



Town of Carrboro

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

Meeting Minutes Board of Aldermen

Tuesday, June 9, 2015

7:30 PM

Board Chambers - Room 110

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

Also Present: David Andrews, Town Manager, Catherine Wilson, Town Clerk, Mike Brough, Town Attorney

Absent: Alderman Sammy Slade

CARRBORO POLLINATOR DAY AND WEEK PROCLAMATION

Mayor Lavelle proclaimed June 13th, 2015 as "Carrboro Pollinator Day" and June 13th-June 21st, 2015 as "Carrboro Pollinator Week" in Carrboro.

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO APPROVE THE MINUTES OF MAY 26, 2015, AS AMENDED. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

ZIP CODE RESULTS OF WEB-BASED PRE-SURVEY

An electronic survey on Zip Code Boundary Review was administered by Town Staff during two weeks of April. This item allowed the Board to review the results of that survey.

MOTION WAS MADE BY ALDERMAN GIST, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ACCEPT THE REPORT. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELECT AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE HOMESTEAD ROAD MULTI-USE PATH, TO EXECUTE AN UPDATED SUPPLEMENTAL AGREEMENT AND TO EXECUTE A CONTRACT FOR CEI SERVICES FOR THE SAME PROJECT

The purpose of this item was for the Board of Aldermen to consider authorizing the Town Manager to select a contractor and execute a contract with such contractor to construct the Homestead Road Multi-Use Path, to execute an updated Supplemental Agreement with NCDOT to reflect later milestones relating to project completion, and to execute a contract with Summit Design and Engineering to conduct Construction, Engineering and Inspection (CEI) services for the same project.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this resolution be approved.

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELECT AND EXECUTE A CONTRACT TO CONSTRUCT THE HOMESTEAD ROAD MULTI-USE PATH, TO EXECUTE AN UPDATED SUPPLEMENTAL AGREEMENT AND TO EXECUTE A CONTRACT FOR CEI SERVICES

WHEREAS, The Carrboro Board of Aldermen has adopted a Capital Improvement Project Ordinance for the construction of the Homestead Road Multi-Use Path (identified as Phase 1B of the Bolin Creek Greenway) and has appropriated \$977,730 for this project; and,

WHEREAS, the Town of Carrboro has executed a municipal agreement with the North Carolina Department of Transportation for the design and construction of the Homestead Road Multi-use Path; and,

WHEREAS, on November 22, 2011, the Board of Aldermen awarded a contract for preliminary engineering to Kimley-Horn and Associates; and,

WHEREAS, the preliminary design work has been approved by NCDOT as is ready for bid; and,

WHEREAS, the Town has selected through a Request for Qualifications (RFQ) process Summit Design and Engineering to provide Construction Engineering and Inspection (CEI) services for this project.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager:

- 1) to select a contractor and execute a contract with such contractor to construct the Homestead Road Multi-Use Path,
- 2) to execute an updated Supplemental Agreement with NCDOT to reflect later milestones relating to project completion, and
- 3) to execute a contract with Summit Design and Engineering to conduct Construction, Engineering and Inspection (CEI) services for the same project.

This 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

CONSIDERATION OF A TOWN CODE AMENDMENT TO RELOCATE THE SPEED LIMIT SIGN ON WEST MAIN STREET HEADING EAST INTO DOWNTOWN

The purpose of this item was for the Board of Aldermen to consider relocating the 25 mph speed limit sign on West Main Street heading east, toward downtown, to better align with Carrboro Elementary School Zone.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this ordinance be approved.

AN ORDINANCE AMENDING THE TOWN CODE TO RELOCATE THE SPEED LIMIT SIGN ON
MAIN STREET (SR 1010)
ORDINANCE NO 11/2014-15

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article III of Chapter 6, Section 6-16 of the Carrboro Town Code (Speed Limits)(3) Twenty-five (25) miles per hour: is amended to read as follows:

Main Street* (SR 1010) from a point 0.15 mile west of Hillsborough Road* (SR 1009) to Greensboro Street *(SR 1919/1772), and Main Street* (SR 1010) from a point 0.01 mile east of Davie Road to the intersection of Hillsborough Road* (SR 1009) extending east to Greensboro Road* as described above.

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 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

CONSIDERATION OF A TOWN CODE AMENDMENT RESTRICTING PARKING IN THE TOWN HALL AND TOWN COMMONS LOTS FROM 3 AM TO 7 AM

The purpose of this item was for the Board of Aldermen to consider an amendment to the Town Code to prohibit late night/early morning parking in the Town Hall and Town Commons lots for any purpose other than Town business.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this ordinance be approved.

AN ORDINANCE AMENDING THE TOWN CODE PROVISIONS RELATING TO PARKING AT
TOWN HALL
ORDINANCE NO. 12/2014-15

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article IV of Chapter 6, Subsection 6-19(b)(10) of the Carrboro Town Code (parking prohibited in certain locations at certain times) is amended by adding new subsections (10)(a) and (10)(b) to read as follows:

(10) In the municipal lot located at Carrboro Town Hall and the Carrboro Town Commons, four designated spaces are reserved for visitor parking for not more than two hours, eight designated spaces are reserved for Town of Carrboro vehicles, and one designated space is reserved for use as a loading zone.

(10)(a) Town of Carrboro employees or others attending to Town of Carrboro business shall be provided with parking at the municipal lot at Town Hall and the Town Commons. Employees and others requiring overnight parking shall place a Town issued parking pass on the dash of the vehicle for identification.

(10)(b) Notwithstanding the foregoing exceptions, there shall be no parking from 3:00 a.m. to 7:00 a.m.

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 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

CONSIDERATION OF A TOWN CODE AMENDMENT RESTRICTING PARKING ALONG STARLITE DRIVE

The purpose of this item was for the Board of Aldermen to consider an amendment to the Town Code restricting on-street parking along a segment of Starlite Drive.

A motion was made by Alderman Gist, seconded by Alderman Haven-O'Donnell, that this ordinance be approved.

AN ORDINANCE AMENDING THE TOWN CODE TO SPECIFY PARKING RESTRICTIONS
ALONG STARLITE
ORDINANCE 13/2014-15

THE CARRBORO BOARD OF ALDERMEN ORDAINS:

Section 1. Article IV of Chapter 6, Section 6-19 of the Carrboro Town Code (Parking Prohibited in Certain Locations at Certain Times)(b)(1) is amended by adding a new subsection (pp) to read as follows:

(pp) The south side of Starlite Drive from the intersection of Starlite Drive and Broad Street to the point one block east where Starlite Drive takes a forty-five degree bend to the south, before it continues to the intersection with Sunset Drive.

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 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

CONTINUATION-4 OF PUBLIC HEARING ON THE CONDITIONAL USE DISTRICT REZONING AND CONDITIONAL USE PERMIT FOR 501 SOUTH GREENSBORO STREET

The purpose of this item to hold the fourth continuation of the public hearing, opened on April 28, 2015, to consider the request for an M-3-conditional use (M-3-CU) rezoning and conditional use permit (CUP) to allow for the construction of a three- to four- building commercial development on property located at 501 South Greensboro Street. This item has been considered at the April 28th, May 5th, May 26th and June 2nd meetings.

Marc Serre, a resident of Purple Leaf Place, thanked the Board and stated that the neighbors want the road to remain closed to vehicle access and if the additional screening offered to some neighbors could be extended to all closest neighbors.

Sharon Collins thanked the Board, staff, and the developers for their efforts. She stated that the developer has agreed to extend curb and gutter north toward Main Street, has offered to improve the landscaping and driveway. She stated that it is hard to know exactly what they will be dealing with until the project begins. She praised the efforts of the developers but stated that she remains opposed to the roundabout on South Greensboro Street. She mentioned a burned out home on South Greensboro and asked the Town to look into that. In response to a question from Alderman Gist, she stated that she is favorable to the offers made from the developer and that she still remains against the project as proposed.

