOWN AND USE OF EXISTING COMMERCIAL ZONED LOT



A - VIEW OF NORTHWEST LOT CORNER



B - VIEW OF SOUTHWEST LOT CORNER



C - VIEW OF NORTHEAST LOT CORNER



Jim Spencer Architects, PA
 109-A Brewer Lane
 Carrboro, NC 27510
 jimspencerarchitects.com
 919.960.6680

1307 WEST MAIN // SITE ANALYSIS

Mixed Use Development

1307 West Main Street
 Carrboro, NC 27510
 May 26, 2021

CURRENT OWNER:	NORTH CAROLINA CARBORO LIMITED PARTNERSHIP		
OWNER ADDRESS:	380 UNION ST, WEST SPRINGFIELD, MA 01089		
PIN:	9778280654		
PROPERTY ADDRESS:	1307 WEST MAIN ST, CARBORO, NC 27510		
JURISDICTION:	TOWN OF CARBORO		
COUNTY:	ORANGE		
STATE:	NORTH CAROLINA		
REFERENCE:	DB 3050 / PG 588		
PARCEL SIZE:	50,080 SF / 1.16 AC		
EXISTING ZONING/USE:	B-3 / VACANT		
PROPOSED ZONING/USE:	B-2 CZ / MULTI FAMILY		
SETBACKS:	<u>REQUIRED</u> <u>PROPOSED</u>		
• STREET:	15' (ROW);45' (CENTERLINE)		13.92' (ROW)
• LOT BOUNDARY:	B + 2' PER T ABOVE 35' - 68'		72.80
MAXIMUM BUILDING HEIGHT:	<u>ALLOWED</u>	<u>PROPOSED</u>	
	30'	65' - SEE ARCH PLANS	
EXISTING IMPERVIOUS:	0 SF		
AREAS DEMOLISHED:	0 SF		
PROPOSED IMPERVIOUS AREAS:			
BUILDING	8,216 SF (0.19 AC)		
DRIVES & PADS	10,743 SF (0.25 AC)		
SIDEWALKS	2,195 SF (0.05 AC)		
TOTAL	= 21,154 SF (0.48 AC) - 41.60%		

1. SURVEY DATA & LOCATIONS PROVIDED BY HAWKEYE GEOMATICS, DATED JUNE 1, 2021. FIELD VERIFY EXISTING CONDITIONS BY DETAILED SITE INSPECTION PRIOR TO SUBMITTING AND BEGINNING CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CARRBORO AND/OR NCDOT STANDARDS AND SPECIFICATIONS.
3. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
4. CONTRACTOR SHALL MAINTAIN ANY EXISTING ACCESSES TO ADJACENT RESIDENCES, BUSINESSES AND PROPERTIES AT ALL TIMES.
5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY PERMITS NECESSARY FOR CONSTRUCTION.
6. ALL STRIPING WITHIN THE ROW SHALL BE THERMOPLASTIC PER DOT STANDARDS UNLESS OTHERWISE NOTED.
7. CONTACT B11 PRIOR TO ANY SUBSURFACE WORK.
8. OBTAIN FINAL ZONING INSPECTION APPROVAL PRIOR TO USE/OCCUPANCY.

1. ALL NEW UTILITIES SHALL BE LOCATED UNDERGROUND UNLESS OTHERWISE NOTED.
2. ALL PUBLIC UTILITIES AND CONNECTIONS TO PUBLIC UTILITIES SHALL CONFORM TO OWA'S STANDARDS AND SPECIFICATIONS.
3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY PERMITS NECESSARY FOR CONSTRUCTION.
4. IF REQUIRED, PRIOR TO THE CONSTRUCTION OF ANY WATER MAIN EXCHANGES, TAPS OR RELOCATIONS, THE ENGINEER OF RECORD SHALL BE CONTACTED BY THE GENERAL CONTRACTOR TO DISCUSS CERTIFICATION REQUIREMENTS. FAILURE TO CONTACT THE ENGINEER OF RECORD FOR ANY OF THE REQUESTED DOCUMENTATION DISCUSSED MAY RESULT IN THE INABILITY OF THE ENGINEER TO CERTIFY THE LINE AND POSSIBLE REPLACEMENT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF THE LOCATION AND/OR RELOCATION OF ALL EXISTING UTILITIES WITH THE APPROPRIATE UTILITY, AGENCY OR COMPANY.
6. THE CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS AND DISTURBANCES WITH EXISTING USERS AND OWA SO THAT ANY SERVICE INTERRUPTIONS ARE MINIMAL.
7. ALL PIPE INVERTS, TAP LOCATIONS & AVAILABLE CLEARANCES TO BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTING STORM & UTILITY SYSTEMS AND SHALL BE ADJUSTED BY THE ENGINEER OF RECORD IF NECESSARY. IF THESE ITEMS ARE NOT VERIFIED AT THIS TIME, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE FIELD REVISIONS AND ASSOCIATED DESIGN COSTS OF THE SOLUTION PROPOSED.
8. ALL WATER LINE JOINTS/CONNECTIONS SHALL BE RESTRAINED WITH MECHANICAL JOINT FITTINGS OR PROVIDED WITH APPROPRIATE THRUST BLOCKING.
9. NO IRRIGATION SYSTEM WILL BE INSTALLED ON STATE ROW.
10. CONTACT #1 PRIOR TO ANY SUBSURFACE WORK.

CONSTRUCTION WASTE:

- ALL EXISTING STRUCTURES 500 SQUARE FEET & LARGER IN SIZE SHALL BE ASSESSED PRIOR TO DEMOLITION TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (BRM) & TO ASSESS THE POTENTIAL FOR DE-CONSTRUCTION &/OR THE RE-USE OF SALVAGEABLE MATERIALS.
- BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL, & CORRUGATED STEEL AND PRECAST CONCRETE SHALL BE RECYCLED.
- BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF MIXED CONSTRUCTION & DEMOLITION WASTE THAT INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER ENVIRONMENTAL/PERMITTING AGENCIES.
- THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS ("ACM") AND/OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION & DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ALL LOCAL, STATE, & FEDERAL REGULATIONS.

CE DESIGN & ENGINEERING, PLLC

NOT FOR
NORTH CAROLINA
PROFESSIONAL
SEAL
16242
ENGINEER
W. E. ABBOTT
CONSTRUCTION

	FIRST ISSUED			
	1			
	2			
	3			
	4			
	5			
	6			

CONDITIONAL USE PERMIT

C3 PROJECT #
21-040

REVIEW PROJECT
XX-XXX

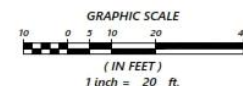
SHEET #:

C-1.3

SITE & UTILITY PLAN



Know what's below.
Call before you dig.





JIM SPENCER ARCHITECTS, PA
109-A BREWER LANE
CARRBORO, NC 27510
919.960.6680
JSPENCERJSA@GMAIL.COM

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: J.SA
CHECKED BY: J.SA

PERSPECTIVES

A3.0



1 PRELIMINARY PERSPECTIVE



2 SOUTHWEST



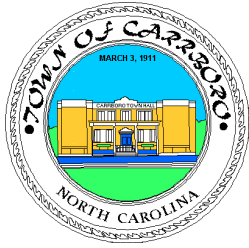
3 NORTHWEST



4 SOUTHEAST



5 NORTHEAST



TOWN OF CARRBORO

NORTH CAROLINA

February 12, 2024

RE: Proposed Zoning Map Amendment at 1307 West Main Street

I, Christina R. Moon, do certify that I did cause to have mailed on February 12, 2024, by first class mail, letters informing the owners and non-owner occupants of properties within 1,000 feet of the property at 1307 West Main Street, of the petition to amend the zoning classification from B-3 (Neighborhood Business, 7,500 square feet per dwelling unit) to R-2-CZ (Residential, 2,000 square feet per dwelling unit, Conditional), to allow for the development of a five-story residential development and associated text amendments, and a possible request for a special use permit-A.

Copies of the mailing list and mailing labels used for this purpose including the person, where applicable, or addresses to whom the notices are recorded in the Planning Department and available by request.

Christina R. Moon

Christina R. Moon

Planning and Transportation Administrator

2/12/2024



TOWN OF CARRBORO

NORTH CAROLINA

PLANNING DEPARTMENT

TO: Property Owners and Residents

FROM: Christina R. Moon, Planning and Transportation Administrator

DATE: February 12, 2024

PUBLIC NOTICE: Zoning Map Amendment at 1307 West Main Street

You are receiving this letter because your property or residence is within 1,000 feet of the property described above that is under consideration for a zoning map amendment.

The Town has received a request from J. Allen Knight and Erik M. Lensch owners of Tempo Investco, LLC, to amend the zoning classification of the property at 1307 West Main Street. The property is currently zoned B-3 (Neighborhood Business, 7,500 square feet per dwelling unit). The request is to rezone the property to R-2-CZ (Residential, Conditional, 2,000 square feet per dwelling unit) for the purpose of developing a multi-family residential project. The proposal involves the construction of a five-story building, containing approximately 34 units made up of a combination of 1-bedroom, 2-bedroom and 3-bedroom units and along with common areas. Should the Council approve the zoning map amendment, the applicants would follow with an application for a special use permit-A; the SUP-A would involve a separate public hearing.

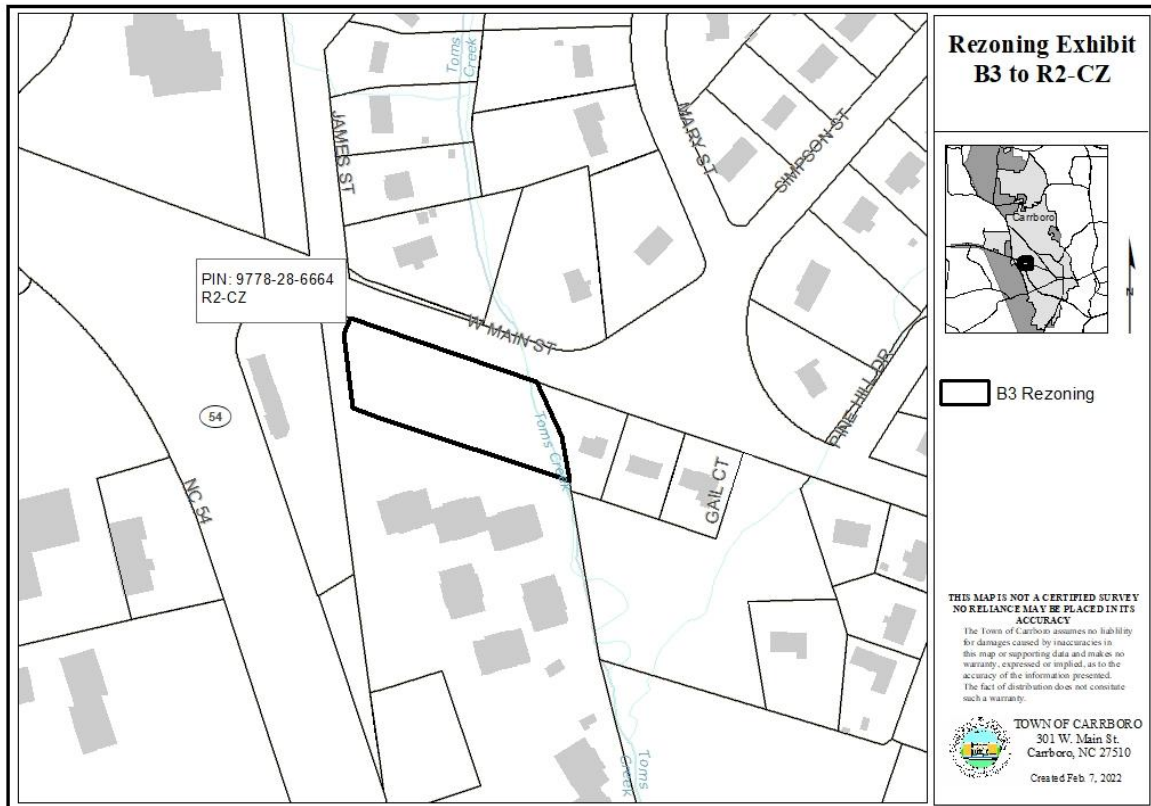
The owners are also seeking Land Use Ordinance text amendments that would allow the Town Council, as part of a SUP-A to allow the maximum building height to be increased from 50 to 65 feet, the property to be developed at a higher level of residential density with up to 20-percent of the building's gross floor area designated for non-residential uses not otherwise permissible in the R-2-CZ district, if the proposed development contains site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, such as affordable housing. **A map showing the property locations is provided on the reverse side of this letter.**

The Town Council will hold two public hearings to consider the amendment to the R-2-CZ zoning per this request, and the associated text amendments on Tuesday, February 27, 2024, at 7:00 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 zoning map amendment known.

Additional information regarding the zoning map and text amendments under consideration is available from the Town Clerk and the Planning Department located at the Carrboro Town Hall. The Town Council's agenda materials for the public hearings 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@carrboronc.gov.

Proposed Zoning Map and Text Amendments
1307 West Main Street

February 12, 2024
Page 2 of 2



Public Notification

1307 W MAIN

Select or search for a feature in the map

▼ 1307 W Main St, CarboroX Q

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Select

Clear

Apply a search distance

1000

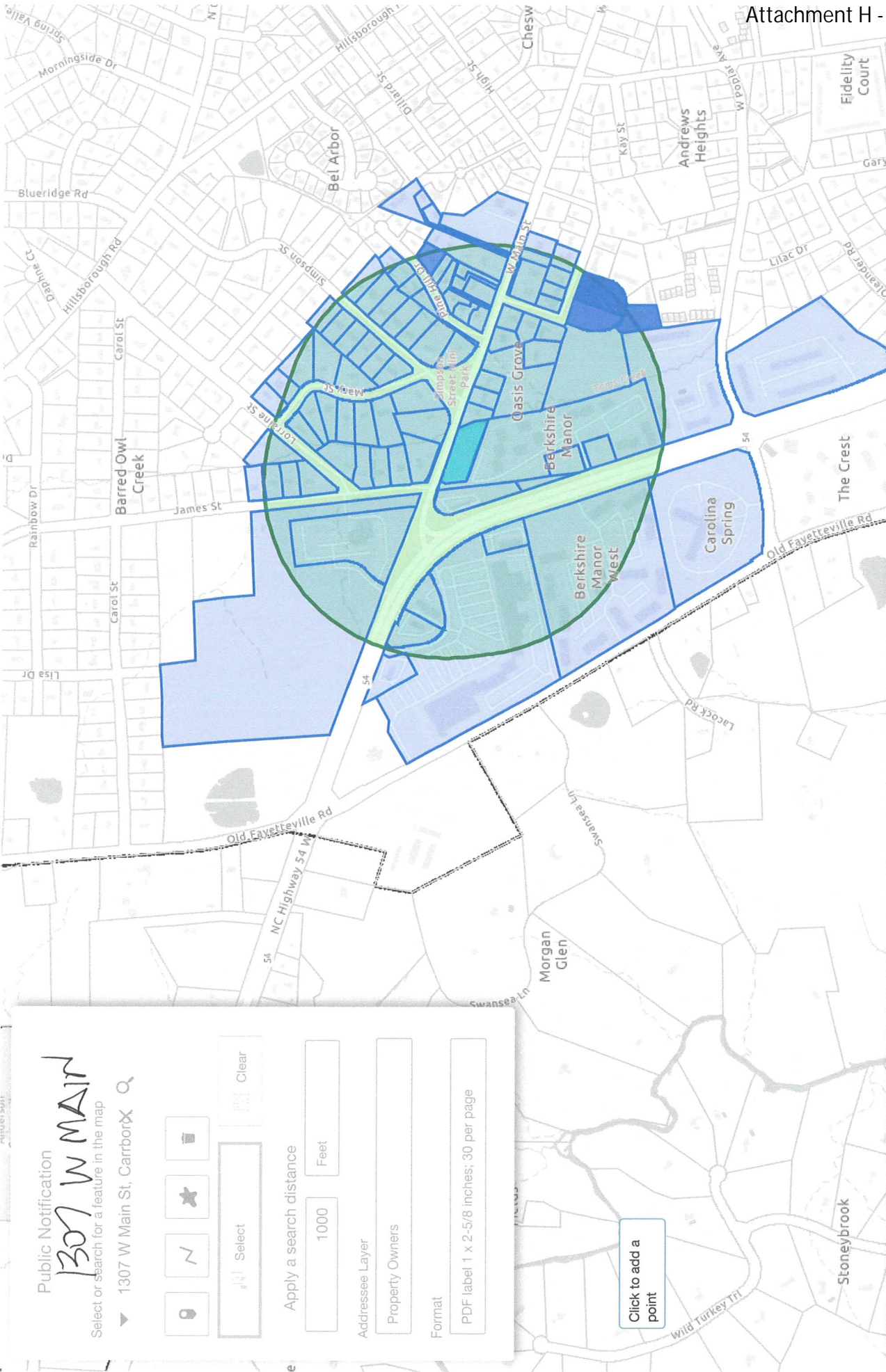
Feet

Addressee Layer

Property Owners

Format

PDF label 1 x 2-5/8 inches; 30 per page



First Owner Name	Postal Address	Postal City Postal State Postal Zip 5
BERKSHIRE 54 OWNER LP	7501 WISCONSIN AVE STE 1300W	BETHESDA, MD 20814
CARRBORO SHOPPING CENTER I LLC	PO BOX 1864 C/O TWSPC, LTD.	ATHENS, GA 30603
BLACK DOG OF KENBRIDGE LLC	3 GLENLAKE PARKWAY C/O INSPIRE BRANDS	ATLANTA, GA 30328
RACHELL LLC	3601 MOORELAND FARMS RD	CHARLOTTE, NC 28226
ARC SBCBONC001 LLC	PO BOX 26665 VA RIC 8614	RICHMOND, VA 23261
HARRIS TEETER PROPERTIES LLC	701 CRESTDALE RD	MATTHEWS, NC 28105
CAROLINA SPRING LIMITED PARTNERSHIP	PO BOX 450233 C/O FELLERS SCHEWE SCOTT & ROBERTS INC	ATLANTA, GA 31145
BERKSHIRE 54 OWNER LP	7501 WISCONSIN AVE STE 1300W	BETHESDA, MD 20814
ORANGE COUNTY BOARD OF ALCOHOLIC BEVERAGE CONTROL	601 VALLEY FORGE RD	HILLSBOROUGH, NC 27278
CLARK STORES LLC	P O BOX 469	CLINTON, NC 28329
DEPARTMENT OF TRANSPORTATION	331 W MAIN ST SUITE 100	DURHAM, NC 27701
CARRBORO TOWN OF	MUNICIPAL BUILDING	CARRBORO, NC 27510
BERKSHIRE 54 OWNER LP	7501 WISCONSIN AVE STE 1300W	BETHESDA, MD 20814
DEPARTMENT OF TRANSPORTATION	PO BOX 9278	GREENSBORO, NC 27408
CHADWICK GORDON F	100 JAMES ST	CARRBORO, NC 27510
BERKSHIRE 54 OWNER LP	7501 WISCONSIN AVE STE 1300W	BETHESDA, MD 20814
TEMPO INVESTCO LLC	8591 PICKARDS MEADOW RD C/O ERIK M LENSCH	CHAPEL HILL, NC 27516
MAZUR JOSEPH JR	120 PAINTED TURTLE LN	CARY, NC 27519
WEBB JEFFREY B	302 SIMPSON ST	CARRBORO, NC 27510
WATTS AIMEE	1303 W MAIN ST	CARRBORO, NC 27510
SUITER JAMES BATTLE JR	300 SIMPSON ST	CARRBORO, NC 27510
PRIMROSE HOLDINGS LLC	PO BOX 4752	CHAPEL HILL, NC 27515
LIETH ARMIN	PO BOX 4752	CHAPEL HILL, NC 27515
UNITED STATES POSTAL SERVICE	PO BOX 9998	CARRBORO, NC 27510
CRUSH KATELYN M	200 JAMES ST	CARRBORO, NC 27510
LIH FRED B	202 JAMES ST	Carrboro, NC 27510
WILLIAMS CHARLES R JR	204 JAMES ST	CARRBORO, NC 27510
REBUILD IT PROPERTIES HOLDING COMPANY LLC	1821 HILLANDALE RD STE 1B 331	DURHAM, NC 27705
HARRIS MELVINA W	P O BOX 725	CARRBORO, NC 27510
DAVIS NATHANIEL SR	104 JAMES ST	CARRBORO, NC 27510
LAVELLE JAMES C TRUSTEE	1060 WHISPERWOOD WAY	SANIBEL, FL 33957
VAN FLEET JOHN R	403 LORRAINE ST	CARRBORO, NC 27510
GARNER KIMBERLY BROOKE	400 LORRAINE ST	CARRBORO, NC 27510
PLENGE ROBERT H JR	101 MARY ST	CARRBORO, NC 27510
JULIAN ALEXANDER III	103 MARY ST	CARRBORO, NC 27510
WATTS RICHARD M ETAL	104 SWIFT RUN	CHAPEL HILL, NC 27514
DUNCAN GARY	103 HONEY POD FARM RD	WASHINGTON, NC 27889
MANOR PHILIP	211 WINNIE ST	WEWAHITAHKA, FL 32465
CUDAHY PATRICK M	107 MARY ST	CARRBORO, NC 27510
SOLTYS KATHERINE CHRISTINE	303 LORRAINE ST	CARRBORO, NC 27510
EMERY JAMES E	106 MARY ST	CARRBORO, NC 27510
CHATEAU APARTMENTS OWNER LLC	912 MANHATTEN AVE C4 C/O MAGMA EQUITIES LLC ATTN RYAN H	MANHATTAN BEACH, CA 90266
BRIGHTON SQUARE HOA & BRIGHTON SQUARE II HOA	104 JONES FERRY RD SUITE D C/O CAROLINA REALTY OF CHAPEL H	CARRBORO, NC 27510
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PRIMROSE HOLDINGS LLC	P O BOX 4752	CHAPEL HILL, NC 27515
QUACKENBUSH EUGENIA	323 W UNIVERSITY DR	CHAPEL HILL, NC 27516
RUBISH JEFFREY A	214 HILLSBOROUGH RD	CARRBORO, NC 27510
MCDANIEL SMITH HOLDINGS LLC	299 WESTVIEW DR	CARRBORO, NC 27510
WAUD ROGER N TRUSTEE	501 SLATERS LANE #1203	ALEXANDRIA, VA 22314
SERENO JULIAN D	213 SIMPSON ST	CARRBORO, NC 27510
STEEL PAUL FORREST	303B WESTVIEW DR	CARRBORO, NC 27510
RENKOW TIMOTHY DIFFIN	1914 CLEARWATER LAKE DR	CHAPEL HILL, NC 27514
ETINGUE AMY BERNICE LEHMAN	204 WESTVIEW DR	CARRBORO, NC 27510
DEPARTMENT OF TRANSPORTATION	PO BOX 9278	GREENSBORO, NC 27408
LIETH ARMIN F	P O BOX 4752	CHAPEL HILL, NC 27515
KALE PAYONG A	1102 W MAIN ST	CARRBORO, NC 27510
RUSSELL JAMES T	101 PINE HILL DR	CARRBORO, NC 27510
FLIEDERBAUM PHYLLIS A	202 WESTVIEW DR	CARRBORO, NC 27510
LIVERANCE MARY C	750 WEAVER DAIRY RD APT 128	CHAPEL HILL, NC 27514
CHETWYND LINDIS	110 W MAIN ST UNIT B	CARRBORO, NC 27510
COLES ERIC	92 PINE HILL DR	CARRBORO, NC 27510
LIETH ARMIN F	P O BOX 4752	CHAPEL HILL, NC 27515
FIORE JOANNE E	103 PINE HILL DR	CARRBORO, NC 27510
RHODE DANIEL C		,
WARD GREGORY SCOTT	1100 W MAIN ST	CARRBORO, NC 27510
TODD RODGERS W	96 PINE HILL DR	CARRBORO, NC 27510
TODD RODGERS W	96 PINE HILL DR	CARRBORO, NC 27510
		,
AYLWARD ANN	PO BOX 555	CARRBORO, NC 27510
MONTAVON JOHN T	200 WESTVIEW DR	CARRBORO, NC 27510

WALKER CARLEY L	106 WESTVIEW DR	CARRBORO, NC 27510
AYLWARD ANN	PO BOX 555	CARRBORO, NC 27510
CALVARY MISSIONARY BAPT CHURCH	1000 WEST MAIN ST	CARRBORO, NC 27510
MONGOVEN THOMAS L	1020 W MAIN ST	CARRBORO, NC 27510
MHPM HOLDINGS II LLC	1244 HILLSBOROUGH RD	CHAPEL HILL, NC 27516
COOPER BRENDA B	1194 LOGBARN ACRES RD LT 6	PITTSBORO, NC 27312
DEMING DAVID A	100 MARY ST	CARRBORO, NC 27510
GRANTHAM VIRGINIA M	405 LINDSAY ST	CARRBORO, NC 27510
HUTCHINSON DALE L	102 MARY ST	CARRBORO, NC 27510
EVANS JANET W	403 NORTH ST	Chapel Hill, NC 27514
BROOKS SUSAN L	208 SIMPSON ST	Carrboro, NC 27510
LONG GISELE A	211 SIMPSON ST	CARRBORO, NC 27510
SANDERS BEVERLY J	206 SIMPSON ST	CARRBORO, NC 27510
WISE ERIKA K	204 SIMPSON ST	CARRBORO, NC 27510
CARTER LOGAN A	209 SIMPSON ST	CARRBORO, NC 27510
NORWOOD ZONA CARAWAN	207 SIMPSON ST	CARRBORO, NC 27510
FULLER LEAH	105 PINE HILL DR	CARRBORO, NC 27510
ELLINGTON BOYD M	205 SIMPSON ST	CARRBORO, NC 27510
HOWELL DAVID V	1102 ELDERWOOD PL	GREENSBORO, NC 27410
CRESSMAN ANDREW E	1022 W MAIN ST	CARRBORO, NC 27510
ROSSER BLAKE A ETAL	1026 & 1028 W MAIN ST	Carrboro, NC 27510
BECK DAVID S	900 W MAIN ST	CARRBORO, NC 27510
BENNETT JEANNE	104 W POPLAR AVE APT A	CARRBORO, NC 27510
WOLF JACK H	133 MURDOCK DR	HILLSBOROUGH, NC 27278
HUMPHREY MARY HANNA	121 WESTVIEW DR APT 54	CARRBORO, NC 27510
AGUERO BLANKA	121 WESTVIEW DR APT 55	CARRBORO, NC 27510
TACCARINO NICOLE JENNA	121 WESTVIEW DR UNIT 56	CARRBORO, NC 27510
THORNTON TERYL L	121 WESTVIEW DR #57	CARRBORO, NC 27510
GREEN JON ANTHONY	121 WESTVIEW DR #101	CARRBORO, NC 27510
CARPENTER DARRYL W	121 WESTVIEW DR	CARRBORO, NC 27510
CUMMER STEVEN A	149 CEDAR HILLS CIR	CHAPEL HILL, NC 27514
FIELD KEVIN C ET AL	121 WESTVIEW DR UNIT 104	CARRBORO, NC 27510
SULLIVAN EILEEN M	121 WESTVIEW DR UNIT 105	CARRBORO, NC 27510
MARTENS CHRISTINE M	121 WESTVIEW DR APT 106	CARRBORO, NC 27510
BROWNE KAREEM EDWARD	121-11 WESTVIEW DR	CARRBORO, NC 27510
MILLS TINA DIANNE	121 WESTVIEW DR UNIT 12	CARRBORO, NC 27510
MARHAOUI MAHMOUD	121 WESTVIEW #13	CARRBORO, NC 27510
PENN CANTRICE JANELLE	121 WESTVIEW DR #14	CARRBORO, NC 27510
MILLS KARIN F ETAL	115 WEST POPLAR	CARRBORO, NC 27510
ADAMS SUE C	523 CASWELL RD	CHAPEL HILL, NC 27514
ROSSER RANDYE	121 WESTVIEW DR UNIT 17	CARRBORO, NC 27510
BACK MARSHA L	121 WESTVIEW DR UNIT 7	CARRBORO, NC 27510
DUNPHY SIMONE L	121 WESTVIEW DR UNIT 8	CARRBORO, NC 27510
WEN MAR FARMS LLC	5912 DODSONS CROSSROADS	HILLSBOROUGH, NC 27278
BLANK KRISTIN	121 WESTVIEW #10	CARRBORO, NC 27510
WARREN ANGELINE	100 PINE HILL DR APT A	CARRBORO, NC 27510
TUOHEY JANE L	100 B PINEHILL DR	CARRBORO, NC 27510
GORDON EVELYN M	100 C PINE HILL DR	CARRBORO, NC 27510
WARD ALFRED TILDEN JR	100D PINE HILL DR	CARRBORO, NC 27510

	Full Address	Municipality Name ZipCode
Occupant	101 PINE HILL DR	CARRBORO, NC 27510
Occupant	204 JAMES ST	CARRBORO, NC 27510
Occupant	105 PINE HILL DR	CARRBORO, NC 27510
Occupant	103 PINE HILL DR	CARRBORO, NC 27510
Occupant	1102-A W MAIN ST	CARRBORO, NC 27510
Occupant	109 MARY ST	CARRBORO, NC 27510
Occupant	1102 W MAIN ST	CARRBORO, NC 27510
Occupant	209 SIMPSON ST	CARRBORO, NC 27510
Occupant	300 SIMPSON ST	CARRBORO, NC 27510
Occupant	104 JAMES ST	CARRBORO, NC 27510
Occupant	100 JAMES ST	CARRBORO, NC 27510
Occupant	103 MARY ST	CARRBORO, NC 27510
Occupant	1301 W MAIN ST	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 104	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 105	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 106	CARRBORO, NC 27510
Occupant	1101 W MAIN ST UNIT D	CARRBORO, NC 27510
Occupant	1303 W MAIN ST	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 7	CARRBORO, NC 27510
Occupant	301 WESTVIEW DR	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 9	CARRBORO, NC 27510
Occupant	106 JAMES ST	CARRBORO, NC 27510
Occupant	100 PINE HILL DR UNIT B	CARRBORO, NC 27510
Occupant	102 JAMES ST	CARRBORO, NC 27510
Occupant	302 SIMPSON ST	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 4	CARRBORO, NC 27510

Occupant	101 NC 54 BYPASS BLDG K UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 1	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 316	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 314	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 311	CARRBORO, NC 27510
Occupant	100 PINE HILL DR UNIT C	CARRBORO, NC 27510
Occupant	215 SIMPSON ST	CARRBORO, NC 27510
Occupant	202 WESTVIEW DR	CARRBORO, NC 27510
Occupant	1205 W MAIN ST	CARRBORO, NC 27510
Occupant	303 WESTVIEW DR UNIT B	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 7	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 315	CARRBORO, NC 27510
Occupant	205 SIMPSON ST	CARRBORO, NC 27510
Occupant	1200 W MAIN ST	CARRBORO, NC 27510
Occupant	212 SIMPSON ST	CARRBORO, NC 27510
Occupant	102 MARY ST	CARRBORO, NC 27510
Occupant	101 MARY ST	CARRBORO, NC 27510
Occupant	105 MARY ST	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG S UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG S UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG S UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 6	CARRBORO, NC 27510

Occupant	112 NC 54 BYPASS BLDG A UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 3	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 103	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 12	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 17	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 4	CARRBORO, NC 27510
Occupant	1101 W MAIN ST UNIT C	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG S UNIT 8	CARRBORO, NC 27510
Occupant	210 SIMPSON ST UNIT A	CARRBORO, NC 27510
Occupant	1101 W MAIN ST UNIT B	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 3	CARRBORO, NC 27510
Occupant	200 WESTVIEW DR	CARRBORO, NC 27510
Occupant	204 WESTVIEW DR	CARRBORO, NC 27510
Occupant	1207 W MAIN ST	CARRBORO, NC 27510
Occupant	303 WESTVIEW DR UNIT A	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 2	CARRBORO, NC 27510

Occupant	101 NC 54 BYPASS BLDG D UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 6	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 312	CARRBORO, NC 27510
Occupant	1101 W MAIN ST UNIT A	CARRBORO, NC 27510
Occupant	210 SIMPSON ST	CARRBORO, NC 27510
Occupant	212 SIMPSON ST UNIT B	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 6	CARRBORO, NC 27510
Occupant	100 MARY ST	CARRBORO, NC 27510
Occupant	208 SIMPSON ST	CARRBORO, NC 27510
Occupant	214 SIMPSON ST UNIT B	CARRBORO, NC 27510
Occupant	96 PINE HILL DR	CARRBORO, NC 27510
Occupant	98 PINE HILL DR	CARRBORO, NC 27510
Occupant	94 PINE HILL DR	CARRBORO, NC 27510
Occupant	92 PINE HILL DR	CARRBORO, NC 27510
Occupant	401 LORRAINE ST	CARRBORO, NC 27510
Occupant	202 JAMES ST	CARRBORO, NC 27510
Occupant	104 MARY ST	CARRBORO, NC 27510
Occupant	299 WESTVIEW DR	CARRBORO, NC 27510
Occupant	103 GAIL CT	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 14	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 16	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 15	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG K UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 6	CARRBORO, NC 27510
Occupant	214 SIMPSON ST UNIT A	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 7	CARRBORO, NC 27510

Occupant	112 NC 54 BYPASS BLDG D UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 3	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 4	CARRBORO, NC 27510
Occupant	1102-B W MAIN ST	CARRBORO, NC 27510
Occupant	107 MARY ST	CARRBORO, NC 27510
Occupant	403 LORRAINE ST	CARRBORO, NC 27510
Occupant	90 PINE HILL DR	CARRBORO, NC 27510
Occupant	213 SIMPSON ST	CARRBORO, NC 27510
Occupant	1305 W MAIN ST	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 8	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 102	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 11	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG L UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG C UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG G UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 8	CARRBORO, NC 27510
Occupant	100 PINE HILL DR UNIT A	CARRBORO, NC 27510
Occupant	1100 W MAIN ST UNIT A	CARRBORO, NC 27510
Occupant	211 SIMPSON ST	CARRBORO, NC 27510
Occupant	200 JAMES ST	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG S UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG U UNIT 6	CARRBORO, NC 27510

Occupant	112 NC 54 BYPASS BLDG U UNIT 4	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 101	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 10	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG A UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 8	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG E UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 2	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG M UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG A UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 4	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG X UNIT 7	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG V UNIT 1	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 2	CARRBORO, NC 27510
Occupant	210 SIMPSON ST UNIT B	CARRBORO, NC 27510
Occupant	206 SIMPSON ST	CARRBORO, NC 27510
Occupant	207 SIMPSON ST	CARRBORO, NC 27510
Occupant	121 WESTVIEW DR UNIT 13	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG B UNIT 3	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 4	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG D UNIT 6	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG F UNIT 5	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG H UNIT 7	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG J UNIT 1	CARRBORO, NC 27510
Occupant	101 NC 54 BYPASS BLDG N UNIT 1	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 307	CARRBORO, NC 27510
Occupant	1100 W MAIN ST	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG D UNIT 6	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG B UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 2	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 5	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG T UNIT 3	CARRBORO, NC 27510
Occupant	201 NC 54 BYPASS BLDG 300 UNIT 310	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG C UNIT 8	CARRBORO, NC 27510
Occupant	112 NC 54 BYPASS BLDG W UNIT 8	CARRBORO, NC 27510



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

FEBRUARY 1, 2024

1307 West Main Street Conditional Rezoning to R-2-CZ

Motion was made by Gaylord-Miles and seconded by Poulton that the recommends that the Town Council the rezoning draft ordinance.

VOTE:

AYES: (7) Poulton, Buckner, Gaylord-Miles, Foushee, Barber, Kirkpatrick, Sinclair

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (1) Peretin

Associated Findings

By a unanimous show of hands, the Planning Board membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by Gaylord-Miles and seconded by Barber that the Planning Board of the Town of Carrboro finds the proposed map amendment is consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, particularly:

- Affordable Housing Strategies to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Transportation & Mobility Strategies to encourage non-automobile use and expand opportunities for transportation options that do not rely on fossil fuel/SOVs under strategies 2.1, 3.1, & 4.2.
- Green Stormwater Infrastructure, Water & Energy, Energy strategy 1.1, to reduce greenhouse gas emissions from motor vehicle use; and .
- Land Use Strategies – to develop fifteen-minute neighborhoods and make efficient use of land, 4.1.

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.

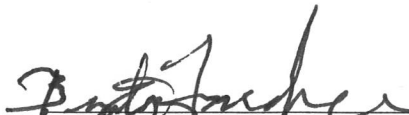
VOTE:

AYES: (7) Poulton, Buckner, Gaylord-Miles, Foushee, Barber, Kirkpatrick, Sinclair

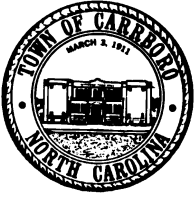
NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (1) Peretin


 (Chair)

2-3-24
 (Date)



TOWN OF CARRBORO

Stormwater Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

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

FEBRUARY 8, 2024

1307 West Main Street Conditional Rezoning to R-2-CZ

and

Land Use Ordinance Text Amendment to Increase the Building Height Limit for Multi-family Buildings in the R-2-C-Z District

Motion was made by John Cox and seconded by Margaret Kurz that the Stormwater Advisory Commission recommends that the Town Council adopts the draft ordinance and text amendment with the recommended changes/conditions provided below.

- Applicant replace current 36" CMP and junction box with RCP.
- That the applicant agrees to match the predevelopment peak flow for the 50 year and 100 year design storms in addition to the design storms in the LUO as a condition.
- Applicant landscape with plants native to the Piedmont (or at least the southeast) and consider mitigating the street trees that need to be removed with native canopy trees other than willow oak to avoid monoculture.

Overall, we appreciate the measures being taken to reduce stormwater impacts on the site, including leaving 40% of the property undeveloped by choosing to build up instead of out.

VOTE:

AYES: (Cox, Paul, Kurz, O'Connor, Hardesty)

NOES: ()

ABSTENTIONS: ()

ABSENT/EXCUSED: (Chadwick, Vollins)

Associated Findings

By a unanimous show of hands, the Stormwater Advisory Commission membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by Mike Paul and seconded by Deanna Hardesty that the Stormwater Advisory Commission of the Town of Carrboro finds the proposed map and text amendments demonstrate consistency as indicated with the following stormwater related provisions of Town of Carrboro 2022-2042 Comprehensive Plan:

- Green Stormwater Infrastructure and Climate Action and Environment strategies 1.1 (increase use of native plants) (*more information needed*); and
- Green Stormwater Infrastructure strategy 2.1 (improve tree canopy downtown) (*n/a*); and
- Green Stormwater Infrastructure strategy 2.2 (improve tree canopy along roads, in open spaces, and on private lots) (*is consistent*); and

- Green Stormwater Infrastructure strategy 3.1 (coordinate transportation and public infrastructure improvements with green stormwater infrastructure) *NA*; and
- Green Stormwater Infrastructure strategy 4.1 (expand resources for green stormwater infrastructure to private property owners) *NA*; and
- Climate Action and Environment strategy 1.1 (D) (establish and protect native vegetation in riparian projects) *more information needed*, and
- Water strategy 2.1 (F) (limit riparian disturbance while maintaining sewer infrastructure and greenways) *is consistent*; and
- Climate Action and Environment strategy 1.1 (E) and Water strategy 2.2 (A) (implement structural and non-structural management measures for redevelopment and infill and add retrofits in dense locations to increase stormwater volume control *N/A*; and
- Water strategy 2.2 (B) (incentivize Low impact Development practices for any new developments that reduce impervious surfaces and mimic natural hydrology) *more information needed*; and
- Climate Action and Environment strategy 1.2 (C) (implement bioengineering/restoration methods to protect and/or restore riparian and aquatic habitats *is consistent*; and
- Water strategy 2.2 (C) (stabilize vegetation in new construction beyond the minimum erosion control requirements) *more information needed*.

The Stormwater Advisory Commission furthermore finds that the above-described amendments are reasonable and in the public interest because they use a mechanism that allows rezonings and amendments to occur under very specific conditions so as to ensure compatibility with surrounding and proposed uses.

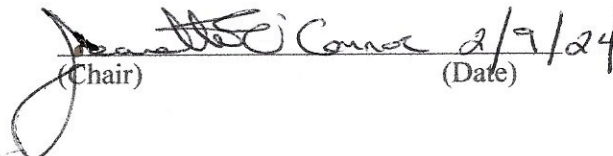
VOTE:

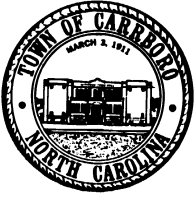
AYES: (Cox, Paul, Kurz, O'Connor, Hardesty)

NOES: ()

ABSTENTIONS: ()

ABSENT/EXCUSED: (Chadwick, Vollins)

 (Chair) 2/9/24 (Date)



TOWN OF CARRBORO

Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

FEBRUARY 1, 2024

1307 West Main Street Conditional Rezoning to R-2-CZ

Motion was made by Elyse Keefe and seconded by Jordan Dalton that the Transportation Advisory Board recommends that the Town Council approves the draft ordinance.

VOTE:

AYES: (6) (Jones-Peretto, Keefe, Swan, Salvesen, Dalton, Doll)

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)

Associated Findings

By a unanimous show of hands, the Transportation Advisory Board membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by Jordan Dalton and seconded by David Salvesen that the Transportation Advisory Board of the Town of Carrboro finds the proposed map amendment is consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, particularly:

- Affordable Housing Strategies to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Transportation & Mobility Strategies to encourage non-automobile use and expand opportunities for transportation options that do not rely on fossil fuel/SOVs under strategies 2.1, 3.1, & 4.2.
- Green Stormwater Infrastructure, Water & Energy, Energy strategy 1.1, to reduce greenhouse gas emissions from motor vehicle use; and
- Land Use Strategies – to develop fifteen-minute neighborhoods and make efficient use of land, 4.1.

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.

VOTE:

AYES: (6) (Jones-Peretto, Keefe, Swan, Salvesen, Dalton, Doll)

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)


(Chair)

Feb 13, 2024
(Date)



TOWN OF CARRBORO

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

FEBRUARY 21, 2024

1307 West Main Street Conditional Rezoning to R-2-CZ

Motion was made by Lindsay Griffin and seconded by Muhsin Omar that the Affordable Housing Advisory Commission recommends that the Town Council approve the draft ordinance.

VOTE:

AYES: (Betty Curry, Lindsay Griffin, Muhsin Omar)

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (Heather Nash)

Associated Findings

By a unanimous show of hands, the AHAC membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by Lindsay Griffin and seconded by Muhsin Omar that the AHAC of the Town of Carrboro finds the proposed map amendment is consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, particularly:

- Affordable Housing Strategies to either increase the number of affordable homes for purchase and/or to provide affordable rental housing stock in high-transit areas (1.1 and 2.3).
- Transportation & Mobility Strategies to encourage non-automobile use and expand opportunities for transportation options that do not rely on fossil fuel/SOVs under strategies 2.1, 3.1, & 4.2.
- Green Stormwater Infrastructure, Water & Energy, Energy strategy 1.1, to reduce greenhouse gas emissions from motor vehicle use; and .
- Land Use Strategies – to develop fifteen-minute neighborhoods and make efficient use of land, 4.1.

The AHAC 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: (Betty Curry, Lindsay Griffin, Muhsin Omar)

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (Heather Nash)

Betty Curry *2/21/24*
(Chair) (Date)

APPEARANCE COMMISSION MINUTES

February 1st, 2024 (REMOTE MEETING)

6:30pm

Members Present:

David Markiewicz (Chair)

James Scott

Samantha Carney

Members Absent:

Sharon Reilly (Vice Chair)

Whitney Fry

Nathan Jorgensen

Eliazar Posada (Council Member)

Staff Present: Ann Stroobant- Planner/Zoning Development Specialist

David called the meeting to order.

I. Approval of Minutes from December 7, 2023 Meeting

Motion made by James and seconded by Samantha to approve the minutes from the December 7, 2023 meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

Motion approved.

II. Approval of Minutes from January 11, 2024 Meeting

Motion made by Samantha and seconded by James to approve the minutes from the January 11, 2024 meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

Motion approved.

III. Approval of signage-no signage submitted for approval at this time

IV. Review and discussion of items for February 1st, 2024 Joint Review

1. Item A-1307 West Main Street, Proposed Conditional Rezoning to R-2-CZ & Associated Text Amendments (text amendment relates to maximum building height)

- Member feedback on the 1307 West Main Street proposal was as follows:
 - There was a hesitancy to change anything because Carrboro will lose its feel. Don't want to have what has happened on Franklin Street in Chapel Hill.
 - The location is a great one, given the housing needs of Carrboro.
 - The location will cause the least amount of disruption.
 - The new development could possibly help revitalize Carrboro Plaza.
 - The designers will need to work around and sensitively accommodate the steam buffer.
 - The five-story building is well designed and members generally liked **this particular project in this particular place**. However, they did not want the text amendment.
- Member feedback on the text amendment relating to the five-story maximum building height was as follows:
 - The text amendment would open up a Pandora's Box.
 - Is this text amendment creating the possibility of more five story developments in Carrboro?
 - The text amendment could help meet affordable housing and transportation needs in the future.
 - The text amendment will change the look of the town.
 - Members did not want to approve the text amendment if it opens up the possibility of more five story developments throughout town.
- Members were invited to attend the full Joint Review session at 7:30pm.

V. Other Business

1. Update on Hillsborough process for their Downtown Mural Review

David said that this item will be discussed in a future meeting as we were nearing the time for Joint Review.

Motion made by Samantha and seconded by David to adjourn the meeting.

AYES: 3 (David Markiewicz, James Scott, Samantha Carney)

NOES: 0

ADJOURN

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)**

(b) The WR (watershed residential) district is also established. All land within this district is located within the University Lake Watershed, and while this district is designed to achieve the objectives identified in subsection (a), it is also intended to protect the community water supply by allowing residential development of the land within the University Lake Watershed only at reduced density levels. **(AMENDED 12/7/83; 05/15/90)**

(c) The R-R (rural residential) district is designed to accommodate the residential and related uses as well as several additional uses that would be appropriate in the more sparsely populated areas of the town's joint planning transition area or extraterritorial planning area, but that would be inappropriate within the more intensively developed residential zones. **(AMENDED 11/14/88)**

(d) The R-S.I.R. (suitable for intensive residential) zone is designed (i) to encourage high density residential development that is compatible with the housing element of the town's Comprehensive Plan, and (ii) to locate this high density development in areas most suitable for it, thereby reducing pressure for growth in less desirable locations and reducing urban sprawl. Land in this zone is deemed especially suitable for intensive residential development because of (i) the availability of police, fire, and sanitation service at low marginal cost due to existing service patterns, (ii) the availability of public water and sewer service, (iii) the ample road system serving the area, (iv) the compatibility of existing development in the area with high density residential development, and (v) the compatibility of high density residential development with environmental concerns, especially water quality. Developers are encouraged to construct housing that is consistent with the town's housing objectives through density bonuses, as set forth in Section 15-182.1.

(e) The R-S.I.R.-2 zoning district is designed to serve essentially the same purposes as the R-S.I.R. zone, but the maximum density allowed in the R-S.I.R.-2 district is less than that permitted in the R-S.I.R. district (see Section 15-182.1). Except as otherwise specifically provided in this chapter, all regulations and standards applicable to the R-S.I.R. district are also applicable to the R-S.I.R.-2 district. **(AMENDED 11/10/81)**

(f) **REPEALED 12/7/83**

Section 15-135.1 Conservation District. (AMENDED 12/7/83)

There is hereby established a conservation (C) district. The purpose of this district is to protect the public health, safety, and welfare by severely restricting development within and adjacent to certain lakes, ponds, watercourses, streams, creeks, drainage areas, floodplains, wetlands, and other flood-prone areas within the University Lake Watershed. The limited development allowed within a conservation district not only minimizes the danger to the community water supply from the more intensive development of this land but also allows this land to act as a natural buffer between more intensively developed areas and the watercourses contained within a conservation district. (AMENDED 12/7/83)

Section 15-136 Commercial Districts Established. (AMENDED 2/4/86; 5/28/02)

The districts described below are hereby created to accomplish the purposes and serve the objectives indicated:

- (1) **B-1(C) TOWN CENTER BUSINESS.** This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user. (AMENDED 6/09/98)
- (2) **B-1(G) GENERAL BUSINESS.** This district is designed to accommodate a broad range of business uses. This district, because of its close proximity to established residential single family neighborhoods, is limited in the types of night uses permitted. Uses may be restricted in the hours of operation where the permit-issuing authority finds that such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. (AMENDED 12/08/92; 6/09/98; 6/20/06)
- (2.1) **(EAT) RESTAURANT DISTRICT OVERLAY.** This overlay district is designed to accommodate on-premises (inside and outside) dining 8.100 and 8.200 restaurant uses in the B-1(g) General Business district. Because of the B-1(g) district's close proximity to established residential single-family neighborhoods, the EAT overlay is restricted to properties a minimum distance of one property width from abutting residential zones and is limited in the types of night uses permitted. In addition, emphasis is given to the existing restrictions in the B-1(g) district and the ability of the permit-issuing authority to limit hours of operation where such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. Use of property within the overlay district for 8.100 and 8.200 purposes shall require the issuance of a special use permit-A. (AMENDED 03/21/95)
- (3) **B-2 FRINGE COMMERCIAL.** This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes and

proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to residential areas. Any development within the B-2 district shall comply with the following requirements: **(AMENDED 9/06/88; 6/20/06).**

- a. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;
 - b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets; and
- (4) **B-3 NEIGHBORHOOD BUSINESS.** This district is designed to accommodate commercial needs arising at the neighborhood level, such as grocery stores, branch banks, gas sales, and the like, as well as other commercial and office uses that are of such size and scale that they can compatibly coexist with adjoining residential neighborhoods. To insure compatibility between B-3 areas and the neighborhoods, no B-3 district shall be greater than five acres, and no areas shall be zoned B-3 if any portion of a pre-existing business district lies within one-half mile in any direction. **(AMENDED 3/7/2006)**
 - (5) **B-4 OUTLYING CONCENTRATED BUSINESS.** This zone is designed to accommodate a variety of commercial enterprises that provide goods and services to a larger market area than those businesses permitted in the neighborhood business district. Development regulations also permit higher buildings and increased density over that allowed in the B-3 zone. This zone is intended to create an attractive, concentrated business district in areas that are outside the town's central business district but that are served by the town's major thoroughfares. Examples of permitted uses include shopping centers, professional offices and motels. Uses that are not permitted include outside storage and drive-in theaters.
 - (6) **B-5 WATERSHED COMMERCIAL.** This district is designed to accommodate commercial uses within the University Lake Watershed area without adversely affecting the community water supply.
 - (7) **CT CORPORATE TOWN.** This district is designed to create a visually attractive, commercial use district with flexible space. The district is intended to provide space for assemblage and research and development type enterprises. Any structure in this

district which is proposed for non-residential use shall be located a minimum distance of 50 feet from any residential dwelling unit in the district that was in existence on July 1, 1985. In order to encourage the creation of flexible space, an average minimum building height of 18 feet for any principal structure is required. The continued use of existing residential dwelling units along North Greensboro Street is encouraged. **(AMENDED 6/20/06)**

- (8) **B-3-T TRANSITION AREA BUSINESS.** This district is designed to accommodate commercial needs arising in the town's more rural neighborhoods, especially in the joint planning transition areas, and which are more appropriately dealt with at the neighborhood level than at a community or regional level. To insure compatibility between B-3-T areas and their associated rural neighborhoods, no B-3-T district shall be greater than five acres, and no areas shall be zoned B-3-T if any portion of a pre-existing business district lies within one-half mile in any direction. **(AMENDED 11/14/88)**
- (9) **O OFFICE.** This district is intended to provide locations for low intensity office and institutional uses. This district is designed for parcels three (3) acres or less in size. Rather than have new buildings constructed, it is intended and desired that any existing residential structures within the district be converted and adapted to office or institutional use. In order to assure compatibility of residential conversions or new office construction with existing and future residential development, specific performance measures to mitigate negative impacts of office development will be required. Any development within the Office (O) district shall comply with the following requirements:
- a. Type A screening will be required between any non-residential use and adjacent properties, except for openings necessary to allow pedestrian movement between the office or institutional use and adjacent properties;
 - b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets, unless doing so would adversely affect adjoining residential properties;
 - c. Whenever a new building is erected in this district, (i) the exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood, or fabricated residential lap siding made of hardboard, vinyl, or aluminum); (ii) the pitch of the roof shall have a minimum vertical rise of one foot for every five feet of horizontal run; provided that this requirement shall not apply to lots that have frontage on any street where, within the same block as the property in question, at least 75% of the buildings (in place on April 16, 1991) that front along the same side of the street do not have roofs that comply with this pitched roof standard; and (iii) windows shall be of a type commonly used in single-family residences;

- d. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties. **(AMENDED 4/16/91)**
- (10) **O/A OFFICE/ASSEMBLY.** This district is intended to provide for office, administrative, professional, research, and specialized manufacturing (such as light assembly and processing) activities in close proximity to an arterial street. This district is intended to provide employment near residential areas; therefore, the required development standards are intended to be compatible to adjacent residential uses and provide a park-like setting for employment. It is strongly encouraged that development in the Office/Assembly zoning district be designed so that employees may easily utilize alternative forms of transportation (such riding buses, cycling or walking) to commute to their place of employment. Any development within the Office/Assembly (O/A) district shall comply with the following requirements: **(AMENDED 5/25/99; 5/28/02)**
- a. No area less than five contiguous acres may be zoned as an Office/Assembly district;
 - b. The performance standards (Article XI, Part I) applicable to 4.000 classification uses in business zones shall govern uses in an Office/Assembly zone;
 - c. As shown in Section 15-308, Table of Screening Requirements, screening will be required between non-residential uses in the Office/Assembly district and adjacent residential properties;
 - d. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties. **(AMENDED 4/16/91)**
 - e. Not more than 25 percent of the total building gross floor constructed within the proposed district may be used for uses permissible within this district that fall within the 2.000 classification.

- (11) **O/A CU OFFICE/ASSEMBLY CONDITIONAL USE.** **(REPEALED 6/22/21)**

Section 15-136.1 Historic Rogers Road Districts Established. **(AMENDED 6/18/2019; 2/9/21)**

- (a) The Historic Rogers Road districts, HR-R (residential) and HR-CC (community commercial), are established to implement the goals and recommendations of the *Mapping Our*

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Community's Future community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR districts is to:

- (1) Create opportunities for long-term residents to continue living in the community and to age in place;
- (2) Preserve the socioeconomic and cultural diversity of the neighborhood;
- (3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
- (4) Respect and protect the natural character of the neighborhood;
- (5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
- (6) Provide greater residential housing choice, affordability, and diversity;
- (7) Increase economic opportunities within the neighborhood;
- (8) Increase recreational resources within the neighborhood; and
- (9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.

(b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.

(c) The HR-CC district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-CC district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities. Property proposed for rezoning to an HR-CC district shall include no less than 5 contiguous acres. The district may be expanded to include additional parcels of land so long as such parcels: (i) are contiguous to the district, and (ii) are the same, or part of the same, tracts or parcels of land that were identified in *Mapping Our Community's Future* for more intensive uses. The development of an HR-CC district may include the recombination of existing lots and/or the subdivision of new lots that meet the density and dimensional standards outlined in Article XII.

Section 15-137 Manufacturing Districts Established. (AMENDED 6/22/82; 2/4/86)

(1) The M-1 and M-2 districts are hereby created to accomplish the purposes and serve the objectives set forth in this subsection. Part of Article XI contains performance standards that place limitations on the characteristics of uses located in the districts created by this section.

- (a) **M-1 LIGHT MANUFACTURING.** This zone is designed to accommodate a limited range of industrial activities and a wide range of commercial uses including wholesaling, storage, mail-order, auto related, and office and retail in conjunction with industrial or wholesaling uses. Permitted industrial uses include enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembly where all operations are contained inside a fully enclosed building. The performance standards for the M-1 zone located in Part I of Article XI are more restrictive than those in the M-2 district.
- (b) **M-2 GENERAL MANUFACTURING.** This district is designed to accommodate the widest range of industrial uses. Business operations may be conducted within and outside a fully enclosed building. The performance standards for this zone are less restrictive than those in the M-1 district.

(2) There is also established a watershed light industrial (WM-3) zoning district. The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection (12/7/1983); this area shall not be expanded and no new WM-3 areas shall be designated. For the purposes of this section, changes to make WM-3 zoning uniform on lots that were depicted as entirely within the M-1 zoning at the time of its establishment, but that were later depicted as being bisected by the zoning boundary, will not be considered an expansion of the district or the creation of new WM-3 areas. **(AMENDED 12/7/83; 06/27/17)**

(3) There is also established a Planned Industrial Development (PID) zoning district. The purpose of this district is to provide for the possibility of well-planned and tightly controlled industrial development in areas that are suitable for such development but that are not deemed appropriate for M-1 or M-2 zoning because of the less restricted types of development that may occur in such zones. **(AMENDED 6/22/82; 12/7/83)**

- (a) No area less than twenty contiguous acres may be zoned as a Planned Industrial Development district, and then only upon a request submitted by or on behalf of the owner or owners of all the property intended to be covered by such zone.

- (b) As indicated in the Table of Permissible Uses (Section 15-146) a planned industrial development (use classification 30.000) is the only permissible use in a PID zone.
- (c) Subject to subdivision (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development [see Subdivision 15-15], land within a PID zone may be used in a manner that would be permissible if the land were zoned M-1, except that (i) the only permissible uses are those described in the 2.130 and 4.100 classifications and (ii) the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development.

Section 15-138 Public Facilities District Established.

There is hereby created a Public Facilities (P-F) zoning district. Within this district, those uses indicated as permissible in the Table of Permissible Uses may be developed, but only if such developments are owned and operated by the United States, the State of North Carolina, Orange County, the Town of Carrboro, or any agency, department, or subdivision of the foregoing governments.

Section 15-139 Planned Unit Development District Established.

(1) There are hereby established sixty different Planned Unit Development (PUD) zoning districts as described in this section. Each PUD zoning district is designed to combine the characteristics of at least two and possibly three zoning districts. **(AMENDED 2/24/87)**

- (a) One element of each PUD district shall be the residential element. Here there are six possibilities, each one corresponding to one of the following residential districts identified in Section 15-135: R-20, R-15, R-10, R-7.5, R-3, or R- S.I.R. Within that portion of the PUD zone that is developed for purposes permissible in a residential district, all development must be in accordance with the regulations applicable to the residential zoning district to which the particular PUD zoning district corresponds.
- (b) A second element of each PUD district shall be the commercial element. Here there are five possibilities, each one corresponding to either the B-1(g), B-2, B-3, O, or O/A zoning districts established by Section 15-136. Within that portion of a PUD district that is developed for purposes permissible in a commercial district, all development must be in accordance with the regulations applicable to the commercial district to which the PUD district corresponds. **(AMENDED 2/04/97)**
- (c) A manufacturing/processing element may be a third element of any PUD district. Here there are two alternatives. The first is that uses permitted within the M-1 district would be permitted within the PUD district. The second alternative is that uses permitted only within the M-1 or M-2 zoning districts

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would not be permitted. If an M-1 element is included, then within that portion of the PUD district that is developed for purposes permissible in an M-1 district, all development must be in accordance with the regulations applicable to the M-1 district.

The sixty different PUD zoning districts are derived from the various combinations of possible alternatives within each of the three elements -- residential, commercial, manufacturing/processing. For example, there is an R-20/B-1(g)/M-1 district, an R-20/B-2/M-1 district, an R-20/B-2 district, an R-15/B-1(g)/M-1 district, etc. (AMENDED 2/04/97)

(2) No area of less than twenty-five contiguous acres may be zoned as a Planned Unit Development district, and then only upon the request of the owner or owners of all of the property intended to be covered by such zone.

(3) As indicated in the Table of Permissible Uses (Section 15-146), a planned unit development (use classification 28.000) is the only permissible use in a PUD zone, and planned unit developments are permissible only in such zones.

Section 15-140 Residential High Density and Commercial Overlay District. (AMENDED 2/4/86)

There is hereby created a Residential High Density and Commercial Overlay (RHDC) zoning district. The purpose of this district is to provide for the redevelopment of deteriorating commercial and manufacturing areas in a manner that is consistent with commercial development goals of the town, namely, for compact, compressed town center growth, for a substantial increase in residential opportunities near the town center, and for mixed use development in the downtown. Property that lies within this overlay district may be developed in accordance with either the regulations applicable to the underlying district or the following regulations:

- (1) To take advantage of provisions applicable to the RHDC overlay district, lots must contain at least one and one half acres of contiguous land under single ownership.
- (2) Uses permissible shall be those permissible within either the R-2 district or the B-1(c) district, or both, except that subdivisions other than architecturally integrated subdivisions shall not be allowed.
- (3) Residential density shall be determined as if the property were zoned R-2.
- (4) Twenty percent of the lot area shall remain as usable open space (see Section 15-198), except that where the development seeks to provide interior open space or indoor hard court, pool, or other active recreation facilities in excess of the basic requirement set forth in Article XIII, the permit-issuing authority may reduce the open space requirement to reflect the quality and amount of such facilities. The developer may substitute grassed areas, lawn, gardens, and shrubbed space for wooded space in meeting the requirements of 15-198(b)(3).

