

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, September 20, 2005 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Chilton
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

CAR FREE DAY

James Carnahan stated that September 22nd is Car Free Day and encouraged citizens to participate in this event.

Mayor Nelson stated that Triangle Transit Authority has a new express service to Raleigh that works very well.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA TO APPROVE THE SEPTEMBER 6 AND 13, 2005 MINUTES. VOTE: AFFIRMATIVE ALL

AN AMENDMENT TO CHAPTER 10 (ANIMALS) OF THE TOWN CODE

In response to a request from Alderman Chilton, the Town Attorney has prepared an amendment to Chapter 10 of the Town Code to provide for a civil penalty of \$100.00 for a violation of Subsections 10-19(a) and (b).

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 10 OF THE CARRBORO TOWN CODE TO IMPOSE A CIVIL PENALTY OF \$100.00 UPON A PERSON WHO, WHEN HIS OR HER ANIMAL BITES ANOTHER PERSON OR ANIMAL, FAILS TO REPORT IT OR FAILS TO CONFINE THE ANIMAL AS REQUIRED BY THE ORDINANCE." VOTE: AFFIRMATIVE ALL

PROCLAMATION ISSUED

Mayor Nelson read a proclamation proclaiming October as Domestic Violence Awareness Month.

PUBLIC COMMENT SESSION ON DRAFT MAP FOR CONSERVATION AREAS IN THE UPPER BOLIN CREEK WATERSHED

The purpose of this item was to 1) share relevant documents with the Board of Aldermen and 2) allow for public comment on the 16 August 2005 staff presentation on the draft Map of Conservation Areas in the Upper Bolin Creek Watershed.

Noah Ranells, the town's Environmental Planner, made the presentation.

Dave Otto, with the Friends of Bolin Creek, made a presentation and stated that preparation of the conservation map is the first step in the conservation process. He stated that he feels the 100-foot buffer is inadequate to protect hardwood forests and wildlife corridors, feels it would be better to try and preserve land ridge to ridge, suggested areas for conservation, presented a map showing a map of a core park. He stated that a vision map would provide a visual description of where we want to go; a map with boundaries communicates to the public and contributors what we can achieve, and stated that it is necessary to solicit contributions and conservation easements and to submit funding applications. He stated that the Friends of Bolin Creek are prepared to lead a fund-raising effort if the Board endorses a vision map with boundaries.

Alderman Herrera suggested a tax incentive for land donations in the preservation area.

Mr. Otto stated that there are a number of options available for property owners to preserve land.

Alderman Zaffron pointed out that public access would have to be identified.

Alderman Gist stated that there have been a lot of comments about the negative impact on the cost of housing, but feels the creek needs to be preserved and that the conservation boundaries are identified.

Mayor Nelson asked if the differences in the town's map and the FOBC's map resolve the ridge to ridge conservation.

Mr. Otto stated that the FOBC wants to preserve all the area of Carolina North located in Carrboro.

Alderman Chilton stated that the proposed boundary does not encompass the county's Twin Creeks Park property. He suggested that a conservation area be included to link up with the park property.

Mr. Otto stated that the map FOBC are proposing they feel is "doable". They would very much like to extend the conservation area.

Julie McClintock stated Carrboro is the key to preservation and spoke in favor of coordination with Chapel Hill and Orange County. We are very lucky to have the study to move ahead with a preserve.

Sharon Cook, a resident of Claymore Road, stated that Carrboro has an opportunity to preserve land. She spoke against the University's proposal to construct 140 units of housing at the end of Claymore Road. The opportunity to preserve this corridor will not be around long. She asked the Board to go to UNC and ask that this land be preserved as a nature park.

Linda Haac, a resident of Millrock Court, thanked the Board and Friends of Bolin Creek for all the efforts to preserve land along Bolin Creek and asked the Board to seriously consider the Friends of Bolin Creek proposal. She stated that the Adams Tract is already a nature preserve and is being used a lot by the public.

Katrina Ryan stated that she is a candidate for the Board of Aldermen in Carrboro and owns a home on Claymore Road. She stated that it was her understanding that UNC plans to use Claymore Road to access their

proposed development and that will create a very steep downward slope on a very narrow road. The increased traffic will require widening Claymore Road, which will drain to Bolin Creek. A better access would be off Homestead Road.

It was the consensus of the Board to request that this matter be scheduled for further consideration at the Board's next meeting on October 4th with the request for the following:

- Information on UNC's proposed housing project, including the environmental impact study, location of roads, and proposed protection measures for Bolin Creek and surrounding neighborhoods;
- Revised map to correct the Horace Williams property boundary and showing property lines;
- Preliminary site plan showing location of proposed schools on Twin Creeks' property;
- Plans for development within the area designated by the FOBC for a park preserve; and
- Map of Winmore Creek protection area.

A REVIEW OF AFFORDABLE HOUSING FOR THE JONES PROPERTY ARCHITECTURALLY INTEGRATED SUBDIVISION LOCATED AT 8112 OLD NC 86

Because the Jones Property AIS Conditional Use Permit project does not propose to reserve 15% of its units as affordable, Section 15-54.1 of the Land Use Ordinance requires that the applicant participate in an Affordable Housing Review Meeting with the Board of Aldermen before project review may continue. The Board of Aldermen was asked to review the affordable housing component of the Jones Property AIS major subdivision.

Mike Brough stated that the purpose of this meeting was to ask the developer why he is not providing the 15% affordable housing in his proposed project.

Dan Jewell, the architect for the Harmony Farms property, distributed a conditional use permit request timeline for the Harmony Farms development project. He stated that at the time they submitted their application over a year ago, there was no 15% affordable housing goal. The density would have to be bumped up to provide the required affordable units. He stated that they would be talking with Orange Community Housing and Land Trust.

Mayor Nelson expressed his desire to see the town homes dispersed among the development.

Robert Dowling, with OCHLT, stated that it would be helpful if developers came to them early in the development process. He stated that the land use ordinance provision dealing with affordable housing bonuses stipulates the price of the house to be two and one-half times the income of a family of four that is at 80% below the median income.

Mike Brough suggested that the land use ordinance be revised to require that developers contact the Orange Community Housing and Land Trust.

Alderman Chilton pointed out that there could be cases when the OCHLT model would not be used, i.e., affordable rental units.

A REVIEW OF AFFORDABLE HOUSING FOR THE OASIS GROVE COURT ARCHITECTURALLY INTEGRATED SUBDIVISION LOCATED AT 100 GAIL COURT

Because the Oasis Grove Court AIS Special Use Permit project does not propose to reserve 15% of its units as affordable, Section 15-54.1 of the Land Use Ordinance requires that the applicant participate in an Affordable Housing Review Meeting with the Board of Aldermen before project review may continue. The Board of Aldermen was asked to review the affordable housing component of the Oasis Grove property AIS major subdivision.

Armin Leith, the developer of Oasis Grove Court, stated that they were proposing two affordable units in a 13-unit development. He stated that he would be proposing additional affordable units in their revised plans. He said that he would be talking with Orange Community Housing and Land Trust. He also stated that this proposed development would not be intended to be rental units.

Alderman Broun suggested that developers be given information to work with the Orange Community Housing and Land Trust at the beginning of the development process, and that a link to the OCHLT be placed on the town's website.

DISCUSSION OF ZONING ALTERNATIVES FOR THE R-2 ZONING DISTRICT

On August 23, 2005, the Board of Aldermen held a public hearing and voted to establish a 180-day moratorium on land use permit review of subdivisions or certain developments in the R-2 zoning district. The Board also scheduled a worksession to discuss zoning alternatives for this district.

Alderman Chilton requested to be recused from consideration of this matter, as he owns property within the R-2 zoning district.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO RECUSE ALDERMAN CHILTON FROM CONSIDERATION OF THIS MATTER. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to request that the town staff prepare an R-2 rezoning proposal based on the RHDC overlay zone with some modifications, specifically requiring mixed use by establishing a minimum amount of nonresidential development, especially office/service type uses not retail/restaurants/bars/nightclubs.

REPORT ON EVALUATION OF VERNACULAR ARCHITECTURAL STANDARDS

The Board of Aldermen requested that staff evaluate and provide recommendations on the proposed revisions to the Vernacular Architectural Standards (VAS).

Alderman Broun asked for a report on how the development process works and what the profit margin is that developers are seeking to reach.

Jay Bryan, Chair of the Vernacular Architectural Standards Committee, stated that the standards would require developers to think and would require them to address the architectural standards. He stated that Robert Dowling with Orange Community Housing and Land Trust and a member of the VAS Committee, had requested that the architectural standards not apply to affordable housing projects. He stated that as policies the standards would not have an impact. The VAS Committee has requested that the architectural standards be made mandatory.

Alderman Chilton suggested that the standards be reviewed at the building permit stage. He also suggested that the standards apply to affordable housing projects.

Mike Brough stated that the Board has the authority to impose aesthetic standards. He expressed concern about the Board of Aldermen enabling some other board to make case-by-case ad hoc decisions about what they like or don't like. He suggested that if mandatory standards are imposed, that they be articulated in a manner that they can be understood.

It was the consensus of the Board to schedule a worksession to further discuss the vernacular architectural standards.

AGENDA FOR ASSEMBLY OF GOVERNMENTS MEETING

Mr. Stewart stated that Orange County and Chapel Hill have requested that the following items be added to the agenda for the September 29th Assembly of Governments meeting:

Report on district elections for Orange County Board of Commissioners;
Report on the relocation of the solid waste operations center in terms of it being an essential public facility; and
Status report on consideration of using the Alamance County Landfill.

Board members reiterated their desire to limit this meeting of the Assembly of Governments to discussion of affordable housing.

The Board requested that Mayor Nelson speak with Mayor Foy and Moses Carey about the Board's request.

Alderman Zaffron suggested that the subcommittee (Alderman Broun and Zaffron) who will be meeting with Chapel Hill representatives to discuss issues surrounding Rogers Road discuss the extension of public sewer to serve the county's new solid waste operations center.

DESIGNATION OF VOTING DELEGATE FOR THE 2005 ANNUAL LEAGUE OF MUNICIPALITIES BUSINESS MEETING

Mayor Nelson stated that Steve Stewart will be attending this year's N.C. League of Municipalities Conference and requested that the Board authorize Mr. Stewart to act as the town's voting delegate for the League's Business Meeting scheduled for Tuesday, October 18th.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOAL HALL BROUN TO
DESIGNATE STEVE STEWART AS THE TOWN'S VOTING DELEGATE FOR THE NCLM BUSINESS
MEETING. VOTE: AFFIRMATIVE ALL

LETTER FROM FRED BATTLE: ROGERS ROAD COMMUNITY

Alderman Gist referenced a letter that the Board had received from Fred Battle, President of the Chapel Hill-Carrboro NAACP regarding promises made to the residents of the Rogers Road community dealing with the

extension of water and sewer and transit services to that neighborhood. She requested a report from OWASA regarding the extension of water service to that area.

Alderman Zaffron stated that shared-ride service should be available in January. The town staff is working with Chapel Hill Transit to designate shared-ride stops along Rogers Road that would be available to anyone in that area, not just the residents that will be annexed by Carrboro effective January 31, 2006.

MOTION WAS MADE BY JOHN HERRERA AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 11:10 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk