



## Legislation Details (With Text)

**File #:** 24-066  
**Type:** Agendas  
**File created:** 3/21/2024  
**On agenda:** 4/9/2024  
**Name:**  
**Status:** Agenda Ready  
**In control:** Town Council  
**Final action:**  
**Title:** Request to Set Legislative Public Hearing for Conditional Rezoning

**PURPOSE:** The Town has received a petition to rezone property at 400 North Greensboro Street from CT to B-1G-CZ for the development of a three-story multi-family residential project. The Town Council must receive public comment before considering this request. A resolution setting a public hearing for the rezoning has been provided.

### Indexes:

### Code sections:

**Attachments:** 1. A - Resolution Request to Set, 2. B - Draft Zoning Ordinance, 3. C - B1gcZ\_VicinityMap, 4. D - Narrative & Petition for Change of Zoning Form - 400 NG - SM Signed, 5. E - Plans\_400-CRZ-FULL, 6. F - Scanned sign in sheet, 7. G - LUO ART IX & XX, 8. H - Pocket Questions

Date	Ver.	Action By	Action	Result
4/9/2024	1	Town Council		

Request to Set Legislative Public Hearing for Conditional Rezoning

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**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon, Planning & 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:

☒ X Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ X Other

Setting a public hearing for a map amendment is a required step in accordance with North Carolina state statutes and Town Regulations. Pocket questions relating to the process for legislative public hearings are included as Attachment H.

**INFORMATION:** The Town has received a petition from Sam Mitchell of Bison Lodge, LLC, to rezone the 0.37-acre property at 400 North Greensboro Street from CT (Corporate Town, Residential 40,000 square feet per dwelling unit) to B-1G-CZ (General Business, Residential 2,000 square feet per dwelling unit) for the purpose of constructing a multi-family residential development. The proposal is for a new three-story brick building containing seven units and associated common areas. The project will involve the removal of the

existing house on the property. A vicinity map of the property is provided for information (*Attachment C*).

Materials submitted by the applicant and his agent, Jim Spencer Architect, include a brief project narrative, the petition for change of zoning with answers to the four-part question seven addressing consistency with the comprehensive plan (*Attachment D*), site plans and building elevations (*Attachment E*). The applicants held a neighborhood information meeting on April 27, 2022 (*Attachment F*), a pre-application requirement.

A draft rezoning ordinance has been provided with a draft list of conditions (*Attachment B*). It is anticipated that the conditions will be modified during the joint review and public hearing process. The final list of conditions must be mutually agreed upon by the Town and the applicants. Should the Council approve the rezoning, the applicant would follow with an application for a Special Use Permit-B.

The Town Council must receive public comment before acting on a map amendment. Excerpts from the Land Use Ordinance include Article IX, Zoning Districts, and Article XX, Amendments: Section 15-322 of Article XX describes the role of the Planning Board and other advisory boards in reviewing amendments (*Attachment G*). Responses to the pocket questions relating to the amendment process have been provided (*Attachment H*). A report on the specifics of the project will be provided as part of the public hearing materials.

A resolution is provided for the Town Council to set a public hearing for May 21, 2024. Once comments have been received and discussion has occurred, the Town Council would proceed with considering action on the requested map amendment.

**Action on the resolution of consistency is needed first, followed by action on the ordinance.**

**FISCAL IMPACT:** The petitioner has submitted materials and fees, as applicable for reviewing and processing these requests, including providing envelopes to the mailed notice for the rezoning. Staff time will be necessary for public notice and agenda preparation for advisory board review and public hearings.

**RECOMMENDATION:** Staff recommends that the Town Council consider (*Attachment A*) - setting a public hearing for the map amendment and referring the petition for change of zoning to the Planning Board and other advisory boards as appropriate.

**..end**