



# Town of Carrboro

Town Hall  
301 W. Main St.  
Carrboro, NC 27510

## Meeting Minutes Board of Aldermen

Tuesday, October 13, 2015

7:30 PM

Board Chambers - Room 110

**Present:** Mayor Lydia Lavelle, Alderman Damon Seils, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Michelle Johnson, Alderman Jacquelyn Gist, Alderman Randee Haven-O'Donnell

**Also Present:** David Andrews, Town Manager, Catherine Wilson, Town Clerk, Mike Brough, Town Attorney

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### **CHARGE ISSUED TO RECENTLY APPOINTED ADVISORY BOARD MEMBER**

The Town Clerk issued a charge to Rachel Cotter, a recent appointee to the Environmental Advisory Board.

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### **A RESOLUTION TO ACCEPT ADDITIONAL FUNDS FOR THE JONES CREEK GREENWAY PROJECT**

**A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.**

#### A RESOLUTION TO ACCEPT ADDITIONAL FUNDS FOR THE JONES CREEK GREENWAY PROJECT (TIP # C-5181)

WHEREAS, the Jones Creek Greenway will connect Lake Hogan Farms Road to the existing Twin Creeks Greenway and Morris Grove Elementary School; and,

WHEREAS, the Jones Creek Greenway is programmed for design and construction in FY 2016 and FY 2017, respectively; and,

WHEREAS, the cost of the Greenway, including inflation, is estimated to be \$425,000; and,

WHEREAS, current federal and local funding allocated to this project is \$400,000;

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that the Board approves providing a local match of \$4,185 in order to accept the additional \$20,927 in CMAQ funds from the MPO.

**This the 13<sup>th</sup> day of October, 2015.**

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

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**PUBLIC HEARING ON LAND USE ORDINANCE TEXT AMENDMENTS THAT WOULD PROVIDE FOR A SITE SPECIFIC, FLEXIBLE ZONING DISTRICT**

The purpose of this item was for the Board of Aldermen to consider amendments to the Land Use Ordinance that would authorize the Board to establish site specific, flexible zoning districts.

Tina Moon, the Town's Planning Administrator, made the staff report.

Amy Jeroloman, representing the NTAAC Advisory Board, provided comments to the Board of Aldermen. She spoke against adoption of the ordinance and submitted a copy of the comments to the Town Clerk for the public record.

Omar Zinn, the landowner, stated that this is a continuing discussion and that it looks like there will be more conversations necessary in the future. He asked the Board when he could sit down and meet with parties to have an understanding of what is needed in that location.

Jay Bryan, representing the NTAAC, stated that if the Board adopts this ordinance that the public does not have the right to assert that the project does not fit within the community or that it negatively affects property value. He stated that those are protected rights in Chapter 20 and should be retained. He stated that the flexibility is also concerning.

The Board discussed the draft text amendment thoroughly and the following motion was made to encompass their direction to staff.

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN SEILS FOR STAFF TO:**

1. Develop a grid or flow-chart of public participation as compared to the current CUP process
2. Consider a layperson's version for ease of understanding and community education
3. Develop a tool that more clearly links the rezoning request to the results of the site-specific planning process
4. Consider a meeting between Omar Zinn and the advisory boards
5. Educate advisory boards on what the Board of Aldermen is looking to achieve in the corridors

6. More clearly depict what specificity is required from the developer and when
7. Staff should redraft the ordinance with comments considered from the NTAAC
8. A report back to the Board should be made as soon as possible.

VOTE: AFFIRMATIVE ALL

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### **CONTINUATION OF PARKING PROPOSAL DISCUSSION**

The purpose of this item was to provide an opportunity for the Board to continue discussion of the three parking proposals, award a contract for the project, or take other action.

Trish McGuire, the Town's Planning Administrator, made the staff report.

The Board of Aldermen discussed the applicants' responses.

**A motion was made by Alderman Gist, seconded by Alderman Seils, that this resolution be approved.**

### **A RESOLUTION AWARDED A CONTRACT FOR A PARKING STUDY OF THE TOWN OF CARRBORO, NORTH CAROLINA**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

Section 1. The contract for a parking study in response to the RFP issued August 20, 2015 is awarded to VHB in an amount not to exceed \$75,000.

Section 2. The Town Manager is authorized to negotiate and execute a contract with VHB, and to amend or make changes in such contract provided they are consistent with the purposes and goals of the RFP and do not exceed the contract amount in Section 1.

Section 3. This resolution shall become effective upon adoption.

**This the 13<sup>th</sup> day of October, 2015.**

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Chaney, Alderman Gist, Alderman Haven-O'Donnell, Alderman Johnson, Alderman Seils and Alderman Slade

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### **DISCUSSION OF DRAFT LAND USE ORDINANCE TEXT AMENDMENTS ESTABLISHING A NEW SOCIAL SERVICE PROVIDER WITH DINING SERVICES USE CLASSIFICATION AND ASSOCIATED REQUIREMENTS**

The purpose of this item was for the Board to review a draft ordinance that would amend the Land Use Ordinance to establish a new social service provider with dining services use classification as a permissible use in certain zoning districts.

Tina Moon, the Town's Planning Administrator, made the staff report.

Michael Reinke, executive director for the IFC, stated that the pantry currently serves 10-20 families per day.

Alderman Chaney stated that if this ordinance is related to the number of people gathering at a certain time, then it should be directed at that only.

Alderman Seils expressed concern with the questions that IFC were asked to answer. He asked why staff is dealing with the pantry function rather than the community kitchen. He listed specific concerns with the draft ordinance including reiterating requirements that are already found within the Land Use Ordinance (sections E and J).

Alderman Johnson asked how this function differs from Club Nova. Trish McGuire, the Town's Planning Director, stated that it is because conversations with the director of Club Nova have left staff with the understanding that it is a membership-based organization that provides certain services, including lunch, to its members. Alderman Johnson stated that this is about feeding hungry people in need.

Alderman Slade asked if the ordinance could be amended to make this a use allowed by right. Mike Brough, the Town Attorney, stated that this is a possibility and explained the process.

Alderman Gist stated that there are concerns from the public and the businesses owners that need to be heard without judgement. She suggested having a community meeting to hear the concerns of the public prior to moving forward. She asked for the Board to hear all concerns and not to pit victims against victims. She stated that this is a social services issue and that the County should be involved in the provision of needed services.

Alderman Haven-O'Donnell stated that folks who have made contact with her and some Board members have not shared concerns in fear they would be judged. One of the things we can do to make this work successful is to fully embrace this and master plan to maximize for its success. She stated that her concern is that there will be folks that will rely on public transport and that it is operation of a large dining space, will be folks who will rely on public transport, and it stops on Saturday and does not run on Sunday. She stated that Carrboro should not put itself in a position where the most vulnerable people are not given full access because of lack of transportation. She suggested a conversation between jurisdictions regarding the provision of van service. She stated that the provision G-2 instructing diners to disperse from the property after exiting the facility offensive and should be removed. She asked that everyone be brought to the table to have a conversation to create a plan that will include the provision of transportation and resources. She stated that a plan should be in place before the ordinance is adopted.

Mayor Lavelle noted that the questions that were asked are necessary because many people in the community probably have the same questions.

Alderman Chaney stated that she does not want to codify protections that are based on fear in the land use ordinance. She stated that the permit process is the appropriate location for any additional regulations and that those conversations should be held in the public hearing forum. She stated that she wants the Land Use Ordinance to be as inclusive as possible.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE FOR STAFF TO COME BACK WITH AN AMENDMENT TO THE ORDINANCE THAT REMOVES THE SUPPLEMENTARY REGULATIONS, KEEPING IN MIND THE COMMENTS FROM THE BOARD. STAFF SHOULD NARROW THE NAME AND DEFINITION AND BOTH NEED TO SIGNIFY THE USE – LARGE GROUPS OF PEOPLE BEING SERVED FOOD DURING A NARROW PERIOD OF TIME. STAFF SHOULD KEEP PUBLIC TRANSPORTATION NEEDS IN MIND AND REPORT BACK ON THE DIFFERENCE BETWEEN CLUB NOVA AND THE IFC. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GIST, HAVEN-O'DONNELL)

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**ADJOURNMENT**

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN SEILS TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL