

BOARD OF ALDERMEN

ITEM NO. (E(5)

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 1994

SUBJECT: Award of Audit Contract

DEPARTMENT: Administration	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS:	FOR INFORMATION CONTACT: Larry Gibson, 968-7701

PURPOSE

The purpose of this item is to award the contract for the Town's annual audit for the year ending June 30, 1994, so that work can begin this Spring.

SUMMARY

The administration requested proposals last year before awarding a new contract for the annual audit. Staff reviewed ten proposals from audit firms, ranked them according to experience and price, and recommended that the Board choose from the top three candidates. The Board selected Grant, Sullivan and Company, a local minority-owned firm, on the condition that the firm agree to a contract price of \$18,000, which was the price quoted by the administration's top choice, Dixon, Odom and Company.

Grant, Sullivan and Company performed last year's audit, having agreed to lower their fee from a proposed \$19,155. The administration recommends contracting with Grant, Sullivan and Company for this year's audit at a negotiated fee of \$18,630. (The firm originally proposed \$19,535 as its charges for the second year.)

ACTION REQUESTED

The administration requests that the Board award the contract for the FY 1993-94 audit to Grant, Sullivan and Company, authorizing the Mayor to sign the Engagement to Audit Contract required by the Local Government Commission.

BOARD OF ADJUSTMENT
AGENDA ITEM ABSTRACT

ITEM NO. D(1)

MEETING DATE: April 19, 1994

**SUBJECT: Continuation of a Public Hearing for a Conditional Use Permit (CUP)
Application for the Lake Hogan Farms Subdivision**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
ATTACHMENTS: Additional Information Requested by the Board of Aldermen on March 22, 1994 Response to Alderman Bryan's Fax Response to Jef's Letter of April 10, 1994 Staff Report Recommendations CUP Work Sheet	FOR INFORMATION CONTACT: Keith Lankford, Zoning Administrator 968-7712
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Action Requested (X) Analysis () Summary (X) Recommendation	

PURPOSE

On March 22, 1994, the Board of Aldermen held a public hearing to consider an application for a conditional use permit (CUP) which would allow for the development of 420 single family detached units in seven phases on 310 acres. That hearing was continued until April 19, 1994 so that the town staff could gather additional information in response to several questions from the Board. The town administration has gathered the requested information and is recommending that the Board of Aldermen approve the CUP.

ANALYSIS

See attachments.

RECOMMENDATION

The Administration recommends that the Board of Aldermen approve the CUP application with the staff recommendations noted in the staff report that accompanied the March 22, 1994 Agenda Item Abstract.

ACTION REQUESTED

To approve the CUP application with the noted staff recommendations




TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Robert W. Morgan
Town Manager

FROM: Roy M. Williford, AICP 
Planning & Economic Development Director

DATE: April 15, 1994

RE: Additional Information Requested by the Board of Aldermen
Regarding the Proposed Hogan Farm Development

On March 22, 1994, the Board of Aldermen requested additional information regarding the Hogan Farm Conditional Use Permit. All of the information requested by the Board of Aldermen is attached except requested information concerning the affect of street lights on wildlife. Ongoing efforts are being made to find this information and if it becomes available, staff will present it at the Board of Aldermen's April 19, 1994 meeting.

Please find attached the following information requested by the Board of Aldermen on March 22, 1994:

- a. The average daily traffic counts applicable to this development with an indication of the traffic split between entrances.
- b. A map of the surrounding zones, including the zoned densities.
- c. A map of the Bolin Creek Corridor along the Hogan Property including Hogan Lake, showing the floodplain within this development.
- d. An analysis of the affect of this development on the school system, including information on the cost benefit of this development on the schools.
- e. That the Appearance Commission and Transportation Advisory Board be given an opportunity to review this plan again prior to April 19, 1994.
- f. A report on the possibility of requiring a 100-foot buffer.
- g. A report on the options for lighting, including information from the National Heritage Program concerning the affect of lights on wildlife.
- h. A report on why Chris Hogan Lane is named and why it is being paved since it is considered a driveway.

RMW/jes

attach.




TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Robert W. Morgan
Town Manager

FROM: Roy M. Williford 
Planning & Economic Development Director

DATE: April 14, 1994

RE: Impact Analysis of Hogan Farm on Schools

Please find attached an analysis of the possible impact that the proposed Hogan Farm Development may have on the schools under a build-out condition. The build-out of Hogan Farm will, in all probability, take from seven to ten years to occur which will spread the impact over a number of years. The rate of development will, in all likelihood, occur within the framework of Chapel Hill-Carrboro School's growth rate of between 3% and 4% annually; which also coincides with Carrboro's growth rate.

The attached information analyzes the local school funding sources for the Chapel Hill-Carrboro School System. The School System receives funding from the State and Federal government in addition to the County budget. Overall, the schools received \$16,649,458 (43.89 cents tax rate) in property taxes and \$3,138,014 in State revenues shared through Orange County for a total of \$19,787,472. The revenues generated from property tax are of course generated from all properties, not just houses with pupils. The responsibility for education is spread among all tax payers, including multi-family, single family, commercial, and industrial properties.

The second page of data shows how local revenues are generated from several sample subdivisions in the area. Of the subdivisions sampled, the average housing unit produced \$729.70 in revenues and the Hogan Farm Development produced \$991.53 in revenues per housing unit. The second page also shows the difference between cost and revenues for selected subdivisions. In all cases, housing produced a net cost for schools as expected since other sectors of the tax base, such as commercial and manufacturing properties, share in the overall expense.

The impact of housing is therefore judged by the relative cost produced by the various subdivisions. The average cost per household was \$1,134 and Hogan Farm produced a cost of \$872 per household, lower than average. In addition, Hogan Farm should produce \$315,000 at \$750 per unit in school impact fees.

RMW/jes

attach.

a



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Roy Williford, Planning Director

FROM: Kenneth W. Withrow, Transportation Planner

SUBJECT: Lake Hogan Farm - Traffic Counts

DATE: April 14, 1994

Attached is the summary of average vehicle trip generation for the Lake Hogan Farm subdivision as calculated by the Department of Transportation. These are estimated counts associated with the development at full buildout. I had also asked a Department of Transportation official if he could determine the trip movements from the planned connector road accesses onto either Homestead Road or Highway Old 86 (Old Hillsborough Road). He informed me that the determination of trip movements from either of the connector roads would be an "educated guess". However, a heavier use of Lake Hogan Farm Road to access Homestead Road would be anticipated; due to the fact that this road will be constructed during the earlier phases of the project, and that most of the area's trip generators (shopping centers, UNC, activity centers, etc.) are located to the south and east of the project.

attachment

LAKE HOGAN FARM SUBDIVISION

SUMMARY OF AVERAGE VEHICLE TRIP GENERATION

FOR 420 DWELLING UNITS OF SINGLE FAMILY DWELLINGS

DRIVEWAY VOLUMES

2/24/94

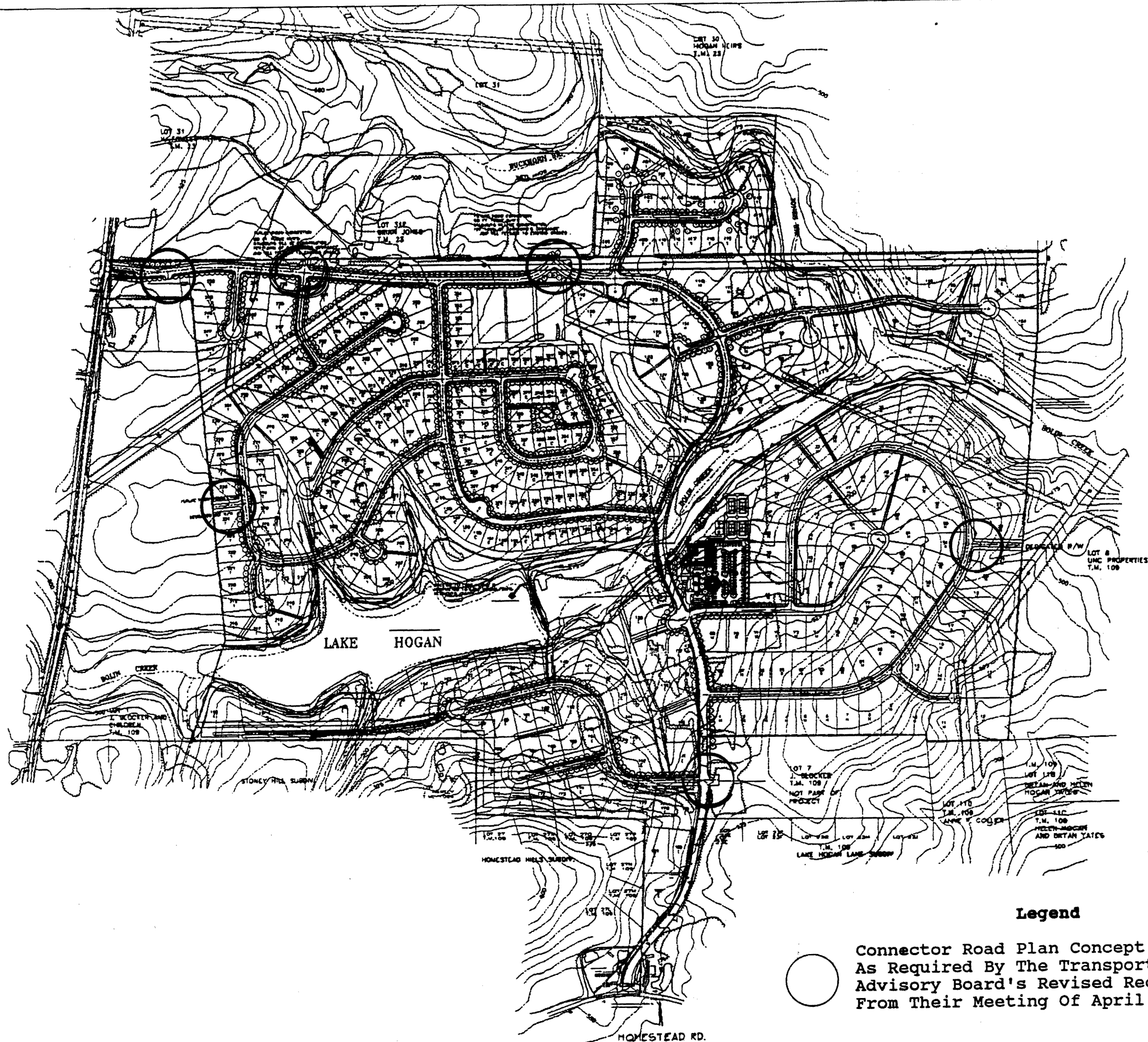
	24 HOUR TWO-WAY VOLUME	7-9 AM PK HOUR ENTER	EXIT	4-6 PM PK HOUR ENTER	EXIT
AVERAGE WEEKDAY	3870	73	207	256	138

	24 HOUR TWO-WAY VOLUME	PEAK HOUR ENTER	EXIT
SATURDAY	4106	209	178
SUNDAY	3705	175	175

Note: A zero rate indicates no rate data available

Source: Institute of Transportation Engineers

Trip Generation, 5th Edition, 1991.



**Young, Jewell
+ Associates, P.A.**
Landscape Architects
Land Planners
2243 S. 10th St.
Tampa, FL 33629

PROJECT NAME:
LAKE HOGAN FARMS
PROJECT ADDRESS:
LAKE HOGAN FARM ROAD
TAX MAP NO. 1M 109-LOTS: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

CLIENT/OWNER:
CAROLINA AMERICAN LLC
DALE E. REDFOOT - PRESIDENT
ADDRESS:
123 BLACKCHERRY LN
CHAPEL HILL, NC
919-429-0510

SHEET TITLE:

DATE: FEBRUARY 21, 1994

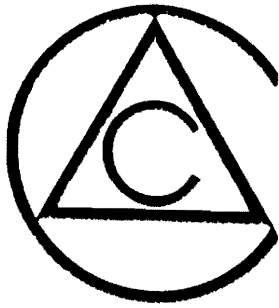
SHEET NO.

STAFF RECOMMENDATIONS

Staff recommends approval of this project with the following conditions:

1. That the land owner (applicant) petition for voluntary annexation on a phase by phase basis prior to final plat approval of each phase.
2. That the location of the trail and the corresponding 50 foot easement to the Town of Carrboro be adjusted in the field to avoid overlapping lots if possible, and to avoid conflicts with OWASA manholes. That OWASA approve the location of the trail during the construction plan approval process. The applicant must remove the word future from the description of the six foot wide bike and pedestrian trail.
3. That additional information be submitted to, and approved by, the Town's consulting engineer for lots 20 and 21, to ensure that the proposed drainage system will render these lots as buildable lots. This shall be done during the construction plan approval process.
4. That joint maintenance agreements between all lots served by the private driveways be established prior to construction plan approval, and that the details for the private driveways be approved by the Public Works Director and the Fire Chief during the construction plan approval process. The driveway design must include mountable curbs around the landscape islands and the vegetation within the islands must be limited to grass.
5. That Duke Power and North Carolina Natural Gas approve the crossings of their easements by roads and storm water and/or sewer pipes prior to construction plan approval, and that any necessary modifications be made to the plans as required by these utility companies.
6. That any office/retail use in, or around, the recreation complex, shall require annexation of the phase that the site is in (ie.--phase 1), then a rezoning and a CUP amendment must be obtained from the Board of Aldermen.
7. That the recreation point requirements of the Land Use Ordinance be verified, and adjusted if necessary, during the construction plan approval process, and that children's playground equipment must account for at least 10 percent of the total recreation points which are required for this project (via the recreation points table in the Land Use Ordinance or the dollar value equivalent of those points as provided for in Appendix G of the Land Use Ordinance).

8. That the detailed design of the creek crossings must be provided during the construction plan approval process, and that all road crossings must meet the federal standards established for "bridges" under ASHTO HS-20.
9. That an application for a permit for the repair and reconstruction of the dam be made to the appropriate state agency upon issuance of the Conditional Use Permit, and that the lake not be refilled until such time as deemed safe and appropriate by the responsible state agency.
10. That the applicant relabel the open play fields as open play fields and associated parking.



**Appearance Commision--Excerpt from the Minutes of the April 7, 1994
Meeting of the Appearnace Commission**

1. The Appearance Commission discussed the new wall/sign plan proposed by the applicant. The members present felt that the design presented was more in keeping with Carrboro. This plan is not so grand or large in scale as the earlier attempts. The wall/sign design is okay.

TRANSPORTATION ADVISORY BOARD

RECOMMENDATION

April 7, 1994

Ms. Heidi Perry moved that the TAB recommend to the Board of Aldermen the approval of the CUP for Lake Hogan Farm, with the revisions to the roadways as seen at the meeting on April 7, 1994; which include Lake Hogan Farm Road being directly connected at the north with a stub-out; with a second north stub-out across from Hogan Run Road; with a eastern connection between lots eighteen and nineteen which will be a cleared stub-out with dedicated right-of-way to the property line and clearing to be done at a later date; with a stub-out across from Stag Ridge Road to the east; and with an original western connection shown on the former Lake Hogan Farm Road; and the addition of a paved stub-out to the property line between lots two hundred twenty-four and two hundred twenty-five; in addition to a stub-out to the south on the westernmost portion for the former Lake Hogan Farm Road. Mr. Neal Mochel seconded the motion.

VOTE: Ayes (Laudati, Mochel, E. Perry, H. Perry, Zaffron)
 Noes (None)

Ms. Heidi Perry moved that all stub-outs where future roads may continue, that the standard boiler-plate signage be posted as per the standing. Mr. Neal Mochel seconded the motion.

VOTE: Ayes (Laudati, Mochel, E. Perry, H. Perry, Zaffron)
 Noes (None)

MEMORANDUM

TO: Roy Williford, Planning Director

FROM: Keith A. Lankford, Zoning Administrator

SUBJECT: Possible 100 Buffer North of the Stoney Hill and
Homestead Hills Subdivisions

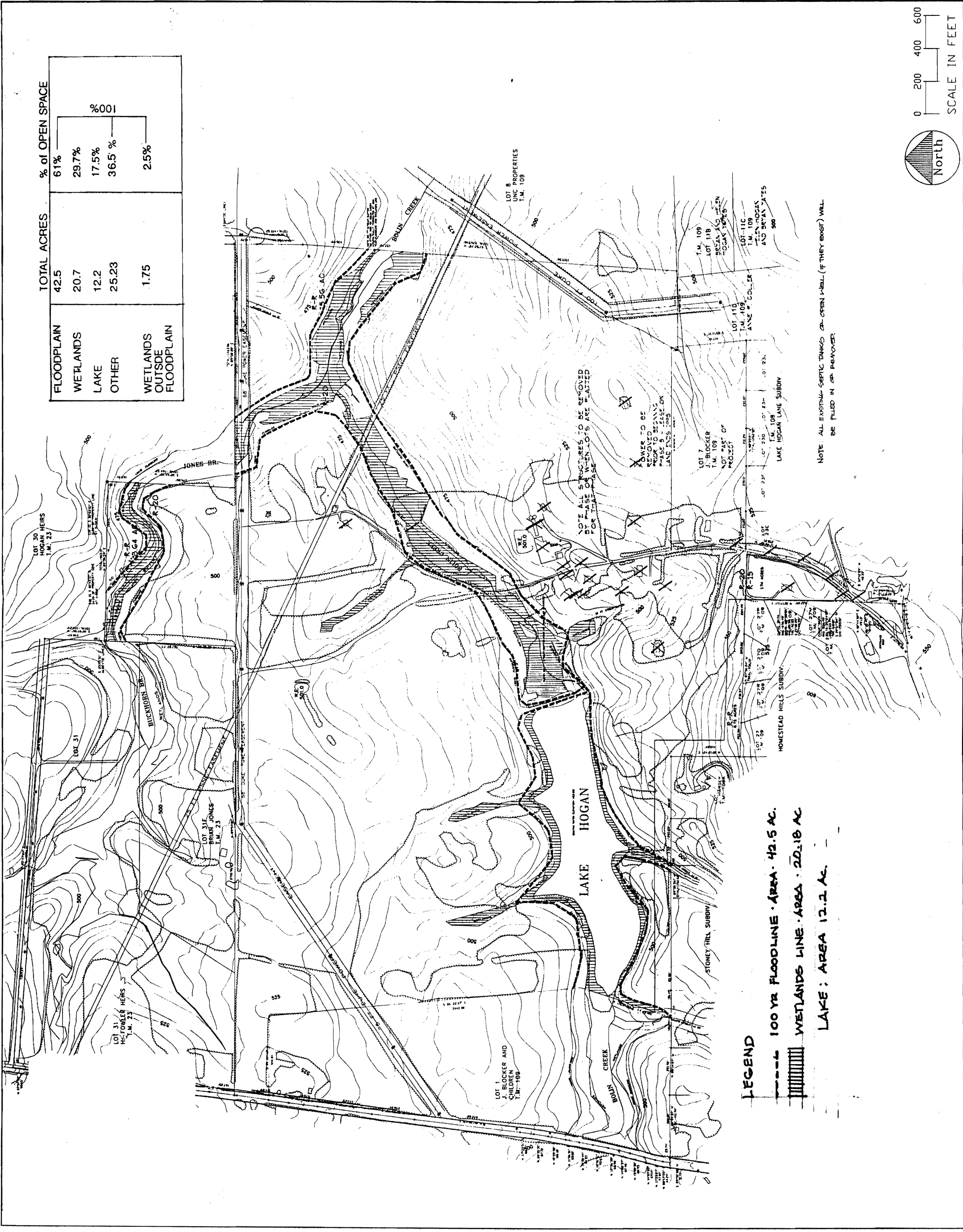
DATE: April 13, 1994

During the March 22, 1994 public hearing for the proposed Lake Hogan Farms Subdivision, the Board of Aldermen requested that the town staff prepare a report on the possibility of requiring a 100 foot buffer north of the Stoney Hill and Homestead Hills Subdivision. The Zoning Division has investigated this matter and offers this report..

If a 100 foot buffer was required, then the 30 foot easement for the private road, (shown on the plans as Chris Hogan Lane), must be moved to the north of the 100 foot buffer. The movement of the private road will, in turn, cause the building setbacks to move deeper into the proposed lots. This will reduce the building envelopes of the lots adjacent to the 100 foot buffer.

Lots 159, 169 and 171 will become unbuildable and lots 170, 171, 172 and 176 will be questionable as to their buildability. This buffer will require the road to cross a slightly wider area of flood plain and wetlands and will move the road to within 20 or 30 feet of another area of wetlands and flood plain (near the common property line of lots 156 and 157). Additionally, the closer proximity of this road to the wetlands may result in slightly more contamination of the wetlands and the lake by storm water runoff from the road. Since this road will only serve three lots and will be only 10 or 12 foot wide, the additional runoff will probably be relatively insignificant.

If the Board of Aldermen chose to impose a buffer between this proposed development and the Stoney Hill and Homestead Hills Subdivisions then, because of the environmental concerns, it would be preferable to have a protected (i.e. - undisturbed) buffer of no greater than 50 feet in width. This should provide a sufficient buffer to the residents of the Stony Hill and Homestead Hills Subdivisions while also providing protection for the wetlands and the lake. This will also make all of the above noted lots buildable. The developer has expressed a willingness to provide a 35 foot buffer along these adjacent, existing neighborhoods (see Brad Young's letter of April 4, 1994 concerning the private Chris Hogan Lane).



LEGEND

- 100 YR FLOODLINE AREA - 42.5 AC.
- ||||| WETLANDS LINE AREA - 20.18 AC
- LAKE : AREA 12.2 AC

NOTE: ALL EXISTING SEPTIC TANKS OR OPEN WELLS (IF THEY EXIST) WILL BE FILLED IN OR REMOVED.



0 200 400 600
SCALE IN FEET

SHEET NO. C

SHEET TITLE:
EXISTING CONDITIONS

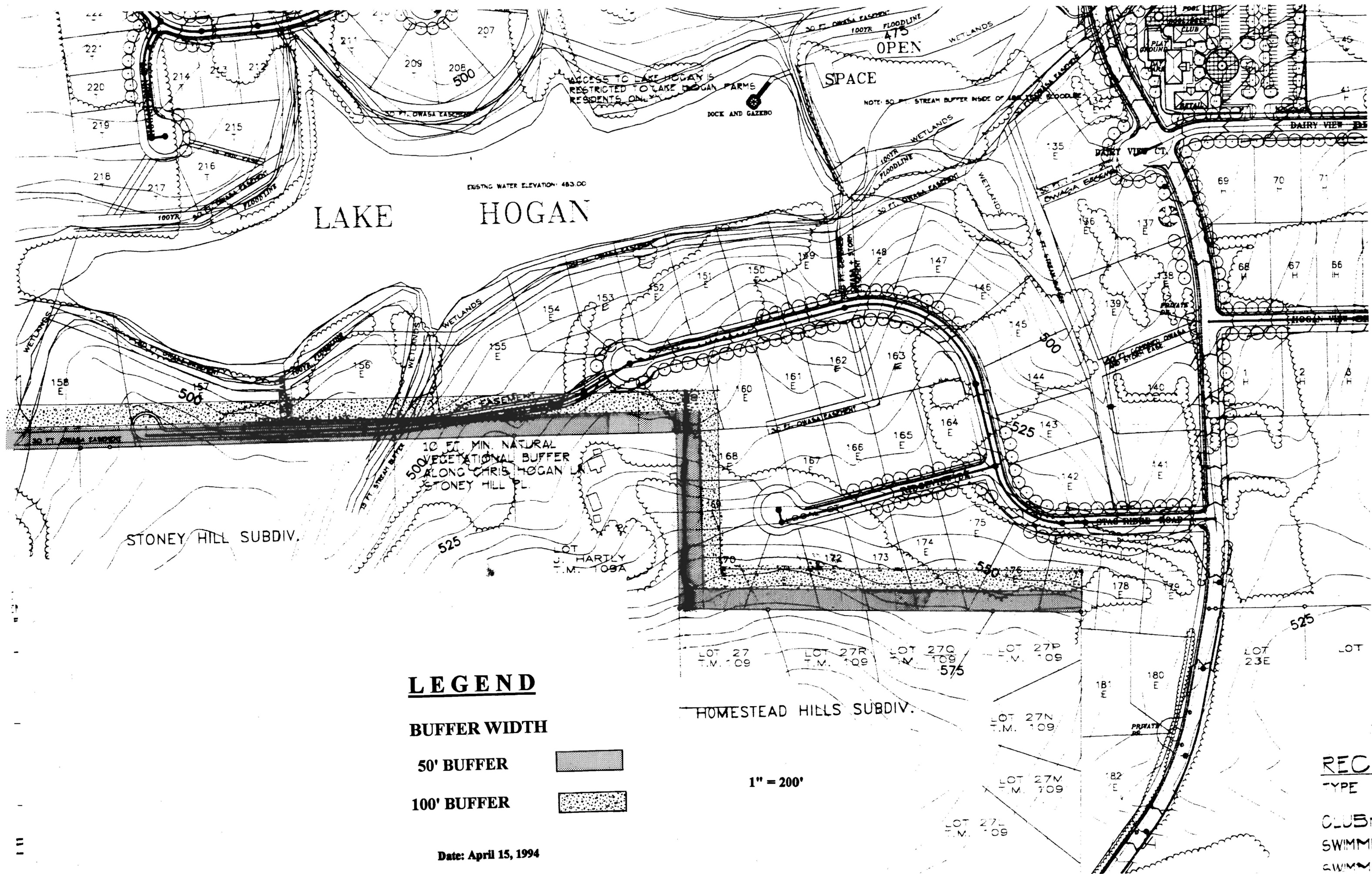
CLIENT/OWNER:
CAROLINA AMERICAN L.L.C.
DALE E. REDFOOT - PRESIDENT
ADDRESS:
123 BLACKCHERRY LN.
CHAPEL HILL, NC
919-429-0510

PROJECT NAME:
LAKE HOGAN FARMS
PROJECT ADDRESS:
LAKE HOGAN FARM ROAD
TAX MAP NO. T.M. 109-LOTS: 2,3,4,5,6,6A,24,25

RECEIVED

TOWN OF CARRBORO
APR 12 1994

PROJECT NO. 94-03-0170
DATE: MARCH 2, 1994
LANDSCAPE ARCHITECTS
+ ASSOCIATES, P.A.
YOUNG, JEWELL
LAND PLANNERS
900 S. 12TH ST.
CHAPL HILL, NC 27515
919-433-3170
FAX: 919-433-3171



MEMORANDUM

TO: Roy M. Williford, Director of Planning/Economic Development
FROM: *MC* M. Chris Peterson, Director of Public Works
COPY: Hogan Farm Subdivision
DATE: April 12, 1994
RE: Hogan Farm Subdivision - Street Lighting

Attached are copies of:

- the town's street lighting policy and standards; and
- the street lighting study conducted by U. N. C. MPA students in spring 1993.

The developers of the Hogan Farm Subdivision have indicated an interest in installing decorative street lights as an alternative to the town's established standards for residential areas.

The town's standards provide for the placement of street lights every 400 to 500 feet, at every intersection and in cul-de-sacs. When a street's length exceeds 500 feet, one (1) light is placed in the middle of the block, or in such a location as to provide lighting every 500 feet. The lights are mounted on salt treated or fiber glass poles (25 to 30 feet in height) with 30 inch arm extensions.

Decorative lights are usually placed on metal poles (12 feet in height) and the quantity of lumen luminaires emitted by the light itself is lower than the standard. Therefore, decorative type lights are placed approximately 120 feet apart in order to provide the same lighting coverage emitted by the standard light.

Previously, the Public Works Department has received at least two (2) other decorative lighting requests from developers. Both requests were denied for the following reasons:

- Cost

Decorative lights are more costly; twice the cost of the town's standard of high pressure sodium lights or the mercury vapor lights and poles

- Number of Lights

The ratio of decorative lights to the town's standard is 3 to 1.

Page Two

- **Monthly Expense**

Decorative lighting would increase the town's monthly street lighting expenditures; thus the additional cost would be borne by the taxpayers.

- **Uniform Lighting**

The town has always strived to provide a uniform lighting pattern in the residential areas.

In the past, Duke Power Company has indicated that they would be willing to invoice either the town or a homeowner's association for street lighting in a particular neighborhood. Then, the town or the homeowner's association would have to re-invoice the other party for the difference between the standard and the decorative cost. The Public Works Department's staff does not feel this is a program the town should become involved in.

The town's current street lighting policy does allow the entryway of a new subdivision to use decorative lighting provided the respective homeowner's association bears 100 percent of the monthly fee to Duke Power Company.

The Public Works Department recommends that all street lighting for the proposed Hogan Farm Subdivision meet the Town's present street lighting standards and policy. Decorative lighting may be used at the subdivision's main entryway if the developer so chooses, providing the Homeowner's Association pays the monthly rental cost at 100 percent.

Please advise if you have any further questions.

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Parks & Recreation

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Dr. Philip K. McKnelly, Director



RECEIVED

APR 11 1994

TOWN OF CARRBORO
ZONING DIVISION

April 7, 1994

Keith A. Lankford
Zoning Administrator
Town of Carrboro
P.O. Box 828
301 West Main Street
Carrboro, NC 27510

Dear Mr. Lankford:

I appreciate your talking to me yesterday about the proposed development at Hogan Lake north of Carrboro. I have reviewed our maps and database and I do find a record of a winter roost of Black Vulture (Coragyps atratus) at "Hogans Farm", dated January 1976. Thirty individuals were observed on that date. This is a Special Concern species in North Carolina. It has shown noticeable declines over nearly all of North Carolina over the past 20 years. These declines are suspected to be due to the decline in dairy farms, loss of farmland in general, and stricter laws regarding disposal of wastes and disposal of farm animal carcasses. This species thrives best where farms are common, and the animals often feed on dead farm animals, as well as on garbage, road-killed animals, and other dead animals.

If the farm at Hogan Lake is still in operation, with farm animals present, it is expected that both the Black Vulture and the Turkey Vulture occur at the farm, both to forage and to roost in woods near the site. Development of the farm will undoubtedly cause the vultures to move elsewhere. With the decline in farmland in Orange County and elsewhere, this will mean a decline in the Black Vulture in the vicinity, as the birds are forced to move elsewhere, or as the birds attempt to breed and reproduce in marginal habitat.

As noted in the phone call yesterday, a full-scale development of the Hogan Lake area will impact the species presently existing at the site, such as deer and various birds. "New" species adapted to residential areas, such as Starlings, House Finches, and American Robins, are expected to increase as other species such as Eastern Meadowlarks and Wood Thrushes are forced to survive elsewhere; habitat for such rural species is becoming increasingly scarce in the southern half of Orange County.

Keith Lankford
Page 2
April 7, 1994

The temporary draining of the lake might not affect beavers, if they have dammed the tributaries of the lake. I do express concern that beavers may begin to cut trees on private lots adjacent to the ponds, as the proposed development of 400+ homes will likely put some lots and homeowners in close contact with the habitat of the beavers.

For additional comments about beavers and other impact to wildlife, I suggest that you contact the Wildlife Management Division of the N.C. Wildlife Resources Commission (919) 733-7291. I hope these comments are of help in your assessment of this proposed development.

Sincerely,



Harry LeGrand
Zoologist, N.C. Natural Heritage Program

Enclosures

03/14/89

ECCODE: ABNKA01010.005

NAME: CORAGYP'S ATRATUS

IDENT: Y

COMNAME:

BLACK VULTURE

EORANK:

SURVEYDATE:

GRANK: G5

SRANK: S3

EORANKCOMM:

LASTOBS: 1976-01

FIRSTOBS:

STATE: NC

COUNTYNAME: NCDORAN

QUADCODE: 3507981

QUADNAME: CHAPEL HILL

PRECISION: M

LAT: 355657 LONG: 790542 S: 0 N: 0 E: 0 W: 0

PHYSPROV: PUWS

WATERSHED:

DIRECTIONS: HOGANS FARM AREA NEAR CHAPEL HILL

GENDESC:

ELEV: 0

SIZE:

0

GEOLOG:

SOILSER:

SOILSUBGRP:

EODATA:

30 INDIVIDUALS AT THIS FARM -- A YEAR-TO-YEAR WINTER ROOST

COMMENTS:

MACODE1:

CONTAINED1:

MACODE2:

CONTAINED2:

MACODE3:

CONTAINED3:

ADDLMAS:

MORELAND:

MOREPROT:

MOREMGMT:

SITECODE:

SITENAME:

OWNER:

OWNERCOMM:

PROTCOMM:

MGMTCOMM:

SPECSTAT:

3

BESTSOURCE: ROBIN CARTER, NOTES TO NHP

SOURCECODE:

DATASENS:

BOUNDARIES:

PHOTOS:

OWNERINFO:

SURVEY:

TRANSCRIBER:

CDREV:

MAPPER:

QC:

UPDATE: 89-03-14 HEL

BLACK VULTURE

Coragyps atratus (Bechstein)

Range and Habitat. Resident in tropical and warm temperate portions of the Western Hemisphere, the Black Vulture occurs in the southeastern United States and north to Maryland, West Virginia, southern Ohio, southern Indiana, and Missouri. Although found statewide in North Carolina, it is uncommon in the mountains.

In North Carolina Black Vultures prefer rural areas, particularly remote, swampy areas and partially wooded farmlands. Black Vultures are quite adaptable; they occur in large numbers in many urban environments of Central and South America.

Life History and Ecology. Black Vultures are social animals, feeding and roosting in large groups. Roosting group membership is flexible as individuals attend many roosts within their ranges. Roost sites are traditional in the sense that the same site may be used for many years whenever food is available, but no one site is occupied every night. Pairs nest solitarily, the same pair returning to the same well-hidden location year after year. They produce one to three, usually two, eggs each year. Historically, nest sites include caves, large hollow logs or trees, and dense palmetto thickets. In the piedmont today, Black Vultures nest mostly in long-abandoned houses or barns, well overgrown with vegetation and far from human traffic. Nesting mortality usually occurs during the egg stage, and the chief predators are dogs. Incubation of 39 days is shared by both parents, young do not fly for approximately 90 days after hatching, and they may be seen near the nest site

for many weeks thereafter. Even after joining a roosting group, young remain dependent on their parents' assistance in feeding interactions within large feeding groups for several additional months (Rabenold 1986). Black Vultures usually feed in groups on large food items—single large carcasses or large piles of smaller ones.

Rationale for Evaluation. Although careful assessment of population trends has not been made, there exists a widespread impression that Black Vultures are not nearly as common as they once were. Almost 60 years ago a decline was noticed (Seeman 1929), and other more recent accounts agree (Carter 1971). Stewart (1984) provides some information on a decline in north central North Carolina; he found an average annual rate of decline between 1975 and 1980 of 20.2%. Summaries of Christmas Bird Counts can be used to suggest general trends, though they do not contribute toward estimating actual population size.

The summary in Table 3 is based only on those census areas that have been fairly regular since the late 1940s. Note particularly the sharp decline between the '50s and '70s in both the piedmont and the coastal plain. The number of Black Vultures sighted per 100 party-hours decreased from 10.3 during the 1946-1965 period to 2.98 during the 1966-1983 period, a 71% difference. While the population has declined statewide, a few local populations appear stable (notably those in the vicinity of Lake Mattamuskeet, Roanoke Rapids, and Chatham County). This suggests that we are not seeing a gradual decline throughout the state, but greater declines in some populations than in others.

The sharp decline probably resulted from the effects of pesticides on vulture eggs (Kiff et al. 1983) and from

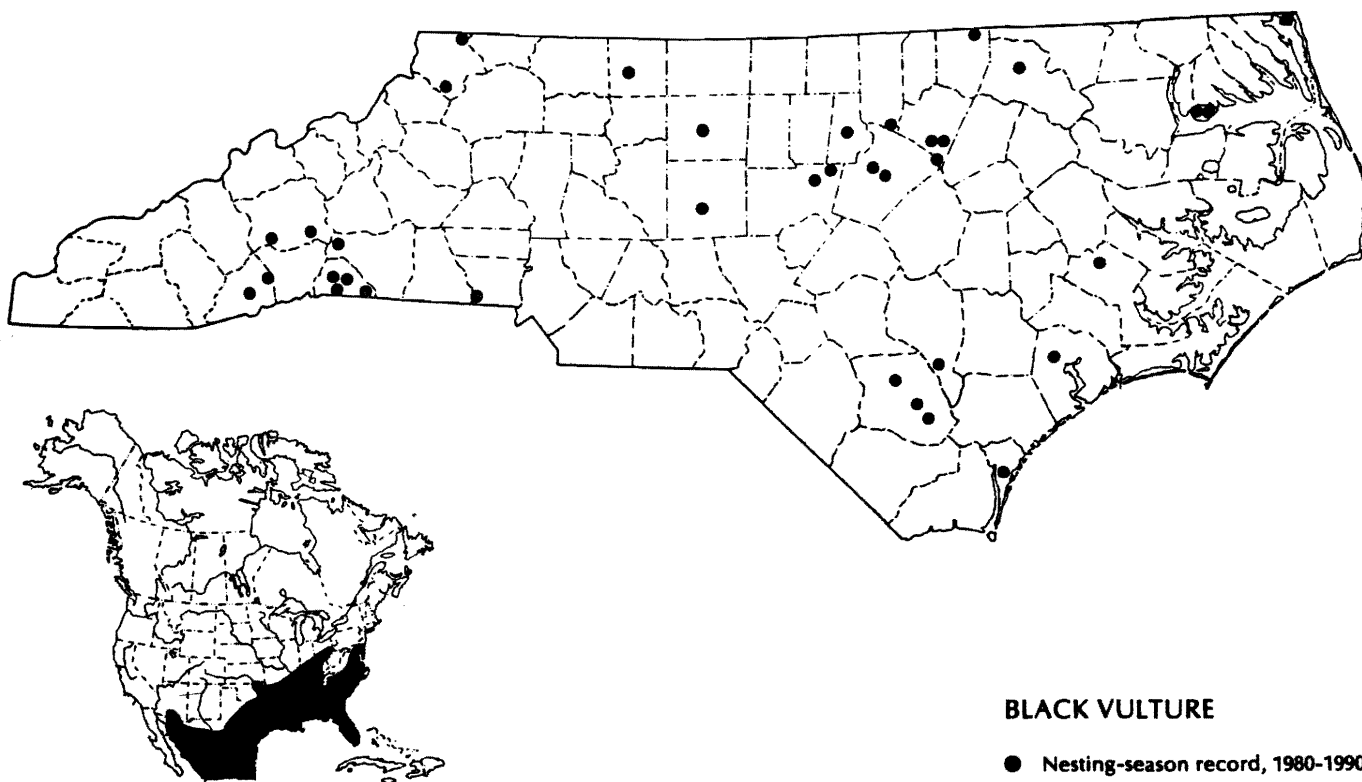


Table 3. Christmas Bird Count summaries (Black Vultures per 100 party-hours) for North Carolina.

	1946-55	1956-65	1966-75	1976-83
Piedmont	8.45	7.21	2.64	1.80
Coastal plain	18.68	14.35	1.72	5.95

enforcement of sanitation laws requiring burial or removal of farm animals within 24 hours of death. The Chatham County population relies almost entirely on dead farm animals, primarily poultry, despite sanitation laws that make much of this resource unavailable (Rabenold 1984).

Continuing problems include the shortage of nest sites and the shooting of birds. The Chatham County population nests exclusively (based on more than 60 observed nesting attempts) in overgrown man-made structures. These structures are being lost at a much faster rate than suitable new sites are being created. The Black Vulture's long incubation and nestling stages (roughly 130 days) and its prolonged use of nest sites by the whole family after fledging make these sites focal points for individual families for almost the entire year. In fact, juveniles finally abandon the nest site at about the time parents begin preparation for the next season's clutch. Jackson (1983) suggests that both Black and Turkey Vultures have suffered lower nesting success since availability of large hollow logs or trees has declined and breeding pairs have moved into thickets and buildings. Shooting of birds in conspicuous roosting trees continues in spite of laws protecting vultures and other birds of prey. Many traditional roost sites have been entirely abandoned as a result of repeated acts of persecution.

Recommendations. Ensuring an adequate number of suitable nesting sites that are free of disturbance throughout the year is of primary importance in any management effort for Black Vultures. These adaptable birds might respond well to artificial nesting chambers placed in suitable habitat.

Supplemental feeding programs (Zimmerman 1975, Friedman and Mundy 1983) have been instituted with success to protect dwindling populations of Cape and Griffon Vultures in South Africa. Interestingly, community involvement there has resulted in open dumping of wastes from some slaughterhouses and meat-packing companies for vulture consumption. Conservation and sanitation interests need not be in conflict. If this sort of program is well controlled, vultures leave little objectionable material behind. Controlled feeding programs structured to comply with the intent of current sanitation laws are easily imagined. Large feeding sites surrounded by a double row of fencing would prevent spread of pathogens into the human food chain by barring entrance to pets and to domesticated animals raised for food.

Vulture roosts are conspicuous targets, and individuals are actually more vulnerable there to human persecution than on the ground in their well-hidden nests. Protection of roosting sites is imperative for maintaining the social order of Black Vulture groups. Specific proposals are lacking here. Community awareness of efforts to protect this well-known bird might reduce casual shooting of vultures in roosts.

LITERATURE CITED

- Carter, J. H., III. 1971. Birds of the central Sandhills of North Carolina. *Chat* 35:91-105.
- Friedman, R., and P. Mundy. 1983. The use of "restaurants" for the survival of vultures in South Africa. Pages 345-355 in *Vulture Biology and Management* (S. R. Wilbur and J. A. Jackson, editors). Univ. California Press, Berkeley.
- Jackson, J. A. 1983. Nesting phenology, nest site selection, and reproductive success of Black and Turkey Vultures. Pages 245-270 in *Vulture Biology and Management* (S. R. Wilbur and J. A. Jackson, editors). Univ. California Press, Berkeley.
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Prepared by PATRICIA P. RABENOLD



Black Vulture (J. F. Parnell)

MEMORANDUM

TO: Roy Williford, Planning Director

FROM: Keith A. Lankford, Zoning Administrator

SUBJECT: Paving Requirements of the Land Use Ordinance
for Private Driveways and Private Roads

DATE: April 15, 1994

The Carrboro Land Use Ordinance does not contain any paving requirements for a private driveway which serves three dwelling units or less. Private roads, which do not meet the standards required of public roads, are allowable if they comply with the requirements of section 15-220.

KAL/lcr

**Young•Jewell
& Associates**

Landscape Architects
Planners

April 4, 1994

Keith Lankford
Zoning Specialist
Town Of Carrboro
301 West Main st.

Re: Lake Hogan Farms

Dear Keith;

We are responding to several questions asked by the Aldermen at the public hearing. We have provided a map showing the lake, 100 year floodplain, and wetlands line area highlighted and tabulated. We did not know or do not know if a private road can not be named. If it can not we don't have a problem with that. As for its width, we want the minimum. We do feel that paving it will keep the dust down and be in the best interest of those involved. As we said in the public hearing, we will keep that road a minimum of 35 feet from the Stoney Hill property line and keep the natural vegetation intact.

