



## TOWN OF CARRBORO

### PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

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**THURSDAY, NOVEMBER 5, 2009**

MEMBERS		GUESTS	STAFF
Matthew Barton	Heidi Paulsen	Sunny Macko	Patricia McGuire
Rich Bell	Susan Poulton	Eric Chupp	Thelma Paylor
James Carnahan	Damon Seils	Harold Ennis	Jeff Kleaveland
David Clinton	Rose Warner	TAB	Jeff Brubaker
Sharon Cook		ESC	Randy Dodd
Debra Fritz		NTAAC	<b>BOARD LIASON</b>
			Lydia Lavelle

Absent/Excused: Shoup

#### I. JOINT REVIEW ITEMS

A) Long-range Transit Plan (PB, TAB, ESC, NTAAC) – presented by Jeff Brubaker, Transportation Planner. Brubaker gave the background and next steps in this process. Preview of the final draft of the Chapel Hill and Carrboro 2035 Long Range Transit Plan was released in July, 2009; which provides long-term capital investment recommendations for transit in the Chapel Hill-Carrboro area. David Bonk, Chapel Hill transportation planning manager and the Transit Plan's project manager, and Stephen Spade, director of Chapel Hill Transit presented the plan to the Carrboro Board of Aldermen on Oct. 6, 2009. The Board of Aldermen referred the plan for advisory board and public review, and scheduled a public hearing for November 24, 2009 to receive advisory board and public input. (*Links to the draft plan: <http://www.ci.chapel-hill.nc.us/index.aspx?Page=560>.*) Advisory board members watched the video excerpt of the October 6<sup>th</sup> presentation.

Brubaker's memo noted that, for Carrboro, the preferred service concept includes: express bus service on Hillsborough Rd./N. Greensboro St., originating at Calvander and running downtown and to Carolina North; express bus service on West NC-54, going through Carrboro Plaza, and following a route on the NC-54 bypass, S. Greensboro St., and Estes Dr. Extension to Carolina North; enhanced local bus service on major Town arterials. The plan prioritizes corridor investment into two categories; priority/initial implementation and future implementation. The three gateway nodes in or passing through Carrboro are identified as future implementation corridors.

Advisory board recommendations should be completed in time to submit to the November 24 Board of Aldermen public hearing.

**Q&A:** What are the Carrboro TOD sites? (The area of Carrboro Plaza, most of the B-4 Zoning district near Jones Ferry Road and the bypass around Willow Creek, and the southeast corner of intersection near Homestead Road (including the Hogan Property and a couple of parcels to the west of there). So would that be high density apartments or that kind of thing? (The area around the Hogan property

involves mixed use development with townhouses, offices commercial, and parking). About how many units are we talking about? (McGuire noted she would have to check. It is fairly dense.)

Carnahan noted that the light rail corridor does not continue any further than the university campus; not into downtown Carrboro and up to University North. Carnahan referred to a resolution of support for trains to Carrboro, Resolution No. 40/97-98. He noted that he wanted to make sure that we have a discussion as this goes forward and the sooner we reflect these kinds of ideas, the stronger the possibility that we will achieve those plans. (A copy of the resolution has been attached to these minutes, as has a resolution adopted in 2004 in reference to rail service in/to Carrboro).

David Bonk and Steve Spade will attend the November 19<sup>th</sup> meeting to answer questions and discuss the plan, as is needed.

**B) LUO Text Amendment – Allow 5.110 uses in B-4 zoning district (PB, ESC) Trish McGuire** presented this LUO Text Amendment requested by Sara Macko. This is a legislative action on the part of the Board of Aldermen and a public hearing is set for November 24, 2009. The Board of Aldermen referred the draft ordinance to the PB and ESC for recommendations.

Elementary and secondary schools have a unique classification in the LUO, 5.110. The amendment is requested to allow elementary and secondary schools as permissible use in the B-4 zoning district. Ms. Macko's family owns property in the B-4 zoning district that is under consideration as the new site for Pace Academy, a local charter school that provides secondary education to children in Chatham, Orange, and Wake counties. This location provides a good fit because of the close proximity to the bus line and local businesses. The academy operates under the general course of study in the NC school system. Trade schools and vocational schools are allowed to operate in the B-4 zoning district; but this use is not a trade or vocational school. This school is still a high school and there are professional and vocational opportunities for the students who attend the school because they work in the community. McGuire pointed out the requested location on the overhead along with the entire B-4 zoning district.

Ms. Macko noted the type of students are wide range and they pull from all of the surrounding counties and the reason they want to be able to expand is to add more to the vocational training; which is something they have been looking for about two years and are interested in staying in Orange County.

**Q&A:** Where is this place? (The Harris Distributors property/old Budweiser building next to Willow Creek. UNC's Printing Office used the facility for a couple of years after Harris Distributors relocated.) Is this easily reachable on the bus line? (The bus stops right in front of the building.) Is bus access beneficial for students getting to/from school and employment? (75% of the students use the bus line. That was a huge factor when they were trying to find a facility that would work: 1) that it was in Orange County and 2) that it was on the bus line. They were also trying to find the appropriate zoning, but were unable to do so.) Where does your financial support come from? (Charter schools get funding from the counties, state, and federal sources.) So, they get the LEA stuff that any student would get? What percentage of your budget is federal funds? (Macko noted that Pace's would be her tenant and she doesn't have that information. Representatives of PACE Academy are scheduled to attend the hearing on November 24<sup>th</sup>.) Clinton responded that Pace's is a really good organization.

Motion was made by Damon Seils and seconded by Heidi Paulsen that the Planning Board recommends that the Board of Aldermen adopt the draft ordinance allowing 5.110 uses in the B-4 zoning district.

VOTE: Ayes: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner;  
NOES: (0); Abstentions (0); Absent/Excused (1) Shoup.

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the Planning Board of the Town of Carrboro finds that the proposed text amendment is consistent with the following adopted or accepted planning documents:

The noted sections of Carrboro Vision2020, Part I, Section 1.32 and 1.35:

**1.32** The town should continue to support human service needs that are above and beyond those met by the County.

**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 incomes.

Motion in support of these findings was made by James Carnahan that the Planning Board finds the text amendment is consistent with Section 1.32 and 1.35 of Vision 2020.

VOTE: Ayes: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner;  
NOES: (0); Abstentions (0); Absent/Excused (1) Shoup.

**II. INTRODUCTIONS AND ADJUSTMENTS TO THE AGENDA** - It was suggested to discuss and approve the Minutes under additional business.

**III. APPROVAL OF MINUTES** -

**October 1, 2009** - Motion to approve by Seils and seconded by Paulsen to approve the minutes subject to changes noted by Clinton. VOTE: AYES: (6) Clinton, Cook, Fritz; Seils, Shoup, and Warner; NOES: (0); Abstentions (4) Barton, Bell, Carnahan and Poulton; Absent/Excused: (1) Shoup.

**October 15, 2009** - Motion to approve by Seils and seconded by Clinton to approve the minutes. VOTE: AYES: (6) Barton, Clinton, Fritz, Poulton, Seils and Warner; NOES: (0); Abstentions (4) Bell, Carnahan, Cook and Paulsen; Absent/Excused: (1) Shoup.

**IV. OTHER BUSINESS**

**A)** Discussion with Goddard School representatives on building design - Barton requested the Goddard School representatives come forward and present the information they had to offer. They provided the

PB with a Winmore Green Builder Worksheet and to respond to questions about the revised building elevation options.

**Q&A:** Option 1 – Is there anyone that doesn't like option 1? What is going on with the roof in option 2, why is it different and what is the point of it? (Ennis responded that one of the people in the group wanted to see it a different way, a little broken up and they provided that to them. Therefore, they just sent it to everyone.) What about the choice of materials on the exterior walls? (They did not hear from anyone about changing the exterior; some buildings have a variety of exterior materials. Clinton added this was more consistent with the style. Ennis noted they went back and changed to fit better with the Winmore standards. Based on their last meeting with the board and the PB suggestions, they changed the pitch of the roof to be within the Winmore standards of 7 and 12; reduced the height of the roof to be more in proportion to the living space; took out the vinyl railing at the top, and at the peak of the roof, they took all of that off, changed the entrance to get it more symmetrical and more in balance with the building, columns more in proportion with the support beams, removed the dormers; raised the windows to 6'2" windows. The revised elevation was submitted to Winmore staff for review and a few additional changes were made, including jack arches over all the windows with key stones and jack arches in the front and adjusting the size of the columns to better fit with overall scale of the building. Clinton noted they had done a good job and he really likes it.

There were no further questions regarding the project and Seils thanked the Goddard School Project staff for providing the written document; which was submitted to the PB. At this point, McGuire mentioned that Wendy Nielsen Mattuci and Chris Mattuci were available to talk with the PB on the phone regarding the scholarship questions. The phone call to Wendy followed:

**Q&A:** Barton introduced himself as the chair and asked if she had any idea as to what her plans might be in terms of providing some scholarship assistance or other assistance to allow moderately financed families to make any use of the daycare? (Wendy: Not sure what PB is looking for or hoping for. They have been working on the project trying to get it up and running for a couple of years and have invested considerable funds. They have at least two years before they will even know if it is a working operation that will succeed. It is hard to put together specific plans at this time. Wendy added that they can tell the PB what their passion is and the kinds of things they would like to do. Barton responded that for this particular question, the PB is interested in how you consider that you would contribute to the community as opposed to reaping the financial benefit of selling a service to the community. (Wendy noted that she is a nurse and works in the area of hospice care. Children are near and dear to her heart and she and her spouse have several. They expect to seek sponsorship of events/support for research into health care diseases in children. They also hope to be able to respond to situations where families find themselves in desperate need and an example of another Goddard School supporting tuition for a child whose mother died in childbirth was noted. The phone call ended at 8:30 PM and the discussion continued with the green worksheet that was submitted prior to the meeting.

Clinton moved and Carnahan seconded that the Planning Board recommends approval of the modification to the Winmore VMU conditional use permit with Building Option 1 as shown on the attached sheet, and commends the applicant for its commitment to environmentally conscious building through the items identified on the Winmore Green Builder Worksheet also attached.

**VOTE:** AYES: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils, and Warner; NOES: (0); Abstentions: (0); Absent/Excused (1) Shoup.

**B) LUO Text Amendment – Notice of zoning map amendments – Overview:** The Board of Aldermen referred the amendment to the Planning Board for review and set a public hearing on the amendment that brings the ordinance into compliance with a recent amendment to the statute that deals with notification requirements for zoning amendments. After further explanation of Article XX, Section 15-323, McGuire added that Staff recommends that the Planning Board review and adopt a recommendation pertaining to the amendment relating to the notice requirements for zoning map amendments initiated by someone other than the Town or the owner of the affected parcel(s).

Motion was made by Heidi Paulsen and seconded by Damon Seils that the Planning Board recommends that the Board of Aldermen adopt the draft ordinance in order to comply with recent amendments to N.C.G.S. Section 160A-384 requiring non-owner applicants for zoning map amendments to provide actual notice to the owners of the affected parcels.

**VOTE:** Ayes (10): Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (1) Shoup; ABSENT/EXCUSED (1); NOES (0); ABSTENTIONS (0).

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the Planning Board of the Town of Carrboro finds that the proposed text amendment is consistent with the following adopted or accepted planning documents:

Noted sections of Carrboro Vision2020: 1.46, active participation of citizens in community planning

- 1.46 Carrboro should continue its efforts towards community building by encouraging the use of facilitation and conflict resolution. The town should also seek alternatives or supplements to the traditional public hearing format when controversial issues are before the Board.

Motion in support of these findings was made by James Carnahan that the Planning Board finds the text amendment is consistent with Section 1.46 of Vision 2020.

**VOTE:** Ayes: (10) Barton, Bell, Carnahan, Clinton, Cook, Fritz, Paulsen, Poulton, Seils and Warner; NOES: (0); Abstentions (0); Absent/Excused (1) Shoup.

**C) LUO Text Amendment – Adjustments in income levels and other requirements associated with affordable housing units.** McGuire noted the text amendment had been initiated by the Board of Aldermen in response to a request from Robert Dowling of the Community Home Trust. Carnahan offered his opposition to this amendment. Seils explained the rationale for the position of Community

Home Trust – at public hearings over the last year, he had heard about a large gap in subsidy funding related to use of the 80 percent of median income threshold, as well as and ongoing maintenance expenses. Bell noted that we are not doing enough by producing less units and that we should have information and analysis about whether it will be feasible for developers to reach 65%. Carnahan noted the problem is developers come and say in the end, you need to give checks for \$100,000 for this house and Dowling's problem is the person buying the house can only afford \$75,000. Is there any staff analysis of that? McGuire noted that she had participated in meetings and was aware of the CHT's mission to support families and individuals at 65 percent of the median, as well as the mounting maintenance deficit. McGuire indicated that percentage requirements varied throughout the country, that 12.5 percent was used in the moderately priced dwelling units program in Montgomery County Maryland and elsewhere. Barton noted that he did not see how the PB could make any kind of recommendation without additional information.

Robert Dowling will attend the Planning Board Meeting on November 19, 2009 to follow-up and answer questions.

**D) Additional business** – The October 1 and October 15, 2009 minutes were approved and the vote is reflected under “Approval of the Minutes.” One-half hour was requested for the animal/noise ordinance on the November 19, 2009 agenda.

**V. ADJOURNMENT** – There being no further business, the meeting adjourned at 9:27 PM.