

A public hearing of the Carrboro Board of Aldermen was held on Tuesday, February 24, 2009 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Randee Haven-O'Donnell
	Jacquelyn Gist
	John Herrera (arrived 7:39 pm)
	Lydia Lavelle
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Deputy Town Clerk	Sharmin Mirman

A PUBLIC HEARING TO OBTAIN COMMUNITY INPUT ON TOWN NEEDS AND BUDGET FOR UPCOMING FY09-10

Annually, the Board of Aldermen adopts a budget, effective July 1- June 30th for the Town. The Board, as part of its budget review, schedules a public hearing to receive comments from residents in the community regarding town services. These comments shall be considered in developing the FY2009-10 operating and capital budgets during the budget process.

Jon Wilner, Director of the ArtsCenter, asked the Board to consider doubling the amount the town allocates to them (from \$15,000 to \$30,000).

Robert Dowling, Director of Orange Community Housing and Land Trust, asked that the town allocate \$34,000 to the Land Trust for the 2009-10 fiscal year.

Sharon Cook asked that the town consider funding for a group to study improvements to the entire length of Homestead Road.

Alena Callimanis also spoke in favor of improvements to Homestead Road.

PUBLIC HEARING ON A TEMPORARY STREET CLOSING REQUEST FOR THE TAR HEEL 10 MILER

The purpose of this item was to receive public input on a Street Closing Permit Application submitted by Endurance Magazine for the temporary closing and usage of streets from 7:30 am to 10:00 am on Saturday, April 25, 2009 to accommodate the Tar Heel 10 Miler.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Randee Haven-O'Donnell.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE OF THE FOLLOWING STREETS TO ACCOMMODATE THE TAR HEEL 10 MILER

Resolution No. 72/2008-09

Section 1. The following streets shall be temporarily used Saturday, April 25, 2009 from 7:30 AM to 10:00 AM for the Tar Heel 10 Miler run race. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

Carrboro Run Race Route – Tar Heel 10 Miler

1. W. Rosemary (Merritt Mill to E. Main St.)
2. E. Main St. (Rosemary to E. Weaver St.)
3. E. Weaver St. (E. Main to N. Greensboro St.)
4. N. Greensboro (E. Weaver St. to Hillsborough Rd.)
5. Hillsborough Rd. (Greensboro to Old Fayetteville)
6. Old Fayetteville (Hillsborough to McDougal school Bike/Ped path)
7. Across school property to Quail Roost Dr.
8. Deer St. (Quail Roost Dr. to Lisa Dr.)
9. Lisa Dr. (Deer St. to Carol St.)
10. Carol St. (Lisa Dr. to James St.)
11. James St. (Carol to Lorraine St.)
12. Lorraine (James to Mary St.)
13. Mary St. (Lorraine to Simpson)
14. Simpson (Mary to W. Main St. and cross to enter bike lane)
15. W. Main St. (east from Simpson to Jones Ferry Rd. and cross to PTA Bike Path)
16. PTA Bike Path (Jones Ferry to W. Carr St.)
17. W. Carr St. (PTA Bike Path to S. Greensboro St.)
18. Cross S. Greensboro to W. Carr St. (S. Greensboro to Maple Ave.)
19. Maple Ave. (E. Carr to Roberson St.)
20. Roberson (Maple Ave. to Libba Cotten Bikeway)
21. Libba Cotten Bikeway (Roberson to Merritt Mill to access Chapel Hill to end of race at Church St.)

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 5. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 6. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 7. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of February 2009:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING ON A TEMPORARY STREET CLOSING REQUEST FOR THE CARRBORO CLASSIC ENDURANCE SPORTS FESTIVAL

The purpose of this item was to receive public input on a Street Closing Permit Application submitted by Endurance Magazine for the temporary closing and usage of streets to accommodate the Carrboro Classic Endurance Sports Festival on Sunday, April 5, 2009 from 8:00 am to 11:30 am.

Alderman Gist expressed concern about streets being closed on Sunday morning when some people are trying to get to church.

George Seiz, the town's Public Works Director, answered the Board's questions.

Thys Wind stated that their volunteers ensure the safety of the race participants and that traffic is accommodated as quickly as possible along the race route.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Dan Coleman.

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING AND USAGE
OF THE FOLLOWING STREETS TO ACCOMMODATE THE
CARRBORO CLASSIC ENDURANCE SPORTS FESTIVAL
Resolution No. 73/2008-09

Section 1. The following streets shall be temporarily used Sunday, April 5, 2009 from 8:00 am to 11:30 am to accommodate the *Carrboro Classic Endurance Sports Festival*. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the Town Code.

Running Portion

- Hillsborough Road from McDougale School rear service road to Lorraine Street
- Lorraine Street from Hillsborough Road to James Street
- James Street from Lorraine Street to Quail Roost Drive
- Quail Roost Drive from James Street to McDougale School property

Biking Portion

- Old Fayetteville Road from McDougale School entrance to Hillsborough Road
- Hillsborough Road from Old Fayetteville Road to city limits (and continuing into the county)

Section 2. The Town shall supply the appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. Applicant shall distribute flyers of notification, to persons occupying property abutting the streets where the event is to take place, of the contents of any resolution passed.

Section 5. Applicant will be responsible for all costs incurred by Police and Public Works to facilitate this event. Applicant will be sent an itemized bill for the final costs incurred by Police and Public Works.

Section 6. The Event Coordinator will be responsible for notifying Central Communications when the street is closed and when it is reopened to vehicular traffic.

Section 7. This resolution shall become effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of February 2009:

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

Noes: Jacquelyn Gist

Absent or Excused: None

**CONTINUATION OF THE PUBLIC HEARING ON A CONDITIONAL USE PERMIT
MODIFICATION FOR CLAREMONT, PHASES IV AND V**

Parker Louis, LLC, as represented by Phil Post and Associates has submitted an application for a Major Modification of the original Conditional Use Permit (CUP) for Claremont Subdivision, Phase I, II, and III for the construction of ninety-six (96) additional lots located at 1001 Homestead Road. The Board of Aldermen began a public hearing on January 27th, 2009 and continued the hearing until February 24th, 2009. Town staff requested that the Board of Aldermen continue the public hearing, deliberate the application, and consider making a decision on the CUP application.

James Thomas, one of the town's planners, presented an update on this project and answered the Board's questions.

Will Hines, with Sungate Design Group, was sworn in. He stated that the developer's proposal for a detention basin to be located in the buffer is currently allowed, but that it might not be allowed under the new buffer rules. The detention basin would have to be shifted away from the buffer.

Deborah Tobias, a resident of Claremont, was sworn in and stated that she thinks it is critical to have the bridge under Homestead Road to protect our children

Robert Murphy, a resident of Claremont, was sworn in. He stated that a crosswalk across Homestead Road would be alarming and spoke in favor of the bridge under Homestead.

Scott Christie read a letter from himself as President of the Williams' Woods HOA, Ken Morris, President of Cobblestone HOA, Mort Alzona, President of Wexford HOA, and Alex Sandifer, President of Cates Farm HOA, asking that the Board not approve the Colfax connection for the Claremont Subdivision. The following concerns were expressed:

- The Claremont builder does not care if the connection is made and has stated that the only reason the connection was designed was to conform to the connectivity policy.
- If approved, it will cost the town in excess of \$100,000 while new traffic pattern studies are demanded and new traffic calming devices are installed and additional funding may be necessary to upgrade road that may meet qualifications of subcollector roads.
- This plan will not disperse traffic but instead will focus and funnel it through narrow streets never intended to carry a high volume of traffic.
- Residents across at least four neighborhoods strongly agree that that no unity will be created as a result of the connection as drivers discover a new shortcut from Homestead to Hillsborough Road. The only unity that will be created is to allow access to pedestrian traffic.
- The increase in traffic will create a hazard for hundreds of children who are in the walk zone of McDougle schools.
- It will funnel the increase in traffic up Tramore where the Wexford playfield is located and across Wyndham Drive where the Williams Woods playground is located.

Alderman Coleman asked Mr. Christie to check with the HOA's that he had presented tonight to see whether they would be interested in attending a town's sponsored meeting to discuss traffic issues in their neighborhoods.

Damon Seils, a resident of 601 Jones Ferry Road, was sworn in and spoke in support of the Colfax Road connection. He stated that the goal of the connector road policy is to lay out a network of interconnecting streets and to prevent neighborhoods from being isolated from the rest of the community. The purpose of a connector road is to disperse newly generated traffic. Colfax was built for this connection with curb, gutters and sidewalks. Additional traffic calming might be necessary.

Dennis Hanes, a resident of Wexford, was sworn in. He presented a letter from his 12-year old daughter expressing concern about this development and the negative impact it will have on the children in her neighborhood. She stated that she feels if the Colfax connection is made, the whole neighborhood will be negatively impacted.