Let us know if we can of any further assistance

Sincerely,

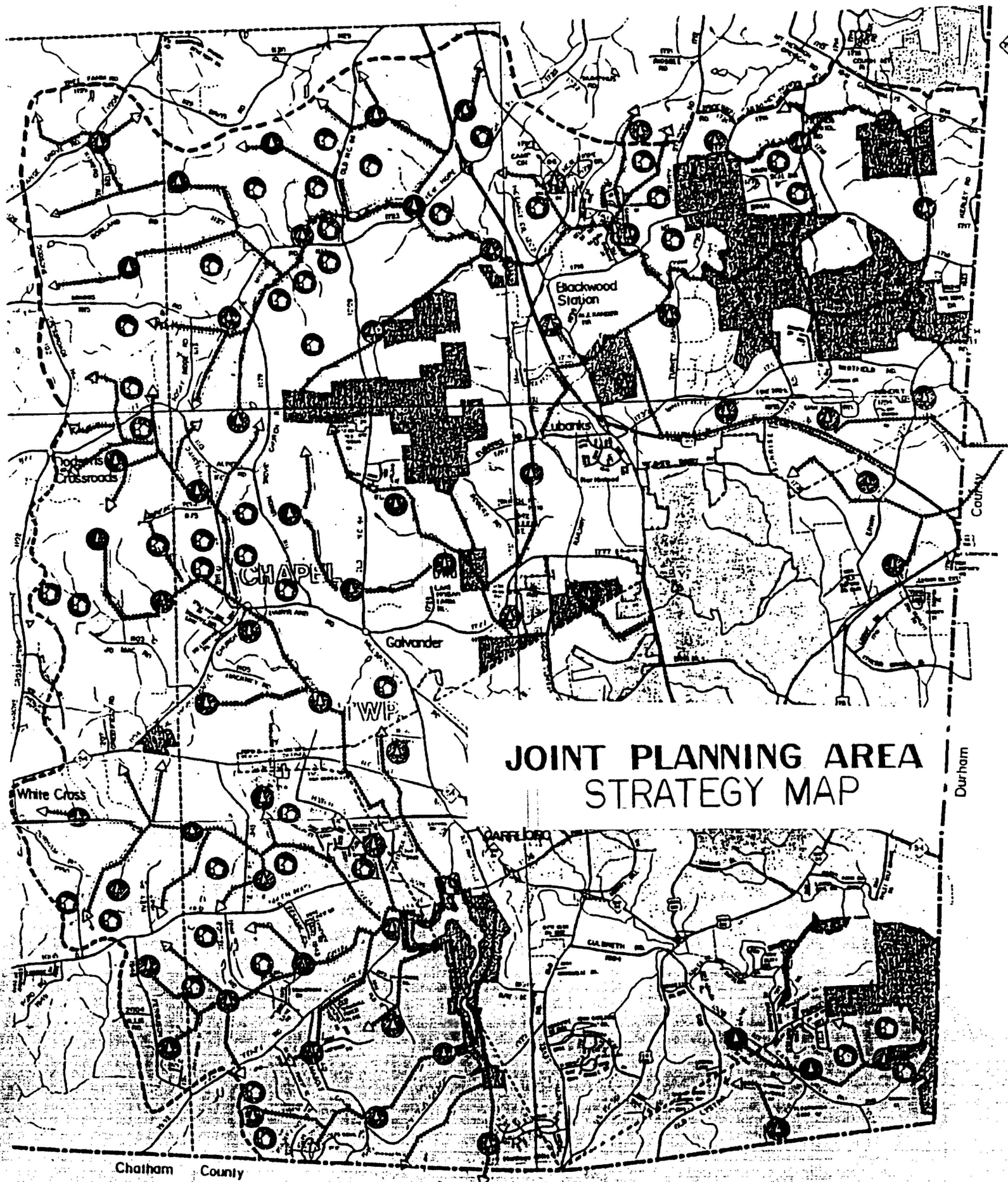


Bradley W. Young

RECEIVED

APR 05 1994

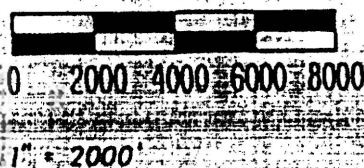
TOWN OF CARRBORO
INSPECTIONS



Legend:

- GREENWAY
- PARK
- FARM PRESERVATION
- PUBLIC/PRIVATE OPEN SPACE AREA

SCALE



ATTACHMENT A

MICHAEL B. BROUGH & ASSOCIATES

MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Michael B. Brough

DATE: May 3, 1993

RE: Consideration of Specific Projects Within Area Being Studied by
Small Area Planning Committee

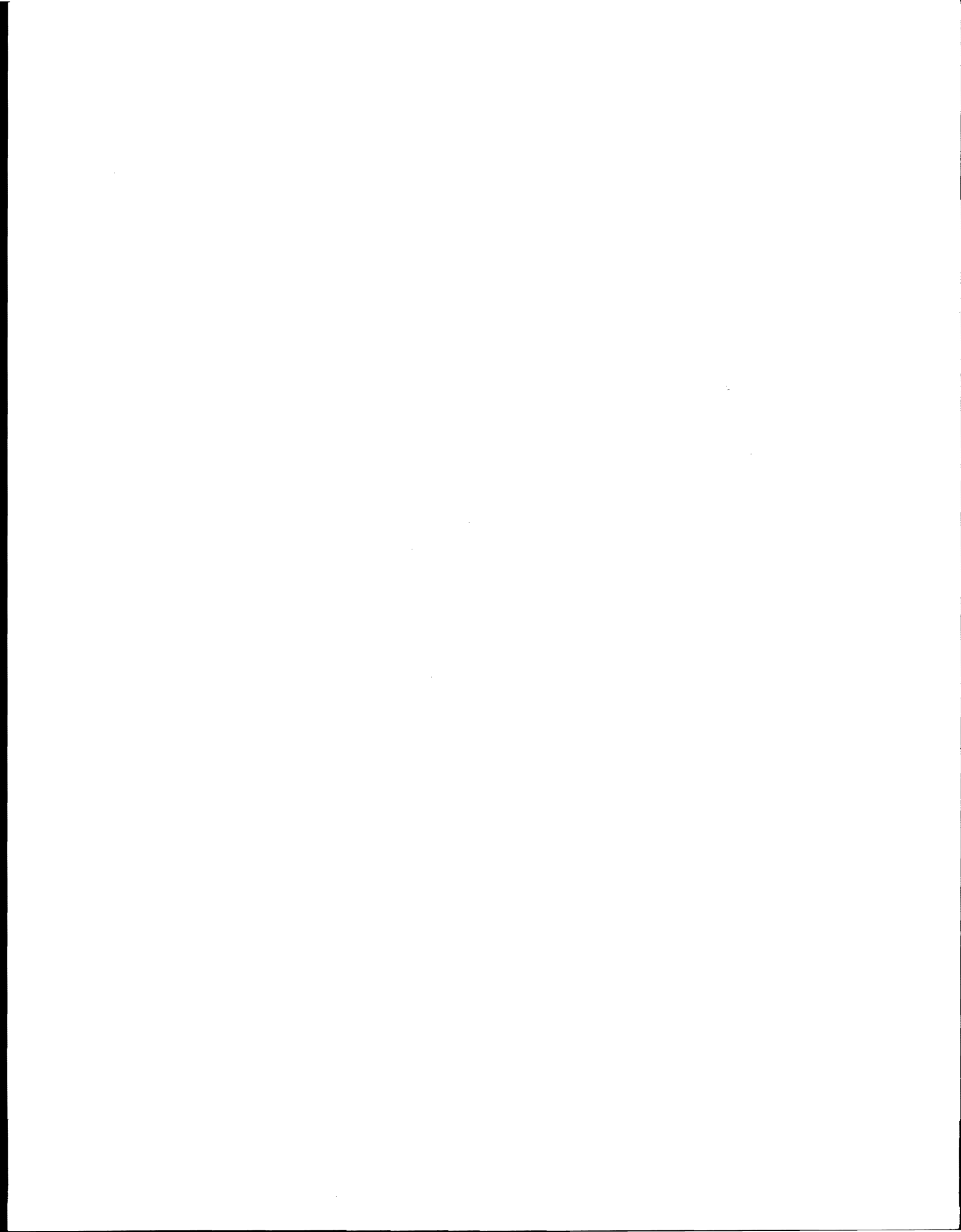
The Board has requested that I present alternative ways in which the Board of Aldermen and the Small Area Planning Committee ("Committee") may deal with proposed rezoning or requested development permits that occur within the Committee's study area pending completion of that study.

With respect to action by the Board, the ordinance provides that rezoning requests that are not treated as initiated by the town may be summarily denied by the Board or the Board may set a public hearing on the request. Thus, the Board is required to allow property owners to petition for rezoning, but the Board is not required to act favorably on such requests, even to the extent of setting a public hearing.

It should also be kept in mind that rezoning requests affecting the transition areas may only be approved after a joint public hearing with the Orange County Board of Commissioners, and both the Orange County Board and the Carrboro Board of Aldermen must approve the change.

Development permit requests are different. The ordinance requires consideration of all such permit requests and specifically directs that public hearings be held on special or conditional use permit requests before a decision is made on an application (Section 15-501(b)). The ordinance could be amended to be more restrictive on the potential uses of property within the study area pending the completion of the Committee's work, so long as the property owners are allowed some economically beneficial use of their properties.

However, once again it is important to note that the joint planning agreement affects the extent to which the Board can act unilaterally to impose additional restrictions on development within the transition areas. Map amendments imposing greater restrictions on development would be subject to the joint approval process described above. Orange County will not approve any amendment that is inconsistent with the Joint Planning Area Land Use Plan (JPALUP), and therefore any proposed zoning (even if designed to be only temporary) that is more restrictive (e.g., in terms of density) than that authorized in the JPALUP could be approved by Orange County only if the JPALUP



were first amended, an action requiring concurrence by all three local jurisdictions. Furthermore, text amendments affecting the Transition Areas may not become effective in those areas if Orange County objects.

In summary, the Board has virtually complete freedom to decide not to enact zoning amendments that would allow development in the Transition Areas at a greater level of intensity than is currently authorized. Conversely, amendments that would decrease permitted levels of intensity may be adopted, but only after an involved process involving the concurrence of Orange County and possibly Chapel Hill. Permit requests must be processed according to existing procedures unless the ordinance text is amended with Orange County's acquiescence.

With respect to the Committee's involvement in rezoning proposals or development permit requests affecting land within the study area, the Board has total discretion to establish that level of involvement. The range of possibilities include everything from no involvement at all to allowing the Committee to make recommendations on every request. Some alternatives that come to mind include allowing the Committee to make recommendations only on developments of a certain size or only on rezoning requests that would allow greater intensity of development than is presently permissible. In making this determination, the Board should recall that the lane use ordinance makes provision for a Transition Area resident to be appointed to the planning board and board of adjustment, and under the joint planning agreement Orange County is sent a copy of all major development permit requests and given at least 45 days to comment on them.

I hope this memorandum is responsive to the Board's request. I would be happy to answer any questions.

/nlj

Date 7/10/14

Roy Wilford

Name of Alderman

Address

City, State, Zip

Dear Carrboro Board of Aldermen

I am writing to you concerning the development of the Hogan Farm Property immediately adjacent to the Fox Meadow Community. My primary concern is the possibility that a connector road will be created to make use of Tallyho Trail to relieve traffic in and out of the Hogan Farm Development. Use of Tallyho Trail for this purpose would create enormous traffic problems and serious safety hazards in our community.

Tallyho Trail was constructed to support the traffic of about one hundred (100) homes of which ~~eighty-six (86)~~ ⁹⁷ are in place and several are under construction. The road way is narrow and winding, twenty (20) feet wide with four blind curves and unlighted. Competition for its use by cars, bicyclers, joggers, etc has already led to some close calls and pet fatalities. This has prompted the community to request the reduction in the speed limit from thirty-five (35) to twenty-five (25) miles per hour.

Other issues of concern are the high density of homes to be constructed in the area, overpopulation of the school system and encroachment on the wetlands around Bolin Creek and Lake Hogan. There is also the potential for involuntary annexation under NC State Law to the Town of Carrboro. For these and other reasons, I strongly oppose the development of the Hogan Farm Property as currently proposed.

Thank you in advance for your consideration.

Sincerely,

Mary Jane Young
8221 Nunomea Ct.
Chapel Hill, NC 27516



4/18/94

Dear Sir & Madam;

Please be informed there are 100 residences on Tullyho Lane and the intersecting streets.

Over 90 children reside in Fox Meadow, some of whom walk to the high school.

The traffic on Hornstead and Rogers Road is increasing daily with delivery trucks, garbage trucks, ^{school buses, construction vehicles} & individual cars. It is not possible to turn onto Hornstead Rd from Rogers Rd before 9:00 A.M. It is difficult anytime.

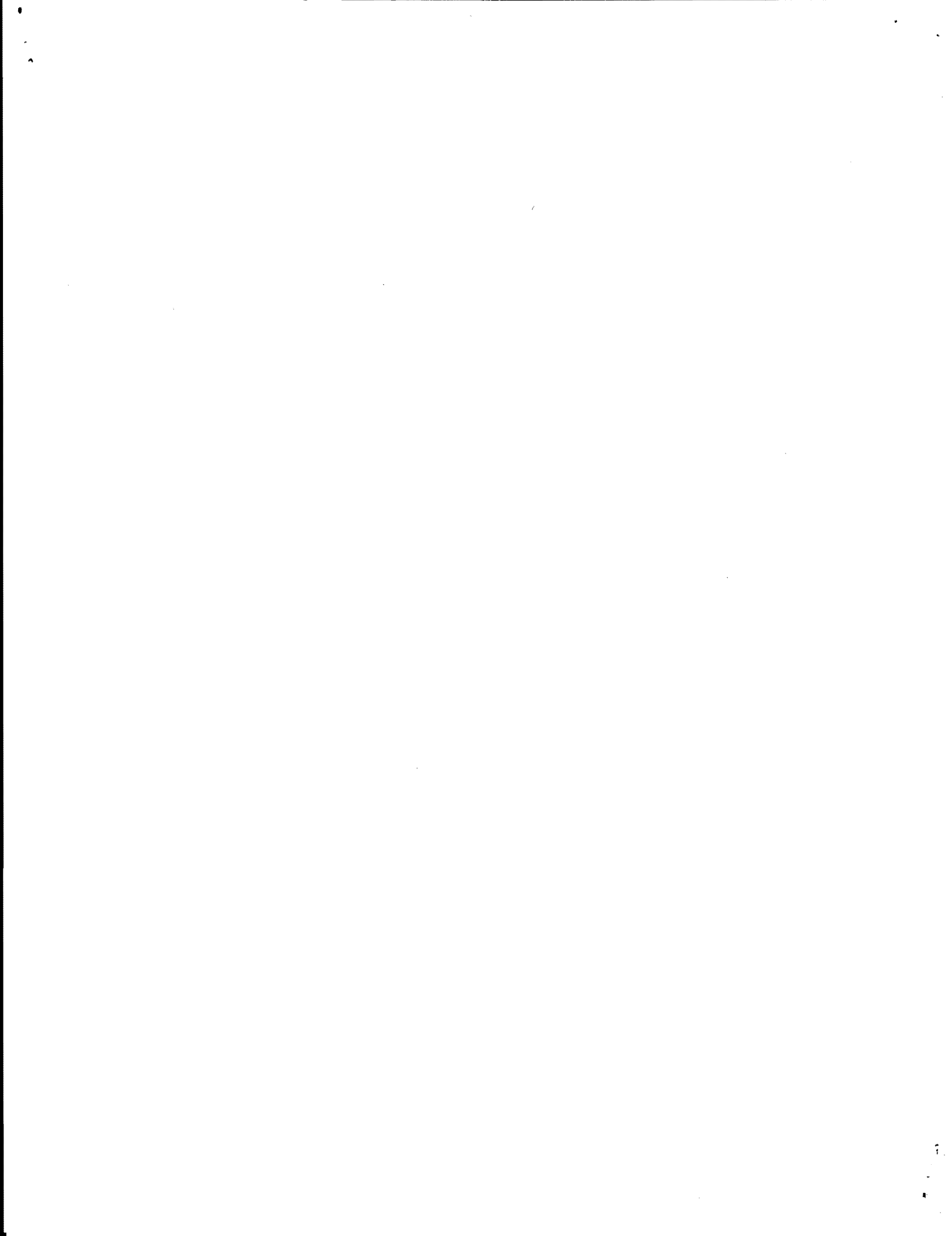
Further increase on ^{in traffic} Tullyho Trail would be dangerous, since it is already heavily traveled. It has blind curves & hills to impede safe driving.

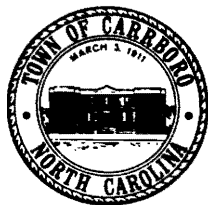
Please have a road plan



in place before approving
any further development in this
area.

Sincerely,
Margaret Young
8221 Hunters Cr.
Chapel Hill, NC
27516





TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Kenneth W. Withrow, Transportation Planner *KW*

SUBJECT: Requested information

DATE: April 18, 1994

The following information is a request by NCDOT regarding entryways into the Lake Hogan Farm subdivision.

attachments





LOT 8
UNC PROPERTIES
T.M. 109

WHERE

NOTE: ALL STREET NAMES MUST BE APPROVED BY ORANGE CO. PLANNING DEPT.

CORNER LOT INTERIOR LOT INTERIOR LOT
FRONT LOADED SIDE LOADED
GARAGE GARAGE

CLUSTER LOTS MINIMUM SETBACKS

NTS

STREET TABLE:

STREET NAME	TYPE	R/W	PAVE WIDTH	SIDE WALK
1 LAKE HOGAN FARM ROAD	COLLECTOR	60 FT.	34 FT.	YES
2 HOGAN VIEW CIRCLE	SUB-COLLECTOR	60 FT.	26 FT.	YES
3 DAIRY VIEW DRIVE	SUB-COLLECTOR	60 FT.	26 FT.	YES
4 HOGAN TRACE	LOCAL	50 FT.	20 FT.	NO
5 TURTLEBACK CROSSING	LOCAL	50 FT.	20 FT.	YES
6 PANTED TURTLE COURT	CUL-DE-SAC	60 FT.	20 FT.	YES
7 BUCKHORN RUN	LOCAL	50 FT.	20 FT.	YES
8 WHITTALE LANE	LOCAL	50 FT.	26 FT.	YES
9 HUNT CLUB BLVD	SUB-COLLECTOR	60 FT.	26 FT.	YES
10 HUNTER'S POINT CIRCLE	SUB-COLLECTOR	60 FT.	26 FT.	YES
11 HOGAN HOLLOW DR.	SUB-COLLECTOR	60 FT.	26 FT.	YES
12 HOGAN HOLLOW COURT	LOCAL	50 FT.	20 FT.	YES
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14 HOGAN RUN ROAD	SUB-COLLECTOR	60 FT.	26 FT.	YES
15 STAGHORN COURT	LOCAL	50 FT.	20 FT.	YES
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18 RIDGEVIEW DRIVE	LOCAL	50 FT.	20 FT.	YES
19 HOMESTEAD ROAD	ARTERIAL	HALF OF 110 FT.	PER D.O.T.	
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22 TURTLEBACK CT.	CUL-DE-SAC	50 FT.	20 FT.	YES
22 HOGAN GLEN DR.	CUL-DE-SAC	60 FT.	26 FT.	YES

SHEET INDEX:

SITE PLAN	1
PHASING PLAN	2
UTILITY PLAN	3
LANDSCAPE PLAN	4
EXISTING CONDITIONS	5
100' SCALE SOUTHEAST	6

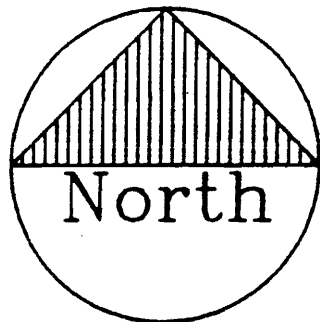
CLIENT/OWNER :

CAROLINA AMERICAN L.L.CO

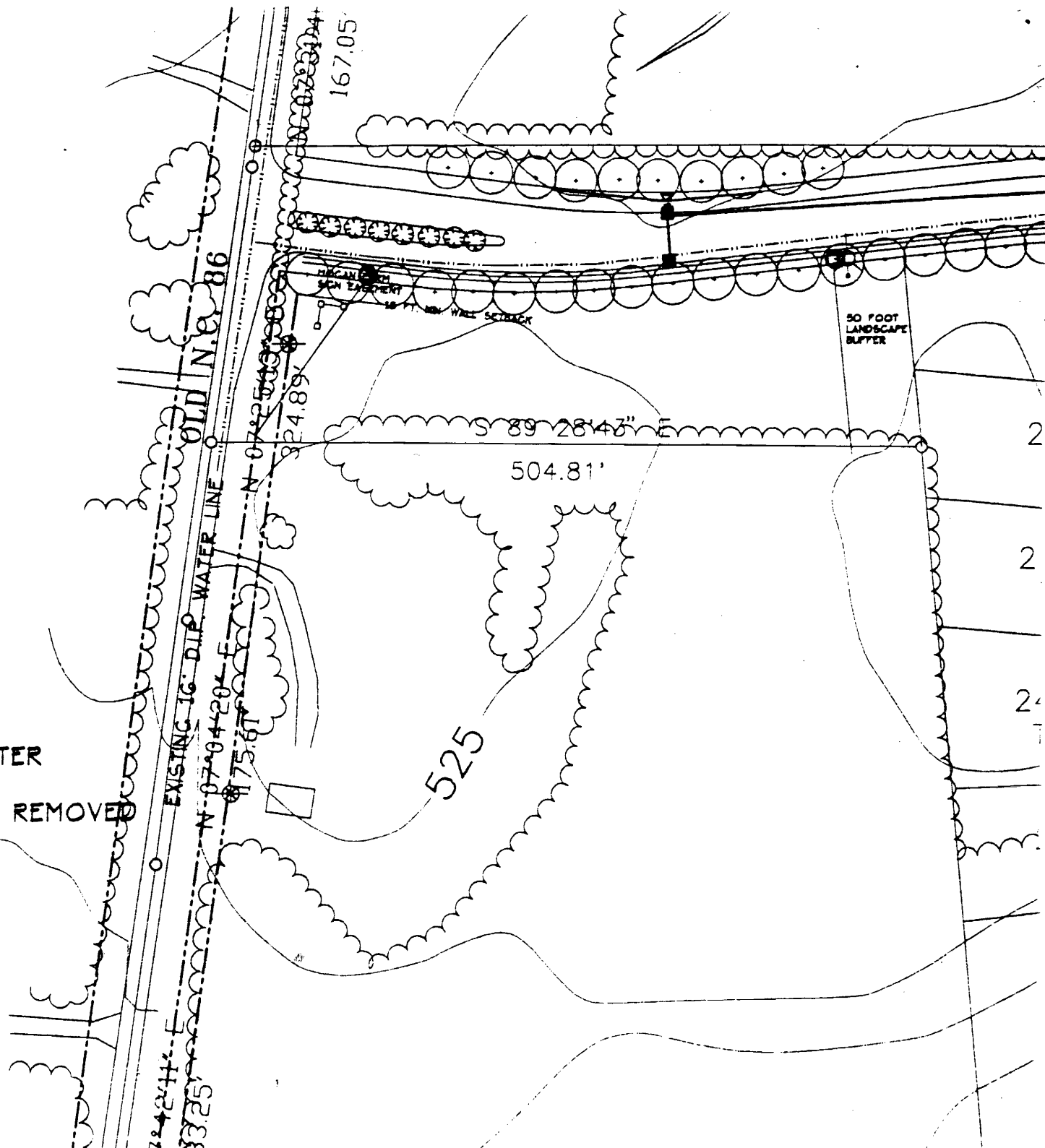
DALE E. REDFOOT - PRE
ADDRESS: 102 BLACKCHERRY LN

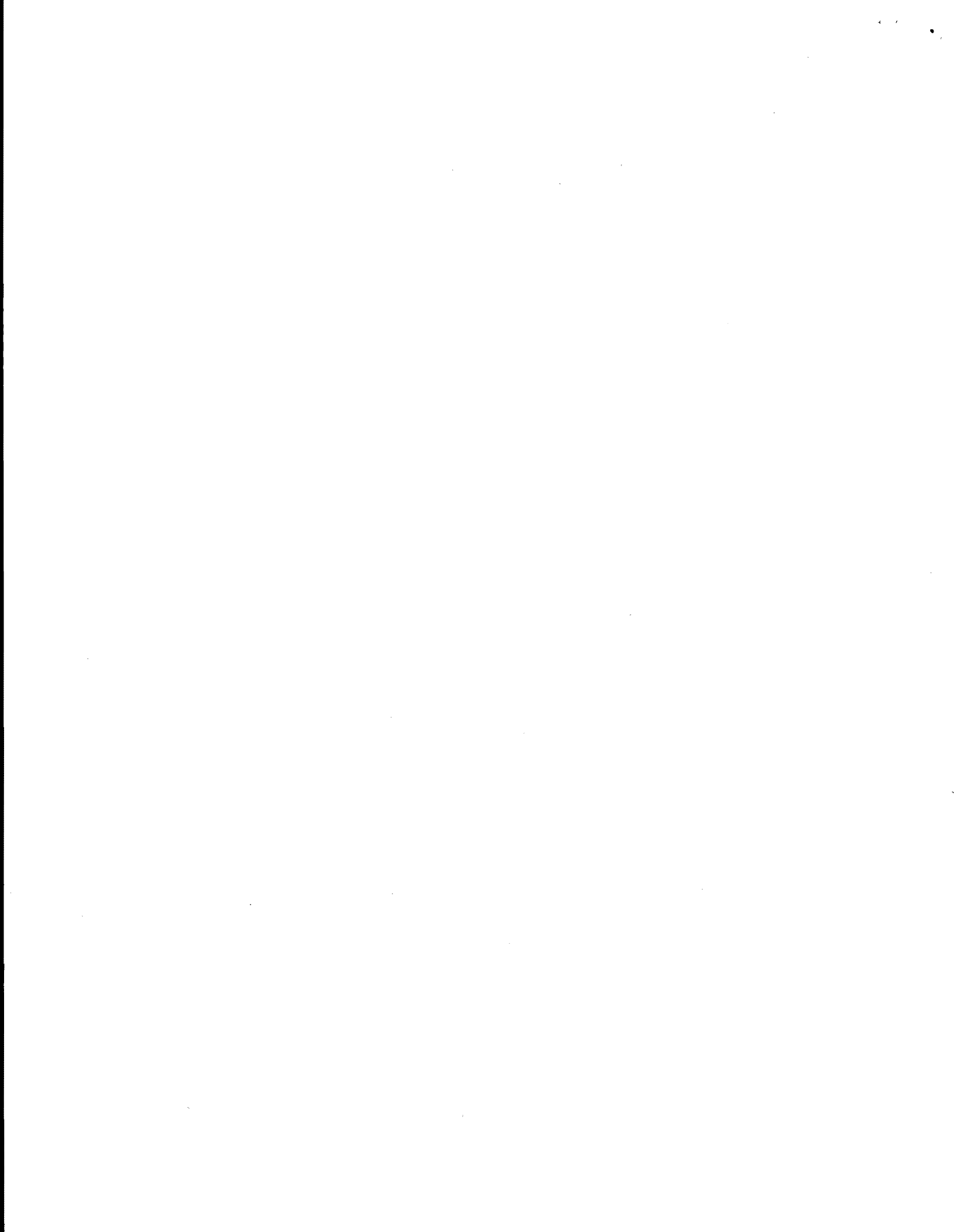
DIANI

0 300
FEET



DRP SEWER LINE (RCP)
 UTILITY SEWER LINE (ESVC)
 WATER LINE (DUCTILE IRON)
 MANHOLE
 CH BASIN
 HYDRANT
 STREET LIGHTS - 500 FT. ON CENTER
 TRANSMISSION LINES
 POLE EXISTING LINES TO BE REMOVED
 DITCH RAMP
 EXISTING CONTOUR INTERVAL
 PROPOSED CONTOUR INTERVAL
 PROPERTY EASEMENT





RECEIVED

MAR 03 1994

TOWN OF CARRBORO
ZONING DIVISION



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JAMES B. HUNT, JR.
GOVERNOR

DIVISION OF HIGHWAYS

R. SAMUEL HUNT III
SECRETARY

P. O. Box 766
Graham, North Carolina 27253-0766
March 2, 1994

ORANGE COUNTY

Mr. Keith A. Lankford
Zoning Division
Town of Carrboro
P. O. Box 829
Carrboro, NC 27510

Subject: Lake Hogan Farm Subdivision

Dear Mr. Lankford:

I would like to thank you for contacting this office about the subject subdivision. According to your speed letter dated February 2, 1994, the Town is planning to annex the subdivision when it is completed. Please be advised that if the roads are not constructed to NCDOT minimum construction standards, they may not be acceptable for state maintenance. This office recommends that the roadways be built with the more restrictive minimum design criteria to ensure acceptance by either agent.

Regardless of the internal street design, attached you will find the Department of Transportation Traffic Engineer's review comments about the connections on NC 86 and Homestead Road. In addition, this office recommends additional right of way dedication of a minimum of one-half of 110' along Homestead Road to accommodate the proposed widening project U-2805, and half of 100' along NC 86 to accommodate the Orange County Thoroughfare Plan.

After reviewing this letter should you have questions or comments, contact my assistant, Michael Venable at 910-570-6833.

Sincerely,

A handwritten signature in dark ink, appearing to read "T J Dyer".

T. J. Dyer
DISTRICT ENGINEER

TJD/MSV/acr
Attachment

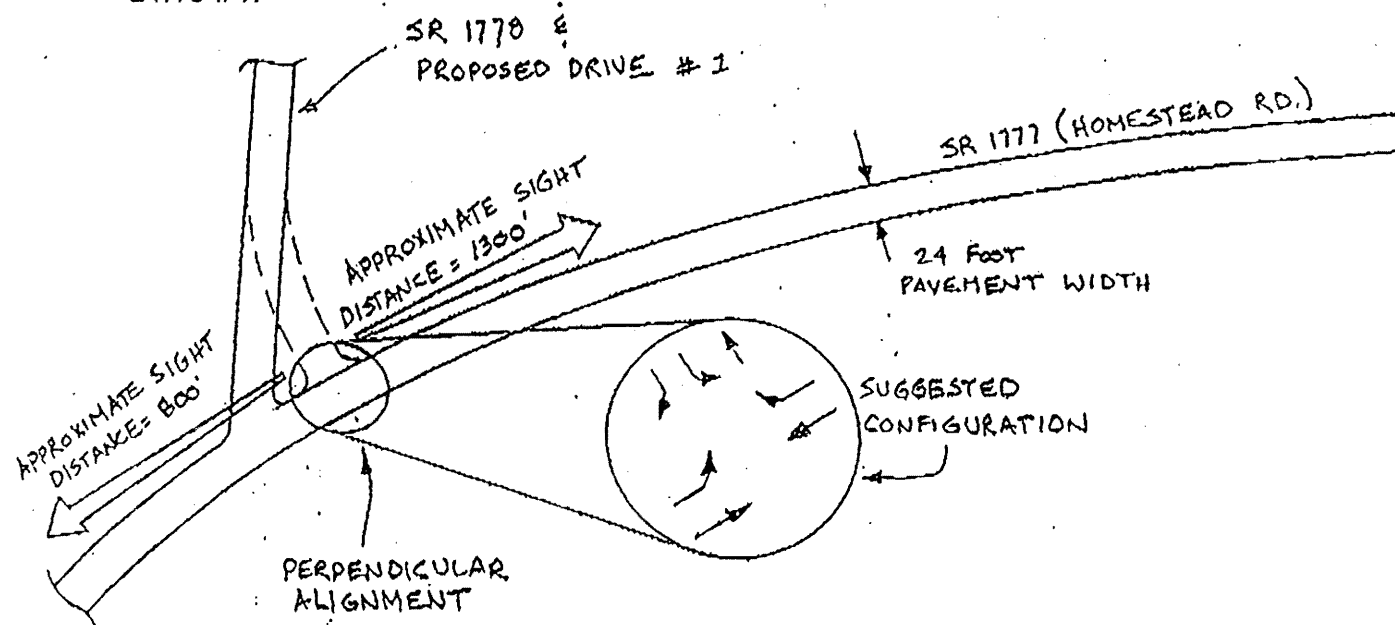
cc: Mr. J. W. Watkins, P.E. w/atta.
Mr. Vance Barham
Mr. G. C. Faulkner
Orange County Planning w/atta.





Lake Hogan Farm Subdivision -Driveway Recommendations

Drive #1:



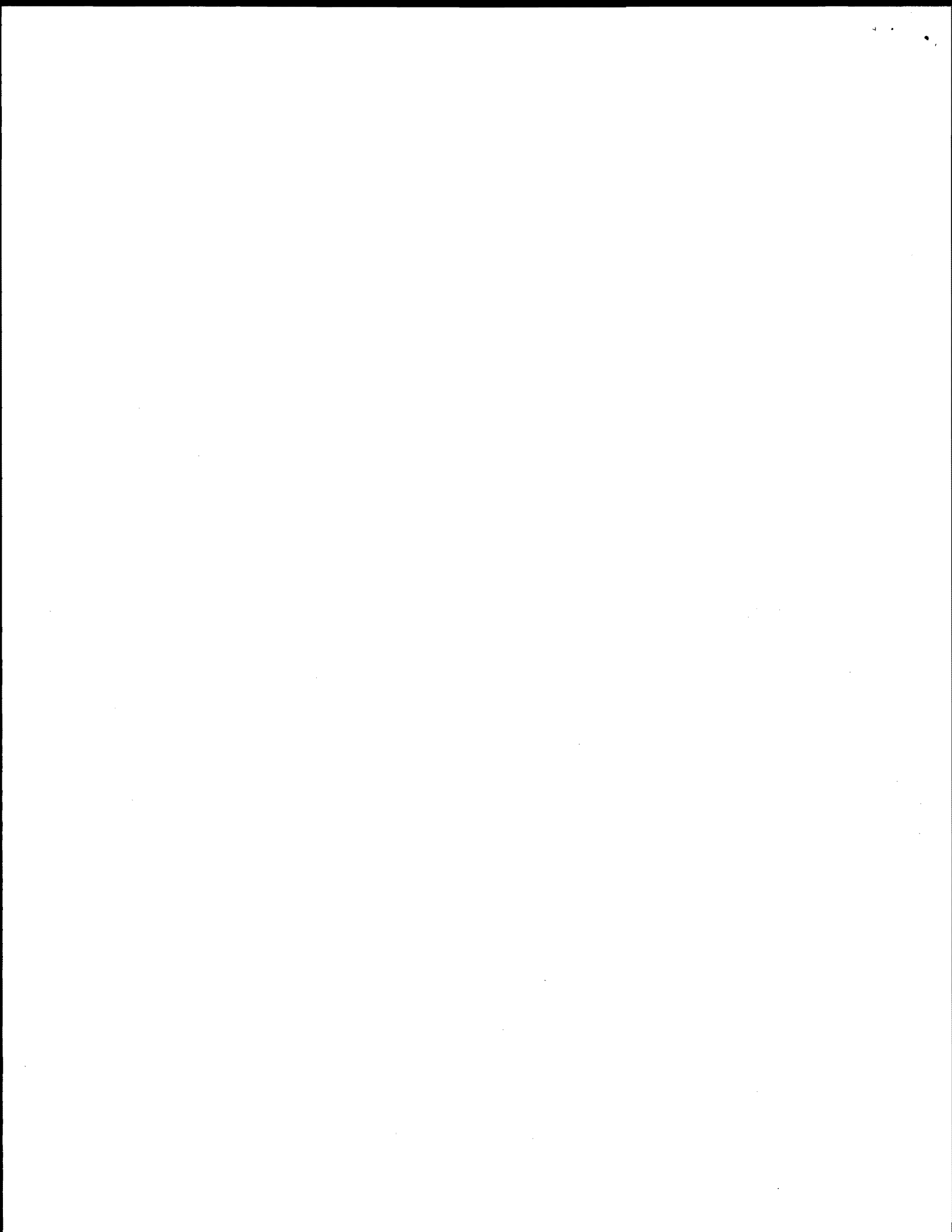
-Due to the heavy opposing traffic volumes along Homestead Rd., we suggest providing a dedicated left turn lane into the site with at least 100 feet of full storage. We also recommend providing a dedicated right turn lane into the site with at least 75 feet of full storage.

-Approximate sight distances are shown on the sketch above. We suggest re-alignment of this drive as shown so as to optimize the sight distances and ease turning movements into and out of the site. A perpendicular alignment would be preferred.

-Two egress lanes with at least 50 feet of full storage should be provided to accommodate the exiting traffic. Also, minimum 40 feet turnout radii should be provided to accommodate service and emergency vehicles.

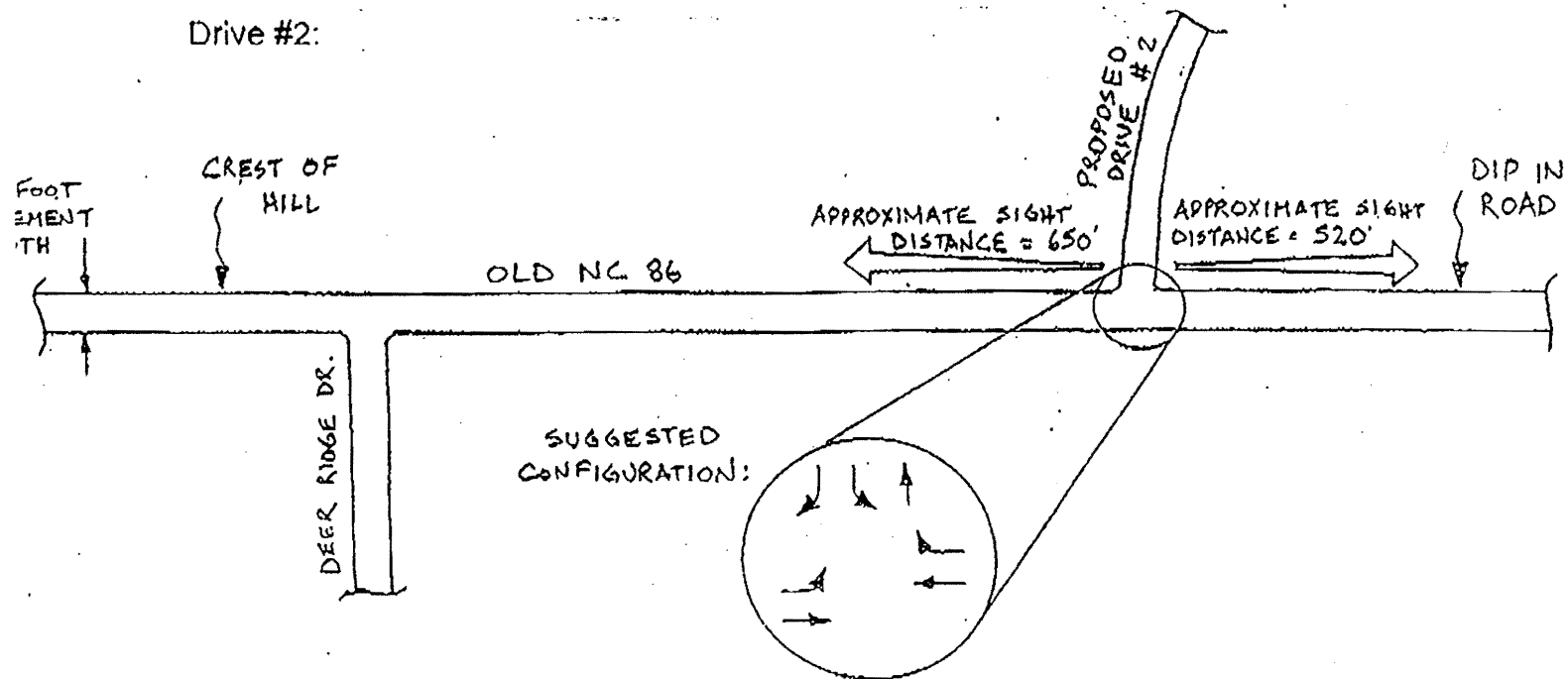
-Appropriate transitional and deceleration tapers should be provided for all proposed widening.

-Background traffic volumes were obtained from actual counts taken at the intersection of SR 1777 and SR 1009.



Lake Hogan Farm Subdivision -Driveway Recommendations

Drive #2:



-Since this drive was not staked, its location was approximated. The estimated sight distances we observed are shown above. These distances are limited due to a sag in the road to the south and a crest to the north. This drive should be located at a position between these obstructions so as to maximize these sight distances. Also of concern is the amount of brush and tree growth just off the edge of the roadway along this section of Old NC 86. Field verification that adequate sight distance can be provided will be necessary as adequate sight distances at all entrances should be provided.

-A dedicated left turn lane into the site with at least 100 feet of full storage should be provided. Also, a dedicated right turn lane into the site with at least 75 feet of full storage should be provided. Each of these should be provided with appropriate transitional tapers.

-Two egress lanes with at least 50 feet of full storage should be provided to accommodate the exiting traffic. Also, minimum 40 feet turnout radii should be provided.

-Appropriate transitional and deceleration tapers should be constructed for all proposed widening.

-Background traffic volumes were obtained from actual counts taken at the intersection of SR 1777 and SR 1009.

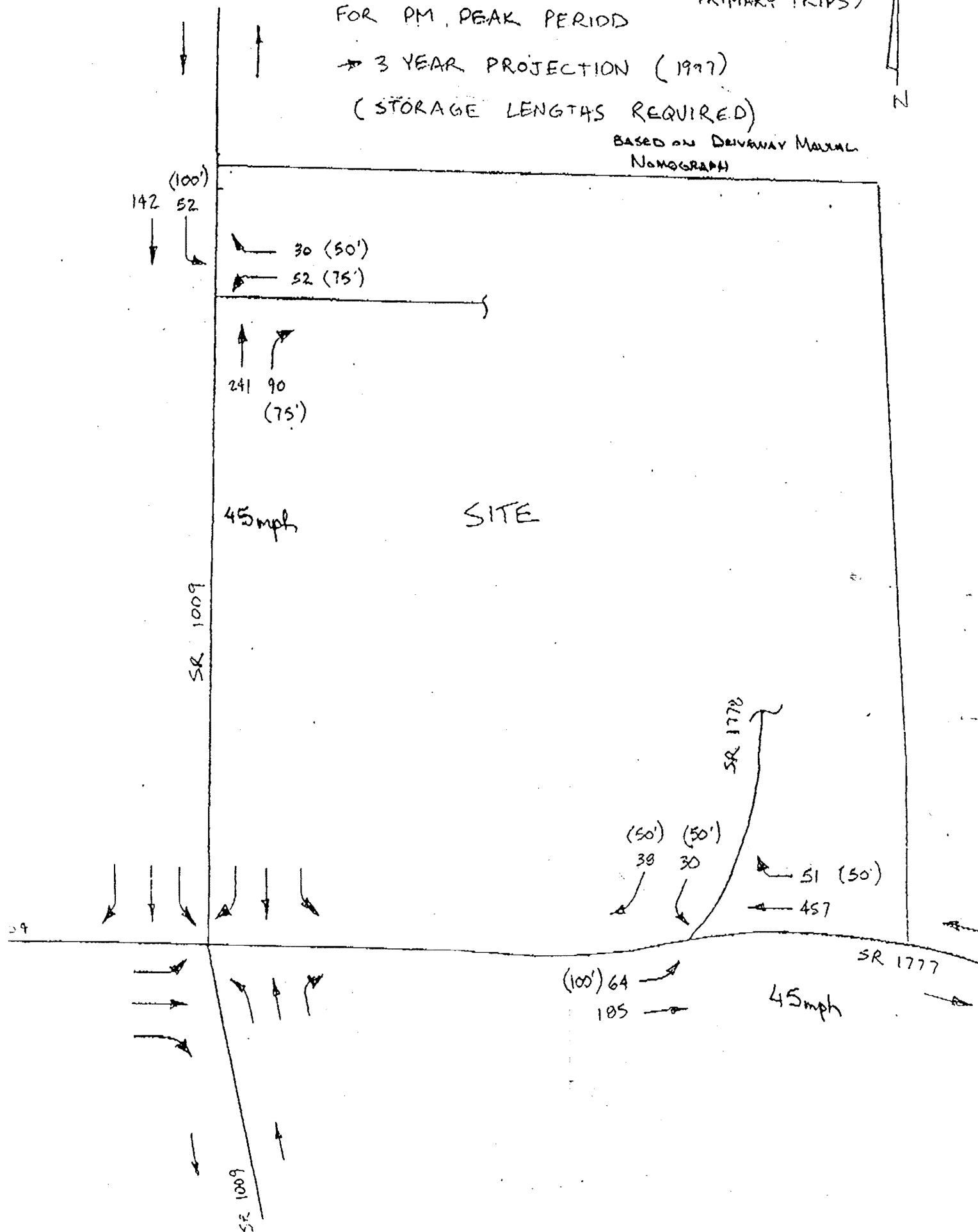


COMBINED TRAFFIC: (B'GROUND +
PRIMARY TRIPS)
FOR PM PEAK PERIOD

3 YEAR PROJECTION (1997)

(STORAGE LENGTHS REQUIRED)

BASED ON DRIVEWAY MANUAL
NOMOGRAPH





EQ

LAKE HOGAN FARM SUBDIVISION

SUMMARY OF AVERAGE VEHICLE TRIP GENERATION

FOR 420 DWELLING UNITS OF SINGLE FAMILY DWELLINGS

DRIVEWAY VOLUMES

2/24/94

	24 HOUR TWO-WAY VOLUME	7-9 AM PK HOUR ENTER	EXIT	4-6 PM PK HOUR ENTER	EXIT
AVERAGE WEEKDAY	3870	73	207	256	138
	24 HOUR TWO-WAY VOLUME	PEAK HOUR		ENTER	EXIT
SATURDAY	4106	209		178	
SUNDAY	3705	175		175	

Note: A zero rate indicates no rate data available

Source: Institute of Transportation Engineers

Trip Generation, 5th Edition, 1991.