Brian Kileff, representing the developers, stated that this project has been daunting and that it is a project that will help with the flooding and make the entrance way so much nicer. He asked for the Board to approve the project and help them move along.

Runyon Woods, also representing the developer, explained the requested change for delivery times in condition #46. He also talked about the impact that the roundabout will have on Pat and Sharon's property. Alderman Gist asked the developer if they would be willing to add a condition that provided for a payment if an appraisal showed a negative impact on the property value.

Rob Joyner, a resident of Purple Leaf Place, asked for clarification on the specifics of additional landscaping offered for screening for the Koonce's. The neighbors are amenable with the change of delivery times. He asked that a traffic engineer inspect the additional landscaping at the roundabout.

Runyon Woods stated that sight triangles will be preserved on the roundabout design. He stated that they are looking into planting street trees along the west side of Purple Leaf Place. He also has requested that OWASA allow plantings on their easement through the Koonce's property.

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN CHANEY TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

Alderman Seils and the Board discussed condition #39, selected "option B" with amended language.

Alderman Chaney asked the Board to revisit the discussions that the Planning Board had with the community regarding information provided to community and the developer so that if an appraisal was requested, that it be provided early on. Alderman Gist stated that she wanted to have conversations about ways to even the playing field, who pays for what, the time that is spent, and to include the appraisal of affected properties. She suggested tweaking the public hearing process because it does not feel comfortable the way the regulations are currently written.

Alderman Haven-O'Donnell stated that there was a similar question regarding the roundabout on Smith Level Road and asked if citizens had said anything. Trish McGuire, the Town's Planning Director, stated that nothing has been heard from the neighbors. Alderman Haven-O'Donnell asked for staff to review the public hearing process.

Alderman Johnson asked Mike Brough if he was aware of any communities have required the developer to pay for a loss of property value from development. He stated that he is not but that he is familiar with Town's that hire their own traffic consultant to review the traffic impacts and stormwater consultants.

Alderman Seils asked if there was a need to include the condition to extend additional curb and gutter running north along South Greensboro. It was decided that condition #42 will be amended per the email dated June 5, 2015 from Runyon Woods.

Alderman Gist asked for the developers to make sure that plans for road closings and impacts are made available as soon as possible in advance. She specifically mentioned Chapel Hill Transit and School Schedules. Alderman Haven-O'Donnell requested that a link be added from the construction site to the Town's website.

Alderman Gist stated that she is not in favor of the roundabout based on location and the impact on the neighboring property owners. She also does not think that it will be a good location for a roundabout but that she can't justify voting against the entire project because of the roundabout.

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell, 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

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 AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 5.977 ACRES OF PROPERTY KNOWN AS 501 SOUTH GREENSBORO STREET FROM M-1 (Light Manufacturing) TO M-3- CU (Special Manufacturing-Conditional Use).

NOW, THEREFORE, the Board of Aldermen of the Town of Carrboro Resolves:

Section 1. The Board concludes that the above described amendment is consistent with *Carrboro Vision 2020*, particularly the following provisions:

2.11 Avoidance of Adverse Effects on Public Health and Safety

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 impacts of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

2.42 Carrboro's Character

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.

2.43 Carrboro should plan and encourage the growth of tree canopies over roads to mitigate the heat and smog effect caused by superheated pavement. Carrboro should strongly encourage electric utilities to put their lines underground to allow for full canopy coverage.

2.53 Balance and Controlled Growth

Careful attention should be paid to the carrying capacity of the existing infrastructure as growth occurs.

