



Town of Carrboro

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

Meeting Agenda Board of Aldermen



Tuesday, October 22, 2019

7:00 PM

OWASA Community Room

7:00-7:20

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [19-338](#) 2019 Carrboro Citizens' Academy Graduation
PURPOSE: The purpose of this agenda item is to present the graduating class of the 2019 Citizens' Academy with their certificates and award.
2. [19-331](#) GFOA Certificate of Achievement for Excellence in Financial Reporting 2018
PURPOSE: To recognize the Finance staff for its 2018 award of the Certificate of Achievement for Excellence in Financial Reporting.

7:20-7:25

B. ANNOUNCEMENT OF UPCOMING MEETINGS

7:25-7:30

C. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:30-7:40

D. CONSENT AGENDA

1. [19-337](#) Approval of Minutes from September 17, 24, and October 1, 2019
2. [19-336](#) Request to Reschedule the Public Hearing on an amendment to the Master Plan adopted as part of the Winmore Village Mixed Use District for a future date.
PURPOSE: The purpose of this item is for the Board of Aldermen reschedule the public hearing to consider an amendment to the master plan and a modification to the CUP for the Winmore Village Mixed Use District (VMU) for a future date.
Attachments: [Attachment A - Resolution](#)

3. [19-341](#) Affordable Housing Advisory Commission Funding Recommendation

PURPOSE: The purpose of this item is for the Board of Aldermen to consider recommended funding for one nonprofit affordable housing application to the Affordable Housing Special Revenue Fund.

Attachments: [Attachment A AHAC Recommendation 10.16.19](#)
[Attachment B AHSRF Application Summary](#)
[Attachment C Resolution](#)

E. PUBLIC HEARING

7:40-9:10

1. [19-342](#) Continuation of Public Hearing: Conditional Use Permit for Phase 1 of Shops at Lloyd Farm

PURPOSE: The purpose of this item is for the Board of Aldermen to continue the public hearing regarding a request for a Conditional Use Permit for Phase 1 of Shops at Lloyd Farm at 700 & 706 Old Fayetteville Road.

Attachments: [Attachment A - Advisory Board and Aldermen Responses From Applicant](#)
[Attachment B - CUP Worksheet](#)

9:10-9:30

1. [19-335](#) Public Hearing on a Land Use Ordinance Amendment to Establish Temporary Construction Parking

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance establishing a new use classification and associated standards for temporary construction parking. A draft ordinance has been prepared. The Board must receive public input before reaching a decision on the draft ordinance.

Attachments: [Attachment A - Consistency Resolution Temp Const Parking](#)
[Attachment B - Draft Ordinance temp const parking 9-10-2019](#)
[Attachment C - Comments combined](#)

F. MATTERS BY BOARD MEMBERS

- G. CLOSED SESSION - NCGS 143-318.11(a)(3) - attorney client privilege and NCGS 143-318.11(a)(5) - to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.**



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Agenda Item Abstract

File Number:19-338

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

2019 Carrboro Citizens' Academy Graduation

PURPOSE: The purpose of this agenda item is to present the graduating class of the 2019 Citizens' Academy with their certificates and award.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando

INFORMATION: The 2019 graduates are as follows: Lisa Braden, Maria Dewees, Lindsay Griffin, Barry Groner, Melissa Loggins, Samuel Maldonado, David Markiewicz, Fiona Matthews, Melinda Miller, Jeff Rupkalvis, Jamie Tripp, Robert Vaccarelli.

Graduates attended over 28 hours of academy sessions and had contact with all town departments and functions. Participants were able to get a "behind the scenes" tour of how government works in Carrboro. Course information is shown below:

Introduction to Town Hall - Gov 101	• Overview of program • Introduction of staff and elected officials • Overview of Carrboro government (Manager/Council Form, Board of Aldermen, Town Clerk, Town Manager, etc.) • Carrboro "Extra Credit" Passport • Budget • Taxes • Community Development • Local Matters • Human Services • Town Hall Tour
Fire-Rescue Department Location: Fire Station #1	• Rescue and Safety • Prevention • Drills
Recreation and Parks Location: (mobile tour)	• Recreation Programs • Parks • Special Events
Planning, Zoning and Inspections Location: Mobile Tour	• Planning • Zoning • Inspections • Overview of structure of the department and its functions. Review of land use and zoning frameworks (Town limits, ETJ, Planning jurisdiction, LUO/zoning map); tour of extent of jurisdiction with emphasis on nine active development projects.
Public Works Location: Meet at Public Works Facility	• Public Works (streets, landscaping, solid waste) • Emergency Preparedness • Beautification • Energy Conservation

Agenda Date: 10/22/2019

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Police Academy Location: OWASA Community Room	• Constitution/Bill of Rights • Division operation • Vehicle and tools demonstration • Scenario training exercises • K9 demonstration
Tour of OWASA Facility in Carrboro Location: OWASA Jones Ferry Rd.	• Joint tour with Chapel Hill Academy

FISCAL & STAFF IMPACT: The cost of the academy was included in the FY 2019-20 budget.

RECOMMENDATION: It is recommended that the Mayor and Board award the graduates with their certificates and applaud them for the time spent earning this graduation.



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Agenda Item Abstract

File Number:19-331

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

GFOA Certificate of Achievement for Excellence in Financial Reporting 2018

PURPOSE: To recognize the Finance staff for its 2018 award of the Certificate of Achievement for Excellence in Financial Reporting.

DEPARTMENT: Finance, Town Manager

CONTACT INFORMATION: Arche McAdoo, Finance Director, x-7439

INFORMATION: The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Carrboro by Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report (CAFR) for the year ended June 30, 2018. This Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting. Its attainment represents a significant accomplishment by a government and its management. An Award of Financial Reporting Achievement has been awarded to the Finance Department who was primarily responsible for preparing the award-winning CAFR.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

FISCAL & STAFF IMPACT: There is no fiscal or staff impact with the acceptance of this Award.

RECOMMENDATION: That the Board of Aldermen commend and congratulate the Finance Department on its award of the GFOA’s Certificate of Achievement for Excellence in Financial Reporting for the year ended June 30, 2018.



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Agenda Item Abstract

File Number:19-337

Agenda Date: 10/22/2019

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In Control: Board of Aldermen

Version: 1

Approval of Minutes from September 17, 24, and October 1, 2019



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Town Hall
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Agenda Item Abstract

File Number:19-336

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request to Reschedule the Public Hearing on an amendment to the Master Plan adopted as part of the Winmore Village Mixed Use District for a future date.

PURPOSE: The purpose of this item is for the Board of Aldermen reschedule the public hearing to consider an amendment to the master plan and a modification to the CUP for the Winmore Village Mixed Use District (VMU) for a future date.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333; Patricia McGuire - 919-918-7327; Nick Herman - 919-929-3905

INFORMATION: At the September 17th Board of Aldermen meeting, the Board set a public hearing date of October 22nd, to consider an amendment to the master plan and modification to the conditional use permit for the Winmore Village Mixed Use District (VMU). (Agenda materials from the September 17th meeting may be found here:

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=714580&GUID=A211FE6C-7305-4E46-9B72-058793650AA5&Options=&Search=>>)

The establishment of the Winmore development involved the adoption of a map amendment and an associated master plan. The applicant has not yet finished preparing the updated materials showing the proposed changes to the project, information that is necessary to draft an ordinance to amend the master plan and describe the modification to the CUP. Once the updated materials have been submitted and reviewed, staff will prepare a draft ordinance for the Board's consideration along with a new request to set a public hearing.

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the attached resolution rescheduling the hearing for a future date (*Attachment A*).

**A RESOLUTION RESCHEDULING THE PUBLIC HEARING ON AN
AMENDMENT RELATED TO THE WINMORE VILLAGE MIXED USE
DISTRICT FOR A FUTURE DATE**

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

NOW, THEREFORE BE IT RESOLVED that staff will a request to set a public hearing to consider adopting “An Amendment to Related to the Winmore Village Mixed Use District” at a future date.

This is the 22nd day of October in the year 2019.



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Agenda Item Abstract

File Number:19-341

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Affordable Housing Advisory Commission Funding Recommendation

PURPOSE: The purpose of this item is for the Board of Aldermen to consider recommended funding for one nonprofit affordable housing application to the Affordable Housing Special Revenue Fund.

DEPARTMENT: Manager's Office

CONTACT INFORMATION: Anne-Marie Vanaman, Management Assistant, 919-918-7321, amvanaman@townofcarrboro.org <<mailto:amvanaman@townofcarrboro.org>>; Rebecca Buzzard, Project Manager, 919-918-7438, rbuzzard@townofcarrboro.org <<mailto:rbuzzard@townofcarrboro.org>>

INFORMATION: On March 5, 2019, the Board of Aldermen approved the pilot application process for the Affordable Housing Special Revenue Fund.

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3875185&GUID=B29FF1CD-DC0B-4627-B6E8-0DDCC1205A46&Options=&Search=&Search=&Search=>

In the second application cycle of the pilot process (October 1, 2019), one request was received and forwarded to the Affordable Housing Advisory Commission (AHAC) for review and scoring. On October 16, 2019, the AHAC discussed the request and voted to make the following recommendation:

Fully fund the request from Rebuilding Together of the Triangle at \$28,625. These funds will support critical repairs, weatherization, and modifications for accessibility for four (4) Carrboro homes. These four homes are owned by households earning 65% AMI or less.

The AHAC passed this recommendation unanimously. The recommendation can be found in Attachment A. A summary of the funding request can be found in Attachment B.

FISCAL & STAFF IMPACT: This recommended funding allocation will be drawn from the Town's Affordable Housing Special Revenue Fund. This will leave a Fund balance of \$137,915 for the remainder of the fiscal year. There is no staff impact.

RECOMMENDATION: Staff recommends the Board consider approving the funding recommendation. A resolution for approval is provided in Attachment C.



TOWN OF CARRBORO

Affordable Housing Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

OCTOBER 16, 2019

**Affordable Housing Special Revenue Fund
Funding Recommendations**

Motion was made by Terri Buckner, and seconded by Tyran Hill, that the AHAC recommends that the Board of Aldermen consider the following funding recommendation:

The AHAC received one application for funding in the October 1, 2019 funding cycle. With \$166,540 available in the Affordable Housing Special Revenue Fund for the current fiscal year (FY19-20), the AHAC recommends to:

Fully fund the request from Rebuilding Together of the Triangle at \$28,625. These funds will support critical repairs, weatherization, and modifications for accessibility for four (4) Carrboro homes.

Comments:

VOTE:

YES: (4) Quinton Harper, Terri Buckner, Betty Curry, Tyran Hill

ABSENT/EXCUSED: (3) Gabe Viñas, Amy Singleton, Cain Twyman

NOES: ()

ABSTENTIONS: ()

By a unanimous show of hands, the AHAC membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

(Chair)

(Date)



AHSRF Application Checklist (for requests over \$5,000)

Applicant: Rebuilding Together of the Triangle

Funding Cycle: October 2019

Type of Project: Critical Repair

Amount Requested: \$28,625

Eligibility Criteria Checklist	Criteria Met?
The project is located within Town of Carrboro limits or ETJ.	Yes
The project addresses at least one funding priority area identified by the Town.	Yes
Requested funds will be used for at least one Town approved activity (permitted uses of funding).	Yes
Project benefits households earning 115% AMI or less.	Yes
The application is complete, including all required attachments, and is submitted on or before the established deadline.	Yes

Note: If application fails to meet all applicable criteria, the application is ineligible for consideration.

Income Group (Area Median Income)	Number of Beneficiaries	% of Total Beneficiaries
<30% of the AMI	4	50%
31%-60% of AMI	4	50%
61-80% of AMI		
81-100% of AMI		
101-115% of AMI		
TOTAL		

Note: Priority is given to households earning 80% AMI or below for homeownership and to households earning 60% AMI or below for renters.

Summary of Request: Rebuilding Together of the Triangle (RTT) <https://www.rttriangle.org/> is a non-profit organization that “seeks to make a sustainable impact on preserving and revitalizing homes and communities, assuring that low-income homeowners, from the elderly and disabled to families with children, live in warmth, safety, and independence.” They work “to preserve affordable homeownership

and revitalize neighborhoods by providing home repair and renovation services free of charge to those in need.”

RTT collaborates with the Towns, County, the Handy Helper Program of the Orange County Department on Aging, and other nonprofits, such as the Jackson Center and Central Piedmont Community Action (CPCA), through the Orange County Home Preservation Coalition to provide assistance to low-income homeowners whose homes require modifications or repairs to remain safely in their homes and/or to age in place, as well as to improve the delivery of weatherization services.

RTT verifies the income from all applicants in the form of last year’s income tax statements, payroll stubs, and social security or disability statements, pension and/or veterans benefits statements, alimony or child support statements, AFDC statements, rental income receipts, etc.

RTT requests funding to conduct critical repairs, weatherization, and enhancements for accessibility on four (4) Carrboro homes (of which 3 homes are in the Northside community):

- Project 1 – \$12,927
 - This homeowner has been a Town resident for over 25 years, and is dealing with challenges associated with a chronic condition that limits her mobility. She is committed to staying at home. This project consists primarily of flooring and subfloor repair, drainage, and modifications for accessibility into the home. Includes weatherization assistance by CPCA, with the goal of reducing energy bills and improving home efficiency. Household includes a child.
- Project 2 – \$8,266
 - This homeowner was born here in family’s home and has lived there ever since. This project is focused primarily on ceiling repair, structural issues, flooring and asbestos removal throughout the home. Includes weatherization assistance by CPCA, with the goal of reducing energy bills and improving home efficiency.
- Project 3 – \$2,688
 - This homeowner built her home in 1988, and has loved being a member of the Carrboro community. She has done a great job maintaining her home, but as she has gotten older, several maintenance items have gotten away from her due to age and limited income. This project consists mostly of flooring and electrical repairs. Includes weatherization assistance by CPCA, with the goal of reducing energy bills and improving home efficiency. Household of three people.
- Project 4 – \$4,744
 - This homeowner is elderly, and a long-time resident of the neighborhood. She struggles with serious arthritis, but is committed to staying at home. This project consists of roof replacement, drywall repair and flooring repair. Includes weatherization assistance by CPCA, with the goal of reducing energy bills and improving home efficiency. Household includes a child.

**A RESOLUTION APPROVING GRANT FUNDING FROM THE
AFFORDABLE HOUSING SPECIAL REVENUE FUND**

October 22, 2019

WHEREAS, the Board of Aldermen on, June 27, 2007, by the adoption of resolution no. 244/2006-07 created the Affordable Housing Special Revenue Fund; and

WHEREAS, the creation of the fund is another way in which the Board can advance its goal of increasing and maintaining the stock of affordable housing within the Town and its planning jurisdiction; and

WHEREAS, the Affordable Housing Advisory Commission (AHAC) reviewed a funding application for the Affordable Housing Special Revenue Fund on October 16, 2019; and

WHEREAS, the AHAC determined that the request met the criteria set forth in the Affordable Housing Special Revenue Fund; and

WHEREAS, the AHAC made the following funding recommendation:

Rebuilding Together of the Triangle **\$28,625**

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

Section 1. Approves the recommended grant funding activity from the Affordable Housing Special Revenue Fund in FY2019-2020.

Section 2. Authorizes the Town Manager to develop and execute an agreement as necessary to carry out the Board's action.

Section 3. This resolution shall become effective upon adoption.



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Agenda Item Abstract

File Number:19-342

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Continuation of Public Hearing: Conditional Use Permit for Phase 1 of Shops at Lloyd Farm

PURPOSE: The purpose of this item is for the Board of Aldermen to continue the public hearing regarding a request for a Conditional Use Permit for Phase 1 of Shops at Lloyd Farm at 700 & 706 Old Fayetteville Road.

DEPARTMENT: Planning

CONTACT INFORMATION: James Thomas 919-918-7335, jthomas@townofcarrboro.org; Marty Roupe, 919-918-7333, mroupe@townofcarrboro.org

INFORMATION: On October 15, 2019, the Board of Aldermen opened a public hearing for consideration of a Conditional Use Permit for Phase 1 of Shops at Lloyd Farm at 700 and 706 Old Fayetteville Road. The Board continued the public hearing to the October 22, 2019 meeting.

As additional background, previous agenda items and discussion about the Lloyd Farm property extend back several years. The applicant first presented a concept plan to town advisory boards in 2011. After that a CUP application was filed, and was taken to a public hearing in 2014. The Board ultimately did not vote on the application, with discussions following about the project. A decision was made in Spring 2015 to have mediation sessions regarding development of the property.

Selected neighborhood representatives, the developer, and selected Board of Aldermen members participated in mediation sessions over the course of Summer 2015. Matters such as buffering the project from existing neighbors and including a non-vehicular path to the adjacent neighborhood were discussed at length during the sessions. The outcome of the mediation sessions was to recommend that the project proceed as a conditional rezoning application. Doing so made the process and vote a legislative decision rather than a quasi-judicial decision, which allowed for maximum communication between community members, elected officials, and the applicant throughout review of the application and up to the actual vote on the application. A conditional rezoning application seeking to rezone property at 700 Old Fayetteville Road was then submitted in March 2018 and ultimately approved by the Board of Aldermen in October 2018. Agenda materials from the approved rezoning may be viewed here:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=3707566&GUID=EEACFBE8-8449-4EA7-AD8E-9757247221DF&Options=&Search=>>

The CUP plans were then revised and resubmitted to reflect matters discussed throughout the previous years and consistent with the conditions placed on the rezoning of the property. Following plan review, the CUP has

reached the public hearing again. Agenda materials from last week's meeting may be viewed here:

<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4159023&GUID=6122C3A5-47D1-43FA-9F62-31B61C899884&Options=&Search>=>

During last week's meeting, the Board of Aldermen asked the applicant to provide written responses to comments from advisory boards. That information has been provided as Attachment A. Two citizens spoke during the public hearing and the hearing was left open so that the Board of Aldermen could receive additional public input at the continued hearing.

Discussion also took place regarding the height of proposed light poles. During the meeting, the applicant agreed to lower the height of poles on the northern portion of the main road, where it runs east to west in closest proximity to adjacent neighbors north of the site. Staff is drafting a condition regarding this matter and will present it at the meeting. Staff is currently assessing the request from the Board regarding an opinion on the height of the light poles in relation to International Dark Sky Association standards and will report on this matter during the October 22, 2019 meeting.

FISCAL & STAFF IMPACT: Plan review fees and staff time.

RECOMMENDATION: Town staff recommends that the Board of Aldermen continue the public hearing for review of the Conditional Use Permit proposal with the following staff conditions. The CUP Worksheet is attached (Attachment B):

1. That the rezoning conditions for the Lloyd Farm project created for the subject properties have been hereby satisfied subject to the remaining conditions of this Conditional Use Permit. Modifications to the rezoning conditions approved for the project will require approval by the Board of Aldermen subject to an additional public hearing.
2. That the Board of Aldermen finds that 358 parking spaces are sufficient to serve Phase 1 of the Lloyd Farm project. This finding is based on information provided by the applicant regarding the proposed mix of uses, which should result in this portion of the development having sufficient parking.
3. That prior to construction plan approval staff will continue to coordinate with Chapel Hill Transit and NCDOT locations for transit service with possible stops in the vicinity of the grocery store and senior living complex.
4. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage

features will be clearly delineated in a data table. The data will be tied to horizontal controls.

5. That the developer shall include detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each unit in the development, (including cisterns, bioretention areas, swales, check dams, and irrigation pond), performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval. Upon approval, the plans shall be included in the homeowners' association documentation.
6. That in accordance with rezoning condition number 18 and in advance of draining the property's constructed ponds near Old Fayetteville Road, the applicant will engage a wildlife relocation organization such as NC State Turtle Rescue Team to assess options for developing and implementing a strategy to relocate turtles currently residing in the ponds. The applicant shall evaluate its stormwater management plan to determine if the construction of stormwater devices can provide a receiving area for some or all of the existing turtles. This condition must be satisfied prior to the approval of construction plans for the project.
7. That the Board of Aldermen finds that the height of the light poles may be twenty-five (25) feet within Phase 1 of the development. This finding is based on the applicant's justification that requiring the use of fifteen (15) foot poles would require approximately twenty (20) percent more poles and would increase electricity usage and lumens/acre.
8. That consistent with rezoning condition number 11, review and approval of the tenant agreement restricting hours for deliveries to between the hours of 6 am and 10 pm on weekdays and 7 am to 10 pm on weekends must take place prior to approval of the construction plans.
9. That consistent with rezoning condition number 12, review and approval of the tenant agreement restricting hours for collection of trash and recycling must take place prior to approval of the construction plans.
10. That consistent with rezoning condition number 13, review and approval of restrictions to landscaping maintenance hours must take place prior to approval of the construction plans.
11. That NCDOT must issue a driveway permit for the project prior to approval of the construction plans. The side path along NC Highway 54 must be discussed in detail during review of the driveway permit.
12. That the 60 foot easement shown on the 1994 plat shall be abandoned during and by way of recording a final plat for the project in accordance with the new shapes and configurations of lots as shown on the CUP plans.

**SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS
CONDITIONAL USE PERMIT FOR
Shops at Lloyd Farm, Phase 1**

Environmental Advisory Board:

1. Appreciate the selection of native trees in the tree planting list, but recommend that you choose native perennials, shrubs, and grasses in order to help the plants survive droughts and impacts from the heat island effect. Native plant species will also provide benefits for local wildlife. Also, recommend planting native species around the bioretention areas to avoid non-native plant seeds entering waterway. Recommend utilizing the Native Plant Society and NC Botanical Gardens as resources for choosing native plants. Recommend locally sourcing the native plants. **The Applicant will utilize many native perennials, shrubs and grasses in its supplemental landscaping throughout the project. Supplemental aesthetic plantings will also utilize drought tolerant and non-invasive adaptive plants.. Applicant notes native tree plantings are shown in the bioretention area as previously requested by the EAB. Supplemental plantings in this area will include native material.**
2. Propose that this development is held to the lighting standards in the Land Use Ordinance regarding pole height and luminosity. We propose that the applicant should better justify the need for relief from the requirements of the Land Use Ordinance. We recommend that LEED principles are followed with respect to lighting of the parking lot. **Additional justification was provided at the Board of Aldermen hearing on 10/15/19 regarding the use of 25' poles where proposed. A written summary of that presentation is attached and labeled Exhibit A. All other requirements of the LUO, including limitations on light trespass and luminaire shielding, are met by the current design.**
3. Recommend working with local groups to install murals on the rear elevation of the Harris Teeter Building facing Old Fayetteville Road to prevent the need for using non-native shrub species for additional screening. If the rear elevation of the building will require shrubs for screening, we recommend using inkberry (Ilex glabra) or wax myrtle (Morella cerifera). **The Applicant is agreeable to adding additional landscaping, in excess of LUO requirements, within the buffer at the rear of the grocery store to soften the appearance and provide an enhanced buffer for this area.**
4. Recommend consulting the Green Growth Toolbox to ensure habitat connectivity. **Noted.**
5. Like to request that the town facilitate establishing a channel of communication between the EAB and the staff at CH Transit to address concerns about the placement of bus stops in future phases. **The Applicant is cooperating with Town Staff and Chapel Hill Transit to locate bus stop(s) within the development and will continue to do so.**

Transportation Advisory Board:

6. Separate traffic calming considerations need to be made for Carol Street before and after the completion of phase 1 so that the financial contribution from the developer is used to address the

10/18/19: Applicant's responses to October Advisory Board and October 15th Board of Aldermen comments are provided in bold and colored ink

impacts of the development rather than the existing conditions. **This comment is addressed to Town Staff and not to the Applicant.**

7. Add bike loop detectors and green paint bike lane markings on Old Fayetteville Road through its intersection with NC HWY 54, or other Intersection Crossing Marking treatment identified in the NACTO Urban Bikeway Design Guide pages 122-140, which can be found at: https://nacto.org/wp-content/uploads/2011/03/NACTO_UrbanBikeway_DesignGuide_MRez.pdf **This is a request to direct to NCDOT and not the Applicant. Neither the Applicant nor the Town has control of installation of bike loop detectors or bike lane markings as Old Fayetteville Road is an NCDOT road and any improvements require NCDOT approval. Applicant has and will coordinate to coordinate conversations between NCDOT and Town Staff relative to this request.**
8. There is currently an electronic No Right Turn On Red signal which lights up for a few seconds when the pedestrian phase crossing NC 54 is activated, this needs to either be made into a permanent No RTOR or extend the duration of the No RTOR signal. **This is also a request to direct to NCDOT and not Applicant as such work requires NCDOT approval. Applicant has and will coordinate to coordinate conversations between NCDOT and Town Staff relative to this request.**
- 9.
10. The developer may say that the sidepath project which has been accepted into NCDOT STIP as EB-5994 will fit based on their current designs but they need to show it on the plans to confirm this. **The Applicant agreed, per note 14 of the Zoning Conditions, to design to allow for the Town's future consideration of a side path along NC Hwy 54. That condition speaks to the coordination needed at the time of driveway permit application and/or prior to installation of final pavement markings or plantings. As the side path has not been specifically designed to date, Applicant cannot show it on the CUP plans. This is addressed further in the staff report.**
11. Additionally, the driveways along NC 54 need to be designed to accommodate offsetting the future sidepath back from the roadway, in order to allow storage of a vehicle which may enter the development from the leftover turn lane at a high speed (as gaps on NC 54 are often short and infrequent) which will increase safety by reducing the likelihood of a conflict between vehicles and people on the sidepath. **The Applicant agreed, per note 14 of the Zoning Conditions, to design to allow for the Town's future consideration of a side path along NC Hwy 54. That condition speaks to the coordination needed at the time of driveway permit application and/or prior to installation of final pavement markings or plantings. As the side path has not been specifically designed to date, Applicant cannot specifically design or locate the offset. Additionally, NCDOT approval is required for a modification of this entrance, as they require a 200' protected stem length and Applicant is limited by the topography immediately east and west of the main entrance.**
12. Reduce the turn radii for right turn bays entering the development as this will reduce vehicles speeds and increase safety. **The radii are designed to a minimum dimension to allow for 18-wheel delivery truck, emergency vehicle and bus traffic.**
13. Add more street trees along the internal roadways to provide a buffer between cars and pedestrians. **Street trees are provided meet the LUO requirements.**

10/18/19: Applicant's responses to October Advisory Board and October 15th Board of Aldermen comments are provided in bold and colored ink

14. Use raised crosswalks along Merchant Way instead of painted crosswalks, especially at the crossing to the neighborhood connection to Carol St. **Applicant notes raised crosswalks are not favored by emergency vehicles, buses and delivery trucks, but will agree to provide raised crosswalks should the Board of Aldermen desire and other affected agencies (Fire, EMS, Transit) approve their use**
15. Reduce the internal street width as much as possible. **The internal street width is designed to a minimum standard to accommodate 18-wheel delivery trucks, emergency vehicles and buses.**
16. The 28 bike parking spaces located to the north of Harris Teeter need to be moved closer to the entrance, alternatively add additional bike parking at the entrance of the Harris Teeter to make it more visible and ensure high rate of utilization. **Applicant agrees to relocate 14 non-covered bike parking spaces from the north side of the grocery store to the south side (location indicated in orange on Exhibit B attached).**
17. Increase the total amount of bike parking and have it better distributed around the site. **The amount of bike parking provided meets LUO requirements.**
18. Shift bike lane on north Old Fayetteville (on approach to the site driveway) to be placed on the curb and not in between two vehicle lanes, offset the bike lane prior to the site driveway to improve visibility of cyclists, add bike markings through the intersection, and identify conflict areas as specified in the NACTO's Don't Give Up at the Intersection Bicycle Crossings Design Guide, pages 9-15, in particular page 13. This reference can be found at: https://nacto.org/wp-content/uploads/2019/05/NACTO_Dont-Give-Up-at-the-Intersection.pdf **This is a request that must be directed to NCDOT. since such work requires NCDOT approval. Applicant will coordinate conversations between NCDOT and Town Staff relative to this request, but cannot comply should the request require the dedication of additional right of way or reduce the buffer width along Old Fayetteville Rd.**
19. The accessible parking space crosswalk hatching leads directly into the drive-through grocery pickup lane, this should be shifted to provide connection to the center pathway through the parking lot or other location where conflicts are less likely. **Applicant is agreeable to coordinating alternative accessible parking locations with Town Staff.**

Appearance Commission:

20. That the backside of the Harris Teeter along Old Fayetteville Road include murals, vine type of plantings etc. in order to "soften" the façade. **The Applicant is agreeable to add additional landscaping beyond LUO requirements, within the buffer at the rear of the grocery store to soften the appearance and provide an enhanced buffer for this area. Applicant does not believe murals or vine plantings in this area are appropriate.**
21. That the proposed split rail fencing along Highway 54 adjacent to the amphitheater contain some type of mesh fencing in order to keep children from entering the roadway. **The Applicant will provide increased landscaping or mesh fencing.**
22. That the possibility of solar panels and a green roof be installed on the top of the Harris Teeter. **The Applicant has discussed this in more detail with Harris Teeter following the 10/15/19 Board of Aldermen Hearing. Green roof application is not practical for this supermarket design due to**

10/18/19: Applicant's responses to October Advisory Board and October 15th Board of Aldermen comments are provided in bold and colored ink

cost of structural upgrades changes required to absorb the weight increase and the cost of ongoing maintenance (water, replacements, chemicals, fertilizers). While Harris Teeter will pre-wire their building to allow for the potential of solar panel installation in the future, current efficiencies of solar panels are not sufficient to make them economically feasible (usable space available on roof vs. load requirements). Harris Teeter continues to gain access to green renewable power through PPAs, which is the route currently pursued to secure renewable energy resources. Harris Teeter is amenable to discuss any renewable sources that are economically feasible, at any time.

23. Improve the looks of the gas station and also, the landscaping adjacent to the gas station. **The appearance and landscaping of the energy center meet the LUO requirements.**

Planning Board:

24. We appreciate that the applicant has given a lot of thought to how the development will appear to visitors on-site. However, we feel that the applicant has given less thought to how drivers will experience this gateway to Carrboro from the outside – in particular the experience for drivers on Old Fayetteville Road. The landscaped area located between Harris Teeter and Old Fayetteville Road will not sustain an adequate vegetated buffer. An adequate buffer is of paramount importance as the lot behind Harris Teeter will have parked trucks, trash compactors, transformers, and other unsightly facilities. Either the applicant should increase the width of the landscaped area and move the Harris Teeter building to the east, or provide a masonry wall of at least 12', broken up with regularly spaced pilasters, and featuring some vegetation facing the road; for example: climbing vines on a trellis, espalier trees, wax myrtles. As a condition of this CUP, the Planning Board recommends that the Board of Aldermen require one of these reasonable solutions. We would also like to note that the Planning Board supports the reduction in parking. We also support the staff recommendations currently associated with the CUP. **The Applicant is agreeable to add additional landscaping beyond LUO requirements, within the buffer at the rear of the grocery store to soften the appearance and provide an enhanced buffer for this area.**

Stormwater Advisory Commission:

25. Encourages the consideration of green infrastructure and low impact development practices. We are discouraged at the response received, which does not suggest the serious consideration was given to this recommendation, nor does it appear to make sense. **Applicant will continue to look for GI/LID opportunities when Construction Drawings are prepared. Site limiting factors do restrict placement of these devices. GI/LID stormwater devices are most effective to treat and detain stormwater from smaller storms. GI/LID devices are typically shallow and require a very large footprint to adequately detain the larger 50 and 100-year peak runoff rates, which is a rezoning requirement for this project. Additionally, topography on this site does not work well for a large footprint stormwater area as it would require a very large embankment on the downhill side to meet existing grades.**

The SCMs designed for this project detain a larger volume in a smaller footprint, and therefore reduce the overall land disturbance area. These devices meet the state, local and rezoning water quality and quantity requirements.

10/18/19: Applicant's responses to October Advisory Board and October 15th Board of Aldermen comments are provided in bold and colored ink

26. The applicant responded "Expanded areas for additional stormwater management areas would require reductions in buffers to the north and less open space in the amphitheater area. Site limiting factors include the presence of shallow rock that limits SCM infiltration opportunities." However, we do not understand how many of the recommended GI and LID practices are constrained by these factors, or would result in these impacts. For example, shallow rock does not limit green roofs, nor would many LID practices impinge on buffers. **Preservation of open space is an important element of this project to create a large vegetated buffer for neighbors to the north and to create a lawn event space at the amphitheater. If, for example, additional GI/LID devices were installed in the internal parking lot area more space would be required to accommodate the stormwater devices, which would require an overall larger parking area.**
27. In our experience and understanding, LID practices typically result in a smaller site/disturbance footprint and can also offer more redundancy and, therefore, resiliency. Collecting and treating stormwater in more and smaller locations integrated across the site as opposed to solely in three large SCMs would reflect a greater commitment to innovative stormwater management that is better suited to the reality of climate change and associated changes in storm intensity and recurrence that we are experiencing. **Please see response 24 above.**
28. Appreciate that the applicant is complying with condition regarding the 50 and 100 year storm events. However, we recommend that the applicant also consider climate change in selecting the flows for the design storms and the applicant stated "The latest precipitation data from NOAA Atlas 14 is being used for this project." The latest Atlas 14 does not consider future climate change, but IFD (precipitation intensity, frequency, and duration) curves for storms based on future climate projections do exist and ought to be considered. **NOAA Atlas 14 rainfall data is the latest industry accepted information available that includes recent rainfall trends.**
29. Appreciate that the Board has referred review of LUO stormwater provisions to the SWAB that would speak to this need, and anticipate that our response will be to recommend inclusion of future IFD projections in stormwater design standards. We recognize that these changes are not yet effective for this application. Regardless of the IFD curves employed and to reiterate, we believe that more could be done through LID practices to increase the resiliency of this project's design to future climate conditions. **Noted.**
30. Would like to see the landscaping design better maximize the ecosystem services that can be provided in and adjacent to Stormwater Control Measures. For example, the ponds and surrounding landscape could be planted with more plants, with species native to the Piedmont, to maximize wildlife and pollinator habitat and carbon sequestration. **Applicant notes native tree plantings are shown throughout the site, including the SCM areas, as required by LUO and as previously requested by the EAB. Supplemental plantings will include native material.**

Economic Sustainability Commission:

31. Analyze in more detail green building techniques and opportunities related to building design related to energy efficiency and sustainability, with respect to and with sensitivity to climate change. **Detailed construction drawings for the building structures are not part of the CUP submittal documents, however the Applicant notes the free standing retail buildings shown on the Phase I drawings will meet or exceed all applicable building code requirements relative to this area and incorporate white reflective energy efficient roofs, thermally broken storefronts with low e**

10/18/19: Applicant's responses to October Advisory Board and October 15th Board of Aldermen comments are provided in bold and colored ink

insulated glass, and require tenant specific upfits incorporate low flow sinks and toilets and LED lighting. The Harris Teeter design will meet or exceed all applicable building code requirements relative to this area and operation will incorporate a white reflective energy efficient roof, LED lighting throughout the store (including all refrigerated cases), low flow urinals and faucets, non-ozone depleting low GWP refrigerant, motion detection lighting, energy management systems, recycling for oil, grease, and cardboard, use of skylights and windows to utilize natural light, food waste composting and paper bag recycling. Harris Teeter has committed to eliminating plastic bag use for grocery checkout at this location.

32. With respect to encourage the inclusion of local businesses within the retail and restaurant portions of the project with respect to the Buy Local principle. **Applicant notes this encouragement/recommendation as it moves forward with construction and leasing of the project.**

Board of Aldermen Comments Discussed at October 15, 2019 Hearing

33. Construction Management Plan – **Section 15-49 of the LUO allows the administrator to require, by a condition attached to a Conditional Use Permit, a Construction Management Plan be submitted and approved by the administrator. Applicant agrees to provide a Construction Management Plan as a condition to receiving construction permits as is contemplated in LUO.**
34. Construction of a concrete median at the Hwy 54/Post Office Drive entrance – **Subject to final approval from NCDOT, Applicant agrees to install a median within the Post Office Drive of sufficient length to restrict turns into/out of the southern post office access point to right turns only.**

EXHIBIT A

Our lighting layout plans for the Shops at Lloyd Farm were designed to include 25-foot tall poles in some areas of the site, where appropriate, and where they provide additional benefit when compared to poles with a shorter mounting height. Our reasoning for this design is as follows:

1. Our design meets requirements of the Town of Carrboro Land Use Ordinance

- *15 ft maximum mounting height is a “presumptive standard.” The Town Ordinance acknowledges that “the inflexible application of a height maximum for lighting fixtures may result in a development with excessive energy consumption or light fixtures that are incompatible with the scale or style of a development” and the Town may “allow taller light fixtures.”*
- *The recommended maximum light output is 70,000 lumens per acre.*
 - This site is designed for approximately 56,000 lumens per acre.
- *All luminaires rated at or above 1,800 lumens are required to be fully shielded.*
 - All parking lot and roadway fixtures are full cut-off fixtures and emit 0 lumens above horizontal.
- *Illuminance at the property line may not exceed 0.2 footcandles.*
 - This requirement is met.

2. A mounting height of 25 feet conforms to typical industry standards for large parking areas and roadways

- VHB referred to Illuminating Engineering Society (IES) Recommended Practice for Lighting of Parking Facilities (RP-20-14). The IES publishes widely accepted international standards for lighting design applications. We note that RP-20 provides minimal guidance for pole mounted luminaires with mounting heights of less than 25 feet and recommends a mounting height of 26 feet or higher for these types of luminaires.
- Our site includes internal roadways. NCDOT standard roadway lighting ranges from 30 to 45 feet above the pavement finished grade.
- VHB conducted a survey of nearby municipal development ordinances, including Apex, Chapel Hill, Durham, and Hillsborough. We found that the maximum light pole height permitted in these ordinances ranges from 25 to 35 feet for cutoff fixtures. The Town of Carrboro ordinance (15 feet maximum for all fixtures) is unusually restrictive compared to its neighbors in the greater Triangle area.

3. Our design includes specific measures to improve user safety

- IES G-1-16, Guide for Security Lighting for People, Property, and Critical Infrastructure:
 - Regarding retail shopping centers:

"A large percentage of violent crime at retail facilities occurs in parking lots where customers and employees are often isolated and vulnerable. Proper illumination is a critical component of the overall security plan for retailers."