TRIP GENERATION BY MICROTRANS

Young • Jewell
& Associates

Landscape Architects
Planners

April 19, 1994

Dear Aldermen of Carrboro;

I have been shown the alternative plan of the town home landplan that adjoins my property line. I have signed my name acknowledging I have seen the plan and have signed my name below under the column either approving or disapproving of this alternative. A third column is also provided for those wishing to not state approval or disapproval of this alternative but are acknowledging that they have seen the alternative plan.

Approve:

Disapprove:

Acknowledge the Plan:

Ed & Essie Leak
Jessie Hogan Heirs

2



Young•Jewell
& Associates

Landscape Architects
Planners

April 19, 1994

Dear Aldermen of Carrboro;

I have been shown the alternative plan of the town home landplan that adjoins my property line. I have signed my name acknowledging I have seen the plan and have signed my name below under the column either approving or disapproving of this alternative. A third column is also provided for those wishing to not state approval or disapproval of this alternative but are acknowledging that they have seen the alternative plan.

Approve:

Disapprove:

Acknowledge the Plan:

Byron Jones 4/19/94



CONDITIONAL OR SPECIAL USE PERMIT WORKSHEET

I. COMPLETENESS OF APPLICATION

RM
75.



The application is complete.



The application is incomplete:

off 4 neg 3 (Nelson, Grot, Bryan)

II. COMPLIANCE WITH THE ORDINANCE REQUIREMENTS

RM
75.



The application complies with all applicable requirements of the Land Use Ordinance.



The application is not in compliance with all applicable requirements of the Land Use Ordinance for the following reasons:

off 4, neg 3 (Nelson, Grot Bryan)

III. CONSIDERATION OF PROPOSED CONDITIONS

If the application is granted, the permit shall be issued subject to the following conditions:

R.M.
staff rec. 10

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 Zoning 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.

IV. GRANTING THE APPLICATION

RM
75.



The application is granted, subject to the conditions agreed upon under Section III of this worksheet.

off 3 / neg 4 (Nelson, Kinnaird, Grot, Bryan)



V. DENYING THE APPLICATION

JB
J.B. King
Atty 4, Inc
3 (Shuttle)
Andrews
Marshall

☐ The application is denied because it is incomplete for the reasons set forth above in Section I.

☐ The application is denied because it fails to comply with the Ordinance requirements set forth above in Section II.

☐ The application is denied because, if completed as proposed, the development more probably than not:

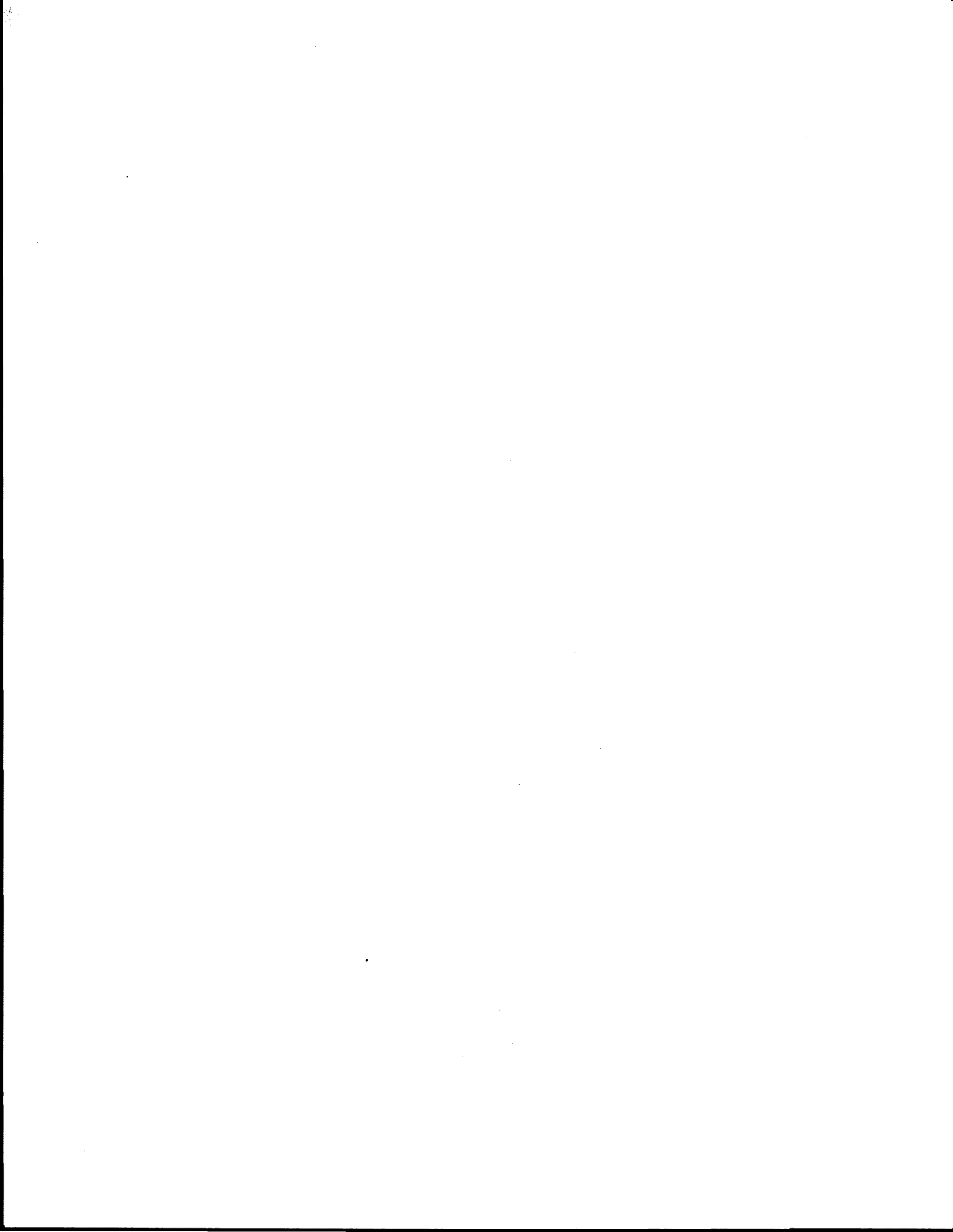
1. Will materially endanger the public health or safety for the following reasons:

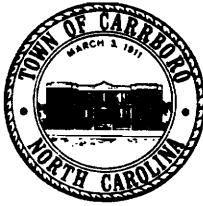
health & safety, schools, ...

2. Will substantially injure the value of adjoining or abutting property for the following reasons:

3. Will not be in harmony with the area in which it is to be located for the following reasons:

4. Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen for the following reasons:





TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Mayor and Board of Aldermen

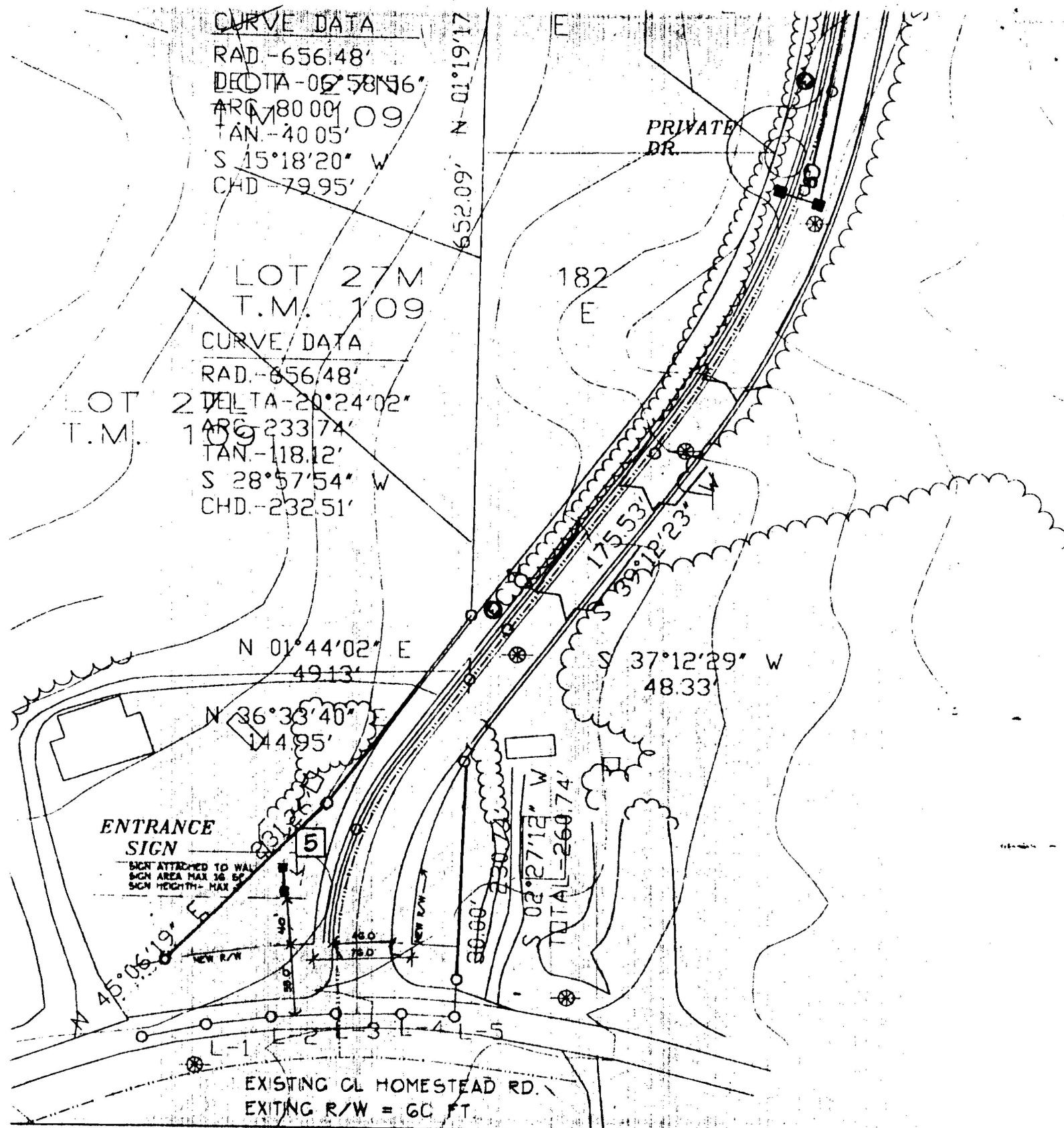
FROM: Kenneth W. Withrow, Transportation Planner *KW*

SUBJECT: Requested information

DATE: April 18, 1994

The following information is a request by NCDOT regarding entryways into the Lake Hogan Farm subdivision.

attachments



Info from DOT: Hogan Farm

LOT 8
UNC PROPERTIES
T.M. 109

WHERE

NOTE: ALL STREET NAMES MUST BE APPROVED BY ORANGE CO. PLANNING DEPT.

CLUSTER LOTS MINIMUM SETBACKS

NTS

STREET TABLE:

STREET NAME	TYPE	R/W	PAVE WIDTH	SIDE WALK
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5 TURTLEBACK CROSSING	LOCAL	50 FT.	20 FT.	YES
6 PAINTED TURTLE COURT	CUL-DE-SAC	60 FT.	20 FT.	YES
7 BUCKHORN RUN	LOCAL	50 FT.	20 FT.	YES
8 WHITETAIL LANE	LOCAL	50 FT.	26 FT.	YES
9 HUNT CLUB BLVD	SUB-COLLECTOR	60 FT.	26 FT.	YES
10 HUNTER'S POINT CIRCLE	SUB-COLLECTOR	60 FT.	26 FT.	YES
11 HOGAN HOLLOW DR.	SUB-COLLECTOR	60 FT.	26 FT.	YES
12 HOGAN HOLLOW COURT	LOCAL	0 FT.	2 FT.	YES
13 HOGAN RUN COURT	CUL-DE-SAC	60 FT.	26 FT.	YES
14 HOGAN RUN ROAD	SUB-COLLECTOR	60 FT.	26 FT.	YES
15 STAGHORN COURT	LOCAL	50 FT.	20 FT.	YES
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SHEET INDEX:

SITE PLAN	1
PHASING PLAN	2
UTILITY PLAN	3
LANDSCAPE PLAN	4
EXISTING CONDITIONS	5
100' SCALE SOUTH EAST	6

CLIENT/OWNER :

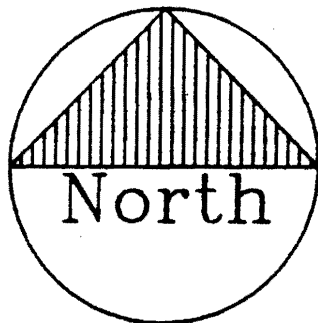
CAROLINA AMERICAN L.L.CO

DALE E. REDFOOT - PRE
ADDRESS: 102 BLACKCHERRY IN

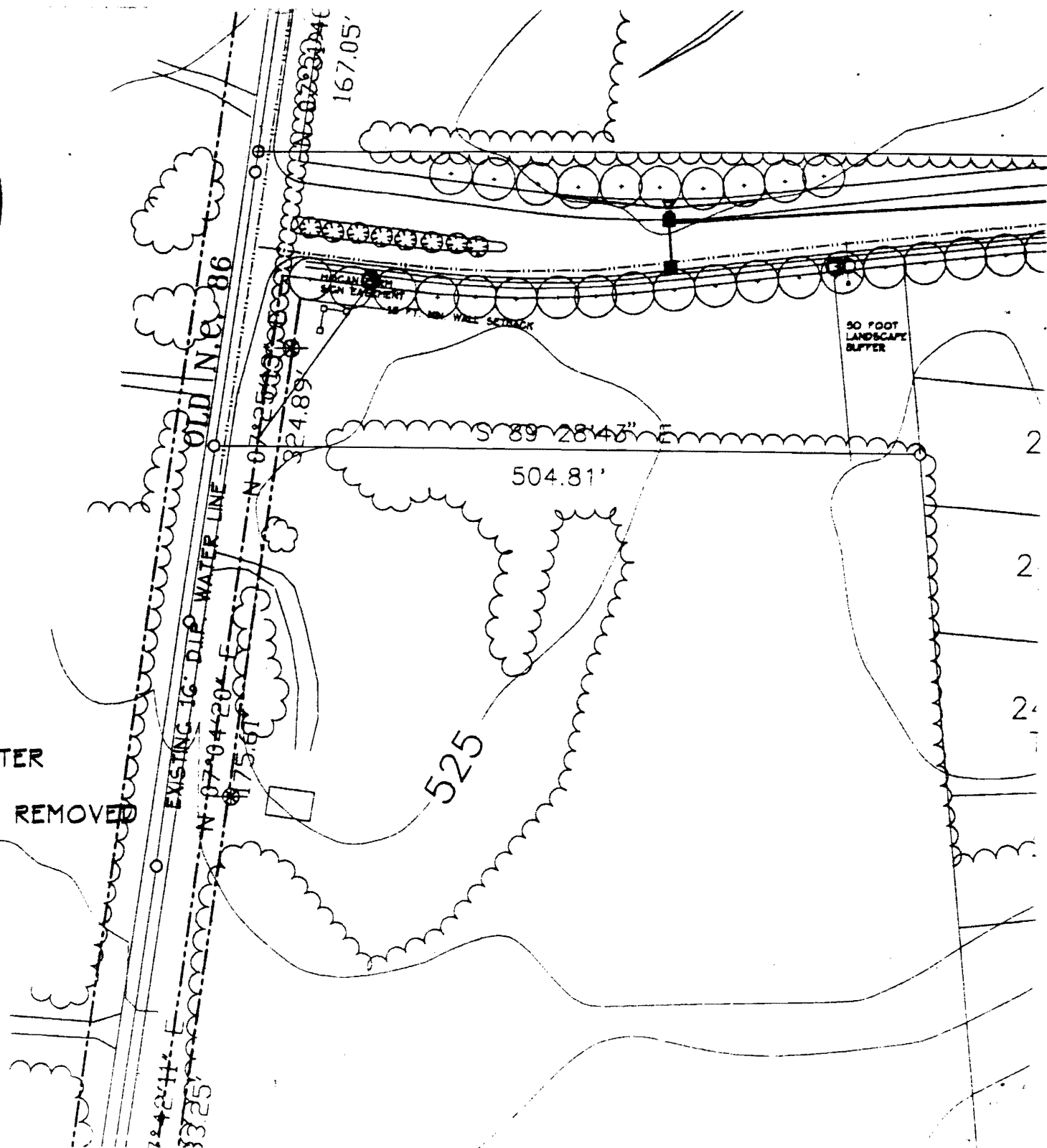
D I A N I

0 300

FEET



DRP SEWER LINE (RCP)
 UTILITY SEWER LINE (ESVC)
 WATER LINE (DUCTILE IRON)
 MANHOLE
 CHECK BASIN
 FIRE HYDRANT
 STREET LIGHTS - 500 FT. ON CENTER
 TRANSMISSION LINES
 SINGLE POLE EXISTING LINES TO BE REMOVED
 DRAINAGE RAMP
 EXISTING CONTOUR INTERVAL
 PROPOSED CONTOUR INTERVAL
 UTILITY EASEMENT



RECEIVED

MAR 03 1994

TOWN OF CARRBORO
ZONING DIVISION



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JAMES B. HUNT, JR.
GOVERNOR

DIVISION OF HIGHWAYS

R. SAMUEL HUNT III
SECRETARY

P. O. Box 766
Graham, North Carolina 27253-0766
March 2, 1994

ORANGE COUNTY

Mr. Keith A. Lankford
Zoning Division
Town of Carrboro
P. O. Box 829
Carrboro, NC 27510

Subject: Lake Hogan Farm Subdivision

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After reviewing this letter should you have questions or comments, contact my assistant, Michael Venable at 910-570-6833.

Sincerely,

A handwritten signature in dark ink, appearing to read "TJDyer".

T. J. Dyer
DISTRICT ENGINEER

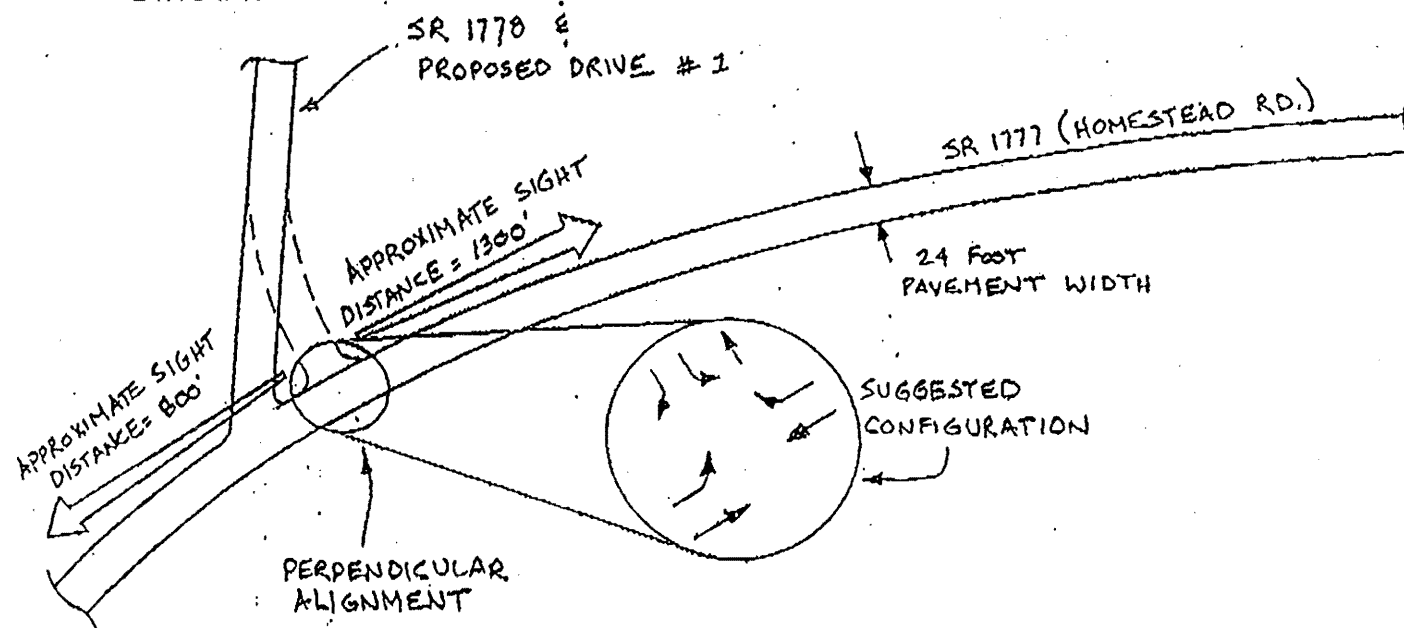
TJD/MSV/acr
Attachment

cc: Mr. J. W. Watkins, P.E. w/atta.
Mr. Vance Barham
Mr. G. C. Faulkner
Orange County Planning w/atta.



Lake Hogan Farm Subdivision -Driveway Recommendations

Drive #1:



-Due to the heavy opposing traffic volumes along Homestead Rd., we suggest providing a dedicated left turn lane into the site with at least 100 feet of full storage. We also recommend providing a dedicated right turn lane into the site with at least 75 feet of full storage.

-Approximate sight distances are shown on the sketch above. We suggest re-alignment of this drive as shown so as to optimize the sight distances and ease turning movements into and out of the site. A perpendicular alignment would be preferred.

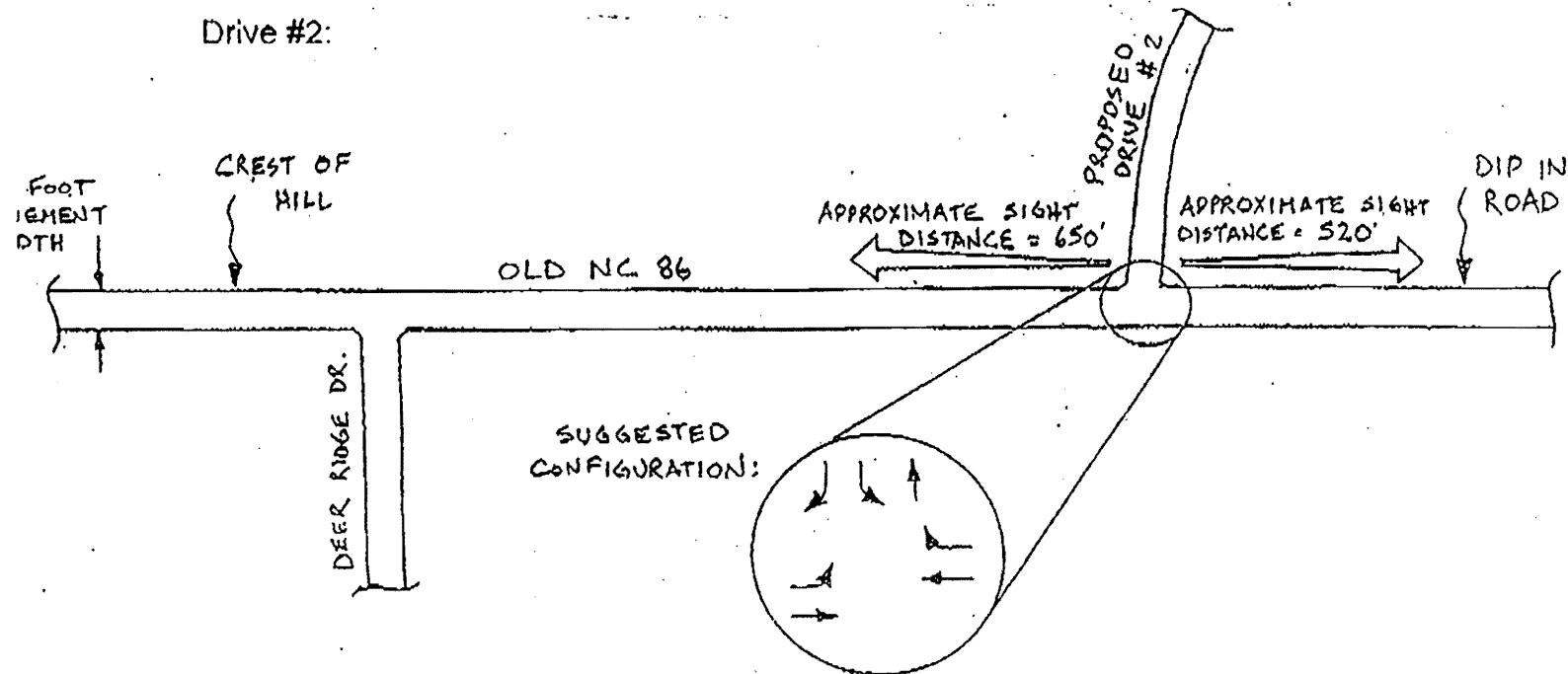
-Two egress lanes with at least 50 feet of full storage should be provided to accommodate the exiting traffic. Also, minimum 40 feet turnout radii should be provided to accommodate service and emergency vehicles.

-Appropriate transitional and deceleration tapers should be provided for all proposed widening.

-Background traffic volumes were obtained from actual counts taken at the intersection of SR 1777 and SR 1009.

Lake Hogan Farm Subdivision -Driveway Recommendations

Drive #2:



-Since this drive was not staked, its location was approximated. The estimated sight distances we observed are shown above. These distances are limited due to a sag in the road to the south and a crest to the north. This drive should be located at a position between these obstructions so as to maximize these sight distances. Also of concern is the amount of brush and tree growth just off the edge of the roadway along this section of Old NC 86. Field verification that adequate sight distance can be provided will be necessary as adequate sight distances at all entrances should be provided.

-A dedicated left turn lane into the site with at least 100 feet of full storage should be provided. Also, a dedicated right turn lane into the site with at least 75 feet of full storage should be provided. Each of these should be provided with appropriate transitional tapers.

-Two egress lanes with at least 50 feet of full storage should be provided to accommodate the exiting traffic. Also, minimum 40 feet turnout radii should be provided.

-Appropriate transitional and deceleration tapers should be constructed for all proposed widening.

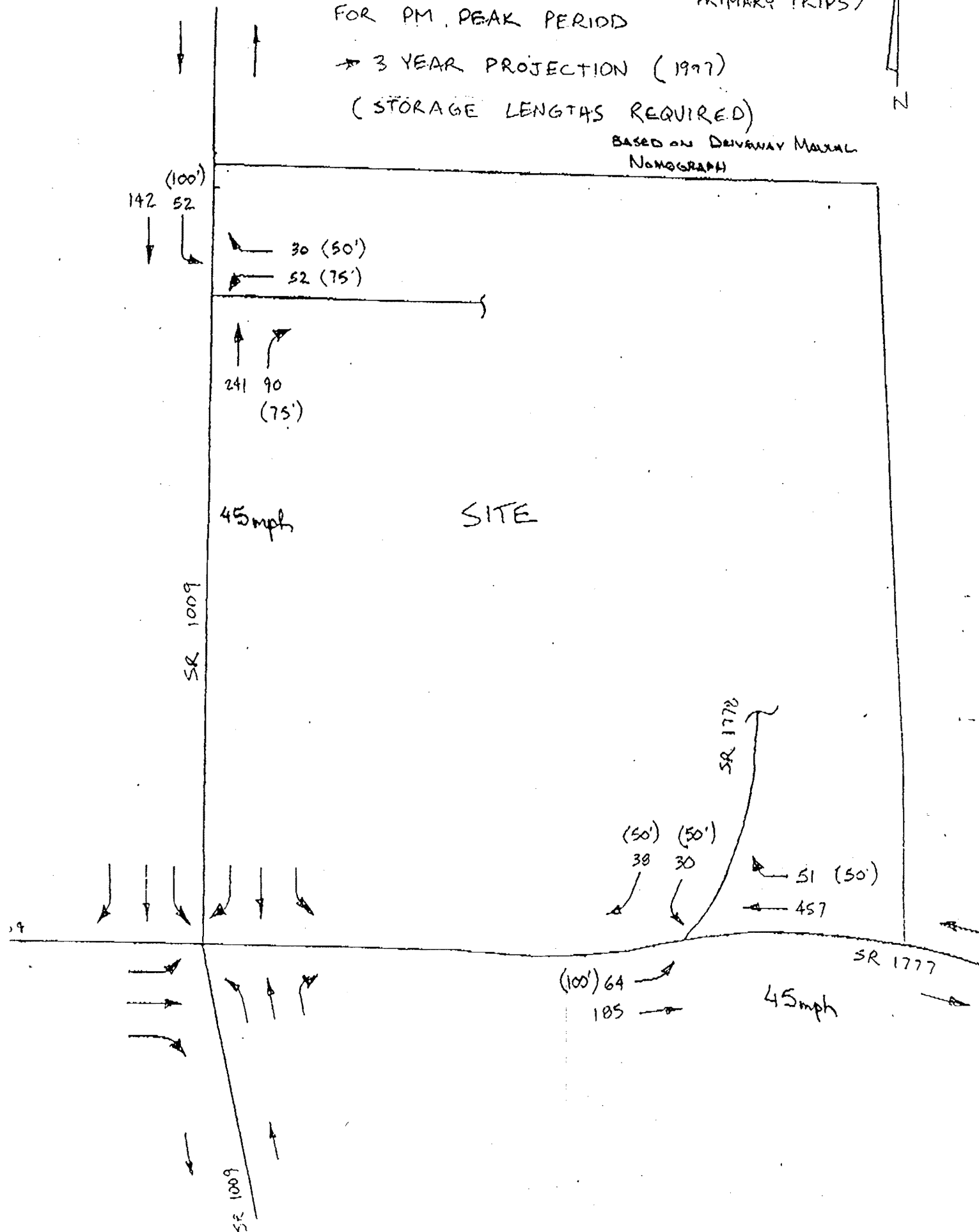
-Background traffic volumes were obtained from actual counts taken at the intersection of SR 1777 and SR 1009.

COMBINED TRAFFIC: (8' GROUND + PRIMARY TRIPS)
FOR PM PEAK PERIOD

3 YEAR PROJECTION (1977)

(STORAGE LENGTHS REQUIRED)

BASED ON DRIVEWAY MANUAL
NOMOGRAPH



LAKE HOGAN FARM SUBDIVISION

SUMMARY OF AVERAGE VEHICLE TRIP GENERATION

FOR 420 DWELLING UNITS OF SINGLE FAMILY DWELLINGS

DRIVEWAY VOLUMES

2/24/94

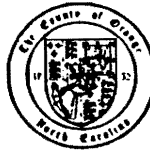
	24 HOUR TWO-WAY VOLUME	7-9 AM PK HOUR ENTER	EXIT	4-6 PM PK HOUR ENTER	EXIT
AVERAGE WEEKDAY	3870	73	207	256	138
	24 HOUR TWO-WAY VOLUME	PEAK HOUR		ENTER	EXIT
SATURDAY	4106			209	178
SUNDAY	3705			175	175

Note: A zero rate indicates no rate data available
 Source: Institute of Transportation Engineers
 Trip Generation, 5th Edition, 1991.



ORANGE COUNTY PLANNING DEPARTMENT

306F REVERE ROAD
HILLSBOROUGH, NORTH CAROLINA 27278



Memorandum

RECEIVED

JAN - 7 1994

**TOWN OF CARRBORO
ZONING DIVISION**

TO: Carrboro Zoning Department

FROM: Warren Faircloth, Erosion Control Supervisor

SUBJECT: Lake Hogan Farms

DATE: January 5, 1994

*SEE PAGE
2*

I have been unable to visit this site, so I may have additional comments later. I hope to be able to visit the site within the next two weeks.

Erosion control plan approval is required for each phase, or phases to be built simultaneously, if more than 20,000 square feet is to be disturbed.

Phasing should be planned so that construction of one phase does not damage existing development or prevent installation of sediment control for a subsequent phase. For example: an initial phase built at the bottom of a slope should not occupy space required for sediment control measures required for a later phase above. Another situation to avoid is where increased runoff from an early phase flows through a latter phase; the increased runoff could prevent installation of measures or require a very large device.

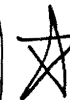
Consider Phase 5. When it begins it will be surrounded by streets and probably houses; runoff and sediment will enter the existing storm drains through Phase 1. Where will sediment controls be located? Inlet protection is not an acceptable option here. One solution would be a sediment pond at the storm drain outlet across the channel between Phases 1 and 2. This measure could serve several phases, but access for inspection, maintenance, and eventual removal would have to be provided during all phases. The pond might occupy the rear of several lots, so either the lots must remain undeveloped or construction easements provided.

There are similar situations in other phases.

It will be necessary to provide sediment control measures at the storm drain outlets. This is necessary for the street construction and for house construction. When lot size is less than 3/4

acre house construction becomes a sediment problem. Even if a lot does not drain to the street, construction vehicles track mud from the lot onto the street and is then washed into the storm drains.

It is my understanding that rebuilding the dam is planned as part of development. I assume the dam is higher than 15' and comes under the Dam Safety Act; if so, a permit will be required from the State. Rebuilding needs to be planned so that draining of the lake and removal of the dam does not result in erosion of accumulated sediment into Bolin Creek.



W. J. Jewell

xc: Dan Jewell, Young Jewell & Associates

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

levels. (AMENDED 6/22/82)

Section 15-254 Construction Within Floodways and Floodplains Restricted. (AMENDED 4/21/87; 12/06/88)

(a) No building may be constructed or located, and no substantial improvement of an existing building may take place within any floodway. With respect to mobile home communities that are nonconforming because they are located within a floodway, mobile homes may be relocated in such communities only if they comply with the provisions of subsection (i) of this section.

(b) No new building may be constructed or located wholly or partially within any floodplain outside the floodway unless and to the extent that, in the absence of such authorization the property owner would be deprived of all reasonable use. If new construction within a floodplain is authorized under this subsection, all such construction shall be in conformity with the remaining provisions of this section. With respect to mobile home communities that are nonconforming because they are located within a floodplain, mobile homes may be relocated in such communities only if they comply with the provisions of subsection (i) of this section.

(c) No zoning, special use or conditional use permit may be issued for any development within a floodplain until the permit-issuing authority has reviewed the plans for any such development to assure that:

- (1) the proposed development is consistent with the need to minimize flood damage; and
- (2) all public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed with materials and equipment resistant to flood damage, in order to minimize or eliminate the potential for flood damage; and
- (3) adequate drainage is provided to minimize or reduce exposure to flood hazards; and
- (4) all necessary permits have been received from those agencies from which approval is required by federal or state law; and
- (5) any new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic or hydrostatic loads including the effects of buoyancy; and

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

consistent with the provision of subsection (j) of this section, so that the lowest floor of the mobile home is one foot above the base flood level.

- (3) Adequate surface drainage and easy access for mobile home haulers is provided.
- (4) Load-bearing foundation supports such as piers or pilings must be placed on stable soil or concrete footings no more than ten (10) feet apart, and if the support height is greater than seventy-two (72) inches, the support must contain steel reinforcement.

(j) Subsequent to December 06, 1988, no portion of any floodplain areas outside of the floodway may be filled in with fill dirt or similar material for the purpose of elevating buildings or mobile homes, or for any other purpose, unless it can be demonstrated that such fill will not increase the base flood elevation an amount greater than one foot. Any development permitted under subsection (b) of this section or under Section 15-253 shall be designed to minimize the need for filling. Whenever such filling is authorized, or wherever any portion of a floodplain has previously been filled in with fill dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

(k) Nothing in this section shall prevent a single family residence (including a mobile home) from being located within the protective stream buffer areas required by Section 15-268 if such home (i) replaces a home that had been located within such buffer within six months prior to the effective date of this section and is located on the same location as the previous home, or (ii) is located on a mobile home pad or foundation that was in existence on the effective date of this section.

Section 15-255 Special Provisions for Subdivisions. (AMENDED 12/06/88)

(a) An applicant for a conditional use permit or special use permit authorizing a major subdivision and an applicant for minor subdivision final plat approval shall be informed by the planning department of the use and construction restrictions contained in this Article, if any portion of the land to be subdivided lies within a floodway or floodplain.

(b) A conditional use permit or special use permit for a major subdivision may not be issued and final plat approval for any subdivision may not be granted if any portion of one or more lots lies within a floodway or floodplain unless it reasonably appears

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

that:

- (1) With respect to each lot that lies wholly or partly within a floodway or floodplain, either (i) a building of the type that is consistent with the zoning of the property can practically be located in accordance with applicable regulations on the portion of such lot that is located outside the floodway or floodplain, or (ii) such lot has already been developed, (iii) such lot is formed as the result of an adjustment of lot lines between lots in existence of the effective date of this section, and such readjustment does not result in a previously developable lot being rendered undevelopable, or (iv) it plainly appears that such lot is intended to be devoted to a permissible use that does not involve the construction of any building, including without limitation permanent open space; or
- (2) Creation of each lot that does not satisfy the criteria set forth in subdivision (1) of this subsection is necessary to avoid depriving the owner of the property of all reasonable use of the tract taken as a whole.

(c) Final plat approval for any subdivision containing land that lies within a floodway or floodplain may not be given unless the plat shows the boundary of the floodway or floodplain and contains in clearly discernible print the following statement: "Use of land within a floodway or floodplain is substantially restricted by Article XVI of Chapter 15 of the Carrboro Town Code."

Section 15-256 Water Supply and Sanitary Sewer System in Floodways and Floodplains.

Whenever any portion of a proposed development is located within a floodway or floodplain, the agency or agencies responsible for certifying to the town the adequacy of the water supply and sewage disposal systems for the development (as set forth in Sections 15-239 and 15-241 of this chapter) shall be informed by the developer that a specified area within the development lies within a floodway or floodplain. Thereafter, approval of the proposed system by that agency shall constitute a certification that:

- (1) Such water supply system is designed to minimize or eliminate infiltration of flood waters into it.
- (2) Such sanitary sewer system is designed to eliminate



50' ALONG CHRIS HOGAN LAKE
STONEY HILL PL.

525

169 E

170 E

171 E

172 E

173 E

174 E

175 E

176 E

177 E

142 E

575

600

181 E

ENTRANCE SIGN

EXISTING C. HOMESTEAD RD.
EXISTING R/W = 60 FT.

EXISTING 12" D.I.P. WATER MAIN

550

DAM REPAIR CONSTRUCTION NOTES

DAM REPAIR PERMIT APPLICATION SHALL BE SUBMITTED UPON ISSUANCE OF C.U.P. BY TOWN. LAKE HOGAN SHALL BE DRAINED TO REVEAL ORIGINAL STREAMBED. SILT AND TREE STUMPS WILL BE REMOVED. EXISTING EARTHEN DAM WILL BE RECONSTRUCTED IF DETERMINED NECESSARY TO MEET CURRENT DAM SAFETY LAWS. DAM, WEIR AND OTHER STRUCTURES SHALL BE BUILT TO MEET STATE SPECIFICATIONS. LAKE WILL BE REFILLED ONLY AFTER DAM REPAIRS HAVE BEEN COMPLETED AND CERTIFIED SAFE BY REGULATORY AGENCIES.

ANTICIPATED SCHEDULE OF DAM WORK:

- | | |
|---------------------------------|----------------------------|
| - INVESTIGATION AND ENGINEERING | THROUGH MID-APRIL |
| - STATE PERMITTING | MID-APRIL THROUGH MID-JULY |
| - DAM RECONSTRUCTION | MID-JULY THROUGH OCTOBER |
| - CERTIFY AND FILL LAKE | OCTOBER |

NTS) ALL CONSTRUCTION SHALL BE REVIEWED BY THE ORANGE COUNTY EROSION CONTROL OFFICE

ADDITIONAL NOTES:

ACCESS ROADS TO ALL PHASES OF CONSTRUCTION SHALL BE CONSTRUCTED AND MAINTAINED TO ACCOMMODATE FIRE APPARATUS WITH MINIMUM OVERHEAD CLEARANCE OF 12'.

ALL NEW BRIDGES ACROSS PUBLIC ROAD R/W'S SHALL BE SUBJECT TO FINAL CONSTRUCTION DRAWINGS

NO BURNING SHALL BE ALLOWED WITHIN THE TOWN LIMITS. ANY BURNING OUTSIDE OF THE TOWN LIMITS MUST MEET REQUIREMENTS OF COUNTY FIRE MARSHALL AND BE PERMITTED BY HIM.

-OVES

cc: Bob Morgan
Ray Williford

18 April 1994

Town of Carrboro Board of Alderman
Carrboro Town Hall
301 West Main Street
Carrboro, NC 27510

Dear Representatives:

The Board of Alderman has the legal right to deny a Conditional Use Permit for the Lake Hogan Farms subdivision plan as it now stands according to Article XVI, Section 15-254 of the Town Ordinance {enclosed}. We strongly encourage you to deny the CUP at this time. Here's why:

By the applicant's admission at the public hearing on March 22, 1994 the application for the CUP is not complete. Mr. Dan Jewell stated in his testimony at the public hearing that Lake Hogan will be drained and the dam rebuilt two feet higher than its present level in order to protect residents downstream in the event of a 100-year storm.

Given this plan by the developer, the Alderman cannot by Town Ordinance grant approval of the present subdivision plan until the flood plain, dam and wetland changes to be created by this dam have been approved and permits have been granted by FEMA, the Division of Environmental Management, North Carolina's dam inspectors, and Orange County's own Erosion Control Supervisor, Mr. Warren Faircloth. {See his letter enclosed and dated January 5, 1994.}

Young and Jewell's present subdivision plan is incomplete since Section 15-254 (c) states:

"No zoning, special use or conditional use permit may be issued for any development within a floodplain until the permit-issuing authority has reviewed the plans for any such development to assure that...

(4) all necessary permits have been received from those agencies from which approval is required by federal or state law..." *{italics ours}*

Not only does this portion of the ordinance offer grounds for denial of the CUP for Lake Hogan Farms in its present form, but it also potentially offers grounds for overturning the rezoning of the property which was granted last year.

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GEORGANN EUBANKS
317 Stony Hill Road
Chapel Hill, North Carolina
27516
U.S.A.

Moreover, raising the height of the dam will, by definition, change the floodplain on all the proposed lots adjacent to Hogan Lake. The present plan does not take these changes in the floodplain or wetlands into account. As the subdivision plan now stands but with the new dam added, the Alderman may be approving the development of underwater real estate in the event of a flood. According to Town Ordinance Section 15-255 (b): "a conditional or special use permit for a major subdivision may not be granted if any portion of one or more lots lies within a floodway or floodplain..."

The ordinance goes on to say that residential lots lying within or adjacent to a floodway or floodplain must have sufficient buildable area outside the floodplain to be approved. ***How the buildable area in each lot adjacent to Hogan Lake will change is unknown at this time without the inspection and permitting process associated with dam reconstruction.***

Should you grant the CUP at this time, you are not only potentially violating the Town Ordinance, but you will be creating additional taxpayer expense and staff hours for town officials since ***each lake lot will have to be inspected and approved*** individually after the dam is rebuilt and after the necessary environmental permits have been granted, *if* they are granted.

On these grounds, we not only urge you to deny the Conditional Use Permit for the Lake Hogan Farms Subdivision until the proper permits have been issued for planned alterations to Hogan Lake by federal, state and local authorities, but we also would suggest that you may have grounds to overturn the previous decision to rezone this property until the dam alterations have been made, inspected and approved.

Sincerely,



Georgann Eubanks
with Lightning Brown as legal counsel

Encl.

cc: Bob Morgan
Roy Wilford

18 April 1994

Town of Carrboro Board of Alderman
Carrboro Town Hall
301 West Main Street
Carrboro, NC 27510

Dear Friends:

You are about to set a crucial precedent. Your decision to approve or reject the Lake Hogan Farms subdivision plan is not about the Hogans versus their neighbors.