3.0 ECONOMIC DEVELOPMENT

With the population of Carrboro expected to increase during the Vision2020 period, additional commercial development should be anticipated both downtown and in peripheral areas. Carrboro should seek to reduce the tax burden on single-family owners by increasing the percentage of commercial space in town.

3.1 Nature of Development

In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

3.21 Downtown Vitality

The town should develop a plan to govern the continuing development of downtown. Toward this end, the town should adopt the following goals:

- To double commercial square footage in the downtown from that existing in the year 2000.
- To accommodate additional square footage by building up, not out.
- To increase the density of commercial property in the downtown area.
- To improve the downtown infrastructure (e.g. parking facilities, sidewalks, lighting, shading) to meet the needs of the community.
- To develop transit and traffic initiatives which enhance the viability of downtown.

3.3 New Commercial Growth

Opportunities for new commercial growth exist primarily in four areas: downtown, across from the Carrboro Plaza Shopping Center, within the commercial core of a village mixed-use development, and within new office/assembly conditional use developments. The latter two options are most obviously appropriate in the transition areas, but may be approved throughout the town's jurisdiction.

3.311 Shopping Centers

Before creating new shopping centers, the town should encourage those that exist to maximize their potential by adding stories when and where practical.

3.312 All shopping centers should be connected to residential areas with increased pedestrian access.

3.61 While our citizens may not be able to meet all of their consumer needs in Carrboro, it is important that the town encourage the widest possible diversity of locally operated businesses. The objective is a balanced portrait of convenience: a movie theater, overnight accommodations, home businesses, technology, retail, a variety of department stores, restaurants and entertainment.

3.63 Economic Diversity

The town should encourage the development of underutilized property in the downtown area.

4.0 TRANSPORTATION

The safe and adequate flow of bus, auto, bicycle and pedestrian traffic within and around Carrboro is essential. The public transit system serves to encourage non-auto travel and reduce congestion on existing roads. The town's Land Use Ordinance and economic development policies both address traffic flow in this expanding municipality.

4.12 The Town should continue to implement its connector roads policy.

4.31 The town should fully implement its bicycle and pedestrian network plan. This plan should identify links needed now as well as links that will be needed by 2020.

4.41 Established Roads

As a general policy, established roads should be widened to accommodate bike lanes and sidewalks, but not to provide additional lanes for automobiles.

4.51 The town should continue to require developers to install sidewalks and bicycle paths in new developments.

4.52 New developments should bear the costs of upgrading connector and arterial facilities in the areas adjacent to their properties to the extent appropriate, including upgrades to serve pedestrian and bicycles, given the added load to the infrastructure and anticipated use of facilities.

5.23 Water

Carrboro should be proactive in managing its stormwater, promoting active maintenance of facilities, reducing impacts of increased impervious surface, and minimizing on waterways.

5.51 Energy

The town should publicly promote every available means of energy conservation. The town’s own alternative and renewable energy targets include passive and active solar, and composted waste co-generated to fuel public vehicles and the heating of town facilities.

Section 2. The Board further concludes that the above described map amendment is reasonable and in the public interest because it will create a more vibrant and successful community and will provide essential public infrastructure which will improve a long-term stormwater drainage problem associated with an existing light manufacturing site.

Section 3. This resolution becomes effective upon adoption.

This 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

A motion was made by Alderman Seils, seconded by Alderman Haven-O'Donnell, that this ordinance be approved.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 5.977 ACRES OF PROPERTY KNOWN AS 501 SOUTH GREENSBORO
STREET FROM M-1 (LIGHT MANUFACTURING) TO M-3-CU (SPECIAL
MANUFACTURING-CONDITIONAL USE)
ORDINANCE NO.15/2014-15

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

SECTION 1. The Official Zoning Map of the Town of Carrboro is hereby amended as follows: That

property being described on Orange County Tax Maps as:

Chapel Hill Township, 501 South Greensboro Street (PIN 9778-93-0728), encompassing approximately 5.997 acres as shown on the accompanying map titled, “Rezoning Exhibit M-1 to M-3-CU” is hereby rezoned from M-1 (Light Manufacturing) to M-3-CU (Special Manufacturing-Conditional Use).

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 9th day of June, 2015.

The motion carried by the following vote:

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

Absent: Alderman Slade

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN HAVEN-O'DONNELL THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN SEILS 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 prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, if all necessary additional street right-of-way needed for the

construction of the roundabout is not obtained by the developer and recorded in a final plat, that the location of the roundabout be shifted as needed so as to not require this additional property. Should the roundabout location be shifted, the construction plans will be re-reviewed as necessary to assure they remain in compliance with the permit. If the shift causes substantial changes to the plans it will require approval by the Board of Aldermen.

4. That prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, the applicant pursue relocating the Purple Leaf Place sidewalk extension onto the eastern side of the road instead of the western side as shown in the CUP plans and that this revised connection will include the corresponding revisions to the crosswalks and HC ramps on the plans in the vicinity of these changes.
5. That prior to construction plan approval for grading and soil work, all necessary encroachment agreements be obtained to allow work within the existing Rand Road public right-of-way. Further, that the existing Rand Road right-of-way shall be formally abandoned per Town procedure prior to issuance of a certificate of occupancy.
6. That, regardless of the status of the right-of-way abandonment or dedication, the applicant will provide emergency access (meeting Town Fire Department standards) through the property to Purple Leaf Place throughout the construction process.
7. That prior to approval of the construction plans authorizing installation of the project's infrastructure internal to the site, the applicant receive a driveway permit from NCDOT in accordance with any conditions imposed by such agency including but not limited to encroachment/maintenance agreements for lighting and sidewalks.
8. That an appropriately sized public easement be provided for the sections of the proposed 10' bicycle path/greenway facility that are not located within the public street R/W.
9. That, in the construction plans the multi-use path be designed to meet or exceed the specifications identified in the AASHTO Guide for the Development of Bicycle Facilities and the applicable design recommendations in the Town of Carrboro Comprehensive Bicycle Plan.
10. That at least one accessible parking space be provided in close proximity to the main entrance of Building 3 in the option A site plan proposal.
11. That the applicant must obtain approval from the Town (either at a staff or Board level as determined by the LUO), if changes to the allocation of uses in the commercial buildings or the hours of operation of the businesses result in parking requirements that exceed the parking amount approved by the permit.
12. That the Board of Aldermen hereby finds that parking spaces shown on Option A (180 spaces) and Option B (179 spaces) are sufficient to serve the proposed development based on the applicant's justification statement regarding joint use of the proposed parking spaces and the site's proximity to residential neighborhoods, bus lines, bicycle lanes and existing pedestrian facilities. This justification also includes the accommodation for allowing the

- parking area behind Building 2 to be used for outdoor inventory storage. Should the use of these spaces for storage contribute to a parking problem for the development, the storage shall be removed sufficiently to restore the needed parking spaces for use.
13. Should the installation of HC spaces to serve Building 3 in the Option A site plan be required, that these parking total numbers be allowed to be reduced by one or two spaces if necessary to allow the installation of the HC spaces.
 14. That the Board of Aldermen hereby finds that that the loading and unloading areas shown on the plans are sufficient to accommodate delivery operations in a safe and convenient manner based on information provided by the applicant.
 15. That the construction plans demonstrate compliance with the tree canopy coverage standards of Section 15-319 prior to construction plan approval.
 16. That the proposed NCDOT drainage improvements for S. Greensboro Street be coordinated and installed in advance-of or concurrent-with the installation of the South Green drainage improvements.
 17. 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.
 18. Per Section 15-263.1, that the developer shall include a detailed stormwater system maintenance plan, specifying responsible entity and schedule. The plan shall include scheduled maintenance activities for each stormwater BMP in the development, performance evaluation protocol, and frequency of self-reporting requirements (including a proposed self-reporting form) on maintenance and performance. The plan and supporting documentation shall be submitted to Town engineer and Environmental Planner for approval prior to construction plan approval.
 19. That, prior to issuance of a CO, a final plat, or the certification of a stormwater BMP, the Town may require a performance security to be posted for a period of two years per the provisions of Section 15-263(i).
 20. That any necessary temporary or permanent easements be obtained prior to the approval of construction plans for each stage of the development. Easements shall also be shown on the final plat when it is recorded.
 21. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans.

22. Prior to construction plan approval, all proposed lighting within public rights-of-way must satisfy the Public Works street lighting policy.
23. That fire flow calculations and building-sprinkler design(as required) must be submitted and approved by the Town Engineer and Town Fire Department prior to construction plan approval.
24. That the Board of Aldermen hereby finds acceptable the deviations from the architectural requirements of Section 15-178 of the LUO per the elevations and information presented at the public hearing.
25. That prior to construction plan approval, the applicant submit materials to satisfy the Construction Management Plan provisions of Section 15-49(c1).
26. That prior to issuance of a certificate of occupancy, a final plat will be recorded including the three new lots and the newly established Rand Road public right-of-way. This plat will show all necessary easements.
27. The applicant shall include striped crosswalks on all four sides of the roundabout subject to NCDOT approval.
28. The applicant shall paint sharrows in the roundabout subject to NCDOT approval.
29. The applicant shall show sharrows on the construction plan along Rand Road.
30. That, if allowed under the related provisions of the American's with Disability Act, the construction plans shall show the multi-use path splitting into two paths so as to serve both sidewalk ramps on the southeast quadrant of the roundabout.
31. That the construction plans shall show painted crosswalks at all sidewalk and multiuse path crossings.
32. That the construction plans show raised crosswalks or an alternative crosswalk treatment wherever practicable particularly where the multiuse path crosses the entrance to the parking lot for Building 2.
33. That the construction plans shall install stop signs where all of the driveways enter Rand Road subject to Public Works approval.
34. That the construction plans shall include adequate lighting along the multiuse path behind Buildings 3, 4 & 5.
35. That the construction management plan include wayfinding signs for re-routing cyclists during construction.
36. That the construction plans shall not include any plants recognized as invasive plants by North Carolina Invasive Plant Council in the piedmont of North Carolina and that the

applicant's Landscape Architect shall provide written justification for the use of non-native species.

37. That the construction plans shall include LEDs lights for all of the outdoor parking area light poles and provide for the option of LED lighting, indoors.
38. That the applicant consider establishment of terracing of the steep slope to allow for uses as an alternative to a steep, continuous vegetated slope.
39. That the applicant consider other cost effective energy efficiency measures such as heat recovery units and geothermal systems to the extent feasible.
40. That the owner shall to strive to abide by Fair Trade standards as defined by the Local Living Economy Task Force Recommendation number 6 and seek to recruit locally owned businesses.
41. The developer shall comply with the following nine M-3-CU performance measures as identified below and therefore is granted 40% restaurant use for the property:
 - a. Flooding mitigation (satisfies performance measure 1);
 - b. Permeable paving (satisfies performance measures 2& 3) construction of the roundabout (satisfies performance measures 4 & 5);
 - c. LED parking lot lights (satisfies performance measure 13);
 - d. Use of devices that shade at least 30% of the south and west facing building elevations (satisfies performance measure 9);
 - e. Use of Low Emissivity (low-e2) windows along south and west facing building elevations (satisfies performance measure 10);
 - f. Installation of attic insulation that exceeds the current building code R-value rating by 35% or greater (satisfies performance measure 11).
42. That electrical service conduit is provided within the buildings for the purpose of facilitating convenient future installation of rooftop solar photovoltaic arrays.
43. That the developer include the possibility of Commercial Organic Waste Collection in their solid waste management plan. Said service shall be operated insofar that it does not create an odor nuisance to the surrounding community and shall be subject to the additional condition regarding solid waste.
44. That an offer be made by the applicant to the owner(s) of the property located at 436 S. Greensboro St (PIN 9778834808) to mitigate the impacts of the installation of the roundabout through the provision of additional landscaping and site work and the extension of curb and gutter north on South Greensboro street to the extent allowed by NCDOT. The developer will rebuild the dry stack wall to the west of the property located at 436 S. Greensboro St. and offer to relocate the driveway and build another rock wall to the east side of the driveway following the curb and gutter. Additional landscaping costs will be provided between a budget of \$3,000 and \$4,500.

