

A public hearing of the Carrboro Board of Aldermen was held on Tuesday, April 27, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

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

A PUBLIC HEARING ON A REVISED DESIGN FOR SMITH LEVEL ROAD IMPROVEMENTS

The purpose of this item was to receive public input on a revised design for Smith Level Road improvements (TIP #U-2803) proposed by the North Carolina Department of Transportation.

Jeff Brubaker, the town's Transportation Planner, made the presentation.

Julie Coleman, a resident of 809 Smith Level Road, asked that the 4-lane probability be struck from NCDOT maps.

Jason Hemming, a resident of Juniper Court, asked that the road be 3 lanes, that the widening will result in the loss of 100 trees in his yard and will reduce his backyard from ¼ acres to 1/10 of an acre.

Terri Buckner, a resident of 306 Yorktown Drive, requested that the Board have a comprehensive discussion with the school board prior to making a decision on the design of Smith Level Road. She asked for a recommendation from the TAB, and asked that a sidewalk be installed from the town limits to Woodcrest.

Muge Caligagu, a resident of Berryhill, spoke against blocking the entrance to Willow Oak Lane.

Linda Levitch, a resident of 100 Orchard Lane, stated that she feels NCDOT has taken all the land they need for future widening of the road, and feels the median is a real issue for the residents of Berryhill.

Linda Henning, a resident of 107 Juniper Court, stated that she feels the \$2 million for this project could be put to better use rather than build a road that citizens do not want.

Alan Waibel, a resident of Orchard Lane, asked if a green town wants to take down all the trees that will be necessary to construct this project. He stated that he feels the road will be an eye sore without the trees, feels the road will continue to a four-lane road going west and east eventually, and expressed concern about the safety of children as a result of the traffic being directed through the neighborhood.

Becky Waibel, a resident of Orchard Lane, feels the additional traffic directed through the neighborhood will be an accident waiting to happen. She asked why so much land is being taken for the proposed project.

Tom Cole, a resident of Misty Pines, stated that the school board should be involved in this decision because another way out of the apartments is through the high school.

Perre Monnet, a resident of Morgan Hill Court, asked whether there would be a four lane road built in the future. He stated that there are currently problems with existing traffic exiting onto BPW Club Road in the morning.

Greg Dito, a resident of River Creek, stated that he feels NCDOT is building a 4 lane road but only paving 2 lanes at this time, expressed concern about increased emissions, that they will be losing a major canopy with this construction, that a study indicates that 22% of the traffic on Smith Level Road is going to Frank Porter Graham, and stated that he feels NCDOT's estimate for traffic on Smith Level Road are accurate, and stated that he feels like 15-501 is working by carrying more traffic.

Jen Norris, a resident of Smith Level Road, stated that she does not understand why a 3 lane road is as wide as the proposed 5 lane road. Feels the roundabout will impede pedestrians, expressed concern about quality of life, loss of trees and property loss, and suggested that the median not be built to allow left turns out of Berryhill.

Nicholas Johnson, a resident of 105-A BPW Club Road, stated that he does not feel additional traffic should be directed to BPW Club Road as there are already safety issues. He asked that pedestrian signals be added at Merritt Mill and the on ramp to 54 and at Public Works Drive.

Susan Friedman, a resident of Berryhill, stated that she does not feel we need a 4 lane road.

Charlie Hileman stated that the TAB has unofficially discussed this matter but would officially review this matter.

Mayor Mark Chilton, speaking as a resident of Carrboro, explained the arduous process that took place and the personal commitment on his part that took place to bring the plan that was before the Board and citizens tonight. He stated that NCDOT believes that Smith Level Road needs to be a 4-lane road one day and that the loss of trees needs to be worked on. He also stated that the Town cannot afford to build a sidewalk on Smith Level Road.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL TO CONTINUE THIS PUBLIC HEARING TO JUNE 1, 2010, AND THAT THE REVISED DESIGN BE REFERRED TO THE TRANSPORTATION ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

The Board requested the following information for its discussion on June 1st:

- Data on accidents at each intersection categorized by cause of accident (e.g. operator error)
- Photo(s) of tree canopy
- Memo on pedestrian rights-of-way at roundabouts
- Cost savings of the project if right-of-way purchase is reduced
- School board's position, especially about walkability/walk zones
- Other examples of where NCDOT may have purchased right-of-way but limited its use
- Feasibility of including a sidewalk south of Woodcrest Dr. to the project limits
- Look into pedestrian head feasibility at NC-54 access ramp and Merritt Mill intersections
- Look into a noise barrier
- Clarification on the left out at Willow Oak – is it due to safety reasons?
- Look into alternative to median – a middle lane as a refuge for left-turning vehicles
- How much are we saving the state by not building a 4-lane cross-section?
- Can NCDOT contribute a greater proportion of the funding for the sidewalks than current policy?
- Feasibility of planting fruit trees in right-of-way
- Detailed safety data related to the left-turn at Willow Oak

- Clarify the Berryhill internal traffic study proposal

PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT AND MINOR MAP AMENDMENT REQUESTS RELATED TO ESTABLISHMENT OF THE B-1(G) CZ CONDITIONAL ZONING AND PLACEMENT ON THE PROPERTY LOCATED AT 500 NORTH GREENSBORO STREET

Staff has prepared draft ordinances related to the establishment and placement of a B-1(g) CZ zoning district in the downtown. The Board of Aldermen has referred the draft ordinances to advisory boards and Orange County.

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

Dave Ellen stated that he feels this property is suitable for local economic development—low impact, pedestrian and bicycle oriented, while maintaining the character of the streetscape. It is also cooperative with the co-adjointing CT zone properties for future development. He asked for flexibility in conditions which would give them time to attract another local business. He asked that they not have a 2-yr time limit on moving the house on David Jesse's property. He also asked that the condition limiting the height to two stories be amended to read: "35 feet."

Damon Seils, Chair of the Planning Board, stated that the Planning Board did not have a recommendation on building height.

Bryan Beatty, with Balanced Movement, stated that it just was not cost effective to build a building on this property for their business.

Lisa Hammell, a resident of 502 N. Greensboro St., asked if there was a possibility of a five-story building on this property

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

**A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S REASONS FOR ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CARRBORO LAND USE ORDINANCE
Resolution No. 139/2009-10**

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 500 North Greensboro Street (TMBL 7.93.A.4) from CT to B-1(g)-CZ

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, policies 2.42 and 3.1.

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 provide for development while maintaining the Town's character and protecting existing neighborhoods.

Section 3. This resolution becomes effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of April 2010:

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

Noes: None

Absent or Excused: None

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

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. 140/2009-10

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 a B-1(g) (General Business Conditional) Zoning District

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, Policy 3.2.

Section 2. The Board concludes that its adoption of the above described amendment is reasonable and in the public interest because the Town a downtown that is nurtured as the social, cultural, and economic center of our community.

Section 3. This resolution becomes effective upon adoption.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of April 2010:

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

Noes: None

Absent or Excused: None

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FOR A B-1(G) (GENERAL BUSINESS CONDITIONAL ZONING DISTRICT)." VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY .68 ACRES OF LAND KNOWN AS 500 N. GREENSBORO STREET FROM CT TO B-1(G) CZ," WITH THE FOLLOWING CHANGES:

1. That the first condition be amended to read as follows: "Building height shall be limited to 35 feet."
2. That condition #4 be amended to read as follows: "The house presently located on parcel 9778877448 (7.93.A.6) shall be relocated; parcel 9778877556 (7.93.A.4) may be further subdivided."
3. That condition #5 be amended to read as follows: "The property will be developed substantially in accordance with the attached concept plan labeled "Green Equity, LLC, Carrboro, North Carolina Zoning Exhibit" and dated March 11, 2010, as revised on April 27, 2010."

VOTE: AFFIRMATIVE ALL

REQUEST TO SET A PUBLIC HEARING ON THE LITCHFIELD ARCHITECTURALLY INTEGRATED SUBDIVISION

Homestead Partners, LLC as represented by Phil Post and Associates, has submitted an application for the construction of a 34-dwelling unit subdivision located at 900, 904 & 906 Homestead Road. The plans include associated infrastructure such as publicly dedicated streets and utilities. The subject properties are zoned Rural Residential (R20). Town staff recommended that the Board adopt a resolution setting a public hearing for May 25, 2010.

The following resolution was introduced by Alderman Dan Coleman and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED
LITCHFIELD ARCHITECTURALLY INTEGRATED SUBDIVISION
Resolution No. 143/2009-10**

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

WHEREAS, an application has been received for a Conditional Use Permit authorizing the Litchfield Architecturally Integrated Subdivision on at 900, 904 & 906 Homestead Road.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on May 25, 2010 to discuss the proposed Litchfield AIS project.

The following resolution having been submitted to a vote received the following vote and was duly adopted this 27th day of April 2010:

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

Noes: None

Absent or Excused: None

CANCELLATION OF MAY 4TH MEETING

MOTION WAS MADE BY DAN COLEMAN AND DULY SECONDED BY JACQUELYN GIST TO CANCEL THE MAY 4, 2010 BOARD MEETING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO ADJOURN TO CLOSED SESSION TO DISCUSS A PERSONNEL MATTER AT 10:40 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk