

**NOW, THEREFORE BE IT RESOLVED** that the Carrboro Board of Aldermen approve the Minor Modification request to allow for a reduction in size from five stories to three stories, along with the associated changes in the building's design.

This the 25th day of June, 2013

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

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

**Nay:** Alderman Slade

**Excused:** Mayor Chilton

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**REQUEST FOR A MINOR MODIFICATION TO THE CUP FOR 300 EAST MAIN RELATED TO ADDING A RESIDENTIAL USE CATEGORY AND OUTDOOR USES ON THE SITE**

The purpose of this item was for the Board to consider adopting a resolution approving changes to the sidewalk / courtyard area of the 300 East Main project.

Marty Roupe, the Town's Zoning Administrator, made the staff presentation to the Board.

Laura Van Sant, representing Main Street Properties, discussed the application with the Board.

Kevin Benedict, representing Main Street Properties, also discussed the application with the Board. He stated that they could agree to the condition that 80% of the residential would be one bedroom or studio on the upper floors only.

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN SEILS TO APPROVE OF THE RESOLUTION, EXCEPT FOR THE RESIDENTIAL COMPONENT, AND FOR THE APPLICANT TO RETURN THE PROJECT, IN MORE DETAIL, TO THE BOARD AT A LATER TIME:

A RESOLUTION APPROVING A MINOR MODIFICATION TO THE 300 EAST MAIN CONDITIONAL USE PERMIT AUTHORIZING INSTALLATION OF AN OUTDOOR DINING COVER UP TO 700 SQUARE FEET IN SIZE, AND AFFIRMING THAT SMALL, NON-STRUCTURAL CHANGES MAY OCCUR WITHOUT ZONING STAFF OR BOARD OF ALDERMEN REVIEW

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for 300 East Main; and

WHEREAS, Town Staff has determined that this request constitutes a Minor Modification to the Conditional Use Permit; and

WHEREAS, the applicant has met the criteria in the Town's Land Use Ordinance related to Minor

Modifications.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Board of Aldermen approve allow installation of an outdoor dining cover up to 700 square feet in size, and allowing small, non-structural changes to occur without zoning or Board of Aldermen review, subject to the following condition:

- That the applicant may install, remove, and otherwise change the location of non-structural elements of the outdoor portions of the site without necessitating review under LUO Section 15-64, so long as sidewalks and courtyards remain reasonably open and traversable. Such changes include but are not limited to small awnings, non-structural patio covers up to 200 square feet in size, and fencing, bollards, and similar devices intended to delineate outdoor dining areas. Structural additions and / or larger sized changes exceeding 200 square feet, as well as changes to the façade of a building, that significantly change the size of an opening, shall be reviewed by staff. Staff will determine, in accordance with LUO Section 15-64, whether such requests need to be reviewed by the Board as a Minor Modification.

This the 25th day of June, 2013

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

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

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### **DISCUSSION OF POSSIBLE CHANGES TO PARKING AND TOWING RULES**

The purpose of this item was for the Board of Aldermen to receive information from Town staff regarding suggested changes to the Town Code related to the towing of vehicles from private property and limitations on parking in Town-owned parking lots.

Trish McGuire, the Town's Planning Director, made the staff presentation to the Board.

Nick Robinson, representing Carr Mill Mall Limited Partnership, read a prepared statement to the Board. That statement was presented to the Town Clerk for addition to the public record. He expressed a desire to work with the Board on a comprehensive parking plan.

Jaffey Barnes, representing Barnes Towing, spoke to the Board about his concerns related to towing. He expressed a desire to work with the Board on developing the towing rules and regulations.

Cindy McMahan, the owner of Elmo's, stated that she needs the Board's help with parking. She stated that as a tenant, she needs the parking spaces so people can get to her restaurant. She said that as a business owner in Carr Mill, that she feels forgotten by the Board of Aldermen.

**MOTION WAS MADE BY ALDERMAN LAVELLE, SECONDED BY ALDERMAN SEILS FOR STAFF TO WORK WITH BARNES TOWING, AND OTHER TOWING COMPANIES, ON THE PROPOSED ORDINANCE CHANGES. THE REPORT SHALL BE RETURNED TO THE BOARD IN SEPTEMBER. VOTE: AFFIRMATIVE ALL**

In response to a question about recent refunds related to vehicles that were towed from the Carr Mill lot, Brooke Barnes, the manager of Barnes Towing, stated that some of the towing fees were refunded to