



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

**Town of Carrboro  
Meeting Minutes  
Town Council**

**April 26, 2022**

**7:00 PM**

**Council Chambers - Room 110**

**Present:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Sammy Slade

**Also Present:** Richard White, Town Manager; Wesley Barker, Town Clerk; Nick Herman, Town Attorney

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**PROCLAMATION – BIKE MONTH**

Mayor Damon Seils proclaimed May to be Bike Month; Wednesday, May 4th, to be Bike to School Day; May 16th through May 22nd to be Bike to Work Week; and Friday, May 20th, to be Bike to Work Day in Carrboro. The proclamation was presented to Tina Moon, Planning Administrator for the Town.

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**PROCLAMATION – SMALL BUSINESS WEEK**

Mayor Damon Seils proclaimed May 2-5, 2022 as Small Business Week in the Town of Carrboro. The proclamation was presented to Joshua Morehead, Manager of Weaver Street Market.

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**APPROVAL OF PREVIOUS MEETING MINUTES**

**THE MINUTES FROM FEBRUARY 22, 2022 WERE TABLED FOR APPROVAL AT THE NEXT MEETING.**

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**CONSIDERATION OF A RESOLUTION SETTING THE PUBLIC HEARING FOR THE ARTSCENTER SPECIAL USE PERMIT-A (SUP-A) LOCATED AT 400 ROBERSON STREET.**

The purpose of this item was to schedule the public hearing for The ArtsCenter SUP-A for May 24th, 2022

**A motion was made by Council Member Foushee, seconded by Council Member Romaine to approve the following resolution:**

**A RESOLUTION CALLING A PUBLIC HEARING ON THE ARTSCENTER SPECIAL USE PERMIT-A REQUEST**

**WHEREAS**, the Town Council seeks to provide ample opportunities for the public to comment on proposed project; and

**WHEREAS**, an application has been received for a Special Use Permit-A authorizing The ArtsCenter on the 400 Roberson Street parcel identified by Orange County PIN 9778-95-2758.

**NOW, THEREFORE BE RESOLVED** by the Town Council that the Council call a public hearing on May 24<sup>th</sup>, 2022 to discuss The ArtsCenter project.

**This the 26th day of April 2022.**

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

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell and Council Member Sammy Slade**

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**CONTRACT AUTHORIZATION AND PROJECT ORDINANCE UPDATE FOR SIGNAL WORK ASSOCIATED WITH THE EAST MAIN STREET RESTRIPIING PROJECT**

The purpose of this agenda item was to provide the Council with the opportunity to authorize the Town Manager to execute a contract for the traffic signal work and approve the revised project ordinance for the East Main Street restriping project.

**A motion was made by Council Member Foushee, seconded by Council Member Romaine that the following Resolution be approved:**

**A RESOLUTION FOR AWARDDING THE CONTRACT FOR THE SIGNAL WORK ASSOCIATED WITH THE EAST MAIN STREET RESTRIPIING PROJECT**

WHEREAS, the Town has advertised and received two (2) quotes for the East Main Street traffic signal modifications; and,

WHEREAS, bidding and advertising were performed in compliance with state and federal requirements including steps taken to reach Historically Underutilized Businesses (HUBs); and,

WHEREAS, staff have identified TCD (Traffic Control Devices, LLC) out of Salisbury, North Carolina, as the lowest cost responsive and responsible bidder and recommend that they be awarded the contract;

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council authorizes the Town Manager to award the contract for the East Main Street traffic signal modifications to TCD in the amount of \$119,565.