It is about a dramatic alteration of the land that will outlast us all.

It is about the character of a community for years to come.

It is a watershed decision in both a literal and figurative sense.

Your stewardship of this community at this moment will extend well beyond the term of your elected office. How you decide sets a crucial aesthetic and economic precedent about how this community sees itself--what it "wants to be when it grows up." Your decision sends a message to future developers about how much care they must take in their proposals, about what kind of diversity in housing they must provide in a subdivision, about how literally they must comply with the Joint Planning Area Land Use Plan.

You also send a message about how much you value the volunteer work of citizens through the Small Area Planning Group and the Planning Board--many of whom cannot even vote for you but must live with your decisions about their neighborhoods.

Some of you may primarily be worried about the legal ramifications of your decision. But I would argue that much more is at stake than who has the means to sue whom over the manner in which this process has been conducted. This is about doing what's right, not what's "inevitable," about having the political will and character to be faithful to the stated aims of the larger community through its planning mechanisms and what those planning documents say about the kind of development that is our preference.

We have said we want to avoid the mistakes of other communities. To exercise care in the planned use of our limited land. To grow this community according to an ideal more distinctive than the plain urge to gain the highest financial profit.

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Please help us out of our cynicism and show us your mettle. You've heard so many voices from all corners that have risen against the Lake Hogan Farms plan. We've talked about the environmental and aesthetic reasons. Others have voiced their concerns about overcrowded schools and inadequate roads. Some object to nothing less expensive than a \$150,000 home on a fifth-acre lot in Lake Hogan Farms. Some have been offended by the developers' tactics in promising a senior home and golf course and then deleting those amenities from a plan they were not to have spoken about in the first place during the zoning hearings. Please heed these concerns in your decision.

In ten or twenty years, you may not be remembered for making this decision one way or another. But this community where we all live will be forever changed by your choice. Thank you for your careful deliberation and your hard work in a most difficult situation.

Sincerely,

Maggi Grace

Maggi Grace

317 Stony Hill Road

Chapel Hill, NC 27516

cc: Bob Morgan
Ray Williford

To: The Carrboro Board of Alderman
From: Bolin Creek Stream Watch, Orange Chatham Sierra Club
Re: Impact of Hogan Farm Property Development on Bolin Creek
Date: April 15, 1994

We love Bolin Creek. It is a beautiful little stream that flows through Orange County, Carrboro and Chapel Hill. It is used by many of us for recreation and for a place to enjoy wild flowers, ancient trees, and a variety of wildlife. Bolin Creek is small: it is only a few miles long beginning and ending in Orange County. On this day in April, wild Irises bloom along it's banks: a family of wild Mallards swim the rapids. We want to protect this lovely little creek for the community, for the wildlife, and for future generations to enjoy. In addition, there is great concern that this type of "passive recreation" area be protected.

The Hogan Farm Development poses a severe threat to Bolin Creek. First, because of the proposed development's proximity to Hogan Lake, our concern is over increased sedimentation during construction. Runoff from new pavement, without proper controls, will certainly pollute the creek. We are also greatly concerned about the proposal to drain Hogan Lake and the effects that action will have on Bolin Creek.

The Board of Aldermen has already shown concern for quality growth by supporting the proposal of Shaping Orange County's Future. Citizens and politicians alike are concerned that southern Orange County avoid the fate of North Raleigh. As we are all painfully aware urban sprawl happens one development at a time. Within the past year, three major new housing developments have been proposed for the Chapel Hill-Carrboro area. These developments will place a great deal of stress on the natural resources of Orange County, including Bolin Creek.

Although local governing bodies have supported the concept of "quality growth," developments have continued to be built that contribute greatly to urban sprawl. Clearly, the Hogan Farm Development, with its cul de sacs, large fences, poorly designed road system and inattention to the environment is not "quality growth." As citizens and environmentalists, we support responsible growth that will help to protect natural resources such as Bolin Creek.

To ensure quality growth we must follow policies that: protect critical watersheds; do not endanger significant natural areas; are designed to encourage the use of alternative transportation, and to discourage the impact of automobile use on local infrastructure; ensure minimal impact on town resources, including water use and sewer use; and ensure the preservation greenspace.

The Hogan Farm development as proposed is in conflict with these goals in two significant ways.

First, because of the proposed development's proximity to Hogan Lake, large scale development of this area poses a threat to Bolin Creek. This creek, while not an undisturbed natural area, is nonetheless considered to be a significant natural area, and is widely used as a recreational area for hiking, running and biking by residents of Carrboro and Chapel Hill. Sedimentation and pollution from construction in the Hogan Farm area threatens the health of Bolin Creek.

Second, the design of this development does not adequately encourage the use of public transportation. The nature of its location relative to town services and retail areas presupposes that residents will drive to and from town to work, shop, and conduct all their business.

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Although many people would like to see the Hogan Farm area remain unchanged, we realize that development of this area is likely to occur. But this plan as it stands is unacceptable for the above reasons. We ask that you carefully consider this plan, and that the developers address the environmental concerns we have raised. If an environmentally responsible approach cannot be achieved, then this project should not be approved. Help us save Bolin Creek.

MICHAEL B. BROUGH & ASSOCIATES

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Michael B. Brough *M.B.B.*
DATE: April 19, 1994
RE: Response to Letter From Georgann Eubanks

The manager has asked me to respond to the letter dated April 18, 1994 from Georgann Eubanks to the Board of Aldermen regarding the Lake Hogan Farms development. Essentially, Ms. Eubanks contends that the permit cannot be issued because: (1) under section 15-254(c) of the ordinance, a permit to reconstruct the dam must be obtained from the State before the CUP may be issued; and (2) under section 15-255(d), a permit may not be issued for a subdivision if one or more lots lies within a floodplain. I disagree with both contentions.

The provisions of section 15-254(c) must be construed within the context of the section where they are located. That section contains provisions, many of which are required by the town's participation in the Federal Flood Insurance Program, that are designed to protect against damage to structures built within floodplains and to safeguard other properties from flood damage caused by construction within floodplains. In that context, I do not construe the phrase "development within a floodplain" as being applicable to the repair of a pre-existing dam since it does not appear to me that such repair work would constitute "development within a flood plain," even assuming that the dam is actually within the floodplain itself. Moreover, my understanding is that the proposed work on the dam is contingent upon an engineering assessment of the need to do such work that has not yet been undertaken. Under these circumstances, it appears to me that the Board could issue the CUP consistent with section 254(c) and simply provide by a condition that construction plans for phase 1 of the development (I am informed that the dam is included in phase 1) may not be granted unless and until the developer has determined whether and to what extent improvements of the dam will be required and, if a state permit for such improvements is mandated, such permit is obtained from the State.

To the extent that the developer intends to raise the dam, this would involve a change in the floodplain and implicate more directly the provisions of section 15-254(c). However, this too could be handled by the same type of condition described above, i.e. a condition requiring that construction plan approval be withheld until any plans to approve an increase in height of the dam are approved by the applicable state agencies.

Mayor and Board of Aldermen
April 19, 1994
Page Two

With respect to the creation of lots within a floodplain, Ms. Eubanks quotes only a portion of section 15-255(d). She correctly quotes the part of this section that states that subdivision approval may not be granted if a portion of any lot lies within a floodway or floodplain, but omits the remaining language, which provides an exception when "it reasonably appears that. . . with respect to each lot that lies wholly or partly within a floodway or floodplain, . . . a building of the type that is consistent with the zoning of the property can practically be located in accordance with applicable regulations on the portion of such lot that is located outside the floodway or floodplain. . . . My understanding from the information provided to me by Roy Williford is that, even assuming the dam is raised an additional two feet, the lots that are located in proximity to the lake would still have sufficient area outside of the floodplain to allow for the construction of a home on such lots.

I need to emphasize that my response is limited to my disagreement with the position stated in the cited letter that the Board cannot issue the CUP consistent with the ordinance. However, if and to the extent that the developer seeks permission to raise the dam and thereby affect the existing floodplain, I do believe the Board would be justified in declining to issue the permit on the basis of section 15-254(c) until the necessary permits have been obtained from the State if the Board is uncomfortable with dealing with this matter by condition as suggested above.

CC: Board Members
Bob Morgan
Roy Williford

H. TAYLOR (BUD) VADEN

8033 Old NC 86 • Chapel Hill, NC 27516
Phone/Fax (919) 967-2184 • EMail: brc@med.unc.edu

April 16, 1994

The Honorable Eleanor Kinnaird
Mayor of Carrboro
Town Hall
Carrboro, NC 27515

Dear Mayor Kinnaird:

With all due respect, I, and the neighbors with whom I have spoken, not only do not want to live in Carrboro, we do not want Carrboroism imported to our community which is a good three miles from the heart of Carrboro proper.

It is grossly unfortunate for all of us who cannot vote for you and who have little influence over your decisions that we are doomed to suffer the unwanted results of those decisions which will forever alter our lives.

When Carrboro's aldermen ignore existing zoning regulations and allow developers, without evidence of benefit to the community as the ordinance requires, to rezone hundreds of acres of land so they can make millions of dollars in profit, you do a great disservice not only to the people whom you are required to serve, but more so to those of us who have no recourse but to either accept your actions or move out of your sphere of influence.

With regard to the Hogan Farm development, you swallowed without seriously questioning a developer's hollow promises and rezoned hundreds of acres so he could double the density of housing. You thought he was going to give you a golf course, a design of cluster homes that would promote open spaces, an adequate system of roadways and other benefits. Later, you heard the developer conveniently say he couldn't remember saying all those things.

In allowing the rezoning, you ignored the work of a select body of citizens whom you appointed and who worked long and hard to create a plan for the Year 2000 which promoted sensible, intelligent growth in the 3,900 Orange County acres given, by the Grace of God, to your caretaking.

In creating a new committee of citizens to influence long range planning in the growth area of Orange County, one of your own board members said in a public meeting that the appointed citizens had no authority, no influence, and their work may be meaningless in the long run. You failed to involve that body in the rezoning request process, even though, by that time, they had invested many long hours in studying the issues..

If you now allow the development to continue according to the developer's plan, you will have forever destroyed a beautiful county. You will have jammed down the throats of people to whom you need not listen a lifestyle they have worked all their lives to

RECEIVED APR 19 1994

get away from. And, even though you disagree with reality, you will have unwittingly forever raised the taxes of the people of Carrboro whom you represent.

You seem to be unable to comprehend the idea that people who live outside Carrboro in the open spaces of Southern Orange County DO NOT WANT TO LIVE IN CARRBORO or in a Carrboro-like environment. We do not want tiny low cost tin top houses with postage stamp yards where you can look into your neighbor's window and hear the neighbor's kids yelling at each other. We worked and saved all our lives to get away from that, to afford the pleasantness of open spaces, trees, and privacy. We paid for the space, and we're paying the taxes that such space demands.

We don't want a modern day Levittown. But that's what you're creating — against our desire, against our will. You will, of course, point out that OUR elected officials, the Orange County Commissioners, could have blown the whistle on your decision to prostitute Southern Orange County to the developers with dollar signs in their eyes. But, quite honestly, Madam Mayor, when was the last time the Orange County Commissioners contradicted ANYTHING Carrboro did?

What you seem not to be able to comprehend is that every city which enjoys economic success and a superior quality of life creates a suburban region of more expensive homes with more land and more privacy. That type of development attracts people with higher incomes who spend more in the town, who support the life of the community, who are an asset to the community, not a liability. Aren't there any grand thinkers among you?

For you to try and push the aura of Milltown Carrboro deep into Orange County is asinine. You will drive away the people who are contributing to the economic strength of Orange County. Already one of my neighbors has decided to move rather than to suffer the indignities of forced Carrboroization. Another neighbor has his 17 acres on the market, advertising, "Build your own development." He's counting on you giving him the same rezoning break you gave the Hogan Farm developers. And you're going to have a tough time denying him the right to do that, having now set a precedent for broad scale Levittownism.

What you are about to do cannot ever be undone. You will have sewn the seeds for the permanent destruction of what was once a beautiful region of Orange County. In short, you will have blown perhaps Carrboro's only opportunity for future greatness. And each of you will have to live with that.

I would have made these remarks publicly at the most recent hearing on this subject, but was told by a person I took to be your solicitor that I had no right to speak because I had not signed up to speak. I could not sign up to speak because you failed to send me notice of the meeting.

That in itself is a clear demonstration of your attitude of arrogance toward the people to whom you dictate your will and your narrow-minded view of what makes towns and cities desirable places in which to live.

Sincerely yours,

H. Taylor (Bud) Vaden

Copies: Carrboro Aldermen, Ann Blythe

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Parks & Recreation

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Dr. Phillip K. McKnelly, Director



April 18, 1994

Keith A. Lankford
Zoning Administrator
Town of Carrboro
P.O. Box 828
301 West Main Street
Carrboro, NC 27510

Dear Mr. Lankford:

I regret that I failed to mention any possible impacts that street lights might have on migratory birds in my letter to you dated April 7, 1994, regarding the proposed development at Hogans Lake.

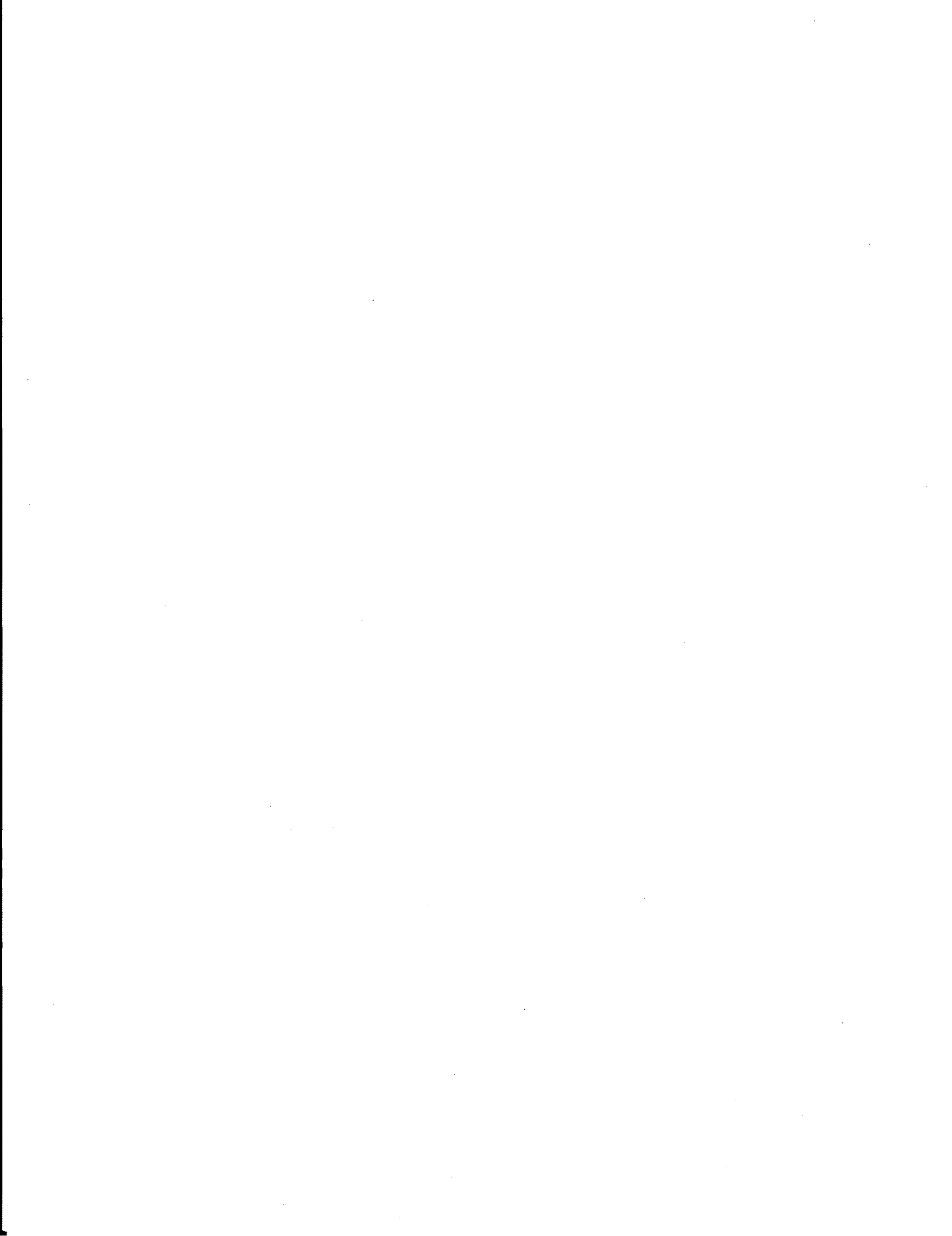
As I mentioned to you in a phone call in early April, I believe that street lights will have no negative impacts on migratory birds. Birds that migrate at night are attracted by lights on structures at or near the altitude at which they are flying, which is perhaps 500 to 2000 feet above ground. In the past, there have been major bird kills at night as the birds are disoriented by lights on TV towers or skyscrapers, after which the birds strike the structures or guy wires at the towers. However, I am not aware that street lights at residential developments have such impacts on migratory birds.

I hope this response answers your concerns expressed in a fax to me dated April 15, 1994.

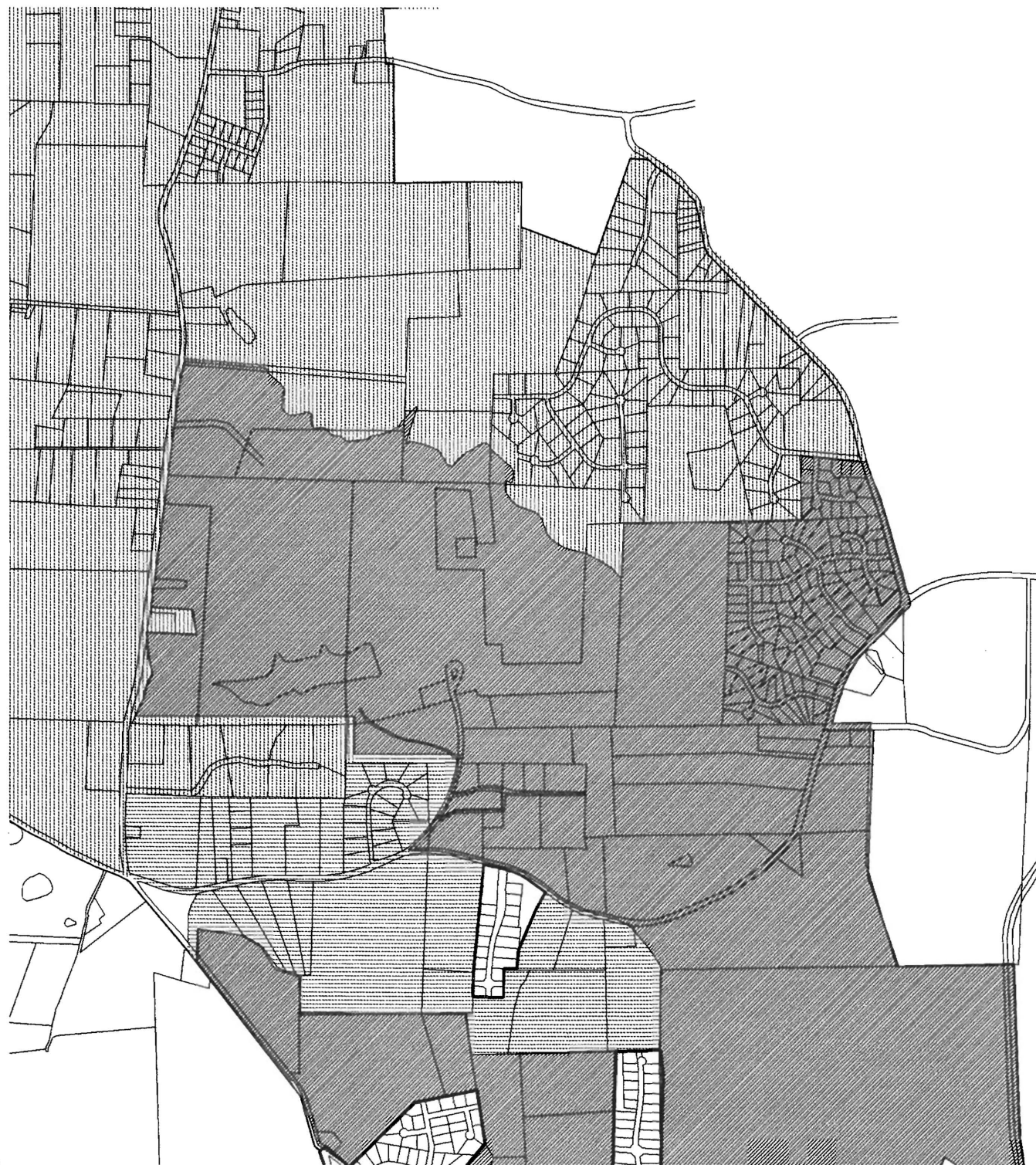
Sincerely,

Harry E. LeGrand, Jr.

Harry E. LeGrand, Jr.
Zoologist, N.C. Natural Heritage Program



Zones Surrounding Hogan Farm



City Limits
Zone R-15 = 2.80 Units per Acre
Zone R-20 = 2.17 Units per Acre
Zone R-20
Zone RR = 1 Unit per Acre
Property Lines
Jurisdiction Line

Map prepared by Deborah Squires
GIS generated
Not to be used for conveyance
March 31, 1994

0 2000 4000



CHAPEL HILL/CARRBORO SCHOOL COST REVENUE IMPACT HOGAN FARM

LOCAL SCHOOL FUNDING 1993-1994

Item	Current Expenses Property Tax	Tax Rate* (approx.)	State Revenues Shared with County	Total
A. County Appropriations	\$8,362,414	\$0.1935	\$1,475,720	\$9,838,134
B. Community Schools	\$637,500	\$0.0148	\$112,500	\$750,000
C. Unanticipated Sales Tax			\$49,541	\$49,541
D. CH/C School Dist. Tax	\$4,489,638	\$0.1575		\$4,489,638
TOTAL	\$13,489,552	\$0.3658	\$1,637,761	\$15,127,313

Item	Capital Fund Property Tax		State Shared Rev.	Total
A. Pay As You Go	\$437,034	\$0.0101	\$1,019,746	\$1,456,780
B. Debt Service (66%)	\$2,722,872	\$0.0630	\$480,507	\$3,203,379
TOTAL	\$3,159,906	\$0.0731	\$1,500,253	\$4,660,159

	Total of All Funds Property Tax		State Shared Rev.	Total
TOTAL	\$16,649,458		\$3,138,014	\$19,787,472
PERCENT	84.1		15.9	
Equivilant Rate	*43.89 cents	\$0.4389	**\$30.97 per capita	

*Based on '93-'94 county rate generating \$432,000 & district rate generating \$285,056 for each penny of property tax.

**Based on a 27% share of State Shared Revenues:
Sales Tax \$9,204,000; Intangibles \$2,073,000; Beer & Wine \$157,437
Total divided by County population of 99,674 = \$114.72 x 27% = \$30.97 per capita

***This information represents Local Funding of Schools only and does not include Direct State and Federal Funding recieved by the school system.

COST/PUPIL		
Total Cost	Pupils	Cost/Pupil
\$19,787,472	7,221	\$2,740

PREPARED BY: Town of Carrboro Planning Department, 1994



LOCAL REVENUE FOR SCHOOLS

Subdivision	Existing Housing	Persons	Value/ Unit	Total Value	Property Tax@.004389	State Revenues	Total Revenues
Bolin Forest	137	327.43	\$120,416	\$16,497,049	\$72,406	\$10,141	\$82,546
Cobblestone	57	136.23	\$163,028	\$9,292,593	\$40,785	\$4,219	\$45,004
Fair Oaks	140	334.6	\$114,866	\$16,081,279	\$70,581	\$10,363	\$80,943
Highlands	97	231.83	\$229,709	\$22,281,728	\$97,795	\$7,180	\$104,974
Laurel Springs	74	176.86	\$167,974	\$12,430,073	\$54,556	\$5,477	\$60,033
Quarterpath Trace	80	191.2	\$135,150	\$10,811,961	\$47,454	\$5,921	\$53,375
TOTAL	585	1398.15	\$931,143	\$87,394,683	\$383,575	\$43,301	\$426,876
HOGAN FARM	420	1003.8	\$209,048	\$87,800,000	\$385,354	\$31,088	\$416,442

PUPILS PER HOUSEHOLD & COST/REVENUE PER HOUSEHOLD IN SAMPLE SUBDIVISIONS

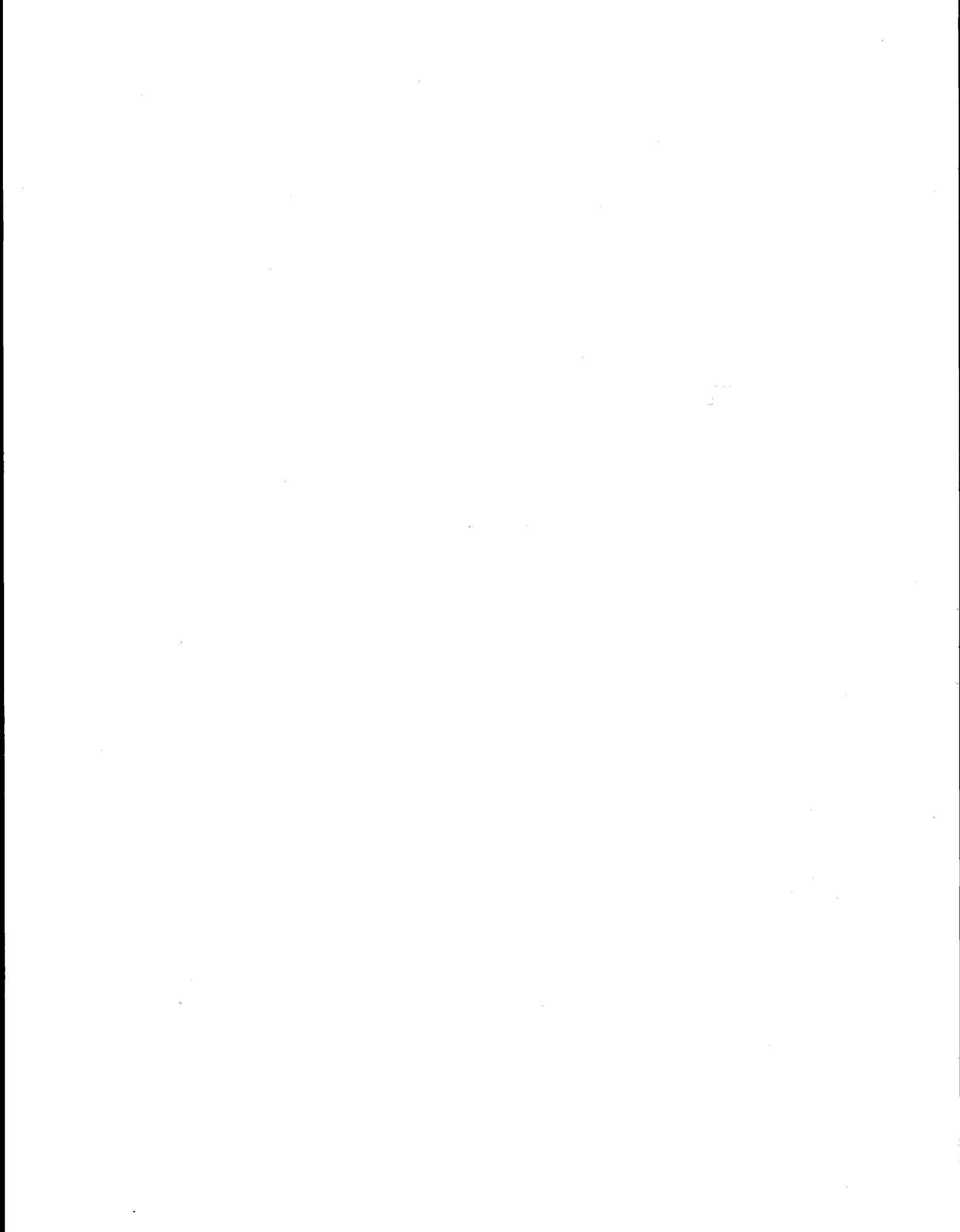
SUBDIVISION	HOUSEHOLDS	PUPILS	PUPILS/HH	COST/PUPIL	TOTAL COST	REVENUES	(COST)/REV.	(COST)REV./HH
Bolin Forest	137	40	0.29	\$2,740	\$109,600	\$82,546	(\$27,054)	(\$197)
Cobblestone	57	51	0.89	\$2,740	\$139,740	\$45,004	(\$94,736)	(\$1,662)
Fair Oaks	140	96	0.69	\$2,740	\$263,040	\$80,943	(\$182,097)	(\$1,301)
Highlands	97	94	0.97	\$2,740	\$257,560	\$104,974	(\$152,586)	(\$1,573)
Laurel Springs	74	57	0.77	\$2,740	\$156,180	\$60,033	(\$96,147)	(\$1,299)
Quarterpath Trace	80	60	0.75	\$2,740	\$164,400	\$53,375	(\$111,025)	(\$1,388)
TOTAL	585	398	0.68	\$2,740	\$1,090,520	\$426,875	(\$663,645)	(\$1,134)

HOGAN FARM COST/REVENUE FOR PUPILS

HOUSING UNITS	PUPILS PER HOUSEHOLD	PROJECTED PUPILS	COST/ PUPIL	TOTAL COST	REVENUES	(COST) REVENUE	(COST) REVENUE/HH*
420	0.68	285.6	\$2,740	\$782,544	\$416,442	(\$366,102)	(\$872)

* A portion of this amount includes capital cost and debt service that will be reduced with the new impact fee of \$750 per unit. The Hogan Farm subdivision will generate at least \$315,000 in impact fees.

This analysis does not account for property taxes generated by commercial properties.



**Summary of the Advisory Board Recommendations
Joint Review--Thursday, March 3, 1994
Lake Hogan Farms Subdivision**

Planning Board

1. That the Board of Aldermen deny the Conditional Use Permit for the Lake Hogan Farm Subdivision because of the Planning Board's concerns about:
 - (1) affordable housing,
 - (2) diverse housing types,
 - (3) cohesive connector road design,
 - (4) greenways/bikepaths along Bolin Creek.The Planning Board felt that the foregoing issues were not adequately addressed by the plan submitted by the applicant.

Transportation Advisory Board

1. That the site plans are not acceptable for the following reasons: (1) the site plan has only a western connector and a southern connector, (2) the site plan does not have a northern connector that fits in with the Connector Roads Plan Concept, and that the developer attempt to reconfigure the connector to create a direct northern connection. (See reconfiguration on sheet 7A of the site plans).
2. That if any revisions are made to the plans, then the developer should more accurately reflect the north-south connection desires that the Town expresses in their north-south connector road plan.
3. That the TAB endorses the interior layout of the plan and the circulation, with the exception of the lack of a direct north-south connector.

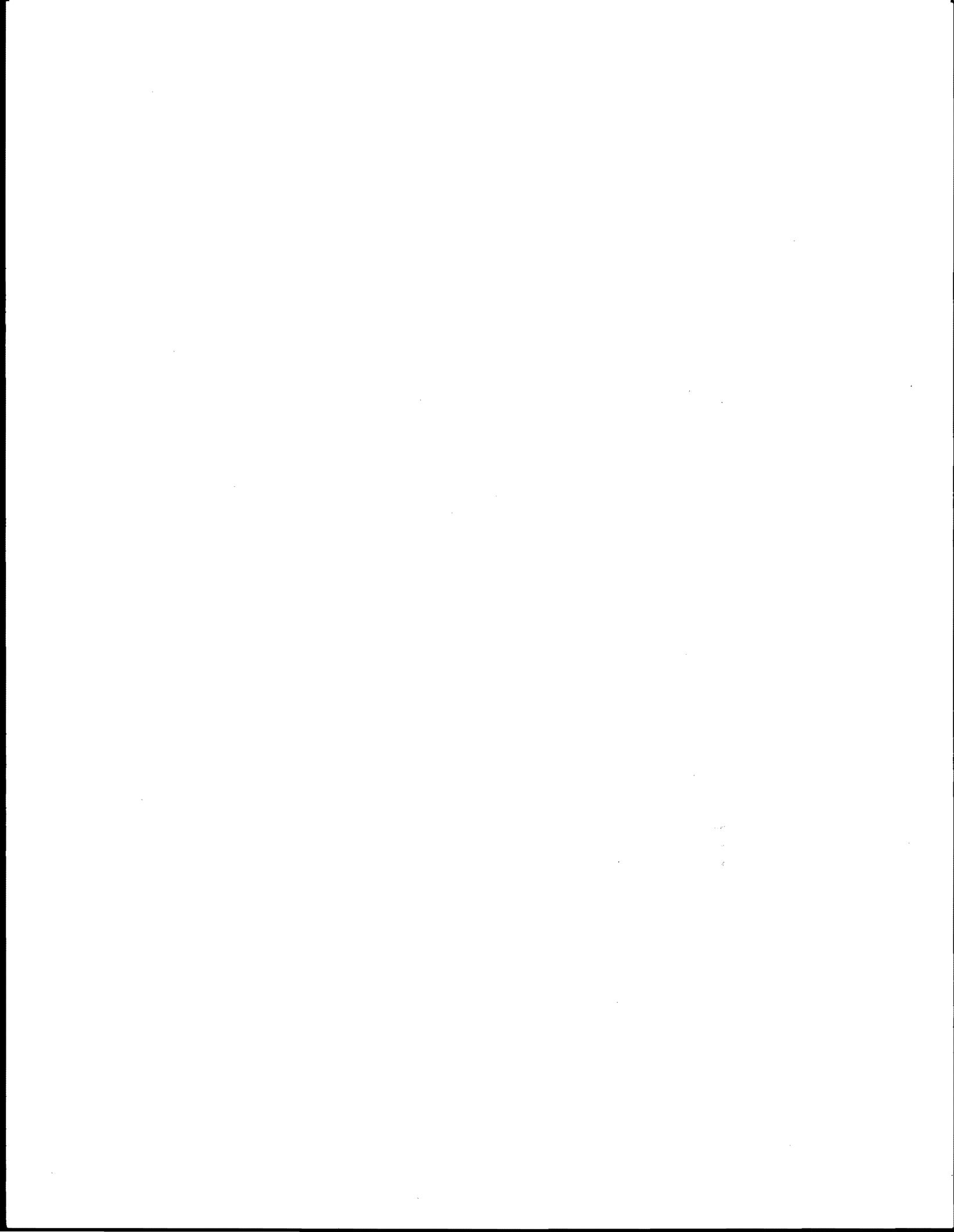
Transportation Advisory Board--Revised Recommendation from the April 7, 1994 Meeting of the Transportation Advisory Board

1. That the TAB recommend to the Board of Aldermen the approval of the CUP for Lake Hogan Farms, with the revisions to the roadways as seen at the meeting on April 7, 1994; which include Lake Hogan Farm Road being directly connected at the north with a stub out; with a second north stub out across from Hogan Run Road; with an eastern connection between lots 18 and 19 which will be a cleared stub out with dedicated right of way to the property line and clearing to be done at a later date; with a stub out across from Stag Ridge Road to the east; and with an original western connection shown on the former Lake Hogan Farm Road; and the addition of a paved stub out to the property line between lots 224 and 225; in addition to a stub out to the south on the westernmost portion for the former Lake Hogan Farm Road.

2. That all stub out where future roads may continue, the standard boiler-plate signage be posted as per the standing.

Appearance Commission

1. That the applicant bring to the Appearance Commission more detail concerning the sign/entry detail and the amenity/public areas. Also, consideration of a parking area for the clustering section and parking for the play fields.



MICHAEL B. BROUGH & ASSOCIATES

MEMORANDUM

TO: Mayor and Board of Aldermen
FROM: Michael B. Brough *M.B.B.*
DATE: April 19, 1994
RE: Response to Letter From Georgann Eubanks

The manager has asked me to respond to the letter dated April 18, 1994 from Georgann Eubanks to the Board of Aldermen regarding the Lake Hogan Farms development. Essentially, Ms. Eubanks contends that the permit cannot be issued because: (1) under section 15-254(c) of the ordinance, a permit to reconstruct the dam must be obtained from the State before the CUP may be issued; and (2) under section 15-255(d), a permit may not be issued for a subdivision if one or more lots lies within a floodplain. I disagree with both contentions.

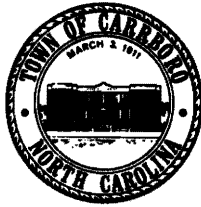
The provisions of section 15-254(c) must be construed within the context of the section where they are located. That section contains provisions, many of which are required by the town's participation in the Federal Flood Insurance Program, that are designed to protect against damage to structures built within floodplains and to safeguard other properties from flood damage caused by construction within floodplains. In that context, I do not construe the phrase "development within a floodplain" as being applicable to the repair of a pre-existing dam since it does not appear to me that such repair work would constitute "development within a flood plain," even assuming that the dam is actually within the floodplain itself. Moreover, my understanding is that the proposed work on the dam is contingent upon an engineering assessment of the need to do such work that has not yet been undertaken. Under these circumstances, it appears to me that the Board could issue the CUP consistent with section 254(c) and simply provide by a condition that construction plans for phase 1 of the development (I am informed that the dam is included in phase 1) may not be granted unless and until the developer has determined whether and to what extent improvements of the dam will be required and, if a state permit for such improvements is mandated, such permit is obtained from the State.

To the extent that the developer intends to raise the dam, this would involve a change in the floodplain and implicate more directly the provisions of section 15-254(c). However, this too could be handled by the same type of condition described above, i.e. a condition requiring that construction plan approval be withheld until any plans to approve an increase in height of the dam are approved by the applicable state agencies.

Mayor and Board of Aldermen
April 19, 1994
Page Two

With respect to the creation of lots within a floodplain, Ms. Eubanks quotes only a portion of section 15-255(d). She correctly quotes the part of this section that states that subdivision approval may not be granted if a portion of any lot lies within a floodway or floodplain, but omits the remaining language, which provides an exception when "it reasonably appears that. . . with respect to each lot that lies wholly or partly within a floodway or floodplain, . . . a building of the type that is consistent with the zoning of the property can practically be located in accordance with applicable regulations on the portion of such lot that is located outside the floodway or floodplain. . . . My understanding from the information provided to me by Roy Williford is that, even assuming the dam is raised an additional two feet, the lots that are located in proximity to the lake would still have sufficient area outside of the floodplain to allow for the construction of a home on such lots.

I need to emphasize that my response is limited to my disagreement with the position stated in the cited letter that the Board cannot issue the CUP consistent with the ordinance. However, if and to the extent that the developer seeks permission to raise the dam and thereby affect the existing floodplain, I do believe the Board would be justified in declining to issue the permit on the basis of section 15-254(c) until the necessary permits have been obtained from the State if the Board is uncomfortable with dealing with this matter by condition as suggested above.




TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Robert W. Morgan
Town Manager

FROM: Roy M. Williford 
Planning & Economic Development Director

DATE: April 14, 1994

RE: April 10, 1994 Letter from Jef to the Orange County
Commissioners and Carrboro Alderfolk

At the Board of Aldermen's April 12, 1994 meeting, the Board received a letter dated April 10, 1994 from Jef regarding his belief that the Hogan Farm Development does not comply with the Joint Planning Area Land Use Plan. To address Jef's letter, I offer the following:

The Joint Planning Area Strategy Map does show a greenway along Bolin Creek and along Jones Branch. The Hogan Farm CUP does propose public access easements along both Jones Branch and along Bolin Creek, and north of Hogan Lake. The primary difference between the Strategy Map greenway proposal and the CUP is that the access easement runs on the north side of the Lake rather than along the south side of the Lake.

Compliance with the Joint Planning Area Land Use Plan is addressed under Section VII of the Plan which states that the plan is not "self-executing" but is "dependent on the degree to which public and private development actions and decisions are coordinated". Among the implementation tools cited in the Plan are the zoning ordinance and subdivision regulations which, for Carrboro, is the Land Use Ordinance. Section VII further explains on page 88 under "Subdivision Regulations" that "As the interest of the developer is generally short term, the application of subdivision regulations protects not only the individual homeowner, but also the general public by providing for a review process which suggests and facilitates coordination of the proposal with the long range specifications of the Plan. By providing an opportunity for negotiation it likewise allows for the potential coordination of public and private activities." In summary, elements addressed by the Joint Planning Area Land Use Plan as components of an overall strategy are implemented as part of the land use permitting process. In the Carrboro Transition Area the determination of implementing, locating, or requiring a greenway, park, or open space strategy on a particular parcel rests with the Board of



Robert W. Morgan RE: Jef's 04/10/94 Letter (con't)
April 14, 1994
Page #2

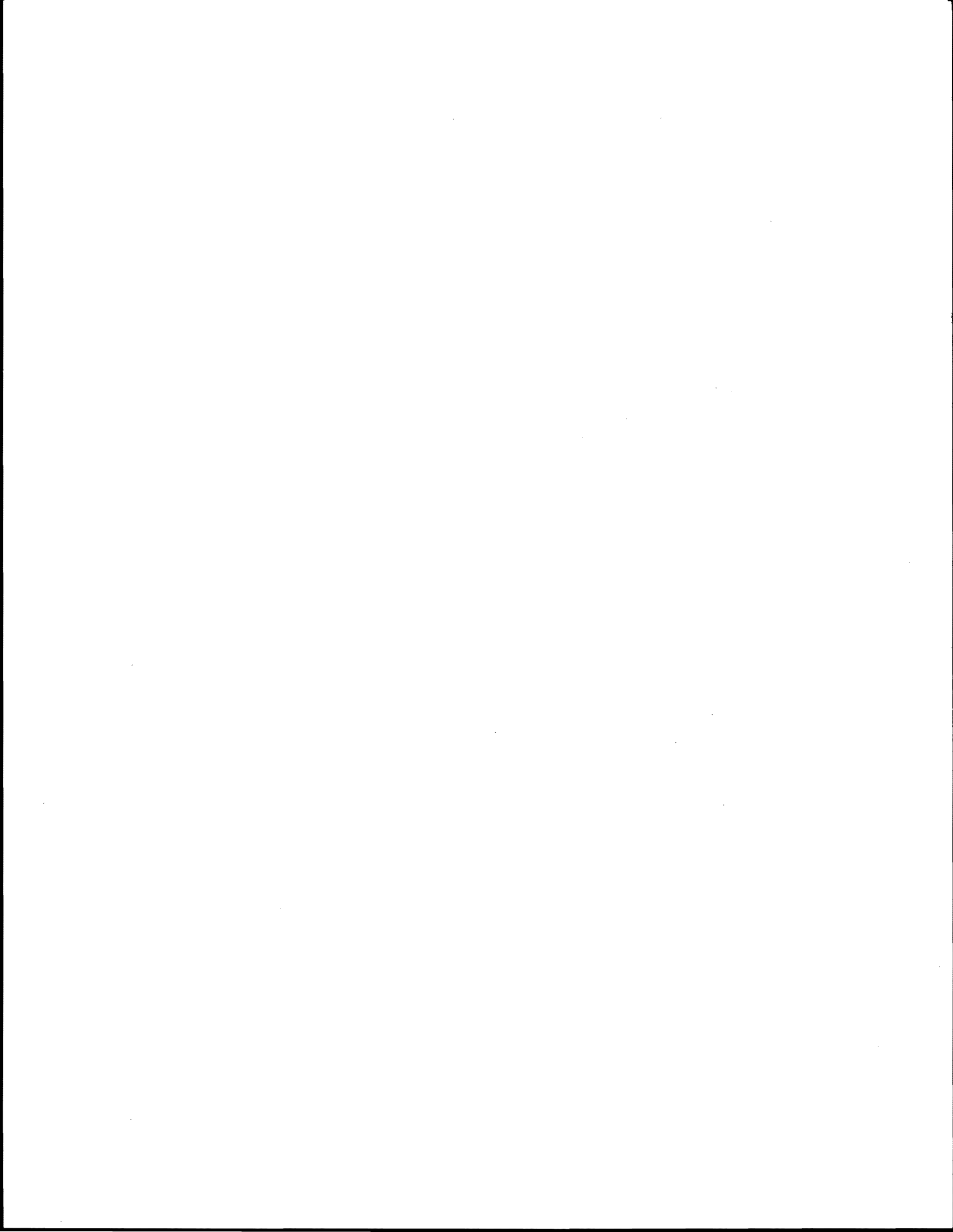
Aldermen to the extent allowed by the Carrboro Land Use Ordinance. For instance, it is within the Board's purview through the permitting process to determine that a greenway or public easement should be provided on the south side rather than on the north side of Hogan Lake.

The Hogan Farm CUP does comply with the Joint Planning Area Land Use Plan by providing a public access easement through the property along both Bolin Creek and Jones Branch. The actual placement of the greenway or access easement should be determined as part of the permitting process.

As requested by the Board, I have attached copies of the selected pages from the Joint Planning Area Land Use Plan.

RMW/jes

attach.



SECTION VI

FUTURE LAND USE - JOINT PLANNING AREA

In this section, anticipated patterns of future land development are outlined for the Joint Planning Area, exclusive of Carrboro and Chapel Hill. The future land use patterns described in this section are based, in part, on the population, economic and existing land use trends identified in background studies. Also considered in the formulation of these patterns were environmental features, infrastructure and service concerns, operating principles, locational standards and concept/strategy maps developed for the Joint Planning Area or currently existing in the Orange County Land Use Plan. Finally, comments received at public hearings, public information meetings, and the recommendations of town and county advisory and governing boards were considered in the formulation of the plan. The discussion of the Plan centers on two broad categories of land use - Transition Areas and the Rural Buffer.

*TRANSITION AREAS

*Amended

2/3/92 (effective 2/24/92)

Transition areas are located adjacent to the urban areas of Chapel Hill and Carrboro. They are in the process of changing from rural to urban uses or are already urban in use; are developed at or suitable for urban-type densities; and are now provided or are projected to be provided with urban services. The portion of the Transition Area located north of Carrboro has been further divided into Transition Area I and Transition Area II designations on the Joint Planning Area Land Use Plan. Transition Area I may be developed at densities and for uses identified in the underlying land use plan categories described below. Within Transition Area II, however, no tract may be approved for development at a density that exceeds one (1) housing unit per gross acre until at least seventy-five percent (75%) of the gross land area of Transition Area I has developed. (See Section V for specific details.)

Ten categories of Transition Area have been depicted on the Joint Planning Area Land Use Plan. These categories include Resource Protection, Public-Private Open Space, New Hope Creek Corridor Open Space; Suburban Residential, Urban Residential, Office-Institutional, Future UNC Development, Retail Trade, Light Industrial, and Disposal Use. These categories are described below.

Resource Protection Areas

Resource Protection Areas in Transition Areas have been designated on the Land use Plan to include flood plains, and wetlands along drainage tributaries and steep slope areas (15% or greater). These areas form the basis for a comprehensive parks and open space system which provides the framework within which other land use categories are to function. Parks have been

generally located throughout the Joint Planning Area using a neighborhood park one-half mile service radius. The parks are linked together by a system of greenways extending along drainageways, and pedestrian routes (sidewalks) along thoroughfares.

Public/Private Open Space Areas

Land areas owned or controlled by both public and private interests in the Transition Areas have been designated on the Land Use Plan. These areas include UNC lands (excluding Horace Williams Airport and adjacent tracts) and a tract connecting the two landfill sites. These sites provide open space in the midst of areas planned for urban expansion.

A Public/Private Open Space Area has also been designated along Interstate 40 in both Transition and Rural Buffer Areas to recognize the Major Transportation Corridor (MTC) district established to provide a 100-foot buffer along that route. The Plan recommends utilization of portions of the buffer to link proposed park and greenway areas together.

New Hope Creek Corridor Open Space Areas include some of the Resource Protection Areas and a portion of the Public/Private Open Space Areas which were designated as significant and worthy of protection according to the New Hope Corridor Open Space Master Plan completed in April of 1991. (See Master Plan Map following Strategy Maps). The areas are part of a system of open space in Durham and Orange Counties along New Hope Creek and its tributaries between Eno River State Park and U.S. Army Corps of Engineers land north of Jordan Lake. This category is made up of critical environmental areas such as stream beds, floodplains, steep slopes, and larger tracts of historic, educational, or recreational value. The New Hope Corridor Open Space Master Plan describes these areas in detail and makes specific recommendations as to how they should be protected or utilized for environmental, educational, and/or recreational purposes.

***Suburban Residential Areas**

*Amended 2/1/93

Suburban Residential Areas include single-family homes, duplexes, apartments, condominium and townhouse projects. Areas designated as Suburban Residential are located where land is in the process of changing from rural to urban, suitable for urban-type densities and should be provided with public utilities and services. Housing densities in the Suburban Residential category range from one (1) to five (5) units per acre.

*However, densities may be lower than one dwelling unit per acre in Suburban Residential Areas. Chapel Hill as part of its Southern Small Area Plan has identified certain areas in the Southern Triangle as being suitable for densities not exceeding one (1) unit per acre for areas immediately east of U.S. 15-501 and densities not exceeding one (1) unit per five (5) acres for areas immediately west of Old Lystra Road.

VII.

OVERVIEW OF IMPLEMENTATION STRATEGIES

The awareness and desire for appropriate and managed growth and use of the land which led to the conception and development of the Joint Planning Area Land Use Plan will remain merely a "good idea" unless a commitment is made to translate the concept into physical form through adoption and implementation. As the long-range planning framework, it should be considered in day-to-day decision-making and implementation of policies affecting the use of land.

The success of the planning activity, however, is dependent on the degree to which public and private development actions and decisions are coordinated since the Plan is not "self-executing". Legal, financial and administrative tools must be utilized effectively. These implementation tools include a zoning ordinance, subdivision regulations, sedimentation and erosion control ordinance, a flood damage prevention ordinance, building and fire codes, water and sewer extension policies, a thoroughfare plan, public investments, coordination with other plans, and public education and awareness.

Zoning Ordinance

The Zoning Ordinance is the major legal tool for implementing the Land Use Plan. The Zoning Ordinance serves as the means to achieve the desired relationships between land uses, to prevent incompatible land use associations, and to encourage and provide incentives for the more compact and efficient land use patterns delineated in the Plan. Simply stated, zoning is the division of a jurisdiction into different districts and the regulation within those districts of the density of population, intensity of the use of buildings and land, and lot coverage and required setbacks. Most zoning ordinances divide land uses into three general categories of residential, commercial and industrial uses and specify the areas where each of these uses is permitted.

Upon completion and adoption of the Land Use Plan, a zoning map for the Ten and Twenty Year Transition Areas will be prepared. Orange County is to adopt, on the Chapel Hill side of the Joint Planning Area located within the Ten and Twenty Year Transition Area, that portion of the Land Use Plan, zoning map, and development standards of the Chapel Hill development ordinance which shall be applicable to the Chapel Hill side. Similar provisions would be applicable on the Carrboro side of the Joint Planning Area.

Subdivision Regulations

Subdivision Regulations govern the conversion of raw land for intensive use. They serve as the means to secure a well designed and coordinated pattern of streets, lots and utilities in advance of subdivision, given the relative permanence of the character of the subdivision once completed. This implementation tool is particularly necessary to coordinate existing and potential future development with proposed development. As the interest of the developer is generally short term, the application of subdivision regulations protects not only the individual homeowner, but also the general public by providing for a review process which suggests and facilitates coordination of the proposal with the long range specifications of the Plan. By providing an opportunity for negotiation it likewise allows for the potential coordination of public and private activities.

Dedication of resource protection areas during the subdivision process, has been approved as another means of acquiring such areas. However, all sites do not contain resource protection areas. In such situations, "payment-in-lieu" is a technique designed to more equitably distribute the costs of preserving resource protection areas. The developer of a site not containing defined resource protection areas would be required to make a payment toward the purchase and/or development of resource protection areas elsewhere. Monies from "payment-in-lieu" would, in turn, be used to purchase and/or develop resource protection areas where the dedication process would not be applicable, as in the case of areas already developed or areas not proposed or suitable for development.

Erosion and Sedimentation Controls

Soil erosion has been and is a serious problem in the Piedmont of North Carolina, resulting in land degradation and water supply deterioration. The Orange County Sedimentation and Erosion Control Ordinance, adopted in 1976, provides the legal means by which the adverse impacts of land disturbing development activities can be minimized. The Ordinance serves to control and prevent accelerated soil erosion, maintain the ecological balance, prevent the obstruction of natural and artificial drainageways, inhibit flooding, reduce the undermining of roads and protect water quality.

Orange County presently administers a strong erosion and sedimentation control program for the entire County, including the Towns of Chapel Hill, Carrboro, Hillsborough and Mebane. Before a construction permit is granted, a developer must submit an erosion and sedimentation control plan to the County's erosion control officer. These plans include the type of soils present on site, the topography and location of nearby streams, erosion control measures to be taking during construction, and the operation and maintenance of any structural controls during the life of the project.



Jef
300 Stony Hill Road
Chapel Hill, NC 27516
(919) 967-9023

April 10, 1994

Dear Orange County Commissioners and Carrboro Alderfolk,

At the public hearing of the Town of Carrboro concerning the proposed Lake Hogan Farm subdivision, I spoke about two issues: the effects of urban lighting on migratory waterfowl and the safety of the intersection leading into the subdivision from Old NC 86. Since that time, I have been researching my concerns, and have stumbled onto something that is quite alarming to me. I fear that the subdivision as it is currently planned on the blueprint submitted for permit approval is not in compliance with the Orange County/Chapel Hill/Carrboro Joint Planning Area Land Use Plan.

The portion that I fear is not in compliance is that portion along the south side of Hogan Lake and all along the Bolin Creek which bisects the proposed Lake Hogan Farm development. This area is designated on the Resource Protection Area Strategy Map of the Joint Planning Area Land Use Plan as a greenway. At the public hearing, the developer, Mr. Jewell, specifically stated that the open space along the lake was not going to be made into publicly accessed open space. I fear that this is contrary to the Joint Planning Area Land Use Plan.

In the body of the text of the Joint Land Use Planning Agreement, Section VI, Future Land Use-Joint Planning Area, under the section titled "Resource Protection Areas" (pp.71,72), the agreement specifically states,

"Parks have been generally located throughout the Joint Planning Area using a neighborhood park one-half mile service radius. The parks are linked together by a system of greenways extending along drainageways, and pedestrian routes (sidewalks) along thoroughfares."

The Strategy Map on page 73 of the same document clearly shows that one of these designated greenway areas runs along the south side of Hogan lake and along the Bolin Creek which bisects the proposed Lake Hogan Farm development. The greenway then connects to a proposed public park on the west side of Old NC Hwy. 86.

In Section VII of the Joint Land Use Planning Agreement, covering the topic of Overview of Implementation Strategies, the section titled "Subdivision Regulations" (p.88) clearly states,

"As the interest of the developer is generally short term, the application of subdivision regulations protects not only the individual homeowner, but also the general public by providing for a review process which suggests and facilitates coordination of the proposal with the long range specifications of the Plan...."

Dedication of resource protection areas during the subdivision process, has been approved as another means of acquiring such areas."

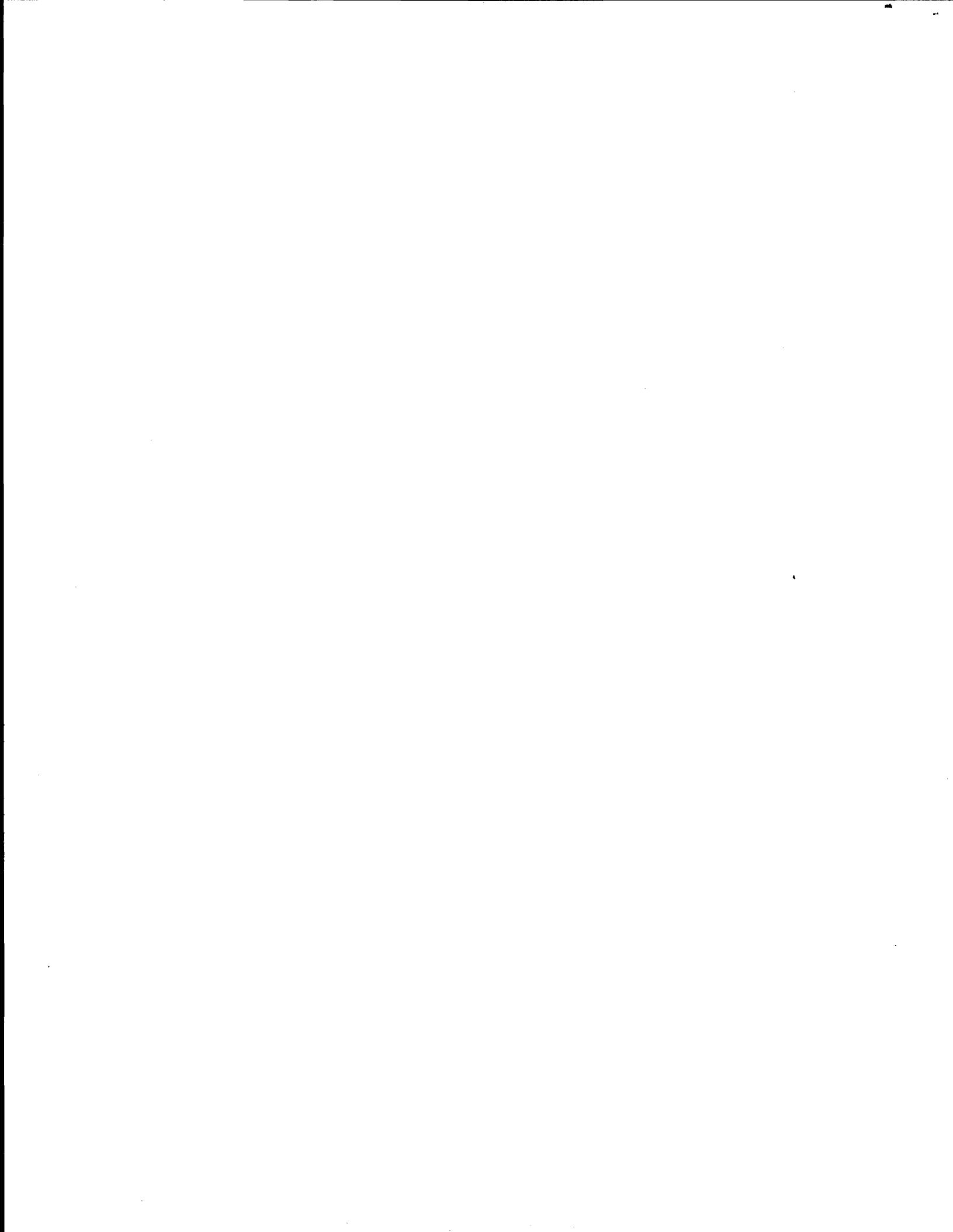
The Joint Planning Area Land Use Plan was adopted by the Carrboro Alderfolk on May 20, 1986. The Joint Planning Agreement which enforces the plan was signed by James Porto, Mayor, Town of Carrboro, on November 2, 1987.

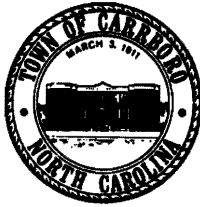
Since the greenway in question is on the Joint Planning Area Land Use Plan, and since it is up to the Alderfolk of the Town of Carrboro to enforce the standards of the Joint Land Use Planning Agreement in the designated Transition Area, I believe it imperative that this greenway be added to the plan of the proposed Lake Hogan Farm development and dedicated to the good people of Orange County before the plan is accepted. I fear that failure to do so may result in a collapse of the Resource Protection Area Strategy portion of the Joint Planning Area and an abrogation of the entire Joint Planning Area Land Use Plan, which was established as the will of the people throughout the Joint Land Use Planning Area as well as our governmental bodies in 1986 and 1987.

As a citizen of Orange County who happens to live in Carrboro's Transition Area, I beg of you to correct this oversight. Please bring the developer's plan for the proposed Lake Hogan Farm subdivision in compliance with the Joint Planning Area Land Use Plan before it is approved.

Sincerely,


Jeff





TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Robert W. Morgan
Town Manager

FROM: Roy M. Williford, AICP *[Signature]*
Planning & Economic Development Director

DATE: April 15, 1994

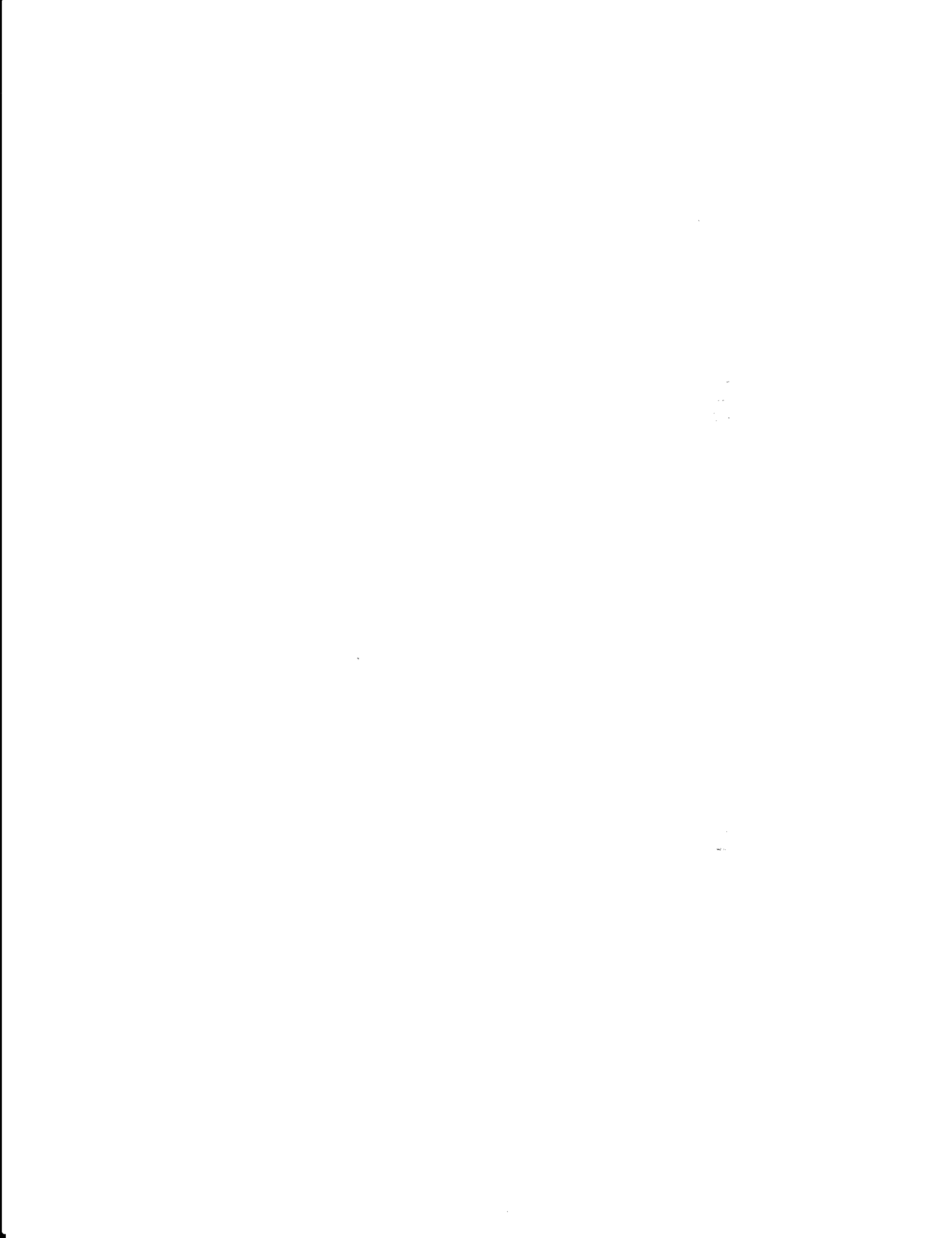
RE: Response to Alderman Bryan's Facsimile Dated March 30, 1994

In response to Alderman Bryan's March 30, 1994 facsimile to you requesting information regarding the proposed Hogan Farm subdivision, I submit the following information:

1. *Transcript of my comments at the public hearing on the rezoning of Hogan Farm that had to do with a request that the parties mediate the matter.*

A. Transcription --- (NOTE: The following is a transcription of Mr. Bryan's uninterpreted comments made at the May 25, 1993 public hearing regarding mediation between the developer and surrounding residents.)

"Contrary to what my usual custom is which is to wait until everybody else goes, I'm going to try to make a proposal to you. Let me preface this by saying that the reason I'd like to suggest this to the Board is that as has been said by both sides that this process has been, the process and items, involved in this rezoning have been very divisive. It is grievous to me and I think to other members on the Board to see that happening and involving people who on all other accounts are good people and have been involved in the community in very positive ways. I think as a Board or community settle or try to settle these disputes are important because we need to look toward the fact that, particularly in this area, as pointed out by Mr. Hogan, this other land that will be developed and will be coming to us. There is an ongoing planning process reviewing the area and there will be other opportunities for people to either work together or not. I don't think that it helps our community when we dehumanize ourselves and each other when we're really all connected and we should be acting as we are taught in our families, communities, our churches to act towards our neighbors. So with that little soliloquy, I would suggest that



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we as a Board ask that the participants here, and that includes us to a degree, dig deeper to go beyond the characterizations that have split us apart. Under our zoning ordinance we can vote on this this evening, we can refer it to a committee for further study, or under the same section take any other action consistent with our usual rules of procedure and that's under 15-324. You may recall the great discussion that involved the rezoning that happened downtown several years ago when Rev. White, John Boone, and others were on the Board, when there was a lot of outcry about that they referred it to at least one or two committee to attempt to work it out. This is different in that it involves an individual's or individuals' request for rezoning. I'm going to suggest that we not vote on it tonight that we refer to the following sort of process. I recognize that there are timetables here, there are expectations but again I think if we are going to try to resolve this or have people resolve it in a way that is positive for the long term community here and all I hear is people saying that's important. If it is important let's look at it that way and let's work on it. If we're going to do that I think we need to try to resolve this without a divisive vote. I want to say that when the issue of the vote of the density for this area in 1988 came up, I voted for the lowest density along with Mr. Gurganus, Mr. Caldwell, and I think Ms. Sheltey. At that time, my reasoning was that based on my understanding of what this community wanted, it wanted low density because of the tremendous amount of building that had occurred in the 1980's. Now granted, it was a lot of multi-family but it was a concern about the overall impact of densities. Since that time it has been obvious development south of Homestead Road but with regard to north Homestead there has not been the kind of development that would, to me, suggest a need for a, necessarily, for a change. At the same time I've, in the last couple of years, and the rest of you have talked about the sprawling nature of the development out there. And we have I think in terms of our proposal to set up the small area group in planning and our talk on open space and so on have recognized that to build a subdivision on subdivision is detrimental in many different ways, it fosters suburbs that are not connected to each other; particularly, it makes deliver of services by fire and police much more difficult. It overburdens our roads by requiring people to drive further and further to get to where they need to work or to buy groceries and it results in a gobbling up of our natural resources that we are here to protect -- our natural land, farmland, and open space. And I think we recognize as a Board that we need to see if we can get a consensus about doing something more to address those issues. And I support that. I think that what little we know about this proposal and the issues that's been cited concerning open space and so on are important principles. For that reason and other reasons of the community I would like to

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suggest that we support basically the two sides in this case, there are people who are opposed to it and there are people who are supportive of it obviously be allowed on some expedited fashion to attempt one time to mediate this matter between them as to a proposal for the development of this property at whatever density is arrived at. I think that we as a Town could offer our support by agreeing to support the role of facilitator from the Dispute Settlement Center to act as a neutral person to discuss the issues as well as perhaps support an independent person to draw up the plans that would be satisfactory to both groups. And that we also agree that we will accelerate the small area planning process to move that whole process along. I will tell you my concern about this is I am worried about making an exception. We have a situation where we've been asked to consider this as a model for what should be done essentially. If we approve it and the plans are approved or presented as have been suggested, it can not help but be a model for what's being out there and it will be used by others around there to ask for change in the densities as well for their properties. I think what we as a Board did and we started this discussion over a year or two ago about this area, we said that we need a holistic view. I think our discussion tonight about Arcadia and the roads is a perfect example of why we agreed to have an overall plan because if we take it subdivision by subdivision, we have the issues of the roads come up and we can't plan properly for that. I would that in the meantime agree or consider agreeing that there be no further applications for rezoning while the small area planning process is going on so that we can have an overall plan presented to us that is based on consensus. There are people on the Small Area Planning Work Group that are representative of both sides who have unfortunately been split on this particular issue. And, my aim would be to try to meet a mediation on this particular issue so that those people can come together again and work on the issues for the broader area for the benefit of the community. Again, I say that's what has been espoused to us them, I'm calling you on the idea that you are all interested in the benefit of this community. This is an opportunity rather than to force a vote that is going to be upsetting to one side or the other. I want to end with that there. I do have opinions about the rezoning itself, but I'm trying to assist in a way that I believe will in the long run help this community and all the people who have been involved in it. So that would be my proposal."

NOTE: The following is excerpted from the May 25, 1993 Minutes for your information:

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD NOT VOTE ON THIS MATTER TONIGHT, BUT THAT IT BE REFERRED BACK TO THOSE WHO HAVE BEEN DISAGREEING ABOUT THE PRO-POSED REZONING TO



SEE IF SOME FURTHER CREA-TIVE SOLUTIONS CAN BE DISCUSSED AND AGREED UPON TO MEET THE CONCERNS OF THESE PARTIES (THOSE OP-POSED TO THE REZONING AND THE HOGANS). TO AS-SIST IN THIS DISCUSSION AND DEVELOPMENT OF A NEW PLAN FOR THIS PROPERTY, THAT THE DISPUTE SETTLEMENT CENTER BE CONTACTED ABOUT FACILITATING ANY MEETINGS AND THAT THE TOWN BEAR THE REASONABLE COST OF PROVIDING THAT FACILITATION AFTER REVIEW OF A PROPOSAL FOR HOW IT WOULD BE HANDLED. AND THAT THE TOWN STAFF SPEED UP THE WORK OF THE SMALL AREA PLANNING WORK GROUP, THAT A REPORT ON OPEN SPACE ZONING BE DEVELOPED IN THE NEAR FUTURE, AND THAT THE BOARD AGREE TO SUPPORT A POLICY THAT WILL PREVENT APPLICATIONS FOR RE-ZONING FOR THE ENTIRE SMALL PLANNING AREA, AND THAT PERMITS FOR FURTHER DEVELOPMENT IN THIS AREA BE DISCOURAGED DURING THIS PLANNING PERIOD. AND THAT THIS PARTICULAR TRACT GET SPECIAL CONSIDERATION AND WOULD BE AN EXCEPTION TO OUR NORMAL PROCESS FOR REVIEWING SUCH PROPOSALS. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (MARSHALL, GURGANUS, CALDWELL, SHETLEY)

2. *I recall that I asked that the Board be given a copy of the zoning densities. You asked me if I wanted the build-out densities, the densities for the land as it was actually developed, and I told you at that time that I did not think I wanted those. However, I have changed my mind, and I would appreciate a copy of these densities.*

A. Build-Out Model

ZONE	ACREAGE	EXISTING SUBDIVISIONS AND NATURAL CONSTRAINTS	REMAINING ACREAGE	ROAD MULTIPLIER	BUILDABLE AREA
R-10	112.8	64.36 AC	48.44	4.53%	201.47 LOTS
R-15	242.0	94.9 AC	147.10	6.76%	398.31 LOTS
R-20	1267.0	854.89 AC	412.11	1.15%	887.25 LOTS
RR	1718.8	19.3 AC	1699.50	.87%	1684.71 LOTS
B-3T	4.89	4.89 AC	4.89	NONE	0 LOTS
TOTAL	3361.54	1038.34 AC	2312.04	3.32% AVERAGE	3172 LOTS

1. The UNC Property in the R-20 zone is 331 acres.
2. The main roads used in the calculations are NC 86, Homestead, Dairyland Road, Eubanks Road, and Lake Hogan Farm Road.



B. Buildable Acreage for Residential Development

ZONE	BUILDABLE ACREAGE	PERCENT OF TOTAL
R-10	46.25	2.03%
R-15	137.16	6.03%
R-20	407.37	17.90%
RR	1684.71	74.03%
B-3T	0	0%

C. Carrboro Minimum Lot Size

ZONE	MINIMUM LOT SIZE
R-10	10,000
R-15	15,000
R-20	20,000
RR	43,560
B-3T	7500, IF RESIDENTIAL

D. Open Space Comparison: LAKE HOGAN FARM AND SELECTED SUBDIVISIONS

SUBDIVISION	TOTAL ACRES	NUMBER OF LOTS	D.U. PER ACRE	OPEN SPACE ACREAGE	% OF OPEN SPACE
Lake Hogan Farm	310	420	1.35	69.48	22
Stony Hill*	31.98	7**	0.22	0.00	0
Drew Lane*	12.23	11**	0.90	0.00	0
Wexford	61.80	95	1.54	3.56	6.0
Cates Farm	48.49	72	1.48	6.70	13.8
Arcadia	16.51	33	2.00	4.80	29.0
Highland Ph. 5	14.16	22	1.55	1.75	12.0
Cobblestone	41.40	64	1.55	2.60	6.30
Quarterpath Trace	27.21	80	2.94	7.10	26.0
Bolin Forest	38.65	197	5.10	12.00	31.0
Spring Valley	34.29	118	3.44	3.89	11.0
Camden	16.35	24**	1.47	1.22	7.5



SUBDIVISION	TOTAL ACRES	NUMBER OF LOTS	D.U. PER ACRE	OPEN SPACE ACREAGE	% OF OPEN SPACE
Fox Meadow*	106.67	94	0.88	0.00	0
Meadow Run	26.21	13**	0.50	0.72	2.7
Highland Meadows	11.83	20**	1.69	0.00	0

* = Subdivisoin approved by Orange County

** = Subdivisions with less than 25 unit may be exempt from the open space requirements in Section 15-198 of the Carrboro Land Use Ordinance

3. *Would you please have someone give a history of the discussions of the Board's interest in open space zoning and the formation of the Small Area Planning Work Group for looking at zoning issues in the transition area? I would appreciate it if you would go back to the ideas submitted to our retreat in 1991 and 1992 as well as what was listed on the agenda for those years.*

1991 RETREAT

- A. The Board requested a report on greenway options and later determined that these options should be included within the Recreation and Parks Master Plan.
- B. Neo-Traditional Workshops were held (Andres Duany) on February 21, 1991.

1992 RETREAT

- A. Discussion of items of interest:
1. Small area planning for the transition area
 2. Policy on open space
 3. Examination of issues relating to the development of subdivisions and planning of development in the transition area:
 - a) the reduction of the size of roads in general;
 - b) elimination of the need for curb and gutter or the use of alternative guttering;
 - c) the combining of bikepaths and sidewalks off road;
 - d) the adequacy of timing of screening;
 - e) ordinance changes which increase the amount of open space in new development along the Russell Arandt model; and
 - f) discussion of the volunteer fireman personnel and their status.
 4. Discussion of the concepts of Randall Arendt for open space preservation zoning.
- B. Action Agenda
1. Advisory boards to review Arendt and Duany tapes.



2. Proceed with the establishment of a Small Area Planning Work Group (referred to 1st quarter of '93).
3. Open Space Preservation Ordinance for the Town (was not voted on the '92 Action Agenda).

1993 RETREAT

A. Discussion of items of interest:

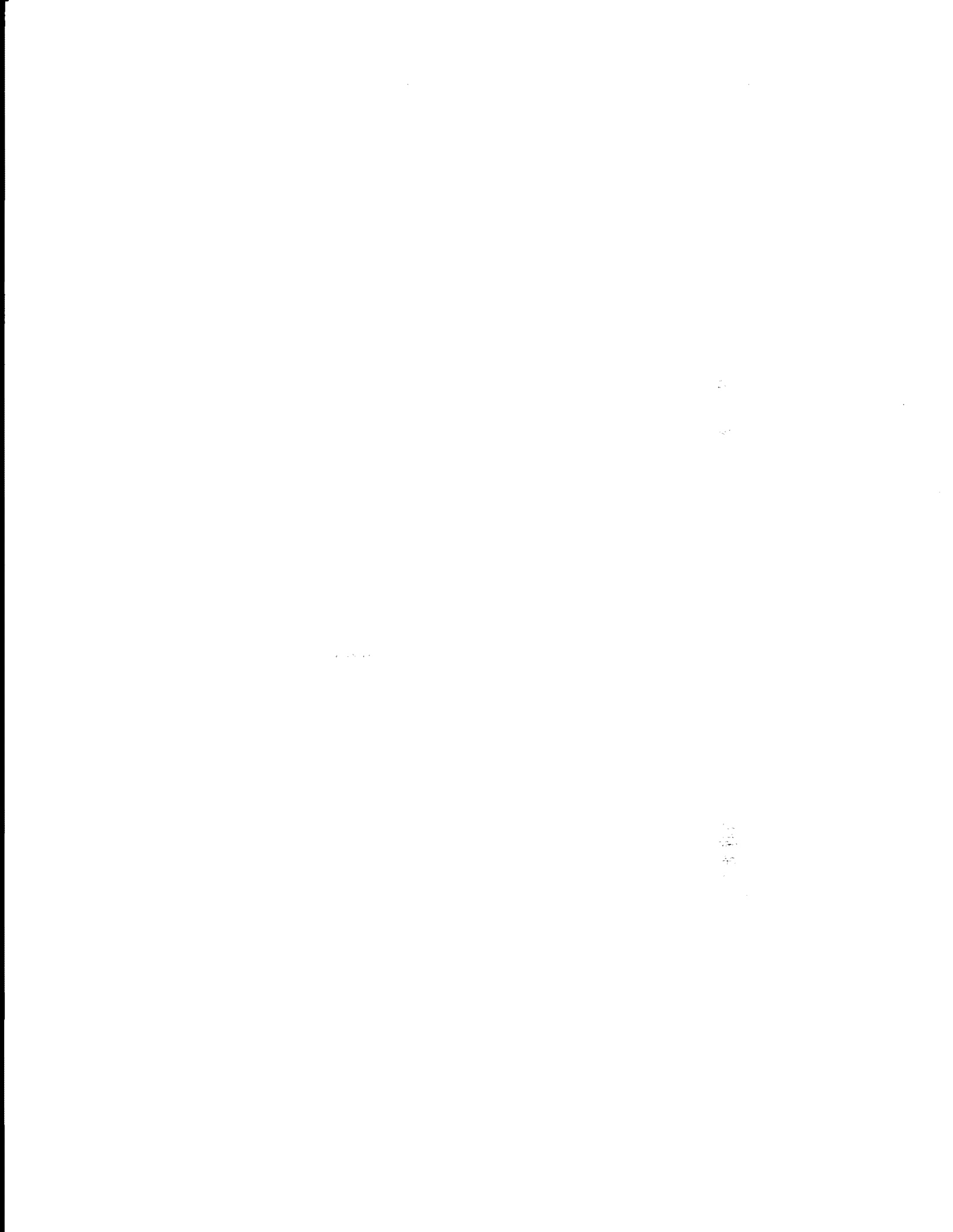
1. Density bonuses, regarding small area planning should include a policy discussion on the definition of open space. A worksession should be scheduled by the Aldermen on the use of open space grant incentives to get ore open space which depends on the orientation of housing related to open space.
2. Open space - consider as a separate topic. Go ahead and get started on it. Have Randall Arendt come and talk to the Board of Aldermen about open space zoning.
3. Small area planning - discuss what a comprehensive plan means and how we can fit small area planning into it.

B. Action Agenda

1. Schedule a worksession on policy decisions for the Small Area Planning Work Group (SAPWG) including having one member selected by each Board of Aldermen member.
2. Discuss open space zoning.
3. Discuss purchase of open space and contact the University about leasing property (open space will be an element of the overall Recreation and Parks Master Plan).

C. Status of Action

1. SAPWG - reviewing zoning issues:
 - a) 02/02/93 - Board worksession, appointment of the Small Area Planning Work Group membership.
 - b) 04/13/93 - SAPWG & Board of Aldermen Joint Worksession. The Board requested that the town attorney develop a list of options on the SAPWG's consideration of specific development proposals and rezoning applications during the planning process.
 - c) 06/01/93 - Aldermen considered options for processing development proposals during small are planning process for the transition area and took no action.
2. Open Space Zoning:
 - a) 06/22/93 - The Board of Aldermen received a report on open space zoning concepts and how they compare to Carrboro's existing ordinances.



The Board referred the item to the Agenda Planning Committee to schedule a worksession for the Board to discuss this matter and to receive copies of ordinances from other jurisdictions with mandatory open space requirements.

- b) 01/04/94 - Board received open space ordinances and requested additional information.
- c) 01/25/94 - Board continued its review of open space zoning concepts and directed the town staff and attorney to draft an ordinance amendment requiring 50% open space.

1994 RETREAT

A. Discussion of items of interest:

- 1. Issues involved in open space zoning.
- 2. Purchase of open space (discussion of long range planning for purchase of open space land and park areas).
- 3. How to handle "infill development" regarding street widths, infill densities, open space, and AID provisions.
- 4. Review of open space regulations.

B. Action Agenda

- 1. Review of open space and density issues.

NOTE: The following are excerpts from the Board of Aldermen Minutes. The excerpts are divided into two topics: "Open Space Zoning" and "SAPWG ZONING ISSUES".

OPEN SPACE ZONING ISSUES

JUNE 22, 1993

OPEN SPACE ZONING CONCEPTS

Julia Trevarthen, Senior Planner, presented a report on open space zoning concepts and how they compare with existing development options in Carrboro. Ms. Trevarthen explained that open space zoning is a type of cluster development in which the development is required to be concentrated on a portion of the total tract and the remainder is left as permanent open space. Originally conceived as a technique to preserve active agricultural use of lands under pressure for conversion to residential use, open space zoning techniques were intended for use in rural areas. However, the techniques are now being used in some suburban areas to combat suburban sprawl and preserve non-agricultural open space. Additionally, the Carrboro Land Use Ordinance presently allows cluster development in residential zoning districts and requires that open space be set aside in residential developments. None of the existing cluster regulations are mandatory and the open space set-asides are far smaller than those typically found in open space zoning schemes.



The Board voiced interest in receiving copies of ordinances from other municipalities which require mandatory open space.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT THIS MATTER BE REFERRED TO THE AGENDA PLANNING COMMITTEE TO SCHEDULE A WORK SESSION FOR THE BOARD OF ALDERMEN TO DISCUSS THIS MATTER AND THAT ORDINANCES FROM OTHER MUNICIPALITIES WITH MANDATORY OPEN SPACE REQUIREMENTS BE PROVIDED. VOTE: AFFIRMATIVE ALL.

JANUARY 04, 1994

OPEN SPACE ORDINANCE REVIEW

Roy Williford, Planning Director, stated that on June 22, 1993 the Board received a staff report regarding open space zoning concepts.

The Board began its review of the open space ordinance and voiced the following concerns: 1) developing an overlay zone, 2) permanent versus other forms of dedication of open space, 3) what is the percentage of open space, 4) determine whether this will be mandatory or voluntary zoning, 5) determine design guideline standards, 6) determine density with two possible plans -- conventional zoning and cluster zoning, 7) what type of uses allowed -- all-residential, all-commercial, or a mixture or both; 8) what types of land for environmental protection, 9) define what open space is, 10) what methods to use in the preservation of open space, 11) determine whether open space can be used for recreational purposes, 12) if open space is used for recreational purposes, the recreational use should be defined/designated; 13) suburban design should not be enforced on rural housing, and 14) bonuses should be given for density easements.

By consensus, the Board requested that staff list the concerns cited at this meeting and that the Agenda Planning Committee schedule a work session as soon as possible.

JANUARY 25, 1994

OPEN SPACE ZONING ORDINANCE REVIEW

The Board continued its discussion of open space zoning concepts and how they compare with existing development options in the Town of Carrboro. This matter was requested by the Board at its 1993 Planning Retreat.

It was the consensus of the Board to direct the town staff and Town Attorney to prepare a draft ordinance amendment increasing the open space provisions of the Land Use Ordinance to 50%. The Board requested that the town staff notify the Planning Board and Small Area Planning Work Group that the Board has directed the town staff to prepare this amendment.

SAPWG ZONING ISSUES

FEBRUARY 02, 1993

APPOINTMENTS TO SMALL AREA PLANNING WORK GROUP

Julia Trevarthen, the town's Senior Planner, explained how the town staff publicized to obtain applicants to serve on the Small Area Planning Work Group and the process used to select applicants. Ms. Trevarthen stated that the Chair of the Planning Board was recommending that the following individuals be appointed to the Small Area Planning Work Group:

- a. Alex Zaffron, representing the TAB
- b. Evie Odom, representing the Parks & Recreation Com.
- c. Thomas Cook, Gary Giles, John Hartley and Robert Hogan, Jr., representing the citizens who reside, own property or own businesses in the study area.

Robin Lackey, Chair of the Planning Board, addressed the Board explaining the selection process, the proposed meetings of the work group and the fact finding process the work group will go through. Ms. Lackey stated that a letter would be sent to applicants who were not selected to serve on the work group. In addition, Ms. Lackey suggested that a joint meeting of the Board of Aldermen and Small Area Planning Work Group be held in March or April to discuss the small area planning process.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT ALL THOSE WHO APPLIED TO SERVE ON THE SMALL AREA PLANNING WORK GROUP BE APPOINTED (THOMAS COOK, GARY GILES, JOHN HARTLEY, ROBERT HOGAN, JR., FRANK POTTER, MARY AYERS, STEVE HARDEE, PHILIP EWING, CAROL-ANN GREENSLADE, SIDNEY HARRELL, MIKE HUGHES, JEF, STEVE OGLESBEE, STEPHANIE PADILLA, LINDA ROBERTS, MAROBETH RUEGG, GREG SHEPARD, VINCE STEVENS, DOUGLAS WAIT, H. TAYLOR VADEN, IN ADDITION TO THE MEMBERS OF THE PLANNING BOARD, ALEX ZAFFRON (REPRESENTING THE TAB) AND EVIE ODUM (REPRESENTING THE PARKS & RECREATION COMMISSION). VOTE: AFFIRMATIVE ALL

It was a consensus of the Board to hold a joint worksession with the Small Area Planning Work Group in April, 1993 to discuss the small area planning process.

APRIL 13, 1993

JOINT WORKSESSION WITH SMALL AREA PLANNING WORK GROUP TO DISCUSS SMALL AREA PLANNING PROJECT

The Board of Aldermen met jointly with the Small Area Planning Work Group (SAPWG) to discuss policy decisions for small area planning.

Robin Lackey, Chair of the Planning Board, introduced the members

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of the SAPWG.

Alderman Gist stated that she was concerned about how the roads in the planning area are laid out. In addition, she stated that the SAPWG should communicate with the school system during the planning process.

Alderman Gurganus stated that he has no preconceived ideas about what should be in the small planning area, and that he is against involuntary annexation in this area.

Bud Vaden asked if it would be appropriate to use the Year 2000 Task Force Report during the planning process.

It was pointed out that the charge for the SAPWG states that applicable portions of the Year 2000 Task Force Report should be used.

Alderman Shetley asked if the Planning Board had seen the development plan created by a subcommittee of the Planning Board, specifically by Margaret Brown and Judith Williams.

Robin Lackey stated that she had seen the plan and that she would like for the Board of Aldermen to receive a brief presentation on the plan.

Alderman Bryan suggested that the Board's budget worksession scheduled for May 20, 1993 be rescheduled in order for Board members to attend the next meeting of the SAPWG scheduled for that same night. Alderman Bryan thanked the members of the SAPWG for their commitment to this project and also stated that he did not support involuntary annexation.

Mayor Kinnaird also thanked the members of the SAPWG for their commitment of time to this project and urged the work group to consider developments such as Arcadia which includes solar homes, etc.

Alderman Marshall urged the SAPWG to get a proposal back to the Board of Aldermen as soon as possible in order for the Board to obtain the necessary guidance for development in this area.

Alderman Bryan urged the members of the work group to consider how they will handle themselves during their meetings in light of the expected different view points of the members.

Mary Ayers asked that the work group have access to the thoroughfare plan.

Jef asked how the Board will deal with rezoning requests during the planning process, and asked if the Board would consider placing a

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moratorium on development during the planning process.

Mike Brough stated that he did not think the Board could place a moratorium on rezoning and permits, but the Board could adopt a policy to welcome or not welcome requests during the planning process.

Alex Zaffron asked if development in the area could be put in a holding pattern during the planning process.

Alderman Gurganus stated that he felt the Board should not place a moratorium on development during the planning process.

Robin Lackey stated that a petition has been submitted to the town from members of the SAPWG asking for a moratorium, but that this petition was not an official recommendation from the entire SAPWG.

Bud Vaden asked if it wouldn't be wise to have potential developers work with the SAPWG in planning developments.

Mary Ayers stated that the Hogan rezoning application pre-dated the SAPWG.

Robin Lackey stated that the SAPWG could make comments on the Hogan rezoning request at the joint planning public hearing scheduled for April 15, 1993.

Jef stated that he was not against the Hogan rezoning, but wanted to know when the work of the SAPWG would begin.

Alderman Bryan suggested that the Town Attorney develop a list of options which the SAPWG could use in considering specific development proposals during the planning process.

Carol-Ann Greenslade stated that the Hogan rezoning request came out of the blue without the SAPWG knowing about it.

John Hartley stated that he feels each rezoning will challenge the work of the SAPWG, and that he feels the SAPWG would like to work with developers.

Rob Hogan stated that it is unfortunate that his family's rezoning request pre-dated the SAPWG and feels it is unfair to his family to be caught in the middle. Mr. Hogan stated that the proposed development of the Hogan property will be a development to live with and in.

Tom High stated that he did not want to see another north Raleigh or Virginia Beach in the small planning area, and urged the Board of Aldermen to review the development proposal prepare by the subcommittee of the Planning Board.

Alderman Shetley requested that the maps prepared by the Planning Board subcommittee be shown to the Board of Aldermen very soon.

It was a consensus of the Board to request the Town Attorney develop a list of options that the Board could give to the Small Area Planning Work Group which would give the work group direction as to how it would consider specific development proposals during the planning process. In addition, that the policy should include a way to address permit applications and rezoning applications during the planning process; i.e., moratorium, communication between developers and the Small Area Planning Work Group, etc.

JUNE 01, 1993

OPTIONS FOR PROCESSING DEVELOPMENT PROPOSALS DURING SMALL AREA
PLANNING PROCESS FOR THE TRANSITION AREA

At its meeting on April 13, 1993, the Board of Aldermen requested that the Town Attorney prepare a list of alternative ways which the Board of Aldermen might deal with rezoning or development permit requests that occur during the time that the Small Area Planning Work Group is working on its plan for the northern end of town and the transition area. The Town Attorney prepared a memorandum in response to the Board's request.

The Board received the Town Attorney's report on this matter, but took no action.

- C. Please see the attached May 03, 1993 memorandum from Michael B. Brough (referenced as "ATTACHMENT A") regarding "Consideration of Specific Projects Within Area Being Studied by Small Area Planning Committee"



4. I would like to know the percentage of open space that was on the application that is located in wetlands, the percentage located in the floodplain, and the percentage located in the lake. Unless it costs a lot for them to do so, I would like the staff to determine what they believe to be the surface acreage of the lake.

- A. Percentage of open space in wetland only (outside floodplain) = 2.5%
- B. Percentage of open space in the lake = 17.5%
- C. Percentage of open space in floodplain (excluding the lake) = 43.5%
- D. Other open space = 36.5%

5. I would like to get a copy of the initial charge to the Small Area Planning Work Group, the day they began meeting, the number of meetings they have had up to the present, and the topics of those meetings.

- A. Small Area Planning Work Group (SAPWG) Charge

(Adopted: October 06, 1992)

As designated in the 1987 joint planning agreement, the area north of Hillsborough Road through the Transition Area as shown on the attached map is Carrboro's future growth area. The overall goal of the Small Area Planning Work Group is to develop a comprehensive plan for the growth and development of this area. In this process the Work Group shall use the applicable portions of the 2000 Task Force Report in developing both conservation and development goals for the study area.

At a minimum, the Small Area Planning Work Group will address the following issues:

- 1. Patterns of growth and their impacts.
- 2. Efficient provision of town services.
- 3. Conservation of farmland and natural areas, and environmentally sensitive areas
- 4. Providing a diverse range of housing types and costs.
- 5. Provision of adequate transportation routes including public, private, bicycle, and pedestrian.
- 6. Provision of publicly accessible parks and recreation facilities.
- 7. Maintenance of the Town character and preservation of existing neighborhoods.
- 8. Encouragement of pedestrian scale.
- 9. Protection of the character and natural beauty of the area defined.

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- B. The SAPWG has held eleven (11) meetings, the dates of the meetings and topics on the agenda were as follows:

March 18, 1993

- I. Introduction and distribution of materials
- II. Discussion of Rules of Procedures for the Work Group
- III. Presentation of the Work Group's from the Board of Aldermen
- IV. Presentation of meeting topic schedule
- V. Old/New Business

May 20, 1993

- I. Minutes approval of March 18, 1993 meeting
- II. Discussion of existing environmental conditions in the study area and their impacts
- III. Discussion of the Carrboro Land Use Ordinance
- IV. Presentation of 1st videotape on different development styles
- V. Old/New Business

June 17, 1993

- I. Minutes approval of May 20, 1993 meeting
- II. Presentation and discussion of water and sewer provision in the study area (Ed Holland, OWASA)
- III. Presentation and discussion of demographics report and population projections for Carrboro
- IV. Presentation of 2nd videotape on different development styles
- V. Old/New Business

August 19, 1993

- I. Minutes approval of June 17, 1993 meeting
- II. Presentation and discussion of Carrboro Town services (Robert Morgan and Larry Gibson)
- III. 2nd videotape on different development styles
- IV. Old/New business

September 16, 1993

- I. Minutes approval of August 19, 1993 meeting
- II. Presentation and discussion of the TAB's Connector Roads Study for the Northern Transition Area (TAB)
- III. Planning the first SAPWG's Neighborhood Open House
- IV. Old/New Business

October 21, 1993

The SAPWG's first Neighborhood Open House at the Homestead Community Center.

November 18, 1993

- I. Minutes approval of September 16, 1993 meeting
- II. Presentation and discussion of buildout scenario (no change)

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- option)
- III. Presentation and discussion of a development scenario formulated in 1990 by a subcommittee of the Planning Board (Margaret Brown)
- IV. Old/New Business
 - a. Coordination with the Chapel Hill Northwest Small Area Plan Work Group
 - b. Initial survey results
 - c. Schedule update

December 16, 1993

- I. Minutes approval of November 18, 1993 meeting
- II. TAB: Connector Roads Plan Concept for Northern Transition Area
- III. Survey results**
- IV. Discussion of SAPWG charge, issues, goals
- V. Old/New Business

January 20, 1994

This was a special meeting with the Chapel Hill Northwest Area Plan Work Group (NAPWG) held at the Homestead Community Center

- I. Welcome and introduction
- II. Review of process and framework for small area plans
- III. Key issues in each jurisdiction
- IV. General discussion:
 - roads/transportation
 - greenways
 - environment
 - housing
 - community facilities
- V. Future Coordination

February 17, 1994

- I. Minutes approval of January 20, 1994 meeting
- II. Report from the SAPWG representation to the Recreation Committee and Chapel Hill's NAPWG
- III. Discussion of goals and objectives
- IV. Discussion of procedure
- V. Old/New Business

March 17, 1994

- I. Minutes approval of February 17, 1994 meeting
- II. Update from Parks & Recreation Commission liaison
- III. Update from Chapel Hill's NAPWG liaison
- IV. Report from "Concerns by Consensus" subcommittees
 - 1. conservation of natural and beautiful areas
 - 2. vistas - conservation
 - 3. diverse housing types, sizes, and costs**
 - 4. efficient provision of municipal services**
 - 5. adequate provision of transportation**



- 6. commercial development on community scale**
- V. General discussion of committee recommendations**
- VI. Preliminary discussion of existing development scenarios**

PLEASE NOTE: "***" indicates that the item was not discussed. Additionally, the following aldermen (Jay Bryan, Jacquelyn Gist, and Frances Shetley) are on the SAPWG's mailing list and was mailed the aforementioned agenda packets.

RMW/jes

attach.



cc: Bob Morgan
Ray Williford

18 April 1994

Town of Carrboro Board of Alderman
Carrboro Town Hall
301 West Main Street
Carrboro, NC 27510

Dear Representatives:

The Board of Alderman has the legal right to deny a Conditional Use Permit for the Lake Hogan Farms subdivision plan as it now stands according to Article XVI, Section 15-254 of the Town Ordinance {enclosed}. We strongly encourage you to deny the CUP at this time. Here's why:

By the applicant's admission at the public hearing on March 22, 1994 the application for the CUP is not complete. Mr. Dan Jewell stated in his testimony at the public hearing that Lake Hogan will be drained and the dam rebuilt two feet higher than its present level in order to protect residents downstream in the event of a 100-year storm.

Given this plan by the developer, the Alderman cannot by Town Ordinance grant approval of the present subdivision plan until the flood plain, dam and wetland changes to be created by this dam have been approved and permits have been granted by FEMA, the Division of Environmental Management, North Carolina's dam inspectors, and Orange County's own Erosion Control Supervisor, Mr. Warren Faircloth. {See his letter enclosed and dated January 5, 1994.}

Young and Jewell's present subdivision plan is incomplete since Section 15-254 (c) states:

"No zoning, special use or conditional use permit may be issued for any development within a floodplain until the permit-issuing authority has reviewed the plans for any such development to assure that...

(4) all necessary permits have been received from those agencies from which approval is required by federal or state law..." *{italics ours}*

Not only does this portion of the ordinance offer grounds for denial of the CUP for Lake Hogan Farms in its present form, but it also potentially offers grounds for overturning the rezoning of the property which was granted last year.

RECEIVED APR 18 1994

GEORGANN EUBANKS
317 Stony Hill Road
Chapel Hill, North Carolina
27516
U.S.A.

Moreover, raising the height of the dam will, by definition, change the floodplain on all the proposed lots adjacent to Hogan Lake. The present plan does not take these changes in the floodplain or wetlands into account. As the subdivision plan now stands but with the new dam added, the Alderman may be approving the development of underwater real estate in the event of a flood. According to Town Ordinance Section 15-255 (b): "a conditional or special use permit for a major subdivision may not be granted if any portion of one or more lots lies within a floodway or floodplain..."

The ordinance goes on to say that residential lots lying within or adjacent to a floodway or floodplain must have sufficient buildable area outside the floodplain to be approved. *How the buildable area in each lot adjacent to Hogan Lake will change is unknown at this time without the inspection and permitting process associated with dam reconstruction.*

Should you grant the CUP at this time, you are not only potentially violating the Town Ordinance, but you will be creating additional taxpayer expense and staff hours for town officials since *each lake lot will have to be inspected and approved* individually after the dam is rebuilt and after the necessary environmental permits have been granted, *if* they are granted.

On these grounds, we not only urge you to deny the Conditional Use Permit for the Lake Hogan Farms Subdivision until the proper permits have been issued for planned alterations to Hogan Lake by federal, state and local authorities, but we also would suggest that you may have grounds to overturn the previous decision to rezone this property until the dam alterations have been made, inspected and approved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Georgann Eubanks".

Georgann Eubanks
with Lightning Brown as legal counsel

Encl.

ORANGE COUNTY PLANNING DEPARTMENT

306F REVERE ROAD
HILLSBOROUGH, NORTH CAROLINA 27278



Memorandum

RECEIVED

JAN - 7 1994

TOWN OF CARRBORO
ZONING DIVISION

TO: Carrboro Zoning Department
FROM: Warren Faircloth, Erosion Control Supervisor
SUBJECT: Lake Hogan Farms
DATE: January 5, 1994

SEE PAGE
2

I have been unable to visit this site, so I may have additional comments later. I hope to be able to visit the site within the next two weeks.

Erosion control plan approval is required for each phase, or phases to be built simultaneously, if more than 20,000 square feet is to be disturbed.

Phasing should be planned so that construction of one phase does not damage existing development or prevent installation of sediment control for a subsequent phase. For example: an initial phase built at the bottom of a slope should not occupy space required for sediment control measures required for a later phase above. Another situation to avoid is where increased runoff from an early phase flows through a latter phase; the increased runoff could prevent installation of measures or require a very large device.

Consider Phase 5. When it begins it will be surrounded by streets and probably houses; runoff and sediment will enter the existing storm drains through Phase 1. Where will sediment controls be located? Inlet protection is not an acceptable option here. One solution would be a sediment pond at the storm drain outlet across the channel between Phases 1 and 2. This measure could serve several phases, but access for inspection, maintenance, and eventual removal would have to be provided during all phases. The pond might occupy the rear of several lots, so either the lots must remain undeveloped or construction easements provided.

There are similar situations in other phases.

It will be necessary to provide sediment control measures at the storm drain outlets. This is necessary for the street construction and for house construction. When lot size is less than 3/4

acre house construction becomes a sediment problem. Even if a lot does not drain to the street, construction vehicles track mud from the lot onto the street and is then washed into the storm drains.

It is my understanding that rebuilding the dam is planned as part of development. I assume the dam is higher than 15' and comes under the Dam Safety Act; if so, a permit will be required from the State. Rebuilding needs to be planned so that draining of the lake and removal of the dam does not result in erosion of accumulated sediment into Bolin Creek.



W. J. Jewell

xc: Dan Jewell, Young Jewell & Associates

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

levels. (AMENDED 6/22/82)

Section 15-254 Construction Within Floodways and Floodplains Restricted. (AMENDED 4/21/87; 12/06/88)

(a) No building may be constructed or located, and no substantial improvement of an existing building may take place within any floodway. With respect to mobile home communities that are nonconforming because they are located within a floodway, mobile homes may be relocated in such communities only if they comply with the provisions of subsection (i) of this section.

(b) No new building may be constructed or located wholly or partially within any floodplain outside the floodway unless and to the extent that, in the absence of such authorization the property owner would be deprived of all reasonable use. If new construction within a floodplain is authorized under this subsection, all such construction shall be in conformity with the remaining provisions of this section. With respect to mobile home communities that are nonconforming because they are located within a floodplain, mobile homes may be relocated in such communities only if they comply with the provisions of subsection (i) of this section.

(c) No zoning, special use or conditional use permit may be issued for any development within a floodplain until the permit-issuing authority has reviewed the plans for any such development to assure that:

- (1) the proposed development is consistent with the need to minimize flood damage; and
- (2) all public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed with materials and equipment resistant to flood damage, in order to minimize or eliminate the potential for flood damage; and
- (3) adequate drainage is provided to minimize or reduce exposure to flood hazards; and
- (4) all necessary permits have been received from those agencies from which approval is required by federal or state law; and
- (5) any new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic or hydrostatic loads including the effects of buoyancy; and

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

consistent with the provision of subsection (j) of this section, so that the lowest floor of the mobile home is one foot above the base flood level.

- (3) Adequate surface drainage and easy access for mobile home haulers is provided.
- (4) Load-bearing foundation supports such as piers or pilings must be placed on stable soil or concrete footings no more than ten (10) feet apart, and if the support height is greater than seventy-two (72) inches, the support must contain steel reinforcement.

(j) Subsequent to December 06, 1988, no portion of any floodplain areas outside of the floodway may be filled in with fill dirt or similar material for the purpose of elevating buildings or mobile homes, or for any other purpose, unless it can be demonstrated that such fill will not increase the base flood elevation an amount greater than one foot. Any development permitted under subsection (b) of this section or under Section 15-253 shall be designed to minimize the need for filling. Whenever such filling is authorized, or wherever any portion of a floodplain has previously been filled in with fill dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

(k) Nothing in this section shall prevent a single family residence (including a mobile home) from being located within the protective stream buffer areas required by Section 15-268 if such home (i) replaces a home that had been located within such buffer within six months prior to the effective date of this section and is located on the same location as the previous home, or (ii) is located on a mobile home pad or foundation that was in existence on the effective date of this section.

Section 15-255 Special Provisions for Subdivisions. (AMENDED 12/06/88)

(a) An applicant for a conditional use permit or special use permit authorizing a major subdivision and an applicant for minor subdivision final plat approval shall be informed by the planning department of the use and construction restrictions contained in this Article, if any portion of the land to be subdivided lies within a floodway or floodplain.

(b) A conditional use permit or special use permit for a major subdivision may not be issued and final plat approval for any subdivision may not be granted if any portion of one or more lots lies within a floodway or floodplain unless it reasonably appears

Art. XVI. FLOODWAYS, FLOODPLAINS, DRAINAGE, AND EROSION

that:

- (1) With respect to each lot that lies wholly or partly within a floodway or floodplain, either (i) a building of the type that is consistent with the zoning of the property can practically be located in accordance with applicable regulations on the portion of such lot that is located outside the floodway or floodplain, or (ii) such lot has already been developed, (iii) such lot is formed as the result of an adjustment of lot lines between lots in existence of the effective date of this section, and such readjustment does not result in a previously developable lot being rendered undevelopable, or (iv) it plainly appears that such lot is intended to be devoted to a permissible use that does not involve the construction of any building, including without limitation permanent open space; or
- (2) Creation of each lot that does not satisfy the criteria set forth in subdivision (1) of this subsection is necessary to avoid depriving the owner of the property of all reasonable use of the tract taken as a whole.

(c) Final plat approval for any subdivision containing land that lies within a floodway or floodplain may not be given unless the plat shows the boundary of the floodway or floodplain and contains in clearly discernible print the following statement: "Use of land within a floodway or floodplain is substantially restricted by Article XVI of Chapter 15 of the Carrboro Town Code."

Section 15-256 Water Supply and Sanitary Sewer System in Floodways and Floodplains.

Whenever any portion of a proposed development is located within a floodway or floodplain, the agency or agencies responsible for certifying to the town the adequacy of the water supply and sewage disposal systems for the development (as set forth in Sections 15-239 and 15-241 of this chapter) shall be informed by the developer that a specified area within the development lies within a floodway or floodplain. Thereafter, approval of the proposed system by that agency shall constitute a certification that:

- (1) Such water supply system is designed to minimize or eliminate infiltration of flood waters into it.
- (2) Such sanitary sewer system is designed to eliminate



50' ALONG CHRIS HOGAN LAKE
STONE HILL PL.

525

167 E

169 E

170 E

171 E

172 E

173 E

174 E

175 E

176 E

177 E

142 E

550

575

600

181 E

ENTRANCE SIGN

EXISTING C. HOMESTEAD RD.
EXISTING R/W = 60 FT.

EXISTING 12" D.I.P. WATER MAIN

DAM REPAIR CONSTRUCTION NOTES

DAM REPAIR PERMIT APPLICATION SHALL BE SUBMITTED UPON ISSUANCE OF C.U.P. BY TOWN. LAKE HOGAN SHALL BE DRAINED TO REVEAL ORIGINAL STREAMBED. SILT AND TREE STUMPS WILL BE REMOVED. EXISTING EARTHEN DAM WILL BE RECONSTRUCTED IF DETERMINED NECESSARY TO MEET CURRENT DAM SAFETY LAWS. DAM, WEIR AND OTHER STRUCTURES SHALL BE BUILT TO MEET STATE SPECIFICATIONS. LAKE WILL BE REFILLED ONLY AFTER DAM REPAIRS HAVE BEEN COMPLETED AND CERTIFIED SAFE BY REGULATORY AGENCIES.

ANTICIPATED SCHEDULE OF DAM WORK:

- | | |
|---------------------------------|----------------------------|
| - INVESTIGATION AND ENGINEERING | THROUGH MID-APRIL |
| - STATE PERMITTING | MID-APRIL THROUGH MID-JULY |
| - DAM RECONSTRUCTION | MID-JULY THROUGH OCTOBER |
| - CERTIFY AND FILL LAKE | OCTOBER |

NTS) ALL CONSTRUCTION SHALL BE REVIEWED BY THE ORANGE COUNTY EROSION CONTROL OFFICE

ADDITIONAL NOTES:

ACCESS ROADS TO ALL PHASES OF CONSTRUCTION SHALL BE CONSTRUCTED AND MAINTAINED TO ACCOMMODATE FIRE APPARATUS WITH MINIMUM OVERHEAD CLEARANCE OF 12'.

ALL NEW BRIDGES ACROSS PUBLIC ROAD R/W'S SHALL BE SUBJECT TO FINAL CONSTRUCTION DRAWINGS

NO BURNING SHALL BE ALLOWED WITHIN THE TOWN LIMITS. ANY BURNING OUTSIDE OF THE TOWN LIMITS MUST MEET REQUIREMENTS OF COUNTY FIRE MARSHALL AND BE PERMITTED BY HIM.

-OVES

cc: Bob Mangan
Ray Wiliford

March 28, 1994

Jef
300 Stony Hill Rd.
Chapel Hill, NC 27516
(919) 967-9023

Dear Carrboro Alderfolk:

When I addressed you on the evening of March 22nd at the public hearing concerning the proposed Lake Hogan Farm subdivision, I spoke mainly about two concerns: the safety of the entranceway intersection at the proposed juncture of Old Hwy. 86 and proposed Lake Hogan Farm Road, and the adverse effect of urban lighting on the wildfowl. This letter will (I hope) clarify my concerns about the aforementioned proposed intersection.

I have developed a diagram showing what I believe would provide a safe, well-planned intersection at the proposed entranceway on the west side of the subdivision. Please note that the safety of this intersection is paramount to the health and safety of the citizens of Calvander, and to all who drive through our neighborhood.

I have based this diagram on information from the following sources: the letter from the NC DOT dated March 2, 1994, addressed to Mr. Keith Lankford, Zoning Division, and containing the NC DOT's recommendations concerning this intersection; the town of Carrboro's own Northern Connector Road Plan; and the specifications for a Major Urban Thoroughfare which I received from Mr. David Poythress of the Carrboro Public Works Dept..

As you review this letter and accompanying documentation, I believe the questions that need to be answered are the following:

1. If the proposed Lake Hogan Farm subdivision is built, and this entranceway is to be used for half of the 3,800 trips in and out on a daily basis, should the entranceway be built to meet the standards of the town of Carrboro and the NC DOT, even though the developer does not own the land required to make this proposed intersection conform to these minimum safety standards?
2. Will the town of Carrboro shoulder the responsibility of acquiring the land required to make this a safe intersection?
3. Or will the developer?
4. Or will the town of Carrboro allow this intersection to be built in a substandard manner, utilizing only the land currently owned by the developer, perhaps endangering the health and safety of residents of Carrboro's Transition Area?
5. Or will you, the Alderfolk of the Town of Carrboro deny the permit application currently before you concerning this proposed subdivision until this issue, the endangerment of the health and safety of the good citizens of Calvander, can be resolved in a safe and sane manner?

I thank you in advance for reviewing my diagrams and comments. If you have any questions, please give me a call.

Peace, *Jef*

RECEIVED MAR 29 1994



NOTES ON INTERSECTION DIAGRAM WHICH FOLLOWS

The following diagram of the proposed intersection at the only entranceway on the west side of proposed Lake Hogan Farm Road is actually an enlargement of the developer's own blueprint plan. It is not meant as a "mechanical" representation, but it is drawn to scale, with all the recommendations of the ordinances of the Town of Carrboro and the NC DOT represented as faithfully as this citizen can represent them.

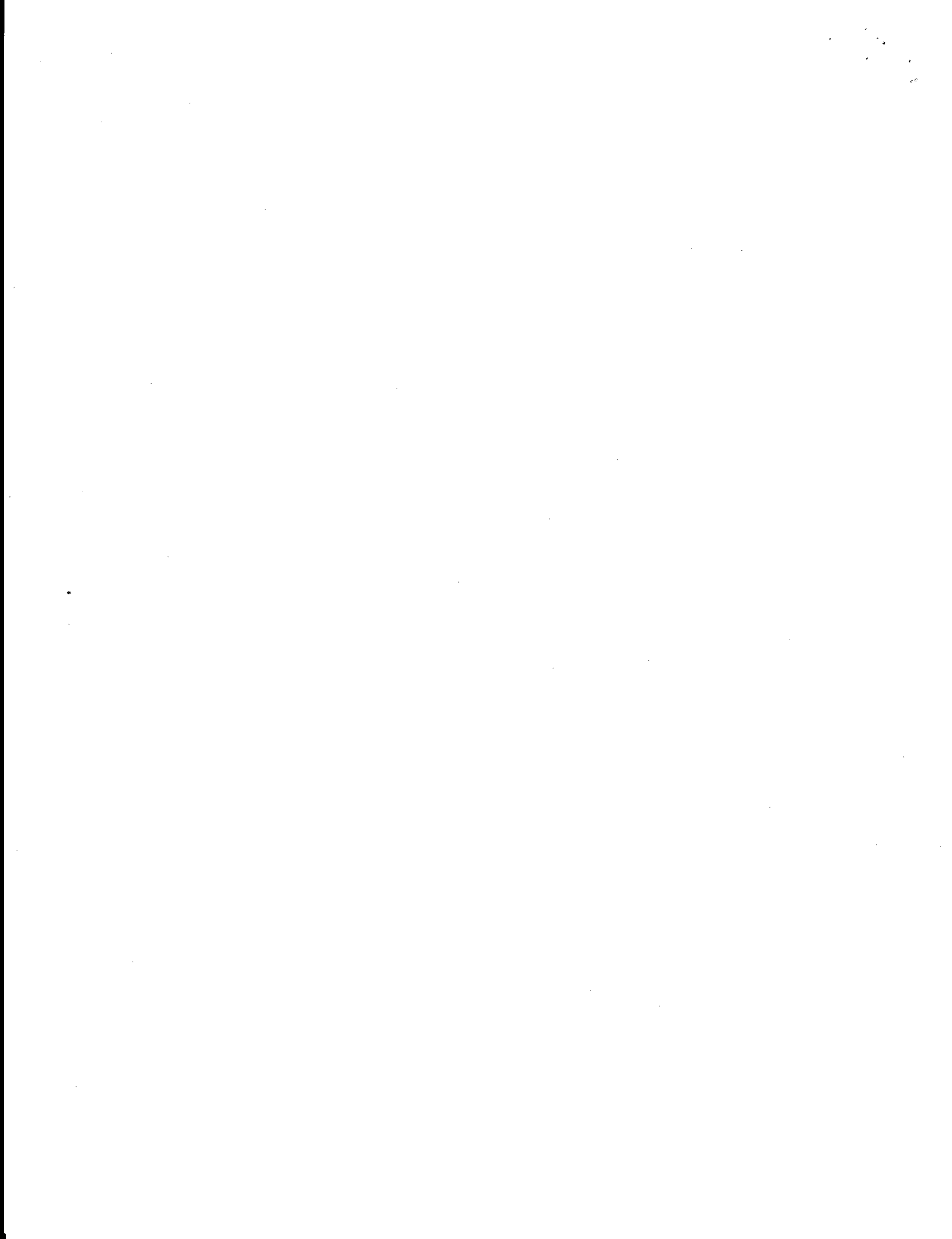
It is based on the following recommendations and comments:

1. "A dedicated left turn lane into the site with at least 100 feet of full storage should be provided. Also, a dedicated right turn lane into the site with at least 75 feet of full storage should be provided. Each of these should be provided with appropriate transitional tapers." (p.3, letter from T.J. Dyer, District Engineer, NC DOT, to Keith Lankford, Zoning Division, Town of Carrboro, March 2, 1994)

2. Old NC Hwy. 86 is designated on the Town of Carrboro's Northern Connector Road Plan as an approved major thoroughfare. (appropriate plan map attached)

3. Dimensions of a major urban thoroughfare are as follows: on each side of the center line, at this proposed intersection, there would be 1, 12-foot travel lane; 1, 12-foot storage lane; 1, a 6-foot bike lane; 2.5 feet of curb and gutter; and 6 feet provided for sidewalk (sidewalk usually on one side only). (Mr. David Poythress, Public Works Dept., Town of Carrboro)

4. "An appropriate length of taper for an intersection such as this is approximately 200 feet. If a road is on the thoroughfare plan for a town or county, it must be built to accommodate all town or county requirements." (Mr. Harry Thompson, Roadway Design, NC DOT)



Appropriate taper

DIAGRAM FOR A SAFE INTERSECTION
AT OLD NC HWY. 86 AND
PROPOSED LAKE HOGAN FARM ROAD

Widening including travel lane,
left turn storage lane, bike
lane, curb and gutter

Lake Hogan Farm Property Line

Proposed Lake Hogan Farm Road

DEDICATED TO TOWN OF CARL
FUTURE FIRE DEPT. SUB-

Lake Hogan Farm Property Line

Widening including travel lane,
right turn storage lane, bike
lane, curb and gutter, sidewalk

Appropriate taper

Old NC Hwy. 86

Current Roadway
(20 feet wide)

525

DETAIL FROM ACTUAL BLUEPRINT OF PROPOSED LAKE HOGAN FARM
SUBDIVISION. I have left the developer's proposed roadway on
the detail map. Hope it is not too confusing.

0 200 400 600

SCALE IN FEET

SCALE FROM ACTUAL BLUEPRINT OF PROPOSED LAKE HOGAN FARM
SUBDIVISION. (enlarged to match the detail map)

Appropriate taper

DIAGRAM FOR A SAFE INTERSECTION
AT OLD NC HWY. 86 AND
PROPOSED LAKE HOGAN FARM ROAD

Widening including travel lane,
left turn storage lane, bike
lane, curb and gutter

Lake Hogan Farm Property Line

Proposed Lake Hogan Farm Road

DEDICATED TO TOWN OF CARL
FUTURE FIRE DEPT. SUB-

Lake Hogan Farm Property Line

Widening including travel lane,
right turn storage lane, bike
lane, curb and gutter, sidewalk

Appropriate taper

Old NC Hwy. 86

Current Roadway
(20 feet wide)

525

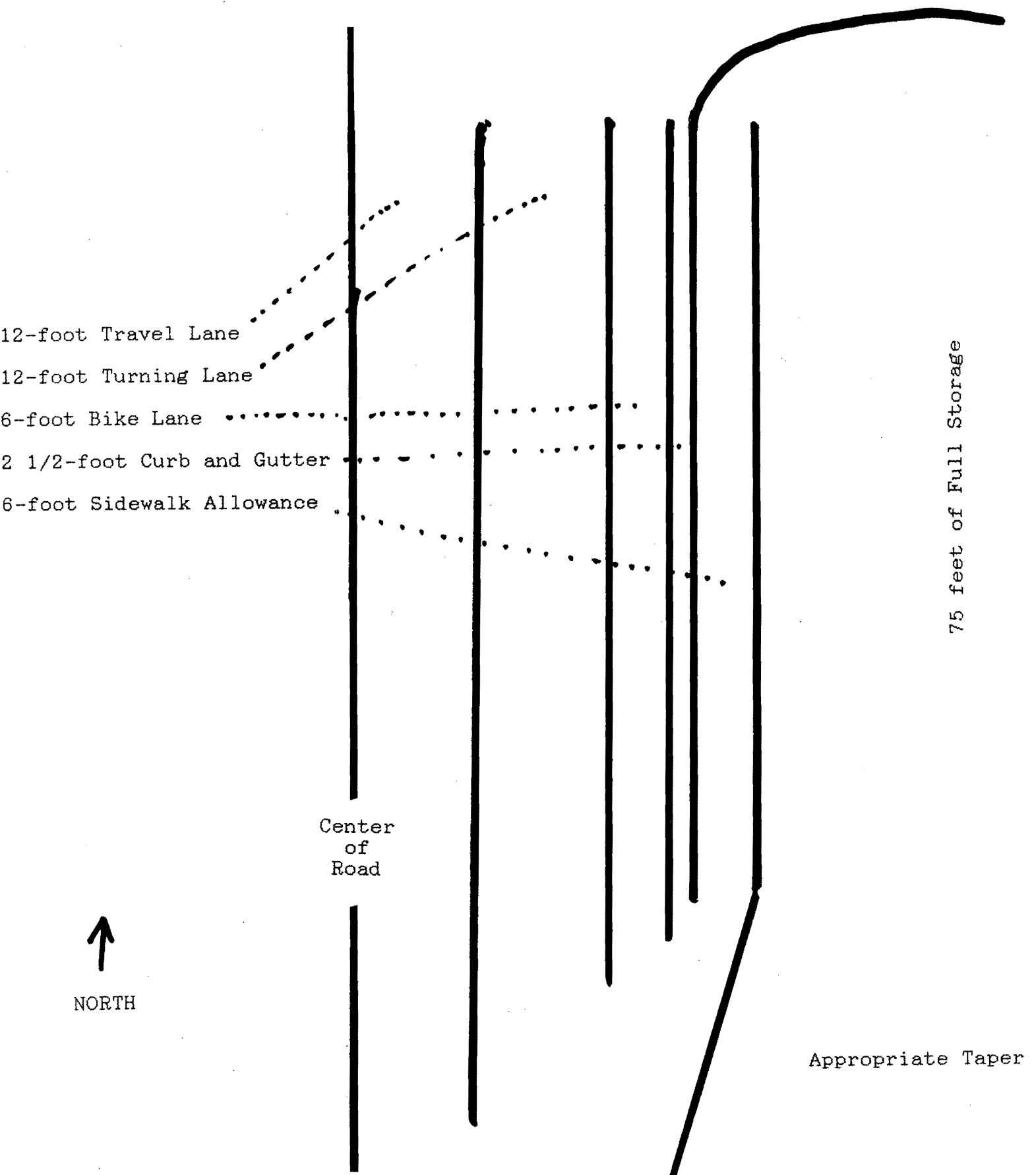
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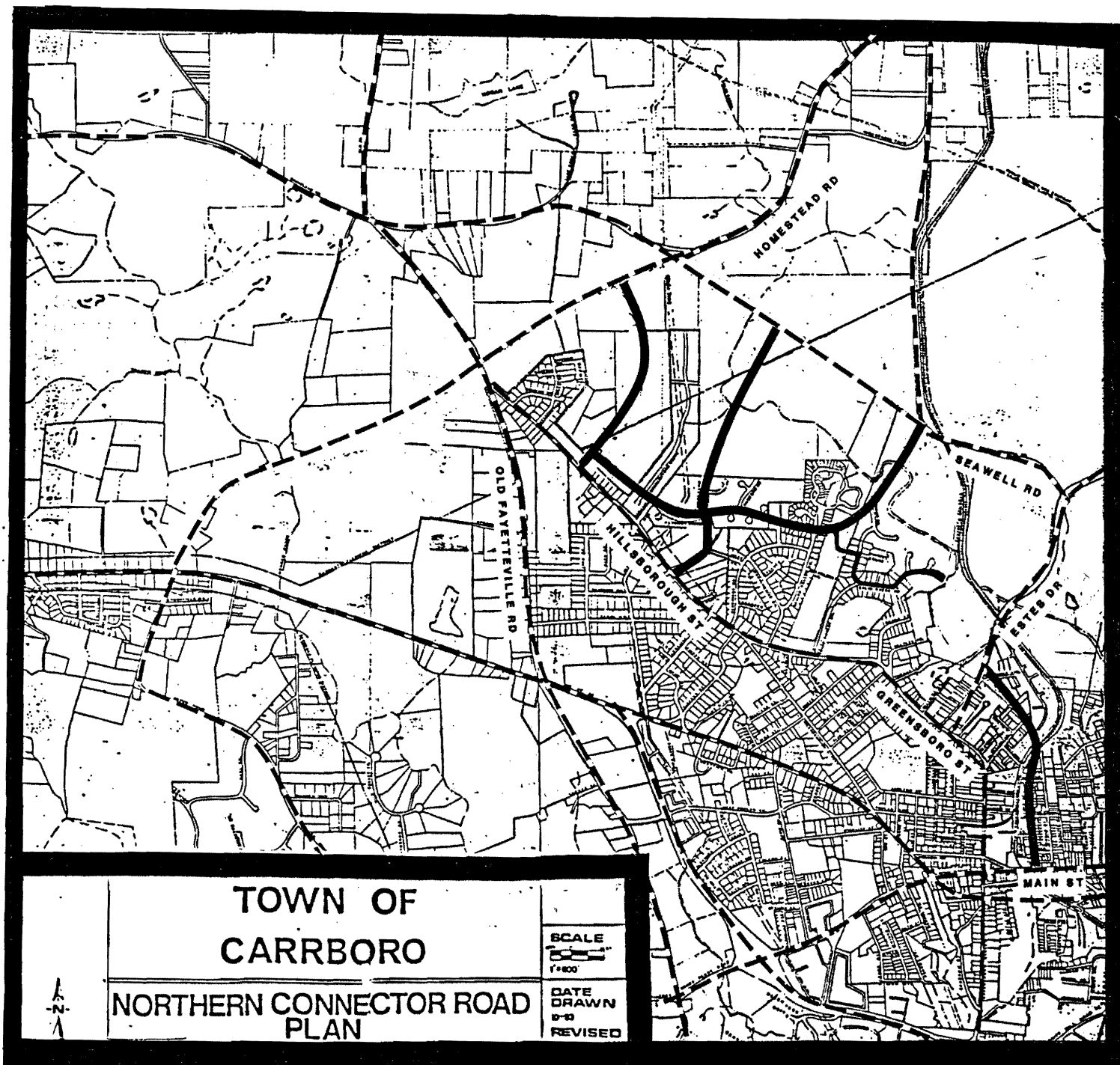
SCALE IN FEET

SCALE FROM ACTUAL BLUEPRINT OF PROPOSED LAKE HOGAN FARM
SUBDIVISION. (enlarged to match the detail map)

DETAIL OF RIGHT TURN CONFIGURATION
(FROM SOUTH SIDE OF OLD NC HWY. 86)**



** Left turn (from north side of Old NC Hwy. 86) would be similar, but with 100 feet of storage in the storage lane.



--- APPROVED THOROUGHFARES
— PROPOSED CONNECTOR ROAD ROUTES

STAFF REPORT

TO: Robert Morgan, Town Manager

DATE: March 22, 1994

SUBJECT: Lake Hogan Farms Subdivision--Conditional Use Permit

APPLICANT: Brad Young
Young-Jewell & Associates
P. O. Box 2725
Chapel Hill, N. C. 27514

PURPOSE: To allow construction of 420 single family detached dwelling units in seven phases on 310 acres of land.

EXISTING ZONING: 25.92 acres--RR (Rural Residential) District, 1 acre minimum lot size, since 1988.
282.34 acres--R-20 District, 20,000 square feet minimum lot size, since 1993 rezoning, RR 1988 to 1993.
1.74 acres--R-15 District, 15,000 square feet minimum lot size since 1988.

TAX MAP NUMBER: 7.109..2, 3, 4, 5, 5A, 6, 6A, 24, 25,

LOCATION: North of Homestead Road, around the existing Lake Hogan Farm Road

SIZE: 310 acres

EXISTING LAND USE: Several single family dwellings/farm uses

PROPOSED LAND USE: Major subdivision, use category 26.100 which will allow for 420 single family detached dwellings (use category 1.110).

SURROUNDING LAND USE: North--Vacant land, scattered single family dwellings, 1.110
South--single family dwellings, 1.110
East--vacant, University property
West--vacant

ZONING HISTORY: See description under "Existing Zoning" above.

PARTICULARLY RELEVANT ORDINANCE SECTIONS

- Section 15-187 Architecturally Integrated Subdivisions.
Section 15-196 Active Recreational Areas and Facilities Required.
Section 15-198 Passive Recreation and Usable Open Space.
Section 15-210 Street Classification.
Section 15-216 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.
Section 15-199 Ownership and Maintenance of Recreational Areas and Required Open Space.

BACKGROUND

The Board of Aldermen granted a rezoning request in 1993 for the portion of this tract (located in the Transition Area I) from RR (rural residential) to R-20 except for a 100 foot wide area which retained its RR zoning. This 100 foot wide RR area borders the Stoney Hill Subdivision and the northern portion of the Homestead Hills Subdivision. The remaining RR zoning was not rezoned to R-20 at that same time because that would involve a modification to the Joint Planning Agreement between the Towns of Carrboro and Chapel Hill and Orange County.

This 100 foot wide RR area requires that the densities and setbacks specified for the RR zone must be met. This zoning does not prohibit development within 100 feet of the tract boundary, but does prohibit above ground structures within 20 feet of the tract boundary via the standard setback requirements as established by the Town's Land Use Ordinance.

ANALYSIS

This project is an architecturally integrated subdivision (AIS) with a total of 420 lots. There are 124 lots of approximately 1/4 quarter of an acre each which the applicant calls cluster lots, 119 lots of approximately 1/3 acre each, 104 lots of 1/2 acres each, and 73 lots of an acre or larger which the applicant calls estate lots. The various lots are designated on the plans by the letters "C", "T", "H", and "E" respectively.

There is a single structure of 4,000 square feet shown on the plans which is labelled as retail. Sheet 9 of the plans contains an enlarged site plan for the recreation/daycare/retail-office complex. This sheet also contains a note which indicates that the retail-office use in this 4,000 square foot structure will not be a permissible use until phase 1 is annexed into the Town, then the area must be rezoned to a zone which allows commercial uses, and then a new permit will have to be issued for that use.

cc: Bob Morgan
Ray Williford

To: The Carrboro Board of Alderman
From: Bolin Creek Stream Watch, Orange Chatham Sierra Club
Re: Impact of Hogan Farm Property Development on Bolin Creek
Date: April 15, 1994

We love Bolin Creek. It is a beautiful little stream that flows through Orange County, Carrboro and Chapel Hill. It is used by many of us for recreation and for a place to enjoy wild flowers, ancient trees, and a variety of wildlife. Bolin Creek is small: it is only a few miles long beginning and ending in Orange County. On this day in April, wild Irises bloom along it's banks: a family of wild Mallards swim the rapids. We want to protect this lovely little creek for the community, for the wildlife, and for future generations to enjoy. In addition, there is great concern that this type of "passive recreation" area be protected.

The Hogan Farm Development poses a severe threat to Bolin Creek. First, because of the proposed development's proximity to Hogan Lake, our concern is over increased sedimentation during construction. Runoff from new pavement, without proper controls, will certainly pollute the creek. We are also greatly concerned about the proposal to drain Hogan Lake and the effects that action will have on Bolin Creek.

The Board of Aldermen has already shown concern for quality growth by supporting the proposal of Shaping Orange County's Future. Citizens and politicians alike are concerned that southern Orange County avoid the fate of North Raleigh. As we are all painfully aware urban sprawl happens one development at a time. Within the past year, three major new housing developments have been proposed for the Chapel Hill-Carrboro area. These developments will place a great deal of stress on the natural resources of Orange County, including Bolin Creek.

Although local governing bodies have supported the concept of "quality growth," developments have continued to be built that contribute greatly to urban sprawl. Clearly, the Hogan Farm Development, with its cul de sacs, large fences, poorly designed road system and inattention to the environment is not "quality growth." As citizens and environmentalists, we support responsible growth that will help to protect natural resources such as Bolin Creek.

To ensure quality growth we must follow policies that: protect critical watersheds; do not endanger significant natural areas; are designed to encourage the use of alternative transportation, and to discourage the impact of automobile use on local infrastructure; ensure minimal impact on town resources, including water use and sewer use; and ensure the preservation greenspace.

The Hogan Farm development as proposed is in conflict with these goals in two significant ways.

First, because of the proposed development's proximity to Hogan Lake, large scale development of this area poses a threat to Bolin Creek. This creek, while not an undisturbed natural area, is nonetheless considered to be a significant natural area, and is widely used as a recreational area for hiking, running and biking by residents of Carrboro and Chapel Hill. Sedimentation and pollution from construction in the Hogan Farm area threatens the health of Bolin Creek.

Second, the design of this development does not adequately encourage the use of public transportation. The nature of its location relative to town services and retail areas presupposes that residents will drive to and from town to work, shop, and conduct all their business.

RECEIVED APR 18 1994

Although many people would like to see the Hogan Farm area remain unchanged, we realize that development of this area is likely to occur. But this plan as it stands is unacceptable for the above reasons. We ask that you carefully consider this plan, and that the developers address the environmental concerns we have raised. If an environmentally responsible approach cannot be achieved, then this project should not be approved. Help us save Bolin Creek.

cc: Bob Morgan
Roy Wilford

18 April 1994

Town of Carrboro Board of Alderman
Carrboro Town Hall
301 West Main Street
Carrboro, NC 27510

Dear Friends:

You are about to set a crucial precedent. Your decision to approve or reject the Lake Hogan Farms subdivision plan is not about the Hogans versus their neighbors.

It is about a dramatic alteration of the land that will outlast us all.

It is about the character of a community for years to come.

It is a watershed decision in both a literal and figurative sense.

Your stewardship of this community at this moment will extend well beyond the term of your elected office. How you decide sets a crucial aesthetic and economic precedent about how this community sees itself--what it "wants to be when it grows up." Your decision sends a message to future developers about how much care they must take in their proposals, about what kind of diversity in housing they must provide in a subdivision, about how literally they must comply with the Joint Planning Area Land Use Plan.

You also send a message about how much you value the volunteer work of citizens through the Small Area Planning Group and the Planning Board--many of whom cannot even vote for you but must live with your decisions about their neighborhoods.

Some of you may primarily be worried about the legal ramifications of your decision. But I would argue that much more is at stake than who has the means to sue whom over the manner in which this process has been conducted. This is about doing what's right, not what's "inevitable," about having the political will and character to be faithful to the stated aims of the larger community through its planning mechanisms and what those planning documents say about the kind of development that is our preference.

We have said we want to avoid the mistakes of other communities. To exercise care in the planned use of our limited land. To grow this community according to an ideal more distinctive than the plain urge to gain the highest financial profit.

RECEIVED APR 18 1994

Please help us out of our cynicism and show us your mettle. You've heard so many voices from all corners that have risen against the Lake Hogan Farms plan. We've talked about the environmental and aesthetic reasons. Others have voiced their concerns about overcrowded schools and inadequate roads. Some object to nothing less expensive than a \$150,000 home on a fifth-acre lot in Lake Hogan Farms. Some have been offended by the developers' tactics in promising a senior home and golf course and then deleting those amenities from a plan they were not to have spoken about in the first place during the zoning hearings. Please heed these concerns in your decision.

In ten or twenty years, you may not be remembered for making this decision one way or another. But this community where we all live will be forever changed by your choice. Thank you for your careful deliberation and your hard work in a most difficult situation.

Sincerely,

A handwritten signature in cursive script that reads "Maggi Grace".

Maggi Grace

317 Stony Hill Road
Chapel Hill, NC 27516

CC: Board Members
Bob Magan
Roy Wilford

H. TAYLOR (BUD) VADEN

8033 Old NC 86 ♦ Chapel Hill, NC 27516
Phone/Fax (919) 967-2184 ♦ EMail: brc@med.unc.edu

April 16, 1994

The Honorable Eleanor Kinnaird
Mayor of Carrboro
Town Hall
Carrboro, NC 27515

Dear Mayor Kinnaird:

With all due respect, I, and the neighbors with whom I have spoken, not only do not want to live in Carrboro, we do not want Carrboroism imported to our community which is a good three miles from the heart of Carrboro proper.

It is grossly unfortunate for all of us who cannot vote for you and who have little influence over your decisions that we are doomed to suffer the unwanted results of those decisions which will forever alter our lives.

When Carrboro's aldermen ignore existing zoning regulations and allow developers, without evidence of benefit to the community as the ordinance requires, to rezone hundreds of acres of land so they can make millions of dollars in profit, you do a great disservice not only to the people whom you are required to serve, but more so to those of us who have no recourse but to either accept your actions or move out of your sphere of influence.

With regard to the Hogan Farm development, you swallowed without seriously questioning a developer's hollow promises and rezoned hundreds of acres so he could double the density of housing. You thought he was going to give you a golf course, a design of cluster homes that would promote open spaces, an adequate system of roadways and other benefits. Later, you heard the developer conveniently say he couldn't remember saying all those things.

In allowing the rezoning, you ignored the work of a select body of citizens whom you appointed and who worked long and hard to create a plan for the Year 2000 which promoted sensible, intelligent growth in the 3,900 Orange County acres given, by the Grace of God, to your caretaking.

In creating a new committee of citizens to influence long range planning in the growth area of Orange County, one of your own board members said in a public meeting that the appointed citizens had no authority, no influence, and their work may be meaningless in the long run. You failed to involve that body in the rezoning request process, even though, by that time, they had invested many long hours in studying the issues..

If you now allow the development to continue according to the developer's plan, you will have forever destroyed a beautiful county. You will have jammed down the throats of people to whom you need not listen a lifestyle they have worked all their lives to

RECEIVED APR 19 1994

get away from. And, even though you disagree with reality, you will have unwittingly forever raised the taxes of the people of Carrboro whom you represent.

You seem to be unable to comprehend the idea that people who live outside Carrboro in the open spaces of Southern Orange County DO NOT WANT TO LIVE IN CARRBORO or in a Carrboro-like environment. We do not want tiny low cost tin top houses with postage stamp yards where you can look into your neighbor's window and hear the neighbor's kids yelling at each other. We worked and saved all our lives to get away from that, to afford the pleasantness of open spaces, trees, and privacy. We paid for the space, and we're paying the taxes that such space demands.

We don't want a modern day Levittown. But that's what you're creating — against our desire, against our will. You will, of course, point out that OUR elected officials, the Orange County Commissioners, could have blown the whistle on your decision to prostitute Southern Orange County to the developers with dollar signs in their eyes. But, quite honestly, Madam Mayor, when was the last time the Orange County Commissioners contradicted ANYTHING Carrboro did?

What you seem not to be able to comprehend is that every city which enjoys economic success and a superior quality of life creates a suburban region of more expensive homes with more land and more privacy. That type of development attracts people with higher incomes who spend more in the town, who support the life of the community, who are an asset to the community, not a liability. Aren't there any grand thinkers among you?

For you to try and push the aura of Milltown Carrboro deep into Orange County is asinine. You will drive away the people who are contributing to the economic strength of Orange County. Already one of my neighbors has decided to move rather than to suffer the indignities of forced Carrboroization. Another neighbor has his 17 acres on the market, advertising, "Build your own development." He's counting on you giving him the same rezoning break you gave the Hogan Farm developers. And you're going to have a tough time denying him the right to do that, having now set a precedent for broad scale Levittownism.

What you are about to do cannot ever be undone. You will have sewn the seeds for the permanent destruction of what was once a beautiful region of Orange County. In short, you will have blown perhaps Carrboro's only opportunity for future greatness. And each of you will have to live with that.

I would have made these remarks publicly at the most recent hearing on this subject, but was told by a person I took to be your solicitor that I had no right to speak because I had not signed up to speak. I could not sign up to speak because you failed to send me notice of the meeting.

That in itself is a clear demonstration of your attitude of arrogance toward the people to whom you dictate your will and your narrow-minded view of what makes towns and cities desirable places in which to live.

Sincerely yours,

H. Taylor (Bud) Vaden

Copies: Carrboro Aldermen, Ann Blythe

CC: Bob Morgan
Ray Williams

James A. Lynch
1800 McLennan's Farm Road
Carrboro, NC 27516
(919)-933-8478

March 31, 1994

Board of Aldermen
Town of Carrboro
Town Hall
Carrboro, NC


Dear Board of Aldermen and Planning Board:

As a citizen of Carrboro I would urge you to deny the permit to develop the Lake Hogan Farm as it now stands for the following reasons:

- 1) The project is too dense and will cause severe traffic problems
- 2) No one should be allowed more overall house lots than the current zoning permits. If the farm is going to receive permits in excess of the currently allowed density they should be required to donate the development rights on the as yet undeveloped land to compensate the community and bring the average density back to that which is currently allowed.

Preventing overdevelopment is very crucial to maintaining the public well being and quality of life in Carrboro. As the elected representatives of the citizens of Carrboro, we are counting on you to "do the right thing".

Sincerely,


Jim and Kate Lynch

RECEIVED APR 8 1994

Monday, April 18, 1994

Dear Carrboro Board of Aldermen:

As a citizen who has been involved with local land-use issues over the last decade, I would like to share my concerns with you over the proposed Hogan Farm development.

I think that the current plan if approved will be a detriment to the community, causing not only traffic problems, school overcrowding, and loss of open space, but impacting on the overall environment. While listening to comments at the public hearing last month, I could not help but think that all of the fears over traffic, school overcrowding, and safety fall under one major concern: the sheer size of the development.

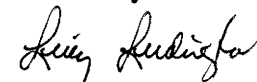
This development could have been so much more. With imagination and creativity, the Hogans and their developers could have made their profit, preserved open space, and added a new dimension to the community.

Perhaps it is not too late. There is a way out of this dilemma. Since the developers are obviously unable to configure an innovative plan themselves, they need help.

Randall Arendt, from the Natural Lands Trust in Pennsylvania, is familiar with our area. Several years ago I coordinated his visit here so that he could introduce his ideas about innovative environmental development. He would possibly be willing to come here again to work with Dan Jewel and Brad Scott to design a new plan for Hogan Farm. Incidentally, Dan helped sponsor Randall's original visit as did the Town of Carrboro. His fees are reasonable so that the Town might pay his salary.

At this point your choices as Board of Aldermen are to approve the proposed development, deny it, or try to negotiate a better plan. Surely we can find a better plan which gives the Hogans their fair share but does not wreak havoc on the surrounding community. I would be happy to call Randall or help in any way I can.

Thank you,



Livy Ludington

BOARD OF ALDERMEN

ITEM NO. E(1)

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 1994

Subject: Revolving Loan Application for the Ink Spot

DEPARTMENT: MANAGER'S OFFICE	PUBLIC HEARING: YES ____ NO <u>X</u>	
ATTACHMENTS: DDC Recommendation loan application, loan fund summary	FOR INFORMATION CONTACT: James Harris 968-7700	
THE FOLLOWING INFORMATION IS PROVIDED:		
(x) Purpose	(x) Action Requested	(x) Analysis
(x) Summary	(x) Recommendation	

PURPOSE:

The purpose of this item is to provide the final review and consideration for approval of a loan request for the Ink Spot Copy Shoppe for \$17,000.00 for five years at 7.5% interest.

SUMMARY:

- Glyn Folk has submitted a loan request for \$17,000 for five years at 7.5% interest to open a full service copy center.
- The total project cost is \$27,000 to purchase equipment, supplies, and working capital.
- The Self-help Credit Union has committed \$10,000 to the project.
- The Downtown Development Commission recommends approval of the loans request feeling that the business will contribute positively to the downtown business mix.

ANALYSIS:

The Ink Spot will be a female owned and operated full service copy center in the downtown business district. The hours of operation will be 7:30 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. - 1:00 p.m. on Saturday with extended hours during exams. Quick copying and volume copying will be offered at startup, along with fax services. Desk top publishing will be offered, such as resumes and typesetting. Quick copying will be handled by two walk up user friendly copiers, while bulk copying, such as college course pack, will be done on one big copier. Binding capabilities will be offered to ensure a quality finished product. Free pickup and delivery services will be provided.

The Ink Spot will, with the assistance of the University Printery and Triangle Press, provide offset printing and folding.

The target markets will be Carrboro and Chapel Hill businesses and UNC students and faculty. The shop will be conveniently located on the site of the old A & P in the out building. The shop will be within five minutes of eight (8) apartment complexes. The university and faculty are also target markets during crunch times for course packs and manuals.

The Ink Spot has received a loan commitment from the Self-help Credit Union in the amount of \$10,000.00. It is seeking \$17,000 from the Town of Carrboro for a total project budget of \$27,000. The project will create a total of 4 jobs by the end of April 1995.

The Town funds will be used to purchase paper, office supplies, a desk, chairs, tables, lamps, lighting, trash cans, a store sign, file cabinets, a fax machine, computer with color printers, a cash register, a folder, drill, padding press, and a paper cutter. These supplies and pieces of equipment will cost \$15,500. The Self-help Credit Union money will cover the cost of working capital.

The owner offers her commitment to the ISCS by her personal guarantee, a first position on all equipment, accounts receivable and inventory. Miss Folk will also add the Town of Carrboro as a beneficiary to a life insurance policy in an amount equal to the loan.

ADMINISTRATION'S RECOMMENDATION:

It is the recommendation of the Administration that this loan be approved. The loan meets the criteria set forth in the Revolving Loan Program and will bring a much needed service to the downtown. The recommended amount is \$17,000 for five years at 7.25% interest. It is recommended that Miss Folk be required to add the Town to the life insurance policy requested by the Self-help Credit Union.

DOWNTOWN DEVELOPMENT COMMISSION (DDC) RECOMMENDATION:

The DDC reviewed the Ink Spot loan application and found it to meet the RLF criteria for funding. The proposed copy center will meet a need of our student population, UNC, UNC faculty & Chapel Hill and Carrboro businesses. The Ink Spot will work collaboratively with other printing and offset printing businesses.

The DDC recommends that the loan be approved for \$17,000 for 5 years at 7.5% interest.

Manasse Trentino

APPLICATION FORM FOR CARRBORO REVOLVING LOAN FUND
(CRLF)

NAME OF APPLICANT: INK SPOT It's A Copy Shoppe DATE: 1-25-94
(Legal name of firm)
Corporation ☒ Partnership ☐ Sole Proprietorship ☐

Number of years in operation: _____

EMPLOYER ID # _____ PRIVILEGE LICENSE # _____

ADDRESS OF APPLICANT: 109 Walden Dr. Carrboro NC

LOCATION OF PROJECT IF DIFFERENT FROM ABOVE: West Main St. Carrboro NC

PHONE NUMBER: 933-5944 CONTACT PERSON: Glyn A. Folk (President)
Name and Position

AMOUNT LOAN REQUESTED: \$ 17,000 TERM REQUESTED: 5 year

BRIEFLY DESCRIBE THE FOLLOWING ASPECTS OF YOUR BUSINESS. (You may attach separate sheets or provide a written history and description of your business if you wish.)

What type of business do you own, or are you proposing?

see business plan

What are your markets?

see B/Plan

Describe some of the trends and the development of your business:

see B/Plan

What effect will the proposed project have on the company?

see B/Plan

What size facility are you in, where is it located? Do you plan to move as a part of the proposed project?

If you are leasing, or plan to lease, describe the terms of your lease (rent and length of lease).

see Bus. Plan

Breifly describe the scope of the proposed project:

See Bus. Plan & Bank letter

Is the project within the City Limits? YES ☒ NO ☐
 Is the project within the downtown business district? YES ☒ NO ☐

How is the site zoned?

B-1G - General Business

LOAN TERMS AND CONDITIONS

List other sources of financing to be involved, and amount to be provided (include equity contributions from the applicant's resources):

- 1.
2. Bank working Capital line of \$15000 at 8% interest Rate.
- 3.

Describe your needed terms of the Revolving Loan Fund loan:

\$17,000 repayable in five years at 7.25% or better

Do you understand that the CRLF loan will be secured by a note and deed of trust on real estate and security agreement on equipment, and that personal guarantees will be required? YES ☒ NO ☐

Have the applicant firm, or any owner of more than 20% of the company, or any guarantor ever been adjudged bankrupt, filed for bankruptcy, protection from creditors, or re-organized under the bankruptcy laws? YES ☐ NO ☒

As President (TITLE) of The Ink Spot Copy Shoppe,
 I certify that the information provided in this application and in documents and exhibits provided is true and complete to the best of my knowledge. I further commit to the following actions, as described more fully in the project application:

- a) Undertake and carry out the project as described in the project application, and documents and exhibits provided,
- b) Create a minimum of 4 jobs with 4 for low and moderate income persons and obtain the level of jobs indicated above by: April 1995,
- c) Retain a minimum of _____ jobs with _____ for low and moderate income persons,
- d) Submit quarterly employment reports to the Town showing the number of jobs created or retained which would otherwise have been lost, at least 51% of which are to low and moderate income positions,
- e) Provide the Town with necessary information for completing required reports,
- f) Make all relevant records available to the Town and State upon request,
- g) Begin project activities only following execution of a legally binding commitment between the Town and the applicant and the release of other conditions, if any, placed on the loan by the Town of Carrboro,

Complete project activities by no later than May 1994,

Secure and obtain additional loan funds in the amount of \$ 12,000 as
scribed in this application, and

Provide \$ _____ in equity from the applicant's own resources for the
project and cover any cost overruns in the project from applicants own resources.

firm is committed to undertake this project, and but for the provision of the
BG assistance, this project will not be undertaken.

Partnerships and Sole Proprietorships

igned: _____

title: _____

ate: _____

Corporations to be:

Ink Spot Copy Shoppe

Name

BY: Glyn A. Folch
President

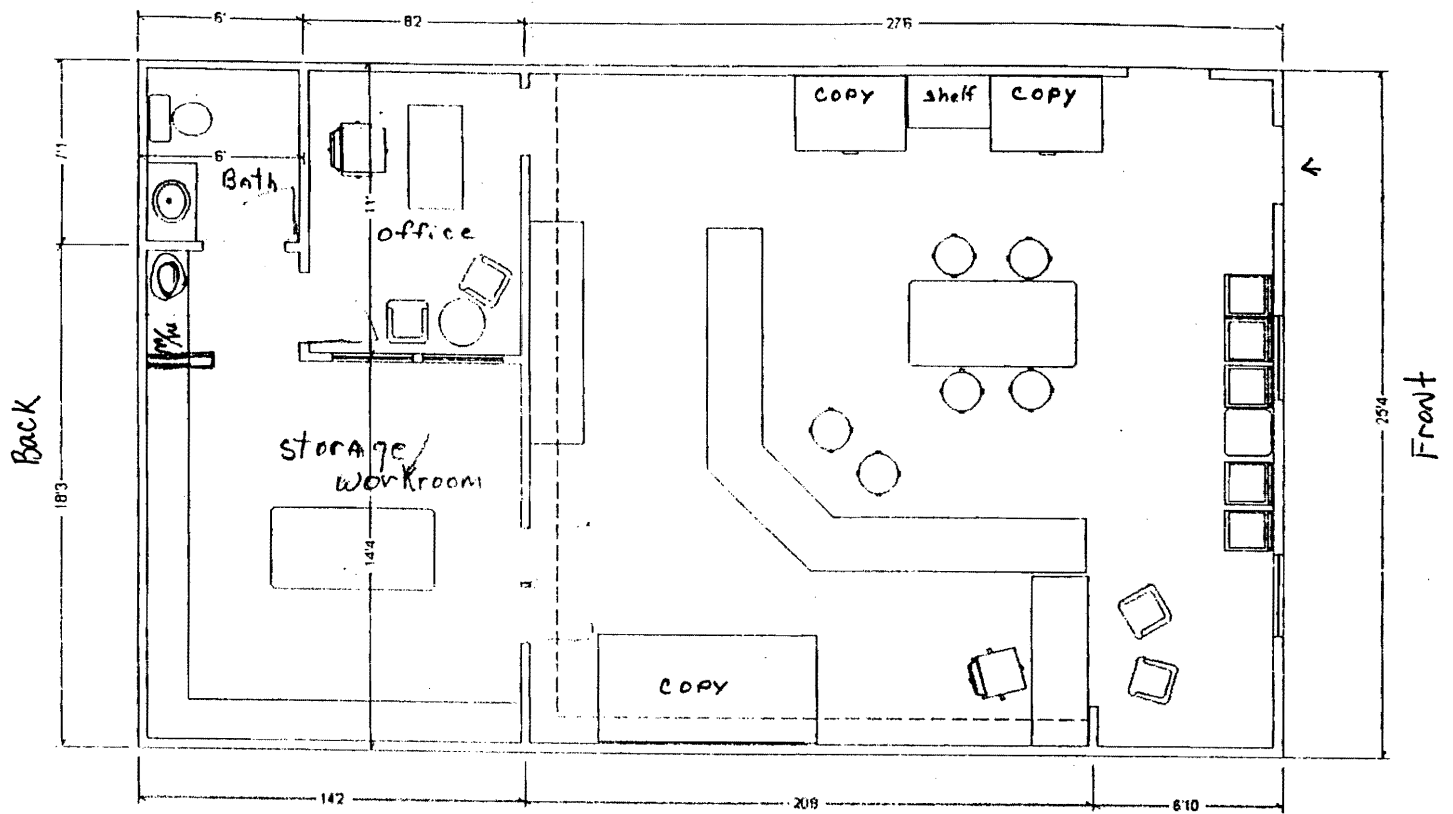
Attest: _____
Secretary

(SEAL)

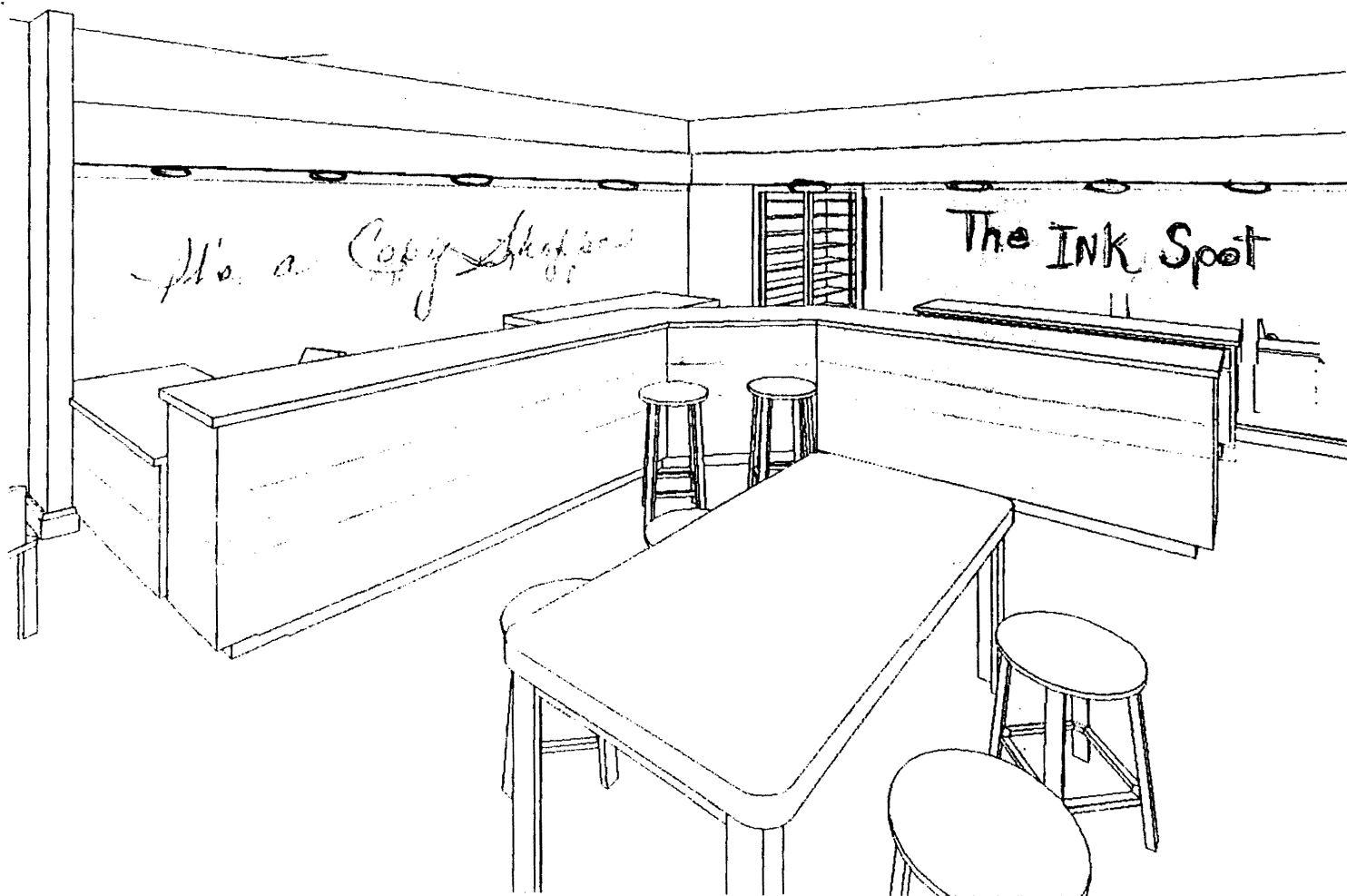
Date: _____

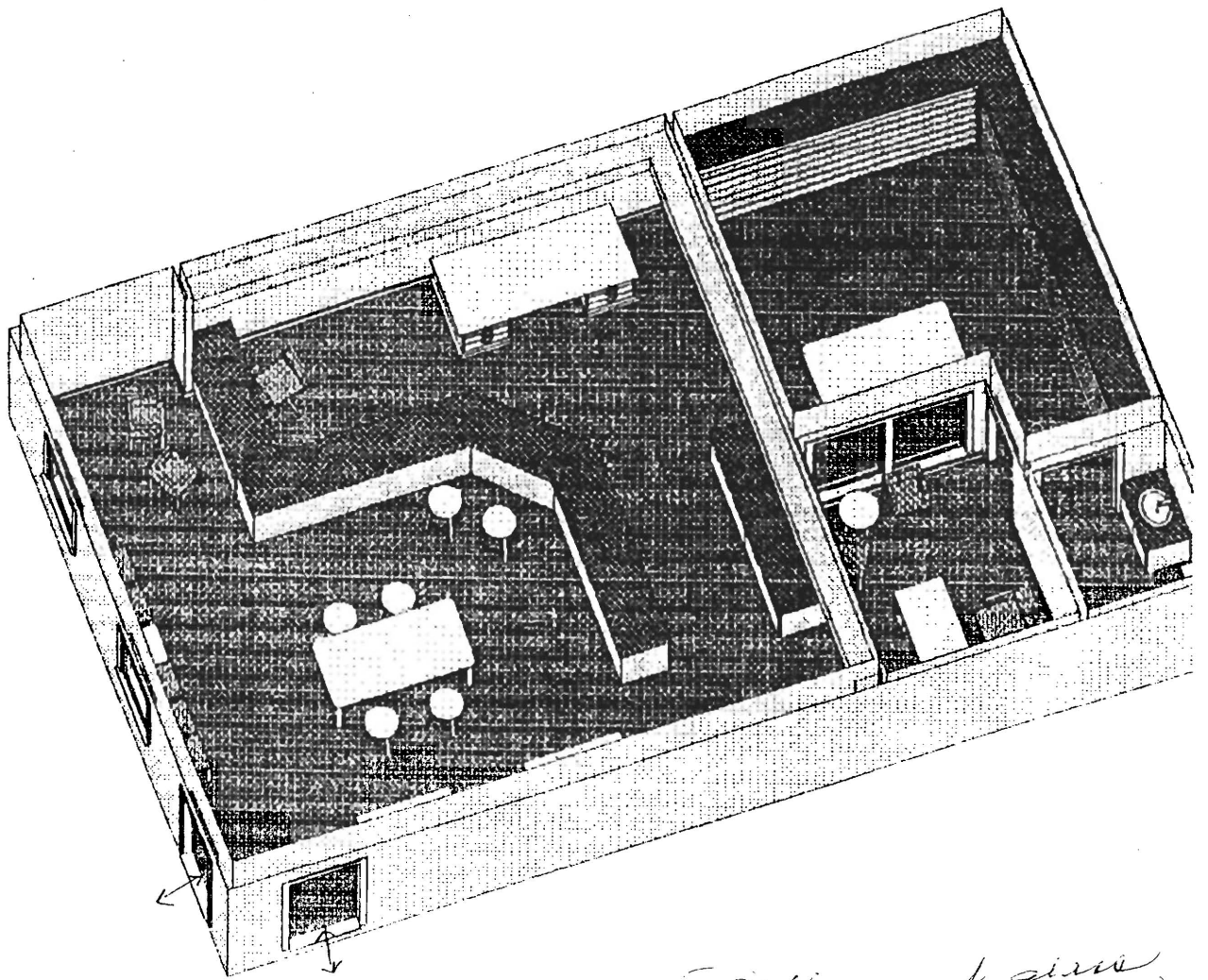
Below, please list all of the following: Any owner of 20% or more of a corporation
and all officers of the corporation; All partners; the sole proprietor.

Name, Title	Signature	% owned
Name, Title	Signature	% owned
Name, Title	Signature	% owned
Name, Title	Signature	% owned
Name, Title	Signature	% owned
Name, Title	Signature	% owned

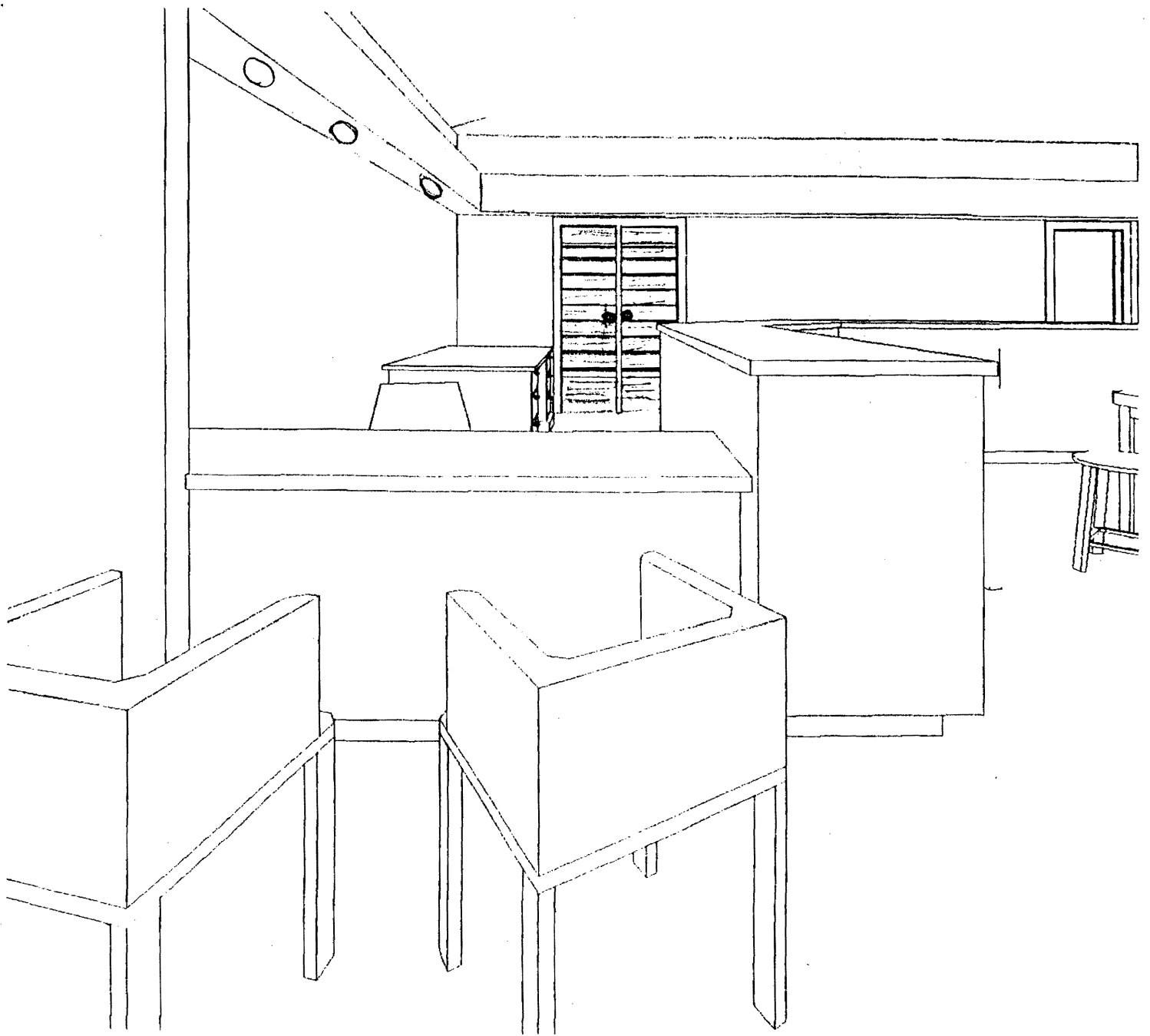


Floor Plan For Ink Spot Copy Shoppe.





Replacement glass
for Sliding Glass Door
36X72



The Ink Spot Copy Shoppe
A Proposal for a Copy Center
Glyn Anne Folk

January 26, 1994

The Carrboro Revolving Loan Fund (CRLF) is a valuable resource for small businesses who share with the town a common goal of improving and adding to the quality of Carrboro. The CRLF and Ink Spot Copy Shoppe can be an ideal partnership. With funding assistance, the town of Carrboro has the opportunity to bring in a much needed copy center. Lending to The Ink Spot Copy Shoppe will allow Ms. Folk the opportunity to assist Carrboro in meeting the needs of a growing community. She brings to Carrboro her knowledge and resourcefulness to meet the demand for a quality copy center. The Ink Spot will also bring to Carrboro more employment opportunities for low to moderate wage earners.

It is the purpose of this document to demonstrate the likely success of establishing The Ink Spot Copy Shoppe by Glyn Anne Folk. Ms. Folk has fifteen years experience in the printing industry, with training in offset, quick and screen printing. She has extensive experience with the Xerox 1090 and 5090 machines. Her early experience was in a larger shop where she gained familiarity with state of the art equipment and management of a high volume print shop. More recently, Ms. Folk was employed at a small, multifaceted, university oriented print shop in Carrboro.

Glyn Folk has already developed strategies for specific advertising and marketing of the future Ink Spot, including flyers, newspaper ads, and rolodex mailer cards. She has determined that an aggressive sales campaign stressing the convenience and quality of The Ink Spot's copy services will ensue a sizable clientele of both student and private business. As the Ink Spot becomes established, she anticipates employing a sales representative to attract and maintain commercial accounts, while she retains her focus on retail management and production.

As with most small business endeavors the only way to succeed is through creative and inventive means. Having exhausted the more conservative and traditional investing institutions, Ms. Folk is challenging Carrboro to meet the immediate needs of our town. This venture, poised in a prime location in a currently undeveloped market, coupled with Glyn Folk's experience and vision, constitutes an opportunity assured of success. Together, with financial backing from Carrboro partnered with the dedication of Ms. Folk, The Ink Spot will be a business that will benefit our community and its growing needs as well as adding a new dimension to Carrboro's business market.

Business Plan The Ink Spot Copy Shoppe

1. Company Information

The Ink Spot Copy Shoppe (ISCS) will be owned and operated by Glyn Folk. It will be located in Carrboro, North Carolina. It is proposed that a corporation be established as a Sub Chapter S or LLC format with Glyn Folk as the sole shareholder. The corporation will lease a building in Carrboro and will purchase and lease the needed equipment.

2. Services to be offered

The ISCS will offer a variety of copy services. The hours will be 7:30am-7:00pm, M-F and 8:00am-1:00pm on Saturday with extended hours for exam times. Quick copying and big volume copying will be offered at startup, along with fax services. With the purchase of a computer some desktop publishing will be offered, such as resumes and typesetting. Quick copying will be handled by two walk-up user friendly copiers, while the bulk copying, such as course paks, will be done on one big copier. Binding capabilities will be offered to insure a quality finished product. Free pickup and delivery services will be a great asset to our customers. We will offer a small variety of office supplies also.

It will be possible to incorporate the services of area businesses to increase productivity. Offset printing and folding will be offered with the help of The Printery and Triangle Press. This would enable the ISCS to handle more types of business rather than turning it away. As the ISCS grows more copy machines will be added to supply the demand and advancing the desktop publishing capabilities will bring even more flexibility to the business.

3. Market

At present the Town of Carrboro has a need for a copy center. Due to the demand Carrboro businesses and UNC Students will be target markets. The ISCS will benefit from the lack of competition in this demanding market. It's convenient location with ample parking allows for easy access to our services. Because it is within five minutes of eight apartment complexes housing mostly students, the ISCS would be a welcome for the people looking for a quick copy. Not only convenient for students, but Carrboro businesses will be right around the corner.

Other markets include the University who utilize copy centers during crunch times for course paks and manuals. With the convenience of accounts and our pickup and delivery services, the ISCS expects to offer the University another quality option. There are many large corporations in RTP that have a need for high volume copiers. The ISCS will offer professional services for these and will grow with the markets demands.

4. Competition and Selling Services

The Competition for the ISCS in Carrboro is a minimal. There being no copy center of this magnitude assures utilization. There are three copy machines in Carrboro for public use and they are located in different businesses throughout the town. In surveying a percentage of the area businesses the general consensus was a copy center was needed, especially if it would mean not having to go to Chapel Hill to make copies.

Ways to compete are pricing our services competitively. Offering a variety of services will allow the ISCS to be a big competitor in the market. Each individual services will complement one another and bring in loyal customers. Another asset will be the personal attention of an owner operated business as contrasted to the large corporate businesses. We can cater to the needs of our customers by remaining flexible and sensitive to special time constraints in peak printing times.

Advertising will be a key in helping to build a successful business. During startup the ISCS will launch an initial campaign to announce our opening. This will be done through local newspapers covering the triangle area. Flyers and cards will be distributed out to local businesses as well as all apartment complexes outlining our services, location, and hours. Later follow-up will consist of announcing our specials and competitive prices.

5. Facilities

The ISCS will be located on west main street in Carrboro. This location is across the street from the fire station and Town Hall and a block from the new Walkway. The building to be leased is owned by Tommy Watts. The cost will be \$9.90/sq.ft and it will be 1200sq.ft. The monthly rent will be \$990.00 a month. The lease will be a two year lease with (2) two year options making it possible for a six year lease. Mr. Watts will do some upfitting to the building. Appendix 1 is a listing of all upfitting that will be the responsibility of the ISCS including an estimated cost. The ISCS will be equipped with the proper equipment needed for the startup of a copy shop. Appendix 2 is a listing of equipment to be leased or purchased along with an estimated costs. In addition Part B list inventory and furnishings to be purchased at startup with an estimated value.

6. Management

The ISCS management team will consist primarily of two full time employees and two part time employees which will be hired at startup. Glyn Folk will own and operate the business, bringing fifteen years of printing experience to the business. Initially, she will be the outside salesperson, not only to solicit accounts, but to introduce herself as the owner. This will require hiring three other people to learn the copying business and run things while she is out selling. These people will come from the low to moderate income bracket and will be paid by the hour. (See Appendix 3)

Kim Ray will assist in the desktop publishing area of the business. She is proficient in word processing and also has extensive computer graphics experience. (See resume, Appendix 4)

The company will employ the services of an accounting firm, The Balancing Act located in Carrboro and owned by Gina Divine. This firm will assist with the financial records and setting up bookkeeping. Ms. Folk is a nominee for the SCOREBOARD program initiated by SCORE, a group invested in promoting small businesses. They will adopt the business, offering invaluable resources for knowledge, experience and guidance, at no charge as long as needed.

7. Financial Requirements

Appendix 3 is a Cash Flow Projection (CFP) covering the first 12 months of activity. This CFP is based on a very conservative outlook for the ISCS. The formulas used in the CFP are based upon copy cost per month and projected volumes are shown in the right hand column sections of Appendix 3. The monthly growth is projected at 10% starting from month one which has been

conservatively set at 15% of the target copy number of \$170,000 pages (high volume machines) and \$30,000 pages (walk-up copiers). With these low estimates of growth the gross profit are \$131,880. The cash retained at the end of the year for the ISCS is \$29,971 based on this worst case scenario. This includes servicing a \$17,000 loan from the Carrboro Revolving Loan Fund on the assumed terms of 7.25% and 5 years. Debt service in year 1 on this loan will amount to \$4,788. The CPF would be improved if this rate were adjusted. A working capital line of \$15,000 will be needed and it is assumed that \$10,000 will be drawn and repaid in the year.

The owner offers her commitment to the ISCS by her personal guarantee. The CRLF will have full charge over the equipment, accounts receivable and inventory. Ms. Folk is taking restricted drawings. She plans to subsidize the business by taking only a minimum salary of \$5.77/hour even though she will hire employees who will have a higher salary. She believes that this is a fair compromise for the lack of collateral.

Glyn Anne Folk

109 Walden Drive
Carrboro, NC, 27510
(919) 933-5944

Education: 1979-1981 **Newberry College**
Newberry, SC
Field of Study: Music Education

1981-1982 **Piedmont Technical College**
Greenwood, SC
Field of Study: Business Management

Experience: University Printery
Nov. 1992- Chapel Hill, North Carolina
Oct. 1993 Printer

Duties: Run letter press, maintain print machinery, collate, pre-press makeup and preparation.

June 1992 **Enterprise Bank**
Nov. 1992- Ehrhardt, South Carolina
Courier

Duties: Transport money to the 8 other branches across South Carolina.

Feb. 1988- **South Carolina Tax Commission**
June 1992 Columbia, South Carolina
Printing Department

Duties: Printed S.C. Tax Forms. Ran AB Dick Express 50. Multilith 1250, Inserter, Mailer, Folder, Decollator, Detacher and Xerox 1090 and 5090. Responsible for maintenance of fifteen copy machines throughout building. Also, computer work with Office Works and Multimate. Printed two colors, two sides. 8 1/2 x 11, 8 1/2 x 14 x 17. Printed 3 1/2 million impressions/year.

Nov. 1987- **Quality Printing**
Jan. 1988 Orangeburg, South Carolina
Printing Department

Duties: Magazine makeup. Worked with camera and negatives, stripping negatives and four color work.

Sept. 1986- **The Island Packet**
Nov. 1987 Hilton Head, South Carolina
Graphics Department

Duties: Ad Makeup, page layout, camera work, including markup of PMT's, reverses, half-tones and full page negative.

Dec. 1984- **The Newberry Observer**
Sept. 1986 Newberry, South Carolina
Graphics Department

Duties: Markup, page and Ad makeup. Commercial work including "J. B. White's" Job work, stripping and collating, color separations, assisting with press run of "TV Guide" and comic section of "The State". Also, color separation for "SC Wildlife" with regard to maps for annual hunting, game laws and rules. Operation of trimming machine, numbering machine, camera plating machines and Riobie Press.

Activities: Member "Jaycee Women/Jaycees".
Extensive community work within organization including St. Jude's Research Hospital Radiothon. Assisted in raising funds for this charity.

References: Available Upon Request

APPENDIX 1

Leasehold Expenses with estimated cost

Counter and Shelves	\$2000
Painting	\$1000
Storage area	\$1500

Total	\$4500
-------	--------

APPENDIX 2
Part B

Inventory

Paper Supplies	\$4000
Office Supplies	\$1000

Total	\$5000
-------	--------

Furnishings

Desk	\$800
Chairs/Stools	\$250
Tables	\$300
Lamps/lighting	\$450
Trash cans	\$100
Store signs	\$400
File Cabinets	\$200

Total	\$2500
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APPENDIX 2
Part A

Equipment to be purchased

Fax machine	\$1000
Computer w/color printer	\$4000
Spiral binder	\$650
Cash register	\$300
(2) calculators	\$100
Paper jogger	\$100
Paper cutter	\$700
Hand cart	\$250
Padding press	\$100
Folder	\$550
Drill	\$250
Total	\$8000

Equipment to be leased

- (1) One high volume copy machine
- (2) Two low volume machines

NAME OF COMPANY
revised 1.25.1994

THE INK SPOT COPY SHOPPE

ASSUMPTIONS

	PRE START-UP	1994 MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	1995 JAN	FEB	MAR	APR	TOTAL	%			
CASH ON HAND	0	3,260	4,477	4,683	4,914	3,492	2,379	3,012	4,120	6,893	10,970	16,011	22,793	3,260			MONTH	RATE
CASH RECEIPTS																	VOLUME	SALES
COPYING - HIGH VOLUME		2,040	2,720	4,080	5,440	6,800	8,160	9,520	10,880	12,240	13,600	14,960	16,320	106,760	80.95%	131,880	170,000	\$0.08
COPYING - WALK UP		315	420	630	840	1,050	1,260	1,470	1,680	1,890	2,100	2,310	2,520	16,485	12.50%		30,000	\$0.07
SPIRAL BINDING		30	40	60	80	100	120	140	160	180	200	220	240	1,570	1.19%		10	20
FAX MACHINE		15	20	30	40	50	60	70	80	90	100	110	120	785	0.60%		50	\$2.00
DESK TOP PUBLISHING		120	160	240	320	400	480	560	640	720	800	880	960	6,280	4.76%		80	\$10.00
CAPITAL- G.FOLK	5,000													0				
BANK W/CAPITAL LINE (12K)		5,000	3,000	2,000	0	0	0	0	0					10,000				
CARRBORO REV LOAN	20,000													0				
TOTAL CASH RECEIPTS	25,000	7,520	6,360	7,040	6,720	8,400	10,080	11,760	13,440	15,120	16,800	18,480	20,160	141,880				
TOTAL CASH AVAILABLE	25,000	10,780	10,837	11,723	11,634	11,892	12,459	14,772	17,560	22,013	27,770	34,491	42,953	145,140				
CASH PAID OUT																		
PURCHASES(MERCHANDISE)	5,000	165	220	330	440	550	660	770	880	990	1,100	1,210	1,320	8,635	6.55%			1,100
GROSS WAGES (EXCL. WITHDRAWALS)		850	850	850	850	1,870	1,870	1,870	1,870	1,870	1,870	1,870	1,870	18,360	13.92%			
PAYROLL EXPENSES (SUTA,FUTA,FICA)						102	102	102	102	102	102	102	102	814	0.62%			
WORKERS COMPENSATION														0	0.00%			
HEALTH INSURANCE														0	0.00%			
ADVERTISING	500	150	150	150	150	150	150	150	150	150	150	150	150	1,800	1.36%			
AUTO EXPENSES		325	325	325	325	325	325	325	325	325	325	325	325	3,900	2.96%			
CONTRACT AND PROFESS'NAL SERVICES		150	150	150	150	150	150	150	150	150	150	150	150	1,800	1.36%			
INSURANCE		351	0	0	400	0	0	0	0	0	0	0	0	751	0.57%			
INTEREST ON CARRBORO REV LOAN		121	119	117	115	113	111	109	107	105	103	101	99	1,320	1.00%			
INTEREST ON W/CAP LINE		33	53	67	60	53	47	40	33	27	20	13	0	447	0.34%			
OFFICE EXPENSES	100	25	25	25	25	35	35	35	35	40	40	40	40	400	0.30%			
POSTAGES & SHIPPING		24	24	24	24	30	30	30	30	36	36	36	36	360	0.27%			
RENT - STORE SPACE	990	990	990	990	990	990	990	990	990	990	990	990	990	11,880	9.01%			
REPAIRS & MAINTENANCE	0	25	25	25	25	25	25	25	25	25	25	25	25	300	0.23%			
TAXES				350		350		350		350		350		1,400	1.06%			
UTILITIES		350	350	350	350	350	350	350	350	350	350	350	350	4,200	3.18%			
MISCELLANEOUS	150	25	25	25	25	25	25	25	25	25	25	25	25	300	0.23%			
LEASING HIGH VOLUME COPIER		753	828	904	979	1,054	1,130	1,206	1,282	1,357	1,433	1,508	1,583	18,431	13.98%		BASE 1q	UNIT
LEASING WALK-UP COPIERS		688	740	845	950	1,055	1,160	1,265	1,370	1,475	1,580	1,685	1,790	14,603	11.07%		BASE 7M	USAGE
SUBTOTAL	6,740	5,025	4,875	5,526	5,858	7,227	7,159	8,362	8,375	8,749	9,462	9,400	9,682	89,701	68.02%		HIGH VO	USAGE
																	WALK U	VOL
BANK LOAN PRINCIPAL PAYMENT		278	280	282	284	286	288	290	292	294	296	298	300	3,468	2.63%			
W/CAPITAL REPAYMTS					1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	2,000	10,000	7.58%			
CAPITAL PURCHASES (SPECIFY)	10,500		0											0	0.00%			
LEASEHOLD IMPROVEMENTS	4,500													0	0.00%			
OWNER'S WITHDRAWALS		1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000	9.10%			
TOTAL CASH PAID OUT	21,740	6,303	6,155	6,808	8,142	9,513	9,447	10,652	10,667	11,043	11,758	11,698	12,982	115,169	79.75%			
CASH POSITION	3,260	4,477	4,683	4,914	3,492	2,379	3,012	4,120	6,893	10,970	16,011	22,793	29,971	29,971	22.73%			
ESSENTIAL OPERATING DATA (NON CASH FLOW INFORMATION)																		
O/S CARRBORO REV LOAN	20,000	19,722	19,442	19,160	18,876	18,590	18,302	18,012	17,720	17,426	17,130	16,832	16,532					
OUTSTANDING W/CAPITAL LINE	0	5,000	8,000	10,000	9,000	8,000	7,000	6,000	5,000	4,000	3,000	2,000	0					
SALES VOLUME		2,520	3,360	5,040	6,720	8,400	10,080	11,760	13,440	15,120	16,800	18,480	20,160					
% ASSUMED MONTHLY SALES		15%	20%	30%	40%	50%	60%	70%	80%	90%	100%	110%	120%					
ACCOUNTS RECEIVABLE [EOM]																		
BAD DEBTS [EOM]																		

APPENDIX 4

Kimberly Shawn Ray

109 Walden Drive
Carrboro, NC 27510
(919) 933-5944

Education: University of North Carolina at Chapel Hill
Bachelor of Arts, Psychology May 1992

Peace College - Raleigh, North Carolina
Associate of Arts May 1990

Experience: **Social Research Assistant**
Sept. 1992-
present International Studies
UNC-CH, Department of Biostatistics,
Collaborative Studies Coordinating Center (CSCC)
Chapel Hill, NC

Duties: - Serve as graphics coordinator for publications/meetings - Provide information development - Editing and verification of scientific manuscripts and reports - Administrate International Studies activities - Provide literature research support - Coordinate the visits of International scientists to CSCC - Prepare status reports/track manuscripts - Supervise student assistants - Provide study Follow-up information.

**May 1990-
Aug. 1992** **Assistant to the Director**
Collaborative Studies Coordinating Center
Chapel Hill, NC

Duties: - Assisted in editing, gathering and organizing written sections of proposals for research grants worth up to 2 million dollars - Conducted library research on requirements for manuscript submission and confirmed published references; edited manuscripts to conform to journal requirements - Acted as liaison between American Journal of Epidemiology and Director of CSCC, who is an Associate Editor for the journal; Scheduled appointments, arranged meetings and prepared materials for meetings at the international, national and university levels pertaining to studies conducted for the National Institutes of Health (NIH) - Assisted Director in his role as Professor and Graduate Advisor.

**May 1990-
May 1992** **Research Assistant**
Cholesterol Reduction in Seniors Program
Collaborative Studies Coordinating Center
Chapel Hill, NC

Duties: - Assisted Social Research Associate in compiling study Protocol and Manual of Operations during design stages of study; updated manual and Protocol as necessary - Coordinated copying, collation and compilation of 400 page training manual used in an intense three day training session for national team of approximately 40 health researchers - Helped prepare materials for Steering Committee, Data Safety and Monitoring, and Team Meetings - Facilitated correspondence between Coordinating Center, Clinic Coordinators and Principal Investigators from five clinics, two laboratories and a pharmaceutical company.

Awards: Dean's List, Spring 1989 and Spring 1990
Peace College Merit Award

References: Available Upon Request

February 4, 1994

Downtown Development Commission
Town of Carrboro

To the Development Commission:

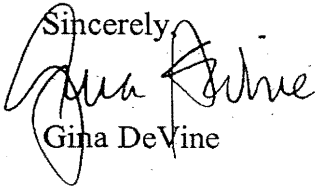
I am writing to express my strong support for the establishment of a copy center in the downtown Carrboro area. Since one component of my practice includes Accounting and Tax Preparation, I have seasonal needs for copy capability far beyond that of the light-duty copier in my office.

Another component of my practice involves consultation for new and growing small businesses. Typically, small businesses rarely have the resources to maintain a high level of in-house support services. As the population of small businesses grows in Carrboro, it is likely that a business support service, such as a service-oriented copy center, would be well received by the small business owners of downtown Carrboro.

I have been observing with Ms. Folk's planning process throughout the creation of her new enterprise. I continue to be impressed with her enthusiasm, and thorough, resourceful approach toward the development of this business. I sincerely hope that the Downtown Development Commission shares my appreciation of an opportunity for this welcome addition to the Carrboro community.

Please let me know if I can be of further service.

Sincerely,


Gina DeVine

THE BALANCING ACCT

Gina DeVine

2401 Old Greensboro Highway
Chapel Hill NC 27516
405a East Main St.



919-929-2454

SELF-HELP

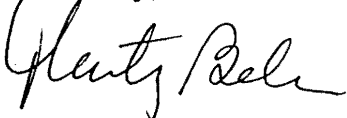
CREDIT UNION

January 27, 1994

Dear Glynn,

Thank you for bringing by the information that I requested. I am in the process of reviewing your loan application for a working capital loan of \$15000 for the start-up of the Ink Spot copy center. In order to do this loan, Self-Help would need to have a blanket first lien on inventory, equipment and accounts. I will be back in touch with you soon.

Sincerely,



Marty Belin
Commercial Loan Officer



REVOLVING LOAN FUND SUMMARY

FUND BALANCE AVAILABLE FOR LOAN: 106,789.00

	<u>Loan Amount</u>	<u>Interest Rate</u>	<u>Loan Balance</u>
Cleora Sterling	100,000	8 %	-0-
Norina Jade	75,000	6 %	18,787
Weaver Street	89,500	9 %	48,669
Aurora	40,000	5 %	20,815
Maggie's Muffins I	20,000	6 %	-0-
Model T's	30,000	9 %	-0-
Music Loft	55,000	6 %	37,268
Pet Pourri	15,000	10 %	-0-
Earth Waves	35,000	8 %	-0-
Maggie's Muffins II	45,000	6 %	33,173
University Printery	30,000	8 %	26,034
Allstate	8,628	6.5 %	3,441.23
FJCBTI Trust (Chan)	25,000	8.5 %	21,297.86
Orange Chatham	50,000	5.25 %	49,042
Cat's Cradle	40,000	6 %	33,216
New View	40,000	8 %	28,776.18
Star Child	15,000	7.5 %	15,000

Aurora - personal Guaranty Collateral equipment & fixtures Deed of Trust on personal residence

Music Loft - equipment, inventory and fixtures, Deed of Trust real property

Maggie's Muffin - real property in Chatham

Weaver Street - personal signatures

The Printery - all equipment, fixtures, inventory accounts receivable, personal guaranty

Allstate - all equipment

New View - all equipment - real property - accounts receivable and inventory

Cats Cradle - fixtures and equipment, 250 shares Bell South stock

OCCHS - all equipment purchased with Town money third priority in real property owned by OCCH

Star Child - real property

BOARD OF ALDERMEN

ITEM NO. E(2)

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 1994

Subject: Lease of Parking Spaces/Yaggy Lot

DEPARTMENT: MANAGER'S OFFICE	PUBLIC HEARING: YES ___ NO <u>X</u>
ATTACHMENTS:	FOR INFORMATION CONTACT: James Harris 968-7700
THE FOLLOWING INFORMATION IS PROVIDED: (x) Purpose () Action Requested () Analysis (x) Summary () Recommendation	

PURPOSE:

The owner of A Better Wrench approached the town about the lack of business related parking in the downtown. It was requested that the town consider leasing 4 parking spaces to a Better Wrench Auto Repair shop in the Public Parking Lot on Main Street (Yaggy Lot) to alleviate the problem.

SUMMARY:

When the Town approved a loan for the Cat's Cradle the land lord was requested to have A Better Wrench stop parking in the Art Center Parking Lot. At the same time K-Line Trains, at the depot, was also reducing the number of parking spaces available to A Better Wrench. With parking restricted in those locations A Better Wrench must park it's vehicle somewhere and has sought relief from the town in the form of lease parking in the Yaggy parking lot.

ANALYSIS:

The availability of four parking spaces to lease A Better Wrench was assessed taking into account the spaces already being used by the prospective renter and the spaces needed by the public. The number of spaces being used was checked on four different days (Jan. 14, Feb. 1, Feb. 3, 1994 and Dec. 14, 1993). The cars were marked at least three times on each day and a record was kept of how many spaces were filled. Three of the four sets of results were used in the evaluation. The results of the Dec. 14, 1993 observation was disregarded because there was an unusually high number of empty spaces. It was found

that although the prospective renter was using two parking spaces each time, there was still at least four open spaces at each time checked.

ADMINISTRATION'S RECOMMENDATION:

The Administration recommends leasing at least two parking spaces to A Better Wrench at the established rate of \$25.00 per month. This is feasible because at least two spaces a day are currently being used by A Better Wrench. Four spaces could conceivably be leased and still maintain adequate parking for the general public.

ACTION REQUESTED:

It is requested that the Board authorize the leasing of two, (possibly four) parking spaces to A Better Wrench at a cost of \$25.00 per month. It is also requested that the Yaggy lot be added to the town's miscellaneous fees and charges schedule for the purpose of leasing spaces.

BOARD OF ALDERMEN
AGENDA ITEM ABSTRACT

ITEM NO. E(3)

MEETING DATE: April 19, 1994

SUBJECT: STATUS REPORT ON THE RENTAL REHABILITATION PROJECT

DEPARTMENT: MANAGER'S OFFICE	PUBLIC HEARING: YES ____ NO <u>X</u>						
ATTACHMENTS: Letter from owner James Edney	FOR INFORMATION CONTACT: James Harris 968-7700						
THE FOLLOWING INFORMATION IS PROVIDED: <table style="width: 100%;"><tr><td style="width: 33%;">(x) Purpose</td><td style="width: 33%;">() Action Requested</td><td style="width: 33%;">(x) Analysis</td></tr><tr><td>(x) Summary</td><td>() Recommendation</td><td></td></tr></table>		(x) Purpose	() Action Requested	(x) Analysis	(x) Summary	() Recommendation	
(x) Purpose	() Action Requested	(x) Analysis					
(x) Summary	() Recommendation						

PURPOSE:

At the annual retreat the Board of Aldermen requested a status report on the Rental Rehabilitation project at 402 Oak Ave. which is being done under the Town's Rental Rehabilitation Program. The town staff will present a status report.

SUMMARY:

On April 2, 1990 James Edney completed and submitted an application for Rental Rehabilitation funds under the Town of Carrboro's Rental Rehabilitation Program. The Rehab funds were federal grant funds passed through the N.C. Housing Finance Agency to help rehabilitate dilapidated rental or potential rental property within the Town of Carrboro corporate boundaries. Mr. Edney's property met the criteria for the program because it was dilapidated property that the owner was interested in placing in the rental market.

In response to the Board's request the following update on the progress of renovations is provided. At this time the footing has been stabilized and the foundation replaced. The interior framing is complete, the exterior framing, roofing, windows, doors and etc. is complete. The interior plumbing rough-in is complete. The exterior underground sewer and water line are tied in to the house. The interior in wall and in ceiling heating duct and gas line rough-in is also complete.

Inspection for the above mentioned rough-in items were completed on the following dates:

Mechanical rough-in	3/7/94
Sewer Service	3/22/94
Gas piping rough-in	3/7/94

Plumbing rough-in	3/22/94
Utility service	3/22/94
Electrical rough-in	3/7/94

A framing rough was scheduled for 4/11/94. The completion of the work is dictated by the amount of time that Mr. Edney has indicated in the attached letter, because of difficulty the commercial construction industry has experienced in recent difficult times. He has either had plenty of time and inadequate cash flow or adequate cash flow and too little time. The situation has stabilized for him and the industry at this time and work should proceed at a more reasonable rate.

The project grew from a one story one bedroom structural renovation to a three bedroom two story house for the neighborhood that will be attractive in the family rental market.

The owner intends to complete the house and have it on the rental market by June or July.

ACTION REQUESTED:

It is requested that the Board accept the report with the understanding that the staff will continue to monitor the project closely.

JAMES W. EDNEY III

6 April 1994

Mr. James Harris
Community & Economic Development Officer
Town of Carrboro
P.O.Box 337/301 W.Main Street
Carrboro, NC 27510

Dear James:

In response to our conversation this is an update on the progress of renovations to my house at 402 Oak Avenue. As of this date, the interior framing is completed. The exterior framing, roofing, windows, doors, foundations, roof, et cetera is complete. The interior plumbing in wall rough-in is complete. The exterior underground sewer and water lines are tied in. The interior electrical in wall rough-in is complete. The interior in wall and in ceiling heating duct and gas line rough-in is complete.

Inspections for these items were completed on these dates:

Mechanical rough-in: 3/07/94; Gas piping rough-in: 3/07/94; Utility service: 3/22/94;
Sewer service: 3/22/94; Plumbing rough-in: 3/22/94; Electrical rough-in: 3/07/94.

I need to complete removal of rubbish from trades work and plan to call for framing rough-in inspection for Monday April 11th. As in the past, the completion of the work on the house is now (and will continue to be) dictated by my schedule and the amount of time I can devote to the work. As I have related to you in the past, I am involved in the commercial construction industry, and the past three years have been difficult to put it mildly. I have had either plenty of time and inadequate cash flow or adequate cash flow and too little time. The situation now seems to be stabilizing for all of us in this industry.

This project has grown from the structural renovation of a small one bedroom mill house to a three bedroom house of appropriate scale for the lot and neighborhood that I hope will be attractive in the family rental market in Carrboro. The growth of the project was, in large part, the result of your efforts to enroll it in the Rental Rehabilitation program. I have invested a great deal of time, effort, and cash in this project and will continue to do so. I intend to complete the house and have it on the market by this summer(June/July). Because I cannot devote 100% of my time and resources to it, it may be later. Should my schedule and my subcontractors' schedules improve it may be finished and ready for occupancy by the end of May.

Please let me know if you need more information or if this status report is not acceptable.

JWE

1405 ARNETTE AVENUE . DURHAM . NC . 27707

BOARD OF ALDERMEN

ITEM NO. E(4)

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 1994

SUBJECT: Quail Roost Drive - Traffic Access

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES ____ NO ____	
ATTACHMENTS: Map of Quail Roost Drive and vicinity. Survey results and a letter from one of the residents.	FOR INFORMATION CONTACT: Kenneth Withrow, 968-7713	
THE FOLLOWING INFORMATION IS PROVIDED:		
(x) Background	(x) Action Requested	(x) Analysis
() Alternatives	(x) Recommendation	

PURPOSE

The Carrboro Board of Aldermen had requested during their annual retreat that the town staff propose a traffic plan for Quail Roost Drive. Quail Roost Drive is located in the vicinity of the Carrboro Middle School site. The middle school is expected to begin operation as of August, 1994; and it is feared that commuter traffic will use Quail Roost Drive as a "drop-off" point for children. The Town staff is recommending that no improvements made at this time to either Quail Roost Drive, Lisa Street, or Deer Street; and that traffic be closely monitored over the next year.

SUMMARY

The Carrboro Board of Aldermen requested that the Town staff propose a traffic plan for Quail Roost Drive.

The Carrboro staff created a questionnaire for the residents of the Quail Roost Drive area in order to survey their response to possible traffic plan scenarios.

The Planning Director and Public Works Director met with the residents of Quail Roost Drive concerning a petition for street pavement; in conjunction with the Town staff conducting a survey within the Quail Roost Drive area.

Seven of the thirteen questionnaires sent to the residences were returned, producing a fifty-four (54) percent response rate.

A majority of the residents were opposed to alternative traffic movements; but were in favor of a "do nothing" approach, along with the utilization of traffic calming devices such as warning signs.

The staff recommends that no improvements be made at this time to either Quail Roost Drive, Lisa Street, or Deer Street, and that traffic be closely monitored in the area over the next year.

ANALYSIS

The Carrboro Board of Aldermen during their annual retreat requested that the staff propose a traffic plan for Quail Roost Drive. The Quail Roost Drive area is feared to be the location for a "drop-off" point for the children of commuting parents. The site plans for Carrboro Middle show a bike path that runs from Old Fayetteville eastward to its termination at the school's property line. The bike path could ultimately be connected from the property line and run eastward along Quail Roost Drive to Hillsborough Road. The land located between Quail Roost Drive and the middle school is accessible for school students via automobile, bicycle, or walking. The Board's concern about this location is that when the school opens in August, 1994, commuters may utilize the location as a drop-off point for their children and traffic problems in the form of accidents, congestion, and pollution may occur during the morning and afternoon hours.

The staff reviewed the area of concern and noted two significant points: (1) the area of concern not only involves Quail Roost Drive, but also involves Lisa Street and Deer Street, and (2) Quail Roost Drive, Lisa Street and Deer Street are unpaved roads. The use of the aforementioned streets as cut through streets to the drop-off point behind the middle school would be unwelcomed to the residents of that area. The staff created a questionnaire for the residents of the Quail Roost Drive area in order to survey their response to possible traffic plan scenarios. This was necessary in order to allow the residents to have an initial input into the process. Furthermore, the Planning Director and Public Works Director met with the residents of Quail Roost Drive concerning a petition for street pavement; in conjunction with the Town staff conducting a survey in the area. There were thirteen residences located within the affected area that the survey was conducted. Seven of the thirteen questionnaires sent to the residences were returned, producing a fifty-four percent response rate.

The results indicated that a majority (seventy one percent) of the residences were opposed to alternative traffic movements. The alternative traffic movements involved one way loop configurations along Quail Roost Drive, Lisa Street, and Deer Street with the final egress onto Hillsborough Road. Fifty-seven percent of the residences surveyed preferred a "do nothing" approach to a traffic plan. However, fifty-seven percent of the residents also preferred the use of traffic calming devices (in the form of signs) in order to discourage the use of these streets as access to a drop-off point behind the middle school. Eighty-six percent of the residences rejected the combined utilization of traffic calming devices and one way traffic configurations as a traffic plan solution. Creating a cul-de-sac at the Quail Roost Drive intersection with Hillsborough Road received a moderate rejection of forty-three percent, while the construction of a bike path on Quail Roost Drive was preferred by a moderate forty-three percent of those residences. The citizens who live in this area desire to preserve the character of their neighborhood and provide for the safety of the children traveling through this area as much as possible. They believe that a "do nothing" approach during the first semester of school is warranted; and that the paving of Quail Roost Drive may encourage vehicular traffic. They also believe that a sign erected at the Quail Roost Drive/Hillsborough Road intersection which indicates "no vehicular access to the school" would also deter traffic.

RECOMMENDATION

The staff recommends that the Board of Aldermen require that no improvements be made at this time to either Quail Roost Drive, Lisa Street, or Deer Street; and that the traffic in that area be closely monitored over the next year. The Board of Aldermen may also request that a sign be erected at the Quail Roost Drive/Hillsborough Road intersection as well as at the Lisa Street/Rainbow Drive intersection indicating "no vehicular access to the school". The residents of the area have acknowledged that the Town has taken a proactive position to the concern and recognize that cooperation between themselves and the Town will remedy any future problem.

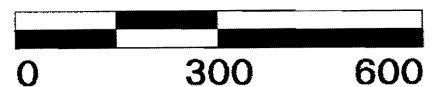
ACTION REQUESTED

That the Board adopt the staff's recommendation.

Lisa Street and Quail Roost Drive Area

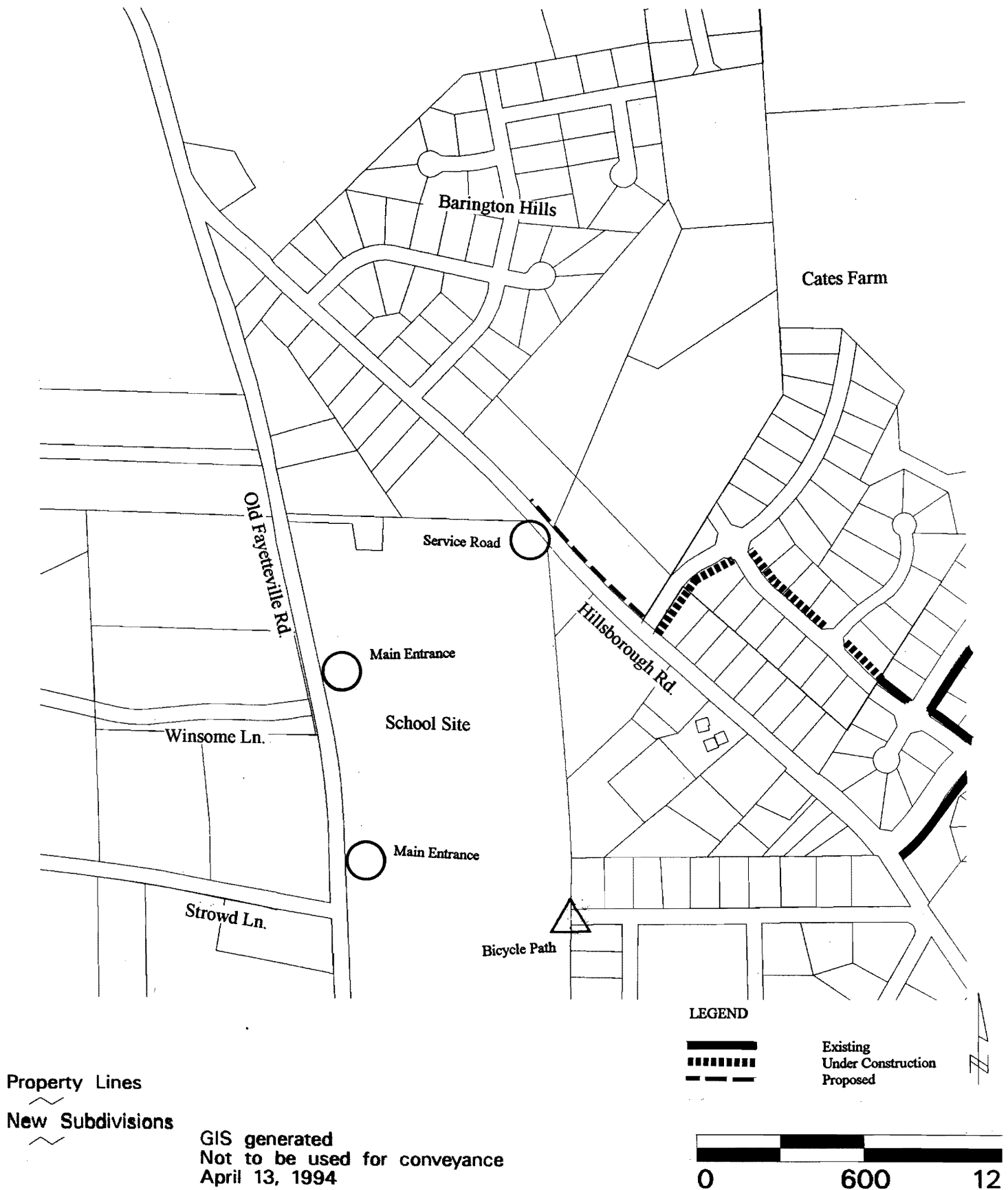


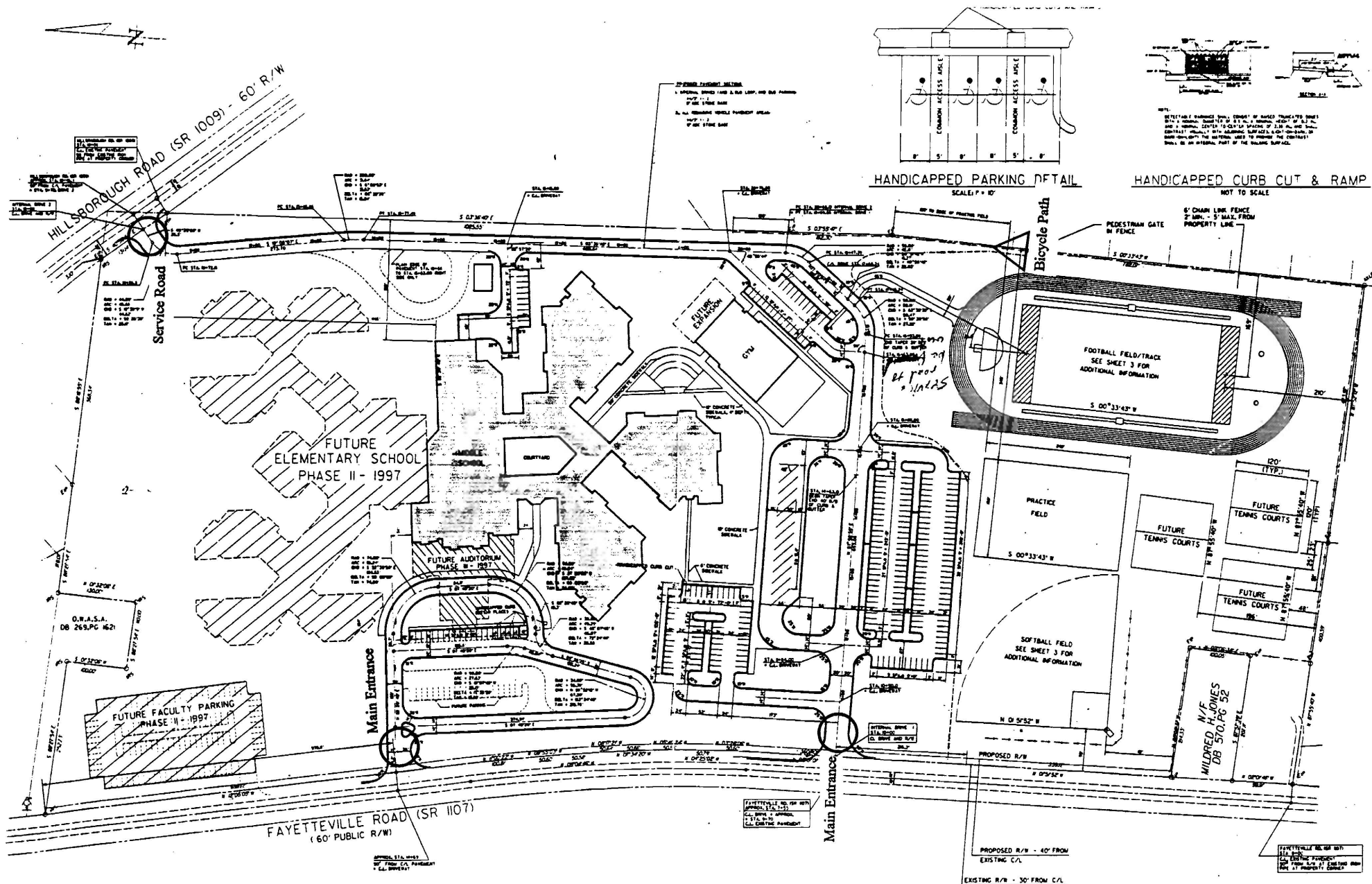
Not to be used for conveyance



Hillsborough Road School Entrance

Sidewalk Location





HANDICAPPED PARKING DETAIL
SCALE: 1" = 10'

HANDICAPPED CURB CUT & RAMP
NOT TO SCALE

NOTES:

- BOUNDARY DATA FROM FIELD SURVEY PERFORMED BY PHILIP POST & ASSOCIATES, DATED 2-13-92. PROPERTY ZONED "M-20". BUILDING SETBACKS FOR "M-20" ZONING: 40' FROM R/W, 20' BUFFER ALL SIDES TO FROM C/L OF ROAD.
- DIMENSIONS SHOWN ARE TO BACK OF 24" CURB AND GUTTER.
- PARKING SPACES REQUIRED = 58 (1.75 / CLASSROOM). PARKING SPACES PROVIDED = 243. STANDARD SPACES = 138. HANDICAPPED SPACES = 5.
- CURB & GUTTER R/W = 5' UNLESS NOTED.
- EP - EXISTING IRON PIPE. RS - IRON ROD SET (1" / 4" ALUM. CAP).

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION



NO.	REVISION	DATE	BY
1	ISSUED FOR TOWN OF CARRBORO SITE PLAN REVIEW	6-1-92	CM



ENGINEERS-ARCHITECTS-PLANNERS-SCIENTISTS-SURVEYORS-PHOTOGRAMMETRISTS
GREENHORNE & O'MARA, INC.
 410 LAKE BOONE TRAIL SUITE #1 RALEIGH, N.C. 27607
 (919) 782-9088 © LATEST DATE HEREON
 ANNAPOLIS, MD • ATLANTA, GA • BALTIMORE, MD • CLARK, VA • DENVER, CO • DULUTH, GA • EXPORT, PA
 FARMAX, VA • FREDERICKSBURG, VA • GREENBELT, MD • LEESBURG, VA • MANASSAS, VA • MOORESTOWN, NJ
 ORLANDO, FL • RALEIGH, NC • ROCKVILLE, MD • TAMPA, FL • WALDORF, MD • WEST PALM BEACH, FL

CARRBORO MIDDLE SCHOOL
 STAKING PLAN

CHAPEL HILL CARRBORO CITY SCHOOLS

NORTH CAROLINA

SMB	SCALE	1" = 60'
DESIGN	2	OF 12
DRAWN		
CHECKED	SHEET	
DATE	6-1-92	5059
JOB NO.	5059	5059-C-1
FILE NO.		

SURVEY

This survey consist of a list of possible traffic plan scenarios that may alleviate any possible traffic problems that may occur when the Carrboro Middle School is opened. The scenarios being considered involve the range of traffic movements to the utilization of traffic control devices. Please include any comments or suggestions at the bottom of the survey.

As a traffic movement pattern scenario, would you prefer to see:

- | | Yes | No |
|--|-----|-----|
| (1) One-way traffic movements along Quail Roost Drive, Lisa Street, and Deer Street during school hours. | [] | [] |
| (2) Which one-way configuration would be preferred? | | |
| a. Hillsborough Road onto Quail Roost Drive, Quail Roost Drive onto Lisa Street, Lisa Street onto Deer Street. | [] | [] |
| b. Hillsborough Road onto Quail Roost Drive, Quail Roost Drive onto Deer Street, Deer Street onto Lisa Street, Lisa Street onto Quail Roost Drive back to Hillsborough Road. | [] | [] |
| (3) A "do nothing" approach. Allow the school to open and observe to see if any problematic traffic patterns develop along Quail Roost Drive. | [] | [] |
| (4) Would a "traffic calming device" (in the form of signs) better serve the needs of residents along Quail Roost Dr.? | [] | [] |
| (5) Would the combination usage of "traffic calming devices" and traffic reconfiguration during school hours be a preferable solution? | [] | [] |
| (6) Would the creation of a cul-de-sac at the intersection of Quail Roost Drive and Hillsborough Road be a preferable solution? | [] | [] |
| (7) Is the construction of a bikelane along Quail Roost Drive from Carrboro Middle School to Hillsborough Road be acceptable? | [] | [] |

Suggestions/Comments:

Quail Roost Drive – Survey

March 1994

Preferences	Yes	No	Don't Know
1. One-way traffic movements along Quail Roost Drive, Lisa Street, and Deer Street during school hours?	1	5	1
2. Which one-way configuration be preferred via Hillsborough Road?			
a. Quail Roost/Lisa Street/Deer Street	1	5	1
b. Quail Roost/Deer Street/Lisa Street	0	5	1
3. Consider a "do nothing" approach?	4	2	1
4. Utilization of a "traffic calming device"	4	2	1
5. Combining the use of a "traffic calming device and one-way traffic movement.	0	6	1
6. Creating a cul-de-sac at the Quail Roost Drive/Hillsborough intersection.	2	3	2
7. Constructing a bike lane along Quail Roost Drive to Hillsborough Road.	3	2	2

The survey was conducted between the dates of March 14 through March 23, 1994. The simple random sample consisted of residences from the Quail Roost Drive, Lisa Street, and Deer Street area.

A total of thirteen residences were within the affected area. The Town sent thirteen surveys to the area, and only seven were returned. Therefore, the response rate to the survey was a fifty-four (54) percent. The standard research methods response rate is only twenty-five percent.

RESULTS

1. Seventy-one (71) percent of the residences rejected one-way traffic movements.
2. Fifty-seven (57) percent of the residences prefer a "do nothing" approach, or the utilization of traffic calming devices.
3. Eighty-six (86) percent of the residences reject the combination of a traffic calming device with one-way traffic movements.
4. Forty-three (43) percent of the residences rejected creating a cul-de-sac at Quail Roost Drive.
5. Forty-three (43) percent of the residences preferred the construction of a bike lane along Quail Roost Drive to Hillsborough Road.

204 Quail Roost Drive
Carrboro, NC 27510
March 23, 1994

VIA HAND DELIVERY

Kenneth W. Withrow
Transportation Planner
Town of Carrboro
301 West Main Street
P.O. Box 829
Carrboro, NC 27510

Re: Quail Roost Drive/Lisa Street/Deer Street

Dear Mr. Withrow:

On March 14 and again on March 16, we received your survey requesting comments on possible scenarios to alleviate traffic problems that may occur in the Quail Roost Drive/Lisa Street/Deer Street area as a result of the new middle school. Our completed survey form is enclosed.

However, our answers to this survey form cannot communicate our thoughts on potential improvements for Quail Roost Drive as completely as we would like. Therefore, in addition to completing the survey, we wish to provide the following observations as owners of a home on Quail Roost Drive.

Since 1978, at least one of us has lived in the Plantation Acres subdivision. We love this neighborhood and, to us, part of this neighborhood's charm is the 20-foot width of its streets and its grassy swales for drainage. The Town of Carrboro has recognized the importance of preserving the character of the Plantation Acres neighborhood as is demonstrated by its use of stop signs throughout the neighborhood to slow and to discourage through traffic.

In 1986, we moved from Lorraine Street to Quail Roost Drive. Quail Roost Drive is a minor street. Its sole function is to provide access to the properties which abut it. When choosing to move to Quail Roost Drive, we did not mind that it was a gravel street. We felt that its unimproved state made it less attractive for uses other than access to houses on the street.

Over the years, and prior to the construction of the new middle school, some of the neighbors discussed informally the advantages and disadvantages of paving Quail Roost Drive. Our concept of pavement was always a 20-foot strip of paving with grassy swales. That is the paving style used throughout Plantation Acres. Examples are James Street, Lorraine Street, Phipps Street, Melba Circle, Simpson Street, Carol Street, Rainbow Drive and the

Kenneth W. Withrow
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paved portion of Lisa Street. Pavement in that style is not objectionable to us.

However, a change in the character of the street would be objectionable to us. Therefore, when the new middle school was proposed, we monitored the planning process to be sure that the proposed plans did not affect the character of our street. Throughout the planning process for the new middle school, there has never been a proposed drop-off or pick-up point for school children on Quail Roost Drive. The plans for the school do include a bike path from the end of Quail Roost Drive onto the school property but we never understood it to be a preferred access route. The bike lane at the end of Quail Roost Drive will access the school property in the track area away from the school buildings.

There are children for whom access to the school by bicycle or foot using this route will be appropriate. It will be a natural non-vehicular access for children living on Quail Roost Drive and adjoining neighborhood streets, allowing these children to avoid Hillsborough Road and Fayetteville Road. However, the bike path off of Quail Roost Drive is not designed to be used as a main entryway even for non-vehicular access and excessive use of it should not be encouraged. Since it enters the school grounds at the back at the playing fields, the children are a good distance from the school building when they leave Quail Roost Drive. The children will pass two large, vacant wooded tracks of land on their way over the hill. Thus, while this bike path is an appropriate alternative route, it should not be a preferred or recommended route for a large number of children.

Vehicular drop-off traffic at the end of Quail Roost Drive would be potentially dangerous to the children the bike lane is designed to serve. Quail Roost Drive, Lisa Street and Deer Street were not designed to carry much traffic. It would be difficult for large numbers of cars to exit Quail Roost Drive onto Hillsborough Road or James Street because of the peculiar alignment of the streets. These reasons support prohibition of a vehicular drop-off in this area.

If Quail Roost Drive is paved prior to the opening of the school, that paving may, in fact, encourage vehicular traffic to utilize Quail Roost Drive/Lisa Street/Deer Street as a vehicular drop-off access to the school. In fact, paving in conjunction with the opening of the middle school may be perceived as an invitation by the Town to consider these streets an alternative route to the school. We believe that a wait and see approach during the first semester of school is warranted. We also believe placement of a sign at the intersection of Hillsborough Road, Quail Roost Drive and James Street which indicates that Quail Roost Drive does not

provide vehicular access to the school would help deter the establishment of Quail Roost Drive as a school access point.

In the event Quail Roost Drive/Lisa Street/Deer Street or any of them are paved in the future, they should be paved in accordance with the prevailing neighborhood standards i.e.: pavement to a 20-foot width with grassy swales. Curb and gutter, sidewalk and bike lanes are not in keeping with other neighborhood streets and are not appropriate if the goal is to discourage using the Quail Roost Drive/Lisa Street/Deer Street configuration as a drop-off point or major access point for the new middle school. We believe all school children using Quail Roost Drive as access will be safer walking and on bikes if Quail Roost Drive is paved in a manner consistent with the other streets in the neighborhood. We also believe that vast improvements to the street will encourage outside traffic, not protect our children.

To the extent that paving to a 20-foot width is necessitated by the school and by outside traffic, we believe some additional consideration toward costs beyond the normal Town/neighborhood percentages would be appropriate. To the extent the Town has funds available for sidewalks and bike lanes, better use can be made of those funds in areas where children are at greater risk, for example, extending the bike lane from its ending point on Hillsborough Road at Lorraine Street to the new middle school. Improvement in these areas of greater traffic flow will do more to preserve overall safety of all children of Carrboro than any improvements that could be made to Quail Roost Drive/Lisa Street/Deer Street.

In conclusion, we believe the appropriate goals for the Town regarding Quail Roost Drive/Lisa Street/Deer Street are:

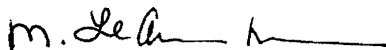
1. To protect the safety of children who do access the new middle school by the bike path on Quail Roost Drive by preventing any increase in vehicular traffic in the area;
2. To prohibit vehicular traffic from utilizing Quail Roost Drive/Lisa Street/Deer Street as an alternative vehicular drop point for school children arriving to or departing from the new middle school.
3. To preserve the quality and character of our neighborhood by insuring that Quail Roost Drive/Lisa Street/Deer Street maintain their character as minor or local streets.

Kenneth W. Withrow
March 23, 1994
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4. To avoid burdening the Quail Roost Drive/Lisa Street/Deer Street neighbors with disproportionate costs of improvements, if any, which are necessitated by the new middle school.

We are happy to answer any questions that any of the members of the Board of Aldermen, the Transportation Department or the Public Works Department may have about our position. We also want to thank you, Mr. Withrow, along with Chris Peterson and the Board of Aldermen for the attentiveness given to the neighborhood's concerns. So that our neighbors are aware that we have communicated our personal views to the Town by this letter, we have sent each a copy. We very much appreciate the efforts that have been made to include us and all of the neighborhood in the process.

Sincerely,



M. LeAnn Nease



Charles E. Webb

MLN/mjl

MLN\19941\424Withr

cc: Eng Shang Huang and Shu Mei Huang
Nicholas and Rita Moss
Ronald and Angela Cooke
Rodney and Martha Murray
Gerald and Terry Farrell
Darren and Anna Eimicke
Joseph and Lisa Farrell
Joseph and Dina Bray
Charles and Doris Riggsbee
Joseph and Brodie Lloyd, Trustees
Gene and Linda Lloyd
Practical Designs, Inc.
Edward G. and Margaret Siebert
Richard and Donna Lotstein

Enclosure

BOARD OF ALDERMEN

ITEM NO. (E(5))

AGENDA ITEM ABSTRACT

MEETING DATE: April 19, 1994

SUBJECT: Award of Audit Contract

DEPARTMENT: Administration	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS:	FOR INFORMATION CONTACT: Larry Gibson, 968-7701

PURPOSE

The purpose of this item is to award the contract for the Town's annual audit for the year ending June 30, 1994, so that work can begin this Spring.

SUMMARY

The administration requested proposals last year before awarding a new contract for the annual audit. Staff reviewed ten proposals from audit firms, ranked them according to experience and price, and recommended that the Board choose from the top three candidates. The Board selected Grant, Sullivan and Company, a local minority-owned firm, on the condition that the firm agree to a contract price of \$18,000, which was the price quoted by the administration's top choice, Dixon, Odom and Company.

Grant, Sullivan and Company performed last year's audit, having agreed to lower their fee from a proposed \$19,155. The administration recommends contracting with Grant, Sullivan and Company for this year's audit at a negotiated fee of \$18,630. (The firm originally proposed \$19,535 as its charges for the second year.)

ACTION REQUESTED

The administration requests that the Board award the contract for the FY 1993-94 audit to Grant, Sullivan and Company, authorizing the Mayor to sign the Engagement to Audit Contract required by the Local Government Commission.