A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, April 16, 2002 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 John Herrera Diana McDuffee Alex Zaffron

Town Manager Robert W. Morgan
Deputy Town Clerk
Town Attorney Richard White
Michael B. Brough

CARRBORO PARKS PROJECT

Susan Stone gave a report on the Carrboro Parks Project. Members of the Board commended Ms. Stone for the organization for its work.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO APPROVE THE APRIL 9, 2002 MINUTES. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/PROVENCE RESTAURANT

Jack Haggerty, representing property owner Felix Roux has submitted an application for a Conditional Use Permit (CUP) of Provence Restaurant. The CUP is to allow a Restaurant with Outside Service and Consumption (Use 8.200) at 203 West Weaver Street. The applicant requested that the Board of Aldermen consider, deliberate, and make a decision on the Conditional Use Permit.

James Thomas, Town of Carrboro Planner/Zoning Development Specialist, was sworn in. Mr. Thomas made the presentation.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JACQUELYN GIST THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO 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 submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15064 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 should bring the proposed color scheme for the building back to the Appearance Commission for a courtesy review.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION IS GRANTED, SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

REQUEST FOR A CONDITIONAL USE PERMIT MODIFICATION/CROWN CASTLE ATLANTIC TELECOMMUNICATIONS TOWER

Chris Jablonski, representing Sprint PCS, has applied for a minor modification to the Crown Castle Atlantic Telecommunications Tower conditional use permit located at 200 Redfoot Drive. The Crown Castle Atlantic Telecommunications Tower CUP was last amended on June 25th, 1996 (to allow for the relocation of the existing 200 foot tall lattice tower approximately 1,150 feet east of its current location). The proposed minor modification consists of adding a new antenna to the tower as well as installing equipment within the existing fenced in area at the base of the tower. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The Administration requested that the Board of Aldermen review the request and make a decision regarding the minor modification.

James Thomas, Town of Carrboro Planner/Zoning Development Specialist, made the presentation.

The following resolution was introduced by Alderman Broun and duly seconded by Alderman Zaffron.

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE CROWN CASTLE ATLANTIC TELECOMMUNICATION TOWER Resolution No. 127/2001-02

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 200 Redfoot Drive on June 25th, 1996; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower shall constitute a minor modification to the original Conditional Use Permit; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications for towers contained in the Land Use Ordinance.

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NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen to approve the minor modification to the Crown Castle Atlantic conditional use permit located at 200 Redfoot Drive allowing Sprint PCS to install an antenna on the tower and install additional equipment within the fenced in area at the base of the tower.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of April, 2002:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Michael Nelson, Diana McDuffee, Alex

Zaffron

Noes: None

Absent or Excused: None

A REQUEST TO SET A PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT: AUTO SALES IN B-1(G)

John Sayle has submitted a request on behalf of the Merritt Mill Center Associates to amend the Land Use Ordinance to allow auto sales in the B-1(g) zoning district. An overview of the request is presented. Should the Board of Aldermen wish to proceed with such a change, it will be necessary to receive public comment, a Planning Board recommendation and Orange Countycomments regarding consistency with the Joint Planning Area Land Use Plan. The Administration recommended that the Board of Aldermen take no action other than returning the application fee.

Trish McGuire, the town's Planning Administrator, made the presentation.

Tommy Gardner, representing the property owners, stated that the amendment provides an opportunity to improve the use and the appearance of property.

John Sayles, co-owner of Franklin Auto, stated that residents will have the chance to deal with a local business. He displayed photographs of the property.

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

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT REQUEST REGARDING AUTO SALES IN THE B-1(G) ZONING DISTRICT Resolution No. 135/2001-02

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing and proposed policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to prepare a draft ordinance, and that the Aldermen call a public hearing on June 04, 2002.

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board, Appearance and Transportation Advisory Boards for comment and recommendations to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of April, 2002:

Ayes: Joal Hall Broun, Jacquelyn Gist, John Herrera, Michael Nelson, Diana McDuffee, Alex Zaffron

Noes: Mark Dorosin

Absent or Excused: None

The Board requested that staff prepare performance standards on issues such as establishing a minimum distance between similar businesses; placing a cap on the size, number of vehicles, and square footage that can be used for storage; determining if repairs and cleaning will occur off-site and if on-site, that an appropriate waste disposal facility is installed; and requiring appropriate lighting. The Board would like to review these standards prior to the public hearing.

REQUEST TO SET A PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO **OPEN SPACE PROVISIONS**

The Board of Aldermen has referred to staff a citizen request regarding whether the 40 percent open space requirement is needed in the University Lake watershed. Information has been compiled and staff has requested that OWASA review this matter. A draft ordinance has been prepared. The Administration recommended that the Board of Aldermen adopt the attached resolution setting a public hearing on this matter for June 11, 2002 and referring a draft ordinance to the Planning Board and Orange County.

Trish McGuire, the town's Planning Administrator, made the presentation.

The following resolution was introduced by Alderman Gist and duly seconded by Alderman Herrera.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT THAT AMEND VARIOUS SECTIONS RELATING TO THE PROVISION OF OPEN SPACE AND RECREATIONAL FACILITIES Resolution No. 133/2001-02

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on June 11, 2002 to consider adopting "An Ordinance Amending Various Land Use Ordinance Sections Relating to the Provision of Open Space and Recreational Facilities."

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board for comment and recommendations to the Board.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of April, 2002:

Ayes: Mark Dorosin, Jacquelyn Gist, John Herrera

Noes: Michael Nelson, Alex Zaffron, Joal Hall Broun, Diana McDuffee

Absent or Excused: None

A REQUEST TO ESTABLISH A SISTER CITY RELATIONSHIP WITH JUVENTINO ROSAS, MEXICO

Project 25 of the 2002-03 Action Agenda calls for the Board of Aldermen to consider establishing a sister city relationship with a city in Mexico. The purpose of this item was to request that the Board consider establishing this relationship.

Alderman Herrera reported that there has been informal contact with Juventino Rosas. He suggested forwarding a letter of interest and working out the details later. He stated that this is a request by former residents of Juventino Rosas who now live in Carrboro.

Alderman McDuffee pointed out that she helped establish a 501c3 to support sister city relationships with Saratov, Russia and San Jorge, Nigurauga. She cautioned the Board not to repeat previous mistakes and to focus on local groups establishing links.

At the Board's request, Alderman Herrera will draft a letter of interest for the Board's review.

DISCUSSION OF THE BOARD'S SUMMER BREAK

The Mayor and Board of Aldermen discussed and set their summer break schedule for this year.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Jacquelyn Gist.

A RESOLUTION SETTING THE BOARD OF ALDERMEN'S SUMMER BREAK FOR 2002
Resolution No. 128/2001-02

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the month of July and the first two weeks of August will be set as the Board's summer break for the year 2002.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 16th day of April, 2002:

Ayes: Joal Hall Broun, Jacquelyn Gist, John Herrera, Michael Nelson, Diana McDuffee, Alex Zaffron

Noes: Mark Dorosin

Absent or Excused None

It was the consensus of the Board to revisit the possibility of taking off the month of December in the fall.

TOWN HALL DAY

The Manager stated that Town Hall Day is June 11.

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HUMAN SERVICES APPLICATIONS

Alderman Gist urged the Board to stop by James Harris' office to read some of the Human Services applications to gain a sense of the community's needs.

JOINT PLANNING PUBLIC HEARING

Alderman McDuffee reminded the Board of the Joint Planning Public Hearing on Wednesday, April 17.

MICROPHONES

Alderman McDuffee requested that staff look in to having microphones on for meetings other than Board of Aldermen meetings

BEHAVIOR SIGN

Alderman Broun requested that the sign about behaving appropriately is posted.

TIME WARNER CABLE AUDIT

Alderman Broun requested that staff find out about Cary's Time Warner Cable's financial audit.

116 ESTES DRIVE

Alderman Dorosin requested information on the next steps for the house located at 116 Estes Drive.

MEETING WITH LOCAL LEGISLATIVE DELEGATION

Alderman Zaffron requested that staff arrange a meeting with the local legislative delegation to discuss the impact of the budget crisis.

SAND PILE REMOVAL

Mayor Nelson requested that the Town Manager write a letter to the company that is storing a sand pile near Rebecca Clark's home and send a copy to her.

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MOTION	WAS	MADE	BY	JACQUELYN	GIST	AND	SECONDED	BY	JOAL	HALL	BROUN	TO
ADJOURN	IAT 9	:20 P.M.	VO	TE: AFFIRMA	ΓIVE A	LL						

		Mayor
Deputy Town Clerk		