**This the 26<sup>th</sup> day of April 2022.**

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

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell and Council Member Sammy Slade**

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**A motion was made by Council Member Foushee, seconded by Council Member Romaine to approve the following project ordinance:**

**AMENDMENT TO EAST MAIN STREET SIGNAL AND PAVEMENT MARKINGS  
PROJECT ORDINANCE**

**ORDINANCE NO. 7 / FY 2021-22**

WHEREAS, the Town Council previously authorized staff to proceed with final design for the signal and pavement marking to improve bikeway safety along the East Main Street corridor; and,

WHEREAS, the final design has been completed and construction work will need to be coordinated with NCDOT as they undertake a re-paving of this area of East Main Street; and,

WHEREAS, the Town issued a request for bid to perform the required work for the signal modifications and now wishes to award a contract to complete the signal work; and,

WHEREAS, no funds have been appropriated for the construction and work for the signal and pavement markings.

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

1. Revenues are appropriated in an amount not to exceed \$159,565 for construction of the signal and payment markings along the East Main Street corridor.
2. The amount in Section 1 above shall be appropriated from the Fund Balance in the General Fund.
3. Funds shall be used for the following purpose:
  - a. Construction and repair of traffic signals: \$119,565
  - b. Reserve for green pavement markings: \$ 40,000
4. This Capital Project Improvement Ordinance is hereby authorized until all project activity is completed.
5. The Finance Office is authorized to undertake the necessary financial actions for the funding of this is project.
6. 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 the 26th day of April 2022.**

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

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Sammy Slade, and Council Member Danny Nowell

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**CONDITIONAL USE PERMIT MINOR MODIFICATION REQUEST FOR ROYAL  
PARK APARTMENTS AT 501 HIGHWAY 54 WEST**

The purpose of this item was for Town Council to consider approving a Minor Modification to the Conditional Use Permit for Royal Park Apartments to allow the construction of a new sidewalk and retaining wall along the western side of the entrance. Town staff recommends approval of the request.

**A motion was made by Council Member Foushee, seconded by Council Member Romaine that the following resolution be approved:**

A RESOLUTION ALLOWING A MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR ROYAL PARK APARTMENTS AT 501 HIGHWAY 54 WEST.

WHEREAS, the Town Council approved a Minor Modification to the Conditional Use Permit for Royal Park Apartments; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Conditional Use Permit that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Conditional Use Permit; and

WHEREAS, the Town Council finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Town Council for approval of the minor modification to Royal Park Apartments for the installation of a sidewalk and retaining wall on the western side of the access road.

**This the 26<sup>th</sup> day of April 2022.**

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

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell and Council Member Sammy Slade**

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**PERMIT EXTENSION REQUEST FOR PREVIOUSLY ISSUED CONDITIONAL USE PERMIT FOR VERIDIA AIS**

The purpose of this item was for Town Council to consider approving a request for an extension of the date when a Conditional Use Permit would otherwise expire for Veridia AIS CUP. Town Staff recommends approval of the request.

**A motion was made by Council Member Foushee, seconded by Council Member Romaine that the following resolution be approved:**

A RESOLUTION APPROVING AN EXTENSION OF THE DATE ON WHICH A CUP WOULD OTHERWISE EXPIRE FOR VERIDIA AIS CUP

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Veridia AIS CUP on April 26, 2011; and

WHEREAS, the Town Council approved an extension to the date on which the Conditional Use Permit for the Veridia AIS CUP would have expired, thereby extending the date to April 26, 2022; and

WHEREAS, the Town Council finds, per Section 15-62(c) of the LUO, that: 1) the CUP has not yet expired, 2) the permit recipient has proceeded with due diligence and in good faith, and 3) conditions have not changed so substantially as to warrant a new application.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the permit is again extended, with a new expiration date for Veridia AIS CUP of April 26, 2024.

**This the 26<sup>th</sup> day of April, 2022**

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

**Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell and Council Member Sammy Slade**

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**PUBLIC HEARING ON THE MINOR MODIFICATION REQUEST TO THE WINMORE VMU CONDITIONAL USE PERMIT**

A Public Hearing for a Minor Modification Request to the Winmore VMU Conditional Use Permit to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU.

