

AGENDA
CARRBORO BOARD OF ALDERMEN
TUESDAY, MARCH 24, 1998
7:30 P.M., TOWN HALL BOARD ROOM

Approximate Time*

7:30 - 7:40 A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:40 - 7:45 B. CONSENT AGENDA

(1) **Approval of Minutes of Previous Meeting:** March 17, 1998

(2) **Request to Change Meeting Date**

The administration requests that the Board considering canceling its regular meeting scheduled for May 5, 1998 due to that being Election Day and that a meeting be scheduled for May 12, 1998.

(3) **Request to Set Public Hearing/Voluntary Annexation Request/Sunset Creek Subdivision, Phase III**

James Brandewie, representing Homescape Development Company, has submitted a petition requesting the annexation of Phase III of the Sunset Creek Subdivision. This phase contains 12.49 acres. The administration requests adoption of the attached resolution that sets a public hearing on this request for April 7, 1998.

7:45 - 7:55 C. RESOLUTIONS, PROCLAMATIONS AND CHARGES

D. OTHER MATTERS

7:55 - 8:40 (1) **Status Report/Small Area Plan Ordinance Drafting Committee**
NP

The purpose of this item is to hold a worksession to discuss the status of the work of the Small Area Plan Ordinance Drafting Committee. This committee is in the process of assigning base density to the study area, preparing associated map amendment recommendations, preparing design standards for development in the study area, and discussing the establishment of a planning board for the Northern Transition Area. The committee expects to complete these tasks during the next month.

8:40 - 8:50 (2) **Funding Request/Chapel Hill-Carrboro YMCA**
P/5

The Town has received a request from the Chapel Hill-Carrboro YMCA for funding to assist in the construction of a \$2,000,000 building expansion and renovation project.

8:50- 9:00
P/5

(3) **Conditional Use Permit Minor Modification/Carrboro Plaza Shopping Center**

Phil Post and Associates, on behalf of the owners of Carrboro Plaza Shopping Center, have applied for a minor modification to the conditional use permit for Carrboro Plaza to allow for the reconfiguration of the parking lot layout and the addition of a recycling center. The administration recommends that the Board of Aldermen approve the minor modification as presented.

9:00 – 9:10 BREAK

9:10 – 9:30
P/5

(4) **Land Use Ordinance Text Amendment/Regulations Affecting Drive-in Windows**

The purpose of this item is to hold a worksession to discuss possible revisions to the Land Use Ordinance, which would affect the status of drive-in and drive-through windows as a permissible use. Should the Board determine that an amendment to the Land Use Ordinance is needed, the administration recommends that a public hearing be scheduled for May 12, 1998.

9:30 – 9:40
P/5

(5) **Land Use Ordinance Text Amendment/Setbacks Applicable to Fences on Double-Front Lots and other Issues Associated with Privacy Walls and Fences along Public Rights-of-Way**

The purpose of this item is to hold a worksession to discuss amendments to the Land Use Ordinance which affect the siting, size, and type of walls and fences. Should the Board wish to proceed with amending the Land Use Ordinance, the administration recommends that a public hearing be scheduled for May 12, 1998.

9:40 – 9:50
P/5

(6) **Land Use Ordinance Text Amendment Which Would Require Sidewalks on Both Sides of Streets**

The purpose of this item is for the Board of Aldermen to hold a worksession to discuss a proposed amendment to the Land Use Ordinance that would require sidewalks on both sides of streets. Should the Board determine that it wishes to amend the Land Use Ordinance, the administration recommends that a public hearing be scheduled for May 12, 1998.

9:50 – 9:55 E. MATTERS BY TOWN CLERK

9:55 – 10:05 F. MATTERS BY TOWN MANAGER

10:05 – 10:15 G. MATTERS BY TOWN ATTORNEY

10:15 – 10:25 H. MATTERS BY BOARD MEMBERS

The following resolution was introduced by Alderman Jacquelyn Gist and seconded by Alderman Allen Spalt.

**A RESOLUTION TO AUTHORIZE PURSUING JOINT RECREATION
PROGRAMMING OPPORTUNITIES WITH THE TOWN OF CHAPEL HILL
FOR AT-RISK YOUTH IN THE COMMUNITY**

Resolution No. #32/97-98

WHEREAS, the Town of Carrboro recognizes the value of quality recreation opportunities and the role they play in guiding our youth to have a strong "sense of self" which fosters a broader "sense of community"; and

WHEREAS, it is universally recognized that youth are most at-risk when they are not at school; and

WHEREAS, the Town of Carrboro accepts that this need transcends town limits and, thereby, seeks a collaborative effort with the Town of Chapel Hill and that the guiding principle and philosophy of this effort be rooted in the proverb, "it takes a whole village to raise a child".

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen asks that Alderman Henry Anderson represent them by opening discussions with Town of Chapel Hill officials on establishing plans for joint recreation programming efforts for at-risk youth.

Section 2. That such discussions take into consideration the need for a strong collaborative effort and resources from both Towns.

Section 3. That the Town Manager be directed to provide appropriate staff support in this endeavor.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998.

AYES: Alex Zaffron, Hank Anderson, Michael Nelson, Diana McDuffee,
Jacquelyn Gist, Allen Spalt

NOES: None

ABSENT: Hilliard Caldwell

BOARD OF ALDERMEN

ITEM NO.: B(3)

AGENDA ITEM ABSTRACT

MEETING DATE: MARCH 24, 1998

SUBJECT: REQUEST TO SET A PUBLIC HEARING: VOLUNTARY ANNEXATION OF SUNSET CREEK SUBDIVISION – PHASE III

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
ATTACHMENTS: PETITION FOR ANNEXATION LEGAL DESCRIPTION LOCATION MAP RESOLUTION	FOR INFORMATION CONTACT: ROY M. WILLIFORD, 968-7713	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) PURPOSE	(X) ACTION REQUESTED	() ANALYSIS
() SUMMARY	(X) RECOMMENDATION	

PURPOSE:

James Brandewie, representing the Homescape Development Company Inc. submitted a **PETITION FOR ANNEXATION** on March 13, 1998. The **PETITION FOR ANNEXATION** requests that 12.49 acres located off of Sunset Creek Circle be annexed into the Town. The 12.49 acres to be annexed is contiguous to the Town of Carrboro and is tax referenced, 7.108..2. In addition to the 12.49 acres, this annexation includes the street right-of-way which abuts this property along NC Old 86 (SR 1009).

ACTION REQUESTED:

The Board of Aldermen is requested to set a public hearing for April 07, 1998 to consider the **PETITION FOR ANNEXATION** submitted by James Brandewie.

RECOMMENDATION:

The Administration recommends that the Board of Aldermen adopt the attached resolution which sets a public hearing date for April 07, 1998.

TOWN OF CARRBORO

MAR 18 REC'D

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY



TO THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

1) THE UNDERSIGNED, BEING THE OWNER OF ALL REAL PROPERTY LOCATED WITHIN THE AREA DESCRIBED IN PARAGRAPH #2 BELOW, REQUESTS THAT SUCH AREA BE ANNEXED TO THE TOWN OF CARRBORO, NORTH CAROLINA.

2) THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN OF CARRBORO, AND IS LOCATED AT SUNSET CREEK CIRCLE AND TAX MAP REFERENCED 7.108..2. THE BOUNDARIES OF SUCH TERRITORY ARE AS SHOWN ON THE METES AND BOUNDS DESCRIPTION ATTACHED HERETO.

3) A MAP (NO LARGER THAN 18" X 24") OF THE FOREGOING PROPERTY, SHOWING ITS RELATIONSHIP TO THE EXISTING CORPORATE LIMITS OF THE TOWN, IS ALSO ATTACHED HERETO.

4) THE TOTAL ACREAGE AND DWELLING UNITS LOCATED ON THIS PROPERTY ARE AS FOLLOWS:

12.49 ACRES 1 EXISTING
21 PROPOSED DWELLING UNITS

RESPECTFULLY SUBMITTED THIS 13 DAY OF MARCH, 1998

NAME:	<u>Homescape Development Company, Inc.</u>
ADDRESS:	<u>P.O. Box 909</u>
	<u>Carrboro, NC 27510</u>
OWNER/PRESIDENT:	<u>James Brandewie for Brandewie</u>

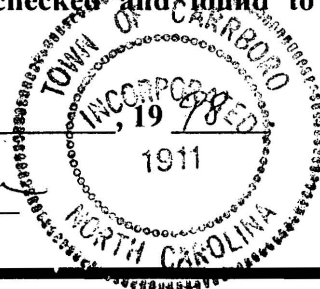
ATTEST: Kerry Brandewie SECRETARY

I, Sarah W. Williamson, Town Clerk of the Town of Carrboro, do hereby certify that the sufficiency of the above-reference petition has been checked and found to be in compliance with G.S. 160A-31.

This the 19th day of March

TOWN CLERK:

Sarah C. Williamson



Legal Description:

Phase Three Sunset Creek Subdivision

Property of Homescape Development Co., Inc.

Chapel Hill Township, Orange County, NC

Beginning at an Existing Iron Pin in the Northern Right-of-Way of NC Old 86 (S.R.1009) a Paved Public Right-of-Way, at the intersection with Old Fayetteville Road (S.R.1937) said point of beginning being further described as the Southeast Corner of the property of Orange Water and Sewer Authority Pump Station Lot as recorded in Plat Book 47 Page 40 Orange County Registry, and the Northwest corner of the Bell South Telecommunications Utilities Easement, as recorded in Deed Book 1555, Page 523, Orange County Registry thence from the point and place of beginning S 42°45' 13" E 146.14' along and with the Northern R/W of S.R. 1009 to an Existing Iron Pin on the Northern R/W of said S.R. 1009; thence S 53°21'20" E 134.95' along and with said R/W to an Existing Iron Pin, the Southwest Corner of Lot 39 Barington Hills Subdivision as recorded P.B. 22 Pg. 44 Orange County Registry; thence N 46° 20' 08" E 105.26' to an Existing Iron Pin, the Northeast Corner of said Lot 39; thence N 46° 20' 22" E 292.37' to an Existing Iron Pin; thence N 46° 24' 10" E 396.42' to an Existing Iron Pin; thence S 89° 05' 50" W 73.73'

to an Existing Iron Pin, the Southeast Corner of Lot 20, Phase Two Sunset Creek Subdivision as Recorded in P.B. 77 Pg. 173 Orange County Registry; thence along and with the rear line of said Lot 20 S 46°24'10" W 75.52' to an Existing Iron Pin and N 43°35'50" W 74.06' to an Existing Iron Pin; thence N 08°34'42" W 140.57' to a New Concrete Monument Set on the Southern R/W of Sunset Creek Circle a 60' Paved Public R/W, the Northwest Corner of said Lot 20; thence crossing said R/W N 23°28' 52" W 65.64' to an Existing Iron Pin on the Northern R/W line, the Southeast Corner of Lot 46, Phase Two, Sunset Creek Subdivision; thence N 01°25'48" W 168.59' to an Existing Iron Pin; thence N 47°48'59" W 178.97' to an Existing Iron Pin; thence N 42°46'16" W 108.10' to an Existing Iron Pin, the Southeast Corner of Lot 51 Phase One Sunset Creek Subdivision as recorded in P.B. 76 Pg. 76; thence S 45°55'53" W 135.66' to an Existing Iron Pin on the Northern R/W line of Sunset Creek Circle; thence crossing said R/W S 8°18'27" W 75.93' to a New Concrete Monument Set at the Southeast Corner of Lot 2 Phase One Sunset Creek Subdivision; thence S 53°02'52" W 191.63' to an Existing Iron Pin; thence S 51° 59'25" W 85.28' to an Existing Iron Pin; thence S 51°41'40" W 202.38' to a point on the old Northern R/W line of SR 1009; thence along and with said R/W line S 16°06'04" E 265.24' to an Existing Iron Pin, the Northwest corner of the Property of Orange Water and Sewer Authority Pump Station Lot; thence S 79°08'59" E 195.96' to an Existing Iron Pin; thence S 30°51'18" E 156.34' to an Existing Iron Pin; thence S 56°16'27" W 167.70' to the Point and Place of Beginning, being all of Phase 3, Sunset Creek Subdivision, Chapel Hill Township, Orange County NC, and having an area of 12.4879 Acres, more or less.

This Legal Description prepared from an Actual Field Survey and hereby Certified this Day of February 18, 1998.

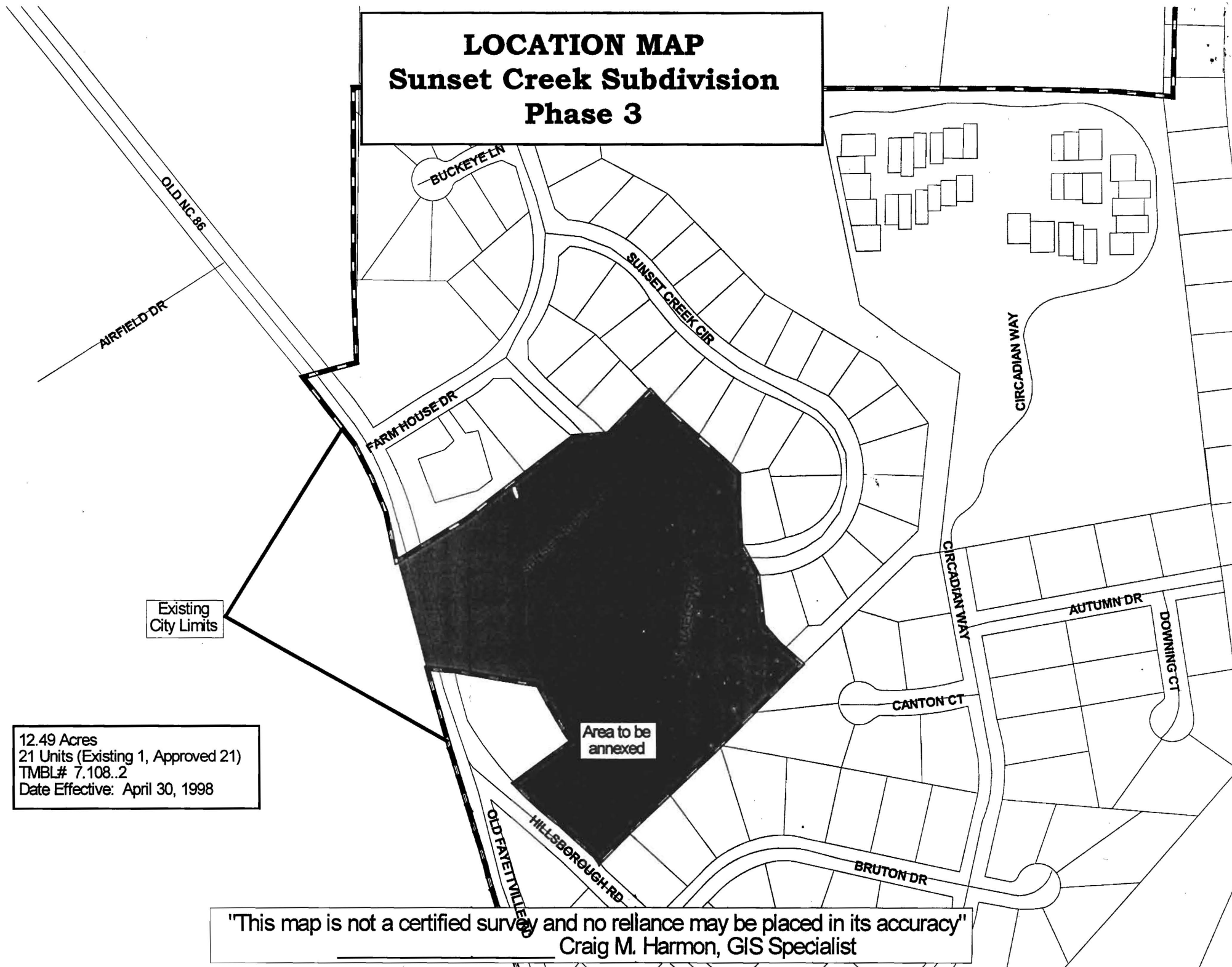
Mary E. Ayers, RLS 3260

Ayers and Hughes, PLLC

LOCATION MAP

Sunset Creek Subdivision

Phase 3



12.49 Acres
21 Units (Existing 1, Approved 21)
TMBL# 7.108..2
Date Effective: April 30, 1998

"This map is not a certified survey and no reliance may be placed in its accuracy"
Craig M. Harmon, GIS Specialist

The following resolution was introduced by Alderman _____ and duly seconded by Alderman _____.

**A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF
SUNSET CREEK SUBDIVISION, PHASE III
UPON THE REQUEST OF THE PROPERTY OWNERS
Resolution No. 30/97-98**

WHEREAS, the Town of Carrboro has received a petition from the owner(s) of Phase III of the Sunset Creek Subdivision requesting that their property be annexed into the Town of Carrboro; and

WHEREAS, the Town Clerk has certified that the petition requesting the annexation of this property is sufficient in all respects under G.S. 160A-31.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby accepts this petition and shall hold a public hearing on April 7, 1998 to consider the voluntary annexation of this property.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published once in the Chapel Hill News at least ten (10) days prior to the date of the public hearing.

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998:

Ayes:

Noes:

Absent or Excused:

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, March 24, 1998

SUBJECT: WORKSESSION for Tuesday, March 24, 1998, to discuss the status of the Northern Study Area ordinance drafting committee.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: Draft of LUO Ordinance Amendments Letter Re: OCBCC Agenda for Joint Public Hearing NSA Plan and Implementation Strategy- Executive Summary Jay Bryan Memoranda to the SAP Ordinance Drafting Committee, dated February 2, 1998	FOR INFORMATION CONTACT: Roy Williford – 968-7713 Patricia McGuire -- 968-7714 Mike Brough – 929-3905
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose () Analysis (X) Summary (X) Action Requested	

PURPOSE

To hold a worksession to discuss the status of the work of the Small Area Plan Ordinance Drafting Committee. The committee is in the process of assigning base density to the study area, and preparing associated map amendment recommendations, preparing design standards for development in the study area, and discussing changes to the composition of the Planning Board in order to increase representation of Transition Area residents. The committee expects to complete these tasks during the next month.

SUMMARY

On September 16, 1997, the Board of Aldermen established the Small Area Plan Ordinance Drafting Committee to implement the *Facilitated Small Area Plan for Carrboro's Northern Transition Area*.

The committee began work on September 30, 1997.

A report submitted to the Board of Aldermen on January 20 described thirteen tasks that the committee had undertaken to that date, nine of which were nearly complete. Table 1 below notes the status of each item. Where land use ordinance amendments are specified, the description of these items as "complete" indicates that resolutions containing ordinance revisions have been drafted. A copy of changes to the draft ordinance since January 20th is attached.

JPA Agreement and Land Use Plan amendments were forwarded to Orange County staff in late January. At their meeting on March 4, the Board of Commissioners reviewed proposed joint planning public hearing items. A copy of the letter from John Link, County Manager, to Bob Morgan, Town Manager,

specifying the items to be included on the agenda for April 8 is attached. This letter indicates that the Northern Study Area plan will be one of those items. A copy of the executive summary on the plan and implementation strategy, which was submitted for preliminary review of the agenda items by respective planning boards, is also attached.

Since January 20, the committee has focused its efforts on discussions of base density, and design standards for residential and village development. The committee has also discussed changes to the composition of the Planning Board in order to increase representation by Transition Area residents. A copy of a memorandum from chair, Jay Bryan, on this issue is attached.

SAP Ordinance Drafting Committee - Work Completed Through March 11, 1998

Work Item	Implementation Method	Status *
1. Adjusted Tract Acreage	LUO amendment, Section 15-182.3	C, NA
2. Yield Plan Approach	LUO amendment, Section 15-182.3(d)	C, NA
3. Open Space Subdivision Process	LUO amendment, Section 15-182.3, 15-198(g)	75 percent complete, NA
4. Traditional Neighborhood	LUO amendment, Section 15-141.2	C, NA
5. Affordable Housing Density Bonuses	LUO amendment, Section 15-182.4	C, NA
6. Mixed Use Housing Density Bonus	LUO amendment, Section 15-176.1(b)	C, NA
7. Office/Assembly Conditional Use District	LUO amendment, Section 15-136(11)	C, NA
8. "Good Neighbor" Performance Standards	LUO amendment, Sections 15-161, 15-162, 15-165, 15-243,	C, NA
9. Residential /Village Design Standards	Not yet determined	10 percent complete, NA
10. Advisory Planning Board/Transition Area	LUO amendment	25 percent complete, NA
11. Rogers Road Joint Planning Boundary	Outside scope of committee's work	N/A
12. Base Zoning	Maintain existing zoning	C, NA
13. Joint Planning Amendments	JPA Agreement and Joint Land Use Plan amendments	C, A

* "C" = complete, "A" = accepted by committee, "NA" = not accepted by committee, "N/A" = not applicable to committee's scope of work

ACTION REQUESTED

The Small Area Planning Ordinance Drafting committee requests that the final recommendations of the committee regarding base zoning amendments, text amendments, and design standards, be reviewed by the Board of Aldermen as soon as they are complete.

MEMORANDUM

TO: Small Area Plan Drafting Committee

FROM: Michael B. Brough *MKB*

SUBJECT: Ordinance Draft, 1/30/98

DATE: January 30, 1998

I have added to the preexisting draft new Sections 13 through 18 to amend the land use ordinance to incorporate Randall Arendt's "Good Neighbor Performance Standards for Non-residential Uses." A section by section analysis follows.

1. Section 13 rewrites the existing Section 15-161. The current ordinance limits the applicability of performance standards to three use classifications: 4.000 (manufacturing/processing uses), 9.400 (automobile repair shop and body shop), and 2.150 (retail sales with subordinate manufacturing and processing). The revision makes the performance standards generally applicable to all nonresidential uses, although certain of the remaining sections continue to be limited to just the above listed uses because the impacts in question are unlikely to create a problem outside of those use classifications.

2. Section 14 replaces Section 15-162 of the existing ordinance, which deals with smoke. The new provisions are taken from Arendt. The first paragraph of Arendt's standard under "dust, fumes, vapors, gasses and odors." The main difference between the proposed language in subsection (a) and the existing language is that existing Section 15-162 is limited to smoke and references a specific standard, whereas the new language covers more than just smoke and is much more general. Subsection (b) replaces Section 15-165 of the existing ordinance, which deals with odors. Subsection (c) is new language prepared by Arendt.

3. Section 15 repeals Section 15-165 (odors) since provisions relating to odors are now contained in proposed new Section 15-162, and substitutes a new Section 15-165 dealing with ground water supply, which provisions are taken directly from Arendt.

4. Section 16 rewrites existing Section 15-243 (excessive illumination) so that it is consistent with Arendt's standards relating to glare.

5. Section 17 amends the provisions of the existing ordinance dealing with permit application requirements to specify that information must be submitted demonstrating compliance with the standards set forth in Section 15-243 (excessive illumination).

6. Section 18 amends the existing ordinance provisions dealing with noise to deal with the particular problem caused by low frequency sounds.

subject to reasonable conditions and requirements a set forth in Section 15-59.

Section 11. Section 15-146 (Table of Permissible Uses) is amended by adding a new classification 33.000 entitled "Office/Assembly Planned Development" and by adding the following language across the table opposite this use classifications: "Permissible only in Office/Assembly Conditional Use Districts (see Subsection 15-136(1)) pursuant to a conditional use permit)."

Section 12. The first sentence of Subsection 15-325(1) is amended to read as follows: "Except when the request is to rezone property to a conditional use district, the Board shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification."

Section 13. The title of Part I of Article XI is amended to read "Non-Residential Performance Standards," and Section 15-161 is rewritten to read as follows:

Section 15-161 "Good Neighbor" Performance Standards for Non-Residential Uses.

The provisions of this part are designed to provide performance standards by which applications for non-residential development will be evaluated by the town and by which the actual performance of those operations and uses will be monitored by the town for compliance. The purposes of these performance standards are to protect the town in general, and abutting and neighboring landowners in particular, from any potential negative impacts that new nonresidential uses may have on the physical environment and on the quality of life currently enjoyed by the residents of Carrboro's planning jurisdiction.

Section 14. Section 15-162 is rewritten to read as follows:

Section 15-162 Smoke, Dust, Fumes, Vapors, Gases, and Odors.

(a) Emission of smoke, dust, dirt, fly ash, or other particulate matter, or of noxious, toxic or corrosive fumes, vapors, or gases in such quantities as to be evident or perceptible at the property line of any lot on which a use is conducted, or which could be injurious to human health, animals, or vegetation, or which could be detrimental to the enjoyment of adjoining or nearby properties, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited.

(b) No use shall be permitted to produce harmful, offensive, or bothersome odors, scents, or aromas (such as, but not limited to, those produced by manufacturing processes, food preparation, food processing, fish sales, rendering, fermentation processes, decaying organic matter, and incinerators) perceptible beyond the property line of the lot where such use is located.

subject to reasonable conditions and requirements a set forth in Section 15-59.

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(b) No use shall be permitted to produce harmful, offensive, or bothersome odors, scents, or aromas (such as, but not limited to, those produced by manufacturing processes, food preparation, food processing, fish sales, rendering, fermentation processes, decaying organic matter, and incinerators) perceptible beyond the property line of the lot where such use is located.

(c) The location and vertical height of all exhaust fans, vents, chimneys, or any other sources discharging or emitting smoke, fumes, gases, vapors, odors, scents or aromas shall be shown on the application plans, with a description of the source materials.

Section 15. Section 15-165 (Odors) is repealed and replaced with a new Section 15-165 to read as follows:

Section 15-165 Ground Water Supply.

(a) All outdoor storage facilities for fuel, chemical, or industrial wasters, and potentially harmful raw materials, shall be located on impervious pavement, and shall be completely enclosed by an impervious dike high enough to contain the total volume of liquid kept in the storage area, plus the accumulated rainfall of a fifty (50) year storm. This requirement is intended to prevent harmful materials from spilling and seeping into the ground, contaminating the groundwater.

(b) Non-corrosive storage tanks for heating oil and diesel fuel, not exceeding two hundred seventy five (275) gallons in size, may be exempted from the requirements of this section provided that there is no seasonal high water table within four (4) feet of the surface, and that rapidly permeable sandy soils are not present.

Section 16. Section 15-243 (Excessive Illumination) is rewritten to read as follows:

Section 15-243 Excessive Illumination.

(a) Outdoor lighting (not including sign lighting) shall be controlled in both height and intensity as provided in this section.

(b) No development shall be permitted to produce a strong light or reflection of that light beyond its lot lines onto neighboring properties, or onto any street so as to impair the vision of the driver of any vehicle upon such street.

(c) Light fixtures may not exceed eighteen (18) feet in height, and luminaries shall be shielded or configured to cast the light downward and to prevent light from shining beyond the lot lines into neighboring properties or public ways.

(d) Under no circumstances may the light level at the lot line exceed 0.2 foot-candles, measured at ground level.

Section 17. Subsection A-6(b)(15) is amended to read as follows: "Outdoor illumination with lighting fixtures sufficiently identified to demonstrate compliance with Sections 15-242 and 15-243."

Section 18. Section 15-163 (Noise) is amended by adding the following two sentences at the end of subsection (a): "Noises that exceed the levels set forth below shall be deemed annoying or disruptive. Low frequency noises shall be considered annoying and disruptive if

they exceed the decibel levels set forth below when measured without using an A-weighted filter, or if such noises generate a perceptible vibration within structures located beyond the boundaries referenced above."

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**ORANGE COUNTY
HILLSBOROUGH
NORTH CAROLINA**

Manager's Office

Established 1752

March 9, 1998

Mr. Calvin W. Horton
Chapel Hill Town Manager
306 North Columbia Street
Chapel Hill, N.C. 27516

Dear Mr. Horton:

**SUBJECT: Orange County Board of Commissioners' Action on Agenda for April 8, 1998
Joint Planning Area Public Hearing**

At their meeting on March 4, 1998, the Orange County Board of Commissioners received a report from Planning staff on items proposed for the April 8, 1998 Joint Planning Area Public Hearing. Because the number and complexity of items proposed for the hearing was more than could be dealt with in one hearing, staff requested Board guidance in setting agenda priorities. The Board instructed staff to prepare a Notice of Public Hearing that contained the following items in the order listed:

1. Joint Planning Agreement Amendment to provide for adoption of moratoria
2. Carrboro requests:
 - Facilitated Small Area Plan for the Northern Study Area
 - Joint Planning Agreement Amendments for Transition areas I and II and floating zone conditional use district
3. Chapel Hill Northwest Small Area Plan
4. Request by Ms. Inna Deng to include property she owns on the north side of Eubanks Road in Chapel Hill Transition (Ms. Deng has been advised by staff that recommendations in the Chapel Hill Northwest Small Area Plan should address her request and that because of time constraints, her request may not be heard on April 8). She indicated that she wished to keep her request on the agenda.