Mathew Barton, a resident of Wexford and the new chair of Planning Board, was sworn in. He stated his support for the connector roads policy. He stated that these roads were built with sidewalks. He stated that the Planning Board supports stop signs, traffic calming features and a safe pedestrian crossing across Homestead Road at Claremont Road. The Planning Board also wanted space reserved for bus stops on Claremont Road and that a play area be added on the southern side of the development.

Rev. Robert Campbell was sworn in. He suggested that the Board observe the traffic between 8:15 and 8:35 a.m. He suggested that this development will make the traffic more congested on Homestead Road with no traffic control. He said safety first for our children. He asked that the roads be policed if they are connected.

Michael Krasnov, a resident of Wexford, stated that he had talked with neighbors and the overall majority are against the Colfax connection. He recommended a book entitled, "Streets and Shaping of Towns and Cities". This book talks about new urbanism. Connectivity is about eliminating driving, not just shortening it. Kids play in streets if they don't have any other place to play. The book states that cul-de-sacs are safer. He stated that most people want peaceful neighborhoods. He recommended that the pedestrian connection be made, and to consider a future planned connection.

James Carnahan, a resident of 122 Oak Street and a member of the Planning Board, was sworn in. He stated that the Planning Board had voted to support the connection of Colfax. The connector roads policy has evolved over time with an enormous amount of input from advisory boards. He stressed the importance of this vehicular connection to allow people to move smoothly throughout the town. He read an excerpt from "Executive

Summary of Growing Cooler: The Evidence on Urban Development and Climate Change by Reid Ewing et al. "One of the most comprehensive studies conducted in King County, Washington, by Larry Frank of the University of British Columbia, found that residents of the most walkable neighborhoods drive 26% fewer miles per day than those living in the most sprawling area. A meta-analysis of many of these types of studies finds that households living in developments with twice the density, diversity of uses, accessible destinations, and interconnected streets when compared to low-density sprawl drive about 33% less."

Rowell Daniels, a resident of Phase I Claremont, was sworn in. He spoke in favor of the bridge under the Homestead Road bridge along with white strips across the road. He stated his interest in gaining safe access to the Bolin Creek greenway. He stated that he will teach his children to use the safe option to cross Homestead Road.

Robert Dowling, Executive Director of Orange Community Housing and Land Trust, was sworn in. He stated that the developer is proposing 15 or 16 affordable townhomes that will cost \$112,000. That means that each townhome will require approximately \$34,000 in subsidy.

Frank Shrohlein stated that residents from 4 communities are against the Colfax connection. He stated his concern that this connection will funnel traffic in a very unsafe manner and expressed concern about spending \$100,000 on traffic calming. Ultimately he stated his concern was for his children and stated he wants a bike and walk path.

Mortimer Alzona, a resident of 102 Suffolk Place and President of the Wexford HOA, was sworn in. He expressed concern that the residents of Wexford, Cobblestone, Cates Road and Williams Woods were not taken into consideration by the Planning Board when they discussed this project. He stated that they want peaceful neighborhoods. Safety should always be part of any argument. More cars will be a tragic problem for an unsuspecting kid.

Alena Callimanis stated that the Planning Board does not advocate a crosswalk only—there has to be a pedestrian only light also. The underpass could be a safe crossing. She showed slides of the location of the walkway under the Homestead bridge and slides of an underpass under Bolin Creek at Franklin and Estes. She pointed out that there is a sign at the Franklin underpass that asks pedestrians not to use the path at night. She asked that NCDOT authorize a pedestrian crossing on Claremont Road or an underpass there.

Becky Hebert, a resident of 211 Wyndham Drive, was sworn in. She reiterated what the Wexford neighbors said. She stated that she does not allow her children to play in streets. She stated that Wyndham is one-way in places when garbage carts are out and cars are parked on the side of the street.

Nan Babcock said ditto.

Mike Fenton, a resident of Colfax, stated that you have to plan for the future, and there is a good way to meet middle ground for the neighborhood, town and the environment.

Giles Blunden was sworn in. He spoke in favor of the connector roads policy because it is for the public good. He stated that carbon, traffic, danger, pollution are reduced. This is how public good is served by connector roads. They are not private roads.

Adrian Himmelberg, a resident of Cobblestone, was sworn in. She stated her concern that the quality of life of her children will be negatively affected if the connection to Colfax is made. She stated that people will take Cobblestone rather than Cates Farm because Cates Farm has speed bumps.

Gina Reynolds, a resident of Wexford, was sworn in. She stated that she believes that the back part of their neighborhood would be open to Barrington Hills, that they would be connected to Arcadia, there would be pedestrian connections to the high school, etc. This one connection will not achieve true connection. She expressed concern about piece meal connections.

MOTION WAS MADE BY DAN COLEMAND AND SECONDED BY JACQUELYN GIST TO CONTINUE THIS PUBLIC HEARING TO MARCH 17TH, WITH THE UNDERSTANDING THAT NO ADDITIONAL PUBLIC COMMENT WILL BE ACCEPTED AT THAT MEETING. VOTE: AFFIRMATIVE ALL

The Board requested the following:

- Follow up with NCDOT to provide alternatives for access to the recreation area.
- How many recreation points would a playground south of Homestead Road generate?
- Determine how many recreation points are needed if the recreation area north of Homestead Road is not factored in for Phase IV and V.
- That all additional material received after February 20th be posted to the town's website.

Mayor Chilton stated that additional public comment should be submitted in writing.

CONTINUATION OF THE PUBLIC HEARING ON THE CONDITIONAL USE PERMIT APPLICATION FOR THE COLLETON CROSSING ARCHITECTURALLY INTEGRATED SUBDIVISION

To continue the public hearing opened on November 25, 2008 regarding the Colleton Crossing AIS Conditional Use Permit application. MBI Development as represented by Phil Post and Associates, has submitted an application for the construction of a 39 dwelling unit subdivision located at 8400 & 8420 Reynard Road. The conditional use permit, if approved, would allow the creation of 39 single-family (6 affordable) lots with associated infrastructure, including publicly dedicated streets.

Jeff Kleaveland, one of the town's Planners, addressed the Board and answered the Board's questions.

Adena Messinger, the town's Transportation Planner, stated that the town staff has reviewed NCDOT's comments (Attachment U) and the applicant's responses regarding the proposal for creating a private access road off of Tally Ho Trail into the proposed Colleton Crossing. She made the following comments:

- Addressing NCDOT comments 1 and 3 will likely require that the applicant acquire land, or permission, from the underlying landowners.
- The applicant has made adjustments to the design to address NCDOT comments 2, 4 and 6—staff awaits NCDOT's reply to the redesign.
- The applicant has given a justification for NCDOT comment 7—staff members await NDOT's reply and would like additional time to review this aspect of the design.
- Sungate has indicated that the applicant will need to recalculate their stormwater calculations with regard to NCDOT comment 5.
- Staff members agree with NCDOT comment 9 and acknowledge the applicant's efforts to continue communication with the adjoining property owners.

Ms. Messinger stated that with respect to the land use ordinance, the project application without the private road is considered in compliance. As indicated above, the addition of the private road access will necessitate further staff review prior to their making a decision about the project's compliance with the land use ordinance.

David Rooks stated that there is a right of access for their Fox Meadow lot from the Colleton property to the public road and explained the history of this property.

Kay Hengeveld, owner of Lot 11, stated that she had not been notified about the continuation hearing and the reason for the continuation. She stated that there has been no communication with the developer even though she owns one-third of the easement property. She stated that she thought this had been resolved in 2006 and that using this easement for development was not a proper use of the property. She stated that she thought the reason for the easement was to keep the property from being land locked and for public utilities.

Cathy Calvert, residing at 1215 Tallyho, and representing her in-laws, expressed concern about the narrow roads and curves. She referenced a letter contesting the use of the easement on Lots 10 and 11. She stated that this easement was originally proposed for utilities and maintenance. The proposal for this easement to be a private permanent driveway is unacceptable. It would burden the safety of the entire neighborhood. She urged the Board to deny the application and look into the easement issues.

Mike Brough stated that it is not appropriate for the town to make a determination about the legal issue of the easement access.

Mr. Stewart suggested that the applicant be given an opportunity to look at another access to their development.

Phil Post was sworn in and stated that they had not looked at access between the Cotton tract and Tallyho Trail. He stated that they are close to solving the drainage issues and NCDOT concerns.

David Rooks addressed the question of purchasing a lot in the Fox Meadow subdivision on the eastern side of the proposed development that could be used for road access to the proposed development. He stated that he did not think this was possible without the approval of all the lot owners in the Fox Meadow Run Subdivision. He stated that there is a formal grant of easement for access.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO CONTINUE THIS PUBLIC HEARING TO APRIL 28, 2009. VOTE: AFFIRMATIVE ALL

Mayor Chilton asked that this item be listed first on the April 28th public hearing agenda.

Mr. Stewart stated that any documents submitted after February 20th would be posted on the town's website.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO AJOURN THE MEETING AT 11:08 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Deputy Town Clerk