



# Town of Carrboro

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

## Meeting Minutes Board of Aldermen

**Tuesday, March 8, 2016**

**7:30 PM**

**OWASA Community Center**

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

**Also Present:** Anita Jones-McNair, Acting Town Manager, Catherine Dorando, Town Clerk, Nick Herman, Town Attorney

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### **ANNOUNCEMENT OF UPCOMING MEETINGS**

Anita Jones-McNair made an announcement of upcoming meetings within the next two weeks.

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### **INTRODUCTION OF LEE WORSLEY, TRIANGLE J COUNCIL OF GOVERNMENTS EXECUTIVE DIRECTOR**

Lee Worsley introduced himself to the Board of Aldermen and spoke to them about the Triangle J Council of Governments work.

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### **DISCUSSION OF MEETING LOCATION OPTIONS**

The Board of Aldermen discussed relocating the March 22, 2016 public hearing to accommodate a large turnout.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN SLADE, TO RELOCATE THE MARCH 22, 2016 PUBLIC HEARING MEETING TO THE CARRBORO ELEMENTARY SCHOOL. VOTE: AFFIRMATIVE ALL

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## **APPROVAL OF PREVIOUS MEETING MINUTES**

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN GIST TO APPROVE THE MINUTES OF FEBRUARY 16, 2016 AND FEBRUARY 23, 2016, AS AMENDED. VOTE: AFFIRMATIVE ALL**

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## **APPLICATION FOR AFFORDABLE HOUSING FUNDING FOR RENTAL AND UTILITY**

The purpose of this item is for the Board to consider approving a request for rental and utility deposit assistance out of the Affordable Housing Fund.

**A motion was made by Alderman Johnson, seconded by Alderman Gist to approve the resolution below:**

### **A RESOLUTION APPROVING A REQUEST FOR AFFORDABLE HOUSING FUNDING FOR RENTAL AND UTILITY DEPOSIT ASSISTANCE**

WHEREAS, the Board of Aldermen created an affordable housing special revenue fund on June 27, 2007 by the adoption of resolution no. 244/2006-07; and

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

WHEREAS, the Board of Aldermen passed a resolution authorizing the Town Manager to develop and implement a program to expend funds from the Affordable Housing Fund as it pertains to the loss of Section 8 Housing Choice Vouchers on June 24, 2014; and

WHEREAS, the Board of Aldermen approved updates to that program, now known as the Rental and/or Utility Deposit Assistance Program, on November 24, 2015 in order to open up the program to Housing Choice Voucher recipients that were being unnecessarily eliminated from applying to the program; and

WHEREAS, this request from CEF on behalf of Meredith Clough for \$1,000 meets all requirements of the Rental and/or Utility Deposit Assistance Program; and

NOW THEREFORE, BE IT RESOLVED that the Board of Aldermen hereby ordains:

Section 1. The Board of Aldermen approves the grant to Community Empowerment Fund on behalf of Meredith Clough for Rental and Utility Deposit Assistance in the amount of \$1,000.

Section 2. The Board of Aldermen 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.

**This 8th day of March, 2016.**

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

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

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**APPROVAL OF CARRBORO'S CONTINUED PARTICIPATION IN AN APPLICATION FOR REGIONAL TRANSPORTATION DEMAND MANAGEMENT FUNDING FOR FY 16-17**

The purpose of this item was for the Board of Aldermen to consider approval of the Town's continued participation in an application for regional Transportation Demand Management funding in FY16-17.

**A motion was made by Alderman Johnson, seconded by Alderman Gist to approve the resolution below:**

**A RESOLUTION TO APPROVE CARRBORO'S CONTINUED PARTICIPATION  
IN AN APPLICATION FOR REGIONAL TRANSPORTATION DEMAND  
MANAGEMENT FUNDING FOR FY16-17**

WHEREAS, the North Carolina Department of Transportation, Capital Area MPO, and Durham-Chapel Hill-Carrboro MPO have provided funding to the Triangle J Council of Governments to support Transportation Demand Management activities in the region; and

WHEREAS, the Triangle J Council of Governments has issued a call for Transportation Demand Management grant applications for FY16-17; and

WHEREAS, the Town of Carrboro has partnered with the Town of Chapel Hill since 2010 on Transportation Demand Management program promotions; and

WHEREAS, Carrboro has developed a set of Transportation Demand Management activities as a sub-recipient of the Town of Chapel Hill's FY16-17 Transportation Demand Management grant application;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro that the Board approves continued participation in an application for regional Transportation Demand Management funding in FY 16-17.

**This 8th day of March, 2016.**

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

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

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**APPROVAL OF CONSULTANT FOR ENGINEERING SERVICES FOR IMPROVEMENTS TO TOWN COMMONS**

The purpose of this item was to request the Board's approval to proceed with negotiating for an engineering design contract with McGill Associates, P.A. and to approve the Reimbursement Resolution for the construction portion of the contract.

**A motion was made by Alderman Johnson, seconded by Alderman Gist to approve the resolution below:**

**RESOLUTION REGARDING APPROVAL A CONSULTANT FOR ENGINEERING SERVICES  
FOR IMPROVEMENTS TO TOWN COMMONS**

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN that Town Manager is authorized to negotiate and enter into a contract with McGill Associates, P.A. for engineering and design services for the Town Commons Improvements Project.

BE IT ALSO RESOLVED that if a mutual agreement on price is unable to be reached with McGill Associates, P. A. within the budgeted amount for engineering and design, Town Manager is authorized to negotiate and enter into a contact with the next highest bidder, OBS Landscape Architects.

**This 8th day of March, 2016.**

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

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

**A motion was made by Alderman Johnson, seconded by Alderman Gist to approve the resolution below:**

**REIMBURSEMENT RESOLUTION  
TOWN COMMONS IMPROVEMENTS PROJECTS**

WHEREAS, the Town Manager, has described to the Board of Aldermen the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore the Town's funds when the Town makes capital expenditures prior to closing on a bond issue or other financing.

BE IT RESOLVED by the Board of Aldermen of the Town of Carrboro, North Carolina as follows:

Section 1. The project is the construction and improvements of the Town Commons Area.

Section 2. The project is to be financed. The currently expected type of financing (which is subject to change) is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20. The currently expected maximum amount of installment purchase financing obligations to be issued or contracted for the project is \$925,100.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$925,100.

Section 4. The adoption of this resolution is intended as a declaration of the Town's official intent to reimburse project expenditures from financing proceeds.

Section 5. This resolution shall become effective upon adoption.

**This 8th day of March, 2016.**

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

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

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**APPROVAL OF CONSULTANT SELECTION FOR THE RESIDENTIAL SOLID WASTE STUDY**

The purpose of this item was to request the Board's approval to proceed with entering into a contract with Kessler Consulting, Inc. and to advise staff on proceeding or not with the add-on Pay as You Throw (PAYT) Analysis.

Alderman Slade expressed support for the PAYT analysis add-on especially since the scope of work will be sensitive to the regressive impact that PAYT systems can have.

Alderman Haven-O'Donnell stated that she is hesitant to move forward with PAYT and suggested moving to have the County Solid Waste Advisory Group involved with the PAYT study so that it is a more comprehensive response.

Alderman Gist stated that the PAYT initiative is regressive and more greatly affects those with less income in the Town.

Alderman Seils stated that he supports the PAYT analysis because it will help answer many of the questions that he is hearing.

Alderman Haven-O'Donnell suggested that the PAYT analysis be looked into by the SWAG.

James Freeman, the Town's Public Works Director, described the proposed study and the PAYT analysis.

Alderman Chaney stated that she agrees with Alderman Seils and stated that she needs more information regarding the PAYT and would like to see the analysis.

Alderman Johnson stated that she agrees with Alderman Chaney and stated that the County may be the appropriate place for the study but asked how long it would take. Mayor Lavelle, a member of SWAG, stated that it could take up to a year but that it is on the list. Alderman Johnson stated that she is in favor of moving forward with the analysis so that they can get more information.

Mayor Lavelle stated that it makes sense to move forward with the Pay as You Throw Analysis since it provides the Town with more information and it is ready to include in the residential solid waste study.

Alderman Haven-O'Donnell asked James Freeman if the Pay as You Throw would include apartments. He responded that it would not because it is a single-family residential study only.

**A motion was made by Alderman Slade, seconded by Alderman Seils to approve the resolution below:**

**RESOLUTION REGARDING THE CONSULTANT SELECTION FOR A RESIDENTIAL SOLID WASTE STUDY**

NOW, THEREFORE BE IT RESOLVED BY THE CARRBORO BOARD OF ALDERMEN that the Town Manager is authorized to enter into contract with Kessler Consulting, Inc.  
BE IT ALSO RESOLVED that the Pay as You Throw (PAYT) analysis is to be included in this Residential Solid Waste Study.

**This 8th day of March, 2016.**

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

**Ayes: 5** - Alderman Seils, Alderman Slade, Alderman Chaney, Mayor Lavelle, Alderman Johnson

**Noes: 2** - Alderman Gist and Alderman Haven-O'Donnell

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### **DISCUSSION OF EAST MAIN PARKING LEASE**

Annette Stone, the Town's Economic and Community Development Director discussed the options with the Board.

Alderman Gist stated that she appreciates the negotiations and that the higher fee would be related to the higher income from possible Tourism Development dollars.

Alderman Seils clarified that the exercising of option is a Board decision. The Town's Attorney stated that the option to exercise this option will not occur until the lease expiration of 2018.

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ALLOW STAFF TO PROCEED WITH EFFORTS TO AMEND THE CURRENT LEASE TO ADD AN OPTION THAT WILL ALLOW THE TOWN, AT THE TOWN'S SOLE DISCRETION, TO EXTEND THE LEASE OF THE PARKING DECK AT 300 EAST MAIN FOR A PERIOD OF THREE YEARS. THIS MAY ALSO BE INCLUDED IN AS A CONDITION IN THE CONDITIONAL USE PERMIT AT 107 PADGETTE LANE, IF THE CUP MODIFICATION IS APPROVED. VOTE: AFFIRMATIVE ALL**

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### **CONTINUATION OF PUBLIC HEARING REGARDING A MAJOR MODIFICATION REQUEST FOR 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 STREET PARKING GARAGE**

The purpose of this item was to continue 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 Padgett Lane.

The Town Clerk swore in all of the speakers listed below.

Marty Roupe, the Town's Zoning Administrator, introduced the item.

Braxton Foushee, was sworn in, and stated that he is against the size and setbacks of the design.

Catherine Adamson, was sworn in and provided comments from the Planning Board.

Amy Dement, a resident of 116 Alabama Avenue in Carrboro, stated that the Libba Cotton Bikeway be considered as a gateway into Carrboro and asked the Board to consider how important the bikeway is to the Town and how the hotel interacts with the path.

Alderman Slade asked how the affordable homes for the Butler project came to be. Marty Roupe stated that it was added by the developer and not required.

Laura Van Sant stated that she would be happy to talk to Rob Pinder regarding the solar panels.

Mayor Lavelle noted that the architect has changed the back of the building in response to the Appearance Commission's comments.

Alderman Seils stated that he wanted to understand whether condition #23 ties the applicant to a particular strategy as described in attachment Q and if the language should be written as an condition.

Nick Herman stated that Attachment Q could be recorded with the Modification and would be legally binding.

Alderman Seils stated that he wants the applicant to make the ramp in the back accessible and paved to that it is more accessible. Chad stated that it will be completed. Laura Van Sant stated that it would be paved and 8 feet wide.

Alderman Slade stated that he wants to change the condition from "up to" to "no less." He asked the applicant to respond more precisely to LEED standards. Laura Van Sant stated that the "up to" language was added so that it fluctuated per demand. After further clarification, Alderman Slade then stated that he was ok with leaving the language as "up to."

Alderman Slade asked if the hotel would be willing to commit to three additional points for LEED comparison. The hotel's architect addressed the LEED standards and stated that the design would be designed with LEED standards in mind. He stated that he is not requesting LEED certification but that he is requesting that the Hotel check-in with the Town for their efforts. He also asked for information on the World Wildlife Foundation and how the corporation will be participating. Laura Van Sant stated that they are participating in the Lightstay Sustainability program where they monitor the Hilton's power and water consumption and get graded by corporate through that program.

Laura Van Sant stated that they would be happy to update the Town regarding their LEED building progress but they could not commit to Silver or Gold LEED status due to the process but would build to those standards.

**MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL**

**MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN CHANEY THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL**

**MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN JOHNSON THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL**

**MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN JOHNSON THAT THE PROPOSED USE WILL NOT SUBSTANTIALLY INJURE THE VALUE OF ADJOINING OR ABUTTING PROPERTY AND WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS TO BE LOCATED, AND WILL BE IN GENERAL CONFORMITY WITH THE LAND USE PLAN, THOROUGHFARE PLAN, AND OTHER PLANS OFFICIALLY ADOPTED BY THE BOARD. VOTE: AFFIRMATIVE ALL**

**MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Prior to issuance of a certificate of occupancy the applicant will provide a Public Bike Path Easement for the portion of the Libba Cotton bike path that encroaches on the subject property.
2. That the retaining wall that fronts the bike way is at least 18" tall and has mounted on it a railing such that the total height of the wall and railing or fence is at least 48".
3. That the applicant provide at some location along the length of the proposed 5' sidewalk along the northern frontage of the hotel a concrete pad/turnout sufficient for a wheelchair. Said pad/turnout shall meet ADA requirements.
4. That the Board of Aldermen hereby finds that the maximum parking space demand estimate of up to 157 parking spaces for the hotel is sufficient to serve the needs of the proposed hotel based upon the applicant's parking analysis and narrative justifying the arrangement based upon their joint-use parking experience with the 300 E. Main parking inventory as well as the site's proximity to bus lines, bicycle lanes and existing pedestrian facilities. Furthermore, the Board finds that 39 parking spaces are provided on-site while the remaining 118 are located on the adjacent 300 E. Main street property and are considered satellite spaces. Said satellite spaces shall be reserved by the required modification of the 300 E. Main Street CUP.
5. That the Board of Aldermen hereby finds that the existing truck loading and unloading areas on the adjacent property are sufficient to accommodate delivery operations for the hotel in a safe and convenient manner based upon information provided by the applicant. Prior to construction plan approval, said areas shall be provided with a recorded easement granting the hotel the right to use them in this manner.
6. That prior to construction plan approval and the issuance of a certificate of occupancy, the applicant provide evidence from NCDEQ that they have a plan approved by NCDEQ in place to satisfy all applicable provisions of the applicant's Brownfield Agreement with NCDEQ prior to or during construction of the hotel facility.
7. Prior to construction plan approval, that the applicant revise their landscape plan to include plants that are known to benefit pollinator insects per the recommendations of the NC Cooperative Extension and the Xerces Society. Said plans shall exclude those that are considered invasive per Appendix E of the Land Use Ordinance.



8. That the Landscape Plan of the project be revised to include the plantings on the roof deck of the building's first level as shown on the "exterior renderings" of the proposed hotel on sheet A3.3 (dated 2/12/16) from the plan set presented to the Board of Aldermen.
9. That the requirement of the standard Type A screening requirement between the hotel and the parking deck expansion be waived per the applicant's written waiver request letter.
10. That the applicant record on a plat landscape easements on the 300 East Main Street property sufficient to plant the six additional canopy trees needed to satisfy the tree canopy and shading requirements of the LUO.
11. The Board of Aldermen finds it acceptable for the applicant to use a Filterra Biofiltration/Bioretenction System stormwater device, whose NCDEQ approval is still pending, to manage and treat stormwater runoff during the interim surface-parking phase. If the Filterra is not sooner listed as an approved device by NCDEQ, the applicant's right to use the Filterra for the interim surface parking phase will expire three years after the issuance of a Certificate of Occupancy for the hotel and applicant will then either direct the relevant stormwater into its existing approved system under the existing parking deck or replace the Filterra with an alternate NCDEQ approved device subject to the Town's approval.
12. That, prior to construction plan approval, the applicant provide evidence explaining how operation and maintenance responsibilities of the stormwater system will be shared by the owners of the subject property and the adjacent 300 East Main properties.
13. 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.
14. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, 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.
15. That, prior to issuance of a CO, a final plat, or the certification of a stormwater BMP, the Town may require a performance security to be posted for a period of two years per the provisions of Section 15-263(i).
16. That, prior to construction plan approval, the applicant obtain the required permissions and authorization from OWASA as they pertain to the proposed sewer system.

17. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans.
18. That prior to construction plan approval the applicant demonstrate compliance with the outdoor lighting provisions of Section 15-242 and 243 of the LUO for the outdoor fixtures associated with the interim parking lot.
19. That, prior to issuance of the building permit for the parking deck expansion, the applicant must demonstrate that structurally and dimensionally sufficient secondary emergency access to the hotel is provided to the extent reasonably required by the Fire Department. This access shall require the review and approval of the Fire Department.
20. That fire flow calculations and building-sprinkler design (as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
21. That the project be phased such that Phase A, beginning immediately will include the construction of the hotel, interim parking, and required stormwater BMPs. Phase B will begin by or before a five year period following the issuance of a certificate of occupancy of the new hotel.
22. That the Board hereby grants a deviation in the glazing requirements of Section 15-178 allowing 42% ground floor and 36.9% overall glazing due to the location of the building with respect to Main Street as described in the Appearance Commission's recommendation dated October 1<sup>st</sup>, 2015.
23. That prior to building permit approval and the issuance of a certificate of occupancy, the client demonstrate that the plans and the completed building incorporate the building design and performance measures described by the applicant's responses to the EAB's *Green and Sustainable Buildings Checklist*. These measures include, but are not limited to, reducing energy consumption by 20% from the standard model (ASHRAE/IESNA Standard 90.1-2004), using 30% materials with recycled content (per ISO 14021), using low-emitting materials for paints, adhesives, and materials, and, using high-albedo roofing materials. Such efforts will be in accordance with the standards referenced by the applicant in Attachment Q (attached herein) of the Board's agenda materials. The high-albedo roofing material shall exceed the EPA's Energy Star requirements, be listed with the Cool Roof Rating Council and be compliant with California's Title 24 Energy Efficiency Building Standards.
24. That prior to construction plan approval, the applicant submit materials to satisfy the Construction Management Plan provisions of Section 15-49(c1).
25. That proposed signage for Hilton Garden Inn must be presented to the Board of Aldermen for review prior to approval.
26. The developer proposes to use the existing parking garage at 300 East Main Street (the "Property") to accommodate some of the parking requirements related to the construction of a 5-story Hilton Hotel at 107 Padgett Lane. As a condition of approval of the modified Conditional Use Permit for 107 Padgett Lane for the construction of a 5-story Hilton Hotel, the developer

shall, within ninety (90) days of approval of the modified conditional use permit, cause a study to be conducted by a qualified professional of the actual usage of parking at the existing 300 East Main Street parking garage and at the existing surface parking (together referred to as the “On-site Parking”) at the Property. A report of the parking study shall be delivered to the Town within 150 days of approval of a modified Conditional Use Permit for 107 Padgett Lane. If the results of such study show that the existing parking capacity of the On-site Parking is insufficient to meet the peak demand for parking generated by the existing uses at the Property, then the developer shall be required to present to the Town a plan demonstrating how the developer will provide additional parking or take other steps to meet the demand for parking generated by the existing uses at the Property and the hotel prior to the issuance of a building permit for the hotel.

27. The developer shall execute an option agreement to extend the existing parking lease and agreement with the Town in accordance with the Board of Alderman’s resolution of March 8<sup>th</sup>, 2016 that authorizes this option agreement.
28. That the bike path connection at west side of the property must be paved and accessible to the public in the form of a ramp without utilizing steps.
29. That the applicant shall involve a LEED accredited professional with the ongoing design of the project and will use as many green building techniques as possible in their plans (for example: low impact design and development, resource efficiency, energy efficiency, water conservation and reuse, indoor environmental quality, homeowner education, etc.) and that the applicant shall utilize the LEED Green and Sustainable Buildings Checklist as a means of quantifying its contribution to sustainability.
30. The following items are from the original agenda material labeled “Attachment Q” and are to be included as conditions:

#### **Construction activity pollution prevention**

Yes, the architectural design team is committed to preventing pollution of the air with dust and particulate matter in accordance with the US EPA Construction General Permit and the National Pollution Discharge Elimination Program.

#### **Stormwater**

A bioretention area adjacent to the southern wall of the hotel will be constructed to treat the roof runoff for water quality and the overflow will be directed to an underground storage system to manage the peak flow runoff rates.

#### **Heat island effect, non-roof**

Parking for the hotel will be in an underground parking garage which helps to eliminate the need for more surface parking. In addition trees will be planted adjacent to the street to the north of the hotel to provide shading for the asphalt.

#### **Heat island effect, roof**

The design at this time is for the roof to be white.

#### **Light Pollution reduction**

All lights for the project are to be building mounted at a height not to exceed 15 feet and to be full

cutoff in design.

### **Water-efficient landscaping**

A bioretention area will be planted with trees and shrubs designed to collect and treat roof runoff. Other plantings are native (i.e. dogwoods) to this climate and do not require supplemental watering.

### **Water use reduction**

Our goal is to reduce water use by 20%

### **Optimized energy performance**

We plan to demonstrate that based on ASHRAE/IESNA Standard 90.1-2004 that all of the energy costs within and associated with the building project are at least 20% less than the standard model.

### **Renewable energy**

We do not have plans to implement renewable energy at this time.

### **Construction waste management**

We are committed to the goal of recycling all materials as practical including cardboard, metal, brick, acoustical ceiling panels, concrete, plastics, clean wood, glass, gypsum wallboard, carpet, and insulation.

### **Recycled content**

We are setting a goal of 30% use of materials with recycled content per ISO 14021.

### **Regional Materials**

We plan to use 30% of all project building materials that have been extracted, harvested or recovered as well as manufactured within a 500 mile radius of the project site.

### **Rapidly renewable materials**

We plan to utilize building materials and products that are made from plants that have a harvest cycle that is typically 10 years or shorter, for at least 2.5% of the value of the total building materials.

### **Certified wood**

We are not planning to meet this goal at this time.

### **Low-emitting materials**

The project will be constructed with the following:

- adhesives and sealants on the inside that comply with SCAQMD Rule 1168 for low or no VOC content
- paints and coatings with GS-11 for walls and ceilings, GC-03, for anti-corrosive ferrous metal coatings; SCAQMD Rule 1113, for clear wood finishes, floor coatings, stains and shellacs
- carpet systems that meet the Carpet and Rug Institute's Green Label Plus program. Carpet adhesives shall not exceed 50 f/L
- Composite wood and agrifiber products inside the building that do not include ureaformaldehyde resins

### **Daylight and views**

The design at this time will not achieve a minimum daylight illumination level of 25 footcandles at 30 inches above the floor in 75% of all regularly occupied areas.

## **Exhibit #36**

### **Response to Sustainability Checklist**

(please use Vision ID number below to relate response to checklist)

1.11 This project supports the development of greenways dedicated to public use along easements as there exists a bikeway along the southern boundary that is partially located on the project site. In addition a connector from the private street onto the bikeway will be constructed which will connect the bikeway to the 300 East Main project and the Hilton Garden Inn project.

1.12 Not applicable because not parks or playfields are part of development

1.45 This project will have a neighborhood meeting to encourage citizen participation in the planning of this project.

2.12 This project is not located in a sensitive area.

2.11 This project will remove what previously was a storage area for an automobile repair shop and replace it with an architecturally pleasing hotel which will provide accommodations and support space for people visiting Carrboro and for meetings. A bioretention stormwater feature and underground storage system will be installed to mitigate negative impacts to the stormwater system.

2.21 A bioretention area and semi-opaque screen will be provided between the railroad and adjacent multi-family use respectively, whereas there is no need for a buffer between this commercial use and the two commercial uses to the north and northeast. There are no trees per the town's criteria that will be removed on-site.

2.22 This project is clearly dense but due to the urban and commercial nature of the project there is limited open space.

2.23 The trees and shrubs that are proposed to be planted are from the Town's approved list or are noninvasive species.

2.31 The architectural design of the building is distinctive and interesting with multiple materials, much glazing and substantial shadow lines.

2.32 Not applicable since this isn't for single family or multi-family

2.41 This project will be of similar size and height to the adjacent 300 East Main Hotel and parking deck and will have access from Main Street and Boyd Street.

2.42 This project is utilizing an existing private street access to eliminate the need for any new streets as well as providing parking underneath the building reducing the need for surface parking with their associated heat island effect. This project will replace an unattractive view from the bikeway with a bioretention facility with its associated plantings.

2.43 This project will remove two utility poles and move the associated utilities underground. In addition this project will plant six trees adjacent to asphalt to help mitigate the adverse effects from heated pavement.

2.51 Noted

2.52 Not applicable

2.53 The project's load is within the capacity of the existing infrastructure.

3.1 A bioretention area and semi-opaque screen will be provided between the railroad and adjacent multi-family use respectively, whereas there is no need for a buffer between this commercial use and the two commercial uses to the north and northeast. There are no trees per the town's criteria that will be removed on-site.

3.2 This project is located in close proximity to the downtown and will help to enhance the social and economic aspect of the center of Carrboro.

3.21 The hotel project is building up and not out. In addition it is increasing the density of commercial development.

3.22 The design of this hotel structure is architecturally interesting and significant.

3.23 This hotel project will definitely provide enhanced lodging opportunities for the Town and provide meeting space and a supporting restaurant to attract patrons.

3.25 The lighting along the back of the Arts Center/Brewery/Cats Cradle will be improved as a result of this development.

3.27 Noted

3.28 Not applicable since this isn't a residential development

3.31 Project is located close to existing shopping areas.

3.32 Our project is connected to the adjacent shopping areas by sidewalks.

3.5 Noted

3.61 This project addresses this goal of economic diversity by providing a higher scale of lodging than presently exists in the downtown.

3.63 Currently this property is in a derelict condition. This project will therefore develop underutilized property in the downtown area.

4.11 Noted

4.12 Not applicable as we have no roads connected to our development.

4.14 Noted

4.15 Being a high density project it has the potential to support potential public transit routes (passenger rail).

4.21 With additional meeting space this project will provide support for special events.

4.31 The design of this project is sensitive to the adjacent bikeway and with the addition of a bikeway connector it will enhance its use.

4.32 Noted

4.33 Noted

4.41 Not applicable as we have no roads connected to our development.

4.51 A bikeway connector will be built as a part of this development.

4.52 A bikeway connector will be built as a part of this development.

4.61 Not applicable

5.12 Not applicable

5.13 Required recycling facilities will be provided.

5.21 Noted

5.22 Stormwater features associated with this project are designed to help improve stormwater quality and quantity.

5.23 Stormwater features associated with this project are designed to help improve stormwater quality and quantity.

5.31 This project has the potential to enhance the adjacent railroad greenway by replacing an overgrown, unattractive and abandoned site with bioretention features as well as architecturally pleasing structure.

5.32 Not applicable to our site

5.41 Noted

5.51 Noted

5.6 Not applicable to our site

6.11 Not applicable to our site

6.12 Not applicable to our site

6.13 Not applicable to our site

6.15 Noted

6.16 Not applicable to our site

6.17 Not applicable to our site

**MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN HAVEN-O'DONNELL THAT THE APPLICATION IS GRANTED SUBJECT TO THE CONDITIONS AGREED UPON ABOVE. VOTE: AFFIRMATIVE ALL**

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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.

**A motion was made by Alderman Gist, seconded by Alderman Seils to approve the resolution below:**

**A RESOLUTION APPROVING A MINOR MODIFICATION TO THE 300 E. MAIN STREET CONDITIONAL USE PERMIT PROJECT FOR REVISION OF CONDITION #13 OF THE RECORDED CONDITIONAL USE PERMIT (DB 4817 PB 156)) AS DESCRIBED BELOW THEREBY RESERVING 118 SATELLITE PARKING SPACES RESERVED FOR THE ADJACENT HOTEL DEVELOPMENT ON THE PROPERTY IDENTIFIED BY PIN NUMBER 9778968060, AND, APPROVING THE TEMPORARY INTERIM SURFACE PARKING ARRANGEMENT IN THE FOOTPRINT OF THE PARKING DECK EXPANSION AREA AS DESCRIBE IN THE HOTEL CUP PLANS FOR THIS SAME PROPERTY.**

**WHEREAS**, the Carrboro Board of Aldermen approved a Conditional Use Permit for the 300 E. Main CUP on September 30, 2008; and

**WHEREAS**, the Town of Carrboro desires to see developments constructed in the Town's jurisdiction in a responsible and marketable manner; 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** by the Carrboro Board of Aldermen that the Minor Modification to the 300 E. Main CUP is hereby approved and that the following condition #13 replaces and supercedes the condition #13 in the recorded CUP (DB 4817 PB 156).

This the 8<sup>th</sup> day of March 2016.



13. Prior to issuance of each building permit, the applicant must present to the Town evidence showing that sufficient parking will be constructed concurrent with the proposed building, in accordance with the parking spreadsheet data included in the CUP plans which shall include information used for the approval of the Hilton Garden Inn hotel CUP modification located at 390 East Main Street which requires that 118 satellite parking spaces be reserved for the hotel's use on the 300 E. Main Street property. The certificate of occupancy for each building will not be issued until such parking is complete unless the applicant demonstrates that the parking deficit can be addressed by a parking valet company in the same manner described in CUP condition #10. In such a situation, the obligation to utilize a valet parking company shall be a continuing, binding part of the CUP until the necessary number of parking spaces are provided unless the Board of Aldermen agrees to modify this condition based on future circumstances.

Furthermore, that a minor modification be granted to this same permit authorizing the interim surface parking lot shown in the expansion area of the parking deck as detailed and described with the application materials for the Major Modification to the CUP for the property located at 390 E. Main Street (formerly 107 Padgett Lane) for the construction of a five story hotel.

**This 8th day of March, 2016.**

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

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

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## **ADJOURNMENT**

**MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN CHANEY TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL**