



Town of Carrboro

301 W. Main St.

Town Hall

Carrboro, NC 27510

Meeting Minutes Board of Aldermen

Tuesday, June 26, 2018

7:30 PM

Board Chambers - Room 110

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

Also Present: David Andrews, Town Manager; Andressa Thorne, Deputy Clerk - Assistant to Mayor; Catherine Dorando, Town Clerk; Nick Herman, Town Attorney

POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

Abigail Brown read the winning poems of the three poetry contest writers.

INTRODUCTION OF WINNERS - "WHAT BASEBALL/SOFTBALL MEANS TO ME" ESSAY CONTEST

Mayor Lavelle recognized the following winners:

Jackson Schoof – 1st place elementary

Rose Kohout – 1st place middle school

Paul Moracco – 1st place high school

PROCLAMATION – PLAY BALL SUMMER

Mayor Lavelle proclaimed June through August as "Play Ball Summer" in the Town of Carrboro.

REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Jason Wedow, a resident, asked for the Board to consider a crosswalk on North Greensboro so the children can cross the street safely.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN SLADE TO HAVE STAFF CHECK WITH NCDOT STAFF REGARDING THE INSTALLATION OF THE CROSSWALK. VOTE: AFFIRMATIVE ALL

APPROVAL OF JUNE 5, 2018 AND JUNE 12, 2018 MEETING MINUTES

MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN CHANEY TO APPROVE THE MINUTES OF JUNE 5, 2018 AND JUNE 12, 2018, AS AMENDED. VOTE: AFFIRMATIVE ALL.

REQUEST TO MAKE AN APPOINTMENT TO THE CARRBORO NORTHERN TRANSITION AREA ADVISORY COMMITTEE

The purpose of this item was to allow the Mayor and Board of Aldermen to make an appointment to the NTAAC.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Chaney to approve the resolution.

A RESOLUTION MAKING AN APPOINTMENT TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

Section 1. The Board of Aldermen hereby appoints Meg McGurk for a term to expire in February 2020.

Section 2. This resolution shall become effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

UNIFORM GUIDANCE PROCUREMENT REQUIREMENTS

The purpose of this item was to incorporate new federal procurement requirements into Town's Purchasing Guidelines.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Chaney to approve the resolution.

**RESOLUTION TO COMPLY WITH OMB UNIFORM ADMINISTRATIVE REQUIREMENTS,
COST PRINCIPLES, AND AUDIT REQUIREMENTS**

WHEREAS, the Office of Budget and Management (OMB) has officially implemented its Uniform Administrative Requirements, Cost Principles, and Audit Requirements, commonly referred to as Uniform Guidance (UG); and,

WHEREAS, the Uniform Guidance is effective July 1, 2018 and applies to all local governments and public authorities that expend federal financial assistance; and,

WHEREAS, the Town of Carrboro has been the recipient of federal financial assistance in the past and expects to continue receiving such assistance in the future; and,

WHEREAS, the Town of Carrboro has adopted Purchasing Guidelines and a Contract Policy and Procedure; and,

WHEREAS, the Town of Carrboro intends to comply with all federal procurement standards, as well as state and local requirements;

NOW THEREFORE BE IT RESOVED BY THE BOARD OF ALDERMENT OF THE TOWN OF CARRBORO THAT:

Section 1: The Chief Financial Officer shall add the following statement to the Town's Purchasing Guidelines and Contract Policy and Procedure:

“Contracts funded with federal grant funds shall be procured in a manner that is in compliance with all applicable Federal laws, policies and standards as well as state law and local policies.”

Section 2: The Chief Financial Officer is the designated Town official responsible for maintaining oversight to ensure that the Town is in compliance with UG procurement standards.

Section 3: The Chief Financial Officer is to review the Town’s purchasing and contracting guidelines for consistency with the Uniform Guidance.

Section 4: The Chief Financial Officer is to work with Town Attorney to make necessary modifications in contracting documents used by the Town.

Section 5: This resolution shall become effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

AMENDMENT TO CAPITAL PROJECT ORDINANCE FOR THE HOMESTEAD ROAD-CHAPEL HILL HIGH SCHOOL MULTI-USE PATH AND AUTHORIZATION OF CONTRACT AMENDMENTS

The purpose of this item was to request authorization from the Board of Aldermen to seek a TIP amendment to reallocate UPWP funds to the Homestead Road-Chapel Hill High School Multi-Use Path to use toward project completion, to consider appropriating \$38,932 from the Bond Fund as local match and to authorize amendments to complete the project.

Alderman Haven-O'Donnell requested that this item be forwarded to the Greenways Commission for their review and recommendation.

Alderman Seils stated that this is not an item that usually goes to advisory boards for their review and that this happens in some frequency.

Alderman Gist stated that she is voting against it because she has not been for it since the beginning.

A motion was made by Alderman Seils, seconded by Alderman Foushee to approve the ordinance.

**AMENDMENT TO HOMESTEAD CHAPEL HILL HIGH SCHOOL MULTI-USE PATH
CAPITAL IMPROVEMENT PROJECT ORDINANCE
Ordinance No. 28/2017-18**

WHEREAS, the Board of Aldermen has adopted Capital Improvement Project Ordinance No. 7/2015-16 for the Homestead - Chapel Hill HS Multi-Use Path (previously referred to as the Bolin Creek Greenway Phase 1-B); and,

WHEREAS, the Town Manager has executed an amended Supplemental Municipal Agreement with NCDOT for this project; and,

WHEREAS, the project design has been completed and a construction contract has been awarded; and,

WHEREAS, additional funds are now necessary to complete the project based on requirements set by DOT;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

- 1.The revenues anticipated to be available to the Town of Carrboro to complete the project are amended as follows:

| | Current Budget | Increase (Decrease) | New Budget Authorized |
|----------------------|-----------------------|--------------------------------|----------------------------------|
| STP-DA Funds | \$ 994,184 | \$ 155,728 | \$ 1,149,912 |
| GO Bond Proceeds | \$ 284,880 | \$ 38,932 | \$ 323,812 |
| Payment-in lieu | \$ 48,046 | | \$ 48,046 |
| Total Revenue | \$ 1,327,110 | \$ 194,660 | \$ 1,521,770 |

- 2.The amount appropriated for design, right of way, environmental documentation and construction costs are amended as follows:

| | Current Budget | Increase (Decrease) | New Budget Appropriation |
|-----------------------|-----------------------|--------------------------------|-------------------------------------|
| Design | \$ 164,569 | \$ 15,229 | \$ 179,798 |
| Construction | \$ 1,156,187 | \$ 93,732 | \$ 1,249,919 |
| ROW | \$ 6,354 | | \$ 6,354 |
| Contingency | \$ 0 | \$ 85,699 | \$ 85,699 |
| Total Expenses | \$ 1,327,110 | \$ 194,660 | \$ 1,521,770 |

- 3.The revenues and appropriations are authorized for the Homestead-Chapel Hill HS Multi-Use Path Capital Improvement Project until all project activity is completed.
- 4.The Town Manager is authorized to amend the existing contracts and agreements with Kimley-Horn and Associates, Fred Smith Company, Inc., and Summit Engineering for additional work.
- 5.Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Damon Seils

Noes: Alderman Jacquelyn Gist, Alderman Haven-O'Donnell

REQUEST TO MAKE AN APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD

The purpose of this agenda item was for the Board of Aldermen to make an appointment to the Environmental Advisory Board.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Chaney to approve the resolution.

A RESOLUTION MAKING APPOINTMENT(S) TO THE ENVIRONMENTAL ADVISORY BOARD

THE BOARD OF ALDERMEN HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE ENVIRONMENTAL ADVISORY BOARD:

| Seat Designation | Appointee | Term Expiration |
|-------------------------|------------------|------------------------|
| Member | Link Shumaker | 2/2021 |

Section 2. This resolution shall become effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

CONSIDERATION OF AN AFFORDABLE HOUSING FUNDING REQUEST FOR CRITICAL HOME REPAIRS

The purpose of this item was for the Board to consider approving a request for home repair funds from Habitat for Humanity of Orange County.

A motion was made by Alderman Haven-O'Donnell, seconded by Alderman Chaney to approve the resolution.

A RESOLUTION APPROVING A REQUEST FOR GRANT FUNDS FROM THE AFFORDABLE HOUSING SPECIAL REVENUE FUND TO MAKE CRITICAL HOME REPAIRS

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 Special Revenue Fund was also designed to provide critical home repair for Carrboro residents without the means to do them on their own; and

WHEREAS, Habitat for Humanity of Orange County has requested funding from the Affordable Housing Special Revenue Fund for repairs at the home located at 300 Lloyd St. #C; and

WHEREAS, the request is for \$7,800; and

WHEREAS, Town Staff has reviewed the request and determined that it meets the criteria set forth in the Affordable Housing Special Revenue Fund and the Affordable Housing Goals and Strategies; and

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

Section 1. The Board of Aldermen approves the grant to Habitat for Humanity of Orange County for Critical Home Repairs in the amount of \$7,800.

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 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

**CONTINUATION OF PUBLIC HEARING ON LAND USE ORDINANCE AMENDMENTS
RELATING TO BOARDING HOUSES AND ROOMING HOUSES**

The purpose of this agenda item was for the Board of Aldermen to continue to receive public comment and discuss the draft text amendments to the Land Use Ordinance relating to definitions for boarding houses and rooming houses.

Trish McGuire, the Town's Planning Director, provided the staff report and stated that this item would not be voted on during this meeting but it will be brought back at a later date.

Alderman Gist asked for staff to identify all properties that have been built in the last ten years that are designed for multiple renters.

**CONTINUATION OF PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT
TO ESTABLISH A LLOYD/BROAD DISTRICT**

The purpose of this agenda item was for the Board of Aldermen to continue to receive public comment and to deliberate on a text amendment to the Land Use Ordinance that would create a new zoning overlay district.

A motion was made by Alderman Slade, seconded by Alderman Foushee, to approve the resolution.

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: *AN ORDINANCE TO AMEND THE CARRBORO LAND USE ORDINANCE TO ESTABLISH A LLOYD/BROAD OVERLAY DISTRICT*.

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 current adopted plans, Carrboro Vision2020 (provisions 2.00, 2.11, 2.32 & 6.11) and Downtown Carrboro New Vision for the following reason(s):

- 2.0 Growth should occur in a balanced fashion, and at a rate that does not jeopardize the values set forth by Vision2020. Interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.
- 2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.
- 2.32 New development that blends single-family and multi-family units should be designed and landscaped to ensure compatibility.
- 6.11 Town policy should accommodate a variety of housing styles, sizes and pricing. It should also address issues of density, funding and rezoning to allow for more detached housing, mixed-use, and communal living options.

Buildings, Historic Preservation, New Building – New buildings should be inspired by existing historic structures . . . their massing and general layout should be compatible with the character of the district.

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

The proposed text amendment is reasonable and in the public interest because it responds to a community request for context sensitive development in an existing neighborhood, as part of a public process.

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

Section 4. This resolution becomes effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

A motion was made by Alderman Chaney, seconded by Alderman Seils to approve the ordinance, with the condition that the Town undertake a review with the neighborhood at 18 months and, at minimum, 18 month intervals.

**AN ORDINANCE TO AMEND THE CARRBORO
LAND USE ORDINANCE TO ESTABLISH A LLOYD/BROAD
OVERLAY DISTRICT**

Ordinance No. 27/2017-18

BE IT ORDAINED BY THE CARRBORO BOARD OF ALDERMEN AS FOLLOWS:

Section 1. Article IX of the Carrboro Land Use Ordinance is amended to add a new Section 15-143.5 Lloyd/Broad Overlay District, which provides as follows:

Section 15-143.5 Lloyd/Broad Overlay District

- (a) There is hereby created a Lloyd/Broad Overlay District. The purpose of this District is to protect and preserve the character of the District and to establish special height, setback, mass and parking requirements applicable to lots within the District.
- (b) Because the Lloyd/Broad Overlay District is an overlay district, properties within this District are subject to the regulations applicable to the underlying zoning district, except as those regulations are modified or superseded by the requirements of this District which are set forth in Section 15-185.2 of this Chapter.

Section 2. Article XII of the Carrboro Land Use Ordinance is amended adding a new Section 15-185.2 - Lloyd/Broad Overlay District requirements which reads as follows:

Section 15-185.2 Lloyd/Broad Overlay District Requirements

- (a) Lots within the Lloyd/Broad Overlay District are subject to the requirements of this Section.
- (b) The front yard setback requirement applicable to lots within this District shall be a minimum of 15 feet and a maximum of 25 feet from the right-of-way.
- (c) The maximum height of any structure within this District shall be a vertical distance of twenty-three (23) feet measured from the floor of the main story of the residence at the front elevation to the top of the roof above the floor. Within this District it shall not be permitted to construct habitable basements, crawl spaces or garages beneath the finished first floor of the dwelling unit. Increased setback distances for upper stories are encouraged. So long as all other overlay district requirements are met, a legally nonconforming roof height in a residential structures existing at the time of adoption of this ordinance may be extended to a new addition to the residential structure
- (d) Within this District, the maximum size of new dwellings shall not exceed 1,750 square feet. Dwellings existing at the time of adoption of this ordinance, greater than 1,200 square feet in size may be expanded up to 2,000 square feet. Dwellings existing as the time of adoption of this ordinance greater than 1,199 square feet or less may be expanded up to 1,750 square feet.
- (e) Within this District, each improved lot must have at least two parking spaces. Parking areas shall be configured to provide direct access to individual spaces, without the need for excessive stacking, and, to the extent practicable, parking areas shall not be allowed between the building façade and the street right-of way.
- (f) Within this District, the number of unrelated individuals occupying a single dwelling unit shall be limited to four. Individuals related by blood, marriage or other legal arrangement shall not be subject to this limitation.

Section 3. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 4. This ordinance is effective upon adoption to all new development. This ordinance is effective to all existing development thirty-six (36) months following the date of adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils



**CONTINUATION OF PUBLIC HEARING TO AMEND THE OFFICIAL ZONING MAP TO
DESIGNATE THE LLOYD/BROAD OVERLAY DISTRICT**

The purpose of this agenda item was for the Board of Aldermen to continue to receive public comment and to deliberate on a proposed map amendment to the Land Use Ordinance that would place a new zoning overlay district on the Lloyd/Broad Neighborhood.

Omar Zinn one of the owners of three rental homes that would be affected by the ordinance, spoke to the Board about how it will affect them. They explained that they feel it is an economic taking even with the grace period.

Adam Zinn, one of the owners of three rental homes that would be affected by the ordinance, stated that they provide for parking and have been quality landlords. He asked that the homes be grandfathered in because they were built to the ordinance requirements that allow five people to live in a five bedroom.

Hudson Vaughn and Leo Gaev, representing the Lloyd-Broad neighborhood, spoke to the Board about their concerns and requested that the ordinances be adopted to protect the neighborhood. They requested that the grace period be eliminated.

Maggie West, a resident of 201 Broad Street, stated that the Zinn properties have been nuisance properties over the last years. She asked that the Board adopt the ordinances.

Sherdenia Weaver, a resident of 213 Broad Street, requested that the ordinances be approved. She expressed concern with parking.

Mayor Lavelle closed the public hearing.

The Board discussed the size of dwelling units with staff. The final decision is reflected in the ordinance below.

A motion was made by Alderman Chaney, seconded by Alderman Haven-O'Donnell to approve the resolution.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE BOARD OF ALDERMEN'S
REASONS FOR ADOPTING AN AMENDMENT TO THE MAP OF THE CARRBORO LAND USE
ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the map of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: *AN ORDINANCE AMENDING THE OFFICIAL TOWN OF CARRBORO ZONING MAP TO DESIGNATE THE LLOYD-BROAD OVERLAY DISTRICT.*

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 current adopted plans, Carrboro Vision2020 (provisions 2.00, 2.11, 2.32 & 2.42) and Downtown Carrboro New Vision for the following reason(s):

- 2.0 Growth should occur in a balanced fashion, and at a rate that does not jeopardize the values set forth by Vision2020. Interests of all members of the community, including property owners, neighbors, and other interested citizens should be considered when making development decisions.
- 2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility.
- 2.32 New development that blends single-family and multi-family units should be designed and landscaped to ensure compatibility.
- 2.42 Development throughout Carrboro should be consistent with its distinctive town character. The town should adhere to policies that limit the widening of roads, encourage plantings alongside roads, preserve historic areas, buildings and older neighborhoods, and retain unspoiled green spaces and other natural areas.

Buildings, Historic Preservation, New Building – New buildings should be inspired by existing historic structures . . . their massing and general layout should be compatible with the character of the district.

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

The proposed text amendment is reasonable and in the public interest because it allows for the reasonable development of property in accordance with the Town's zoning requirements.

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

Section 4. This resolution becomes effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

A motion was made by Alderman Chaney, seconded by Alderman Slade to approve the resolution.

**AN ORDINANCE AMENDING THE OFFICIAL TOWN OF CARRBORO ZONING MAP TO
DESIGNATE THE LLOYD-BROAD OVERLAY DISTRICT
Ordinance No. 29/2017-18**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY ORDAINS:

SECTION 1. The Lloyd-Broad Overlay District provided for in Section 15-143.5 of the Carrboro Land Use Ordinance is hereby applicable to the following lots (as shown on the attached map), and the Official Zoning Map shall be modified accordingly:

Tow

| PIN | ADDRESS | OWNER NAME | SECOND OWNER NAME |
|------------|----------------------|---|-----------------------------|
| 9778964781 | 200 LLOYD ST | ZINN BROTHERS LLC | |
| 9778964999 | 300 LLOYD ST | JOHNSON JANIE DEGRAFFENREID | JOHNSON JASMINE A |
| 9778965726 | 101 COBB ST | ZINN BROTHERS LLC | |
| 9778965807 | | CARRBORO TOWN OF | |
| 9778965824 | 202 LLOYD ST UNIT A | CARVER TERRY | CARVER LINDA |
| 9778965839 | 204 LLOYD ST | THOMPSON EMMA J | |
| 9778965904 | 206 LLOYD ST | HOLLINGSWORTH JOHN C | BERLAND KELSAY S |
| 9778966703 | 103 COBB ST | WRIGHT GRADY | WRIGHT TOMMIE LEE |
| 9778966774 | 105 COBB ST | KELLEY TRUMPHENIA M | |
| 9778966861 | 201 BROAD ST | VAUGHN HUDSON L | WEST MARGARET M |
| 9778966865 | 203 BROAD ST UNIT A | MAGNUSON CHRISTOPHER R | MAGNUSON CARRIE L |
| 9778966941 | 205 BROAD ST | GAEV LEO | |
| 9778966956 | 207 BROAD ST | HEADEN SUSAN L | |
| 9778967735 | 107 COBB ST | NEVILLE JAMES WILBERT ETAL | NEVILLE JOHNSON HENRY |
| 9778968794 | 200 BROAD ST UNIT A | MILLS STEPHEN D | EGGLESTON WENDIE A |
| 9778968798 | 202 BROAD ST | MILLS NATHANIAL | |
| 9778968883 | 204 BROAD ST | DAVIS JOSHUA TIMOTHY | |
| 9778968948 | 210 BROAD ST | SELF CLEMENTINE FEARRINGTON | |
| 9778968971 | 208 BROAD ST | MAGUSON CHRIS | MAGUSON CARRIE |
| 9778969609 | 104 BROAD ST | ORANGE COMMUNITY HOUSING AND LAND TRUST | |
| 9778969786 | 109 STARLITE DR | MORROW MARTRINA | |
| 9778972997 | 101 HILL ST | CARRBORO TOWN OF | |
| 9778974093 | 302 LLOYD ST | JACKSON WILLIAM A | WHALEN THOMAS J |
| 9778974099 | 308 LLOYD ST | HSIEH SHOWCHEIN | HSIEH CHANG TAI |
| 9778974179 | 310 LLOYD ST | ALPHABET SOUP INC | |
| 9778974489 | 402 LLOYD ST | CLAY CENTRE LLC | |
| 9778974491 | 400 LLOYD ST | LAM YIK | |
| 9778974533 | 404 LLOYD ST | JIHAD MICHAEL | JIHAD SHARIN |
| 9778974538 | 406 LLOYD ST | KILPATRICK GEORGE JR | KILPATRICK LILLIAN |
| 9778974707 | 412 LLOYD ST | SWEENEY CATHERINE | SWEENEY NOLAN |
| 9778974781 | 408 LLOYD ST | CARRBORO TOWN OF | |
| 9778974894 | 102 HILL ST | BURNETTE ALVATER | |
| 9778974931 | 100 HILL ST | SWEENEY CATHERINE | |
| 9778974993 | 100-A HILL ST | LIU XING X | ZHOU MINCHAI |
| 9778975430 | 103 FOWLER ST | MASON LYDIA F | |
| 9778975585 | 303 BROAD ST | MARKFIELD EVAN M | MARKFIELD MIRIAM H |
| 9778975671 | 305 BROAD ST | WALKER MYRTLE C ETAL | WOODS CHRISTINE ANNA WEAVER |
| 9778975675 | 307 BROAD ST | 307 BROAD LLC | |
| 9778975761 | 309 BROAD ST UNIT B | JAMES JASON T | |
| 9778975832 | 104 HILL ST | BURNETTE ALVATER | |
| 9778975883 | 106 HILL ST | CARRBORO TOWN OF | |
| 9778976015 | 211 BROAD ST | WILKERSON CHRISTORIA W | |
| 9778976031 | 209 BROAD ST | SCROGGS WILLIAM E | SHELTON KAREN |
| 9778976126 | 215 BROAD ST | 215 BROAD LLC | |
| 9778976130 | 213 BROAD ST | WALKER MYRTLE C ETAL | WOODS CHRISTINE ANNA WEAVER |
| 9778976215 | 104 FOWLER ST | FRAZIER VERONICA | |
| 9778976220 | 217 BROAD ST | SELF HELP VENTURES FUND | |
| | 105 FOWLER ST UNIT B | | |
| 9778976511 | 301 BROAD ST | HACKNEY KATHY | COTTON CLIFTON |
| 9778977592 | 304 BROAD ST | PALMER LAURELLE | |
| 9778977669 | 306 BROAD ST | CARRBORO TOWN OF | |
| 9778977937 | 400 BROAD ST | CARRBORO TOWN OF | |
| 9778978028 | 214 BROAD ST | STROUD CAROLYN E | |
| 9778978144 | 216 BROAD ST | SCROGGS WILLIAM | SHELTON KAREN |
| 9778978248 | 222 BROAD ST | NIENABER JOSEPH | NIENABER ANTOINETTE |

| | | | |
|------------|------------------------|-----------------------|-----------------------|
| 9778978299 | 220 BROAD ST | HULL GERALD R | |
| 9778978302 | 224 BROAD ST | ENGELS MICHAEL E | ENGELS SHANNON M |
| | | | |
| 9778978407 | 302 BROAD ST | FEARRINGTON JAMES | FEARRINGTON CATHERINE |
| 9778978413 | 300 BROAD ST | SOTO CHANEL J | |
| 9778979205 | 218 BROAD ST | STEVENS VERONICA J | |
| 9778979399 | 120 STARLITE DR | COMMUNITY HOME TRUST | |
| 9778983082 | 105 HILL ST | CURETON WILLIAM | |
| 9778984032 | 107 HILL ST UNIT A | SANTELO CATHERINE A | |
| 9778984083 | 109 HILL ST | CENGIZ CEMAL | |
| 9778984138 | 103 HILL ST | SERRE MARC | MONTANA LESLIE |
| 9778985033 | 111 HILL ST | NEVILLE CALVIN | |
| 9778985085 | 113 HILL ST | WRIGHT ELVA ALSTON | WRIGHT GRADY |
| 9778985122 | 401 BROAD ST | GLIMORE SALLY W | |
| 9778985410 | 409 BROAD ST | KURTZ JOHN M | |
| 9778987131 | 402 BROAD ST | CAMPBELL MATTHIEU | CAMPBELL CHRISTEN |
| 9778987139 | 404 BROAD ST | FALTERMEIER CAROLE | |
| 9778987204 | 406 BROAD ST | CAMPBELL MATTHIEU | CAMPBELL CHRISTEN |
| 9778987309 | 412 BROAD ST | FOUSHEE JACQUELINE D | EDWARDS WANDA A |
| 9778987315 | 410 BROAD ST | UNDERWOOD E LANCE JR | DAVIS MARK A |
| 9778987330 | 408 BROAD ST | PALMER REED N | PALMER ARDYS G |
| 9788060748 | 107 STARLITE DR | GLUPTON PATRICIA ANN | |
| 9788060758 | 105 STARLITE DR UNIT A | ROCKETT RACHEL H | |
| 9788060914 | 104 STARLITE DR | JONES ADDIE WILSON | |
| 9788060979 | 102 STARLITE DR | WALL BARBARA B | |
| 9788061946 | 100 STARLITE DR | SHAUGHNESSY GRETCHEN | |
| 9788062702 | 207 SUNSET DR | WELLS GRAYUM TRUSTEE | ZEMAN KIRBY L TRUSTEE |
| 9788062800 | 209 SUNSET DR UNIT A | JEFFERSON CAROLYN B | |
| 9788062806 | 101 STARLITE DR | CHNS LLC | |
| 9788070002 | 106 STARLITE DR | ALSTON JUDOTHER | ALSTON DOROTHY |
| 9788070120 | 110 STARLITE DR | GRAVES SHIRLEY E | |
| 9788070126 | 112 STARLITE DR | SOLOZANO LORENZO | ARIZA MARGARITA |
| 9788070208 | 116 STARLITE DR | FEARRINGTON MATTHEW W | |
| 9788070212 | 114 STARLITE DR | EVANS CAROLYN | |
| 9788070303 | 118 STARLITE DR | BERNDT JEFFREY N | |
| 9778976431 | | KING SENETA | |
| 9778976431 | 105 FOWLER ST UNIT A | BURNETTE DEBRA A | BURNETTE JAMES |

SECTION 2. All provisions of any Town ordinance in conflict with this ordinance are repealed.

SECTION 3. This ordinance shall become effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT RELATING TO REASONABLE ACCOMMODATIONS

The purpose of this agenda item was for the Board of Aldermen to provide an opportunity for public comment on an amendment to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act and Fair Housing Act.

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

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: *AN ORDINANCE TO AMEND THE TOWN OF CARRBORO LAND USE ORDINANCE TO PROVIDE FOR REASONABLE ACCOMMODATIONS.*

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 current adopted plans, Carrboro Vision2020 provision 1.35 relating to Human Services for the following reason(s):

- 1.35 The town should consider the impact of its ordinances and policies on the wellbeing of its most vulnerable citizens, including the elderly, children, those with disabilities and those living on low-, middle-, or fixed income.

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

The proposed text amendment is reasonable and in the public interest because the quasi-judicial review process requires public input.

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

Section 4. This resolution becomes effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

A motion was made by Alderman Chaney, seconded by Alderman Seils, that this ordinance be approved.

**AN ORDINANCE TO AMEND THE TOWN OF CARRBORO'S
LAND USE ORDINANCE TO PROVIDE FOR REASONABLE ACCOMMODATIONS**
Ordinance No. 30/2017-18

BEIT ORDAINEDBY THE CARRBORO BOARD OF ALDERMEN THE
FOLLOWING:

Section 1.Article V of the Carrboro Land Use Ordinance is amended to establish the following new
“Section 15-97 Reasonable Accommodations”:

Section 15-97. Reasonable Accommodations

(a) The Board of Aldermen is authorized to grant reasonable accommodations under the Federal Fair Housing Act and Americans with Disabilities Act under the circumstances set forth in this section.

(b) An application for a reasonable accommodation may be filed only by the owner of the land affected by the reasonable accommodation; an agent, lessee, or contract purchaser specifically authorized by the owner to file such application; or any unit of government that is not the owner of the lot but proposes to acquire the lot by purchase, gift or condemnation.

(c) An application for a reasonable accommodation shall be filed with the Administrator and contain: (1) the applicant's contact information (name, mailing address, telephone number, fax number, and email address); (2) the contact information for the owner(s) of the property (if different from the applicant); (3) the address of the property at which the reasonable accommodation is requested; (4) a description of the reasonable accommodation requested; (5) a statement explaining how and why the request meets the standards for a reasonable accommodation (see subsection (f) below); and (6) the notarized signature of the applicant and property owner(s) (if different from the applicant). No filing fee shall be required for the application.

(d) The Board shall hold a quasi-judicial hearing on the proposed reasonable accommodation and shall decide the request upon a majority vote of the members.

(e) The quasi-judicial hearing shall be noticed in accordance with Section 15-102(1) and conducted in accordance with Sections 15-103 through 15-106 to the extent not inconsistent with this Section.

(f) The Board shall grant a reasonable accommodation to any provision of the Land Use Ordinance if the Board finds by the greater weight of the evidence that the proposed reasonable accommodation is both reasonable and necessary, in accordance with the following:

(1) “Reasonable”

An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes and effects of existing zoning regulations, and if it will not impose significant financial and administrative burdens upon the Town and/or constitute a substantial or fundamental alteration of the Town’s Land Use Ordinance provisions; and

(2) “Necessary”

An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the affects of the particular disability or handicap, and would afford persons with disabilities equal opportunity to enjoy and use housing in residential districts in the Town.

(g) After the Board approves a reasonable accommodation, the applicant shall follow all applicable Land Use Ordinance procedures for the approval of any permits, certificates, or other approvals required in order to proceed with development or use of the property. All orders, decisions, determinations, and interpretations made by administrative officers under those procedures shall be consistent with the reasonable accommodation granted by the Board.

Section 2. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 3. This ordinance is effective upon adoption.

This 26th day of June 2018.

The motion is carried by the following vote:

Aye: Mayor Lydia Lavelle, Alderman Sammy Slade, Alderman Bethany Chaney, Alderman Barbara Foushee, Alderman Jacquelyn Gist, Alderman Haven-O'Donnell, Alderman Damon Seils

[CATHERINE DORANDO, THE TOWN CLERK, SWORE IN ALL SPEAKERS THAT ARE LISTED BELOW.]

PUBLIC HEARING: CONDITIONAL USE PERMIT FOR MIXED USE BUILDING AT 603 JONES FERRY ROAD

The purpose of this item was for the Board of Aldermen to hold a public hearing regarding a request for a Conditional Use Permit for a Mixed Use Building at 603 Jones Ferry Road.

James Thomas provided the staff report.

Mr. Chan, the applicant, responded to questions from the Board. He stated that the development will include spaces for a charging station.

Matt O'Brian, the architect, stated that the applicant will agree to the specification of native tree species and the LED lighting.

Mayor Lavelle opened the public hearing.

Mark Zosky, a resident, asked about the stormwater retention controls. James Thomas and Matt O'Brian summarized the stormwater control protocols.

Mayor Lavelle closed the public hearing.

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

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN SEILS THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN FOUSHEE THAT 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.
- 3.That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
- 4.That prior to Construction Plan approval, the applicant provide letters from electric, gas, telephone and cable providers that this project can be served to this development.
- 5.That prior to Construction Plan approval, the applicant provide the necessary light pollution plan sheet in order to verify compliance with the .2 footcandle requirements at the property line per Section 15-242.5 of the LUO.
- 6.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.
- 7.That 3-4 native tree species instead of 1 (Willow Oak) species be planted to insure the longevity and health of the plantings.
- 8.That conduit and electrical wiring will be added to support high-speed charging of electric vehicles.
- 9.That LED be used for outdoor lighting and energy efficiency and to minimize light pollution.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN GIST THAT THE APPLICATION IS GRANTED. VOTE: AFFIRMATIVE ALL

**PUBLIC HEARING: SANDERWAY ARCHITECTURALLY INTEGRATED SUBDIVISION
CONDITIONAL USE PERMIT**

The purpose of this item was to allow the Board to consider an application for an AIS CUP. GH-2, LLC submitted an application for the construction of an 18 lot Architecturally Integrated Subdivision

residential development located at 1236 Hillsborough Rd.

Jeff Kleaveland, the Town's Zoning Development Specialist, presented the staff report. He responded to questions related to stormwater drainage and stated that the applicant is required to meet the ordinance.

Richard Gurlipz, the applicant, answered questions from the Board. He detailed the stormwater runoff pathway. He clarified that the project meets, or exceeds, the ordinance requirements. He asked the Board to vote on the project tonight so that he does not miss a construction season due to the Board's recess.

Andrew Learner, a neighbor of the property, expressed concern with the increased in water over time, access to his property, and inaccuracies that he had heard regarding the project.

Jim Joyce, a neighbor of the property, expressed concern with the possible flooding impact on his well, that was built in the floodplain.

Jerri Kennedy, a neighbor of the property, expressed concern with the possible flooding impact.

Mike Humphries, a neighbor of the property, expressed concern with greenway trail improvements that would be assumed by the HOA, once completed.

The Board of Aldermen clarified with Planning Staff that the last half of Horned Hollow Road is a private road. They asked that the agreement of ownership and responsibility regarding the roadway and greenway be further explained. Marty Roupe explained that it is a private matter.

Wayne Hadler, a resident and real estate attorney, explained the right-of-way easement makes it the responsibility of the applicant to maintain the greenway and making sure the utilities are functional. He pointed to a portion of the driveway that is also the responsibility of the attorney. He explained that documents drafted would then provide for the Association to take over maintenance responsibility of the greenway.

Noah Learner, a resident of 1242 Horned Hollow Road, expressed concern with the access and maintenance of the road and the size of the culvert to handle the stormwater runoff.

Mark Kosofsky, a nearby neighbor of the property, expressed concern with the stormwater runoff of the project.

Patricia Malarky, a nearby neighbor of the property, expressed concern with the stormwater runoff and how it is getting worse overtime. She asked the Board to continue the public hearing until all is taken into account.

Alderman Gist stated that she would like more information on the project prior to voting. She suggested that the Stormwater Advisory Commission have a chance to review this project.

Alderman Chaney stated that the stormwater utility will help insure that the Town is taking a systems approach to the stormwater management. She recognized that the developer is meeting what the ordinance requires.

Mayor Lavelle stated that the access and maintenance agreement is where she is most concerned.

Alderman Haven-O'Donnell expressed concern with the viability of the 12 inch culvert. She asked that the Stormwater Commission review the project. She also stated that she is concerned with OWASA not extending water/sewer to the homes that are currently in existence. She asked that staff look into the OWASA connectivity issue.

Alderman Seils stated that he understands that the developer has met the ordinance and that he feels the issues brought by the neighbors could be easily addressed. He also stated that access easements should be maintained.

The developer stated that if the project goes in, they will be extending the OWASA line to the project. Owners will also have to pay for access to the line, but the developer would provide the easement for access to OWASA to extend the line. He stated that OWASA will provide the sewer and water but that the owner has to pay for the connection to the line.

Alderman Slade stated that he would like for the applicant to provide responses to some of the conditions that the advisory boards proposed and the concerns from the neighbors.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN FOUSHEE, THAT THE PUBLIC HEARING BE CONTINUED TO THE SEPTEMBER PUBLIC HEARING; THAT THE STORMWATER COMMISSION REVIEW THE PROJECT; THAT ACCESS TO THE HOMES BE ADDRESSED; AND THAT OWASA EXPLAIN WHAT IT WOULD TAKE TO CONNECT TO THE WATER/SEWER EXTENSION. VOTE:

AFFIRMATIVE ALL

PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR WILDFLOWER LEARNING CENTER AT 3100 DAMASCUS CHURCH ROAD

Shelley Riselvato, president, has submitted an application for a Conditional Use Permit for Wildflower Learning Center at 3100 Damascus Church Road. The Board is asked to hold a public hearing regarding the request.

Marty Roupe provided the staff report.

Mayor Lavelle opened the public hearing.

Michael Jefferson, the attorney for the Merritt Gravel Pit, explained that the gravel pit is a functioning business with dump trucks on the property daily. He stated that they are concerned with liability associated with having a daycare in the proximity to the active gravel mine. They suggested that an engineer evaluate the noise, dust, and safety concerns related to the gravel mine operation and how that may affect the children's safety.

Shelly Riselvato stated that they spoke to a DEQ and that the gravel pit is not active and that they are not supposed to be doing the fill dirt (and have received a cease and desist notice). She stated that the activity is not as described by the attorney. She explained that there is a fence along the property that separates the childcare facility from the gravel pit and that the owner of the gravel pit is required to maintain sprinklers to mitigate the dust.

Alderman Gist stated that she is worried that the applicant will have a future concern with the operation of the existing gravel pit. She stated that she does not want to hear about the disturbance of the gravel pit since the applicant is aware of the current operation. She stated that if the Merritts say that it is active, she believes them.

Mayor Lavelle stated that the whether the mine is active or not is not what the Board is considering for the CUP.

Alderman Foushee stated that the issue between the neighbors does not set a good tone.

Pat Covington stated that the children are under 12 years old and are not liable for their actions. The Merritts concern over liability is valid. He asked that a condition be included that limit the Merritts liability.

Nick Herman, the Town's attorney, stated that the private businesses are only liable if they fail to use reasonable care.

Mayor Lavelle closed the public hearing.

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

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN FOUSHEE THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SLADE, SECONDED BY ALDERMAN HAVEN-O'DONNELL THAT 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.
3. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
4. Prior to Construction Plan approval, that all review comments by Orange County Erosion Control be addressed.
5. That prior to Construction Plan approval, the applicant provide letters from electric, gas, telephone and cable providers that this project can be served to this development.
6. That prior to Construction Plan approval, the applicant provide the necessary light pollution plan sheet in order to verify compliance with the .2 footcandle requirements at the property line per Section 15-242.5 of the LUO.

7. 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 built for the stormwater features of the project. Digital as built 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.
8. As shown on the plans, there will be a fence erected along the easement road, to keep the children off of the neighboring property.
9. Applicants acknowledge that they are on a property that adjoins an active dirt mine and a gravel pit and that both of those activities are involved in a current and active business.
10. The applicant will use LED lighting wherever possible.
11. The applicant will explore the possibility of constructing at least 20% of the parking spaces to support EV charging stations.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY THAT THE APPLICATION IS GRANTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING ON A LAND USE ORDINANCE AMENDMENT RELATING TO ROAD AND SIDEWALK REQUIREMENTS

The purpose of this agenda item was for the Board of Aldermen to provide an opportunity for public comment on an amendment to the Land Use Ordinance relating to road and sidewalk requirements in unsubdivided developments.

Trish McGuire, provided the staff report.

Mayor Lavelle opened the public hearing.

Alderman Haven-O'Donnell asked for a list of properties that this would affect. She stated that she would like to see that Parkland exemption included.

Alderman Slade asked for clarification on the intention.

**MOTION WAS MADE BY ALDERMAN HAVEN-O'DONNELL, SECONDED BY ALDERMAN
FOUSHEE TO CONTINUE THIS ITEM TO THE SEPTEMBER PUBLIC HEARING DATE.
VOTE: AFFIRMATIVE ALL**

ADJOURNMENT

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