

- 3· Town Staff may also investigate the technical feasibility and financial feasibility of modifying the alignment of the Path so that it proceeds to connect to the School Property on the west side of the Smith Middle School tennis courts (as presently designed, the Path connects to the School Property on the east side of the tennis courts).
- 4· Town Staff should consult and coordinate with NCDOT representatives, UNC Property Office representatives, School District representatives, the Town's design professionals and the contractor for the Project as soon as possible to explore the feasibility of the alternative designs identified in the preceding paragraphs and to report back to the Town Manager regarding alternatives considered so that timely action can be taken to modify the contract for the Project if necessary.

**WHEREFORE, the foregoing Resolution was put to a vote of the Town of Carrboro Board of Aldermen on May 17, 2016, the result of which vote was as follows:**

**Ayes: Alderman Seils, Alderman Slade, Alderman Chaney, Mayor Pro Tem Johnson, Alderman Gist, and Alderman Haven-O'Donnell**

**Absent: Mayor Lavelle**

Alderman Chaney stated that she would like to be clear that if information does not get information back to the Board before the summer break what would happen.

Bob Hornik stated that he would talk to the contractor about their work schedule.

Alderman Chaney stated that the Board should be ready to have a special session in the summer if that is when information becomes available for the Board to make a decision.

Alderman Slade stated that the flooding represents climate change. He stated that the storm standards are ever changing due to the effects of climate change. He stated that if the project is flooded and the Town wastes their money then it is a call to take climate change much more seriously.

Alderman Seils stated that the concerns regarding the flooding have been raised since the concept plan, design, and engineering first occurred. He stated that the Board should recognize where the process was right and state that the concerns were vetted. He stated that the levels of permit approval have occurred and some consideration should be placed on that.

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## **HYDROLOGY STUDY AND STORMWATER DRAINAGE POLICY**

The purpose of this item was to receive the results of preliminary engineering hydrologic studies related to drainage concerns in three areas of Town. This item will also present the Board of Alderman with the Town's current drainage policy as adopted by the Town on June 12, 1984.

JD Freeman, the Town's Public Works Director, introduced Sungate Engineers.

Will Hines with Sungate Designs discussed flooding problems on Toms Creek and their analysis. He stated the pipes at Carol and Lorraine Street are in poor condition. Will Hines stated that there is not a single solution available that would not make matters worse downstream when corrected upstream.

Alderman Haven-O'Donnell asked for color copies of the information that was presented by the engineers. She asked if there was a solution for the Town to work with folks on their property since the pipes would not be a fix-all.

Alderman Slade asked what the town could do if they made downstream conditions worse.

Bob Hornik stated that there may be some improvements that the Town would have to make after the conditions are worsened but that he does not think the Town could go onto property that there is not damage occurring. He stated that the Town could be liable if it is shown that upstream improvements worsen conditions downstream.

Alderman Slade asked how the June 2013 storm compares. Will Hines stated that the storm has been compared to FEMA's preliminary model and the discharges are less than those. He stated that none of the models show changes in history and the effect of climate change. Will Hines stated that the June 2013 storm was used to calibrate their models and that was the largest storm in the past 34 years.

Brad Smith, with Sungate Design, discussed the Morningside Drive flooding. Possible solutions on Morningside Drive, Robert Hunt Drive, and Bolin Forest Drive would lead to an increase in flooding downstream. A single solution does not exist that would decrease impacts upstream without increasing the impacts downstream. He stated that the properties impacted are built in a natural floodplain. Sungate does not recommend changes to the existing culverts or their configuration.

Alderman Slade stated that it is clear that it is unfortunate that the properties have been built in a floodplain and that the Town's engineers suggest that there is no solution that the Town can undertake that would not worsen conditions downstream.

Henry Wells, with Sungate Design, discussed the Piedmont Health Center flooding. He stated that one of the junction pipes is completely clogged. He explained that there were bits of railroad ties even found almost on Lloyd Street from washing as debris. He stated that a 66 inch pipe would need to be installed to meet Carrboro standards but that won't work due to the cover. So they would need to run two 44 inch pipes. He stated that would be astronomical in cost so they researched other alternatives. He suggested that the ditch regrade be solution but the drawbacks would be getting the railroad to allow work to be done in the ditch and there would need to be further study to ensure that damage would not be worsened downstream. He stated that he has heard that it is almost impossible to get permission from the railroad to do work in their right of way. He recommended that the Health Center clean out the system that they have and make sure all of the debris is out of it. He stated they could also regrade their drive to create a channel through the drive to take the water further out to Lloyd Street (where it is already going). After those changes have been made, the Town should review if those changes have lessened the flooding before spending additional Town funds.

Alderman Haven-O'Donnell asked if staff could look into railroad right-of-way use.

Bob Hornik stated that he would look into it but that it may take a long time.

Alderman Gist stated that she would like time to review the report so she has time to understand it. She asked for a work session to occur when the Board does not have other issues. She stated that flooding is the most important issue that the Town is dealing with.

JD Freeman reviewed the 1984 Town Drainage Policy with the Board. Town staff suggested updating the policy.

Alderman Slade asked if there was a map that went along with this policy. Staff have been unable to locate the map.

Alderman Gist stated that OWASA has to be a partner in this because of their infrastructure. Staff stated that they will be included in the conversations.

The next step is that the Board will receive the reports and discuss it further in the fall.

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**REQUEST-TO-SET PUBLIC HEARINGS ON THE LLOYD FARM CONDITIONAL REZONING AT 700 OLD FAYETTEVILLE ROAD AND ASSOCIATED LUO TEXT AMENDMENTS**

The Town has received an application to rezone property at NC Hwy 54 and 700 Old Fayetteville Road to B-4-conditional rezoning (B-4-CZ) for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building. Applications for text amendments to the Land Use Ordinance, relating to the project have also been submitted. The Board of Aldermen must receive public input before reaching a decision on these requests. A hearing date of June 26, 2016, has been identified. Resolutions setting two public hearing were provided for the Board's use.

Tina Moon, the Town's Planning Administrator, made the staff presentation. She stated that the following changes are a result of the mediation process: Residential Use, Tree protection/open space, proposed dedication of land to the Town, Vehicular access and circulation, and other site design changes (minor).

Alderman Seils stated that the mediation teams decided that the goal of mediation would be getting it to the point to call a public hearing and that a specific plan was not endorsed.

Alderman Slade asked about ground-floor commercial in the residential sections. He also asked for information on ensuring green standards with the allowed density. He stated that there is a formula for maximum height vs what the feeling of the height is. Compare formula to current design standards.

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

**A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL DISTRICT REZONING AT 700 OLD FAYETTEVILLE ROAD**

**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 District Rezoning for the property located at the northeast corner of NC Hwy 54 and Old Fayetteville Road, known as 700 Old Fayetteville Road; and