

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 27, 2008 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist
	John Herrera
	Randee Haven-O'Donnell
	Lydia Lavelle
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

### **PUBLIC HEARING ON FY 2008-09 MANAGER'S RECOMMENDED BUDGET**

The Board of Aldermen, prior to adopting the budget, is required by G.S. 159-15 (b) to schedule a public hearing. The public hearing is designed to receive community input on the Manager's recommended budget for the upcoming fiscal year. Following the budget hearing, the Board was requested to provide direction to the Town Manager for the June 3<sup>rd</sup> meeting, including preparations for the final budget and a work session agenda, if desired.

Mike Maher with Wootini, expressed his desire for the town to promote town and arts events, and encouraged the establishment of a planning and promotions committee.

Zach Ward with DSI Comedy Theatre spoke about the positive impact his business has on town economics, expressed the need for town involvement in advertising arts-related events, and spoke in favor of town providing staff to focus on promoting the arts.

Robert Dowling, Executive Director of the Orange Community Housing and Land Trust, spoke in support of the Land Trust's increased funding request.

Marty Mandell suggested that Mike Maher and Zach Ward contact the Chapel Hill/Orange County Visitors Bureau about promoting arts events, spoke in opposition to the proposed tax increase, stated that she feels the Schools Adequate Public Facilities Ordinance is not working and feels the word "district" should be changed to "appropriate school", the land transfer tax would likely pass if the buyer, rather than the seller, would have to pay the tax, and feels the school and government bureaucracy is out of control.

Alderman Gist expressed her desire to see the school system go to year round schools.

Alderman Broun stated that all elected officials in Orange County need to focus on commercial growth.

Mr. Stewart suggested that the Local Living Economy Task Force discuss support for the arts.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY DAN COLEMAN TO ASK THE TOWN MANAGER TO REVISE HIS PROPOSED BUDGET FOR FY 2008-09 TO INCREASE THE ALLOCATION TO THE ORANGE COMMUNITY HOUSING AND LAND TRUST BY \$4,000.00, AND THAT THE BUDGET BE PRESENTED TO THE BOARD FOR ADOPTION ON JUNE 3, 2008. VOTE: AFFIRMATIVE FOUR (ALDERMAN HAVEN-O'DONNELL ABSTAINED FROM VOTING ON THIS MOTION BECAUSE OF HER CONCERN FOR CARRBORO'S DISPORTIONAL PAY IN INTO THE PARTNERSHIP, BUT FULLY SUPPORTS THE OCHLT, BUT THAT SHE WAS AWARE THAT HER

VOTE ON THIS ISSUE WOULD BE COUNTED AS AN AFFIRMATIVE VOTE) , NEGATIVE THREE (BROUN, CHILTON, LAVELLE)

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**PUBLIC HEARING TO CONSIDER A LAND USE ORDINANCE TEXT AMENDMENT TO PROVIDE FOR CONDITIONAL ZONING**

At the March 25, 2008 public hearing, the Board of Aldermen considered conditional zoning in the context of a rezoning request for 102 Center Street. A draft ordinance that would establish conditional zoning has been prepared and was provided for the Board's consideration. The Planning Board reviewed this item on May 1, 2008 and offered support for amending the ordinance to provide for conditional zoning.

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

Alderman Broun expressed her desire to have the Board of Aldermen consider conditional zoning in additional zones at a future date.

The following resolution was introduced by Alderman Dan Coleman 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. 156/2007-08

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 PROVIDE FOR CONDITIONAL ZONING.

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, particularly policies 3.21, 3.5, and 3.6 that advocate for low-impact, diverse, home-based businesses and economic expansion in the downtown.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest.

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 27<sup>th</sup> day of May 2008:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Randee Haven-O'Donnell, John Herrera, Jacquelyn Gist, Lydia Lavelle

Noes: None

Absent or Excused: None

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE

TO PROVIDE FOR CONDITIONAL ZONING DISTRICTS,” AMENDED TO DELETE THE FOLLOWING ZONING DISTRICTS FROM SECTION 15-141.4(a): RR, R-20, R-15, R-10, R-7.5, R-3, R-2, R-SIR, R-SIR-2, CZ, B-1(c), B-1(g), CZ, B-3, B-4, CT, B-3-T, O, O/A, M-1 AND M-2, AND THAT A NEW SECTION 2 BE ADDED TO THE ORDINANCE TO READ AS FOLLOWS: “SUBSECTION 15-325(1) IS AMENDED BY ADDING THE PHRASE “OR CONDITIONAL ZONING DISTRICT” IN THE FIRST SENTENCE THEREOF.” VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING TO CONSIDER A MINOR MAP AMENDMENT FOR THE PROPERTY LOCATED AT 102 CENTER STREET FROM R-7.5 TO B-2-CZ**

The Board of Aldermen has set a public hearing on the rezoning request for 102 Center Street and must receive public comment before reaching a decision.

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

Margie Brache asked for clarification on what “preserve the historic millhouse” means.

Jeff Herrick, a resident of 109 Center Street, stated that he would like to see preservation of the historic millhouse as a condition, but asked whether it was fair to require that condition.

Jane Hamborsky stated concern about the meaning of preserving the millhouse, but is in favor of preserving the millhouse.

The following resolution was introduced by Alderman Dan Coleman 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 MAP OF THE CARRBORO LAND USE ORDINANCE  
Resolution No. 152/2007-08

WHEREAS, an amendment to the map of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: An Ordinance Amending the Zoning Classification for the Property known as 102 Center Street (TMBL 7.98.H.2) from R-7.5 to B-2

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, policy 3.21.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town seeks to expand the commercial tax base.

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 27<sup>th</sup> day of May 2008:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Randee Haven-O’Donnell, John Herrera, Jacquelyn Gist, Lydia Lavelle

Noes: None

Absent or Excused: None

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY .203 ACRES OF LAND KNOWN AS 102 CENTER STREET FROM R-7.5 TO B-2-CZ," AMENDED TO ADD THE FOLLOWING LANGUAGE: "AND SUBJECT TO THE CONDITION THAT THE HISTORIC MILLHOUSE CURRENTLY LOCATED ON THE PROPERTY SHALL NOT BE REMOVED OR DEMOLISHED."VOTE: AFFIRMATIVE ALL

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MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO ADJOURN THE MEETING AT 9:38 P.M. VOTE: AFFIRMATIVE ALL

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Mayor

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Town Clerk