

A public hearing of the Carrboro Board of Aldermen was held on Tuesday, October 26, 2010 in the Board Room of the Carrboro Town Hall.

Present and presiding:

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

RESOLUTION REQUESTING THAT THE COUNTY REPEAL THE ORDINANCE THAT CLOSES THE CARR MILL DENTAL CLINIC

Alderman Randee Haven-O'Donnell explained that the Orange County Board of Commissioners voted to close the Carr Mill Dental Clinic. Alderman Broun requested the Board continue to monitor the dental clinic progress during the next twelve months.

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

RESOLUTION IN OPPOSITION TO THE CLOSURE OF THE CARR MILL DENTAL CLINIC AND
RECOMMENDATION TO REPEAL THE CLOSURE
Resolution No. 35/2010-11

WHEREAS, the Town of Carrboro has the highest population density in the state of North Carolina, as of the year 2009, 3,141 persons per square mile. Population; 19,891; and

WHEREAS, 68 percent of Carrboro housing is renter occupied and 44 percent of Carrboro residents have an income of less than \$29, 000, and

WHEREAS, on September 21st 2010, the Orange County Board of Commissioners voted to extinguish provision of current and future dental clinic services at the Carr Mill Dental Clinic consolidating and offering expanded dental service to the Whitted Building in Hillsborough; and

WHEREAS, Carr Mill's Dental Clinic serviced approximately 40% of the patients with two days of service per week at the Carr Mill clinic; and

WHEREAS, although recognizing the need for wider access to affordable health services, the Orange County Board of Commissioners nonetheless closed the clinic at Carr Mill, justifying its actions by;

1. citing two affordable dental services available in southern Orange County (at UNC School of Dentistry and Piedmont Health Services),
2. establishing a travel vouchers program to provide access to the new location, and
3. expressing commitment to the re-establishment of two County dental service locations no later than July 1, 2021; and

WHEREAS, UNC School of Dentistry and Piedmont Health Services are unable to absorb the demand that will arise out of the closure of the Carr Mill location; and

WHEREAS, this action by the Board of Commissioners potentially creates insurmountable barriers to necessary dental care for some individuals within our community, and threatens to place an increased burden on local emergency room and health care facilities as a result of policies that offer inadequate preventive care; and

WHEREAS, it is the opinion of the Carrboro Board of Aldermen that the cost savings earned from the Carr Mill closure are at the expense of our low income and vulnerable citizens, and are not reflective of Carrboro or Orange County values; and

NOW THEREFORE BE IT RESOLVED that we, members of the Carrboro Board of Aldermen, do hereby express our strong opposition

1. to the Board of Commissioners decision to close and consolidate dental service in Carrboro to one location at the Whitted Building in Hillsborough; and
2. any action that would limit continued vital care to those in need; and

BE IT FURTHER RESOLVED that we, members of the Carrboro Board of Aldermen, given the closure of the Carr Mill site, express support for the reallocation of a portion of the funds for the Whitted Building for the establishment of a second affordable County dental clinic in the Carrboro or Chapel Hill area, convenient to those most affected by the closure at Carr Mill, as soon as possible, and that it be done in a manner that will not increase the overall cost to the County.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 26th day of October 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

A RESOLUTION TO REQUEST THAT THE COUNTY COMMISSIONERS ALLOCATE THE ECONOMIC DEVELOPMENT COMPONENT OF THE 1/4 CENT SALES TAX TOWARD FURTHER ESTABLISHING A LOCAL LIVING ECONOMY AND PRIORITIZING ECONOMIC DEVELOPMENT

The following resolution was introduced by Alderman Sammy Slade and duly seconded by Alderman Dan Coleman.

A RESOLUTION TO REQUEST THAT THE COUNTY COMMISSIONERS ALLOCATE THE ECONOMIC DEVELOPMENT COMPONENT OF THE 1/4 CENT SALES TAX TOWARD FURTHER ESTABLISHING A LOCAL LIVING ECONOMY AND PRIORITIZING ECONOMIC DEVELOPMENT THAT CAN ADVANCE COUNTY AND MUNICIPALITY GOALS AND CHALLENGES

Resolution No. 36/2010-11

WHEREAS, significantly more money re-circulates in our community when purchases are made from locally owned, rather than nationally owned, businesses.

WHEREAS, small local businesses are the largest employer nationally, and in most communities provide the most new jobs to residents.

WHEREAS, non-profit organizations receive an average 350 percent greater support from local business owners than they do from non-locally owned businesses.

WHEREAS, the costs of encouraging new commercial development, --- extending highways and utilities, expanding municipal services like police and fire protection, and providing development financing and incentives --- while failing to protect existing economic assets, can exceed the new property and sales tax revenues new developments can generate.

WHEREAS, an effect of the current economic crises is that local, state and federal government resources for tackling local pressing issues are waning.

WHEREAS, The Town of Carrboro is committed to facilitating the community at large, to cut CO2 emissions by its proportion of the amount which is required to stabilize the climate back to less than 350 ppm of CO2 in the atmosphere in time for a 90% probability for success as defined by the most up to date scientific consensus.