- Regarding Pedestrian and Vehicle Movement Zone (Parking lots):
"Relatively low fixture mounting heights require reduced pole spacing (more poles) and/or increased luminous intensity at the higher angles approaching 90 degrees from nadir"
- Regarding mounting height in general,
"Taller poles typically result in greater areas of coverage, and thus fewer poles required for a given area. Higher-mounted luminaires are also less prone to vandalism."
- And from the 2003 edition of the Guide:
"Large sites with a need to provide protection for persons and property are lighted most economically with high-wattage, high-mounted luminaires [that are] spaced to provide uniform illuminance."
- The IES notes that controlling glare is difficult at relatively lower mounting heights. Excessive glare may pose a risk to road user and pedestrian safety, especially in a mixed vehicle-pedestrian environment, and minimizing glare is critical for safety and security of the site.
- We also note that lighting at lower mounting heights will cast larger shadows behind parked vehicles, resulting in poorer performance and uniformity.

4. Our design includes specific measures to reduce light pollution and skyglow

- Luminaires proposed to be mounted at 25 feet, which are manufactured by Cree, have received approval by International Dark-Sky Association (IDA). This is an objective, third-party certification for lighting that minimizes glare, reduces light trespass and doesn't pollute the night sky.
- The U.S. Green Building Council has published a LEED credit for Light Pollution Reduction. We note that the proposed lighting layout at Lloyd Farm meets or exceeds components of this LEED requirement, including upward waste light ratio, which is calculated at 0.004 percent for the entire site.

5. The use of shorter poles is expected to have negative impacts on the overall design

- There is a direct relationship between mounting height and lighting uniformity, as lower mounting heights cause poorer uniformity. This is counter to one of the primary design goals of this site.
- Electrical demand is expected to increase with a mounting height of 15 feet. Lower wattage fixtures may be used to obtain the same design criteria; however, the anticipated increase in the number of poles is expected to outweigh any benefits less powerful fixtures. We

anticipate that the total electrical demand for the site and/or the total lumens emitted would increase.

- A 15-foot mounting height will result in less efficient lighting of interior roadways and sidewalks. There is a rule of thumb accepted by several state departments of transportation that recommends, for single sided-lighting, roadway width should not exceed 1.25 to 1.5 times the mounting height of the luminaire.
 - If this rule is applied to a 15-ft mounting height, the allowable pavement width for single-sided lighting is 18-23 feet. We note that the roadway width at this site ranges between 34 and 50 feet including sidewalks, which indicates that light poles will likely be required on both sides of the roadway to achieve proper minimum illumination. Our proposed layout includes single-sided roadway lighting in some areas, but this would not be feasible with 15-foot light poles. More poles, conduits, junction boxes, and feeder circuits would be required.
- Pole locations are limited by the tree coverage area requirement of the site. Additional pole locations may conflict with tree locations. This impact may become more severe over time as trees grow larger.

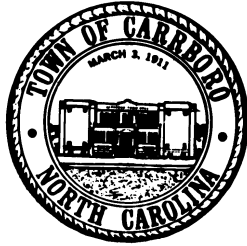
6. Similar, existing developments in Carrboro were constructed with equal or taller light poles

- Numerous existing Carrboro sites, including smaller sites, do not adhere to the 15 ft maximum luminaire mounting height recommendation in the Carrboro Land Use Ordinance.
 - Weaver Street Market (101 E Weaver Street)/Harris Teeter (301 N Greensboro Street): main parking lot poles measured at 24'-4"
 - Carrboro Plaza (104 NC 54): main parking lot poles measured at 32'-8"
 - United States Postal Service (1500 W Main Street – directly adjacent to Lloyd Farm site): main parking lot poles measured at 30'-6"

In summary, the proposed lighting layout at Lloyd Farm is designed to provide improved safety and security, to reduce light pollution, and to provide an efficient layout. The use of 25-ft light poles aids the design in achieving these goals, meets the explicit requirements of the Carrboro Land Use Ordinance, meets typical industry design standards, and compares favorably to existing developments in the Town of Carrboro.

38711.07

TOWN OF CARRBORO



CONDITIONAL OR SPECIAL USE PERMIT WORKSHEET

I. COMPLETENESS OF APPLICATION

- ☐ The application is complete
☐ The application is incomplete

II. COMPLIANCE WITH THE ORDINANCE REQUIREMENTS

- ☐ The application complies with all applicable requirements of the Land Use Ordinance
☐ The application is not in compliance with all applicable requirements of the Land Use Ordinance for the following reasons:

III. CONSIDERATION OF PROPOSED CONDITIONS

If the application is granted, the permit shall be issued subject to the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IV. GRANTING THE APPLICATION

- ☐ The application is granted, subject to the conditions agreed upon under Section III of this worksheet.

V. DENYING THE APPLICATION

- ☐ The application is denied because it is incomplete for the reasons set forth above in Section 1.
- ☐ The application is denied because it fails to comply with the Ordinance requirements set forth above in Section II.
- ☐ The application is denied because, if completed as proposed, the development more probably than not:

1. Will materially endanger the public health or safety for the following reasons:

2. Will substantially injure the value of adjoining or abutting property for the following reasons:

3. Will not be in harmony with the area in which it is to be located for the following reasons:

4. Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen for the following reasons:



Town of Carrboro

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

Agenda Item Abstract

File Number:19-335

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing on a Land Use Ordinance Amendment to Establish Temporary Construction Parking

PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider a text amendment to the Land Use Ordinance establishing a new use classification and associated standards for temporary construction parking. A draft ordinance has been prepared. The Board must receive public input before reaching a decision on the draft ordinance.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333; Patricia McGuire - 919-918-7327; Nick Herman - 919-929-3905

INFORMATION: The Land Use Ordinance provides for opportunities for staff to bring forward proposed amendments to the text of the ordinance for the benefit of the greater community. As development and redevelopment occurs in the downtown commercial districts, sufficient space for on-site parking for all workers associated with a construction project can be challenging. Providing sufficient parking in a way that does not impede the many other daily activities in the downtown is important to the support of a vibrant community. The Town's Community and Economic Development Director has identified a need for parking areas for construction workers employed at projects in the downtown area such that the limited supply of public parking is not affected.

A draft ordinance has been prepared for the Board's consideration. If adopted, existing lots with parking spaces not already committed to the requirements of another permit may be used as temporary construction parking subject to a zoning permit. Parking would only be allowed during the duration of the construction project.

The draft ordinance was presented to the Planning Board, Transportation Advisory Board and Economic Sustainability Commission at their regular meetings in October, and was referred to Orange County. Comments are provided (*Attachment C*).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider the attached

Agenda Date: 10/22/2019

File Type:Agendas

In Control: Board of Aldermen

Version: 1

resolution for consistency (*Attachment A*) and the draft ordinance (*Attachment B*).

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 (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: A LAND USE ORDINANCE TEXT AMENDMENT RELATING TO TEMPORARY CONSTRUCTION PARKING.

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed amendment is:

_____ *Consistent* with the intent of Carrboro Vision2020 to establish and enhance a vibrant downtown while maintaining a safe and adequate flow of bus, auto, bicycle and pedestrian traffic.

_____ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

_____ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Board of Aldermen's approval shall also be deemed an amendment to the existing adopted plan, _____, as described below.

Changed circumstance(s):

Amendment to current adopted plan:

Section 2. The Board of Aldermen's action is reasonable and in the public interest for the following reason(s):

The proposed text amendment which finds the proposed text amendment, is reasonable and in the public because it provides for public safety and more efficient construction in the downtown area.

Section 3. Therefore, the Carrboro Board of Aldermen has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

Adopted by the Carrboro Board of Aldermen this 22nd day of October 2019.

**AN ORDINANCE TO AMEND THE CARRBORO LAND USE ORDINANCE
RELATING TO TEMPORARY CONSTRUCTION PARKING**

****DRAFT 9-10-2019****

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Section 15-146 (The Table of Permissible Uses) is amended by adding a new use classification 23.300 entitled “Temporary Construction Parking” and by adding the letter “Z (l)” opposite this use classification under the B-1(g), B-1(c) and B-2 zoning district columns to indicate that this use is permissible in these districts with a zoning permit, subject to Subsection 15-147(u).

Section 2. Section 15-147 (Use of the Designations Z, S, C, in the Table of Permissible Uses) is amended by adding a new subsection (u) that reads as follows:

(u) Existing lots containing parking spaces may be used for temporary parking for construction workers employed on construction projects in downtown commercial districts so long as such parking spaces: (i) are not required by existing permits, (ii) are not part of any satellite parking agreement for an existing permit, or (iii) have not been created by the removal of an existing building.

Temporary construction parking shall be limited to vehicular parking and shall not include staging areas, or material or equipment storage. Upon completion of the construction project, the zoning permit shall become null and void.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, OCTOBER 3, 2019

Land Use Ordinance Text Amendment Relating to the Temporary Construction Parking

Planning Board Comments: We support the purpose of this amendment, in particular of providing a mechanism to organize parking for construction workers in anticipation of a number of downtown construction projects. However we do not support the amendment as currently written, as we believe finding parking for construction workers should be tied to building permits or construction management plans. We recommend that the staff 1) look into practices in larger, denser urban centers where contractors typically deal with finding parking for workers off-site, and 2) consider making it a condition of a building permit or construction management plan that contractors secure parking, and thus create a mechanism for enforcement.

Motion was made by Susan Poulton and seconded by Andrew Whittemore that the Planning Board of the Town of Carrboro recommends that the Board of Aldermen reject the draft ordinance.

VOTE:

AYES: (8) Clinton, Foushee, Fray, Gaylord-Miles, Poulton, Rogers, Tooloe, Whittemore

ABSENT/EXCUSED: (1) Meyer

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the Planning Board membership indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by Rachel Gaylord-Miles and seconded by Rasam Tooloe that the Planning Board of the Town of Carrboro finds the proposed text amendment, is consistent with the intent of Carrboro Vision2020 to establish and enhance a vibrant downtown while maintaining a safe and adequate flow of bus, auto, bicycle and pedestrian traffic.

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment, is reasonable in the public interest because it provides for public safety and more efficient construction in the downtown area.

VOTE:

AYES: (8) Clinton, Foushee, Fray, Gaylord-Miles, Poulton, Rogers, Tooloe, Whittemore

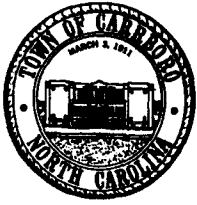
ABSENT/EXCUSED: (1) Meyer

NOES: (0)

ABSTENTIONS: (0)

Cathy Fray
(Chair)

10/7/2019
(Date)



TOWN OF CARRBORO
Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, OCTOBER 3, 2019

Land Use Ordinance Text Amendment Relating to the Temporary Construction Parking

Motion was made by David and seconded by Kurt that the **TAB** of the Town of Carrboro recommends that the Board of Aldermen **REJECT** the draft ordinance.

VOTE:

AYES: Dave, Rob, Kurt, David, Mark (5)

ABSENT/EXCUSED: Linda (1)

NOES: Diana (1)

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the TAB membership indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by David and seconded by Kurt that the TAB of the Town of Carrboro finds the proposed text amendment, not consistent with the intent of Carrboro Vision2020.

The TAB indicates that this text amendment does not appear to have been well thought out, there is no description or process identified for enforcement of this new parking use. Any change in these construction parking requirements or allowances needs to be tied into the construction permit process.

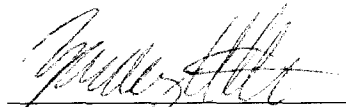
VOTE:

AYES: Dave, Rob, Kurt, David, Mark (5)

ABSENT/EXCUSED: Linda (1)

NOES: Diana (1)

ABSTENTIONS: (0)


(On behalf of Chair)

10/4/2019
(Date)



TOWN OF CARRBORO

Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, OCTOBER 9, 2019

Land Use Ordinance Text Amendment Relating to the Temporary Construction Parking

Motion was made by Dan Mayer and seconded by Tanya Jisa that the ESC of the Town of Carrboro recommends that the Board of Aldermen adopt / approve the draft ordinance.

VOTE:AYES: (1) All

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

Associated Findings

By a unanimous show of hands, the ESC membership indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by Dan Mayer and seconded by Tanya Jisa that the ESC of the Town of Carrboro finds the proposed text amendment, consistent with the intent of Carrboro Vision2020 to establish and enhance a vibrant downtown while maintaining a safe and adequate flow of bus, auto, bicycle and pedestrian traffic.

Furthermore, the ESC of the Town of Carrboro finds the proposed text amendment, is reasonable in the public interest because it provides for public safety and more efficient construction in the downtown area.

VOTE:AYES: (1) All

ABSENT/EXCUSED: (0)

NOES: (0)

ABSTENTIONS: (0)

[Signature]
(Chair)

10/9/2019
(Date)

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



TRANSMITTAL DELIVERED VIA EMAIL

September 26, 2019

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on September 24, 2019 and proposed for town public hearing on October 22, 2019:

- *An Ordinance to Amend the Carrboro Land Use Ordinance Relating to Temporary Construction Parking.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator