

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, January 23, 2007 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun arrived at (7:46 p.m.)
	Dan Coleman
	Jacquelyn Gist
	John Herrera
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	T.C. Morphis for Michael B. Brough
Deputy Town Clerk	Sharmin E. Mirman

Absent:

Alderman	Dan Coleman
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REQUEST TO ADOPT A BUDGET AMENDMENT

The Board was requested to approve a budget amendment transferring \$2,500 from contingency to the Board's budget to provide sufficient funds for the Planning Retreat to be held on January 28th and 29th.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2006-07 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL, ABSENT: ONE (COLEMAN)

PRESENTATION OF 2006 CARRBORO MOBILITY REPORT CARD

A Mobility Report Card has been prepared for the Town of Carrboro. Michael Hallock-Solomon of LSA Associates, Inc. presented a summary of the report.

Michael Hallock – Solomon, of LSA Associates Inc., made a presentation to the Board.

Alderman Haven O'Donnell stated that she was surprised that there were no significant changes in congestion in the Homestead/Rogers Road corridor because of schools and neighborhoods coming in and that there was only an addition of one bikeway.

Michael Hallock – Solomon stated that a lot has been done since 2005.

Alderman Herrera stated that NCDOT needs to be aware that a light or crossing path is needed at the Davie/Jones Ferry Road intersection across from Abbey Court because it is very dangerous and accidents have increased in the two years of study.

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

A RESOLUTION RECEIVING A REPORT ON
THE CARRBORO MOBILITY REPORT CARD
Resolution No. 112/2006-07

WHEREAS, a Mobility Report Card has been prepared for the Town of Carrboro as a means to monitor and evaluate progress toward town-wide mobility goals.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen has received the report on the 2005 Carrboro Mobility Report Card and releases the report to the Town's advisory boards for review and discussion.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 23rd day of January, 2007:

Ayes: Mark Chilton, Jacquelyn Gist, Randee Haven-O'Donnell, John Herrera, Alex Zaffron

Noes: None

Absent or Excused: Joal Hall Broun, Dan Coleman

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO REVISE PROVISIONS RELATED TO CHILD DAY CARE HOMES AND FACILITIES

The purpose of this item was to receive citizens' comments regarding a request to amend the text of the Land Use Ordinance to revise several current restrictions on child day care homes and facilities, and to consider the adoption of an ordinance which responds to the request and proposed revised definitions.

Kendal Brown, the Planner/Zoning Development Specialist, made a presentation to the Board.

Mayor Chilton stated that smaller day cares were given more scrutiny than larger ones and the special use permit process takes too long. The staff recommendation clarifies the process but does not simplify the process to get them approved. Under our current ordinances it is difficult to open a new daycare facility. He stated that he is concerned about regulations protecting neighbors, but more concerned about driving the business out of our town and at the same time creating more of a demand.

Alderman Broun stated that she would like to see more of an incentive bonus for new commercial developments. She noted that the regulations are just about zoning and not what is going on inside the daycare.

Alderman Gist encouraged residential developers to find ways to encourage clubhouses to be used as childcare centers. It would create jobs, keeps kids safe, and cut down on transportation problems.

Alderman Haven O'Donnell stated that she supports the incentive to create day cares in new developments. Parents have to take their children to day care outside of their own community and it is important to have their children community centered.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY ALEX ZAFFRON TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL, ABSENT: ONE (COLEMAN)

MOTION WAS MADE BY JOAL BROUN AND SECONDED BY TO REFER THE MATTER BACK TO STAFF FOR FURTHER REVIEW. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO REMOVE THE MANSARD ROOF OPTION FOR THE NEIGHBORHOOD PROTECTION OVERLAY DISTRICT

While considering a request from the Planning Board to remove the opposite side setback provision, the Board of Aldermen scheduled a public hearing to receive comments on removing the mansard option associated with the third story of buildings in the Downtown Neighborhood Protection overlay district.

Trish McGuire, the town’s Planning Administrator, addressed the Board.

Eleanor Kinnaird, a member of the Economic Sustainability Commission, addressed the Board on behalf of the chair and as a citizen who is interested in architecture and what happens visually in our town visually. She stated that ESC felt it was an interesting solution because it masks greater height, gets around the ordinance, softens the difference between those two areas, and is an interesting architectural feature. They want to avoid looking too uniform and “plug-in” which is not “Carrboroish”. When we encourage architectural design and creativity to make that transition, we have a more interesting streetscape. She encouraged the Board not to delete the mansard roof.

Mayor Chilton stated that the proposed change does not affect whether or not a person can build a mansard roof in our town. It would be permissible. The question is whether the mansard roof line should count as the ten foot setback that the ordinance requires. If it requires a ten foot setback, there should be an actual ten-foot setback rather than a modified roofline.

Alderman Zaffron said the language was drafted expressly to create an option for creating a greater amount of square footage.

Alderman Haven-O’Donnell asked if setbacks will be staggered if things stay the way they are and we accept proposal. There is a funny ledge on one side because of the right-of-way on the 3rd floor that is weird and constraining for architects.

Mayor Chilton stated that he liked Alderman Zaffron’s suggestion.

Alderman Zaffron stated that we adopt the language deleting the reference to mansard roof options to the DMP overlay alone.

Mayor Chilton stated that there would be no mansard roof within the 50 foot buffer.

Blan Hollman, a Carrboro citizen, addressed the board. He asked why mansard and not gambrel roofs.

Alderman Broun stated that mansard roof and gambrel roofs, like cars, are not all the same. Carrboro does not have a standard architecture and it is wrong to impose one. She stated that the Board may want to show people different mansard and gambrel roofs if they can be found locally.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO ASK STAFF TO REVISE THE ORDINANCE TO REFER TO THE DNP ONLY AND CONTINUE THE PUBLIC HEARING ON FEBRUARY 27, 2007. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT TO REVISE THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY DISTRICT OPPOSITE SIDE SETBACK PROVISION

In response to a request from the Planning Board, the Board of Aldermen scheduled a public hearing to receive comments on one of the stepback requirements associated with the Downtown Neighborhood Protection overlay district.

Trish McGuire, the Planning Administrator, addressed the Board.

Alderman Zaffron stated that there is a remedy to a technical error.

Alderman Broun stated that she does not want to tamper so much with downtown so we have to re-evaluate whether we will ever get to the long-term goal. We have to do this or it will be unlivable for middle class. We have to define it to mean what we say it means. It is not a condominium.

David Ripperton addressed the Board. He stated that he was in favor of adopting the recommendation. Stepbacks make it more expensive because you need transfer beams.

James Carnahan, Chair of the Planning Board, addressed the Board. He stated that since you step back ten feet, for every ten lineal feet, you give up 100 square feet of usable space. With two stories, you lose enough space for one employee. He stated that the Planning Board was recommending approval of the amendment.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE: FIVE, NEGATIVE ONE (GIST), ABSENT ONE (COLEMAN)

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE
BOARD OF ALDERMEN'S REASONS FOR ADOPTING
AN AMENDMENT TO THE TEXT OF THE CARRBORO LAND USE ORDINANCE
Resolution No. 104/2006-07

WHEREAS, an amendment to the text of the Carrboro Land Use ordinance has been proposed, which amendment is described or identified as follows: An Ordinance Amending the Carrboro Land Use Ordinance to revised the Downtown Neighborhood Protection Overlay District Opposite Side Stepback Provision.

NOW THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with Carrboro Vision 2020: Policies through the year 2020.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town of Carrboro seeks to encourage downtown vitality by building up, not out.

Section 3. This resolution becomes effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 23rd day of January, 2007:

Ayes: Joal Hall Broun, Mark Chilton, Randee Haven-O'Donnell, John Herrera, Alex Zaffron

Noes: Jacquelyn Gist,

Absent or Excused: Dan Coleman

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO REVISE THE DOWNTOWN NEIGHBORHOOD PROTECTION OVERLAY DISTRICT OPPOSITE SIDE STEPBACK PROVISION." VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GIST), ABSENT ONE (COLEMAN)

MOTION WAS MADE BY JOAL BROUN AND SECONDED BY JACQUELYN GIST TO ADJOURN THE MEETING AT 9:19 P.M. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

Mayor

Deputy Town Clerk