WHEREAS, North Carolina ranks eighth among states with the greatest potential for economic development through energy-efficiency policies that are poised to set the stage for clean energy jobs and the homegrown businesses that will serve this new demand.

WHEREAS, retrofitting just 40 percent of the residential and commercial building stock in the United States would:

- Create 625,000 sustained full-time jobs over a decade
- Spark \$500 billion in new investments to upgrade 50 million homes and office buildings
- Generate as much as \$64 billion a year in cost savings for U.S. ratepayers, freeing consumers to spend their money in more productive ways

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Town of Carrboro requests that the Orange County Commissioners allocate the economic development component (42.5%) of the ¼ cent sales tax toward further establishing a locally owned living economy.

Section 2. That priority be given to supporting an economic development plan that can further advance goals (i.e. combating climate change) or challenges (i.e. extending the life of the landfill) that the county and /or municipalities have identified.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 26th day of October 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

CARRBORO CENTENNIAL CELEBRATION

Alderman Gist reported that the Carrboro Centennial Celebration Committee will meet later in the week to further discuss planning of the event. At that meeting, she will propose a subcommittee formation to specifically address the Town's centennial. She again requested contribution from the Board and for the Mayor begin contacting the Carrboro schools to request their involvement. She suggested the idea of a time capsule where children can write letters to their grandchildren. Alderman Broun suggested a school system poetry contest and possible art show that will involve students and the greater community. She also suggested a video component of the arts submission.

CONTINUATION OF A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS DEALING WITH STREAM BUFFERS IN ACCORDANCE WITH JORDAN BUFFER RULE 15A NCAC 02B .0267

A draft ordinance amending the Land Use Ordinance to revise stream buffer and associated provisions in relation to the Jordan Water Supply Nutrient Strategy was prepared to comply with the adopted rules for Jordan Lake. Town staff, along with the Town's Planning Board, recommended the adoption of a resolution finding consistency and an ordinance amending Article XVI, Part III of the Carrboro Land Use Ordinance.

Trish McGuire, the Town's Planning Administrator, made the presentation. She noted that the ruling will have a guiding impact on the construction design of future greenways. The Division of Water Quality has requested Town action by November 9, 2010.

Jay Bryan stated that rule 15A NCAC 02B.0267 allows local governments to adopt more stringent regulations regarding buffer widths. He expressed concern of extensive forest harvesting within the Town's buffers. He also stated that it is important for the Town to have a clear idea of what is allowed and what is not allowed under the Jordan Lake Rules.

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. 31/2010-11

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 REVISING ARTICLE XVI OF THE CARRBORO LAND USE ORDINANCE DEALING WITH FLOOD DAMAGE PREVENTION, STORMWATER MANAGEMENT, AND WATERSHED PROTECTION

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 5.22 and 5.23.

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 set and implement policies that protect all its streams and creeks, and, in particular, endeavors to proactively manage storm water and minimize the impacts of impervious surfaces on water quality.

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 26th day of October 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 ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN LYDIA LAVELLE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE REVISING THE CARRBORO LAND USE ORDINANCE IN RELATION TO THE RIPARIAN BUFFER REQUIREMENTS OF THE JORDAN LAKE RULES." VOTE: AFFIRMATIVE ALL

CONTINUATION OF A PUBLIC HEARING TO CONSIDER A MAP AMENDMENT FOR A PORTION OF THE PROPERTY LOCATED AT 8110 OLD NC 86/PHASES 3 AND 4 OF THE BALLENTINE DEVELOPMENT FROM R-R TO R-10/B-3 PLANNED UNIT DEVELOPMENT

At its September 28, 2010 meeting, the Board of Aldermen continued the public hearing for a potential zoning map amendment. Staff presented additional information on changes in development/density under the map amendment and the proximity of the possible B-3 portions of the site to other potential commercial sites.

Trish McGuire, the Town's Planning Administrator, made the presentation. She noted that this property was seeking a Conditional Use Permit during the Northern Study Area Plan Implementation Review process and that the Committee did not make recommendations on properties that were actively pursuing Conditional Use Permits.

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN LYDIA LAVELLE THAT THE BOARD, AS PART OF THE NSA UPDATE, CONSIDER MODIFYING ZONING TO ADD THE OPTION TO ALLOW WAIVER OF THE ½ MILE SEPARATION REQUIREMENT FOR B-3, B-3-T, AND VMU STORE FRONT AREAS. VOTE: AFFIRMATIVE ALL.

Jeremy Medlin, a representative of MI Homes Raleigh, explained that MI Homes has been involved on the project since 2002. He explained that MI Homes wants to be in Carrboro and work with the Board and staff in developing a design that will benefit the Town. He explained that even though the change in zoning would allow for 101 units to be built on the property that realistically the design will be closer to 55-75 Townhomes and 3-4 businesses. The Townhomes have an estimated sale price of between \$200,000-\$225,000. It was noted that MI Homes is not working with rental companies and does not foresee the units as being managed by a rental company.

Albert Vickers, no address given, expressed concerns over the lack of specificity in the presented plans. He stated that he would like to see greater detail in the design before a decision is made. He also stated that he has concern with the Townhomes being rental property because the number of rental homes to owned homes in Carrboro is becoming disproportionate.

Jeremy Finch, a representative of John R. McAdams Company, reiterated that the project will not yield 101 units and stated that it would most likely have 55-75 Townhome units. He also stated that approval of the rezoning application does not grant final approval of the project and that many more public involvement steps are required prior to final approval.

Jay Bryan, resident of a neighboring property on Old 86, stated that the rezoning could potentially lead to 4-5 times the number of units that were approved in the original plan. He stated that Old 86 is a road that is already dangerous and expressed concern over the possible increase in traffic on Old 86 and along the proposed entrance of the park. Mr. Bryan pointed out that the Northern Study Area Plan Implementation Review process did not identify this property as a potential commercial development area. He also stated that it would be helpful to have a connector road completed that would relieve additional traffic on Old 86.

Anna Vrana, resident of a neighboring property on Old 86, stated that she is not opposed to a development but that traffic is already very busy, dangerous, and active on Old 86. She proposed that the Board inspect the current traffic and imagine the addition of 100 new residents in that neighborhood. She stated that she does not feel the infrastructure is ready for the development at this time and asked the Board to aggressively consider her comments.

Bob Kirschner, no address given, stated that he supports the recommendation and that this project has the potential for a significant commercial impact that Carrboro needs. He suggested the concept of townhomes built on top of the stores to provide for dual-space usage and increased sustainability.

Mayor Chilton suggested that the Board develop a shared vision for Old 86, Homestead, Eubanks, and Rogers Road profiles so that they may more clearly share with the Department of Transportation (DOT). He also stated that the Town has been in an ongoing dialogue with DOT about the safety concerns along several roads and intersections within the Town.

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 ZONING MAP OF THE CARRBORO LAND USE ORDINANCE
Resolution No. 21/2010-11

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 25.79 acres of the property known as 8110 Old NC 86 (TMBL 7.23.C.31) from R-R and R-20 (Residential, 43,560 and 20,000 square feet per dwelling unit, respectively) to R-10/B-3 Planned Unit Development (Residential, 10,000 square feet per dwelling unit and B-3, Neighborhood Commercial Planned Unit Development.

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 the Facilitated Small Area Plan for Carrboro's Northern Study Area, particularly, Goal 1, Goals 7 and 8, related to a pedestrian-scaled community.

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 further its goals related to clustered, neighborhood residential development and the provision of modest community-scale commercial and office uses in mixed use areas, and supporting a pedestrian-scaled community.

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 26th day of October 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 ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN LYDIA LAVELLE TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 25.79 ACRES OF THE PROPERTY KNOWN AS 8110 OLD NC 86 FROM R-R/R-20 TO R-10/B-3 PLANNED UNIT DEVELOPMENT." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (CHILTON).

CONTINUATION OF PUBLIC HEARING TO CONSIDER LUO TEXT AMENDMENT RELATED TO FLAG LOTS AND MINIMUM LOT WIDTHS

At its June 22, 2010 and September 28, 2010 meetings, the Board of Aldermen continued the public hearing for a potential Land Use Ordinance text amendment related to minimum lot widths. Staff recommended approval of a resolution finding consistency and an ordinance amending Section 15-183 of the Carrboro Land Use Code.

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

Alderman Lydia Lavelle suggested that the order of 15-175.10 (a) and (b) be reversed.

Ken Gorfkle, no address given, stated that he feels he is a victim of bad timing because he has been marketing a house on Greensboro Street with the plan to subdivide the parcel into three lots to facilitate the sale. He explained that he applied for a subdivision and was informed of the pending amendment at that time. At this time, he is very close to entering into a contract for the sale. If the resolution passes, his application will be required to go before the Board of Adjustment to create a new flag lot and may take 60-90 days rather than 2-4 weeks. He explained that the timeliness of the process has the potential of harming the sale and asked for Board relief on his plat that is pending.

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN JOAL HALL BROUN TO CONTINUE THE PUBLIC HEARING TO CONSIDER LUO TEXT AMENDMENT RELATED TO FLAG LOTS AND MINIMUM LOT WIDTHS TO NOVEMBER 23, 2010. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY ALDERMAN JOAL HALL BROUN AND SECONDED BY ALDERMAN RANDEE HAVEN-O'DONNELL TO SCHEDULE A DISCUSSION OF THE CHAMBER OF COMMERCE INITIATIVES AFTER THE NOVEMBER 2, 2010 ELECTION. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN JOAL HALL BROWN TO ADJOURN TO CLOSED SESSION TO DISCUSS A MATTER INVOLVING ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE ALL.

MOTION WAS MADE BY ALDERMAN DAN COLEMAN AND SECONDED BY ALDERMAN RANDEE HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 10:24 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk