

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, November 13, 2001 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Dorosin
	Jacquelyn Gist
	Diana McDuffee
	Allen Spalt
	Alex Zaffron
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

REQUEST FOR FUNDING

Catherine Devine, Chair of the Friends of the Century Center, presented a proposal for “Food for Thought”—a winter-long weekly series of arts-related presentations to be held at the Carrboro Century Center. Ms. Devine asked for \$1,500 in funding from the Town for this project. She stated that they are also seeking a matching grant from the Orange County Arts Commission for this project.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALLEN SPALT TO APPROPRIATE \$1,500 FROM THE CONTINGENCY FUND FOR THE FOOD FOR THOUGHT PROPOSAL. VOTE: AFFIRMATIVE ALL

MORGAN RIDGE TOWNHOME PROJECT

Frank Stallone, a resident of 405 Berryhill Drive, expressed concern about the increase of water flow from the proposed Morgan Ridge town home project. He urged the Board to postpone further action on this project and hire an independent expert to review the plan and render an impartial opinion on the effect that the development will have on the water table in Weatherhill Pointe. He also urged the Board to put in place extra oversight mechanisms to ensure that the contractor and all subcontractors comply with all plan specifications.

The Board requested that the town’s engineer attend the public hearing on the Morgan Ridge project.

REQUEST FROM CITIZENS

Stephanie Padilla, a resident of 103 Autumn Drive and a 2001 election candidate, stated that during her campaign the following concerns were raised by citizens-- more communications on use of tax money, speeding and running stop signs, and a house in Lloyd/Broad Street neighborhood possibly involved in illegal activity.

SMITH LEVEL ROAD WIDENING PROJECT

Dan Markscheid, representing the Berryhill Homeowners, presented a statement to the Board urging that the Smith Level Road widening project be reconsidered and re-evaluated.

The Board authorized Mayor Nelson to forward a letter to NCDOT and the Town's legislative delegation requesting reconsideration of the widening project.

Mr. Morgan stated that he had forwarded a letter to NCDOT requesting an extension of the 15-day comment period following the open house and public hearing on this project.

Mr. Morgan introduced Dale Keel, the town's new Transportation Planner.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO APPROVE THE OCTOBER 23, 2001 MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING FOR THE MORGAN RIDGE TOWNHOME CONDITIONAL USE PERMIT

Mr. Glenn Phillips, with Ballentine Associates, PA, representing the Berryhill Group, LLC, has submitted an application for a Conditional Use Permit (CUP) to allow a major subdivision (Use 26.100) of multi-family townhomes (Use 1.321) at 501 Berryhill Drive. The request consists of an Architecturally Integrated Subdivision of sixty-four (64) multi-family townhome lots to be located at 501 Berryhill Drive. The name for the project is Morgan Ridge. The Board of Aldermen must hold a public hearing to receive input before reaching a decision on a conditional use permit application. The Administration recommended that the Board set a public hearing for November 27, 2001, for consideration of the conditional use permit request.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

A RESOLUTION CALLING A PUBLIC HEARING ON THE CONDITIONAL
USE PERMIT REQUEST FOR THE MORGAN RIDGE TOWNHOME
PROJECT LOCATED ALONG BERRYHILL DRIVE
Resolution No. 49/2001-02

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on proposed conditional use permit projects; and

WHEREAS, an application has been received for a conditional use permit for the Morgan Ridge Townhome project located along Berryhill Drive.

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on November 27, 2001 to consider the conditional use permit request for the Morgan Ridge Townhome project.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 13th day of October, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

A REQUEST TO ADOPT A BUDGET ORDINANCE

A budget amendment was requested to transfer \$3,496 from contingency to pay for legal fees associated with the Pine Street infill deliberations for the Board of Adjustment (\$1,250) and to pay taxes associated with the donation of property received and accepted by the Board on August 14, 2001 (\$2,246).

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY MARK DOROSIN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2001-02 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

CONSTRUCTION BUDGET AMENDMENT: CARRBORO CENTURY CENTER

The Mayor and Board of Aldermen adopted a budget for the construction of the Carrboro Century Center. During the renovation, change orders were issued against the construction contingency to deal with modifications and additions. It was necessary for the Board to amend the construction budget to reflect these changes.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

**A RESOLUTION APPROVING A CHANGE ORDER TO THE CARRBORO
CENTURY CENTER AND AUTHORIZING THE CONSTRUCTION
OF A POOL FOR THE DONATED FOUNTAIN**

Resolution No. 51/2001-02

WHEREAS, the Town of Carrboro has renovated the former Carrboro Baptist Church to be used as the Carrboro Century Center, and

WHEREAS, renovation work requires modifications not anticipated in the original construction.

NOW THEREFORE BE IT RESOLVED, by the Carrboro Mayor and Board of Aldermen that:

1. Electrical Contractors Change Order 3 is approved.
2. The Administration is authorized to proceed with the construction of a pool for the donated fountain.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 13th day of October, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

APPOINTMENT TO THE TRANSPORTATION ADVISORY BOARD

The purpose of this item was for the Mayor and Board of Aldermen to consider appointing Ginny Wolpin to a seat on the Transportation Advisory Board.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

**A RESOLUTION MAKING AN APPOINTMENT
TO THE TRANSPORTATION ADVISORY BOARD
Resolution No. 52/2001-02**

WHEREAS, there is one vacant seat on the Transportation Advisory Board; and

WHEREAS, Ms. Ginny Wolpin has applied for this seat; and

WHEREAS, Ms. Wolpin’s application was reviewed by the Chair of the Transportation Advisory Board and the Chair is recommending Ms. Wolpin’s appointment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Mayor and Board of Aldermen hereby appoint Ginny Wolpin to a seat on the Transportation Advisory Board. Ms. Wolpin’s term shall expire in February 2004.

Section 2. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 13th day of October, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

REQUEST TO SET A PUBLIC HEARING FOR CARRBORO’S 2004-2010 LOCAL PRIORITY LIST

The North Carolina Department of Transportation (NCDOT) has begun the 2004 - 2010 State Transportation Improvement Program (TIP) process. Since the initiation of the biennial process, NCDOT requests that the local governments and their respective metropolitan planning organizations begin the biennial process by updating their project lists. Should the Mayor and Board of Aldermen wish to proceed with any action on this matter, the Administration recommended that a public hearing be set for November 27, 2001 and that the Local Priority List be made available for public comment.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Mark Dorosin.

**A RESOLUTION CALLING A PUBLIC HEARING ON THE 2004-2010
MUNICIPAL LOCAL PRIORITY LIST
Resolution No. 55/2001-02**

WHEREAS, the North Carolina Department of Transportation has determined that municipal and metropolitan planning organizations will utilize a biennial process to adopt a State Transportation Improvement Program; and

WHEREAS, the State Transportation Improvement Program is a list of selected transportation projects from Carrboro and other municipalities and metropolitan planning organizations throughout North Carolina.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing for November 27, 2001 to consider adopting the 2004-2010 Municipal Local Priority List

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 13th day of October, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

Alderman Broun requested a chronology for each project on the Carrboro priority list.

PINE STREET: CONTINUED DISCUSSION

On October 9, 2001, the Board of Aldermen reviewed follow-up information related to development issues noted by Andreas Hay. The completion of this discussion was continued to November 13. A resolution that provides an opportunity for the Board of Aldermen to specify additional follow-up action was provided.

The Board discussed the ordinance amendments requested by the Pine Street residents (requested amendments in bold).

Define “group homes” and/or “dormitories” and “other similar housing” (section 15-146) and provide some restrictions on these high density, high impact dwellings in residential neighborhoods. Require 150% of lot square footage (e.g., 15,000 sq ft in an R-10 zone) per group home dwelling.

The Board requested that the Town staff develop a rooming house option similar to Chapel Hill’s and a bedroom option.

Andreas Hay explained his purpose in asking that the Board require 150% of lot footage per group home.

Eliminate the “two-family conversion” portion of section 15-182(b), which allows the conversion of a single-family home to a duplex on lots with 150% of the minimum lot size for the given zoning district. As currently allowed this gives developers an unfair advantage over owner-occupiers on the open market. Per the Planning Department, this is the biggest exposure to Pine Street and other similar neighborhoods from ultra-high density properties.

Alderman Dorosin suggested that the definition of “duplex” be revised to indicate that a common wall with interior living space is on both sides.

The Board asked that the Town staff prepare a revised definition of a duplex based on Alderman Dorosin’s suggestion.

Add the ability to build a 500 square foot detached single family dwelling (granny suite) on lots with 150% of the minimum lot size for the given zoning district. Houses of this small size provide truly affordable housing, have minimal impact to the neighborhood, does not significantly skew the playing field toward developers/landlords, and take advantage of existing infrastructure.

The Board requested that the Town staff bring back options for the Board's consideration.

Tom Whisnant asked the staff to keep in mind the Vision 2020 goals and Vernacular Architectural Standards.

Mr. Morgan stated that the Town staff would let the Board know on November 20th when the Board will further consider this item.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO EXCUSE MAYOR NELSON FROM THE MEETING DUE TO ILLNESS. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (DOROSIN)

JOINT DISCUSSION: LAND USE ORDINANCE TEXT AMENDMENT TO TRANSFER IMPERVIOUS SURFACE CAPACITY FROM ONE LOT TO ANOTHER IN CERTAIN DISTRICTS

In the review of a request to set a public hearing on October 23, the Board of Aldermen scheduled a discussion on the proposed impervious surface transfer amendment and invited the Planning Board and Environmental Advisory Board to participate. A resolution that specifies any additional action was recommended for the Board's adoption.

Adam Searing, Chair of the Planning Board, stated the Planning Board was evenly split on its vote concerning this matter. He explained why some of the Planning Board members thought this amendment should be approved.

Susan Poulton, a member of the Planning Board, stated that she did not feel this proposed amendment should be adopted.

Keith Burwell, a member of the Environmental Advisory Board, explained why the EAB had voted to deny the proposed amendment.

Chris Conover, a resident of Winsome Lane, explained his requested amendment.

The Board took no action on this matter.

Isabelle Camanelles, a resident of Winsome Lane, expressed concern that Alderman Spalt had suggested that he might support this amendment in an earlier conversation.

Alderman Spalt explained the chronology of events relating to this proposed amendment.

WORKSESSION: INFILL DEVELOPMENT

The Board of Aldermen expressed an interest in exploring the benefits and limitations associated with infill development and have reviewed this matter on several occasions since March 2000. Following a review of related information in March 2001, the Board directed the Agenda Planning Committee to schedule a worksession. A resolution that provides an opportunity for the Board of Aldermen to specify its objectives regarding infill development was presented.

Consideration of this item was delayed until December 18th.

A REPORT ON THE PROPOSED AGENDAS FOR THE DECEMBER AND JANUARY PLANNING RETREATS

The Retreat Planning Committee has developed an agenda for the December 2nd and January 27 & 28 Planning Retreats. The Committee requests that the Board approve the proposed agenda.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

A RESOLUTION APPROVING THE PLANNING RETREAT AGENDAS
FOR DECEMBER 2 AND JANUARY 27&28
Resolution No. 50/2001-02

BE IT RESOLVED that the Mayor and Board of Aldermen approve the proposed agendas for the December 2, 2001 and January 27 & 28, 2002 Board of Aldermen Planning Retreats.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 13th day of October, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, Diana McDuffee, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

TRANSIT SERVICE

Alderman Broun asked that the Town staff explore options to increase Carrboro transit service in light of Southern Village's request for limited service.

Alderman McDuffee stated that this points out the need for the transit memorandum of understanding and asked that the Town staff prepare a letter to Chapel Hill requesting Carrboro's participation in discussions on potential changes to service, expressing interest in discussing ads on buses, concern about the operation of Chapel Hill Transit--in particular the costs of operating the system, and asking for a mechanism for Carrboro to be included in discussions about how service is provided by Chapel Hill Transit.

DEDICATION OF SMITH MIDDLE SCHOOL

Alderman Broun stated that the dedication ceremony for Smith Middle School was held on Sunday, November 11th and Carrboro was recognized for its participation in developing the recreation facilities.

MOTION WAS MADE BY ALLEN SPALT AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 10:30 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (NELSON)

Mayor

Town Clerk