The purpose of this item is for Town Council to hold a public hearing and consider whether to approve a Minor Modification to the Conditional Use Permit for Winmore VMU to allow conversion of Lot 179 to three single-family lots and assign the community pool to serve as civic use for the VMU. A resolution approving the modification is attached should the Town Council choose to approve the request.

Mayor Seils opened the public hearing.

**Marty Roupe**, Development Review Administrator for the Town, gave a short presentation on the item.

**Eric Chupp** of Capkov Ventures, gave a presentation on the proposed project.

**Eric Severson**, Winmore resident, said that he feels the presentation indicates a way to make money. He is concerned about density in the neighborhood that would be increased by adding 3 additional homes. He is also concerned with traffic congestion increasing and the safety issues this may bring. He also spoke about his concern about adding dog waste stations that are not always properly maintained and emptied regularly.

**Theo Dingemans**, Carrboro resident, is concerned about the alley behind where the new homes would be built and what impact that would have on the drainage system there. He said that the road is not constructed correctly to allow for proper drainage. He said that a more permanent, better fix needs to happen on the drain system next to his house to replace the "ridge of asphalt" that was put in place.

**Christina Berkowitz**, Winmore HOA Vice-President, spoke about her support for the proposed plan, and that she sees it as better than the previous plan. She said that having 3 homes that match the rest of the community is a great solution overall. She raised the issue of the lack of a stop sign at the intersection of the bike path and Winmore Avenue and the need for one to protect pedestrians and children there, especially with the addition of more homes. She said that the existing speed bump is not sufficient to make cars slow down enough for safety.

**Mayor Seils** mentioned that a Winmore resident, Michael Harrison, had emailed to voice his support for the proposed modification.

**Council Member Foushee** asked about the drainage issue and what the timeline for those improvements may look like. Mr. Chupp responded to say that during the building permit approval process, all three homes will go through a stormwater review to make sure where the drainage goes and to be sure that the stormwater calculations concerning capacity are appropriate. He said they will take care to minimize any additional drainage that goes into the

alley. Mr. Chupp also addressed the density issue that was mentioned earlier. He said that they have eliminated from the original plan, 13 lots so that even with the addition of these 3 houses, that puts them 10 homes below what was approved for in the original plans.

**Council Member Haven-O'Donnell** asked for clarification on which street needed a stop sign. Ms. Berkowitz reiterated that it is at the intersection of East Winmore Avenue and the bike path. Council Member Haven-O'Donnell asked the Town Manager to explore the issue.

**Council Member Romaine** thanked Mr. Chupp for his commitment to affordable housing in the Winmore neighborhood. She also commented on the cooperation and compromise between the neighborhood residents, HOA and the builder in negotiating the changes in plans. She also said that there have been many ways that the developer has met the obligation towards civic use.

**Council Member Slade** commented that there is always compromise needed when discussing density and that the Council is always trying to consider higher density mixed use as a means for better transit, walkability and bike ability but it seems like the community of Winmore has compromised and seems content, for the most part, with the proposed changes. He also commented that he is glad that Council Member Romaine saw a very small puddle after a storm and that he hopes it is never larger than what she experienced.

**Renee De Kruf**, Winmore resident, shared her concern that the alley that runs behind her home was paved with an asphalt barrier that is ugly and cheap in her opinion. She questions what effect this has on the value of her property. She is also concerned about what happens when it flattens out and may no longer be effective.

**Council Member Slade** asked for clarification that the engineer must make sure that any new construction will not contribute to and exacerbate the flooding that already exists. He pointed out that by his understanding, unless the applicant says they could do something additional concerning the grading in the alley, the Town Council doesn't have the power to enforce any changes being made to the alley.

**Marty Roupe** said that there was an error in the original construction and that the Town worked with the applicant and Town Engineer years ago to come up with a solution which was an asphalt curb to deflect water and it seems to be functioning in general. He said that the intent now is to not make it any worse and that will be part of the permitting process and the construction of the new units. He added that each individual zoning permit application for each individual lot will be sent to Sungate Design Group, for review. He said that they will plan in advance of a shovel being put in the ground exactly where the water is going to go and how the lots are going to be graded.

Mayor Seils closed the public hearing.

**A motion was made by Council Member Slade, seconded by Council Member Nowell that the following resolution be approved:**

A RESOLUTION APPROVING A MINOR MODIFICATION TO THE WINMORE VILLAGE MIXED USE CONDITIONAL USE PERMIT PROJECT AT 1400 HOMESTEAD ROAD FOR THE CONVERSION OF LOT 179 INTO THREE SINGLE-FAMILY HOME LOTS AND ALLOWING THE COMMUNITY POOL TO SERVE AS THE CIVIC USE AREA / FACILITY FOR THE DEVELOPMENT

**WHEREAS**, the Carrboro Board of Aldermen approved a Conditional Use Permit for the Winmore Village Mixed Use Project at 1400 Homestead Road on June 10, 2003; 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 Town Council that the Minor Modification to the Winmore Village Mixed Use Conditional Use Permit is hereby approved. This approval authorizes:

- Removing existing condition 4 on the original CUP in favor of changing the subject lot to Single-Family Use area designation on the Master Plan, and
- Allowing for the creation of four lots and a private alley area to be created from Lot 179. Three of the lots will be for one single-family home each, and the applicant has agreed to dedicate the fourth lot to the HOA as additional common open space for the development, and
- Allowing the existing community pool to serve as civic use area / facility for the development, and
- Removing an on-street parking space at the corner of Atterbury Street and East Winmore Avenue, and
- Review and approval by the town engineer of plot plans for the three single-family lots, those being lots 179 A through C, in a manner that minimizes any additional surface runoff from the lots into private alley number 6.

**This the 26<sup>th</sup> day of April 2022.**

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

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell and Council Member Sammy Slade

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**PUBLIC HEARING: SPECIAL USE PERMIT-A FOR NEW COMMERCIAL BUILDING AT 201 NORTH GREENSBORO STREET.**

The purpose of this item was for the Town Council to hold a public hearing on Special Use Permit-A application for new Commercial Building at 201 North Greensboro Street.

Mayor Seils opened the public hearing.

The Town Clerk administered an oath to Marty Roupe, Development Review Administrator for the Town.

Marty Roupe gave a presentation about the project.

The Town Clerk administered an oath to Edward Lammas, Managing Member of CKE III LLC, and Jeremy Anderson, Landscape Architect with Coulter Jewell Thames PA.

**Mr. Lammas** introduced himself and his history with the project.

**Mr. Anderson** gave a presentation about the project.

**Michele Rivest**, Carrboro resident, was sworn in by the Clerk. Ms. Rivest commented that she has lived on Oak Avenue for 35 years and is pleased that this property is going to be developed. She complimented Mr. Lammas and Mr. Anderson on the vast amount of time they've put into the project and their contact with the residents surrounding the site. She commented that 10-foot sidewalks would be ideal up and down Weaver Street, if possible, because of the volume of pedestrians in the area. She said that she herself has almost been struck by a vehicle twice and physically bumped by one. She said that she is pleased to see the developers planning for fewer parking spaces and supports reducing the number even more to allow for a wider walkway, better greenway visibility and a more pedestrian friendly space. She voiced her concern about delivery trucks and how they will get in and out of the parking area without putting pedestrians and other drivers at risk. She also mentioned that when the traffic is backed up, vehicles look for shortcuts through the residential streets and that she expects Oak Street to see an increase in this type of

traffic. She would like the Town to consider ways to minimize this traffic because the entire Town suffers from the issue of excessive traffic that will only get worse with this project as well as the development of the library/multi-use space.

**Angela Halley**, Carrboro business owner and resident, was sworn in by the Clerk. Ms. Halley stated that where the garbage dumpsters are (in the plans) currently, are 15 feet from the front porch of her property located at 102 Center St. She said that if there is a restaurant planned for the property, there will be smells coming over and that she can't see people walking all the way from the building to the end of the road from Greensboro St. to Center St. to throw their garbage away from the actual building. Ms. Halley also said that her property will not have a view on one side of their property. She said that she hopes to reside in her property one day and want to preserve the neighborhood and the mill houses. She doesn't want their street to look like a back alley with garbage cans and smells coming from them. Ms. Halley said that her neighbor cut down trees after approaching the Town Council to ask for permission to build his property closer to the street. She said she believes that having giant garbage bins directly next to her property would "make her house worth nothing".

**Council Member Slade** recommended that Ms. Halley hire an expert to perform a property evaluation and the question of the garbage dumpsters causing her property to lose value. Council Member Slade asked the Town Attorney if Ms. Halley's testimony was acceptable.

**Town Attorney, Nick Herman**, said that Ms. Halley had recited certain facts that as a matter of common sense can affect value. He said that at some point there will be expert testimony presumably from an appraiser about the question of property value and at that time, the Town Council would be allowed to ask questions about whether the dumpsters affect the property value.

**Jo Lucas**, tenant of Center Street Salon at 102 Center Street, said that she is requesting that the buffer of crepe myrtle trees and ornamental trees be preserved while the buffer plantings for the new development are planted. She said that the existing buffer and the future buffer will be intertwined. She said that if the existing buffer were taken down, that would leave the salon with a view of the new parking lot while the new buffer grew in. Ms. Lucas said that she didn't believe that the Appearance Commission had heard about this issue yet but that she wanted to have the concern on the record. She said that the current buffer is approximately 30 feet tall, and she wants to be sure to maintain and protect it.

**Gerald Meyer**, Carrboro resident, said that he lives at 107 Center Street and wants to voice his support for the project as proposed. He said that Mr. Lammas came to speak with him over 3 years ago and discussed the dumpsters, trees, and fences at length. He said that he considers the corner lot an eyesore and almost didn't buy his property because of it. He thinks this project is a wonderful opportunity for Carrboro and encourages the process being expedited because it is in the best interest of everyone.

**Jeff Harrick**, Carrboro resident, said he lives at 109 Center Street and said that it is like night and day, the difference between the CVS project and the current proposal. He said he appreciated the developers coming to the residents. He said he can appreciate the concerns about dumpster placement because with the CVS plan, the dumpster was planned to be located by his front door. He said that the Board of Adjustment is the body that did not grant the easement to put a new house closer to the street which didn't make sense to him since all the houses on Center Street are within 5 feet of the street. He said they would like to still have the trees there, but they are gone now. He said that this has been a good process. He said he doesn't think it will affect property values. He said that some of his neighbors have started a process to work on traffic calming on Center Street which is a big issue. He said that the Town Council will likely hear about people running into his recycling bin and into his ditch and about police officers not stopping at the stop sign.

**Council Member Slade** asked "In the past we've required of applicants, in order to meet the parking requirement, that they provide either on site, or an agreement of an arrangement within a certain amount of distance from the project. Is that a requirement that we could be making of them in lieu of the spaces that they're asking to be forgiven?"



**Marty Roupe** said that the Town Council's charge is to make a finding that a certain number of parking spaces is sufficient to serve the development and that the developer has submitted a parking justification statement expressing reasons why they think that 41 spaces is enough. He said that the Council can choose to agree that the developer's justification is sufficient and adequate or that they need more. He said that if they did determine that, then a satellite parking agreement within 400 feet allows that the extra spaces could be credited toward the development. He said, "say they found 5 spaces within 400 feet then effectively they would have 46 parking spaces."

**Council Member Slade** said that he doesn't think that additional parking spaces will be necessary since the upper levels are going to be for employees but since he is supposed to be a judge, what he is trying to grapple with is matching what the developer is presenting relative to what the ordinance says. He said that what he understands Mr. Roupe to be saying is that the Council Members have some judgment that can override what the law says.

**Mr. Roupe** said that the ordinance is written specifically to allow that judgment and flexible administration of parking. He said that if you were to take it to the extreme and say that they needed 100 spaces for this development, and attach that as a condition, the developer may say that this is not a reasonable condition and potentially bring a lawsuit against the town saying that was not reasonable. He said that as long as what the Council finds is reasonable, then they have that liberty.

**Council Member Slade** asked if there is some degree of ambiguity that leaves wiggle room in terms of the sidewalk?

**Mr. Roupe** said that the ordinance requirement now is 10 feet and that could be, as you may recall with 300 East Main St., part of it's in the public right-of-way and part of it's on private property, so you could require that as well. The ordinance allows as it is, in front of you now for the applicant to make a request to leave a non-conforming situation in place, so yes, there's judgment to go either direction there as well.

**Council Member Slade** said there's a little green grassy strip three feet worth of it and in theory if that were applied towards the sidewalk, we'd then have an eight-foot sidewalk and could we do that or because it's not leaving a non-conforming but rather adjusting and kind of finding a middle ground between the non-conforming, would we be able to do that?

**Mr. Roupe** said, one of the conditions we don't formally have in front of you tonight is a finding about the architectural standards. That is one of the things that's in front of the Appearance Commission. I think what you're getting at is that if it was the Council's desire to not include that landscaping, you could widen the sidewalk and that kind of thing.

**Council Member Slade** said, then there's landscaping on the other side which is another three feet of what the applicant was describing as a vegetative barrier. Is that also something we could weigh whether we want versus a full on ten-foot sidewalk? Could we modify in some manner the landscaping on the other side as well, so that it's only one foot of landscaping to account for the remaining two feet to make up the ten-foot sidewalk?

**Mr. Roupe** said yes, the landscaping section of the ordinance is written in a very similar manner to the parking, with flexibility and administration allowed, so to the extent the ordinance allows it, I can say yes. The applicant may want to weigh in and offer some thoughts on that because in effect what you're talking about is taking an existing situation and doing some substantial modifications to it. I think everything you've asked is allowable by ordinance. Whether they would think that's a great idea or not, I would let them speak to that.

**Council Member Slade** said that he is interested in hearing what the applicant thinks about the suggestions he made. He said that it can wait until the next meeting, or their first impressions are also welcome.

**Mayor Seils** said the ordinance allows an applicant to request a reduction in the number of spaces required in the development and to do that, they provide a letter justifying their request to reduce the number of spaces. Your (Mr. Roupe's) response to Council Member Slade suggested to me that the Council's role in accepting that justification or not is to determine whether this

number of spaces they have proposed, which is lower than what's presumptively required in the ordinance is enough. My guess is that Council Member Slade wants to know if the Council can go beyond that and say that not only is that enough, but it's too much.

**Mr. Herman** said the core matters that you're going to decide, is the impact on property value, right harmony and consistency with the plan. Those are the major conclusions that you're being asked to make. In addition, is that the applicant's proposal otherwise complies with the rest of the LUO. Embedded within that are things like parking requirements, storm water requirements, etc. It appears that your question is going to compliance with the LUO regarding the parking matters and do they comply? Is this in connection with what I call the core matters that you're going to decide? This council is free to impose additional conditions. This has nothing to do with the applicant's consent of additional conditions if those conditions are rationally tied to one of the standards. This is another way of adding something that otherwise, for example, isn't found within a parking regulation of the LUO.

**Council Member Slade** said he wants from the applicant, a sense in terms of what is necessary to be parking in this very valuable part of our town. Employees who park from eight to five from my perspective is a major waste of space, so if you could at some point provide your sense of how many of these parking spaces will be for employees, it'll give me a sense of what we must have in terms of parking.

**Mr. Lammas** said regarding parking and staff ratios, it is very hard to know staff ratios until you know the end users. In terms of the ground floor users, is it a restaurant? If so, how much square footage is the restaurant? Is it a bookstore? Is it something else that that's going to really define it? Parking is wasteful. It's a very expensive commodity to have in terms of infrastructure. Very wasteful on every kind of metric, so really, we didn't want to provide any more than was absolutely necessary, especially in a location like this. The baseline that you're stuck with, is what is leasable. If you start to offer fewer than X number of spaces per thousand square feet, people have got their check boxes. They say, I'm looking for a restaurant space or I'm looking for a small bookshop, or I'm looking for various other things. They're brokers who are looking for space on their behalf and they will immediately put a big red line through your opportunity. So, we've tried to make sure the place can be successful, but I will look at this further and I will see if I can provide you more information by next time.

**Council Member Romaine** said there were advantages to moving the dumpster to where it is currently because it would save three parking spaces. If there is flexibility with parking, and we can go below the 41 spaces, is that all that you would need to move that dumpster back to its original location?

**Mr. Anderson** said, if we go too far below 41 spaces, he worries about the lease ability of the building in general.

**Council Member Romaine** asked about the EV charging station requirement in the Town's land use ordinance. She said it is her understanding that we are required to have two charging stations and at least eight spaces that are EV capable.

**Mr. Roupe** said that Tina Moon made note of that earlier in the evening and will be curious to hear the applicant's response. Mr. Roupe said he needs to go back and look at the date when we adopted that into our ordinance. If that postdates their original application date, a new state statute essentially gives them the ability to choose one or the other.

**Council Member Romaine** asked Mr. Anderson to clarify how many bicycle parking spaces are in the plan.

**Mr. Anderson** said there are 16 bicycle parking spaces in the plan.

**Council Member Romaine** asked Mr. Anderson how many people attended the neighborhood meeting.

**Mr. Anderson** said that around a dozen people attended the neighborhood meeting that was held two years ago.

**Council Member Haven O'Donnell** said that in the plans it showed nine trees were going to be planted and yet the plans show far more than nine. She wanted to know if there are any legacy trees.

**Mr. Anderson** said everything you see on the screen is new. There are no legacy trees, there's really nothing on site there. He said that nine is probably the requirement to meet the minimum shading requirements, and that's why that was referenced, but this is what we're planting. There are eight trees that we considered street trees, that would shade the street and then these are the broken buffer plantings that are required. They also screen the parking, so what you see here are all proposed trees to meet various buffer shading street tree requirements.

**Council Member Haven-O'Donnell** asked what size the trees will be, considering where they will be planted.

**Mr. Anderson** said initially they will be between two and a half and three-inch caliper.

**Council member Haven-O'Donnell** said she hopes the corner doesn't become a heat island. She also said that she appreciates all the time and effort that has gone into the plans to create a green space in the center of Carrboro that has been an eyesore for so long.

**Mr. Anderson** said that they wanted to be sure to incorporate this important landscape strip allowing us to get trees that will canopy over the sidewalk there, then shade the parking lot, yet not pushing it back too far where we lose all of a buffer against the neighbor.

**Council Member Haven-O'Donnell** said that she also hopes for some planters in the final plan.

**Mayor Seils** said I want to move us to a point where we can talk about next steps for the Council but before I do that, for the benefit of staff and the applicant, I want to summarize.

You've heard some interest from Council Member Slade about information about the parking justification and what options or considerations the Council might have on that topic, such as the width of the sidewalk along Weaver Street and what flexibility there is to achieve something closer to what's required in the ordinance. Council Member Romaine asked for more information about the dumpster and the location of the dumpster and whether there's flexibility about that and asked for staff to come back with information about the ordinance requirements regarding EV parking spaces. Council Member Haven-O'Donnell asked a question wanting more details around tree canopy on the site.

**Mayor Seils** asked about the design of the bicycle racks and whether they are appropriately designed to fit bicycles and if they meet the modern standards for parking bicycles. He also said that he appreciated that the bicycle parking is covered but has some concern about the distance from the building to the covered bicycle parking in the plan.

**A MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER HAVEN-O'DONNELL, TO CONTINUE THE PUBLIC HEARING TO JUNE 7, 2022 VOTE: AFFIRMATIVE ALL**

The Council took a short recess.

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### **PRESENTATION AND ACCEPTANCE OF THE DOWNTOWN PARKING STUDY**

The purpose of this item was to accept a presentation of the Downtown Parking Study.

Jon Hartman-Brown, Economic Development Director for the Town, gave a short presentation.

Jon Martens from Walker Parking Consultants gave a presentation.

Katie Loovis, Staff Support to the Carrboro Business Alliance and with the Chamber of Commerce, made comments about adjusting the numbers to account for COVID losses, increasing the percentage of parking owned or managed by the town and walkability.

The Town Council discussed the parking study.

The Town Council asked that the study be sent to the following: Economic Sustainability Commission, Transportation Advisory Board, Planning Board, Climate Action Team, Racial Equity Commission, and the Environmental Advisory Board.

**A MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER FOUSHEE THAT THE PARKING STUDY BE ACCEPTED. VOTE: AFFIRMATIVE ALL**

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**RESOLUTION ENTERING INTO PARKING LEASE AGREEMENT WITH FITCH LUMBER**

The purpose of this item was to authorize the Town Manager to sign a parking lease agreement with Fitch Lumber for temporary parking during the 203 Project construct.

Jon Hartman-Brown, Economic Development Director, introduced the item.

**A motion was made by Council Member Haven-O'Donnell, seconded by Council Member Slade that the following resolution be approved:**

**A RESOLUTION ENTERING INTO PARKING LEASE AGREEMENT WITH FITCH LUMBER**

WHEREAS, the Carrboro Town Council has committed to provide additional replacement public parking during the construction of the 203 Project; and

WHEREAS, the Carrboro Town Council directed staff to identify and secure additional public parking leases to for the replacement of the current public parking at the 203 Project site; and

WHEREAS, the Town staff have identified and negotiated a lease agreement with Fitch Lumber, located at 309 N. Greensboro Street, to provide fifty-one (51) spaces for parking through December 2023;

NOW THEREFORE, BE IT RESOLVED by the Carrboro Town Council that:

Section 1. The Town Manager is authorized to sign an agreement with Fitch Lumber to secure lease of fifty-one (51) spaces located at 309 N. Greensboro Street.

Section 2. This resolution is effective immediately and a copy of this resolution shall be forwarded to the Town's Finance Officer.

**This the 26th day of April 2022.**

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

**Ayes:** Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Sammy Slade, and Council Member Danny Nowell

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**MATTERS BY COUNCIL MEMBERS**

**A MOTION WAS MADE BY COUNCIL MEMBER SLADE, SECONDED BY COUNCIL MEMBER NOWELL THAT THE FOLLOWING ACTION BE TAKEN: THE CARRBORO TOWN COUNCIL IS ASKING STAFF TO PROVIDE INFORMATION WELL IN ADVANCE OF THE OPENING OF THE 203 BUILDING ABOUT HOW THE USERS OF THAT BUILDING WILL ACCOMMODATE**

**EMPLOYEE PARKING, PREFERABLY NOT IN THE DECK. VOTE: AFFIRMATIVE ALL**

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The Council is interested in revisiting the question of whether the Town needs a slogan. The Mayor directed the Town Manager to add a discussion about this topic to a future meeting agenda.

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**ADJOURNMENT**

**MOTION WAS MADE BY COUNCIL MEMBER NOWELL, SECONDED BY COUNCIL MEMBER ROMAINE, TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE ALL**

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