



Legislation Details (With Text)

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<b>Type:</b>	Consent Agenda	<b>Status:</b>	Agenda Ready
<b>File created:</b>	5/18/2024	<b>In control:</b>	Town Council
<b>On agenda:</b>	6/4/2024	<b>Final action:</b>	
<b>Title:</b>	Minor Modification of a Special Use Permit-A		

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the erosion control and grading plan for Lot 2 within the South Green development project at 501 South Greensboro Street.

Indexes:

Code sections:

Attachments: 1. A - Resolution, 2. B - Special Use Permit-A Document, 3. C - Previously Approved Site Plan, 4. D - Erosion Control and Grading Plan, and Retaining Wall Details, 5. E - SUP-A Permit Minor Modification Request Pocket Questions

Date	Ver.	Action By	Action	Result
6/4/2024	1	Town Council		

Minor Modification of a Special Use Permit-A

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the erosion control and grading plan for Lot 2 within the South Green development project at 501 South Greensboro Street.

DEPARTMENT: Planning

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333, mroupe@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: Drew Howe of Ballentine Associates has submitted a Special Use Permit-A Minor Modification request on behalf of the property owner, Capstone Ventures LLC. The permit was originally issued in June 2015 and the SUP-A document and original site plan are included for reference, as Attachments B and C respectively. The applicant is seeking approval of a request to modify the previously approved erosion control and grading plan for Lot 2. Attachment D includes the currently proposed plan for reference. If approved, the developer will move forward with erosion control measures and grading, as well as installing multiple retaining walls as soon as this summer, ahead of potentially building one or more buildings in the future.

While the request modifies the previously approved erosion control and grading plan, it is necessary to note that

the vested right to potentially construct a building up to approximately 14,000 square feet in size is not changed or modified by this approval. Town Council has already approved an amendment to the conditional rezoning for the property to allow for residential uses to be included within the development, and the developer is moving forward with plans for such use on Lot 2, but a new / updated vested right to build a residential project on the lot may only be established by way of the granting of a new Special Use Permit-A in the future allowing for revisions to the building plans for the lot. The developer is seeking approval of this Minor Modification in advance of receiving a new Special Use Permit-A in order to facilitate completing necessary groundwork before the winter months make such work more difficult.

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 approve the attached resolution (Attachment A) granting the Minor Modification to the Special Use Permit-A.