A fifth item I'm sure you remember being proposed for this hearing is the American Stone /OWASA request for expansion of the extractive use plan category. The Board elected to hear this item at a future date. Barry Jacobs of the OWASA Board was in attendance and indicated he thought his Board would be agreeable to considering "American Stone" at the October JPA Public Hearing. He indicated that this would need to be confirmed with Joal Brown, Chair of the OWASA Board.

Mr. Calvin W. Horton

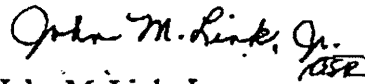
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March 9, 1998

As alluded to above, there may not be enough time to address the latter items on the agenda. Our respective governing boards need to identify continuation dates in the event time is not adequate on April 8. The Board of Commissioners are amenable to a date in June as suggested by the Chapel Hill Town Council (assuming a compatible date for all three boards can be identified). A copy of the Board of Commissioners' meeting schedule for June is enclosed to help in identification of open dates.

Please call if you have questions.

Sincerely,


John M. Link, Jr.
County Manager

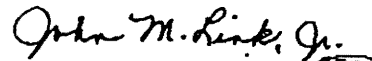
cc: Robert Morgan, Carrboro Town Manager
Gene Bell, Acting Orange County Planning Director

Mr. Calvin W. Horton
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March 9, 1998

As alluded to above, there may not be enough time to address the latter items on the agenda. Our respective governing boards need to identify continuation dates in the event time is not adequate on April 8. The Board of Commissioners are amenable to a date in June as suggested by the Chapel Hill Town Council (assuming a compatible date for all three boards can be identified). A copy of the Board of Commissioners' meeting schedule for June is enclosed to help in identification of open dates.

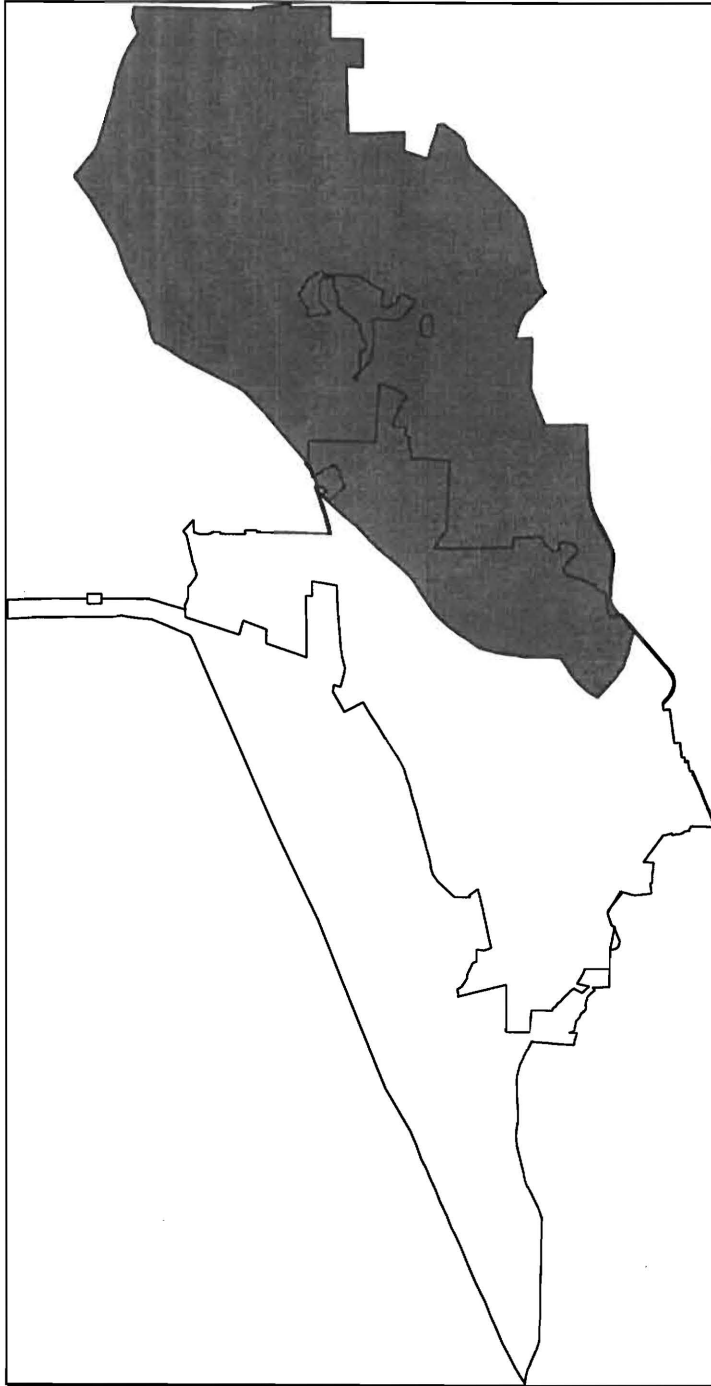
Please call if you have questions.

Sincerely,

Handwritten signature of John M. Link, Jr. in cursive script, with a small mark resembling "JSE" or "JSE" below the signature.

John M. Link, Jr.
County Manager

cc: Robert Morgan, Carrboro Town Manager
Gene Bell, Acting Orange County Planning Director



EXECUTIVE SUMMARY

Facilitated Small Area Plan
for
Carrboro's Northern Study Area
FINAL DRAFT

Implementation Strategy

*Plan accepted by the Board of Aldermen
August 19, 1997*

*Summary Prepared by the Carrboro
Planning Department, February, 25, 1998*

EXECUTIVE SUMMARY

Northern Study Area Facilitated Small Area Plan and Implementation Strategy

Background

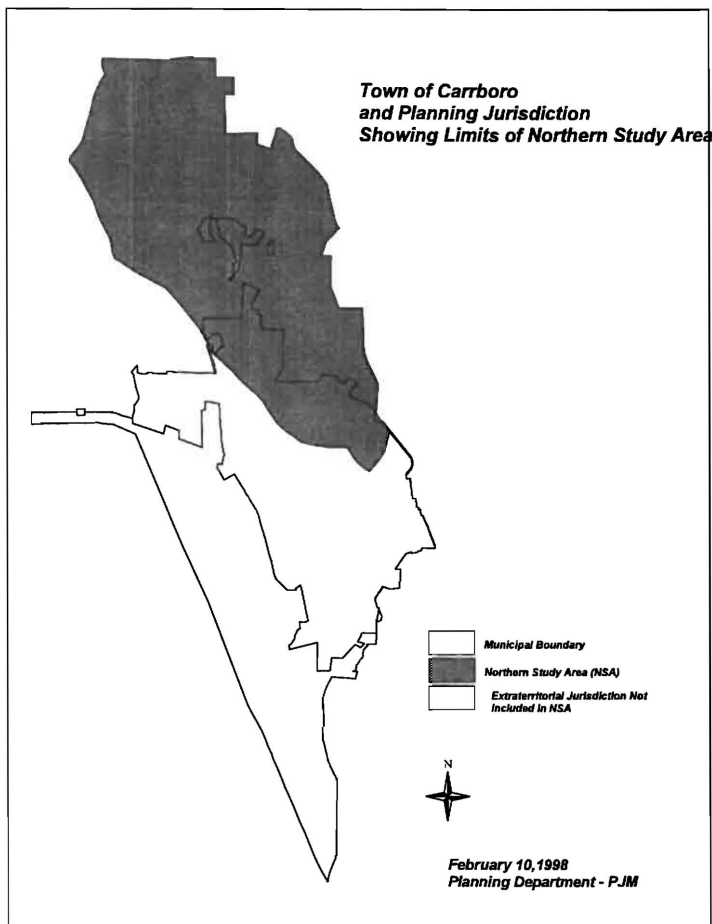
In February 1992, the Board of Aldermen for the Town of Carrboro determined that a comprehensive planning effort was needed for those areas of the town's jurisdiction which are expected to receive the bulk of any growth and development occurring in the coming years. Under population projections at the time, this growth was expected to include nearly 12,000 new residents by the year 2010 and associated civic, business, and commercial ventures. Due to environmental constraints associated with the protection of the University Lake water supply to the south and west of Carrboro, growth was expected to occur primarily to the north and east of the town, areas where public water and sewer service could be most economically extended.

The projected growth areas include property located along the northeastern border of Carrboro with Chapel Hill, most of which was within the Town's Extraterritorial Jurisdiction, and the areas designated Transition Areas One and Two by the 1987 Joint Planning Agreement. The bulk of this area was located outside of the city limits, but within the Town's planning

jurisdiction, and was termed the Northern Study Area (NSA).

It was decided that this planning effort would take the form of a small area plan and that a group of citizens, which included residents, property-, and business- owners from within the town and study area, would participate in the process.

By late 1993, the planning process was underway, with Town staff providing support to the 31-member Small Area Plan Work Group. In February 1996, a public hearing on the *Small Area Plan for Carrboro's Northern Study Area - Proposed Draft for Presentation* was held. Due to the issues raised during the hearing, the Board of Aldermen proposed that a facilitated planning conference be held, at which a consensus plan would be developed. A



Steering Committee made up of elected officials and residents of the study area was established to plan the workshop.

The planning conference took place on two Saturdays, approximately one month apart, in the Spring of 1997, with staff of the Orange County Dispute Settlement Center serving as facilitators and Randall Arendt of the Natural Lands Trust providing professional planning assistance. As the plan primarily affected development in the unincorporated portions of Carrboro's planning jurisdiction, funds for the conference were provided by all three parties to the Joint Planning Agreement, Carrboro, Chapel Hill and Orange County. Approximately 150 citizens participated in the process. The original plan was revised in accordance with the consensus of the participants and the *Facilitated Small Area Plan for Carrboro's Northern Study Area FINAL DRAFT* was presented to, and accepted by, the Board of Aldermen on August 12, 1997.

Plan Elements

During the nearly five years of planning for development in the Northern Study Area through the year 2010, careful attention was paid to balancing the interests of the landowners in the NSA with the interests of all Carrboro's citizens. Population estimates prepared by the Office of State Planning during the course of the five-year planning process reveal that Carrboro's municipal population had grown from 12,786 to 14,652, a growth rate of 3.6 percent per year.

TOWN OF CARRBORO, NORTH CAROLINA 1960 - 2010 POPULATION AND PROJECTIONS								
1960	1970	1980	1990	1992	1994	1996	2000 Projected	2010 Projected
1,997	5,058	8,118	12,136	12,786	13,048	14,652	16,874	23,917

Sources: 1960 - 1990, US Census/NC Department of Administration

1992 - 2010 Town of Carrboro Planning Department/State of North Carolina, Office of State Planning

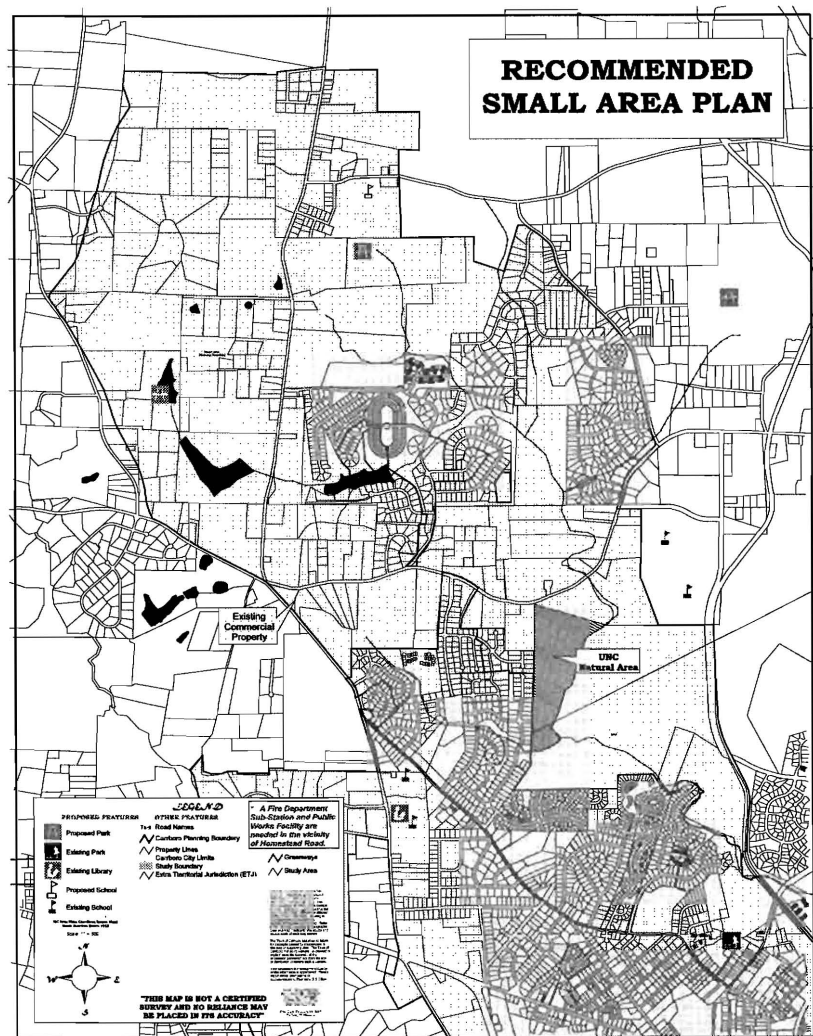
The management of all new development associated with approximately 9,300 new residents is to parallel both the preservation and protection of natural, social, aesthetic, and economic characteristics of the northern study area, and the support of Carrboro's small-town character, as well as the enhancement of quality of life for all.

The resulting plan proposes to cluster a bulk of the new residential development by encouraging village-scale development, and to conserve natural and environmentally sensitive areas, allows density bonuses for affordable housing meeting certain development criteria, and sanctions neighborhood- and community-scale commercial and office/assembly centers. The overall target density for the northern Study Area is approximately the same as the current density of the town: 2.1 dwelling units per acre. The target density for mixed-use areas is approximately five dwelling units per acre. These development management options have been selected in order to minimize the negative impacts of new development on environmental quality, transportation, taxation, and existing neighborhoods. These elements should discourage a sprawled pattern of monotonous development, preserve Carrboro's unique, small town character, and allow the creation of new, neighborhood-scale communities which can be connected to existing and new areas via a network of open space corridors. Ten goals and supporting objectives were established by the planning process for the Northern Study Area. The goals are noted below.

1. *Patterns of growth which minimize negative impacts and maximize positive impacts on the community.*
2. *Patterns of growth which allow for the efficient provision of town services.*
3. *Conservation of natural and environmentally sensitive areas, and the protection of environmental quality.*
4. *A variety of housing types and price levels.*
5. *A variety of transportation routes, which allow for bus, automobile, bicycle, and pedestrian modes of transportation.*
6. *Adequate provision of publicly accessible parks and recreation facilities.*
7. *Continuation of Carrboro's small-town character and preservation of its existing neighborhoods.*
8. *A pedestrian-scale community.*
9. *Continuation of the character and natural beauty of the study area.*
10. *Encourage active farmland preservation.*

Governmental Coordination and Action Required

The town's planning jurisdiction over much of the study area was established by the 1987 Joint Planning Agreement between Carrboro, Chapel Hill and Orange County. The agreement is linked to the Joint Planning Area Land Use Plan, adopted in 1987. The terms of this agreement require joint approval by all three governments for any changes to the plan or agreement, joint approval by Orange County and Carrboro of all rezoning within the transition areas, and allow objections by Orange County to any land use ordinance amendments to disallow any proposed changes.



Implementation

The Board of Aldermen established an Ordinance Drafting Committee on September 16, 1997 to develop regulations that would implement the plan. Recognizing the uncertainty which might have been created as to the effect of revisions to the land use ordinance on any pending development applications, a six-month moratorium on the review of Special and Conditional Use Permit applications was placed on the Northern Study Area. Between November, 1997 and May, 1998, the moratorium will prevent the review of development applications which might be rendered obsolete by any ordinance amendments, and preserve the status quo of major tracts of land located within the Northern Study Area.

Now in its fifth month of work, the drafting committee has submitted joint planning amendments to the Board of Aldermen and Orange County staff for review, and has identified regulatory changes that are needed to support the key elements of the plan. Amendments to the Town of Carrboro Land Use Ordinance and supporting design standards have not yet been completed. Implementation of the NSA plan requires changes in each of the three categories of governmental action noted in the previous section.

- The JPA Agreement must be amended to eliminate the one-unit-per-acre cap on density within the transition area, and to allow the Carrboro Board of Aldermen to establish the floating traditional neighborhood and office/assembly districts without requiring joint action by Orange County. This amendment is scheduled for review by all three governing boards at a public hearing on April 8. At this same meeting, the Joint Planning Area Land Use Plan needs to be amended to adopt by references the NSA plan and to delete the language that caps the density.
- The Board of Aldermen must adopt amendments to the Town of Carrboro Land Use Ordinance, without objection by the Orange County Board of Commissioners. A draft of the ordinance changes has been prepared and will be submitted as background material for review at the JPA public hearing in April. The new ordinance provisions generally include the following: residential development based on net density; additional open space provisions regarding the conservation of scenic viewsheds, historic and cultural features, tree-lined corridors, and prime agricultural soils; a traditional neighborhood village district; an office/assembly district; incentives for the development of affordable housing; development performance standards; and design guidelines for affordable housing and the village district. These provisions may be applicable to other areas in Carrboro's planning jurisdiction
- The official zoning map applicable to Carrboro's transition area will be amended to reflect the base zoning determined for the area. This may occur in conjunction with the JPA amendments in April, or may take place at a later date during a joint meeting between the Board of Aldermen and the Orange County Board of Commissioners. The rezoning must follow, or occur concurrently with, the land use ordinance amendments.

Joint Public Hearing

Resolutions addressing two of these steps have been prepared and forwarded to Orange County for review. A joint meeting of all three governing bodies has been scheduled for April 8, 1998. The resolutions are presented on the following pages.

WHEREAS, pursuant to the Joint Planning Agreement, a Joint Planning Area Land Use Plan was adopted on October 13, 1986 by all parties to the Joint Planning Agreement, and has since been amended on several occasions; and

WHEREAS, A Small Area Plan that provides a framework for the future use of land within Carrboro's northern growth area was accepted by the Carrboro Board of Aldermen on August 19, 1997, and

WHEREAS, the Small Area Plan was the product of a four year planning process that involved numerous public officials, planners, and residents of the affected area, culminating in a two-day facilitated workshop sponsored by Orange County, Chapel Hill, and Carrboro; and

WHEREAS, the geographic area covered by the Small Area Plan includes Carrboro's Transition Area as identified in the Joint Planning Agreement, which area is also covered by the Joint Planning Area Land Use Plan; and

WHEREAS, implementation of the recommendations contained in the *Small* Area Plan requires certain amendments to the Joint Planning Area Land Use Plan;

NOW THEREFORE, THE [ORANGE COUNTY BOARD OF COMMISSIONERS] [CHAPEL HILL TOWN COUNCIL] [CARRBORO BOARD OF ALDERMEN] HEREBY RESOLVES THAT THE JOINT PLANNING AGREEMENT BE AMENDED AS FOLLOWS:

1. Section VII of the Plan ("Overview of Implementation Strategies") is amended on page 91 by adding under the heading "Coordination with other Plans" a second paragraph to read as follows: "Without limiting the generality of the foregoing, the "Facilitated Small Area Plan for Carrboro's Northern Study Area," accepted by the Carrboro Board of Aldermen on August 19, 1997, is specifically incorporated by reference into this Plan and supersedes any provisions of this Plan that are inconsistent with the Small Area Plan with respect to the CJDA Transition Area."

2. Section V of the Plan ("Joint Planning Operating Principles") is amended on page 59 by deleting the entire first paragraph at the top of the page, which begins with "The portion of the Transition Area...." and includes numbered subparagraphs 1 through 5. (The deleted language divides Carrboro's Transition Area into Transition Area I and Transition Area II and prohibits the density of Transition Area II from exceeding one unit per acre until at least 75% of the area within Transition Area I meets certain developmental thresholds).

3. Section VI of the Plan ("Future Land Use - Joint Planning Area") is amended on page 71 by deleting from the first paragraph under the heading "Transition Areas" everything after the first two sentences. (The deleted language references and describes the division of Carrboro's Transition Area into Transition Area I and Transition II as described above).

This resolution shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

**Draft Zoning Map Amendment Resolution - Requires Action by Orange
County and Carrboro**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP APPLICABLE TO THE
TOWN OF CARRBORO'S TRANSITION AREA

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement dated September 22, 1987, as amended April 2, 1990; and

WHEREAS, pursuant to the Joint Planning Agreement, Carrboro prepared and Orange County adopted a Zoning Map for the Carrboro Transition Area; and

WHEREAS, under the Joint Planning Agreement, changes in zoning classifications that affect properties within the Carrboro Transition Area must be approved by both Carrboro and Orange County following a joint public hearing held by the two governing bodies; and

WHEREAS, A Small Area Plan that provides a framework for the future use of land within Carrboro's northern growth area was accepted by the Carrboro Board of Aldermen on August 19, 1997; and

WHEREAS, the Small Area Plan was the product of a four year planning process that involved numerous public officials, planners, and residents of the affected area, culminating in a two-day facilitated workshop sponsored by Orange County, Chapel Hill, and Carrboro; and

WHEREAS, the geographic area covered by the Small Area Plan includes Carrboro's Transition Area as identified in the Joint Planning Agreement, which area is also covered by the Joint Planning Area Land Use Plan; and

WHEREAS, The Small Area Plan was incorporated into the Joint Planning Area Land Use Plan by the joint action of Orange County, Chapel Hill, and Carrboro; and

WHEREAS, implementation of the recommendations contained in the Small Area Plan requires certain amendments to the Zoning Map applicable to properties within the Carrboro Transition Area;

NOW THEREFORE, THE [ORANGE COUNTY BOARD OF COMMISSIONERS] [CARRBORO BOARD OF ALDERMEN] ORDAINS:

Section 1. The Zoning Map applicable to properties within the Carrboro Transition Area as shown on Exhibit A, is hereby adopted by reference and supersedes the previous Zoning Map applicable to such properties, as shown on Exhibit B. All properties whose zoning classifications are changed by the adoption of Exhibit A are listed on Exhibit C, which identifies such properties and lists the previous and the new zoning classifications.

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

Section 3. This ordinance shall become effective upon adoption.

February 2, 1998

To: Alex, Margaret, Jean, Giles, Mike and Roy

From: Tom, Kathy and Jay 870

Re: Reconfigured Planning Board and Standing Committee on Land Use Ordinance revisions

The three of us recommend to the full committee the following:

A. A reconfigured Planning Board

1. Membership: The membership of the existing Planning Board would be changed to include the following representation:

Town -	5	(Town to include T-1 resident)
T-2 -	5	
ETJ -	1	

If these changes would need legislative authority, we recommend that the Board of Aldermen act immediately and approve a request to the upcoming session of the legislature, through the local delegation, for such authority. We recommend that the new Board be in place on the date of, or shortly after, the enactment of the new Ordinance changes. New terms would need to be determined, and consideration given to allow those on the existing Board, whose terms have not expired, to continue.

2. Powers of the New Board

We recommend that the powers of the existing Board be expanded as follows:

a. (a replacement of 15-25 (a) (1)):

Make studies and recommend to the Board of Aldermen plans, goals and objectives relating to the growth, development and redevelopment of the town, the surrounding extraterrestrial planning area and the Northern Transition Area, including the following regarding the Northern Transition Area:

1. studies to demonstrate the special character of the Area;
2. inventories of the cultural, archaeological or historical significance of the Area;

3. inventories of open space character, scenic qualities and biological values, including tree species and wildlife;

4. inventories of agricultural uses;

5. inventories of the demographic, social and economic aspects and trends of the area;

b. Track and review other studies and plans which will have an impact on the Northern Transition Area, including those of the Chapel Hill town Council, the Orange County Commissioners and their appointed committees, and give feedback to the originating governmental body.

B. Standing Ordinance Committee

We recommend that the Board of Aldermen appoint our Ordinance Drafting Committee as a Standing Committee of the Board, subject to the following:

1. Charge: The charge of the Committee would be to:

a. develop and recommend to the Board of Aldermen policies, ordinances, administrative procedures and other means for carrying plans of the town in an efficient and coordinated manner.

b. make recommendations to the Board of Aldermen for changes in the land use ordinance regarding but not limited to, zoning, conditional and special use permits, design standards, and other matters.

c. make recommendations to the Board of Aldermen to effectuate the "purposes" section of the Land Use Ordinance which applies to the Northern Transition Area.

2. Membership: The membership of the current committee would constitute the committee. Any vacancies would be filled by the Board of Aldermen after receiving the recommendation of the Standing Committee.

3. Staffing: The committee would be staffed on an as needed basis. If the Planning Board chose not to meet on one of its normal days during each month, the committee could meet and be staffed because such staffing would normally be expected on that day.

4. Reporting Responsibility: This committee would

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: March 24, 1998

SUBJECT: Funding Request/Chapel Hill-Carrboro YMCA

DEPARTMENT: Administration	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS: Funding Request from YMCA	FOR INFORMATION CONTACT: Robert Morgan, 968-77067

PURPOSE

The Town of Carrboro has received a funding request from the Chapel Hill-Carrboro YMCA to assist in the construction of a \$2,000,000 building expansion and renovation project. A representative from the YMCA will be present to address the Mayor and Board of Aldermen concerning this request.

ACTION REQUESTED

To receive the request and refer it to the administration for consideration.



YMCA

We build strong kids,
strong families, strong communities.

February 20, 1998

Bob Morgan
Carrboro Town Manager
301 W. Main Street
Carrboro, NC 27510

Dear Bob,

The Chapel Hill Carrboro YMCA is undertaking a capital campaign to raise funds to support \$2,000,000 in building expansion and renovation. We have begun the Advanced Giving phase of the campaign, and will begin the public campaign once we have raised half of the goal.

The YMCA will be adding 13,500 square feet, with a new free standing youth building. We will be adding a new full size gym and renovating the existing space to improve our fitness center, add separate locker rooms for adults and youths, and make room for the Orange Cardiovascular Center to move into the YMCA.

Far more important than the space we need to add, however, are the programs we will be offering to the community. We really see this as a campaign to provide new programming, around which we need to add brick and mortar.

For the first time at the YMCA, and in Southern Orange County, we will have space dedicated to teenagers. This means, that the youth in our community will have their own place, off of Franklin Street, that will be supervised, and available for their use. The Teen Center will have game tables, a computer center, sound system, a teen lounge and space for other indoor activities. A Teen Program Director will supervise the activities and develop programs such as Youth in Government, Teen Adventure Camping, and Y Leaders Club. Teens also will benefit from the addition of a full size gym, because that will allow the YMCA to offer recreational sports programs such as basketball, indoor soccer, ultimate Frisbee, floor hockey and team handball which our current facility can't accommodate.

We have been consulting with representatives from the Chapel Hill Carrboro Middle and High Schools, Carrboro and Chapel Hill Recreation Department staff, and various not for profit organizations such as Volunteers for Youth, and The Teen Scene as we develop additional programs. The YMCA staff has consulted with this group and will continue to work in consort with these experts. We are excited that the YMCA is encouraging cooperation and creativity within the community as programming ideas are developed.

Chapel Hill-Carrboro YMCA • 980 Airport Road • Chapel Hill, North Carolina 27514

919-942-5156 • Fax: 919-942-0256

To put christian principles into practice through programs that build a healthy spirit, mind, and body for all.