45. That an offer be made by the applicant to the owner(s) of the property located at 212 Purple Leaf Place (PIN 9778848092) to mitigate the visual impacts of the project in their vicinity through the provision of additional landscaping and site work. Plantings will occur within the street right-of-way and the HOA common space if circumstances allow and the correct permissions are obtained. The developer agrees to offer up to \$4,500 in additional screening budget.
46. That solid waste and recycling pickup occur between the hours of 7:30 am and 5:00 pm Monday through Saturday.
47. That the owner and/or property manager will mitigate the nuisance impacts associated with all prospective South Green tenants. Nuisance impacts include but are not limited to, truck deliveries, idling engines, leaf blowing and mowing, and the emptying of trash and recycling containers. Mitigation efforts shall be tailored to fit each particular business as needed and will include, but not be limited to, controlling the location and hours of delivery. Deliveries shall occur between 7:30 am and 7:30 pm, leaf blowing and mowing shall occur between 9 am and 5 pm. Deliveries occurring outside of these hours shall load and unload internal to the site. Refuse disposal outside of enclosed buildings shall occur between 7:30 am and 10:00 pm, and not after 9:00 pm whenever possible. Furthermore, the property owner is required to present a written report to the Town every six months for the first two years of operation and annually for the following eight years thereafter. Furthermore, annually for ten years, the owner will poll neighbors within 1000' of the property to receive their comments regarding the development whereupon the applicant will provide a written report of the results to the Town. The applicant shall add restrictive covenants that reflect this condition.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

MOTION WAS MADE BY ALDERMAN CHANEY, SECONDED BY ALDERMAN JOHNSON THAT THE APPLICATION IS GRANTED, SUBJECT TO THE CONDITIONS AGREED UPON ABOVE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

PROPOSED PARKING STUDY UPDATE

The parking study only received one bid and staff stated that it was needed to reject the bid and go forward with seeking additional bids.

Alderman Gist stated that she remains interested in the philosophical interests of the firm and would like to be involved in the interview process. Alderman Haven-O'Donnell asked for a mission statement to be presented in the RFP.

The Board stated that they will be willing to have a special meeting in August to review the proposals, if needed.

CLOSED SESSION – ATTORNEY-CLIENT PRIVILEGE

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN JOHNSON TO ENTER INTO CLOSED SESSION TO DISCUSS A MATTER OF ATTORNEY-CLIENT PRIVILEGE. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

OPEN SESSION

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ENTER INTO OPEN SESSION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

SETTING A PUBLIC HEARING FOR A LAND USE TEXT AMENDMENT RELATED TO PARKING REQUIREMENTS FOR OUTSIDE SEATING

MOTION WAS MADE BY ALDERMAN SEILS, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO SET A PUBLIC HEARING FOR A LAND USE TEXT AMENDMENT RELATED TO PARKING REQUIREMENTS FOR OUTSIDE SEATING FOR JUNE 23, 2015. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)

ADJOURNMENT

MOTION WAS MADE BY ALDERMAN JOHNSON, SECONDED BY ALDERMAN HAVEN-O'DONNELL TO ADJOURN THE MEETING. VOTE: AFFIRMATIVE SIX, ABSENT ONE (SLADE)