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- (5) Subject to subdivision (6), the amount of floor area set aside or used for purposes not permissible within the R-2 district (i.e., commercial uses) may not exceed ten percent of the floor area used for residential purposes.
- (6) Where at least one-third of the total number of parking spaces for the development are provided on a tier or level other than ground level (as with underground parking or a two tier parking garage) and where the open space is increased to 40% of the development tract, the development may either (i) increase the commercial floor area over that allowed in subdivision (5) to 25% of the floor area in residential use, or (ii) increase the density for residential use to 1,500 square feet per dwelling unit.
- (7) The maximum building height for the district shall be 50 feet. A building that is over 35 feet shall be set-in and setback 2 additional feet for every additional foot above 35 feet in height.
- (8) Commercial space shall be located at ground level or on the top level of a building.
- (9) Except as otherwise provided herein, the regulations applicable to land within an R-2 district shall apply to property within a RHDC district.

Section 15-140.1 Office-Residential Mixed Use District. (AMENDED 6/20/06)

(a) There is hereby created an Office-Residential Mixed Use (OR-MU) zoning district. The purpose of this district is to provide for mixed use developments, i.e. developments that contain both residential and non-residential elements, within areas that are near the downtown commercial districts.

(b) Any lot within the OR-MU district that exists on the effective date of this section or that is hereafter created may be developed and used for those purposes within the 3.000 classification that are permissible within the B-2 zoning district, subject to the same permitting requirements and other applicable regulations of this chapter, just as if the property were zoned B-2.

(c) Any lot or tract within the OR-MU district may be developed as a mixed use project in accordance with the provisions of this subsection.

- (1) Development of property under this subsection requires the issuance of a special use permit-A by the Town Council in accordance with the applicable provisions of this chapter.
- (2) A mixed use project approved under this subsection must have both a residential and a nonresidential component.
- (3) At least one-half but not more than two-thirds of the gross floor area of the mixed use development shall consist of residential uses listed in use classifications 1.100, 1.200, 1.300, or 1.400, 1.510 (hotels and motels) and

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1.520 (tourist homes and other temporary residences), provided that use classifications 1.510 and 1.520 shall not comprise more than one-third of the residential component. However, the residential component of the mixed use development may be increased to ninety percent of the floor area of the mixed use development if the developer donates to a non-profit agency engaged in providing affordable housing at least ten percent of the total acreage within the development and enters into an enforceable agreement with such agency to construct on such land and convey to the agency, at not more than the developer's cost, the number of housing units for which the agency obtains a permit. For purposes of this subsection, the phrase "within the development" means within the area covered by the special use permit-A issued for the mixed use development as well as any adjacent property that is or was owned by the developer of the mixed use project and that is conveyed to a non-profit agency and developed for affordable housing as described herein, even if such other area is not located with the Town of Carrboro.

- (4) The permissible residential density within the mixed use development shall be calculated as if the development were zoned R-3, except that the density shall be calculated as if the property were zoned R-2 if the developer conveys at least ten percent of the land within the development to a non-profit agency and constructs on that land affordable housing as described in subsection (c)(3) above. For purposes of this subsection, if land that is not located within the Town of Carrboro is regarded as "within the development" as that phrase is defined in subsection (c)(3) above, then such area shall be considered part of the development for purposes of calculating the permissible residential density under this subsection.
- (5) Subject to the other provisions of this subsection, the dimensional and other requirements of this chapter applicable to the R-3 district shall apply to a mixed use development permitted under this section. However, the maximum height of buildings within the mixed use development, shall be four stories, except that a fifth story shall be permitted if the developer conveys at least ten percent of the land within the development to a non-profit agency and constructs on that land of affordable housing as described in subsection (c)(3) above. Notwithstanding other provisions of this chapter, any parking levels that are constructed underneath a building within a mixed use development and that are at least in substantial part constructed below the ground service levels shall not be regarded as "stories" for purposes of the height limitations established herein.
- (6) Permissible uses within the commercial component of the mixed use shall be those listed in the following use classifications within the Table of Permissible Uses: (i) use classification 3.100; (ii) use classifications 2.110, 2.112, 2.120, 2.130, 2.150, 2.210, 2.220, provided that such uses do not comprise more than fifty percent of the total commercial space within the

mixed use development; and (iii) restaurant uses 8.100, 8.200, and 8.500, so long as any one restaurant business does not occupy more than 1,500 square feet of gross floor area and so long as such restaurant uses do not operate during the hours of 2:00 a.m. to 6:00 a.m.

- (7) A mixed use development may be constructed in phases as provided in Section 15-61. However, the phasing plan shall ensure that, as buildings are constructed and occupied, the relative mix of residential and commercial floor space remains substantially consistent with the percentages approved in the plans.
- (8) If portions of the mixed use development are subdivided, the final plat shall contain notations indicating any limitations on uses or the sequencing of development created as a result of approval of the development as a mixed use under this section.

Section 15-141 Neighborhood Preservation District Established. (AMENDED 9/26/89; 11/21/95; 5/27/08)

(a) There are hereby established an Historic District (HD) and a Neighborhood Preservation District (NPD).

- (1) **HD HISTORIC DISTRICT.** This district is designed to apply to areas which are deemed to be of special significance in terms of their history, architecture and/or culture, and to possess integrity of design, setting, materials, feeling and association. The historic district is one of Carrboro's most valued and important assets and is established for the following purposes: to protect and conserve the heritage of Carrboro, Orange County and the State of North Carolina; to preserve the social, economic, cultural, political, and architectural history of the district and its individual properties; to promote the education, pleasure and enrichment of residents in the district and Carrboro and Orange County and the State as a whole; to encourage tourism and increased commercial activity; to foster civic beauty; and to stabilize and enhance property values throughout the district as a whole, thus contributing to the improvement of the general health and welfare of Carrboro and any residents of the district.
- (2) **NPD NEIGHBORHOOD PRESERVATION DISTRICT.** This district is designed to apply to areas which are deemed to possess form, character, and visual qualities from arrangements or combinations of architectural or appurtenant features or places of historical or cultural significance that create an image of stability, local identity, and livable atmosphere. This district is established to achieve the same objectives and purposes as those set forth above with respect to the historic district.

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(b) The HD and NPD districts are overlay districts, and properties within these districts are subject to the regulations applicable to the underlying district as well as the requirements set forth in Article XXI of this chapter.

Section 15-141.1 Jordan Lake Watershed District Established. (AMENDED 10/15/96)

(a) There is hereby established an overlay district to be known as the Jordan Lake Watershed Protection District (JLWP). The purpose of this overlay district is to provide for the imposition of regulations applicable to areas within the town's planning jurisdiction that are part of the Jordan Lake WS-IV Watershed in order to comply with the provisions of Article 21, Chapter 143 of the North Carolina General Statutes.

(b) Because the JLWP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district as well as the requirements of the JLWP district.

Section 15-141.2 Village Mixed Use District Established. (AMENDED 5/25/99)

(a) There is hereby established a Village Mixed Use (VMU) district. This district is established to provide for the development of rural new villages at a scale intended to continue Carrboro's small town character as described in its Year 2000 Task Force Report and to promote a traditional concept of villages. The applicant for rezoning to this district must demonstrate that its planning, design and development will achieve, but not necessarily be limited to, all of the following specific objectives:

- (1) The preservation of open space, scenic vistas, agricultural lands and natural resources within the Town of Carrboro and its planning jurisdiction and to minimize the potential for conflict between such areas and other land uses;
- (2) The creation of a distinct physical settlement surrounded by a protected landscape of generally open land used for agricultural, forest, recreational and environmental protection purposes.
- (3) Dwellings, shops, and workplaces generally located in close proximity to each other, the scale of which accommodates and promotes pedestrian travel for trips within the village.
- (4) Modestly sized buildings fronting on, and aligned with, streets in a disciplined manner.
- (5) A generally rectilinear pattern of streets, alleys and blocks reflecting the street network in existing small villages which provides for a balanced mix of pedestrians and automobiles.
- (6) Squares greens, landscaped streets and parks woven into street and block patterns to provide space for social activity, parks and visual enjoyment.

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- (7) Provision of buildings or structures, open to all residents of the VMU development, for civic assembly or for other common purposes that act as visual landmarks and symbols of identity within the community. **(AMENDED 5/28/2019)**
- (8) A recognizable, functionally diverse, but visually unified village focused on a village green or square.
- (9) Development of a size and scale, which accommodates and promotes pedestrian travel rather than motor vehicle trips within the village.
- (10) Compliance with the policies embodied in this chapter for the development of a village mixed use.

(b) The VMU district shall be a conditional district authorized under G.S. 160D-703(b). As such, property may be placed within this district only in response to a petition by the owners of all the property to be included. **(AMENDED 6/22/21)**

(b1) Pursuant to G.S. sections 160D-705(c) and 160D-102(30), any VMU district adopted as a conditional use district, in accordance with this section and Article XX of this chapter, prior to June 22, 2021 shall be deemed a conditional district and the conditional use permit issued concurrently with the establishment of the district shall be deemed a valid special use permit-A. **(AMENDED 6/22/21)**

(c) As indicated in the Table of Permissible Uses, the only permissible use within a VMU district is a village mixed use development, and a village mixed use development is only permissible within a VMU district.

(d) Property may be rezoned to the VMU district only when the property proposed for such rezoning:

- (1) Comprises at least fifty, but not more than two hundred, contiguous acres. For purposes of this subsection, acreage is not “contiguous” to other acreage if separated by a public street or connected only at a point less than one hundred feet in width; and
- (2) Is so located in relationship to existing or proposed public streets that traffic generated by the development of the tract proposed for rezoning can be accommodated without endangering the public health, safety, or welfare; and
- (3) Will be served by OWASA water and sewer lines when developed.

(e) No more than 350 gross acres may be rezoned to the VMU district and no more than three villages may be approved.

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(f) Nothing in this section is intended to limit the discretion of the Town Council to deny an application to rezone property to a VMU district if it determines that the proposed rezoning is not in the public interest.

(g) When a VMU rezoning application is submitted (in accordance with Article XX of this ordinance), the applicant shall simultaneously submit a master plan for the proposed village mixed use development, in accordance with the following provisions. **(AMENDED 6/22/21)**

- (1) The master plan shall show, through a combination of graphic means and text (including without limitation proposed conditions to be included in the rezoning for the proposed development):
 - a. The location, types, and densities of residential uses;
 - b. The location, types, and maximum floor areas and impervious surface areas for non-residential uses;
 - c. The location and orientation of buildings, parking areas, recreational facilities, and open spaces;
 - d. Access and circulation systems for vehicles and pedestrians;
 - e. How the development proposes to satisfy the objectives of and comply with the regulations applicable to a village mixed use development as set forth in Section 15-176.2 of this chapter;
 - f. How the development proposes to minimize or mitigate any adverse impacts on neighboring properties and the environment, including without limitation impacts from traffic and stormwater runoff; and
 - g. How the development proposes to substantially comply with the town's recommended "Village Mixed Use Vernacular Architectural Standards." **(AMENDED 8/22/06).**
- (2) The planning board, Northern Transition Advisory Committee, Appearance Commission, Environmental Advisory Board, Transportation Advisory Board (and other advisory boards to which the Town Council may refer the application) shall review the proposed master plan as part of the applicant's rezoning request. In response to suggestions made by the planning board (or other advisory boards), the applicant may revise the master plan before it is submitted to the Town Council. **(AMENDED 6/22/21)**
- (3) Applicants for VMU districts that are located within the Transition Area portion of the Carrboro Joint Development Area as defined within the Joint Planning Agreement should meet with Carrboro Town and Orange County Planning staff prior to the formal submittal of an application to informally

discuss the preliminary rezoning development plan. **(REWRITTEN 6/22/21)**

- (4) Approval of a VMU rezoning application with a master plan under this section does not obviate the need to obtain a special use permit-A for the village mixed use development in accordance with the provisions of Section 15-176.2 of this chapter. **(REWRITTEN 6/22/21)**
 - a. In addition to other grounds for denial of a special use permit-A application under this chapter, a special use permit-A for a village mixed use development shall be denied if the application is inconsistent with the approved master plan in any substantial way. Without limiting the generality of the foregoing, an application for a special use permit-A is inconsistent in a substantial way with a previously approved master plan if the plan of development proposed under the special use permit-A application increases the residential density or commercial floor area permissible on the property or decreases or alters the location of open space areas.
 - b. No special use permit-A for a village neighborhood mixed use development may be denied for reasons set forth in Subsection 15-54(c)(4) if the basis for such denial involves an element or effect of the development that has previously been specifically addressed and approved in the master plan approval process, unless (i) it can be demonstrated that the information presented to the Town Council at the master plan approval stage was materially false or misleading, (ii) conditions have changed substantially in a manner that could not reasonably have been anticipated, or (iii) a basis for denial for reasons set forth in Subsection 15-54(c)(4) is demonstrated by clear and convincing evidence.
- (5) Subject to Subsection 15-141.2(g)(4)b, a master plan approved under this section as a condition of the conditional rezoning may only be amended in accordance with the provisions applicable to a rezoning of the property in question. Notwithstanding the foregoing, the Council may consider as a condition to the rezoning, parameters for future minor modifications to the master plan. All other requests for modifications shall be considered in accordance with the standards in subsection 15-141.4(g). [See also sections 15-128.2 and 15-128.3 for modifying or extending site specific vesting plans and vested rights.] **(REWRITTEN 6/22/21)**

Section 15-141.3 Conditional Use Zoning Districts. (REPEALED 6/22/21)

Pursuant to G.S. sections 160D-705(c) and 160D-102(30), any 'conditional use zoning district,' adopted in accordance with section 15-141.3 and Article XX of this chapter prior to July 1, 2021, shall automatically be converted to a 'conditional zoning district' and the 'conditional use permit'

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issued concurrently with the establishment of the district shall be deemed a valid 'special use permit-A.' (AMENDED 5/25/04; 4/28/15; 10/23/18 AMENDED)

Section 15-141.4 Conditional Zoning Districts. (AMENDED 5/27/08; REWRITTEN 6/22/21)

(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 conventional 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, O/A-CZ, M-1-CZ, M-2-CZ, M-3-CZ (AMENDED 4/27/10; 6/23/15; 10/23/18)

There may also be established a HR-CC-CZ zoning district, pursuant to the purpose statement and criteria described in Section 15-136.1.

(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 (k), (l), and (n), 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 conventional use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (f) 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 10/23/18)

- (1) Property that is zoned B-4-CZ may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) 1 in addition to other uses permissible in the B-4 district, subject to a special use permit-A, and the following: (i) not more than 25% of the total land 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).

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- (2) Except as otherwise provided in this section, the uses that are permissible within a M-3-CZ district, and the regulations applicable to property within such a district shall be those uses and those regulations that would be applicable to any property zone M-1-CZ (i.e. excluding specific conditions made applicable to any property zoned M-1-CZ) with the addition of use 3.230.
- (3) Property that is zoned O/A-CZ shall be subject to all regulations applicable to the O/A district (including but not limited to the performance standards set forth in part I of Article XI), except as follows:
 - a. No area less than four contiguous acres and no more than a total of twenty-five (25) acres may be rezoned to the O/A-CZ.
 - b. Uses within the O/A-CZ district shall be limited to those where loading and unloading occurs during daylight hours only.
 - c. Buildings within the O/A-CZ district shall comply with the following standards:
 - 1. Exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood or fabricated residential lap siding made of hardboard or vinyl).
 - 2. The pitch of the roof shall have a minimum vertical rise of one foot for every two feet of horizontal run.
 - 3. Windows shall be of a scale and proportion typically of single-family residences.

(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. The rezoning petition for a VMU district, described in subsection 15-141.2(g)(1), shall include a master plan as a condition of the approval.
(AMENDED 10/25/16)

(e) 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:

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- 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 Comprehensive Plan, Land Use Plan, long range transportation plans, and other plans officially adopted by the Council. **(AMENDED 3/22/16, 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 (d) and (f). **(AMENDED 10/25/16)**

(f) The specific conditions proposed by the petitioner or the Town may be modified by the planning staff, advisory boards or Town Council as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the Town and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing, the town may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to the requirements of this chapter, or the impacts reasonably expected to be generated by the development or use of the site.

(g) Except as allowed under minor modifications below, all changes to conditional zoning districts are major amendments and shall follow the same process as for the original approval as described in this section and in Article XX. Changes to conditional zoning districts may also require amendments or modifications to associated special use permits, zoning permits or sign permits for the development as pursuant to Section 15-64.

- (1) Minor modifications in conditional zoning districts may be reviewed and approved administratively subject to the following limitations:

The minor modification:

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- a. Does not involve a change in uses permitted or the density overall of the development permitted;
 - b. Is a limited minor change that does not have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, such as, without limitation, a minor adjustment to internal road or parking configuration, a minor adjustment to building location, or a minor adjustment to internal tree screening or other landscaping, or a minor adjustment to utility location;
 - c. Does not increase the impacts generated by the development on traffic, stormwater runoff, or similar impacts beyond what was projected for the original development approval;
 - d. Meets all other applicable conditions of the rezoning; and
 - e. Meets all other ordinance requirements.
- (2) For a conditional zoning district applicable to multiple parcels, the owners of individual parcels may apply for a minor modification or major amendment so long as the change would not result in other properties failing to meet the terms of the conditions. Any approved changes shall only be applicable to those properties who owners petition for the change.

(h) A decision on a minor modification may be appealed to the Board of Adjustment as an administrative determination as provided for in subsection 15-93.1. An application for a minor modification does not preclude an applicant from seeking a variance from the Board of Adjustment.

(i) 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 conventional use district would ordinarily require (according to the Table of Permissible Uses), i.e. a special use permit-A, special use permit-B, or zoning permit.

(j) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district and M-3-CZ zoning district shall require the issuance of a special use permit-A. **(AMENDED 10/23/18)**

(k) Notwithstanding the foregoing, in approving a rezoning to a B-1(g) – CZ zoning district, the Town Council 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,

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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 North Carolina Stormwater Nitrogen and Phosphorus (SNAP) 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.”

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- (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.

(l) If a B-1(g) – CZ zoning district is created and, pursuant to subsection (k) 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)**

(m) For property that is zoned B-4-CZ, the Town Council may approve a special use permit-A that authorizes the tract to be divided into two or more lots, so long as (i) the application for the special use permit-A contains sufficient information to allow the Town Council to approve (and the Council 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 Council); 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 Council. (Amended 10/23/18)

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a special use permit-A for the entire tract does not provide sufficient information to allow development approval of such lots by the Council, the Council shall specify (by way

of a condition upon the special use permit-A) 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 Council shall consider the extent to which the initial special use permit-A imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Council'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 Council. 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 special use permit-A issued in connection with a B-4-CZ rezoning.

(n) For property that is zoned M-3-CZ, pursuant to subsection 15-141.4(c)(2) the following provisions shall apply.

- (1) If the Town Council concludes that a proposed development of property zoned M-3- CZ will contain site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, the Council may approve a special use permit-A that allows up to a specified maximum percentage of the gross floor area of the development to be devoted to any combination of uses 8.100, 8.200, 8.500, 8.600, and 8.700. The specified maximum percentage of the gross floor area of the development that may be devoted to such uses shall be proportional to the extent to which the development provides site and building elements that exceed the basic requirements of this ordinance. Such site and building elements are intended to be selected from the following five areas: stormwater management and water conservation; substantial transportation improvement and alternative transportation enhancement; on-site energy production and energy conservation; creation of new and innovative light manufacturing operations; and the provision of public art and/or provision of outdoor amenities for public use.
- (2) The following relationships between site and building elements and uses are hereby deemed to satisfy the standard set forth in subdivision (1) of this subsection: (i) up to fifteen percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of uses 8.100, 8.200, 8.500, 8.600, and 8.700 if the development includes at least fifteen percent of the examples of performance measures from the five areas of site and building element categories set forth below; (ii) up to thirty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of the foregoing uses if the

development includes at least thirty percent of the examples of performance measures from the five areas of site and building element categories set forth below; and (iii) up to forty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of the foregoing uses if the development includes at least forty percent of the examples of performance measures from the five areas of site and building element categories set forth below. In addition, the Council may allow up to forty percent of a development approved pursuant to this section to be devoted to any combination of the foregoing uses if it concludes that the development will be making a substantial enough investment in one or more of the performance measures listed below to satisfy the standard set forth in subdivision (1) of this subsection.

Performance Measures

Site and Building Element Categories	Examples of Performance Measures
Stormwater management and Water conservation	1) Substantial stormwater retrofits 2) Reduction in nitrogen loading from the site by at least 8 percent from the existing condition, as determined by the Jordan Lake Accounting Tool
Substantial transportation improvement and Alternative transportation enhancement	3) 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 4) Substantial improvement to public infrastructure, such as enhanced bicycle and pedestrian paths, or access to transit 5) Construction of substantially improved site entrance, intersection
On-site energy production and energy conservation	6) Meets or exceeds standards for LEED Gold certification 7) Installation of active and passive solar features such as sufficient solar arrays to account for 50 percent or more of the electrical usage for the property 8) Use of harvested rainwater for toilet flushing 9) Use of devices that shade at least 30 percent of south-facing and west-facing building elevations 10) Use of low emissivity (low-e ²) windows along south-facing and west-facing building elevations

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	<p>11) Installation of attic insulation that exceeds the current building code R-value rating by 35 percent or greater</p> <p>12) Use of geothermal heat system to serve the entire complex</p> <p>13) Use of LED fixtures for parking and street lights</p> <p>14) Meets the 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 or the US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030</p>
Creation of new and innovative light manufacturing operations	<p>15) The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers</p> <p>16) Incorporates technologies to reduce production waste by 50 percent or more</p>
The provision of public art and/or provision of outdoor amenities for public use	<p>17) Outdoor amenities such as major public art</p> <p>18) Amphitheatre or outdoor theater, outdoor congregating/gathering area</p> <p>19) Outdoor eating facilities</p> <p>20) Outdoor tables with game surfaces, etc.</p>

- (3) In approving a special use permit-A for a development of infill property zoned M-3-CZ, the Council may allow deviations from the otherwise applicable standards relating to public streets as follows:
- a. The Council may approve a curb and gutter street having a right-of-way of not less than 50 feet, travel lanes of not less than 11 feet, divided by a raised concrete median, with a two foot planting strip and a five foot sidewalk if the development provides a separate ten-foot wide paved bike path or shared-use path that constitutes a satisfactory alternative to a bike lane with the street right-of-way if the applicant can demonstrate that the proposed road will provide the functional equivalent to the required street classification standard for all modes of travel from the point of origin to the terminus at the property boundaries.
 - b. The Council may approve a street lighting system consisting of LED lights on 15 foot poles if satisfactory arrangements are made to ensure that all costs associated with the installation, operation, and maintenance of such poles and lights are borne by the developer or the developer's successor, and not the Town.

- c. The Council may approve a street tree planting plan that provides for the installation of fewer 6" caliper trees rather than the planting of more numerous 2" caliper trees required by Section 15-316.

Section 15-141.5 Site Specific, Flexible Zoning District. (AMENDED 6/21/16)

(a) A site specific, flexible zoning district (FLX) may be established in accordance with the provisions of this section. The purpose of such a district is to establish detailed standards for alternative possibilities for the development of a specific tract of land, thereby facilitating the development of that property according to the demands of the market, but in a way that is consistent with sound planning and the promotion of the public health, safety, and welfare.

(b) To be considered for FLX zoning, a tract must (i) be at least twenty-five acres in size, (ii) be, as a whole, owned by or under control or option to be purchased by one or more individuals or entities, (iii) be located adjacent to a major arterial such that, when developed, the principal entrance to such development will be from that arterial, (iv) have been the subject of a site specific planning study by the Town to determine the most appropriate potential development options for such tract. As used herein, the term "site specific planning study" shall mean a collaborative programmatic and design study for the site performed either by, or with the participation of the Town and input from one or more workshops, which shall result in a narrative report and conceptual master plan describing in general terms how the site might be developed and how the conceptual master plan corresponds to and addresses applicable components of all town plans for the area, and applicable conditions, and (v) be located in an area that is subject to an adopted small area plan.

- (1) If the Town receives a request for FLX zoning for a tract that has not been the subject of a site specific planning study as described in Subsection (b)(iv) above, the Planning Director shall present to the Town Council a proposal for undertaking such a study before accepting a formal application for the rezoning. If the Town Council accepts the proposal, the site specific planning study shall proceed as described in the following subsections, or as otherwise directed by the Council.
 - a. The site specific planning study shall be structured as a charrette of a minimum of one day in duration, or more as determined by the Council.
 - b. The Town shall contract a design professional, with no ties to the applicant, to conduct the charrette. The Town may also contract with a qualified facilitator to oversee the charrette process and final reports prepared from the charrette process.
 - c. Participation shall include representatives from advisory boards, neighbors, and members of the public.
 - d. Notice of the date of the charrette will be mailed to residents and property owners within 1000 feet of the subject property, published in the newspaper as well and any other means the Town deems suitable.
- (2) Findings from the site specific planning study report, or narrative, and site plan(s) shall be presented to the Town Council. Subsequent requests for

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FLX zoning shall demonstrate compliance with the findings from the site specific planning study.

- (3) If more than five years have elapsed since the findings from the site specific planning study were presented to the Council and the circumstances relating to the study have substantially changed, the Council may request an update to the study before accepting a request for FLX zoning. Examples of substantial changes in circumstances include but are not limited to: annexation, some or all of the tracts has been subject to a rezoning, unrelated to the FLX district, that increases residential density or changes the types of uses, (i.e. residential to commercial), development on surrounding properties has changed the character or capacity of existing infrastructure.
- (c) A FLX zoning district shall address the following:
- (1) The types of uses that are permissible within the FLX district, along with a maximum (and if applicable, a minimum) percentage of the gross land area that will be devoted to each such use. The description of uses may be in reference to the use classification numbers set forth in the Table of Permissible Uses, or the uses may otherwise be described. The district regulations may also establish density or intensity limitations (expressed in terms of a maximum and/or, if applicable, a minimum number of dwelling units or square feet of building floor area, and applicable ratios, if any if different types of uses within the district).
 - (2) The dimensional restrictions (building height, minimum lot size, setbacks) that shall apply throughout the district. Different restrictions may apply to different portions of the district, depending on the uses located therein. The dimensional restrictions may be described by reference to those applicable within particular zoning districts, or otherwise.
 - (3) Any limitations on the areas within the district where particular types of uses may be allowed.
 - (4) Any architectural standards that will apply to all or designated portions of the district.
 - (5) Any limitations on the timing or sequence of development of various portions of the district.
 - (6) The location of entrances to and exits from the tract zoned FLX.
 - (7) The manner in which the development of the property will comply with the stormwater requirements set forth in Article XVI, Part II. All developed lots within the district shall be subject to these standards, regardless of the amount of land disturbance, but the FLX district may allow the necessary

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stormwater treatment facilities to be constructed to meet these standards on a lot by lot basis, or some other basis that provides effective and efficient treatment for all new construction.

- (8) Any limitations on the location or design of parking lots and facilities.
- (9) Specifications and standards for the internal circulation system serving vehicular and pedestrian traffic, including a statement as to whether such facilities will be dedicated to the Town.
- (10) All infrastructure improvements proposed to be constructed in conjunction with the development of the property zoned FLX (including but not limited to improvements to adjoining streets) together with a schedule that links construction of such improvements to the development of the property.
- (10A) A traffic impact analysis of the FLX zone, including a phase plan or schedule of improvements along with a description of thresholds to require improvements.
- (11) The extent to which, and the manner in which, development within the tract zoned FLX will be required to meet the goals of Low Impact Design and or exceed the standards for LEED gold certification.

(d) Development of any lot within a FLX zoning district shall require a zoning permit (and a sign permit if applicable), but not a special use permit.

(e) All relevant 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 FLX district established pursuant to this section. In the case of conflict, the provisions of this ordinance or of the specific FLX district ordinance for the tract shall apply.

(f) A text amendment establishing a FLX district as well as a map amendment applying such district to a particular tract shall be initiated and processed in accordance with the following provisions:

- (1) The owner of property who wishes to have such property zoned FLX shall submit a written request to the Town Council, identifying the subject property and explaining why the property is a good candidate for FLX zoning. This written request shall include or attach (i) relevant documents (i.e. narrative, and site plan(s) and a list of proposed conditions which may be in the form of written statements, graphic illustrations, or any combination thereof) that describe the results of the site specific planning process referred to in subsection (b)(iv) above, and (ii) an explanation as to why and how the proposed district is consistent with the Northern Study Area Plan, or if the property is not located within the Northern Study Area, such other plans or policies as may be applicable. The Council may, in its

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discretion, summarily deny the request or direct the town attorney and planning staff to work with the property owner to develop an ordinance pursuant to this section that establishes an appropriate FLX district and that applies this district to such property.

- (2) Once an ordinance has been drafted as provided in subdivision (f)(1), such ordinance shall be processed in accordance with the provisions of Article XX of this chapter applicable to ordinance amendments initiated by the town administration, except that (i) a preliminary draft of the ordinance, including a concept plan shall be presented to the planning board, Transportation Advisory Board, Environmental Advisory Board, Appearance Commission, Economic Sustainability Commission, and Northern Transition Area Advisory Committee (and other advisory boards to which the Town Council may refer the draft) prior to the ordinance being referred to the Town Council to establish a date for the legally required public hearing on the ordinance; (ii) at the time the Town Council directs that an ordinance be drafted in accordance with subsection (f)(1) above, the Council may establish such additional processes as deemed necessary to ensure that the public has an adequate opportunity for input into the proposed FLX district, and (iii) no property shall be rezoned FLX without the consent of the property owner (which consent may be withdrawn at any time before the adoption of the ordinance establishing the FLX district). The text and the map amendment may be processed simultaneously.
- (3) Amendments to a FLX district shall be initiated and processed in the same manner as the initial ordinance, except that, if the planning staff determines that a proposed amendment has no substantial impact on neighboring properties, the general public, or those intended to occupy the site zoned FLX, the staff may forward the requested amendment to the Council as provided in subsection 15-321(c)(2). In such case, the Council may (i) decline to call for a public hearing on the proposed amendment, thereby rejecting it; (ii) establish a date for a public hearing on the proposed amendment in accordance with the procedures applicable to any other zoning amendment; or (iii) direct that additional processes be followed to obtain additional public input on the proposal before setting a date for the legally required public hearing.

(g) Property within a FLX district may be subdivided according to the provisions of this chapter applicable to minor subdivisions, even if such subdivision involves the creation of more than a total of four lots or the creation of a new public street.

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 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; 9/24/13)

(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 Town Council. 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.

Section 15-143.4 Downtown Neighborhood Protection Overlay District. (AMENDED 8/23/05)

(a) There is hereby created a Downtown Neighborhood Protection (DNP) Overlay District. The purpose of this district is to establish special height, setback, and design requirements applicable to lots in certain commercially zoned downtown areas where such lots abut or are directly across the street from residentially zoned properties.

(b) Because the DNP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district except as those regulations are modified or superseded by the requirements of the DNP district. The requirements of the DNP district are set forth in Section 15-185.1 of this chapter.

Section 15-143.5 Lloyd/Broad Overlay District. (AMENDED 6/26/2018)

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(a) There is hereby created a Lloyd/Broad Overlay District. The purpose of this district is to protect and preserve the character of the district and to establish special height, setback, mass and parking requirements applicable to lots within the district.

(b) Because the Lloyd/Broad Overlay District is an overlay district, properties within this district are subject to the regulations applicable to the underlying zoning district, except as those regulations are modified or superseded by the requirements of this district which are set forth in Section 15-185.2 of this Chapter.

Section 15-144 through 15-145 Reserved.

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Section 15-320 Amendments in General.

(a) Amendments to the text of this chapter or to the zoning map or to the comprehensive plan may be made in accordance with the provisions of this article, or in the case of non-substantive editorial changes, may be made administratively by the planning director, as described in Section 15-38 of this ordinance. **(AMENDED 9/01/87; 6/22/21)**

(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. section 143-214.5. Copies of all amendments to section 15-266 shall be sent to the Department of Environmental Quality (DEQ), Division of Water Resources and the Environmental Management Commission (EMC). **(AMENDED 10/15/96; 6/22/21)**

Section 15-321 Initiation of Amendments.

(a) Whenever a request to amend this chapter is initiated by the Town Council, the planning board, the board of adjustment, other town advisory board, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Town Council so that a date for a public hearing may be set.

(b) Any other person may also petition the Council 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. If a change in zoning district classification to a less dense development density is proposed, the name, address, phone number and signature of all property owners consent to the application is required. Applications for down-zoning shall not be considered unless all the property owners consent to the application. **(AMENDED 6/22/21)**

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- (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.

(b1) If a change in zoning district classification is proposed, the petitioner shall hold at least one neighborhood information meeting on the application. A mailing is required in accordance with the standards in 15-323(c). **(AMENDED 6/22/21)**

(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 Council 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 Council 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 Council 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. In accordance with G.S. 160D-601(d), petitions for proposed map changes that would result in a downzoning of property shall only be initiated by the owners of the property or the Town. (See subsection (b)(1) above.) **(AMENDED 6/22/21)**

Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments.

(a) If the Council 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, and may refer the amendment to the affordable housing advisory commission if the amendment involves an affordable housing issue, and may refer the amendment to the economic sustainability commission if the amendment

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involves an economic development issue or any other board if the amendment involves an issue of which the board has expertise. **(AMENDED 9/19/95; REWRITTEN 2/25/14; AMENDED 6/25/19; 6/22/21).**

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Comprehensive Plan, Land Use Plan, long-range transportation plans, or other applicable plans officially adopted by the Town Council. The planning board shall provide a written recommendation to the Town Council 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 Town Council may proceed in its consideration of the amendment without the planning board report. **(AMENDED 10/24/06; 6/22/21)**

(c) A comment by the planning board that a proposed amendment is inconsistent with the Comprehensive Plan, Land Use Plan, long-range transportation plans or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Town Council, and the Town Council is not bound by the recommendations of the planning board. **(AMENDED 10/24/06; 6/22/21)**

(d) A member of the planning board and any other advisory committee that provides direct advice to the Town Council (i.e. it does not report to the planning board) shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. **(AMENDED 10/24/06; 6/22/21)**

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. section 160D-601(a), which provides that the date of publication is not counted but the date of the hearing is. **(AMENDED 6/22/21)**

(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 abutting the property rezoned by the amendment, including property separated by a street right of way, railroad or other transportation corridor and any other property that 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

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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. If the rezoning map amendment is being proposed in conjunction with an expansion of municipal extraterritorial planning and development regulation jurisdiction under G.S. 160D-202, a single hearing on the zoning map amendment and the boundary amendment may be held. In this instance, the initial notice of the zoning map amendment hearing may be combined with the boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the hearing. The staff member mailing such notices shall certify to the council 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; 4/15/97; 3/26/02; 6/22/21)**

(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. section 160D-602(b), 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; 6/22/21)**

(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 at least 10 but not more than 25 days prior to the date of the public hearing. 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. **(AMENDED 6/22/21)**

(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.

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- (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 Council'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 Town Council 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 Town Council 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. section 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. section 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 town-initiated zoning map amendment. **(AMENDED 11/24/09)**

Section 15-324 Council Action on Amendments. **(AMENDED 10/24/06)**

(a) At the conclusion of the public hearing on a proposed amendment, the Council 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 Council 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 2-15 of the Town Code.

(d) When adopting or rejecting any zoning or text amendment, the Council shall adopt a statement describing whether the action is consistent or inconsistent with an adopted comprehensive plan, which shall not be subject to judicial review. **(AMENDED 2/6/2018;**

REWRITTEN 6/22/21)

- (1) If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan, and no additional request or application for a plan amendment shall be required.
- (2) A plan amendment and zoning amendment may be considered concurrently.
- (3) If a zoning map amendment qualifies as a “large-scale rezoning” under G.S. section 160D-602(b), the Council’s statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(d1) When adopting or rejecting any petition for a zoning map amendment the Council shall adopt a statement explaining the reasonableness of the proposed rezoning. The statement of reasonableness may consider, among other factors: (i) the size, physical conditions, and other attributes of any area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development and the development permissible under the proposed amendment, (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a “large-scale rezoning” under G.S. section 160D-602(b), the statement on reasonableness may address the overall rezoning.

(e) A Council member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Council member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. (See also Carrboro Town Code Section 2-35). **(REWRITTEN 6/22/21)**

Section 15-325 Ultimate Issue Before Council on Amendments.

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Council 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 zoning district, the Council 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 Council shall consider whether the entire range of permitted uses in the requested classification is more

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appropriate than the range of uses in the existing classification. **(AMENDED 05/25/99; 05/27/08)**

- (2) The Council 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; 6/22/21).

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 a zoning regulation including a text or map amendment that has been properly initiated as provided in G.S. 160D-601, to the Clerk of the Town Council at least two (2) business days prior to the proposed vote on such change, the Clerk to the Council shall deliver such written statement to the Council. If the proposed change is the subject of a quasi-judicial proceeding under G.S. section 160D-705 or any other statute, 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 Council shall not disqualify any member of the Council from voting. Written statements submitted in connection with a quasi-judicial proceeding may be admitted into evidence at such a proceeding if the Council determines that such statements are admissible under the N.C. Rules of Evidence 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).

Race and Equity Pocket Questions

Title and purpose of this initiative: Legislative Public Hearing for Conditional Zoning at 1307 West Main Street. The Town has received a petition to amend the zoning classification for the property at 1307 West Main Street from B-3 to R-2-CZ for the development of a five-story multi-family residential project. The application includes a request for a text amendment to increase the maximum building height in the R-2 district from 50 feet to 65 feet. A draft ordinance for the requested map amendment has been prepared. The Town Council must receive public input before reaching a decision on this request.

Department: Planning

What are the racial and equity impacts?

The subject property is located within Tract 107.07 which is Carrboro's only QRT for calendar year 2024, and includes approximately 60% white alone, 30% non-white alone, and 10% multiple races (91% of those that indicated multiple races listed white as one of the races. If approved, the map amendment would allow a new development with considerably more residential density that currently permitted in the B-3 district. The applicants have committed to 6 affordable units based on the current design with 34 units anticipated. The number of affordable units may increase if the design program changes and includes more units overall. The location is accessible to existing transit stops and walkable to the downtown area and commercial destinations. The proposal would introduce the beginning of a rather substantial change in character for the west end of Main Street which currently consists, mainly, of older one and two story homes.

Who is or will experience community burden?

The map amendment alone will not add burden to residents in the area but will allow for denser development. Construction would inconvenience residents in Berkshire Manor with noise, dust, etc. and may impact the direct access to West Main Street at certain times, details to be discussed and examined during the development of a construction management plan as part of the SUP-A. It is unclear whether residents at Berkshire Manor or other community members have ever used the site as open space or for casual recreation activities. Nearby residents may see increased traffic, increased stormwater flows, and long-term, increased property values could result in increased property taxes (this could affect housing ownership turnover, and for rentals, this cost is often passed down to renters, increasing tenants' cost of living). If the proposed development does not provide affordable housing, low-income community members may continue to be burdened by the rising cost of home ownership and tenancy in Carrboro.

Who is or will experience community benefit?

Approval of the map amendment would increase the density of the site. The current zoning allows 6 to 10 dwelling units (depending on the use of the affordable density bonus). The proposal, if approved, would allow for 25 to 40 dwelling units comprised of a combination of 1 bedroom, 2 bedroom and 3 bedroom units; at least 6 units would need to be affordable. Town residents stand to benefit from greater density, which would allow Carrboro to increase the diversity of its housing stock and provide homes for new and existing residents close to parks and schools. Existing neighbors could see an increase in property values from the development as well.

What are the root causes of inequity?

Root causes of inequity can be related to past governmental actions like land use planning, transportation planning and discriminatory lending practices that have disproportionately harmed the interests of historically Black communities/communities. On a national scale, the status quo investment in single family zoning has contributed to disparities in wealth, resource accessibility, and quality of living along racial lines. While the Town does not have single family zoning districts and has offered mixed use zoning and diverse housing options for over sixty years, continuing to create diverse housing is one strategy to mitigate larger racial and economic inequities that new or existing residents face due to structural and institutional racism.



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What might be the unintended consequences of this action or strategy?

Rezoning can affect land values and quality of life experiences for surrounding property owners and occupants in ways that can be beneficial and, albeit for some, less desirable. Increasing density to provide more housing and more diverse housing price points would be an example. The public hearing process is intended to provide a way for adjacent property owners and the community at large to learn about a development proposal and provide input in a public hearing. Even with rigorous notification efforts including mailed notice, some people may not learn of a project in time to provide input and/or feel that they understand the project and/or approval process enough to fully participate.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The text amendment associated with the rezoning request includes a development standard for the applicant to demonstrate to what extent the new building may cast a shadow on existing buildings on adjacent lots. While not addressing all impacts, it provides a reminder to the applicant and the Town during the review process of the effect of constructing bigger/taller buildings on undeveloped and/or infill lots. Suggestions outlined in the REAL lens assessment, moreover, include options for better public engagement moving forward. Of note, this would involve efforts to go beyond what is required by state statute and the Land Use Ordinance.



Agenda Item Abstract

File Number: 24-030

Agenda Date: 2/27/2024

File Type: Agendas

In Control: Town Council

Version: 1

Minor Modification of a Special Use Permit-A

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the front façade of the building at 203 West Weaver Street.

DEPARTMENT: Planning

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333, mrroupe@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

This item relates to the town's Land Use Ordinance. Racial Equity pocket questions have been answered and are included as an attachment.

INFORMATION: Yaniv and Meitali Cohen, new owners of 203 West Weaver Street, have applied for a Minor Modification to the previously approved Special Use Permit-A. The permit was originally issued in April 2002, allowing for a restaurant / bar / nightclub use, with outside service and consumption (Attachment B and Item D.1 at http://www01.townofcarrboro.org/BoA/Agendas/2002/04_16_2002.htm). A permit modification was approved in May 2013 to allow changes in the outdoor seating area, including the addition of a pergola, <https://carrboro.legistar.com/LegislationDetail.aspx?ID=1429132&GUID=9F69E624-D12E-4499-9517-3A3DC950B128&Options=&Search=>> .

The requested modification, if approved, will allow for a change to the front façade involving the removal of existing windows and wall and installation of larger window panels, called bifolding windows (Attachments C and D). The proposed windows span the entire façade, top to bottom.

The new owners are working toward opening a bakery in the space, which is consistent with the existing use category for the site, so the only modification requested at this time involves a change to the façade to allow for the new window panels.

The building is located within the B-2 zoning district, which encourages preservation of the existing character and appearance of the area while balancing that with ensuring that residential structures can be converted and adapted to commercial use. The zoning district description for B-2, Fringe Commercial, is provided below and Council should consider the request accordingly:

B-2 Fringe Commercial. *This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial*

activities due to high traffic volumes and proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to residential areas. Any development within the B-2 district shall comply with the following requirements: (AMENDED 9/06/88; 6/20/06).

- a. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;*
- b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets*

Also of note is that the building is included in the Carrboro, N.C. Architectural & Historical Inventory. The page containing information about this building is attached for your consideration while reviewing the requested change to the façade.

The Land Use Ordinance does not have explicit standards describing how a change of this nature should be viewed beyond the guidance provided above. Since it involves a visual change to the building, it is considered a minor modification to the permit, which requires that the request be brought before Town Council for a decision.

A public hearing is not required for this request. However, the Town Council has the discretion to hold one if they deem it necessary to gather additional public input before deciding.

FISCAL IMPACT: Application fees are paid by the applicant. No other fiscal impacts are noted.

RECOMMENDATION: Staff recommends that Town Council consider the request and decide whether to adopt the attached resolution (Attachment A), authorizing the minor modification to the Special Use Permit-A.

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE SPECIAL USE
PERMIT-A AT 203 WEST WEAVER STREET**

WHEREAS an application has been received for a Minor Modification to the Special Use Permit-A for the property located at 203 West Weaver Street; and

WHEREAS the application has been found to comply with the applicable provisions of the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Minor Modification to the Special Use Permit-A for the property located at 203 West Weaver Street is hereby approved.

This the 27th day of February 2024.

PREPARED BY AND RETURN TO: TOWN CLERK TOWN OF CARRBORO 301 West Main Street CARRBORO, NORTH CAROLINA 27510
--



NORTH CAROLINA

ORANGE COUNTY

BOOK 2588 PAGE 193

TOWN OF CARRBORO

CONDITIONAL USE PERMIT GRANTED

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Jack Haggerty
OWNER: Felix Roux
PROPERTY LOCATION (Street Address): 203 West Weaver Street
TAX MAP, BLOCK, LOT(S): 7.98.N.9 <i>9778-86-0319</i>
PROPOSED USED OF PROPERTY: Restaurant with outside service and consumption
CARRBORO LAND USE ORDINANCE USE CATEGORY: 8.200
MEETING DATES: April 16, 2002

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

3) That the applicant bring the proposed color scheme for the building back to the Appearance Commission for a courtesy review.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

TOWN OF CARRBORO
CONDITIONAL USE PERMIT (con't)
Page #2

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

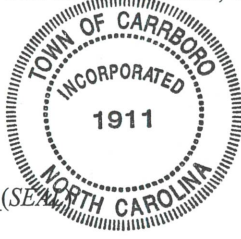
NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

ATTEST:

Sarah C. Williamson (SEAL)
Town Clerk

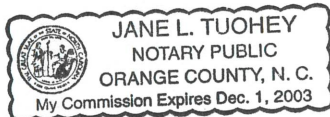


THE TOWN OF CARRBORO

BY Robert W. Morgan
Town Manager

I, Jane L. Tuohey Notary Public in and for said County and State, do hereby certify that Sarah C. Williamson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that Robert W. Morgan, Town Manager of said Town of Carrboro and Sarah C. Williamson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 8 day of May, 2002.



Jane L. Tuohey (SEAL)
Notary Public

My Commission Expires: _____

I (We), Felix Roux-Ripoll Annie Roux-Ripoll owner(s), do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner(s) do further acknowledges that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

Felix Roux-Ripoll
Owner

Annie Roux-Ripoll
Owner

NORTH CAROLINA
ORANGE COUNTY

I, Barbara Bell Mes, a Notary Public in and for said County and State, do hereby certify that Felix Roux-Ripoll Annie Roux-Ripoll appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 25 day of April, 2002.



Barbara Bell Mes
Notary Public

My Commission Expires 1-23-05

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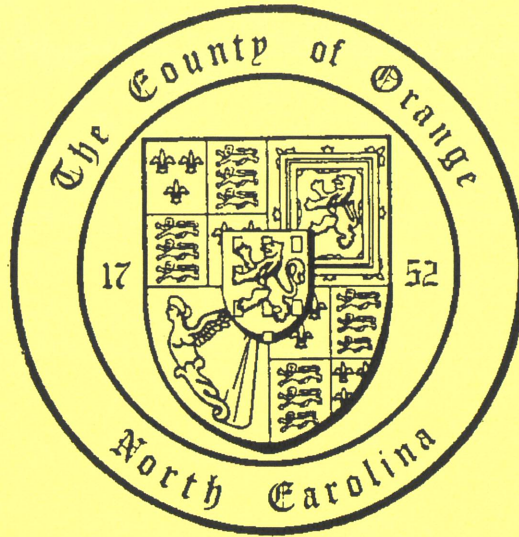
TOWN OF CARRBORO
CONDITIONAL USE PERMIT (con't)
Page #3My Commission Expires: 1-23-05

(Not valid until fully executed and recorded)

STATE OF NORTH CAROLINA
COUNTY OF ORANGEThe foregoing certificate(s) of _____ Notary/Notaries
Public of the designated governmental units (is) (are) certified to be correct.

This the ____ day of _____, A.D. 20__.

Register of DeedsBy: _____
Assistant/Deputy Register of Deeds**PREPARED BY AND RETURN TO:****TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510**



Joyce H. Pearson
Register of Deeds
Orange County
North Carolina

FILED
13 MAY 2002, at 02:55:13pm
Book 2588, Page 193 - 196
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

State of North Carolina, County of Orange

The foregoing certificate/s of Jane L. Tuohey and Barbara Belk Myers , Notary/Notaries Public for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day May 13, 2002

JOYCE H. PEARSON, REGISTER OF DEEDS By:

Hauette Benadeum
Deputy/Assistant Register of Deeds





ASA BARAK ARCHITECTURE STUDIO, D.P.C.
www.asabarak.com

EVEN DOUGH
CAFE, NC.

NOTES:
1. THIS DOCUMENT, UNLESS SIGNED AND SEALED BY A P.E., HAS NOT BEEN PROFESSIONALLY REVIEWED FOR STRUCTURAL INTEGRITY.
2. ASA BARAK STUDIO INC. & ITS OWNER/S, EMPLOYEES & SUBCONTRACTORS ARE NOT LIABLE FOR ANY DAMAGES OR INJURY RESULTING FROM ANY ERRORS & OMISSIONS CONTAINED WITHIN THIS DOCUMENT.
3. THIS PLAN IS A SCHEMATIC DESIGN PROPOSAL ONLY, AND MAY ONLY BE USED AS A CONSTRUCTION DOCUMENT IF STAMPED BY THE ARCHITECT & APPROVED BY THE DEPARTMENT OF BUILDINGS. THE ARCHITECT ASSUMES NO LIABILITY IF THIS PLAN IS USED WITHOUT THE ABOVE APPROVALS & WRITTEN CONSENT.
4. CONTRACTORS MUST VERIFY ALL DIMENSIONS IN FIELD AND REPORT DISCREPANCIES FOUND. PLANS MUST BE LABELED AS RELEASED FOR CONSTRUCTION PRIOR TO USE FOR CONSTRUCTION.
5. THE ARCHITECT HAS NOT BEEN RETAINED TO PROVIDE PROJECT MANAGEMENT SERVICES OR CONSTRUCTION SUPERVISION UNLESS OTHERWISE NOTED.
6. THE CLIENT AGREES TO HOLD HARMLESS, INDEMNIFY, AND DEFEND THE ASA BARAK STUDIO INC. & ITS OWNER/S, EMPLOYEES & SUBCONTRACTORS, AGAINST ALL DAMAGES, CLAIMS AND LOSSES, INCLUDING DEFENSE COSTS, ARISING OUT OF ERRORS & OMISSIONS AND/OR REUSE OF THE PLANS AND SPECIFICATIONS WITHOUT WRITTEN AUTHORIZATION OF ASA BARAK.

ISSUED TO	no.	issuance	date
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REGISTERED DESIGN PROFESSIONAL OF RECORD:
NAME: ASA BARAK, RA
LICENSE# 088346
BUSINESS NAME: A.B.A. STUDIO, D.P.C.
ADDRESS: 203 RIVINGTON ST. #3L, NEW YORK, NY 10002

STAMPS & SIGNATURES:

PROJECT ADDRESS:

203 WEAVER ST, CARRBORO, NC 27510

TITLE:

PROPOSED PLAN

DWG NO:

A-400.00

DRAWN: S.M.	CHECKED: A.B.	SCALE:
DATE: 2/5/2024	DWG: 1	OF 2

DOB BSCAN STICKER:

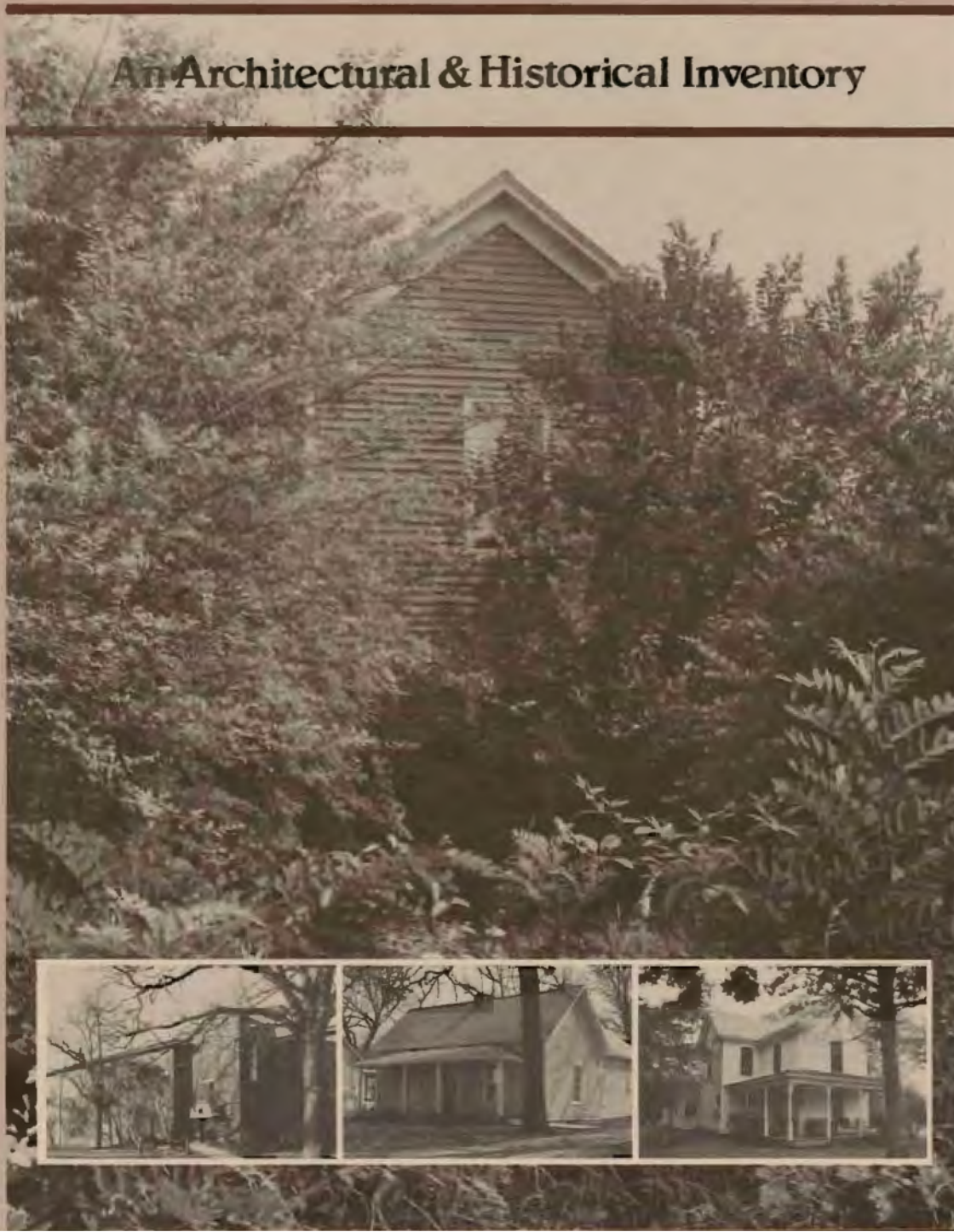


BIFOLDING WINDOW

BIFOLDING WINDOW

1 FACADE RENDERING

An Architectural & Historical Inventory



corbelled cornices and pyramidal roofs. All of these early additions continued the original identifying feature of the evenly spaced multi-paned windows topped with fixed transoms.

For three decades, Carrboro's two textile mills remained the focus of the community's life. In the mid-1910s, however, the demand for cotton hosiery abated in response to the rising popularity of silk stockings. With the advent of the Great Depression, Durham Hosiery Mills declined, and in 1930 the company closed its Mill No. 4. The building stood idle until early in 1945 when Pacific Mills purchased it for its new branch, Carrboro Woolen Mills. To modernize the facilities, Pacific Mills immediately tore down the surrounding frame ancillary buildings and enlarged the mill with the plain two-story brick warehouse, known as the east wing, joined to the mill with knuckle jointing on its southeast corner. A two-story infill addition also was built between the two towers on the south elevation. When air conditioning was installed around 1950, most of the windows were filled in with brick. About this time, the pyramidal roofs were removed from the towers. After Pacific Mills left Carrboro in the mid-1950s, the mill served as a warehouse for several years.

In 1976, the abandoned and dilapidated brick mill and its eight-acre tract were rehabilitated as Carr Mill under the Tax Reform Act of 1976, which provided handsome tax incentives for renovations that preserve the original character of historic buildings. The redevelopment by EDY Corporation, based in Chapel Hill, and Southern Real Estate of Charlotte included the adaptive reuse of the mill as shops and offices as well as new construction in the area to the north formerly occupied by mill houses. Many of the bricked-in windows were re-opened and on the interior most of the masonry walls, heavy timbers and maple floors were left exposed. According to a U. S. Department of the Interior case study of this project, "... the architectural character of the mill lent itself to easy adaption: the heavy structural

uses, high ceilings allowed adequate space for installation of mechanical equipment, and the large open floor areas minimized the need for interior demolition..." The redeveloped property has contributed to the revitalization of Carrboro's formerly depressed business district, and once again the Alberta Cotton Mill/Durham Hosiery Mill No. 4 stands as a major focal point of central Carrboro.

12. House 302 Weaver Street

This structure exemplifies one of the variations of the larger one-story, one-room-deep frame houses built by investors to be sold or rented to Carrboro mill workers. This house and the almost identical West House (built next door and moved to 209-A Oak Avenue in 1981) were constructed by Brodie Lloyd for rental, either direct or through the mill, to the mill workers in his cousin Thomas F. Lloyd's Alberta Cotton Mill. At 302 Weaver Street, a triple-A roof-line and an exterior chimney with a corbelled cap in each gable end characterize the house. The original exterior materials have been covered with aluminum siding. The raised seam tin covering the roof may have replaced original split shake shingles. The front yard filled with mature foliage and hardwoods is marked by a low dry-laid stone wall which lends individuality to the prototypical mill house form.

13. House 201 Weaver Street

Another house type popular in Carrboro throughout the first quarter of the 20th century is represented by this one-story, two-room-deep house with a tall hipped roof and center hall plan. Each of the two principal rooms on either side of the center hall has a fireplace, and each pair of fireplaces is served by a single interior chimney. The decorative front gable with split shake shingles lends some individuality to the form. Slender turned posts support the hip-roofed front porch. A kitchen ell is attached to the rear of the house. At the time of its construction, behind the house there was a



13. 201 Weaver Street

community grove with a barbecue pit and a softball field maintained by the Durham Hosiery Mills. The house was occupied for many years by A. J. Blackwood, who came to Carrboro from Burlington, N.C., in 1914 to be a superintendent in the No. 4 mill of the Durham Hosiery Mills, owner of the house. Later, the Thrift family lived here. In 1980, the house was rescued from its abandoned and dilapidated condition by a local investor who converted it to offices. This adaptive re-use successfully preserved the integrity of this house.

14. House 203 Weaver Street

This house also was the target of a restorative adaptive re-use by the same businessman who rehabilitated the house next door at 201 Weaver Street. In this case, the house is typical of the smaller, one-room-deep type built by Thomas F. Lloyd for rental to his Alberta Cotton Mill workers. In spite of the decorative front gable in which scalloped, sawtooth and split shake shingles are combined, overall the house is very simply detailed, with plain cornices and exposed rafter ends rather than molded box cornices. Several bands of molding encircle the rather squat turned porch posts. The rear ell has been enlarged to a wing across the entire rear elevation.



14. 203 Weaver Street



15. 205 Weaver Street

15. House 205 Weaver Street

Built by carpenter Thomas Clark in the first decade of this century, this house is typical of one of the varieties of the smallest one-story, one-room-deep houses built for one of the Lloyds as speculative rental housing for Alberta Cotton Mill laborers. Surviving virtually intact on the exterior, this particular house type exhibits a single, central entrance on the main facade that opens to a foyer from which the two principal rooms may be entered. Separating these rooms, behind the foyer, is a wall containing a central chimney with a fireplace serving each room. Characteristic of other Carrboro mill houses, the porch along the rear ell has been enclosed. When the house was converted to offices in 1981, a restoration of the exterior preserved the patterned pressed tin roof.

Race and Equity Pocket Questions

Title and purpose of this initiative: Special Use Permit-A Minor Modification for 203 West Weaver Street

Department: Planning, Zoning and Inspections

What are the racial and equity impacts?

This minor modification request relates to a Special Use Permit-A (SUP-A) previously granted by Town Council to allow a restaurant / bar / nightclub facility to be located at 203 West Weaver Street. If approved, it will allow for the façade of the existing building to be modified to place new window panels on the front of the building. Racial impacts associated with a modification to the façade of a commercial building may be limited in scope but may provide job opportunities for a local business doing such work. Other impacts include potential additional tax value and associated increase in the tax base and revenue for use by local governments in providing services, associated with improvements to the building, but such potential positive impacts should be balanced with what some may perceive as negative impacts associated with altering the architectural integrity allowed by the requested change.

Who is or will experience community burden?

During construction, nearby businesses and residents may experience burdens such as noise, traffic, dust, and other changes related to the work, but such impacts should be minimal considering the limited scope of what is involved with the request.

Who is or will experience community benefit?

It is possible that a local company doing work associated with the requested change may benefit from a contract to complete the work. Nearby property owners may experience an increase in the value of their properties due to proximity to the business in relation to improvements being made of the building. Again though, others may feel that the proposed changes negatively impact property values in relation to altering the architectural integrity of the original building.

What are the root causes of inequity?

Structural racism in the United States has affected access to and funding/financing for property ownership, educational and health care access, infrastructure, public services, and wealth generation for BIPOC families.

What might be the unintended consequences of this action or strategy?

As noted previously, property value increases associated with the request may or may not be positively impacted by the change. If the change negatively affects nearby property values, then community benefits from increased tax revenues may not be fully realized.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The department plans to monitor impacts before, during and after the changes. The department will continue to use the REAL and pocket questions in relation to consideration and implementation of policies in the town's comprehensive plan, *Carrboro Connects*.