



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

Tuesday, February 23, 2016

7:30 PM

Board Chambers - Room 110

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

**Absent:** Alderman Michelle Johnson

**Also Present:** David Andrews, Town Manager, Catherine Dorando, Town Clerk, Nick Herman, Town Attorney

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### **RECOGNITION OF CHAPEL HILL HIGH SCHOOL WOMEN'S INDOOR TRACK AND FIELD TEAM AND MEN'S SWIM TEAM - STATE CHAMPIONS**

Mayor Lavelle recognized the Chapel Hill High School Women's Indoor Track and Field Team and proclaimed February 24, 2016 as "Chapel Hill High School Lady Tigers Indoor Track and Field Day" in Carrboro.

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### **APPROVAL OF PREVIOUS MEETING MINUTES**

**A MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE, THAT THE MINUTES OF FEBRUARY 9, 2016 BE APPROVED, AS AMENDED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)**

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### **REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF CARRBORO AND THE ORANGE WATER AND SEWER AUTHORITY (OWASA) TO ESTABLISH NETWORK INTERCONNECTIVITY AND NETWORK INFRASTRUCTURE FACILITIES SHARING**

The purpose of the interconnectivity and infrastructure sharing is to provide OWASA a path to the

MCNC NCREN network for less costly high speed broadband internet connectivity. This agreement will also establish interorganizational connectivity that may be leveraged by future projects and partnerships.

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

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN  
AGREEMENT BETWEEN THE  
TOWN OF CARRBORO AND THE ORANGE WATER AND SEWER AUTHORITY  
(OWASA) TO ESTABLISH NETWORK INTERCONNECTIVITY AND NETWORK  
INFRASTRUCTURE FACILITIES SHARING.

**WHEREAS**, the Town of Carrboro and the Orange Water and Sewer Authority jointly desire to formally recognize and maintain a mutually beneficial and collaborative environment surrounding the planning, engineering, deployment, documentation and maintenance of their respective network infrastructure resources; and,

**WHEREAS**, the purpose of the agreement is to establish the terms and conditions for the Town of Carrboro and the Orange Water and Sewer Authority to equitably share and/or exchange defined elements of their respective network infrastructure systems; and,

**WHEREAS**, the Town of Carrboro and the Orange Water and Sewer Authority will have no ownership rights to the other organization's network infrastructure as a result of this agreement; and,

**WHEREAS**, the Town of Carrboro and the Orange Water and Sewer Authority will be sharing network infrastructure, all sharing and/or exchanging will be quid pro quo at no cost to either organization other than possible nominal setup costs;

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Board authorizes the Town Manager to enter into an Agreement between the Town of Carrboro and the Orange Water and Sewer Authority to establish network interconnectivity and network infrastructure facilities sharing.

**This the 23<sup>rd</sup> day of February, 2016**

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

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

**Absent:** Alderman Johnson

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**MAJOR MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT AT 107  
PADGETTE LANE THEREBY ALLOWING CONSTRUCTION OF A 5-STORY HILTON  
HOTEL AS WELL AS EXPANSION OF THE EXISTING 300 E. MAIN ST. PARKING  
GARAGE**

The purpose of this item was to allow the Board to review a major modification of an existing Conditional Use Permit allowing construction of a 5-story Hilton Hotel on the property identified as 107 Padgette Lane. Accessory to this permit modification request will be the construction of the 300 E.

Main Street parking deck expansion, which has already been approved as part of the 300 E. Main St. CUP. An accompanying minor modification to the 300 E. Main Street CUP must be approved to formally encumber the new hotel's proposed satellite parking spaces.

The Town Clerk swore in all speakers listed below.

Marty Roupe, the Town's Zoning Administrator, provided the staff report to the Board of Aldermen.

Alderman Gist stated that she wants the Board to discuss a CUP condition regarding the signs that will be proposed and possibly approved.

Alderman Slade asked the developer to provide information about the viability of the four trees shown in the plans being that they will not receive direct sunlight in their proposed location.

Laura Van Sant, representing the applicant, provided information related to the project to the Board. She explained that the development will have enough parking spaces with the addition of a hotel without creating new spaces. The development, as planned, will meet its parking requirements with the additional of a hotel. Once the development is built-out, additional parking will be required. She stated that financing of the parking deck would kill the hotel deal because it will not be approved by the bank and asked the Board to consider the additional parking deck as a separate issue.

David Young, CEO of VIF Education, expressed support for the project and the increased hotel and conference space that it will provide.

Sheryl Forbis, representing the Appearance Commission, stated that the Commission has discussed the size of the proposed building and stated that it is quite possibly the largest building in Carrboro. The facility will be using a lot of energy and water. The facility could have solar panels and other resource saving features. She asked that the building be built to age well. She stated that the building should be LEED Certified. She expressed concern with the shapes of the windows. She asked that the Board and the applicant be visionary with this project.

Jeff Phillips, CEO of FleetFeet Inc., voiced support for the project. He stated that the increased meeting space is much needed and will be great for their corporate business.

Bridget Pimberton-Smith, owner of Cameron's, expressed support for the proposed project and stated that her company relies heavily on the business of visitors.

Valerie Barragan, an owner of Bella's International Cuisine, expressed support for the project and stated that her business is supported by visitors at the hotel. She also stated that the increased meeting and conference space will benefit other local businesses around Town.

Jesse Kalisher, owner of Kalisher, expressed support for the project. He stated that the additional hotel would support his business.

Alderman Seils asked Laura Van Sant if the leased parking spaces are counted in the calculation of required parking. Laura Van Sant stated that the Town's parking space calculation for the proposed hotel does not rely on spaces that have been leased by the Town. She stated that the restaurant will serve lunch and dinner. She stated that the bike path connection around the west end of the new hotel will be improved to eight feet wide and paved.

Nick Herman, the Town's Attorney, explained to the Board that they are under no obligation to hear the

major modification request or to approve it. However, if they go forward with approval they must make decisions upon the standard findings as required in the Conditional Use Permit work sheet. He stated that in regards to communicating with the public regarding this application that the Board of Aldermen should continue to treat this item as a quasi-judicial hearing upon leaving the meeting tonight.

Alderman Gist stated that her major concern is parking and that she can see a time when the parking will be restricted to 300 East Main. She stated that the community should not be placed with the burden of providing those overflow spaces. She stated that the Town cannot afford to turn away from additional parking and asked that the developers remember how the Town assisted them with the Fleet Feet economic development agreement and with the leasing of parking spaces that allowed the project to go forward. She stated that additional parking needs to go forward at this time and expressed support for the statements from the Appearance Commission.

Alderman Slade requested that the approval to build from the state agencies regarding the Brownfields agreement be provided to the Board. The EAB did not get a sufficient response from the applicant to be able to give the BOA a recommendation on the effectiveness of the program, the applicability to this project and the degree to which the applicant will pursue Hilton- World Wildlife Fund goals, he requested that the applicant provide a response to the BOA and also to the EAB if they are meeting before the BOA revisits this agenda item. He requested that a compost dumpster be provided. He asked that we consider requirement of 10' sidewalks given the planning board's recommendation and the LUO provision that states 10' sidewalks required within sites that are in the downtown if there are areas within the site that would be connected with such a sidewalk. He requested that the applicant consider LED lighting, both for environmental and economic reasons. He asked the developer to what degree they would be able to honor the proposed affordable housing in the original Butler Project or a payment-in-lieu of \$100,000 each either in relation to affordable housing or affordable commercial space. He also stated that he agreed with the comments from the Appearance Commission regarding LEED standards, he requested that the applicant respond to what degree the hotel will be built to LEED standards. He asked that all the developer's responses to the various advisory boards concept plan comments be provided to the Board.

Mayor Lavelle asked if the new traffic impact report was affected at all by a different road being proposed for access to the project. She stated that she has concerns related to construction around the ArtsCenter and the Cat's Cradle and asked that if this moves forward, that the construction management plan take the impact into consideration and mitigate it as much as possible. She asked about the purpose of the wall along the bike path. Chad Abbott, a representative of the developer, stated that the wall's purpose is related to the proposed stormwater treatment device. Mayor Lavelle stated that the wall needs to look good because it will be eyelevel and seen by a lot of people. She stated that the original Butler project would have placed more parking spaces online and asked that it be kept in mind during the process. She also requested that the applicant respond to the most recent Appearance Commission comments. She stated that the loss of affordable housing from the Butler could be addressed in a creative way to allow for affordable commercial, maybe not at the Hilton, but perhaps like the office space for artists as seen on the Inter-City visit to Greenville, South Carolina.

Alderman Chaney stated that appearance and standards are important and should be considered. She stated that a side-by-side comparison between what is being requested for this hotel, e.g. energy efficiency standards, materials, etc., and what was agreed upon at the current Hampton Inn. She asked the Board to consider consistencies in requirements between the two projects. She stated that she would like to better understand the average number of rooms that are provided for shelter for domestic violence victims and victims of fire and disaster on a monthly basis so that the benefit of that support can be viewed as a contribution to affordability to the community.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THE PUBLIC HEARING UNTIL MARCH 8, 2016. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)**

Laura Van Sant stated that time is of the essence with Hilton Corporate and asked the Board for a way to efficiently move this dialogue ahead.

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**MINOR MODIFICATION TO THE 300 E. MAIN CONDITIONAL USE PERMIT, ACKNOWLEDGING THE RESERVATION OF SATELLITE PARKING SPACES FOR THE HILTON GARDEN INN LOCATED AT 107 PADGETTE LANE AND ALLOWING THE USE OF AN INTERIM SURFACE PARKING AREA**

The purpose of this item was to modify the 300 E. Main St. CUP to reserve 118 satellite parking spaces on the 300 E. Main property pursuant to the approval of the Hilton Garden Inn CUP and the parking arrangement proposed therein by the applicant, and, to allow a temporary interim surface parking lot in the footprint of the proposed parking deck expansion.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO CONTINUE THIS ITEM UNTIL MARCH 8, 2016. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)**

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**MATTERS BY BOARD MEMBERS**

Alderman Gist asked that the March 22, 2016, public hearing on a text amendment for social service provider with dining facilities be the only item on the agenda.

Alderman Chaney stated that Amnesty International has asked to use the Syrian Refugee Resolution

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**ADJOURNMENT**

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (JOHNSON)**