The new facility will allow us to house the programs and the Teen Program Director, but the programs are the thrust of our efforts. The building however, is very important to the teen population. In its two year examination of youth needs, the Public Private Partnership identified the lack of a teen center as the key need. The YMCA wants to provide this space.

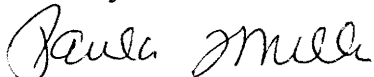
Besides providing for teens, the Youth Center will allow the YMCA to respond to the chronic child care shortage in Orange County by expanding our preschool and after school programs for children, now both overbooked with waiting lists. We have 50 children on the waiting list for our after school program and 40 on the waiting list for swim team. The YMCA's soccer and basketball league are closed out, with children on the waiting list. The new 5000 square foot youth center, and the new full size gym will help us shrink these waiting lists.

When the YMCA offers programs, the whole community benefits. The YMCA accepts anyone for its programs, regardless of their ability to pay. Last year, we provided more than \$70,000 in scholarships for memberships, camps and after school programs. More programs, and a bigger facility will allow us to serve more of the community.

Services for youth and their families are important for the continued vitality of the Chapel Hill/Carrboro Community. The Carrboro Board of Aldermen can play a key role in helping the YMCA better serve our community. We respectfully request a \$10,000 challenge grant from the Town of Carrboro for the YMCA's Capital Campaign. We will use this challenge grant to encourage other donors, thereby leveraging Carrboro's gift.

I have enclosed a copy of our campaign brochure for your information. I would welcome the opportunity to address the Board of Aldermen to present the Chapel Hill Carrboro YMCA's Capital Campaign and our request.

Thank you for this consideration.

A handwritten signature in cursive script, reading "Paula Miller".

Paula Miller

President YMCA Board of Directors

Capital Campaign

YMCA

Making Room for More...

...children, for more teenagers, for more adults, for more families, for more senior citizens.

Chapel Hill/Carrboro Capital Campaign

The Chapel Hill-Carrboro Community has grown 50 percent since the YMCA was built in 1978. But in that time, the YMCA has not expanded from its original 27,000-square foot facility.

The Y is the largest licensed child care provider in the community, but we always have a waiting list. Our youth soccer and basketball leagues go only through third grade, but they turn away children for lack of space. The swim team has 50 young people waiting to join.

For teenagers, there is little programming at the Y — or anywhere else in the community.

Programs for adults are booked — from early-bird swimming to the men's basketball league. Senior citizens share locker rooms with kindergartners.

The Chapel Hill-Carrboro YMCA is bursting at the seams — literally. This year, we walled in hallways and punched doors through walls to accommodate more youths and adults.

Join the Y team as we begin "Making Room for More" — for more children, more teenagers, more families, more senior citizens. The 1998 \$1.5 million Capital Campaign will give our community:

- A new Youth Wing for pre-school and after-school care.
- A new Teen Center with game room, lounge area, computer lab and sound system.
- A new full-size gym with indoor running/walking track.
- Renovated and expanded fitness center with new equipment.
- Separate locker rooms for adults and children.

Capital Campaign

YMCA

Making Room for More...

...Children

The Chapel Hill-Carrboro YMCA is the community's largest licensed child care provider, offering after-school and vacation day care for up to 150 school-age children. Waiting list runs 40 children and more.

Last year, the YMCA added soccer and basketball leagues for children in preschool through 3rd grade. Through only word of mouth, the soccer program has expanded from 120 children to 160 in one year, and some leagues have waiting lists.

The YMCA offers swim lessons to children (and adults), but the waiting list is so long that some children must wait 6 months.

The YMCA swim team has 125 swimmers from kindergarten through high school; another 50 youths want to join but can't. We don't have space.

The space constraints have not stopped the YMCA from offering a limited spectrum of youth programming. Below is a list of the current offerings:

- Half day preschool
- After-school care at the YMCA and at Pine Knolls Community Center
- Sports leagues including soccer, basketball and swimming
- Creative movement class
- Karate classes
- 3 Summer Day camps
- Young Life
- Health and fitness programs at Montessori
- Swim lessons

We need to expand our space. The Capital Campaign will allow the YMCA to build a new full size gym and a Youth Wing. The additional space will enable the YMCA to:

- Expand preschool to full day
- Provide child care for students in year-round school
- Expand after-school care from 150 to 200 students
- Expand sports leagues from K-3 through High School
- Offer indoor soccer leagues
- Offer indoor volleyball leagues
- Provide a computer lab for children and teens
- Provide separate locker rooms for children

Capital Campaign

YMCA

Making Room for More...

...Teenagers

"Teenagers have nowhere to go except Franklin Street."

It's a common complaint throughout the community. The Capital Campaign will enable the YMCA to focus on teens.

The Public Private Partnership, after a year of focusing on young people, identified lack of space and programming for youths as their greatest needs. The Orange County Youth Forum, comprising students from the high schools, came to a similar conclusion: The need for a safe place for youth to gather. The YMCA is stepping forward to provide the space, and as important, the programming that our teenagers have waited too long for us to provide.

The YMCA will offer dedicated space for teenagers as part of its expansion plan. The Teen Center will house a computer lab, sound system, skateboard park, game tables, lounge space and the full range of fitness facilities provided by the Y. The Teen Center will be open when teenagers need it — after school, in the evenings, on weekends.

A wide range of programming will be possible with the addition of this space. We plan to hire a teen director to offer programs such as:

- YMCA Youth in Government
- Y Leaders Club
- Teen Adventure Camping
- Midnight basketball
- Non-Traditional Sports such as ultimate frisbee, indoor soccer, floor hockey and team handball
- Computer Labs

Capital Campaign

YMCA

Making Room for More...

...Adults

More than 1400 adults make use of the YMCA weekly. At 6 a.m. when the YMCA opens, the early risers are swimming laps in the YMCA's six-lane pool. As the day progresses, men and women are participating in water aerobics, step aerobics, weight training and the fitness programs. The YMCA has certified massage therapists on staff and a full-time fitness director.

The men's competitive basketball league is fully booked and the court receives extensive play from early September through March. Pick-up basketball is popular with adults, and games are played weekdays during lunch, as well as in the evenings.

The YMCA has treadmills, climbers and stationary bikes, a weight training circuit, a Universal Gym, and free weights.

Adult classes include daily aerobics, karate, stepping and water aerobics taught by certified instructors.

The YMCA accommodates all adults and provides membership scholarships if requested.

The YMCA already offers a lot for adults, but we want to offer more to more people. The expansion would allow :

- Room for more free weights.
- An expanded fitness center with cardiovascular equipment.
- Additional adult sports leagues offering "6-foot-and-under" adult basketball, women's basketball, and indoor volleyball.
- Separate locker rooms for adults.

Capital Campaign

YMCA

Making Room for More... ...Facility

The YMCA expansion and renovation will include:

- A 5,000-square-foot Youth Center. Located in a separate building, it will be linked to the existing facility by a sidewalk. The morning preschool, after-school care and summer camps will be housed in this new building. The Teen Center will be located on the ground floor of the Youth Wing. The Teen Center will have its own entrance, with operating hours oriented to teens, extended hours in the evening and on weekends.

- An 8,750-square-foot gym. This gym will be large enough to support two practice courts running across the gym, and one full size gym with bleachers for games. An elevated running/walking track will circle the gym.

Addition of the gym will enable a much needed renovation of the existing building. The old half-size gym will become a workout center, and fitness equipment currently located in a warren of small rooms will be located in a new larger space. Vacating the existing fitness areas will free space for two new locker rooms, which will allow the YMCA to offer separate adult and youth locker rooms. The reception area will be renovated and an elevator will be added to improve handicap accessibility.

The addition of 13,750 square feet means the YMCA can reach out to other populations and offer wellness programming opportunities. Among plans is to house at the expanded YMCA the Orange Cardiovascular Foundation Wellness Program. The Orange Cardiovascular Foundation Wellness Program now serves more than 100 Orange County residents with history of high risk of heart disease.

Capital Campaign

YMCA

Making Room for More

The momentum is building

Now Is The Time

The Chapel Hill-Carrboro YMCA has been planning the capital expansion for five years. The staff and board have examined programming goals and, more importantly, the communities' programming needs. This community can wait no longer. Our children need space to play, explore, grow, and discover the world. Learning in hallways and in borrowed quarters is not good enough.

In July, The Triangle Community Foundation Major Campaign Review Board thoroughly examined the YMCA's fund-raising plans and endorsed the campaign.

All full-time staff of the YMCA staff have made pledges. The 28 members of the Board of Directors have made a 100 percent commitment.

It's now up to you! In the Advanced Giving Phase, leaders in Chapel Hill-Carrboro are being asked to make a commitment to set the pace for the rest of the community.

The Public Campaign will be announced in the Spring once we have completed the Advanced Giving Phase. We need you to play a role now.

Thank you

Capital Campaign

YMCA

Making Room For More

How to Give

Gifts in cash, readily marketable equities, as well as credit card charges and bank drafts are all appreciated. All gifts will be acknowledged with a letter for tax purposes, and pledges for gifts totaling over \$1,000 will be billed as requested, over a five-year period.

The YMCA can provide a letter from the accounting firm of Blackman and Sloop discussing tax ramifications of stock donations under the new tax law. If you wish to contribute stock, please contact Bill Farley, of Phoenix Financial Inc. (919-929-4448), for instructions for your broker.

Please complete and sign the pledge card.

Thank you very much



Making Room for More The Chapel Hill-Carrboro YMCA

\$1,500,000

Capital Campaign

We support the commitment of the Chapel Hill-Carrboro YMCA to increase interior and exterior spaces for expanded programs for the youth and families of our community through the expansion and renovation of the Airport Road facilities. We wish to offer a commitment of our own.

Name _____

Address _____

City _____ State _____ Zip _____

Pledge \$ _____ Amount Enclosed \$ _____

Please deduct my pledge from my checking account. \$ _____ per month. Begin deducting on _____ and end on _____. (Attach a voided check)

Please charge my pledge to my _____ VISA or _____ Mastercard
card number _____ Expiration date _____

Please bill me for my pledge to be paid over the following years:

1997 _____ 1998 _____ 1999 _____ 2000 _____ 2001 _____

My company matches my contribution _____ yes _____ no

If yes, my company's name _____

Address _____

Signature _____

Date _____

Please make checks payable to Chapel Hill-Carrboro YMCA Capital Campaign. Your gift is a charitable contribution. Mail to: Chapel Hill Carrboro YMCA Capital Campaign P.O. Box 134 Carrboro, N.C. 27510 *(919) 932-2029
Please contact me regarding planned-giving and gifts to the YMCA endowment _____.

I give the YMCA permission to publically recognize my gift _____ yes _____ no

I would like to make my gift in honor of _____ or in memory of _____.

Capital Campaign

Making Room for More

Naming Gift Opportunities

The 8750 square foot Gymnasium	\$350,000
The 5000 square foot Youth Wing	\$200,000
Renovated Work Out Room	\$100,000
Teen Center	\$75,000
Adult Locker Room	\$75,000 each
Aerobics Room/Multi Purpose Room	\$75,000
Playground	\$50,000
Two new soccer fields	\$50,000
Weight Equipment	\$35,000
Skateboard Park	\$25,000
Running Track	\$25,000
Lobby	\$20,000
Water Play Space	\$20,000
Drop Off Garden	\$10,000
Driving Range	\$10,000
Outside Basketball Courts	\$10,000
Offices	\$10,000 each
Sand Volleyball Court	\$5,000

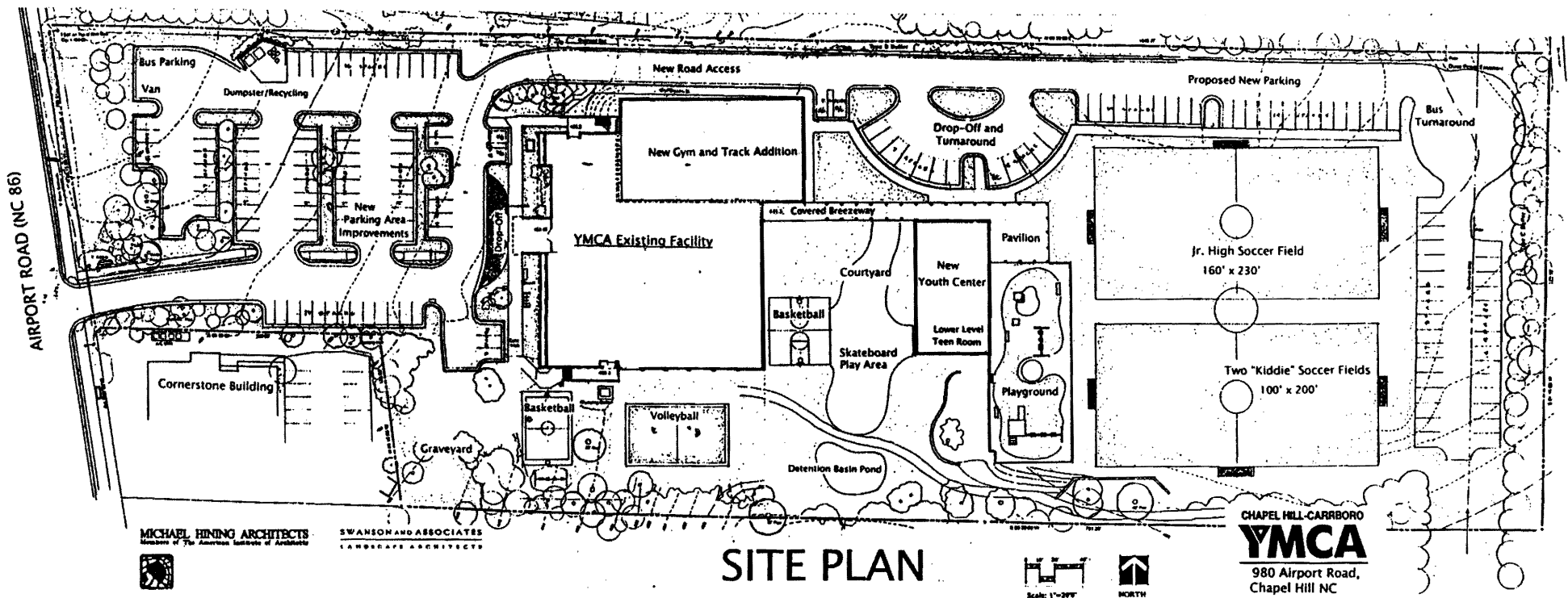
All gifts of \$5000 or more will be acknowledged on the Benefactor Wall — Your signature will be permanently etched in glass in the front lobby overlooking the Fitness Center.

Gifts of \$10,000 or more will be recognized with a permanent Champion flag, displayed with the donor's name.

YMCA

YMCA

Capital Campaign



Capital Campaign

MAKING ROOM FOR MORE

The Chapel Hill Carrboro YMCA

Family of Volunteers and Staff

1997 Board of Directors

Zina Almers
Nick Becton
Joe Buckwalter
Ben Callahan
Richard Crume
Lynda Cunningham
Gordon Davis
Mary Frances Eldridge
Bill Farley
Rabbi Frank Fischer
Elson Floyd
Laura Gaulden
John Gulick
Tyndall Harris
Kathy Hawkins

John Kimball
Paula Miller
John Northen
Joseph Palumbo
Chet Preyar
Paul Ransford
Jack Reed
Vaughn Sigmon
Paul Stessel
Connie Toverud
Ted Vaden
Roger Waldon
Scott Wallace
Edwina Zagami

1997 Chapel Hill Carrboro YMCA Staff

Glenda Andrews
Walter Britt
Marie Berardino
Victor Ashland
Kim Grooms
Marsha Kimball
Bruce Murray
Elizabeth Peele
Patti Spaulding

Executive Director
Associate Executive Director
Finance Director
Maintenance Director
Youth Program Director
Membership Director
Sports Director
Aquatics Director
Fitness Director

YMCA

BOARD OF ALDERMEN

ITEM NO. D(3)

AGENDA ITEM ABSTRACT

MEETING DATE: March 24, 1998

SUBJECT: Carrboro Plaza CUP Minor Modifications

DEPARTMENT: PLANNING	PUBLIC HEARING: YES ___ NO <u>X</u>	
ATTACHMENTS: Reduced Site Plans	FOR INFORMATION CONTACT: Keith Lankford--968-7712	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) Purpose	(X) Analysis	(X) Recommendation

PURPOSE

Phil Post and Associates, on behalf of the owners of Carrboro Plaza shopping center, has applied for a minor modification to the conditional use permit (CUP) for Carrboro Plaza to allow for the reconfiguration of the parking lot layout and the addition of a recycling center. The Land Use Ordinance requires that the Board of Aldermen review minor modifications. The Administration recommends that the Board approve the minor modification as presented.

ANALYSIS

The Zoning Administrator issued an insignificant deviation to the conditional use permit (CUP) for the Carrboro Plaza shopping center on November 20, 1997 which allowed for the renovation of the space formerly occupied by the Roses store. This insignificant deviation was granted to Food Lion who is currently in the process of remodeling this space to suit their needs. This modification was sent to the Appearance Commission for their review prior to its approval.

The owners of Carrboro Plaza are requesting a minor modification to the CUP for the shopping center. The purpose of this minor modification is to reconfigure the parking lot for the entire shopping center and to re-establish a recycling center on this site. The applicant has indicated that the origin of the request to reconfigure the parking lot for the center is a request from Food Lion. The applicant has indicated that the need to reconfigure the parking area in front of the Food Lion store results in their need to reconfigure the entire parking lot layout including the internal driveways to the shopping center. The appellant describes their goal (noted as phase 1 on the attached plans) is "to provide the number of parking spaces required by the Carrboro Land Use Ordinance outside the existing park & ride area, and to provide the requisite parking in an efficient manner with better organization and internal traffic patterns for the retail users".

It should be noted that the owner of the shopping center intends to seek a major modification of the CUP for the center in the near future (currently scheduled for April 21, 1998) to create two new commercial outparcels for future development. These two new lots will be located in the area that is currently the site for the park and ride lot. The lease for the 149 parking spaces in the park and ride lot has expired. The Zoning Division has not received any plans for the specific development of the two proposed lots. This major modification will require a public hearing (currently scheduled for April 21, 1998). The major modification will include a conceptual design

for a new park and ride lot, which currently is proposed to have approximately 145 parking spaces (this number may change with the final design). This new park and ride lot will be located on the backside of the main building (off of Old Fayetteville Road). Additionally, the State Employee's Credit Union has committed to providing 30 park and ride spaces on their site plan which was approved by the Board on March 17, 1998.

The proposed reconfiguration of the parking lot for the shopping center actually provides 33 more parking spaces within the center itself than currently existing within the center and the existing park and ride lot combined. The Land Use Ordinance (LUO) requires the provision of 630 parking spaces on the site. There are 649 existing parking spaces in the center and the park and ride lot, and the proposal is to provide 682 parking spaces outside of the area of the existing park and ride lot.

Currently, all of the parking spaces are standard spaces of 8.5 feet wide by 19 feet long. The proposal is to provide 533 standard spaces, and 133 "over-sized" subcompact spaces. The LUO defines a subcompact space as 7.5 feet wide by 16.5 feet long. The non-standard spaces being provided measure 8.0 feet wide by 17.0 feet long, which makes them slightly larger than the subcompact spaces identified in the LUO. The LUO restricts subcompact spaces to no more than 40 % of the total number of spaces provided. The reconfiguration proposes that 133 of the 682 spaces, or 19.5 % will be subcompact spaces, which meets the restrictions of the LUO.

The State Building Code requires that parking lots with between 501 and 1,000 spaces must provide 2 % of the total number of spaces as handicapped spaces. The applicant has indicated that this represents a requirement of 14 handicapped spaces, however the staff calculates it as only 13 handicapped spaces required for the existing lot, and 14 for the proposed, reconfigured lot. The existing parking lot contains 16 handicapped spaces, and the proposed reconfigured lot shows 16 spaces, both of which exceed the requirements of the State Building Code. Additionally, the LUO requires that three (3) loading spaces (12 feet wide by 55 feet long) must be provided, and the site plans show four (4).

There will be some reconfiguration/realignment of the drainage improvements (catch basins, curb and gutter, etc....) in the parking lot area, but there will be no significant change in the rate of runoff, and the Town Engineer has indicated that they are basically switching out comparable systems. Likewise, the parking lot lighting will have to be altered, and the level of lighting will be improved by the provision of more poles at a lower height, which will provide for a more uniform lighting level throughout the parking lot.

The Land Use Ordinance requires that at least 20 % of the area of the parking lot must be shaded. The proposed reconfiguration meets the 20 % shading requirement by the provision of a variety of deciduous shade trees and smaller flowering trees (maples, elms, river birches, and crape myrtles). These trees will be located along the internal access driveways and at the ends of the parking aisles. A type "B" screen is required along the southern property line, a type "C" screen is required along the western property line, and a type "C" screen is required along the Highway 54 frontage. These screening requirements will be maintained, and actually improved in the case of the western property line (Old Fayetteville Road's frontage).

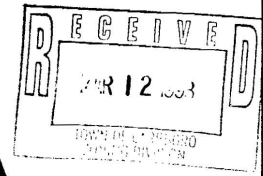
This proposed minor modification includes the re-establishment of a community recycling center. The proposed recycling center will be located near the ABC store located at the southeastern corner of the shopping center. This recycling center includes bins and containers for aluminum cans, plastic bottles, green glass, brown glass, and clear glass, magazines, cardboard and newspapers. The financing of the recycling center will be provided by Orange Community Recycling, which list this project as priority for fiscal year 1998-99.

RECOMMENDATION

The Administration recommends that the Board approve the minor modification as presented.

CARRBORO PLAZA

CARRBORO NORTH CAROLINA



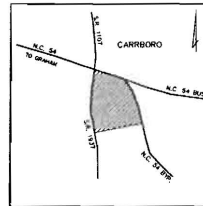
PHASE I: INSIGNIFICANT DEVIATION TO C.U.P. FOR PARKING LOT RENOVATIONS AND RECYCLING CENTER
 PHASE II: C.U.P. MODIFICATION FOR OUTPARCELS "B" & "C" AND PARK & RIDE CONCEPT

DRAWING INDEX

SHEET NUMBER

TITLE

C-1	SITE PLAN
C-2	GRADING & DRAINAGE PLAN
C-3	UTILITY PLAN
C-4	PLAN / PROFILE: SANITARY SEWER LINE "A" SECU SANITARY SEWER LINE
C-5	OWASA DETAILS
C-6	DEMOLITION PLAN
C-7	SITE DETAILS
C-8	EROSION CONTROL PLAN (NOT INCLUDED)
C-9	EROSION CONTROL DETAILS (NOT INCLUDED)
LA-1	LANDSCAPE PLAN



VICINITY MAP
NOT TO SCALE

SITE DATA:

PARCEL TAX REFERENCE: 7.14.31 PIN NO. 9778 - 18 - 4752
 PARCEL: 18.875 ACRES / 822,195 SQ. FT.
 ZONING: C-2
 PARCEL: 18.875 ACRES
 GROSS LEASABLE FLOOR AREA: 175,948 SQ. FT.
 REQUIRED PARKING RATIO: 1 SPACE PER 200 SQ. FT.
 RECREATION FACILITIES: NONE REQUIRED
 OPEN SPACE AREA: NONE REQUIRED

SUBDIVISION DATA:

CURRENT PARCEL AREA: 18.875 ACRES
 PROPOSED PARCEL "B" AREA: 0.926 ACRES
 PROPOSED PARCEL "C" AREA: 0.963 ACRES
 16.986 ACRES BALANCE

PARKING CALCULATIONS:

	HANDICAP	COMPACT	STANDARD	PARK & RIDE LOT	TOTAL
PARKING SPACES EXISTING:	16	0 (0%)	484	149	649
PARKING SPACES REQUIRED:	14	0 (0%)	66		80
PARKING SPACES PROVIDED:	16	133 (99%)	533		682
LOADING SPACES REQUIRED:	-	-	3		3
LOADING SPACES PROVIDED:	-	-	4		4

NOTES: 1. HANDICAP SPACE REQUIREMENT IS TWO PERCENT (2%) OF THE TOTAL PARKING SPACES PROVIDED.
 2. COMPACT SPACES MAY NOT EXCEED 40% OF THE TOTAL NUMBER OF PARKING SPACES.
 3. THREE LOADING SPACES ARE REQUIRED FOR FLOOR AREA OF 80,000 TO 127,999 SQUARE FEET.

PURPOSE:

PHASE I: TO PROVIDE THE NUMBER OF PARKING SPACES REQUIRED BY THE CARRBORO LAND USE ORDINANCE OUTSIDE THE EXISTING PARK & RIDE AREA, AND TO PROVIDE THE REQUISITE PARKING IN AN EFFICIENT MANNER WITH BETTER ORGANIZATION AND INTERNAL TRAFFIC PATTERNS FOR THE RETAIL USES. TO COORDINATE THE DESIGN OF A RECYCLING CENTER WITH ORANGE COMMUNITY RECYCLING. CONSTRUCTION OF RECYCLING CENTER IS SUBJECT TO FUNDING BY ORANGE COMMUNITY RECYCLING.

PHASE II: TO CREATE TWO (2) COMMERCIAL LOTS FOR FUTURE DEVELOPMENT, AND PRESENTATION OF A CONCEPT PLAN FOR A PARK & RIDE FACILITY ON THE OLD FAYETTEVILLE ROAD SIDE OF THE PROPERTY. THE CONCEPT PLAN WILL BE USED BY CHAPEL HILL TRANSIT AUTHORITY TO SOLICIT FUNDING SOURCES, AND IS SUBJECT TO LONG TERM LEASE AGREEMENT BY SHOPPING CENTER OWNER.

GENERAL NOTES:

1. DEVELOPMENT IS PROPOSED AS A SINGLE PHASE PROJECT.
2. ALL STORMWATER EASEMENTS SHALL BE PRIVATE FOR THE BENEFIT OF CARRBORO PLAZA SHOPPING CENTER. EXCLUSIVELY, ACCORDING TO THE POLICY FOR THE TOWN OF CARRBORO. THE STORMWATER CONVEYANCE FACILITIES SHALL BE MAINTAINED BY CARRBORO PLAZA SHOPPING CENTER.
3. ALL PUBLIC WATER AND SEWER EASEMENTS SHALL BE MAINTAINED BY ORANGE WATER AND SEWER AUTHORITY (OWASA).
4. REFUSE COLLECTION SHALL BE PRIVATE COLLECTION COMPANY.
5. FIRE PROTECTION SHALL BE PROVIDED BY THE TOWN OF CARRBORO.
6. ALL UTILITY SERVICES (INCLUDING PIEDMONT ELECTRIC, BELLSOUTH PUBLIC SERVICE GAS COMPANY, AND CABLEVISION) ARE EXISTING ON THE PROPERTY, AND WILL BE EXTENDED TO OUTPARCEL "B" AND "C" INTERNALLY.
7. A PRECONSTRUCTION CONFERENCE SHALL BE CONDUCTED WITH THE TOWN OF CARRBORO OFFICIALS INCLUDING ZONING OFFICER (968-7772) AND PUBLIC WORKS SUPERVISOR (968-7776).
8. CONTRACTOR SHALL FURNISH, INSTALL AND MAINTAIN ON-SITE TRAFFIC CONTROL AND BARRICADING OF WORK ZONE AREAS DURING THE PARKING LOT RENOVATION PHASE OF THIS PROJECT.
9. ANY EXCAVATED DEMOLITION MATERIAL (SUBGRADE) WHICH IS UNSUITABLE FOR BACKFILL WILL BE REMOVED FROM THE SITE DAILY. ANY ASPHALT DESIGNATED FOR DEMOLITION SHALL BE HAULLED TO AN ASPHALT RECYCLING FACILITY.

CIVIL ENGINEER

PHILIP POST & ASSOCIATES
 401 PROVIDENCE RD.
 SUITE 200
 CHAPEL HILL, N.C. 27514
 TEL. (919) 929-1173

CONSTRUCTION MANAGER

LAMM REALTY SERVICES, LLC
 5986-B SIX FORKS ROAD
 RALEIGH, N.C. 27609
 TEL. (919) 846-7117

LANDSCAPE ARCHITECT

LAPPAS + HAVENER, P.A.
 POST OFFICE BOX 2625
 DURHAM, N.C. 27715
 TEL. (919) 419-1199

OWNER:
 CARRBORO-PLAZA SHOPPING CENTER, LP
 4000-1177 WEST KATHAROS STREET
 CHAPEL HILL, NC 27514
 AUTHORIZED AGENT:
 CARRBORO-PLAZA SHOPPING CENTER, LP
 4000-1177 WEST KATHAROS STREET
 CHAPEL HILL, NC 27514

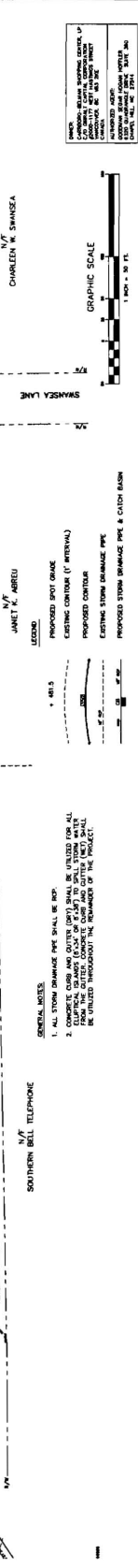
COVER SHEET

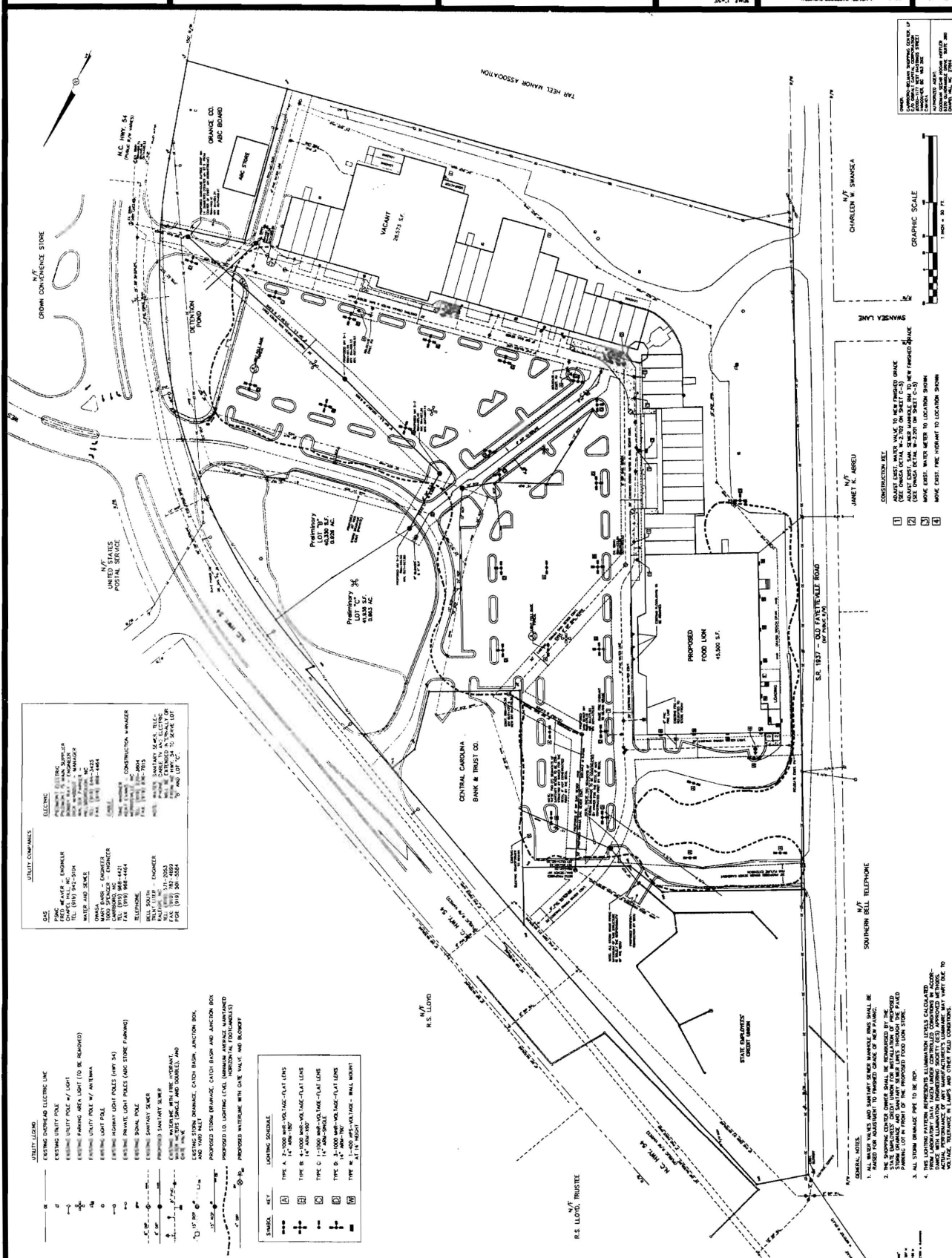
CARRBORO PLAZA
 SHOPPING CENTER

SCALE: 1"=40'
 DRAWN BY: J. POST
 CHECKED BY: J. POST
 DATE: 1/17/93
 PROJECT NO.: 92-0000
 SHEET NO.: 1 OF 1

REVISIONS:
 1. (Date) (Description of Revision)
 2. (Date) (Description of Revision)
 3. (Date) (Description of Revision)

SHEET COVER
 OF 12





OWNER:	AUTHORIZED AGENT:
CAMPBELL-BELLMAN TRADING CENTER, LP C/O CAPITAL CAPITAL CORPORATION 8000-1177 WEST HAZARD STREET VANCOUVER, BC V6S 2S2 CANADA	GOODMAN 955-48 HOGAN HOFFER 8370 OLIVARIAN DRIVE SUITE 300 CHAPPEL HILL, NC 27514

GRAPHIC SCALE

1 ADJUST EXIST. WATER VALVE TO NEW FINISHED GRADE (SEE DIMS. DETAIL W-2.700 ON SHEET C-5)

2 ADJUST EXIST. SAN. SEWER MANHOLE RM. TO NEW FIN. GRADE (SEE DIMS. DETAIL W-2.870 ON SHEET C-5)

3 MON. EXIST. WATER METER TO LOCATION SHOWN

4 MOVE EXIST. FIRE HYDRANT TO LOCATION SHOWN

CONSTRUCTION KEY

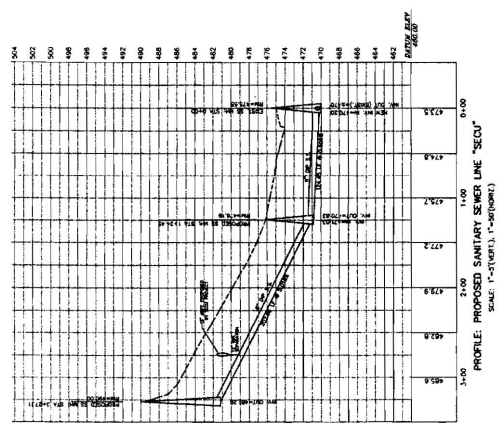
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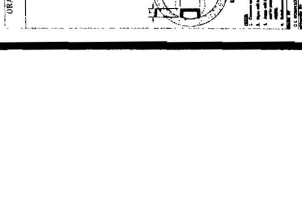
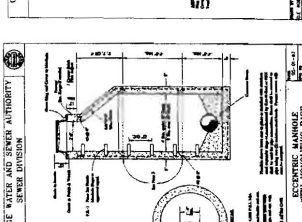
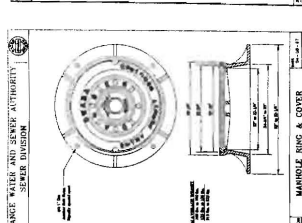
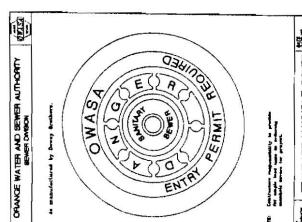
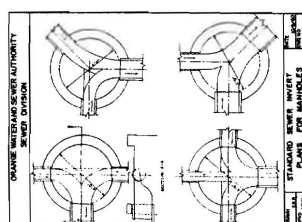
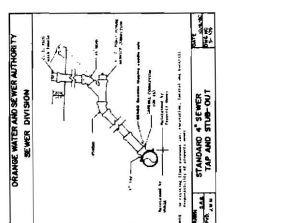
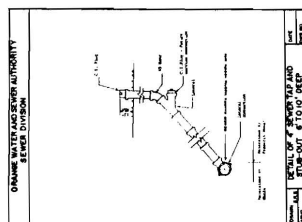
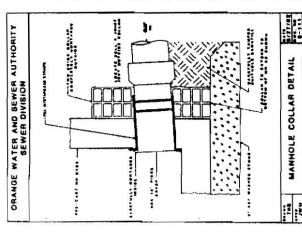
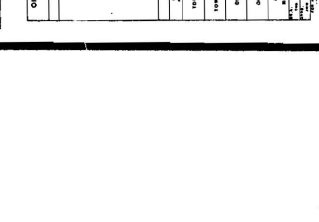
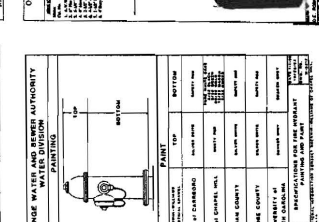
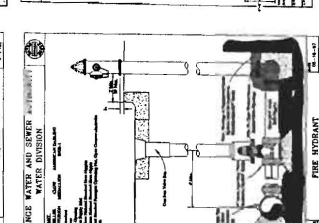
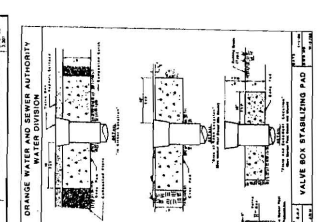
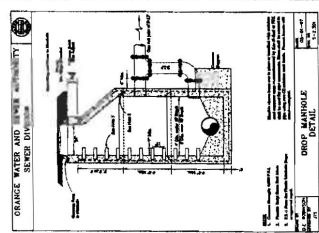
JANET K. ABREU

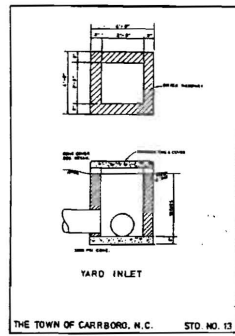
N/F
SOUTHERN BELL TELEPHONE

1. ALL WATER VALVES AND SANITARY SEWER MANHOLE RIMS SHALL BE RAISED FOR ADJUSTMENT TO FINISHED GRADE OF NEW PAVING.

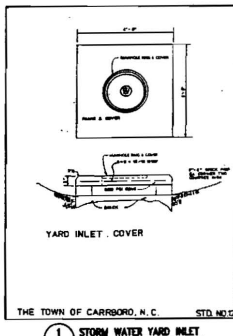
4. THIS LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATION ENGINEERING SOCIETY (IES) APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VOLTAGE, TOLERANCE IN LAMPS AND OTHER FIELD CONDITIONS.



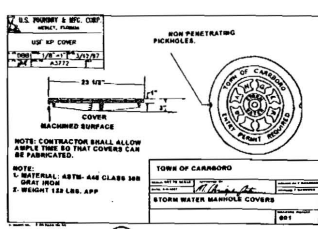




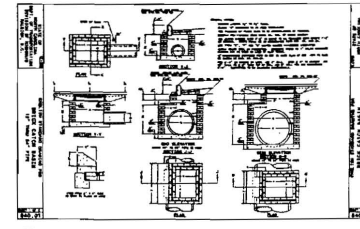
1 STORM WATER YARD INLET
C-7



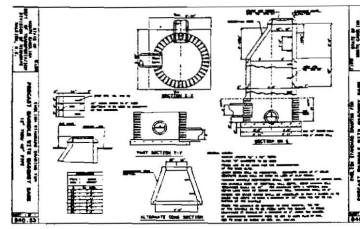
1 YARD INLET - COVER
C-7



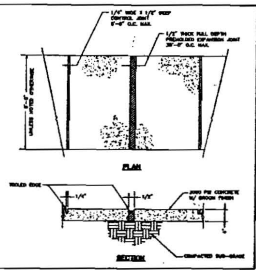
1 YARD INLET - MANHOLE COVER
C-7



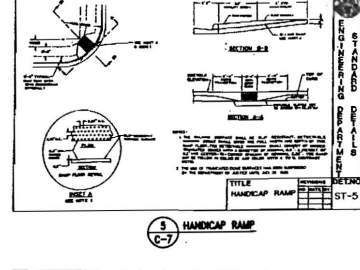
2 STORM WATER CATCH BASIN
C-7



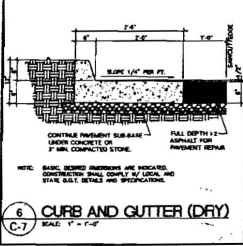
3 STORM WATER MANHOLE, FRAME AND COVER
C-7



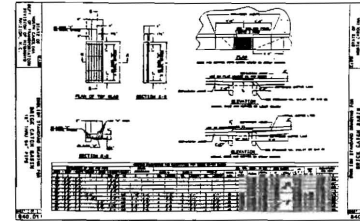
4 CONCRETE SIDEWALK
C-7



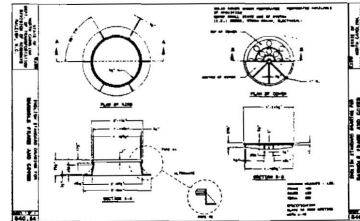
5 HANDICAP RAMP
C-7



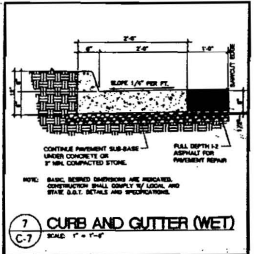
6 CURB AND GUTTER (DRY)
C-7



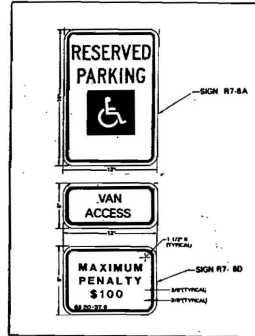
8 HANDICAP SIGN BASE LOCATION
C-7



9 PARKING LOT LIGHT BASE LOCATION
C-7



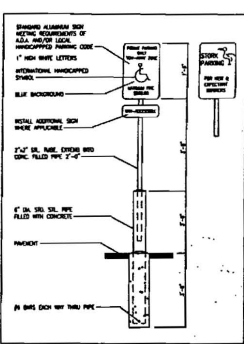
7 CURB AND GUTTER (WET)
C-7



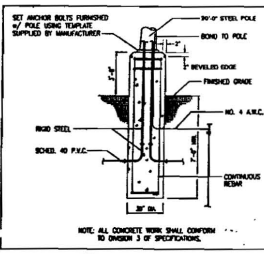
8 HANDICAPPED PARKING SIGN FACE
C-7



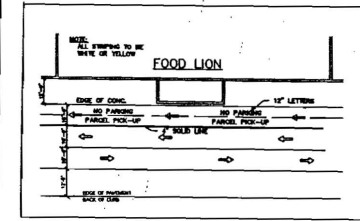
9 STORM PARKING SIGN FACE
C-7



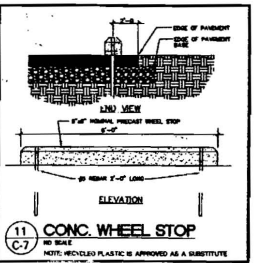
8 HANDICAPPED SIGN BASE
C-7



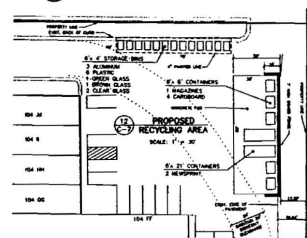
9 PARKING LOT LIGHT BASE
C-7



10 FOOD LION PARCEL PICK-UP
C-7



11 CONC. WHEEL STOP
C-7



9 STORM PARKING SIGN FACE
C-7

PHILIP
POST
&
ASSOCIATES

SITE DETAILS
CARRBORO PLAZA
SHOPPING CENTER
TOWN OF CARRBORO

REVISIONS
1. LAYOUT
2. LAYOUT
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DATE: 11/11/11
DRAWN: J. L. LEE
CHECKED: J. L. LEE
IN CHARGE: J. L. LEE
PROJECT: CARRBORO PLAZA
SHOPPING CENTER
TOWN OF CARRBORO
11/11/11

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, March 24, 1998

SUBJECT: WORKSESSION/REQUEST TO SET A PUBLIC HEARING for Tuesday, March 24 1998, to discuss regulations affecting drive-in windows.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
ATTACHMENTS: Map of Zones Allowing Drive-In/Through Uses Map of Businesses with Drive-In/Through Windows	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Analysis (X) Summary (X) Recommendation	

PURPOSE

To hold a worksession to discuss possible revisions to the land use ordinance which would affect the status of drive-in and drive-through windows as a permissible use. Should the board determine that an amendment to the Land Use Ordinance is needed, the Administration is recommending that a public hearing be set for May 12, 1998.

SUMMARY

The Board of Aldermen placed this item on their action agenda in January of 1997 and 1998. In response to this request, staff has evaluated the regulations and policies presently controlling drive-in and drive-through windows, and prepared three options for further action.

Should the Board select the option to amend the Land Use Ordinance, staff will prepare an ordinance for forwarding to both Orange County and the Planning Board for their review and recommendations.

ANALYSIS

The Board of Aldermen has requested that the drive-in and drive-through uses currently permitted in the Land Use Ordinance be evaluated and that a proposal for further restricting or prohibiting them be prepared.

Applicable Regulations

Currently, the Land Use Ordinance does not contain definitions for the terms "drive-in" or "drive-through" windows. The term "drive-in window" is included in six of the eight driving-related uses specified in Section 15-146, "Table of Permissible Uses" and presented in the table below.

Use Classification	Description
2.140	Retail/No Outside Display/Drive-In Window
2.240	Retail/Outside Display/Drive-In Window
3.230	Bank with Drive-In Window
3.250	Freestanding ATM
6.260	Drive-In Movie Theaters
8.300	Drive-In Restaurant
8.400	Drive-Through Restaurant
16.100	Dry Cleaners with Drive-In Window

Table 1. Drive-In/Through Permissible Uses

The term "drive-through window" is applied to one use, use classification 8.400. One use, Freestanding ATM, includes no reference to the window itself. Nevertheless, this use is considered to belong to the same category of uses as those whose titles include the term "drive-in" or "drive-through." Within the description for both restaurant uses is a brief definition of the two categories. The description of use classification 8.300, Drive-In Restaurants includes parenthetical information, as follows, "service to and consumption in vehicle on premises." The description of use classification 8.400, Drive-Through Restaurant includes the following, "service directly to vehicles primarily for off-premises consumption." Table 2 illustrates the permit requirements for each use by zoning district.

Zone	2.140	2.240	3.230	3.250	6.260	8.300	8.400	16.100
B-1(C)				Z		ZS		
B-1(G)	ZS	ZS	ZC	Z				ZS
B-3	S	S	C	Z				S
B-3-T	S	S	C					S
B-4	S		C	Z		C	C	S
B-5			C			C	C	
M-1	S	ZC			S			S
M-2			C					
CT				Z				
O				Z				
O/A				Z				S

Table 2. Permit Requirements of Drive-In/Through Uses by Zoning District

Drive-in windows are also referenced in Articles VIII, XVIII, and XIX of the ordinance. A limitation placed on these uses is also found in Section 15-124, excluding the expansion of nonconforming uses operating within enclosed buildings if the expansion involves the addition of any new drive-in windows. There are presently three operating, nonconforming businesses with drive-through facilities in town, as indicated in Table 3 below.

Specific screening and parking/standing requirements have also been established for these uses. Section 15-308 contains the screening requirements for most use classifications. Of the seven drive-in/through uses in the ordinance, only one, drive-in theaters, are specifically referenced in the table. In the other cases, screening requirements for a particular class of uses are applicable to the drive-in/through use as well. Section 15-291 establishes parking requirements. In most cases, additional vehicular storage space is needed per drive-in window or service spot. The requirement ranges from three to five spaces of reservoir capacity per window.

Drive-In- or Drive-Through Windows are permitted in 11 of the 14 non-residential zones in the Town and planning jurisdiction, as shown on Figure 1 (attached). Only ten of these zones are depicted on the figure, as there are no areas of M-2 zoning in the Town and planning jurisdiction.

Applicable Policies

Adopted policies which are pertinent to this issue include both policy statements within the Town's Land Use Ordinance and separate policy documents which have been accepted or adopted by the Board of Aldermen.

Land Use Ordinance

Drive-in uses are specifically referenced in the definitions of two zoning districts in Article IX of the Land Use Ordinance. Both of these definitions were adopted during the rezoning of Carrboro's downtown areas in 1986. Although the definition of the B-1(G) district was amended in 1992, the change did not affect the language related to drive-in facilities. The definitions read as follows:

B-1(C) Town Center Business. This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user. Auto-oriented uses, such as drive-in windows, are discouraged.

B-1(G) General Business. This district is designed to accommodate a broad range of business uses. This district, because of its close proximity to established residential, single family neighborhoods, is limited in the types of night uses permitted. Uses may be restricted in the hours of operation where the permit-issuing authority finds that such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. Because this district is a peripheral business district, drive-in facilities are allowed except where they might impede safe and efficient vehicle movement. In addition, no metal buildings shall be allowed in this district.

Year 2000 Task Force Report

Two of the 58 recommendations included in *Year 2000 Task Force Policies*, as adopted by the Board of Aldermen in 1989, broadly address this issue. Policies 2.42 and 3.23 prescribe a pedestrian orientation and enhanced pedestrian access in the downtown. These policies are presented below.

2.42. The town should promote the development of a downtown district that embodies Carrboro's small-town character. Such a downtown district would include a viable shopping area and housing opportunities; would have building heights of no more than three stories, and a pedestrian orientation; and would have a focal point such as a park, as well as additional greenspace.

3.23 Pedestrian use and access should be encouraged and facilitated.

Downtown Design Guidelines

The summary statement for the Transportation Network section of the guidelines states that "at the present time, transportation systems, trains, buses, automobiles, bikes, and pedestrians, work independently and are frequently in conflict with one another." Clearly defined points of intersection are called for, as are improved pedestrian facilities, such as bicycle and pedestrian connections to surrounding neighborhoods. The prohibition of all drive-in/through uses is not mentioned in the document.

Expected Impacts of Drive-in/through facilities

Six businesses within the city limits conduct a portion of their activities via drive-through windows. Those businesses, their use classifications and zoning districts, and legal status, are listed in the table below. Figure 2 (attached) illustrates the locations of these businesses.

Business	Status	Use Classification	Zoning District
Nationsbank	Nonconforming	3.230	B-1(c)
Wendy's	Nonconforming	8.400	B-1(c)
Triangle Bank	Conforming	3.230	B-1(g)
Centura Bank	Nonconforming	3.230	B-2
CCB	Conforming	3.230	B-4
Burger King	Conforming	8.400	B-4

Table 3. Local businesses with drive-through windows, relevant zone district, and legal status.

One concern associated with drive-in/through facilities is that they may increase the number of automobile trips associated with a particular business. This relationship was a component of the Board of Aldermen's decision to

disallow drive-through uses in the B-1 (C) zone during the commercial rezoning of 1986. A review of the trip generation literature and discussions with staff of the Institute for Traffic Engineering reveals only limited data on traffic associated with these uses, and is inconclusive. The current data reveal an increase of trips for certain classes of commercial activities, but not for others. For example, trips increased 88 percent per 1000 square feet at banks with drive-through facilities versus those without, while a similar change in the provision of drive-through facilities at restaurants saw a nineteen-percent reduction in trips. The studies from which these data were generated looked only at weekday trips.

Overview and Options

At present, six businesses conduct a portion of their commercial activities at drive-through facilities. Four of those are banks or banking-type facilities; the remaining two are restaurants. Three of the businesses are legal, nonconforming uses, and are permitted to continue per Article VIII of the Land Use Ordinance. It is estimated that 363 parcels of land within the city limits and planning jurisdiction are zoned to allow various types of vehicle-based transactions. Most of these parcels are already developed. The permissibility and present allocation of drive-in and drive-through uses in the downtown appears to be consistent with established land use policies in Carrboro. The present allocation of these uses in the town's commercial districts also appears to be compatible with the needs of the community, particularly those whose mobility may be somewhat limited. Land-use policies and associated regulatory measures are subject to change as conditions or the desirability of altered patterns of use become more prevalent. The Board of Aldermen has requested that staff conduct a review of the drive-in uses and develop a list of alternatives actions they might consider. Three alternatives have been developed.

1. *Adopt an ordinance prohibiting drive-in and drive-through uses in all zoning districts.* This option might be selected if drive-in/through uses were determined to be incompatible with the overall development patterns of the town and activity patterns of its citizens. The effect of this change would be to make all existing drive-ins and drive-through uses legal nonconformities. No new drive-in/through facilities would be permitted.
2. *Provide direction to staff concerning those uses and locations where drive-in/through uses may be allowed to continue and where they should be prohibited entirely.* Drive-in/through uses are currently restricted to certain commercial districts, but not others. The Board may wish to further differentiate by adjusting the present use classifications, permitted zones, or both.
3. *Leave the present use classifications and regulatory measures as they are.* Drive-in/through uses are limited in town, as are the locations where they might be anticipated to occur. The bulk of the town's commercially zoned areas are already developed. The nature of the transactions that occur at drive-in windows in town, in conjunction with the needs of particular segments of the population, suggest that the retention of these uses is in the best interest of the community.

Section 15-322 requires that all proposed amendments to the ordinance be formally referred to the Planning Board for its recommendation and Section 15-323 requires that a public hearing be held on all amendments to the Land Use Ordinance. Section 2.6.C. of the Joint Planning Agreement requires that Orange County be given 30 days to comment on the full text of any proposed amendment to the Land Use Ordinance.

RECOMMENDATION

The Administration recommends that the Board select option three, and leave the present use classifications and regulatory measures, which allow certain types of driving-dependent uses to continue, occur or expand, in certain commercial and industrial zones, as they are.

Figure 1. Zones Where Drive-In/Through Uses are Permissible

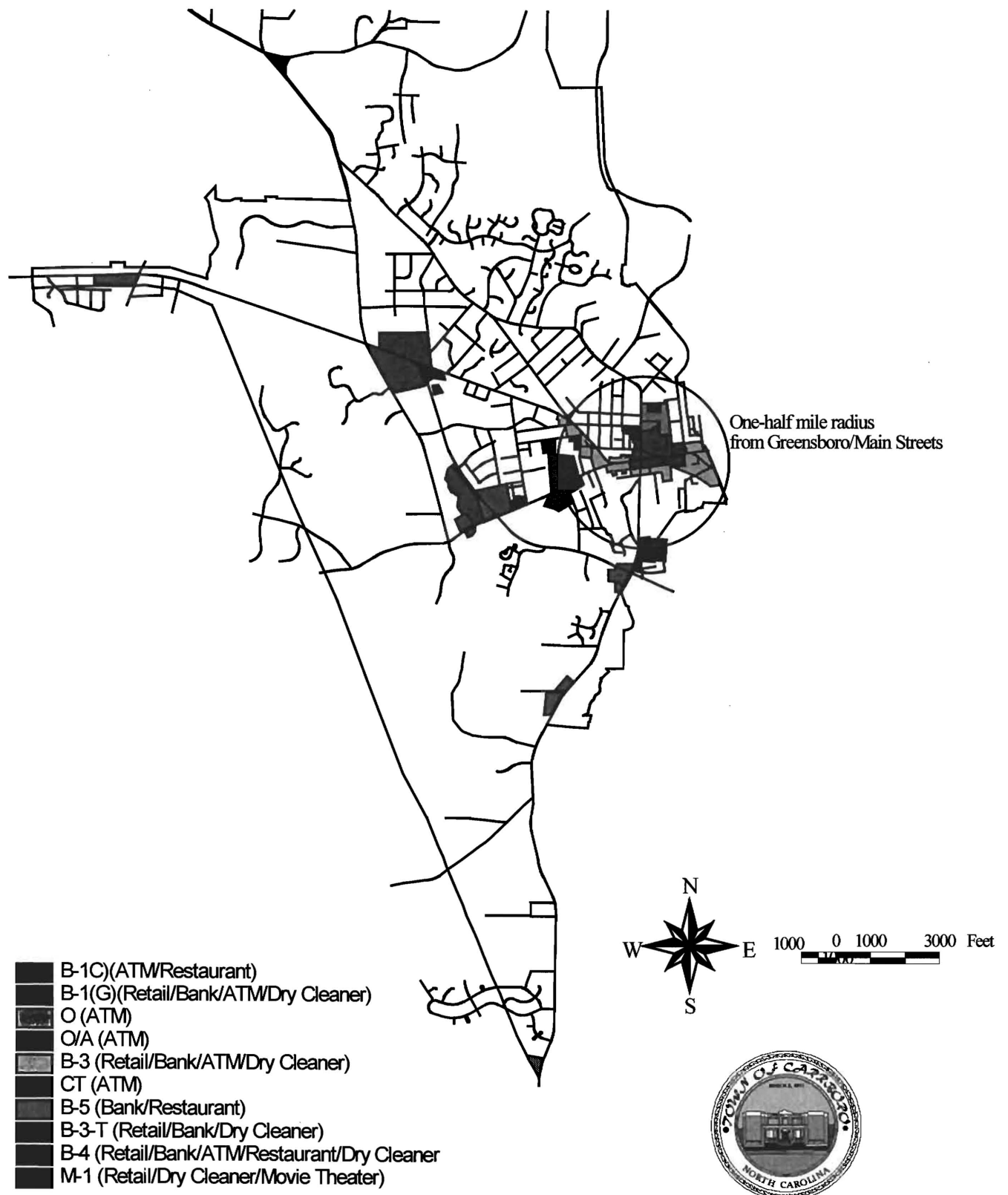


Figure 2. Businesses With Drive-Through Windows



- Business with Drive-In/Through Windows (not to scale)

BOARD OF ALDERMEN

ITEM NO. D(5)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, March 24, 1998

SUBJECT: WORKSESSION/REQUEST TO SET A PUBLIC HEARING for Tuesday, March 24, 1998, to discuss setbacks applicable to fences on double-front lots, and other issues associated with privacy walls and fences along public rights-of-way.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: Agenda Item from Worksession, October 22, 1996 Planning Board Recommendation	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Analysis (X) Summary (X) Recommendation	

PURPOSE

To hold a worksession to discuss proposed amendments to the land use ordinance which affect the siting, size, and type of walls and fences. Should the Board of Aldermen wish to proceed with amending the Land Use Ordinance, the Administration is recommending that a hearing be set for May 12, 1998.

SUMMARY

In March of 1995, the developers of the Berryhill subdivision requested permission from Keith Lankford, Zoning Administrator, to install a six-foot high, wooden, privacy fence along the rear property lines of lots located adjacent to Smith Level Road. Town staff determined that the fence was subject to building setback requirements, although it was agreed that the requirements were not intended to restrict fences on double-fronted lots.

The fence was permitted as an interpretation of the ordinance. Per memoranda between Keith Lankford, Zoning Administrator and Mike Brough, Town Attorney, staff proceeded with preparation of a text amendment to formalize this interpretation.

A worksession/request-to-set on a text amendment to allow fences on the rear of lots with street frontage on the front and rear of such lots, was held with the Board of Aldermen on October 22, 1996. A copy of the staff report is attached.

During the worksession, the Board expressed support for the amendment, and concern about the affect this might have on the ability of subdivisions to be walled or gated. The matter was referred to the Planning Board and Appearance Commission for further review.

The Board included this item on the 1998 Action Agenda, and identified it as requiring urgent attention.

Staff met with the Planning Board and Appearance Commission in February of 1998. A recommendation from the Planning Board is attached. The Appearance Commission has not yet concluded their review of this issue.

ANALYSIS

The Board of Aldermen has requested that the existing policies and regulations that affect the siting of privacy walls, fences, and earth berms along public rights-of-way and street frontages be reviewed. Currently, the Land Use Ordinance does not contain definitions for the terms "fence" or "wall." Section 15-184, titled "Building Setback Requirements" does include a subsection which defines "buildings" based upon two criteria, the extent to which they constitute a visual obstruction, or to which they generate activity similar to that usually associated with a building. Fences are specifically referenced as subject to building setback requirements in 15-184(a)(3)(b) as follows: "[f]ences running along lot boundaries adjacent to public street rights-of-way if such fences exceed three feet in height and are substantially opaque." The Board has expressed support for an amendment, which will exclude fences on the rear property line of double-fronted lots from the setback requirement. The Board has also requested that staff review with the Planning Board and Appearance Commission the issue of privacy walls, fences, and earth berms being used to create walled communities. Each of these items is addressed separately below.

Fences on Double-Fronted Lots

Subsequent to the request of the Berryhill developers in 1995, the Zoning Administrator and Town Attorney agreed that Section 15-184 (a)(3) was not **intended** to apply to fencing along rear property lines that coincided with street rights-of-way. However, as this was not explicitly stated, a text amendment was recommended. The interpretation emphasizes the first of the two criteria used to characterize things that should be subject to setback requirements. The language proposed for a text amendment to allow this change was included in the October, 1996 staff report. The Board expressed support for this amendment during the meeting in October of 1996, and specifically noted the utility of wooden fences "to protect the homes from the sound of the highway."

Limitations on Privacy Walls, Earth Berms, and Fences along Rights-of-Way

During the worksession on October 22, 1996, members of the Board expanded the discussion of fences to include continuous walls, and fences, which are used to separate the occupants or users of certain developments from public rights-of-way. These developments, sometimes referred to as walled or gated communities, were described as offensive and generally considered undesirable. At the planning retreat in January of 1998, steeply-sided, earth berms were added to this list.

In reviewing the comments of board members, it appears that any substantial feature, which is installed as a physical and visual barrier between the development and public rights-of-way, is considered objectionable. These barriers may best be characterized by a tunnel effect, which results along the road on which they front. The barrier may be a brick or stone wall, a solid wood fence, or an earth berm. The table below lists the existing fences or walls associated with subdivisions along rights-of-way.

Subdivision	Roadway	Road Classification	Fence/Wall
Berryhill	Smith Level Road	Arterial	Fence
Camden	Homestead Road	Arterial	Wall
The Highlands	Rogers Road	Arterial	Fence

It is the understanding of staff that certain wall- or fence-like barriers would almost always meet the present land use ordinance definition of buildings and therefore is subject to the setback requirement. This requirement may have prevented continuous privacy walls or fences from being constructed as a significant portion of individual lots or common area would have to be fenced out of the neighborhood. Under the present proposal to amend the ordinance to exclude rear fences on double-fronted (also known as "through" lots) lots from setback requirements, however, this may no longer be the case.

Related Issue- Ordinance Screening Requirements

Aside from the specific siting requirements for fences of a certain size or type found in Section 15-184, there appears to be only one other reference to this type of structure in the ordinance. The description of an Opaque Screen, Type 'A' in Article XIX specifies "[a] screen that is opaque from the ground to a height of at least six feet...may be composed of a wall, fence, landscaped berm...." Screening is required for most development scenarios in town, as may be noted in Section 15-308, Table of Screening Requirements. The Type 'A' screen is the most stringent of three screens described, and is required along streets for only those land uses considered to have particular, negative impacts. Those uses range from junkyards to crematoria. The Broken Screen, Type 'C' requirement presently applies to subdivisions located along streets. The two screening standards which have been established are specified in Section 15-305, and are as follows:

"Every development shall provide sufficient screening so that:

- (1) Neighboring properties are shielded from any adverse external effects of that development;
- (2) The development is shielded from the negative impacts of adjacent uses such as streets or railroads.

Both standards support the Board's findings in Section 15-304 that screening benefits the public health, safety, and welfare.

The second standard in Section 15-305 seems to support the amendment, which would allow fences on the rear of double-fronted lots to be exempt from the setback requirement. However, in order to address the Board of Aldermen's concerns, additional language may be needed in the ordinance to prevent fences, walls, or even earth berms from causing negative impacts in and of themselves. It may be necessary to carefully examine the Table of Screening Requirements to insure that this concern is addressed with regard to other types of developments.

Options for Further Action

1. *Direct staff to prepare ordinance amendments that prohibit fence- or wall-like structures that physically and visually separate developments from public rights-of way.* These changes would disallow the construction or erection of physical or visual barriers along public roads.
2. *Provide direction to staff concerning acceptable locational limitations on fences, walls, and berms.* Should the board desire, this could involve the request for staff to proceed with preparation of an ordinance amendment concerning fences on double-fronted lots, as well as an amendment adding a definition of fence to the ordinance. This change would formalize the interpretation made in 1995 concerning the fence that separates some of the lots in the Berryhill subdivision from Smith Level Road. The inclusion of a definition should clarify the types of structures that are appropriate.
3. *Provide direction to staff concerning acceptable setbacks that are applicable to fence- or wall-like structures along public rights-of-way.* This approach would allow the development of specific setbacks for certain classes of structures. Different setbacks for fences, walls, or berms of certain heights, construction techniques, or exterior finishes could be developed. This concept is similar to the performance provisions of Section 15-185(a)(3), or the stepped, setback approach included in Section 15-185(d)(2). The Board may also wish to consider disallowing screening that exceeds specified screening requirement.
4. *Provide direction to staff concerning the classes of roads along which fence- or wall-like structures are acceptable.* This approach carries from the Planning Board's recommendation to allow these structures to be considered exempt from building setbacks only along the rear of double-fronted lots, where the roads which are classified as arterials. The Board of Aldermen may also wish to consider allowing privacy fences or walls along the frontage of lots located along these roads.
5. *Provide direction to staff concerning the level of development to which restrictions or prohibitions of these structures apply.* The Board may wish to prohibit these structures in developments which are subject to the special or conditional use permit process, prohibit joint ownership of fence-or wall-like structures, or some

combination of the two.

6. *Leave the ordinance as is, with the exception of specifying that berms are also subject to the building setback requirements of 15-184.* This option requires the interpretation that all fences or walls that meet structure definition along rights-of-way are subject to building setbacks.

Section 15-322 requires that all proposed amendments to the ordinance be formally referred to the Planning Board for its recommendation and Section 15-323 requires that a public hearing be held on all amendments to the Land Use Ordinance.

RECOMMENDATION

The Administration recommends that the Board discuss the options for restricting or prohibiting these structures and direct staff accordingly. Should the Board wish to proceed with amending the ordinance to allow fences on the rear of double-fronted lots to be exempt from the right-of-way setbacks, the Administration recommends that the Board consider setting a public hearing for May 5, 1998, and that the Board consider submitting the ordinance to the Planning Board for its review as required by Section 15-322.

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, October 22, 1996

**SUBJECT: WORK SESSION & REQUEST TO SET A PUBLIC HEARING: Land Use Ordinance
Text Amendment -- FENCE SET-BACKS ON DOUBLE FRONTAGE LOTS**

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
ATTACHMENTS: Memoranda Regarding Interpretation of Section 15-184(a)(3) Ordinance	FOR INFORMATION CONTACT: Lisa Bloom-Pruitt, 968-7714 Keith A. Lankford, 968-7712	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) Purpose	(X) Summary	(X) Action Requested

PURPOSE:

The purpose of this item is to request that the Mayor and Board of Aldermen consider the Memoranda regarding the interpretation of Section 15-184(a)(3) and consider setting a public hearing date for November 19, 1996.

SUMMARY:

The Zoning Administrator forwarded the attached memorandum to the Senior Planner requesting that the text of the Land Use Ordinance be amended to clarify the town's position on the intent of Section 15-184(a)(3)(b). These Memoranda concern interpretation and application of this section of the ordinance to fences along the rear boundaries of "double front" lots. The attached memorandum from Mike Brough, the town attorney to Keith Lankford, the Zoning Administrator, includes a recommendation for a text amendment to change Section 15-184(a)(3)(b).

ACTION REQUESTED:

Staff recommends that the Mayor and Board of Aldermen consider setting a public hearing date for November 19, 1996 and formally referring the proposed land use ordinance to the Planning Board for review as required by section 15-322.

MICHAEL B. BROUGH & ASSOCIATES

MEMORANDUM

TO: Keith Lankford, Zoning Administrator
FROM: Michael B. Brough *MBB*
DATE: March 28, 1995
RE: Interpretation of § 15-184(a)(3)

This memo responds to yours of March 23, 1995 regarding the interpretation of the above cited section as it applies to fences along the rear boundaries of "double front" lots. I agree with your view that § 15-184(a)(3) was not intended to apply to the fencing along a rear property line which coincides with a street rights-of-way line. However, there is nothing in the language of the provision that suggests such an exception. Therefore, I recommend that, if you make the interpretation you have described, you follow up with a text amendment to change this subsection 3 as follows:

"b. Fences running along lot boundaries adjacent to public street rights-of-way if such fences exceed three feet in height and are substantially opaque, except that fences shall not be regarded as "buildings" within the meaning of this subsection if they are located along the rear lot lines of lots that have street frontage along both the front and rear of such lots."

Please let me know if you have any questions.

MBB:glh

RECEIVED
MAR 29 1995



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Mike Brough, Town Attorney

FROM: Keith A. Lankford, Zoning Administrator *KAL*

SUBJECT: Interpretation of Section 15-184(a) (3)

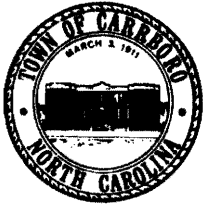
DATE: March 23, 1995

The developer of the Berryhill Subdivision has requested to install a six (6) foot tall opaque wooden fence along the rear of the lots which back up to the Smith Level Road right of way. My first instinct was that he could not build a fence there because Section 15-184(a)(3) would consider this to be a "structure" which must meet the 12' rear setback requirements from a right of way.

The developer's desire to erect a fence along the right of way line seems like a reasonable request, but does not appear to be possible under 15-184(a)(3). The fence as proposed will not create a safety hazard by interfering with sight distance of vehicles entering Smith Level Road. A similar situation exist at the Highland Meadows Subdivision along Roger's Road, but no enforcement action has been taken.

It would seem that the purpose of this section is to prevent fencing from being installed in the front yards parallel to the street right of way or along the side property lines between the street right of way line and the front setback line. Fencing in these areas could create a visual problem for vehicles entering the street from adjacent driveways. Also, fencing off the front yard would be very unattractive for the lot in question, as well as for adjacent lots.

However, fencing is not uncommon around back yards, and are not usually perceived to be unattractive, and will not create a visual obstruction or otherwise create a public safety hazard. Therefore, the Zoning Division would like to obtain your opinion about interpreting Section 15-184(a)(3) as not applying to fencing along a rear property line which coincides with a right of way line (i.e. double front lots) and for fencing between such a property line/right of way line and the rear setback line of the side yards. Please advise the Zoning Division as to your opinion on this matter.



TOWN OF CARRBORO

NORTH CAROLINA

MEMORANDUM

TO: Lisa Bloom-Pruitt, Senior Planner

FROM: Keith A. Lankford, Zoning Administrator *KAL*

SUBJECT: Land Use Ordinance Text Amendment for Section 15-184(a)(3)(b)

DATE: May 22, 1995

In response to a request from a developer, the Zoning Administrator made an interpretation of section 15-184(a)(3)(b). This section indicates that if a fence along a right of way is over three feet tall and substantially opaque, then it is considered to be a structure and must meet the applicable setbacks of that zoning district in which the lot is located. The Zoning Administrator interpreted the intent of this section to be applicable to fences along the front yard for a lot adjacent to a right of way. This section is interpreted to be a safety issue related to the sight distances and safe access to a street by vehicles exiting from that lot on which the fence is to be erected and from the adjacent lots.

These same safety concerns are not present along the rear yard of a lot that has double frontage on a second road (i.e. bordered on the front and rear by rights of way). Because these safety concerns were absent, the Zoning Administrator determined that an opaque fence in excess of three feet high may be erected along the right of way which is not used to access the lot and the adjacent lots.

The town attorney agreed with the reasoning behind this decision, but recommended that the text of the Land Use Ordinance should be amended to clarify the town's position on this issue. Please see the attached letter and memorandum related to this issue. Please contact me if I may be of any assistance.

KAL/lcr

Attachments

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE
TO CLARIFY THAT SECTION 15-184(a)(3) SHALL NOT APPLY TO FENCING ALONG A REAR
PROPERTY LINE WHICH COINCIDES WITH A STREET RIGHT-OF-WAY LINE

Ordinance No. ____/95-96

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-184 (Building Setback Requirements) of the Carrboro Land Use Ordinance is amended by adding an exception to subsection (a) (3) after the word opaque, to read as follows:

“b. Fences running along lot boundaries adjacent to public street rights-of-way if such fences exceed three feet in height and are substantially opaque, except that fences shall not be regarded as “buildings” within the meaning of this subsection if they are located along the rear lot line of lots that have street frontage along both the front and rear of such lots.”

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

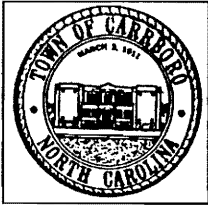
Section 3. This ordinance shall become effective upon adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this ____ day of ____, 1996:

Ayes:

Noes:

Absent or Excused:



TOWN OF CARRBORO

PLANNING BOARD

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

February 19, 1998

PROPOSED DEFINITIONS FOR FENCES AND WALLS; AND DETERMINATION OF RESTRICTIONS ON SUCH STRUCTURES

MOTION WAS MADE BY KATHY KAUFMAN AND SECONDED BY SUSAN RODEMEIR THAT THE PLANNING BOARD'S POSITION REGARDING THIS MATTER IS AS FOLLOWS:

1. There is Planning Board consensus that walls, fences, and berms be permitted, without regard to right-of-way setback, on the back side of double-fronted lots along arterial roads provided that there is space for sidewalks and associated improvements.
2. There is Planning Board consensus that walls, fences, and berms should only be allowed along roadways, without regard to setbacks, where they would not pose a safety hazard by impeding sight-distances.
3. There is a 50-50 split on the Planning Board as to whether or not walls, fences, and berms be permitted, without regard to right-of-way setback, on the back side of double-fronted lots along non-arterial roads.

RATIONALE:

The reasoning of the Board Members who favor allowing walls, fences, and berms anywhere is to allow freedom of property owners to build and to promote diversity of design.

The reasoning of the Board Members who favor restricting wall, fences, and berms in certain areas is to promote a sense of community and to prevent building of exclusionary walled-communities.

4. The Planning Board agrees with the definitions of walls, fences, and berms as proposed by staff; i.e.,

BERM: A mound of earth between two and six feet in height, with a finished slope of no greater than three to one.

FENCE: An artificially constructed barrier of wood, wire, plastic, or other materials which functions similarly, and is erected to enclosed, screen, or separate uses, or to delineate property boundaries.

WALL: A substantial structure used to form an enclosure. Typically constructed of masonry, including brick, stone, concrete, or a mixture of masonry and another material.

VOTE: AYES 5 (Cohen, Cheek, Rodemeir, Kaufman, Bateson); NOES 0; ABSENT/EXCUSED 4 (Searing, Russell, Marshall, Tanner).

Andrew B. Cohen/jw 2/25/98
Andrew B. Cohen, Chairman (date)

BOARD OF ALDERMEN

ITEM NO. D(6)

AGENDA ITEM ABSTRACT

MEETING DATE: March 24, 1998

SUBJECT: WORKSESSION/REQUEST TO SET PUBLIC HEARING - SIDEWALKS ALONG BOTH SIDES OF STREETS

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
ATTACHMENTS: Street Design Illustrations City of Raleigh Sidewalk Requirements	FOR INFORMATION CONTACT: Kenneth Withrow, 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (x) Summary (x) Action Requested (x) Analysis () Alternatives (x) Recommendation	

PURPOSE

The purpose of this item is for the Board of Aldermen to hold a worksession to discuss amendments to the Land Use Ordinance that will require sidewalks along both sides of certain classifications of streets. If the Board determines that a Land Use Ordinance amendment is needed, then the administration recommends that a public hearing be set for May 12, 1998.

SUMMARY

The Carrboro Board of Aldermen discussed and placed this item on their 1998 Action Agenda for possible implementation as a part of the town's future development.

The Board's objective is to, "analyze the benefits and impacts associated with requiring sidewalks along both sides of the various classifications of streets in Carrboro; and to determine the appropriate classification of street that should provide sidewalks along both sides".

Using the Board's objective as a premise, the staff consulted available studies regarding sidewalks from research institutions, as well as, from communities that require sidewalks along both sides of streets.

ANALYSIS

The Carrboro Board of Aldermen conducted their annual retreat in January, 1998 to discuss proposals that may be implemented as a part of the town's future development. One of the issues discussed included the possibility of requiring sidewalks along both sides of a street. The Carrboro Land Use Ordinance (Section 15-216) requires roads classified as arterials to have sidewalks on both sides; while collector, subcollector, and local roads are required to have sidewalks on only one side. Minor streets are not required to have sidewalks on either side. These requirements (as shown on the next page) apply to streets with curb and gutter, as well as those with swales. Also attached to this report are illustrations of the street classifications within town.

TYPE STREET with Swales	MINIMUM ROW WIDTH	MINIMUM PAVEMENT WIDTH	BIKE LANES	MINIMUM SHOULDER 1 2 WIDTH	SIDEWALK REQUIREMENT
MINOR	47'	18'	NONE	6' 8'	NONE
LOCAL	47'	20'	NONE	6' 8'	ONE SIDE
SUBCOLLECTOR	50'	20'	NONE	6' 8'	ONE SIDE

(AMENDED 11/19/96)

TYPE STREET with Curb & Gutter	MINIMUM ROW WIDTH	MINIMUM PAVEMENT WIDTH	BIKE LANES	SIDEWALK REQUIREMEN
ALLEY (One-way)	20'	12'	NONE	NONE
Minor	37'	18'	NONE	NONE
Local	43'	20'	NONE	ONE SIDE
Subcollector	50'	26'	NONE	ONE SIDE
Collector	60'	34'	BOTH SIDES	ONE SIDE
Arterial	NCDOT Standards	NCDOT Standards	BOTH SIDES	BOTH SIDES

(AMENDED 11/19/96)

NEIGHBORHOOD ROADWAY DESIGN WORKSHOP

The requirements for minor, local, and subcollector streets were modified following two years of discussion concerning residential street design. Standards for collector and arterial roads were not changed. The standards provided in the chart above were adopted by the Board of Aldermen to minimize street widths. The reduction in street widths (particularly right-of-way and pavement widths) was the goal of the Board of Aldermen in order to address fourteen principles that would be applied to municipal street design. Two of these principles, "promote bicycle and pedestrian traffic", and "promote the social interaction of community through transportation systems", were viewed as essential components to street design that would reduce conflicts between pedestrian and vehicular traffic along a street. As a result, lower classified roadways will have a sidewalk along one side or no sidewalk at all. Furthermore, the reduction in street right-of-way widths for the lower classified streets limits the availability of space needed for the installation of sidewalks along both sides. Space needed outside of the roadway for utilities and other elements further reduce the area available for sidewalks.

SIDEWALK POLICY

The requirements as specified in Section 15-216 of the Land Use Ordinance implements Carrboro's Sidewalk Policy. The Town's "Sidewalk Policy" adopted in 1989, contains the following three (3) major objectives:

1. Connect the existing pedestrian system with major community facilities such as schools, Town Hall, and the Downtown.
2. Expand the system to connect high density areas.
3. Connect lower density developments with the existing system.

GUIDELINES FOR SIDEWALK FACILITIES

Nationally known planners, architects, engineers, as well as federal guidelines suggest that sidewalks be required on both sides of urban streets. The Handbook for Walkable Communities, by Dan Burden and Michael Wallwork provides three statements concerning sidewalks along roadways:

1. Sidewalks are needed on both sides of all urban streets and highways,
2. When sidewalks are not provided on both sides, crossing conflicts occur, and
3. When sidewalks are not provided at all, pedestrians may use the street for movement and place themselves in danger.

Similar requirements are presented within the Federal Highway Administration's Planning Design and Maintenance of Pedestrian Facilities. Their guidelines are presented in the table below.

PLANNING DESIGN AND MAINTENANCE OF PEDESTRIAN FACILITIES FHWA GUIDELINES

LAND USE/ROADWAY FUNCTIONAL CLASSIFICATION/DWELLING UNIT	NEW URBAN AND SUBURBAN STREETS	EXISTING URBAN AND SUBURBAN STREETS
Commercial & Industrial/All Street	Both Sides	Both sides. Every effort should be made to add sidewalk where they do not exist and complete missing links.
Residential/Major Arterials	Both Sides	Both sides. Every effort should be made to add sidewalk where they do not exist and complete missing links.
Residential/Collector	Both Sides	Multi-family – both sides. Single family dwellings – prefer both sides, but required at lease one side.
Residential/Local Streets - more than 4 units per acre	Both Sides	Prefer both sides, required at least one side.
1 to 4 Units Per Acre	Prefer both sides; required at least one side	One side preferred, at least 4-foot shoulder on both sides required.
Less Than 1 Unit Per Acre	One side preferred, shoulder both sides required	At least 4-foot should on both sides required.

The Federal Highway Administration's publication states, "Variations in development density, spacial distribution of activity centers, the lack of and problems with forecasting pedestrian volumes and the absence of quantified safety benefits combine to make establishing a strict set of sidewalk installation warrants difficult".

OTHER MUNICIPALITIES

The City of Raleigh's "Streets, Sidewalks, and Driveway Access Handbook" provides the following requirements for the installation of sidewalks along public streets:

"All public roadways inside the Corporate limits of the City and outside the City when water or sewer is connected to the City utility system, shall be constructed with sidewalk".

Table 3 from the City of Raleigh's "Streets, Sidewalks, and Driveway Access Handbook" as attached indicates which street classifications allow sidewalks on both sides. An analysis of the roadways indicates that sidewalks are incorporated along both sides of streets that receive or are designed to receive high volumes of motor vehicle traffic. The provision of sidewalks along both sides of such identified allows pedestrian connections between residential and commercial areas, and discourages pedestrian/vehicle conflicts along a heavily used corridors.

BENEFITS AND IMPACTS

Carrboro's existing Land Use Ordinance and Sidewalk Policy require sidewalk connections throughout the municipality and planning jurisdiction. Sidewalks exist along both sides of the town's arterial roads within the central business district; however, arterial roads and other lower classified roads have (and/or require) only one-sided sidewalks beyond the central business district. Requiring an additional sidewalk along streets within the town's new developments should complement the existing sidewalk linkages along the town's street network. A street with sidewalks along both sides that connects with a street of the same classification, yet has a sidewalk along only one side creates a disjointed linkage within the sidewalk network. The town must also determine that if sidewalks are to be installed along both sides of specific street classifications, funding should be available for existing streets that have either one or no sidewalks in order to provide consistent pedestrian access along the sidewalk network.

OPTIONS

The Board of Aldermen has requested that the provision for sidewalks along both sides of streets be reviewed as a possible amendment to the Carrboro Land Use Ordinance. As a result of the request and the information provided above, the staff has created three options for consideration by the Board.

1. Allow the existing ordinance to continue as the standard practice for development.
2. Provide direction to the staff concerning criterion (i.e. classification, density, potential pedestrian/vehicle conflicts, etc.) where sidewalks on both sides of a street would be compatible for existing and future development.
3. Direct the staff and town attorney to process an ordinance amendment for Board adoption that would require sidewalks along both sides of streets classified as "collectors".

RECOMMENDATION

The Administration recommends that the Board discuss the proposed options, and provide staff with direction on how they wish to proceed.

Section 15-216 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

(a) Minor, local, and subcollector streets where the grade does not exceed 8% may be constructed without curb and gutter in accordance with the standards set forth in subsection (b). All other streets shall be constructed in accordance with the standards set forth in subsection (c).

(b) Subject to subsections (d), (e), and (f), streets constructed without curb and gutter shall conform to the following standards as well as the specifications referenced in Section 15-219. To the extent practicable, the side slope of the drainage swale shall not exceed 4:1 on the street side and on the back side shall not exceed 3:1. When necessary, the minimum right-of-way shall be expanded to accommodate the proper construction of the travel lane, shoulders, swales, and (if applicable) a sidewalk within the right-of-way.

TYPE STREET with Swales	MINIMUM ROW WIDTH	MINIMUM PAVEMENT WIDTH	BIKE LANES	MINIMUM SHOULDER 1 WIDTH 2		SIDEWALK REQUIREMENT
MINOR	47'	18'	NONE	6'	8'	NONE
LOCAL	47'	20'	NONE	6'	8'	ONE SIDE
SUBCOLLECTOR	50'	20'	NONE	6'	8'	ONE SIDE

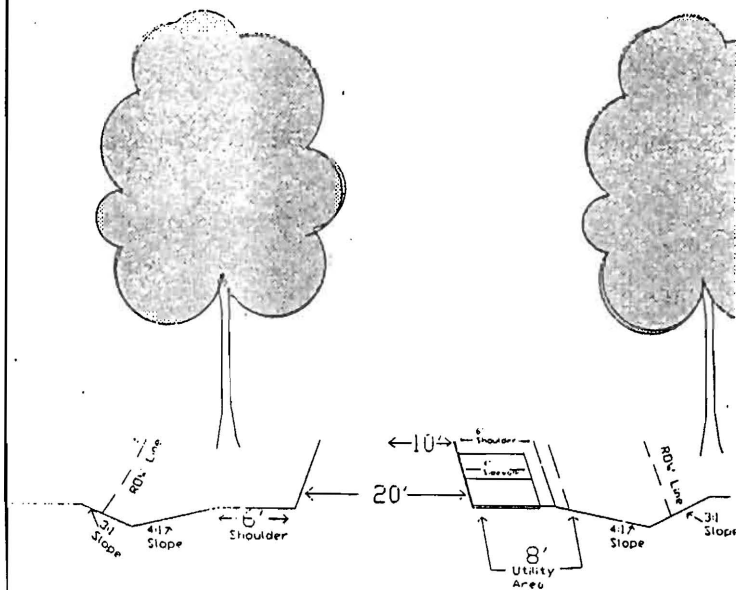
(c) Subject to subsections (d), (e), and (f), collector streets and other streets not constructed according to the requirement of subsection (b) shall conform to the requirements of this subsection and the specifications referenced in Section 15-219. Only standard 90° curb may be constructed, except that roll-type curb may be authorized by the permit issuing authority. Street pavement width shall be measured from curb face to curb face where 90° curb is used, and from the back of one curb to the back of the opposite curb where roll-type curb is used.

TYPE STREET with Curb & Gutter	MINIMUM ROW WIDTH	MINIMUM PAVEMENT WIDTH	BIKE LANES	SIDEWALK REQUIREMEN
ALLEY (One-way)	20'	12'	NONE	NONE
Minor	37'	18'	NONE	NONE
Local	43'	20'	NONE	ONE SIDE
Subcollector	50'	26'	NONE	ONE SIDE
Collector	60'	34'	BOTH SIDES	BOTH SIDES
Arterial	NCDOT Standards	NCDOT Standards	BOTH SIDES	BOTH SIDES

(d) The Board may allow a deviation from the standards set forth in subsections (b) and (c) to allow the construction of a street divided by a landscaped median with one-way traffic proceeding in opposite directions on either side of the median. The Board may allow such a street if it finds that, if completed as proposed, such a street will (i) adequately and safely serve the functions streets are designed to serve, and (ii) will not impose on the town any undue or unreasonable costs or burdens relating to repair and maintenance.

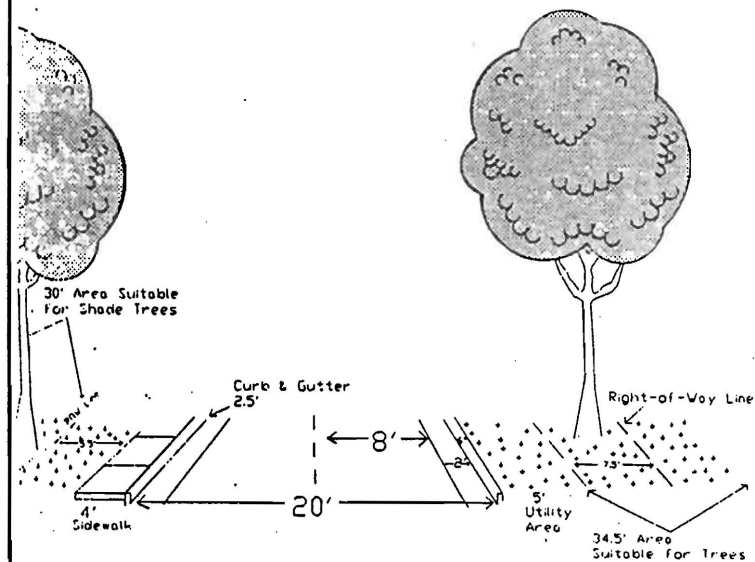
(e) The Board may allow a deviation from the right-of-way minimums set forth in subsections (b) and (c) if it finds that (i) the deviation is needed because in order for a development to be served by a public street the street must be constructed within an area that is not of sufficient width to comply with the right-of-way criteria set forth above, (ii) a street that meets the pavement width criteria and substantially complies with the other criteria set forth above can be constructed within the right-of-way that can be made available; and (iii) that the applicant show that he has made a reasonable effort and attempted to purchase the necessary right-of-way.

NOTE: SIDEWALK REQUIRED ON ONE SHOULDER.



Minimum 47' Right-of-Way
Minimum 20' Pavement
LOCAL STREET - NO CURB & GUTTER

NOTE: SIDEWALK REQUIRED ON ONE SIDE BACK OF CURB.

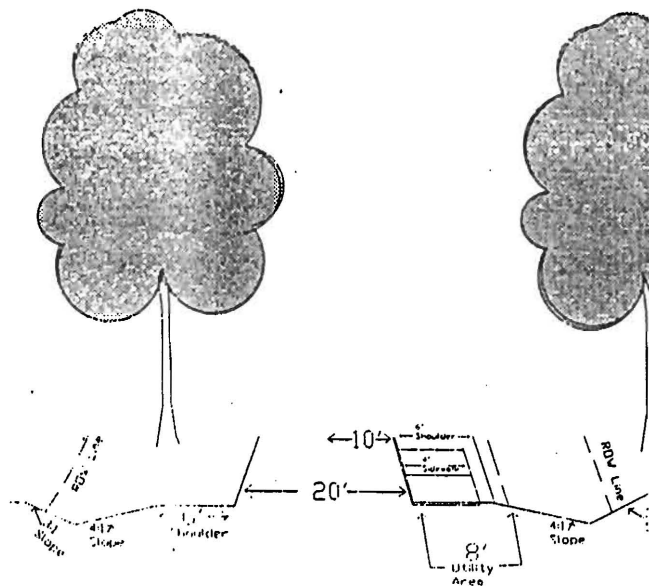


Minimum 43' Right-of-Way
Minimum 20' Pavement
LOCAL STREET - CURB & GUTTER

THE TOWN OF CARRBORO, N.C.

STANDARD DRAWING NO. 22

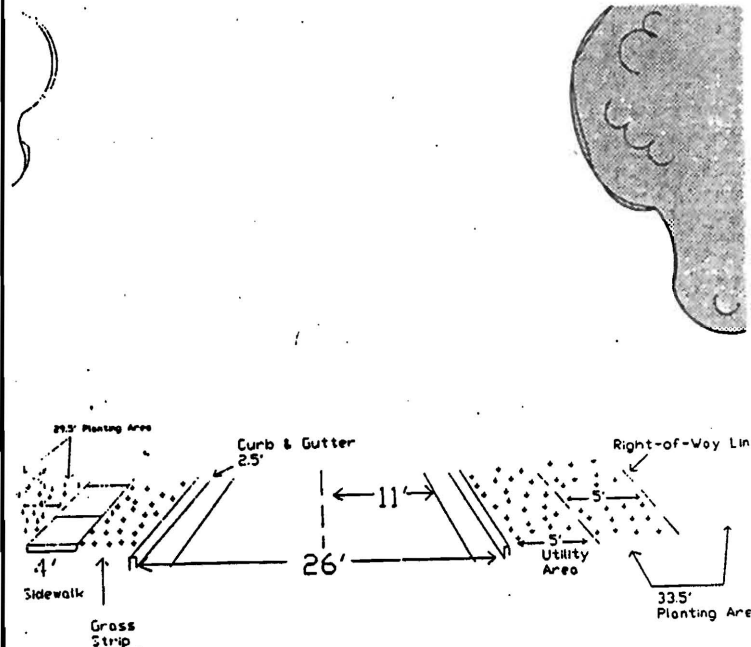
NOTE: SIDEWALK REQUIRED ON ONE SIDE ALONG ROAD;



Minimum 50' Right-of-Way
Minimum 20' Pavement
SUBCOLLECTOR STREET - NO CURB & GUTTER

THE TOWN OF CARRBORO, N.C.

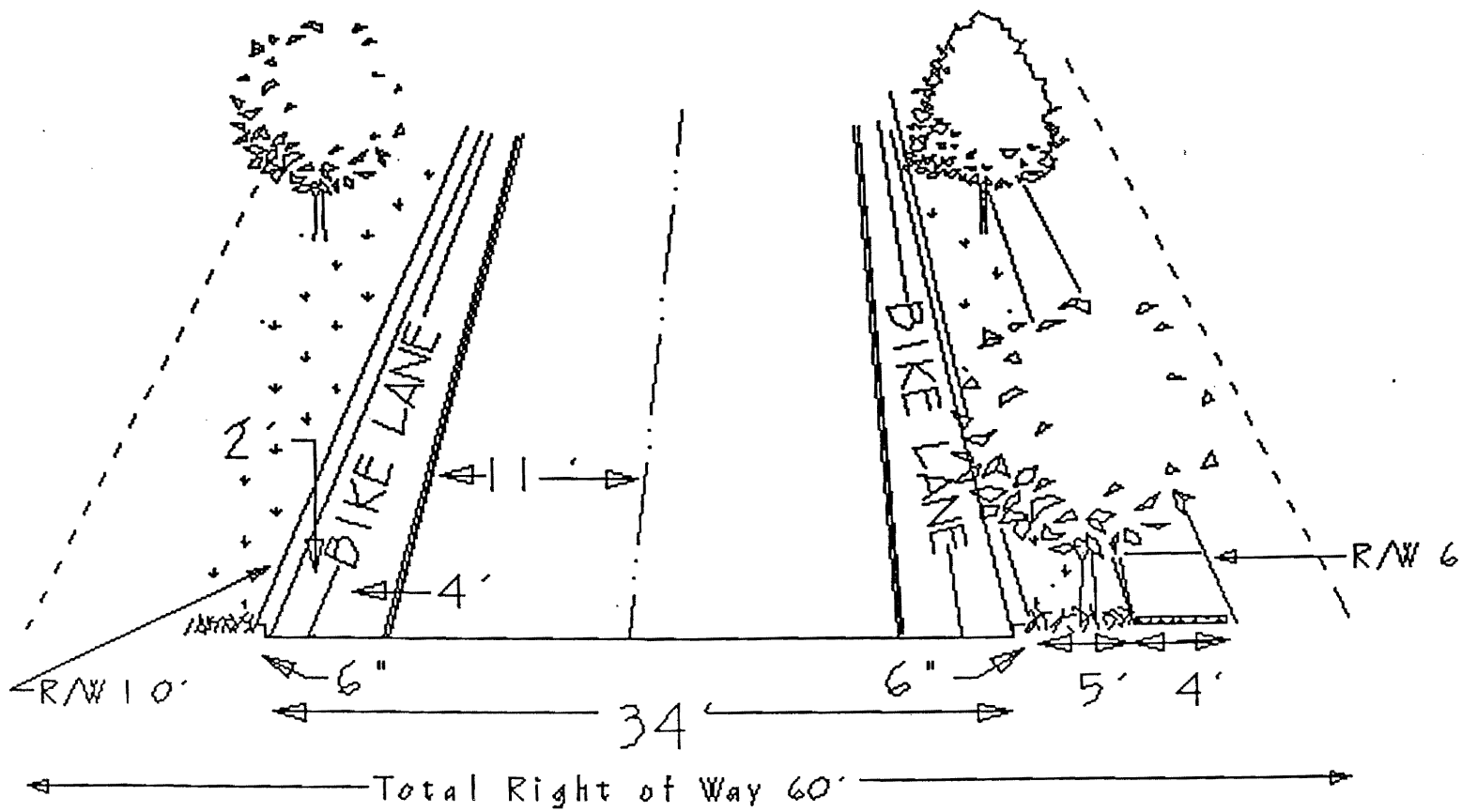
NOTE: SIDEWALK REQUIRED ON ONE SIDE BEHIND CURB;



Minimum 50' Right-of-Way
Minimum 26' Pavement
SUBCOLLECTOR STREET - CURB & GUTTER

STANDARD DRAWING No. 23

COLLECTOR STREET



City of Raleigh Sidewalk Requirements

TABLE 3: SIDEWALK LOCATION REQUIREMENTS

Roadway Classification	Sidewalk Located on	
	One Side	Both Sides
Thoroughfare System		
Principal Arterials		X
Secondary Arterials		X
Major Thoroughfares		X
Minor Thoroughfares		X
Collector Street System		
Collector Street	X	
Residential Collector Street	X	
Local Access System		
Commercial Street	X	
Marginal Access Street	X	
Residential Street	X	
Minor Residential Street	X	

The sidewalk location may be altered from the standards shown in Chapter 4, Section 4.1 if an obstruction exists and the modified location will not pose any safety problems. Additional right-of-way or easements may be required if sidewalk is located outside the existing right-of-way.

Sidewalks shall be provided along the block face of a commercial street which adjoins any shopping center or shopping area, school, stadium or coliseum or arena of over two hundred fifty (250) seats.

Sidewalk shall not be required on the following roadways:

- (1) Minor residential streets serving no more than ten (10) dwelling units. Corner lots which have frontage on both a connective or loop street shall not be included in determining the number of dwelling units served by the street.
- (2) Commercial dead-end streets which are less than one hundred fifty (150) feet in length.

Carrboro Farmers' Market

Town Clerk

To: Board of Alderman, Town of Carrboro

Re: Parking problems around Town Hall and the need for a public parking lot next to the County Offices Building

March 24th, 1998

Dear Aldermen and women,

As you may or may not know, the Carrboro Farmers' Market has just recently signed the agreement between the Town and the Market, that was approved by you over one year ago. During this time we have been trying to clear up several items, working both directly with the Town Manager and indirectly through our lawyer. Despite the lack of resolution of any of these items, the Board of Directors of the Market felt that it was in our best interests to sign the agreement so that its other provisions were in place and assured. It is with this letter that we bring before you our concerns over parking that have not been answered to our comfort by the Town Manager.

The first has to do with, exactly, what parking lots are included in the "market site". The assumption by most parties is that it includes all parking lots around Town Hall with the exception of the back lot on Bim St., where the Police cars are parked. This is not clear in any document that we have, but our discussions with the Town Manager and others (such as the Carrboro Day committee) is that all lots, as described above, are part of the "market site" on Saturdays. We have been operating under this arrangement already, but we need to make this an official understanding.

These lots hold only 74 off street parking spaces after 4 spaces are reserved for Town and Rec. Dept. vehicles. The Farmers' Market desperately needs exclusive use of the remaining 74 spaces on Saturday mornings in order to accommodate the parking needs and safety of customers. Other organizations have tried, and in some cases been allowed by Town officials, to use the parking lots on Saturday mornings for their events, even after the Market informed them that there was no room to set up. This is on top of a weekly problem of having anywhere from 3 to 11 other Town vehicles parked in these lots. We had been assured they would be moved but they have not been. The Police department has been good about moving their vehicles, but will not move other Town vehicles.

Over the past year we have attempted to get an official letter of understanding concerning these lots from the Town Manager that could be attached to the agreement. All we have received is a letter covering his plan to have the Fire Chief move the remaining Town vehicles on Saturday mornings (see attached).

The other major piece to the parking puzzle, not only for the Market but for all other events held at the Town Commons and Town Hall, is the addition of the proposed public lot next to the County Offices building on Laurel Ave.. As we knew from the beginning, there is a shortage of parking close to Town Hall. Local businesses have been cooperative in allowing some additional parking and the Town's changes to allow parking on Laurel, Bim, and Fidelity

Carrboro Farmers' Market

streets during Saturday market hours have also helped alleviate some of the problem. The addition of a public lot next to the County Offices building on Laurel Ave. is crucial not only to the Market and other events held at the Town Commons but also in maintaining the goodwill of local businesses and residents. The 30 to 40 additional spaces that this lot will provide are desperately needed for large events. The future of the Wednesday evening market also hinges on the existence of this lot so that customers will not take up parking spaces around Town Hall during afternoon business hours.

The Market asks you again to fund this lot. It is so important to the future of the market that **we are willing to contribute significant Farmers' Market funds** towards the cost of improving this lot. Everyone in this area of Downtown Carrboro will benefit from improvements made to this lot.

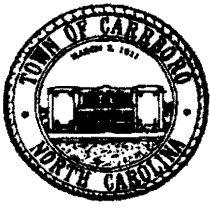
We understand that in times of tight budgets, that this sort of expenditure might be seen as unnecessary. This lot might not be so easily or economically created in the future or in another place. We urge you to consider the many positive effects that this opportunity presents to the neighborhood, the Town Commons, Town Hall, as well as the Farmers' Market.

Sincerely,

A handwritten signature in black ink that reads "Patrick Mulkey". The script is cursive and fluid, with the first letters of the first and last names being capitalized and prominent.

Patrick Mulkey, President
for the Board of the Farmers' Market

cc: Alderman, Town Manager, Town Lawyer, Town Clerk



TOWN OF CARRBORO

NORTH CAROLINA

December 16, 1997

Joan Jordan
3477 Castlerock Farm Road.
Pittsboro, North Carolina 27312

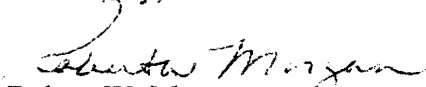
Ms. Jordan;

This letter is to follow up on conversations that I have had with Alex Hitt, yourself, and the attorney representing the Farmers Market concerning the changes the Chapel Hill- Carrboro Farmers' Market, Inc. requested to the agreement with the Town in July. As you know the Mayor and Board of Aldermen approved the agreement that was sent to Mr. Hitt to sign. Mr Hitt was present at the meeting and spoke to the Board about the agreement. The Board authorized me to execute the agreement with the Farmers Market that was presented to them. I have no authority to amend this agreement. I believe that the agreement reads as the Town intended it to read and I would not be in a position to recommend to the Board any amendments at this time.

Relative to the parking problems that have occurred during this first year, I believe that I have a solution.. During this first season there were times that individuals forgot to move their cars for a variety of reasons. I have spoken with the Fire Chief and he has agreed to have the Market Manager come to the Fire Station after 7 A.M. and request any non Police vehicle be moved that is not in an assigned space. I believe that this will take care of the majority of the vehicle problems. Hopefully the Police Department and the Recreation Department will be relocated the beginning of 1999 and all remaining vehicles will have assigned spaces and moving vehicles on the weekends will no longer be required.

I hope that this letter addresses your major concerns. I have included two copies of the agreement approved by the Mayor and the Board of Aldermen. Please sign and return them at your earliest convenience. Thank you for your assistance in this matter and I look forward to working with you next year.

Yours truly,


Robert W. Morgan
Town Manager

February 20, 1998

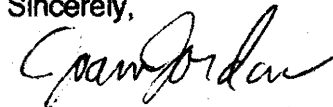
Robert Morgan
Town of Carrboro
301 West Main Street
Carrboro, NC 27510

Dear Mr. Morgan:

This letter is to follow up on the agreement which was signed by the Town of Carrboro and the Chapel-Hill Carrboro Farmers' Market, Inc. on 1/23/98. The farmers are pleased to have reached a signed agreement with the Town. However, I believe the document has a typographical error which needs to be corrected. On page 4, paragraph 6 reads "The Attendant shall have the authority to operate the market and enforce the policies set forth in paragraph four,". Paragraph 6 should read "The attendant shall have the authority to operate the market and enforce the policies set forth in paragraph five,".

Thank you for your attention to this matter. The farmers are looking forward to a continued successful market for the Town Of Carrboro. Please contact Alex Hitt (secretary for the Chapel Hill-Carrboro Farmers' Market, Inc) with any communications regarding this issue.

Sincerely,



Joan Jordan

cc: Board of Aldermen, Town of Carrboro
Board of Directors, Carrboro Farmers' Market
Alex Hitt

TO AUTHORIZE PURSUING JOINT RECREATION PROGRAMMING
OPPORTUNITIES WITH THE TOWN OF CHAPEL HILL FOR AT-RISK
YOUTH IN THE COMMUNITY

Resolution No.

WHEREAS, The Town of Carrboro recognizes the value of quality recreation opportunities and the role they play in guiding our youth to have a strong "sense of self" which fosters a broader "sense of community"; and

WHEREAS, It is universally recognized that youth are most at-risk when they are not at school; and

WHEREAS, The Town of Carrboro accepts that this need transcends town limits and, thereby, seeks a collaborative effort with the Town of Chapel Hill and that the guiding principle and philosophy of this effort be rooted in the proverb, "It takes a whole village to raise a child."

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE
TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen asks that Aldermen Henry Anderson represents them by opening discussions with Town of Chapel Hill officials on establishing plans for joint recreation programming efforts for at-risk youth.

Section 2. That such discussions take into consideration the need for a strong collaborative effort and resources from both Towns.

Section 3. That the Town Manager be directed to provide appropriate staff support in this endeavor.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March 24, 1998.

Ayes:

Noes:

Absent or Excused:

File

MARCH 23, 1998

ATTACHED YOU WILL FIND:

- 1) Minutes of March 17th Board Meeting
- 2) Implementation Memo of March 17th Board Action
- 3) Copy of a Memo from Cal Horton to the Chapel Hill Town Council ref. Staff Comments on Landfill Issues
- 4) Announcement of 1998 League Regional Meeting (please let James Spivey know at the Board meeting tomorrow night if you wish to attend one of these meetings)
- 5) 2 Letters from NCDOT ref. Smith Level Road Improvements
- 6) Letter from Recreation Department inviting the Board to recreation events
- 7) March/April Issue of The Carrboro Connection
- 8) Letter from McDougle 8th Graders ref. Skatepark
- 9) Program for Arbor Day Celebration
- 10) FAX from Orange County ref. Tentative Date for Continuation of April 8th Joint Planning Public Hearing
- 11) Handbook for Council Members
- 12) Grant Application for Town Commons Playground

MEMORANDUM

TO: Mayor and Town Council

FROM: W. Calvin Horton, Town Manager

SUBJECT: Staff Comments on Landfill Issues

DATE: March 23, 1998

The purpose of this memorandum is to present staff comments on issues raised in a letter dated February 20th from County Commission Chair Margaret Brown on behalf of the Commission.

BACKGROUND

Issues raised in the attached letter relate primarily to proposed community benefits to neighborhoods around the Eubanks Road landfill. The Commissioners also seek the Council's view on other issues of interest to the Board.

The letter was referred to staff for comment at the March 2, 1998 Council meeting.

DISCUSSION

Below we restate issues raised by the County Commissioners, with our comments following.

Neighborhood Benefits

A. Issue: Benefit #1 - Water/Sewer Extensions: Well Testing and Use of LOG Funds

1. Issue: Does the Council agree with the County determination that sewer line extensions should not be considered as a benefit because no direct or indirect impact from the landfill has been identified?

Comment: We believe that landfill operations have not created a need that would be met by construction of sewer lines to serve private properties.

2. Issue: Does the Council agree with the County's analysis of well test data indicating that the Eubanks Road neighborhoods drinking water is similar to that elsewhere in Orange County?

Comment: We understand that the County Health Department has developed data and conducted an analysis of the drinking water wells both in the vicinity of the

landfill and throughout Orange County; and, that they have reached the conclusion stated above. We have no basis on which to disagree with the conclusions of County staff. We have not conducted an independent assessment.

3. Issue: Does the Council agree with the County's assessment that there does not seem to be a causative relationship between landfill blasting activities and water quality concerns in the landfill neighborhood?

Comment: We agree with the County Engineer's view that the available data does not support any causative relationship between landfill blasting activities and assertions of water quality impacts. Landfill monitoring wells located close to the blasting events show no evidence of impacts. Seismic monitoring of blasting events demonstrated that they were well within US Bureau of Mines protection limits.

4. Issue: Given the County's conclusions in 2. and 3. above, and the previous opinions of the County and Town Attorneys indicating that landfill funds cannot be utilized to fund community benefits not related to landfill operations, does the Council agree that any benefits provided should not be financed by the landfill fund?

Comment: As we understand it, North Carolina law, as established by both General Statutes and Appellate Court decisions, limits landfill tipping fees to those reasonably necessary to provide the services which the fees are intended to support. North Carolina Court decisions indicate that a municipality may charge fees reasonably associated with operations, depreciation and actual or anticipated capital costs of a public enterprise. A statutory provision expressly states that a County landfill fee "may not exceed the cost of operating the facility."

The Landfill Fund appears not to be an appropriate source of funds for community improvements. The governing bodies could appropriately spend other public funds on community benefits in this area.

B. Issue: Benefit #1 - Water/Sewer Extensions: Potential Approaches

3. Issue: Which neighborhoods, if any, does the Council think should be included in any benefit related to water quality? What approach should be pursued in these neighborhoods, including the consideration of individual home water filtration systems?

Comment: The "Groundwater Risk Assessment" prepared by Buxton Environmental, Inc. dated November 17, 1997 concludes that there are no residential drinking wells that would be at risk of contamination by the landfill (Attachment #2 is an excerpt from this report). The attached map (Attachment #3) shows the area estimated by the consultant to be in the leachate flow zone if there were a release of leachate from the north side of the landfill. We believe the consultants conclusion is reasonable.

We also believe that any release from the south side is extremely improbable because that area of the landfill is constructed with a modern composite liner and leachate collection system.

Regardless of water quality, landfill neighbors may experience other impacts depending on specific proximity, including to varying degrees: odor, litter, dust, noise, traffic, and birds.

Landfill operations exist to minimize or mitigate most of these concerns:

- * odor - The application of daily cover is intended to control odors, although odor problems occasionally occur and are exacerbated or lessened by wind patterns at any particular time.
- * litter - The landfill provides regular pickup of litter on the roads leading to the landfill. The landfill has also adopted a more stringent load covering policy. Recent improvements in enforcement of littering/load covering laws also will limit littering. Wind, however, makes controlling on-site litter difficult. Compaction of unloaded wastes and daily covering helps to reduce blowing litter on-site. Litter control fencing captures most litter on site.
- * dust - Dust can be a problem in dry conditions when wind blows it onto adjacent properties. The landfill has equipment specifically dedicated to watering the roadways for dust reduction.
- * noise - Noise generated by the various landfill equipment is an issue that has limited solutions. Of particular concern is the safety back-up alarms whose sound seems to carry further than the noise caused by the equipment engines and customer truck unloading activities. Proper maintenance of equipment is a partial solution to noise control.
- * traffic - A landfill inevitably generates traffic, including large trucks. The traffic in the neighborhoods along the main roadways contributes to congestion. Traffic also generates litter and noise.
- * birds - Birds are occasionally a problem around landfills. At our facility seagulls are present in the winter. Vultures are present in the evenings once landfill activities have stopped for the day. The daily covering of wastes limiting the sought after food controls the birds to some extent.

Rather than trying to assess the impact of the landfill on well water quality, the commissioners may prefer to consider the impacts listed above. One could define an "impacted neighborhood" as being those households living within a given distance from the landfill and along Eubanks Road and Rogers Road. The combination of these two parameters might guide decisions regarding the extension of water lines or other benefits which are paid for by resources other than the Landfill Fund.

C. Issue: Benefit #1 - Water/Sewer Extensions: Cost Allocation

The County has suggested three options for allocating costs for any water service benefit ultimately provided - landfill ownership interest; population; and waste generation rates. Are there other methods that should be considered for assessing the shares of the public costs of water line extensions?

Comment: We discuss the funding scenarios presented by the County (attachment) separately:

- **Ownership Interest Proportion** The landfill ownership interest method would assign costs as follows: 43% Chapel Hill, 43% County, and 14% Carrboro. Under this method Chapel Hill residents would pay twice; once in Chapel Hill taxes and once in Orange County taxes.
- **Waste Deposited Proportion** Under this method the County argues that proportions of cost would be similar to proportions of waste delivered by each community: 52.6% Chapel Hill, 30.2% Orange County, and 17.2% Carrboro. However, only 44.8% of waste delivered to the landfill is brought directly by the governmental entities with the rest from private haulers. Of the total amount delivered to the landfill, the governments' portion are 25.3% Chapel Hill, 11.9% Orange County and 7.6% Carrboro; and private haulers contribute the remaining 55.2%.
- **Population Proportion** There are two methods that would be based on population. In the first, we would divide the population according to municipal boundaries and unincorporated areas. Chapel Hill would pay 43.1%, Orange County 42.3%, and Carrboro 14.6%.

A second method would use the approach used for the distribution of sales taxes: Orange County's population would be 105,000, (which includes people within municipal boundaries and without) Chapel Hill 43,000, and Carrboro 14,000, with the resultant percentages as follows: Chapel Hill 26.5%, Orange County 64.8%, and Carrboro 8.6%. Both methods would result in Chapel Hill residents paying twice; once in Chapel Hill taxes and once in Orange County taxes.

It is our opinion that the all County residents should share equally in funding of any water service lines provided, using the principle of one person/one tax. To avoid double taxation of municipal taxpayers, the County would need to find the improvements. The County could pay from its operating budget or could finance the costs in several different ways.

D. Issue: Benefit #1 - Water/Sewer Extensions: Other Issues

1. Issue: Does the Council agree that a tipping-fee-supported contingency account should be established to address any potential future contamination of wells, including those in the rural buffer, caused by landfill leachate?

Comment: Consistent with our comments in B. 3. above, we would submit that none of the neighborhood drinking wells are in the zone of potential contamination; therefore, we believe that such a fund would be unnecessary. However, we do believe that in the event of a contamination problem, all existing landfill reserves would be made available to address any public health problem.

2. Issue: Would the Council support a survey of landfill neighbors to ascertain which residents could benefit from the installation of water filtration systems?

Comment: Please refer to comments B. 3. above. While there may be residences near the landfill and elsewhere in the County that may benefit from such filtration systems, we believe that it is up to the County to decide whether the neighborhoods should be surveyed and how to interpret the results.

E. Issue: Benefit #2 - Financial Assistance for Water and Sewer Connections

1. Issue: Does the Council feel that 1) OWASA should be asked to waive its facility fees for connections to any water lines extended to a benefit area and 2) grants for water connections should be provided to homeowners in the benefit area similar to that which are applicable to applicants for CDBG grants?

Comment: It does not seem equitable for OWASA customers to subsidize an obligation that appears to us to rest with all county citizens.

We believe it would be appropriate for the governmental bodies to seek grant assistance for persons meeting Community Development Block Grant income guidelines. This could be done as a consortium or by individual jurisdictions.

2. Issue: What does the Council think about which costs should be covered with public funds (e.g. main water lines) and which costs (e.g. acreage/facility fees, plumbing connections) if any, should be borne by private property owners?

Comment: Please refer to C. above, which suggests that the County be responsible for main water lines. Connection fees and laterals for low income people could be paid for through Community Development Block Grant funds or from the County general fund.

F. Issue: Benefit #11 - Activities Related to Planning Boundaries

Do the Towns need any assistance from the Chair in resolving issues related to the planning boundaries between Chapel Hill and Carrboro?

Comment: The planning boundary is referred to in the Joint Planning Agreement. The current process for changing the boundary would be to change the line on the Land Use Plan. This could be accomplished following a Joint Public Hearing (with the three elected bodies) and a subsequent approval individually by each of the three elected boards.

If the governments wish to proceed, we would suggest following the typical process for gaining public opinion about the issue: conduct a well-publicized public hearing or forum, giving opportunity for individuals to come and express their opinions before elected boards, who would then take all comments into consideration before making a decision.

G. Issue: Benefit 12 - Post-Closure Use of the Landfill

1. Issue: Does the Council agree that it is imprudent to pursue construction of a recreation facility on a closed landfill?

Comment: We believe that a recreation facility would not be a suitable post-closure use for either the Northern or Southern portions of the Eubanks Road Landfill.

In 1989 new rules governing landfill design, construction, operation and closure came into effect. The rules require the disposal cell areas of both old and new landfills to be monitored for methane gas and groundwater contamination for 30 years after closure. The rule requires development of a series of gas and groundwater wells for this purpose. Where a leachate collection system exists, such as on the South Eubanks area, leachate must be collected and treated. Additionally, the closed disposal cells are required to be covered with an engineered capping system that must be maintained and protected for a minimum of 30 years. These caps will also contain a methane gas venting system. Given the array of post-closure activities required and the relatively small amount of the total acreage unaffected by these requirements, little of the property is available without significant restrictions.

We do feel that a suitable post-closure use for the landfill during the 30 year post-closure period would be its development into a wildlife refuge or other natural area. Once the 30 year post-closure restrictions are eliminated, additional uses for this property may be considered.

2. Issue: Does the Council have an interest in considering the following facilities for possible siting on the Greene Tract:

- * construction & demolition landfill
- * mixed solid waste landfill
- * materials recovery facility
- * transfer station

If not, does the Council have proposals for where these facilities could be located?

Comment: The Northwest Small Area Plan, was developed pursuant to the Council's direction as a possible guide to the Northwest area, including development of the Greene Tract and the surrounding area. The Northwest Small Area Plan envisions several uses of the Greene Tract, including a village center (mixed uses), various residential areas, a park, and a transportation corridor. The Council has not been presented with, nor committed to any specific development proposals for the Greene Tract.

The Landfill Owners Group has recently voted unanimously to recommend that the Greene Tract not be utilized for solid waste facilities and has initiated a preliminary exploration of possible sites for a construction and demolition landfill and a materials recovery facility (which could also be used as a transfer station site).

The governing boards have made no decision on whether to proceed to locate an in-county site for a new mixed solid waste disposal facility. We believe that it is unlikely that a decision can be reached on whether or not to seek a new site for a landfill until such a time as decisions have been made about governance of a solid waste management organization.

- H. Issue: Benefit #13 - Expansion of Landfill

Does the Council agree that all options should be kept open regarding land acquisitions for any possible solid waste functions?

Comment: We agree that options should be kept open until the issue of governance of solid waste management is settled. It is our opinion that the issue of governance practically precludes the making of key decisions facing the local governments in Orange County, including decisions about future disposal and processing facilities.

We believe that each significant delay in settling governance issues reduces options available for the jurisdiction ultimately given the responsibility for solid waste management. We recommend that within the next few months, by July if possible, that

either Orange County or Chapel Hill be designated to assume responsibility for solid waste management and functions.

Such designation would have multiple benefits, including:

- * facilitating resolution of issues regarding waste processing, recycling and disposal
- * reducing staff time now allocated to administrative issues associated with serving four governing bodies
- * resolution of issues important to the 26 employees of the Solid Waste Management Department in regard to their future employment and careers.

Other Issues

I. Issue: Other Solid Waste Issues

1. **Issue:** Does your board wish to undertake a new landfill siting process? If so, what should that process involve and what should be the targeted duration of the process?

Comment: We believe governance issues should be resolved before any new siting process is considered. As discussed in H. above, we believe that the government that accepts management and ownership responsibilities should make the final decisions regarding the provision of long term disposal capacity and other key solid waste decisions.

2. **Issue:** Does the Council have an interest in conducting additional testing of wells in the vicinity of the landfill? If so, who should conduct the testing and how should the testing be funded?

Comment: We have no basis on which to suggest proceeding with additional testing.

3. **Issue:** Can the Council provide us with a written description of issues we should be aware of, and the costs involved with, the transfer and administration of the landfill operation? This information could include:

- a) a list of all positions, with job descriptions, involved in LOG funded solid waste activities
- b) organizational chart for all such positions
- c) estimate of percentage of time each position spends on major functions
- d) all costs of administering all current programs

Comment: Significant work has already been completed by a transition team created to evaluate issues related to the transfer of the Solid Waste Management Department to Orange County. The team began meeting in late 1996 and created a

comprehensive list of about 90 issues related to a transfer of solid waste functions to Orange County. Staff members from each jurisdiction were delegated to work on relevant issues, such as automation, employee, personnel, financial system/general ledger, assets, operations, legal/insurance/liabilities, organization, and other.

A memorandum from Elaine Holmes, Orange County Personnel Director (Attachment 4) presents a status update as of October 21, 1997 on personnel issues related to a transfer. Specifically, a comprehensive employee classification analysis, a comprehensive pay and benefits analysis, and a comprehensive comparative analysis of the benefits and compensation between Orange County and Chapel Hill were conducted. These work products provide the information requested in a) and c) above, including multi-page position descriptions and the consultant reports.

In response to b) above, we have attached an organizational chart.

In response to d) above, the Town utilizes a cost allocation formula to assign administrative overhead costs to the Landfill Fund. The formula is similar to that used by the federal government for public transit projects and has been recommended for use in the Landfill Fund by the Chapel Hill Finance Director. The Chapel Hill General Fund receives annual payments of 13.55% of full-time salary costs. This has proven reasonable compensation for financial, personnel, and general administrative services, however, this formula may not represent the entire array of costs relevant to managing the fund.

Specifically, we do not think it provides adequate reimbursement for the time of the Town Attorney and Town Manager. These time commitments are intermittent and are at least partially the result of our existing organization structure and the difficulty involved in managing our joint arrangement. A unified and consolidated organization may not require such a high level of administrative involvement.

Since the Landfill Fund is operated as an enterprise fund, we believe that all other costs are fully accounted for within the Landfill Fund Budget.

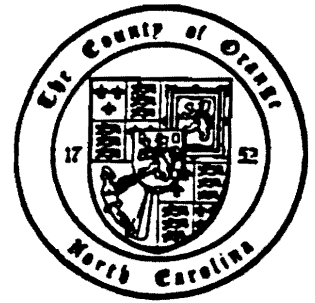
We are willing to answer any other specific questions relating to the County letter or other related matters.

ATTACHMENTS

1. February 20 Letter from Ms. Brown (p. 10)
2. Excerpt from Buxton Environmental Inc. Report (p. 15)
3. Map of Landfill Area (p. 26)
4. Orange County Memo/Funding Scenarios (p. 27)
5. Orange County Memo/Employee Transfer Status Update (p. 29)
6. Solid Waste Management Dept. Organizational Chart (p. 32)

⑩

Orange County Commissioners
P. O. Box 8181
200 S Cameron Street
Hillsborough, NC 27278



Margaret W. Brown, Chair
Stephen H. Halkiotis, Vice Chair
Moses Carey, Jr.
William L. Crowther
Alice M. Gordon

February 20, 1998

The Honorable Rosemary L. Waldorf
 Mayor, Town of Chapel Hill
 306 North Columbia Street
 Chapel Hill, NC 27516

Dear Rosemary:

During our February 10, 1998 work session, the Board of Commissioners discussed the proposed community benefits to the neighborhoods around the Eubanks Road Landfill. The Board reached consensus on a number of conclusions and/or recommendations concerning those of the proposed fourteen community benefits not already addressed by the local governments in Orange County. The following letter outlines the results of our discussion, and in many cases, solicits your board's views about our conclusions/recommendations. Also note Attachments 1 - 14, which provide a concise summary of the status, as we understand it, of each of the fourteen proposed community benefits.

A. Benefit #1 - Water/Sewer Extensions: Well Testing and Use of LOG Funds

1. The Board of Commissioners confirmed its view that sewer line extensions should not be considered as a community benefit because no direct or indirect impact from the landfill related to a need for sewer service has been identified, and because of their prohibitive cost. Does your jurisdiction share that view? *✓*
2. Testing data from drinking water wells throughout Orange County indicates that water quality in wells in the vicinity of the Eubanks Road Landfill is not dissimilar to that in wells elsewhere in the County (see Attachment 1A). Does your governing board interpret the data in the same way?
3. Based on water testing, the County Engineer's review of potential blasting impacts and technical reports received to date (see Attachments 1B, 1C, and 1D), there does not seem to be a causative relationship between landfill operations and water quality concerns that led to the proposal to extend water lines. How does your jurisdiction view this assessment?

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4. The individual opinions of the County and Town Attorneys (Attachments 1E, 1F, and 1G) indicate that landfill funds can be used for community benefits only to the extent that the need for those benefits is related to landfill operations. Based on conclusions A2 and A3, it would appear that funds other than landfill tipping fees must be used if the governing boards elect to pursue water line extensions. The Board of Commissioners believes funds other than landfill funds should be used. Does your jurisdiction concur in this assessment?

B. Benefit #1 - Water/Sewer Extensions: Potential Approaches

At its February 10 meeting, the Board of Commissioners considered two potential approaches to the water quality issue.

1. The County Engineer's analysis provides estimates of water line extension and connection costs on a neighborhood by neighborhood basis. If all neighborhoods are included, the total cost for construction, plumbing connections, acreage fees, and the like is estimated at \$2,889,000. The Board of Commissioners believes that the "historical" Rogers Road neighborhood (outlined in the Engineer's report, Attachment 1D) should be included in any benefit related to water quality, and that any other neighborhoods in the area with homes that pre-date the construction of the landfill should also receive priority consideration. Our attorney's opinion is that the focus of benefits must be on neighborhoods, rather than individual homes.
2. The Board of Commissioners received information (see Attachment 1H) from Environmental Health Director Ron Holdway concerning several kinds of water filtration systems. These systems are deemed to be quite effective at removing the most common contaminants from well water, and are roughly estimated to cost between \$1,500-\$2,000 per well (possibly more, depending on the nature and complexity of contamination in any particular well).
3. The Board of Commissioners would like to explore the quicker solution of individual water filtration systems as another option to extending water lines. What does your governing board think about which neighborhoods should be included in any benefit related to water quality; which approaches should be pursued, and for which neighborhoods?

C. Benefit #1 - Water/Sewer Extensions: Cost Allocation

If conclusions A2, A3, and A4 are reached, and all costs are seen as properly borne using public funds, there are differing estimated one time equivalent tax rate impacts for the County and Towns, depending on the basis used for allocating the share of costs between jurisdictions. The County Attorney expressed his opinion in the following excerpts from his January 12, 1998 letter to the Board of Commissioners, that all jurisdictions can participate in the provision of community benefits:

Orange County, Chapel Hill and Carrboro all have the power to spend general fund revenue to provide public water and sewer to the citizens in their jurisdictions (municipal boundaries for the towns; outside of municipal boundaries for the County). Further, it is reasonable to assume annexation by the towns of their respective transition areas. The towns can provide public water and sewer in their transition areas. Furthermore, and in my opinion significantly, the entire identified community can be served with public water and sewer using the general fund revenue of Orange County, Chapel Hill and Carrboro in a joint undertaking. This would allow a "blurring" of jurisdictional lines by reasonable assumptions concerning financial contribution to the enterprise. I think there could be quite a bit of latitude in these assumptions given that the enterprise in question would be one of constructing public water and sewer utilities and not their operation thereafter. The operation of these utilities would presumably fall to OWASA once they were constructed.

Fees for connection to the water and sewer utilities can be justified, if they are all to be paid, on the same basis as the line extensions themselves. However, if only those fees associated with homes owned by persons with low and moderate income are to be paid, then landfill enterprise funds would not be available. Low and moderate income homeowners' fees can be paid by the local governments under the community development programs and activities power of the County, Carrboro and Chapel Hill found in N.C. Gen. Stat. §§ 153A-376 and 160A-456...

The Board of Commissioners considered three approaches for allocating costs - landfill ownership interest; population; and waste generation rates (details are included in Attachment 1I). Costs are based on the assumption that all neighborhoods would be included; costs to each jurisdiction would be less if fewer properties are included or if water filtration systems are pursued rather than water line extensions. Are there other methods that should be considered for assessing the shares of the public costs of water line extensions?

D. Benefit #1 - Water/Sewer Extensions: Other Issues

1. The Board of Commissioners believes that water lines should not be extended into the rural buffer (for example, the Millhouse Road area) at this time, but a tipping fee supported contingency account should be established and funded in the upcoming Landfill budget to immediately address any potential future contamination of wells that is caused by leachate from the landfill. How does your board feel about this proposal?
2. As noted in paragraph B3 above, installation of water filtration systems could help some or all homeowners in the ultimate benefit area achieve quicker relief from their water quality problems. A public information/education effort should be initiated to provide homeowners in the vicinity of the landfill with explanations of the pros and cons of water filtration systems compared to water line extensions. The Board would support a survey (if landfill neighbors are receptive to the idea) to ascertain which residents could benefit from the installation of water filtration systems. Does your board support these initiatives?

E. Benefit #2 - Financial Assistance for Water and Sewer Connections

1. The Board of Commissioners addressed financial assistance for water quality improvements in two ways: 1) a proposal that OWASA be asked to waive its facility fees

for connections to any water lines extended to a benefit area; and 2) that grants for water connections should be provided to homeowners in the benefit area in a manner consistent with the income eligibility requirements that are applicable to applicants for CDBG grants. How does your governing board feel about these proposals?

2. What does your board think about which costs should be covered with public funds (e.g. main water lines) and which costs (e.g. acreage/facility fees, plumbing connections) if any, should be borne by private property owners?

F. Benefit #11 - Activities Related to Planning Boundaries

The Board of Commissioners sees any possible redefinition of the Carrboro and Chapel Hill transition areas as primarily a matter to be resolved by the two Town governing boards, although certainly it would need to be addressed in the context of the Joint Planning Area agreement. The Chair would be happy to assist the Towns in any way they see as helpful to the process.

G. Benefit #12 - Post-Closure Use of the Landfill

1. The Board of Commissioners does not believe that it is prudent to pursue construction of a recreation facility on a closed landfill. Alternative recreation options should be considered, including an examination of how the Northern Chapel Hill Park, in conjunction with a smaller neighborhood park closer to the residents near the landfill, might better serve the area's recreation facility needs. The Board of Commissioners believes it is premature to designate any portion of the Greene Tract for any specific purpose, until further determinations are made about future solid waste management facilities and processes.
2. In view of their interest in keeping options open regarding the future use of the Greene Tract, and in view of the conclusions of the February 4, 1998 report from Joyce Engineering (Attachment 12A), the Commissioners are interested in exploring the development of one or more of the following facilities on the Greene Tract:
 - construction & demolition landfill
 - mixed solid waste landfill
 - materials recovery facility
 - transfer station

Does your board have an interest in considering one or more of these facilities for possible siting on the Greene Tract? If not, does your board have proposals for where these facilities could be located?

H. Benefit #13 - Expansion of Landfill

The Board of Commissioners is opposed to any determination, at this point in time, that would rule out land acquisitions for any possible solid waste management functions. All

options should be kept open as decisions are being made about roles, responsibilities, and approaches to solid waste management for the future.

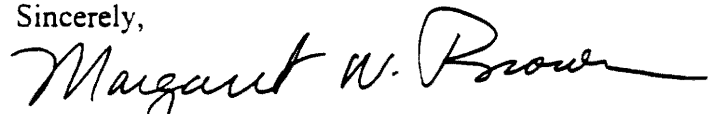
I. Other Solid Waste Issues

Some of these questions are not directly related to community benefits, but your board's view about the issues involved are also of interest to the Board of Commissioners:

1. Does your board wish to undertake a new landfill siting process? If so, what should that process involve and what should be the targeted duration of the process?
2. Does your governing board have an interest in conducting additional testing (for leachate contamination, for example) of wells in the vicinity of the landfill, assuming owner permission (see Attachments 15 and 16)? If so, who should conduct the testing and how should the testing be funded?
3. Can your staff provide us with a written description of issues we should be aware of, and the costs involved with, the transfer and administration of the landfill operation? County staff will coordinate with Town staff to ascertain relevant information that we may already have, but at a minimum the following considerations would be helpful to us:
 - a list of all positions, with job descriptions, involved in LOG funded solid waste activities (landfill, recycling, etc.)
 - organizational chart (or description of reporting/working relationships) for all such positions
 - estimate of percentage of time each position spends on major functions (e.g. landfill operations vs. recycling vs. planning vs. administrative support, etc.)
 - all costs of administering all current programs (including indirect costs, and to the extent possible, estimates of the costs absorbed by the Town through allocation of time of non-LOG funded employees to LOG related business - this could be Manager, Assistant Manager, Attorney, etc. commitments)

I think that the Board of Commissioners made significant progress at the February 10 meeting. We look forward to your feedback, as soon as you deem possible, about our discussions and the questions we have posed, as our boards continue progress towards resolving our mutual solid waste management challenges.

Sincerely,



Margaret W. Brown
Chair

Attachments - see list

(15)

**GROUNDWATER RISK ASSESSMENT
ORANGE REGIONAL LANDFILL
EUBANKS ROAD
CHAPEL HILL, NORTH CAROLINA**

1.0 INTRODUCTION

Buxton Environmental, Inc. respectfully submits the findings of a recent groundwater risk evaluation conducted at the Orange Regional Landfill located on Eubanks Road in Chapel Hill, North Carolina and the immediately surrounding area (Figure 1). The activities outlined in this report were conducted in general accordance with Buxton Environmental Proposal No. 121. This investigation was based on a review of historical assessments conducted at the site and a review of available local records.

The Orange Regional Landfill is understood to be utilized for the disposal of municipal solid waste, and construction and demolition debris from the Town of Chapel Hill and surrounding Orange County. The site is managed by the Town of Chapel Hill Department of Solid Waste. The site municipal solid waste landfills are maintained in general accordance with North Carolina Division of Solid Waste Management Subtitle D regulations.

1.1 Objectives

Buxton Environmental understands that Landfill Neighbors Working Group, a membership of property owners surrounding the site, has recently requested that municipal water supply be provided, due to the risk of a potential environmental release from the landfill (i.e., through groundwater contamination from landfill leachate).

The primary purpose for conducting this investigation was to evaluate the potential risk that landfill activities may have on surrounding off-site water well users and to estimate the horizontal migration of shallow groundwater contamination should a release of leachate occur. No intrusive boring activities were conducted as part of this investigation. In addition, contamination was only evaluated through groundwater migration pathways.

A summary of background information and the methods and results of this investigation are outlined below.

1.2 Background Information and Surrounding Land Use

On October 27 and November 4, 1997, Mr. Ross Klingman with Buxton Environmental met with Town of Chapel Hill personnel to determine the historical background of the site and surrounding area. The Orange Regional Landfill site encompasses approximately 200 acres, which are distributed to the north and south of Eubanks Road. Landfilling operations are understood to have initiated on the northwest side of the site in 1972. A site layout map is provided in Figure 2.

Draper Aden Associates, July 1997, *Orange County Regional Landfill, Permit Renewal. Design Hydrogeologic Report*. Addendum 2. Plan Sheets, Project No. 6216.26.

Draper Aden Associates, August 1997, *Orange County Regional Landfill (Old Facility), Detection Monitoring Program*, Sampling Event 7, dated February 25, 1997, Project No. 6216.12.

Fisher Page, C., October 29, 1979, *Eubanks Regional Landfill, Ground and Surface Waters*, presented in Balentine, Ayers & Neville, April 1981 report.

Geotechnical Engineering Company, August 16, 1972, Proposed landfill Site, Near Eubanks, North Carolina, Project 72-307-1-A, presented in Balentine, Ayers & Neville, April 1981 report.

Geraghty & Miller, Inc., 1991, *QuickFlow Software, Version 1.14*.

Hazen and Sawyer, October 20, 1997, *Cost Estimates for Extending the Water and Sewer Systems to Serve the Area near the Orange County Sanitary Landfill*, Job No. 3250.

Research & Analytical Laboratories, Inc. September 8, 1993, *Groundwater Monitoring Results*, conducted June 30, 1993.

7. Groundwater risk evaluation
8. Preparation of this report.

2.0 SURROUNDING WATER USE

On November 4, 1997, Buxton Environmental met with Mr. Sandy Beckham, Engineering Technician with Orange Water and Sewer Authority (OWASA) to discuss the distribution of municipal water-supply lines within an approximate 2 mile radius of the landfill site. Mr. Beckham indicated that the residents immediately surrounding the site obtain water from private wells. Presently, municipal water supply lines are only provided along Old Highway 86, located approximately 1 mile to the west of the site, Homestead Road located approximately 1 mile to the south of the site, and the intersection of Highway 86 and Weaver Dairy Road, located approximately 1.5 miles to the east of the site. Municipal water for the Orange County area is obtained from Caine Creek, University Lake and a rock quarry. A map presenting the distribution of water supply lines in the area of the site is presented in Figure 3.

Buxton Environmental understands that OWASA, at the request of Landfill Neighbors Working Group, recently contracted Hazen and Sawyer, Inc. of Raleigh, North Carolina to prepare a cost estimate to supply municipal water to the area surrounding the Orange Regional Landfill. The estimated cost for providing municipal water to the area is \$2,500,000.

The landfill area on north side of Eubanks Road consists of approximately 125 acres and includes a 50-acre unlined sanitary landfill cell which was closed with a clay cap in 1995. The north side of the site also contains an active 10-acre construction and demolition landfill, tire storage area, public drop-off and recycling center, mulching area, maintenance area, and office.

The landfill area on the south side of Eubanks Road consists of 75 acres and includes a 13-acre geomembrane-lined sanitary landfill cell which began operation in 1995. Twelve additional acres of lined landfill will be added in the future. The site is equipped with an unlined stormwater detention pond and geomembrane-lined leachate collection pond. Buxton Environmental understands that leachate is aerated on-site and is periodically pumped and hauled to an off-site facility for disposal. In addition, weigh scales and a household hazardous waste drop-off center are located on the south side of the site.

Approximately 27 monitor wells have been installed at the Orange County Regional Landfill facility to monitor groundwater quality and flow characteristics at the site. Groundwater sampling has been conducted on a semi-annual basis since approximately 1990. Creek samples are also collected semi-annually at the site to monitor surface-water quality.

The area immediately surrounding the landfill primarily consists of rural, residential and light commercial property. Buxton Environmental understands that the majority of these properties, including the subject property, are serviced by private water-supply wells.

1.3 Scope of Services

The following activities were conducted as part of this investigation:

1. An on-site and off-site reconnaissance by a licensed geologist
2. A review of 1987 aerial photograph obtained from the Orange County Land Department
3. A review of the 1981 Chapel Hill Quadrangle, USGS 7.5 minute topographic map
4. A review of the *Geologic Map of North Carolina*, 1985
5. A review of available municipal water supply in the area of the site at the Orange Water and Sewer Authority (OWASA)
6. A review of the following documents:

Balentine, Ayers & Neville, P.A., April 6, 1981, *Orange Regional Landfill Phase 2*.

Draper Aden Associates, March, 11, 1994, *Orange Regional Landfill, Transition Plan*.

Draper Aden Associates, February 1996, *Assessment of Proposed Structural Fill Site, Orange County Regional Sanitary Landfill, Old Facility*, Project No. 6216.13.

Draper Aden Associates, July 1997, *Orange County Regional Landfill, Permit Renewal, Design Hydrogeologic Report*, Project No. 6216.26.

Based on the results of these activities, it appears that the three tributary creeks are gaining creeks, due to the gradual flow rate increase in a downstream direction. A gaining creek indicates that immediately surrounding groundwater is supplying discharging water to the tributary. The results of these activities are presented in Table 1.

3.2 *Geology*

3.2.1 *Regional Geology*

The Orange Regional Landfill is located within the Piedmont Physiographical Province of North Carolina. The Piedmont Province is a northeast-southwest trending region extending from New York State to Alabama. The topography of this region is typically described as a slightly elevated region with low to moderate relief, generally dissected with valleys created by streams flowing on rocks of varying erosional resistance. Ridges and uplands are typically developed by slower weathering processes on areas of more resistant rock.

The Piedmont Physiographic Province is underlain by a complex of igneous and metamorphic rocks which are subdivided into geologic belts. Igneous rocks are formed from the crystallization of molten rock and metamorphic rock is formed from heat and pressure without melting. Each belt is distinguished by an assemblage of rock types which are associated with a certain degree of metamorphism. The belts trend northeastward and metamorphic grade increases to the west. The subject site is located on the eastern boundary of the Carolina Slate Belt of the Piedmont (North Carolina Geologic Map, 1985). The basement rocks of the Carolina Slate Belt include meta mudstone, meta argillite, felsic and mafic metavolcanic rocks, phyllite, schist, granite, diabase dikes, and metadiorite and metagabbro.

In the Piedmont, the bedrock is typically overlain by a mantle of weathered rock or saprolite, which has an average thickness of approximately 25 feet. The saprolite consists of varying amounts of unconsolidated clays, silts and sands, with lesser amounts of rock fragments. Due to the range of the parent rock composition and the variable susceptibility to weathering of each rock type, the saprolite ranges widely in color, texture and thickness. In general, the saprolite formed from a granitic composition is typically light in color, and the saprolite which formed from diorites and gabbros are typically darker in color. Generally, the saprolite is thickest near interstream divides (ridges) and thins toward stream beds or valleys. In profile, the saprolite normally grades from clayey soils near the land surface to sandier, highly weathered rock above the competent bedrock.

3.2.2 *Site Geology*

This section presents interpreted site geology for the landfill areas located to the north and south of Eubanks Road, based on review a available geologic maps and historical geologic reports prepared for the site.

Bedrock located on the north side of the site across Eubanks Road appears to be primarily composed of felsic metavolcanic rocks, based on review of the *Geologic Map of North Carolina*, dated 1985.

A water well survey was conducted on November 4 and 5, 1997, to determine the distribution of water-well users within a 2-mile radius of the site. The survey indicated that water wells were primarily located within a 1 mile radius of the site, however, water wells were also identified in areas serviced by municipal water. The extent of use of these wells is not known at this time. A 1993 aerial photograph illustrating the location of potential water well users in the immediate vicinity of the site is provided in Figure 4.

3.0 GEOLOGIC AND HYDROGEOLOGIC SETTING

3.1 Site Topography and Surface Drainage

The topography of the Orange Regional Landfill area can be characterized by gently rolling hills, which are dissected by numerous dendritic tributary creeks. The site generally slopes to the east in the direction of Old Field Creek located on the eastern side of the site near the intersection of Eubanks Road and Mill House Road (Figures 1 and 2). Old Field Creek then flows to the northeast where it empties into New Hope Creek approximately 2 miles from the site. The landfill areas of the site are located in the Old Field Creek water shed.

The closed unlined landfill area, north of Eubanks Road, generally slopes to the east toward Branch 1 of Old Field Creek from an elevation of approximately 520 feet above sea level (asl) on the northwest property boundary to approximately 474 feet asl along the southeast property boundary.

The construction and demolition landfill area located on the northeast side of the site generally slopes to the south toward Branch 1 of Old Field Creek from an elevation of approximately 505 feet asl on the northeast property boundary to 480 feet asl along Old Field Creek.

The landfill area on the south side of Eubanks Road typically slopes to the east-northeast from approximately 538 feet asl on the southwest side of the site to 480 feet asl on the northeast side of the property toward Oswald Branch of Old Field Creek.

3.1.1 Tributary Creek Flow Rate Estimates

On November 5, 1997, Buxton Environmental conducted tributary creek flow rate estimations at Old Field Creek Branch 1 and Branch 2 located along the east and south edges of the unlined landfill, respectively, and Oswald Branch located along the east side of the lined landfill area (Figure 5). These activities were conducted to better understand groundwater-surface water relationships at these areas of the site.

Flow estimates were made by measuring the width, depth and flow velocity at each creek near the confluence of the main channel of Old Field Creek and along the upper reaches of each creek. No significant rainfall events were known to have occurred in the area for several days prior to conducting these activities.

under confined or semi-confined conditions and flow may be quite variable, depending on the extent of fracturing at the saprolite/bedrock interface.

3.3.2 *Site Hydrogeology and Groundwater Flow Directions*

The site hydrogeology and groundwater flow information was obtained from a review of historical reports prepared for the subject property. Historical groundwater elevation data and hydraulic conductivity data are provided in Appendix A.

Based on historical investigations conducted at the site, groundwater appears to range from approximately 0.5 feet below ground level (bgl) in topographic low areas to approximately 30 feet bgl in topographic high areas. Groundwater levels tend to fluctuate seasonally from 1 to 12 feet, with high groundwater levels occurring during wet seasons in the winter, and low groundwater levels in drier seasons of the summer.

Based on groundwater elevation data collected on February 25, 1997 by Draper Aden Associates, the shallow groundwater flow direction at the unlined landfill area on the north side of Eubanks Road is to the east southeast toward Branch 1 of Old Field Creek, with a hydraulic gradient 0.02 ft/ft observed between monitor wells MW-5 and MW-15. The shallow groundwater flow direction across the construction and demolition area is to the south toward Branch 1 of Old Field Creek, with a hydraulic gradient of 0.012 ft/ft observed between monitor wells MW-6 and MW-7.

Based on groundwater elevation data collected on June 17, 1997 by Draper Aden Associates, the shallow groundwater flow direction across the lined landfill area on the south side of Eubanks Road is to the east northeast toward "Oswald Branch" of Old Field Creek, with a hydraulic gradient of 0.023 ft/ft observed between monitor wells MW-9 and MW-5.

A shallow groundwater flow direction map was prepared based on the February and June 1997 water level measurements and is presented in Figure 5.

The average vertical hydraulic gradient observed at nested wells MW-110s (shallow) and MW-110d (deep) from March 1995 until February 1997 was approximately 0.2 ft/ft downward. Nested monitor wells MW-110 are located on a topographic high on the west central side of the site along Eubanks Road. The average vertical hydraulic gradient observed at two nested well pairs MW-102s (shallow) and MW-102d (deep), and MW-14B (shallow) and MW-14 A (deep), located in topographic low areas near on-site tributaries, were 0.009 ft/ft downward and 0.01 ft./ft downward, respectively. This data suggests that topographically high areas are located within recharge zones and topographic low areas in the proximity of on-site creeks are located near discharge zones. In general, groundwater has a downward component of flow in topographically high recharge areas and an upward "upwelling" component in topographically low discharge areas.

A geotechnical investigation was conducted on the north side of Eubanks Road from 1972 through 1981 by C. Page Fisher Consulting Engineer and Geotechnical Engineering Company of Raleigh, North Carolina. Surficial soils, which formed from the decay of competent bedrock described above, range in thickness from approximately 5 feet to 20 feet and consisted of reddish brown clayey silt, tan to brown silt, and grayish brown sandy silt. Partially weathered bedrock and saprolite was generally located beneath the surficial soils and typically consisted of severely weathered Slate Belt materials, slate saprolite and diorite saprolite, which ranged in thickness from approximately 3 feet to 25 feet. Auger refusal was typically encountered at depths ranging from 7 feet to 30 feet below ground surface.

Based on the *Geologic Map of North Carolina*, bedrock located on the south side of the site was primarily composed of metavolcanic and epiclastic rocks. A review the July 1997 hydrogeologic report prepared by Draper Aden Associates indicated that bedrock on the southern side of the site consisted of greenstone and phyllite, which are low grade metamorphic rocks. Rock outcrops of greenstone and phyllite were also identified on the southwestern side of the site. A bedrock surface map prepared by Draper Aden Associates, indicates that the top of the bedrock surface slopes to the northwest and the southeast away from the outcrop area. The maximum depth to bedrock exceeds approximately 30 feet below grade. Unconsolidated materials located stratigraphically above the bedrock consists of residual soil and saprolite. The residual soil typically consisted of an orange tan to brown slightly sandy clayey silt and sandy silt, and was generally found from the ground surface to an approximate depth ranging from 2 feet to 20 feet. The saprolite, which is generally located between the residual soils and bedrock consisted of an olive gray and orange sandy silt and silty sand, and ranged in thickness from 5 feet to 21 feet.

Geologic structure at the site, including bedding, joints, fractures and foliations are generally oriented from west to east with up to near vertical dips.

3.3 *Hydrogeology*

3.3.1 *Regional Hydrogeology*

The occurrence and movement of groundwater in the Piedmont Physiographic Province is within two separate but interconnected water-bearing zones that typically comprise one aquifer. A shallow water-bearing zone occurs within the unconsolidated saprolite and a deeper zone within the underlying bedrock.

Groundwater in the saprolite zone occurs in the interstitial pore spaces between the individual grains comprising the saprolite. Groundwater in this zone is typically under water table conditions and generally flows from topographic highs to topographic lows. Generally, the water table configuration is a muted reflection of the area topography.

The occurrence and movement of groundwater in the underlying bedrock zone is controlled by joints, fractures and faults within the bedrock. Groundwater within this deeper zone may occur

compounds (VOCs) above method detection limits at the lined landfill area. Several metals including arsenic, chromium, cobalt, lead, nickel and vanadium have been detected above North Carolina Groundwater Quality Standards (NCGQS). However, the detections of metal constituents above NCGQSs appears to be the result of naturally occurring conditions at the site, since bedrock samples collected on the south side of the site by Draper Aden Associates indicated the presence of the majority of these metals in chemical analyses.

A total of thirteen monitor wells (MW-1, MW-4, MW-5, MW-6, MW-7, MW-13, MW-14B (shallow), MW-14A (deep), MW-15, MW-16, MW-17, MW-18 and MW-20) have been monitored at the unlined landfill area since April 1990. Trace levels of VOCs, above NCGQS, have been detected in monitor wells MW-15 and MW-20. Groundwater samples collected at MW-15 have indicated the presence of chloroethane, tetrachloroethane (PCE) and trichloroethene (TCE), above the NCGQSs. Groundwater samples collected at MW-20 have indicated benzene, vinyl chloride and dichloromethane (appears to be laboratory contamination, found in blank), above NCGQSs. Several metals including lead, chromium beryllium, cobalt, and vanadium have been detected above NCGQS, however, also appear to be the result of naturally occurring conditions at the site.

Monitor well MW-18, which historically has not indicated the presence of VOCs above method detection limits, was taken out of service following the June 1993 sampling event, apparently because the well was located immediately adjacent and across Old Field Branch 2 from the unlined landfill area. Therefore, monitor well MW-20 was installed as a replacement approximately 50 feet to the north on the landfill side of Old Field Branch 2. Monitor wells MW-18 and MW-20 are assumed to be screened at similar depths.

Monitor well MW-20 has consistently indicated the presence of VOC constituents above the NCGQS since sampling began in November 1994. Based on this information, it appears that the branch tributary which separates MW-18 and MW-20 is serving as a hydrogeologic boundary, preventing the migration of contaminants from the unlined landfill across the hydrogeologic divide.

4.2 Surrounding Water Supply Well Monitoring Data

Orange County Environmental Health Division has conducted quarterly groundwater monitoring at approximately seventeen surrounding residential water wells since May 31, 1994. The groundwater samples have been analyzed for the presence of VOCs by the North Carolina Department of Environment, Health and Natural Resources (NCDEHNR), Division of Laboratory Services. The groundwater analytical results are presented in Appendix C.

Groundwater samples have only indicated the presence of VOC constituents above NCGQSs at two off-site locations. The Kirschner residence, located at 6806 Mill House Road which is approximately 1,000 feet upgradient and to the northeast of the site, has indicated PCE at levels as high as 6.2 micrograms per liter (ug/l). The United Parcel Service (UPS) facility located approximately 1,250 feet downgradient of the site has indicated the presence of trace

Hydraulic conductivity estimates from numerous monitor wells and piezometers installed into the saprolite and bedrock aquifer on the south side of Eubanks Road were obtained from the July 1997 Draper Aden Associates hydrogeologic report. No hydraulic conductivity estimates for the north side of the site were available for review. The hydraulic conductivity estimates for the saprolite aquifer ranged from 7.65 feet per day (ft/d) to 0.07 ft/d, with a geometric mean of 1.87 ft/d. The hydraulic conductivity estimates for the bedrock aquifer ranged from 7.37 ft/d to 8.5×10^{-3} ft/d, with a geometric mean of 0.34 ft/d. Based on this information, the potential vertical migration of an on-site contaminant plume would be inhibited due to the lower hydraulic conductivity values observed within the bedrock.

Groundwater seepage velocities were calculated utilizing hydraulic conductivity geometric means for the saprolite and bedrock aquifer, in order to determine the anticipated rate of potential contaminant migration from the subject site. The equation used to calculate seepage velocities is outlined below.

$$V_s = K/n * dh/dl$$

Where: V_s = seepage velocity (ft/d)
 K = hydraulic conductivity (saprolite, 1.87 ft/d; bedrock, 0.34 ft/d)
 n = porosity (average for silt 35%)
 dh/dl = hydraulic gradient (ft/ft)

The estimated seepage velocities within the saprolite aquifer at the unlined landfill, and construction and demolition landfill, and lined landfill were 39 feet per year (ft/yr), 23 ft/yr and 45 ft/yr, respectively. The estimated seepage velocities within the bedrock aquifer at the unlined landfill, and construction and demolition landfill and lined landfill were 7 feet per year (ft/yr), 4 ft/yr and 8 ft/yr, respectively.

Based on review of available data, including site geologic and hydrogeologic characteristics, groundwater flow direction, groundwater seepage velocities and local topography, it appears that on-site tributaries are serving as hydrogeologic boundaries, inhibiting the flow of groundwater across the on-site tributary creeks.

4.0 HISTORICAL GROUNDWATER MONITORING DATA

4.1 Landfill Groundwater Monitoring Data

In accordance with Subtitle D regulations, Orange Regional Landfill has conducted groundwater sampling to monitor groundwater quality at the site. A brief summary of the analytical results is presented below. Historical groundwater analytical data is provided in Appendix B.

A total of fourteen monitor wells (MW-101, MW-102s, MW-102d, MW-103s, MW-103s, MW-104, MW-105, MW-106, MW-107, MW-108, MW-109, MW-110s, MW-110d and MW-111) have been monitored at the lined landfill area from May 1995 until February 1997. Historical groundwater analytical results have not indicated the presence of volatile organic

6.0 CONCLUSIONS

A groundwater risk assessment was conducted at the Orange Regional Landfill to evaluate the potential risk that landfill activities may have on surrounding groundwater quality, should a release of leachate occur at the site.

Based on the findings of this assessment, the following conclusions have been made:

- Landfilling activities at the subject site are located within the Old Field Creek water shed, which ultimately drains to the northeast from the site.
- The general shallow groundwater flow at the at the unlined cell, construction and demolition cell and lined cell is anticipated to be toward the east southeast, south southwest and east northeast, respectively, at a rate ranging from 23 ft/yr to 45 ft/yr in the direction of on-site tributary creeks. Bedrock groundwater flow rates were substantially less than those observed in the saprolite aquifer and ranged from 4 to 8 ft/yr.
- Based on available analytical data, the tributary creek which separates monitor wells MW-18 and MW-20 appears to be preventing the horizontal migration of known VOCs across Branch 2 tributary.
- This assessment indicates that on-site tributary creeks are serving as a hydrogeologic boundaries, which are anticipated to intercept potential shallow groundwater contamination before crossing under the tributaries, should leachate releases occur at the site.
- Based on the findings of this assessment, potential shallow groundwater contamination at the Orange Regional Landfill does not appear to pose an immediate risk to surrounding residential water supply wells.

concentrations of tetrahydrofuran. The NCGQSs for PCE and tetrahydrofuran are 0.7 ug/l and method detection limits, respectively.

Buxton Environmental, understands according to Orange County Landfill personnel, that a dirt road adjacent to the Kirschner residence was formerly sprayed with waste oil by local residents to reduce dust at the off-site location. Waste oils frequently contain VOCs, including PCE, which are commonly used for degreasing purposes. The contaminants detected at the Kirschner property do not appear to have originated from the Orange Regional Landfill, since monitor well MW-6, which is located between the landfill site and the Kirschner residence, has not indicated the presence of VOCs above method detection limits since sampling began in 1990.

The tetrahydrofuran, which was detected at the UPS facility on April 10, 1995, may be the result of laboratory contamination, since tetrahydrofuran has been found in laboratory blanks during several sampling events.

Based on these findings, off-site water supply wells do not appear to have been affected by landfilling activities to date.

5.0 GROUNDWATER MODELING ASSESSMENT

General shallow groundwater flow was modeled at the site utilizing Geraghty & Miller, Inc.'s QuickFlow software. QuickFlow is an analytical model which was designed to simulate steady state, one dimensional groundwater flow in a homogeneous and isotropic aquifer. This assessment was conducted to estimate the effects on-site tributary creeks on shallow groundwater flow at the landfill site and immediately surrounding area. The groundwater transport model is illustrated in Figure 6.

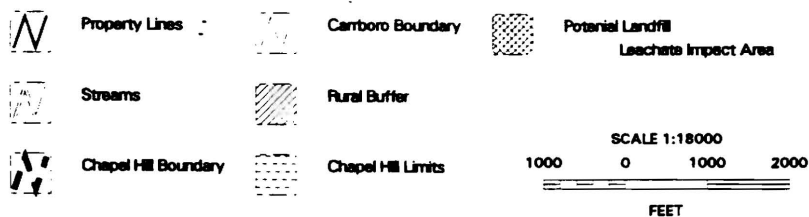
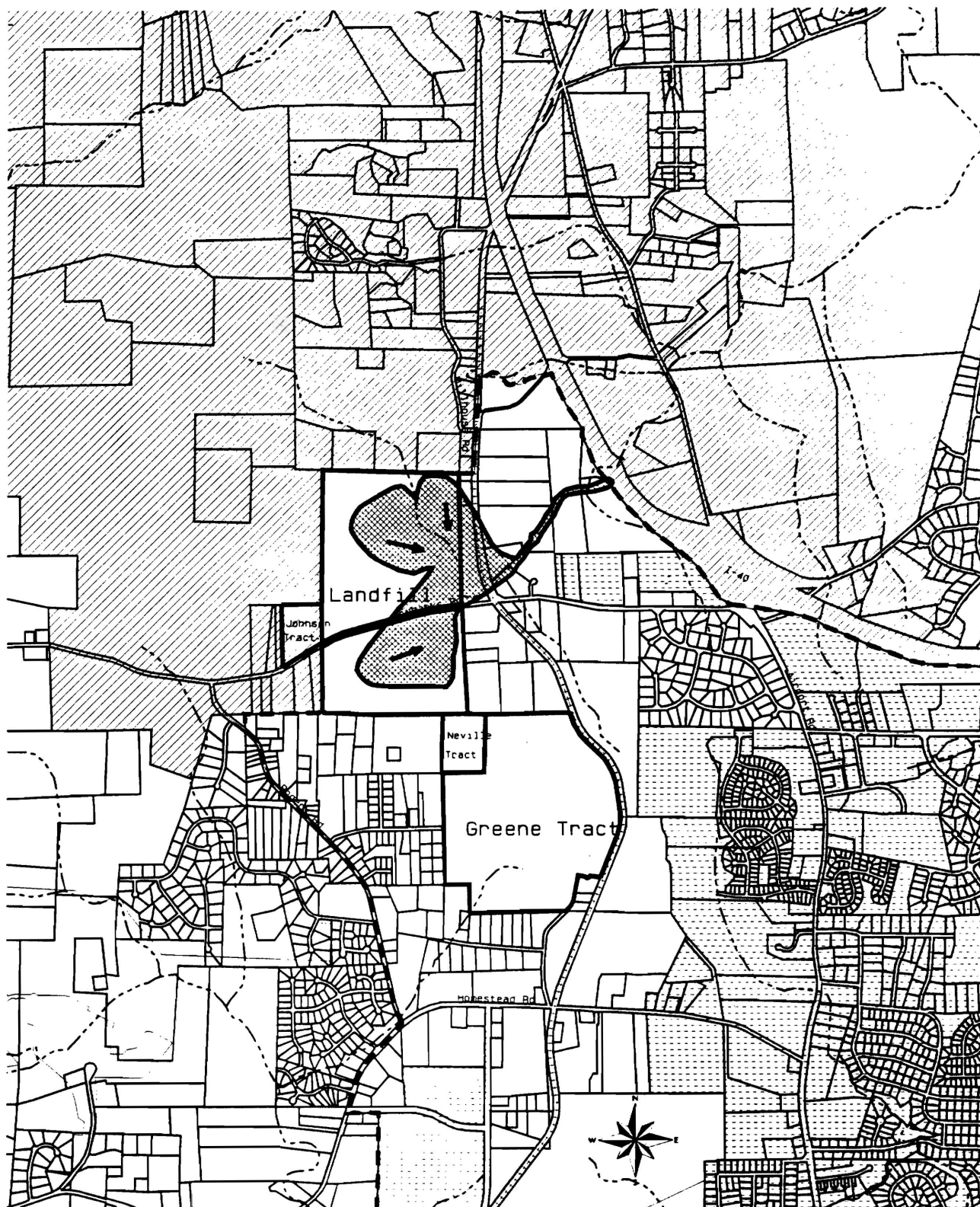
Common hydrogeologic parameters, which were observed for the saprolite aquifer during previous investigation at the site were input into the groundwater flow model. The hydrogeologic parameters included at hydraulic conductivity of 1.87 ft/d (geometric mean for saprolite aquifer), hydraulic gradient of 0.02 ft/ft to the east, porosity of 35%, and an aquifer thickness of 25 ft. A tributary creek flux of approximately 3.0 ft²/d (creek flow of 3,450 ft³/d over approximately 1,250 feet) was included in the model.

The groundwater model suggests that on-site tributary creeks are serving as hydrogeologic boundaries, which are anticipated to intercept potential shallow groundwater contamination migrating from the site. Contaminated groundwater is anticipated to discharge into the on-site tributary creeks and not cross under the tributaries.

Based on the findings of this assessment, the migration of potential shallow groundwater contamination from the center of each of the landfill areas is anticipated to flow approximately 2,250 feet over a 50 year period toward Old Field Creek, assuming a groundwater flow rate of 45 ft/day (Figure 7). The potential shallow groundwater contamination plume is anticipated to migrate laterally from the source area until it reaches a tributary creek, where it is anticipated to be discharged to surface waters.

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Orange County Landfill Neighborhood Study Area



This map has been prepared from information obtained from County and Local sources. Every effort has been made to verify the information. The Town of Chapel Hill, however, cannot be responsible for the accuracy of the information obtained from these sources. Certain information contained in this map may have changed since such information was compiled. The Town of Chapel Hill assumes no liability for errors or omissions. Users are urged to notify the Engineering Dept. of inconsistencies so that corrections can be made in future printings. Phone (919) 968-2833.

DATE: 02/10/98
MEMO TO: John Link, County Manager
FROM: Wilbert McAdoo, Public Works Director
RE: Potential Funding Scenarios for Proposed Water Line Community Benefit

Background

A request was received that possible alternative funding scenarios be developed for the installation of water lines in the various Orange Regional Landfill neighborhoods, as described in reports to the Board of County Commissioners at their meeting of January 20, 1998 (1. Memorandum of 01/15/98 from John Link, County Manager, to BOCC, Re: Landfill Community Benefits Issues, and 2. Memorandum of 01/12/98 from Paul Thames, PE, County Engineer, to John Link, County Manager and BOCC, Re: Landfill impacts on well water quality, sampling and analyses of landfill vicinity well water and costs of providing municipal water service as a community benefit).

Information

Table 1 presents several possible alternative scenarios for funding the proposed water line community benefit. Each scenario presents:

- the percentage of the total cost for which each community would be responsible;
- the estimated total cost to each community in absolute dollars;
- the estimated impact on the ad valorem tax rate for each community.

Scenario 1 - Landfill Owners Group is based on the current ownership of landfill assets.

Scenario 2 - Percentage of Waste to Landfill (1996/97) is based on the reported tonnages sent to landfill from each of the three government collection programs for the 1996/97 fiscal year. The "TOTAL" column therefore does not represent the total quantity of waste disposed at the Orange Regional Landfill.

Scenario 3 - Population (1995/96) is based on the reported population for each of the three communities, as a percentage of the total population for the three communities. The "TOTAL" column therefore does not represent the total County population. The population totals used here were obtained from the Orange County Economic Development Commission.

TABLE 1

Community/ Calculations	Carrboro	Chapel Hill	Orange County	TOTAL
SCENARIO 1 - LANDFILL OWNERS GROUP (LOG)				
% of total	14%	43%	43%	100%
total cost	\$404,460	\$1,242,270	\$1,242,270	\$2,889,000
impact on ad valorem tax rate	6.3 cents	4.5 cents	2.0 cents	
SCENARIO 2 - PERCENTAGE OF WASTE TO LANDFILL (1996/97)				
amount	10,099.76	30,865.99	17,722.74	58,688.49
% of total	17.2%	52.6%	30.2%	100%
total cost	\$496,908	\$1,519,614	\$872,478	\$2,889,000
impact on ad valorem tax rate	7.8 cents	5.5 cents	1.4 cents	
SCENARIO 3 - POPULATION (1995/96)				
amount	14,652	43,423	42,581	100,656
% of total	14.6%	43.1%	42.3%	(100%)
total cost	\$421,794	\$1,245,159	\$1,222,047	\$2,889,000
impact on ad valorem tax rate	6.6 cents	4.5 cents	1.9 cents	



(29)

Orange County*Personnel Department*

208 S. Cameron Street
Post Office Box 8181
Hillsborough, NC 27278

October 21, 1997

Tel: 919-732-8181
919-968-4501
919-688-7331
919-227-2031
Fax: 919-644-3009

MEMORANDUM

TO: Cal Horton, Town Manager
John Link, County Manager
Bob Morgan, Town Manager

FROM: Elaine Holmes, Orange County Personnel Director *EH*
Pat Thomas, Town of Chapel Hill Personnel Director *PT*

SUBJECT: Solid Waste Employee Transfer Status Update

Over the past year our governing boards have discussed a potential transfer of the Solid Waste function from the Town of Chapel Hill to Orange County. If approved, Town of Chapel Hill Solid Waste employees would become Orange County employees at some point in the future. December 1 was established as the target date for completion of the study of the various personnel issues related to the transfer and for reporting on the proposed handling to the elected boards. It also had been agreed that the proposed handling would be communicated to the employees prior to reporting on this to the elected boards.

This memorandum is to brief you on the:

- Activities completed to date,
- The remaining activities to be completed and
- The necessary timetable for the remaining activities to meet the December 1 target date for employee communication and reporting.

Highlights of the work completed to date include:

1. Drafting of requests for proposals and contracting with two consultants to assist with the transition issues. This included:
 - Selection of Randy Billings as consultant to identify and recommend the appropriate classification and salary grade assignment of the affected Town positions within the Orange County classification and pay plan.

- Selection of Larry Kerr as consultant to compare the Town of Chapel Hill and Orange County employee benefits, analyze the differences and recommend the benefits and pay to maintain the current total compensation package for each employee at a substantially equivalent level.
2. Completion of the classification study by the consultant, which included receipt of updated position descriptions and employee interviews, review of the results with County and Town personnel staff and Solid Waste Director Gayle Wilson and resolution of questions and concerns.
 3. Review and detailed comparison of the Town and County benefits by the consultant, analysis of the results, identification of recommended handling and development of individual employee worksheets to determine the dollar value of the benefit differences between the Town and County.
 4. Development of a communications plan to complete the transition activities required. This includes communications with employees and providing information on the personnel transition to the Board of Commissioners, Chapel Hill Town Council and Carrboro Town Council prior to December 1, 1997.

As planned, the actual effective date of the transition, if approved, would be a later date than December 1. For purpose of calculating pay and benefits and showing these calculations in the employee communications, the consultant has used an effective date of May 4, 1998.

The key remaining activities and planned target dates to meet the December 1, 1997 target date for presentation to the elected boards are as follows:

<u>Activity</u>	<u>Date</u>
1. Meet with the Solid Waste Transition Steering Committee to review the outcomes of the pay and benefits review and determine next steps including communications.	10-24-97
2. Meet with Solid Waste employees as group to report on the proposed pay and benefits handling, if the transfer is approved.	11-5-97
3. Provide each employee with an information package including specific information as to his or her classification, salary and benefits under the proposed pay and benefits handling, if he or she became an Orange County employee.	11-5-97
4. Meet with each employee individually to review the pay and benefits information and answer questions.	11-10-97 11-11-97
5. Report on the proposed pay and benefits handling to the Orange County Board of Commissioners and request approval for the classification plan amendments and benefits handling necessary for the proposed pay and benefits package.	11-19-97

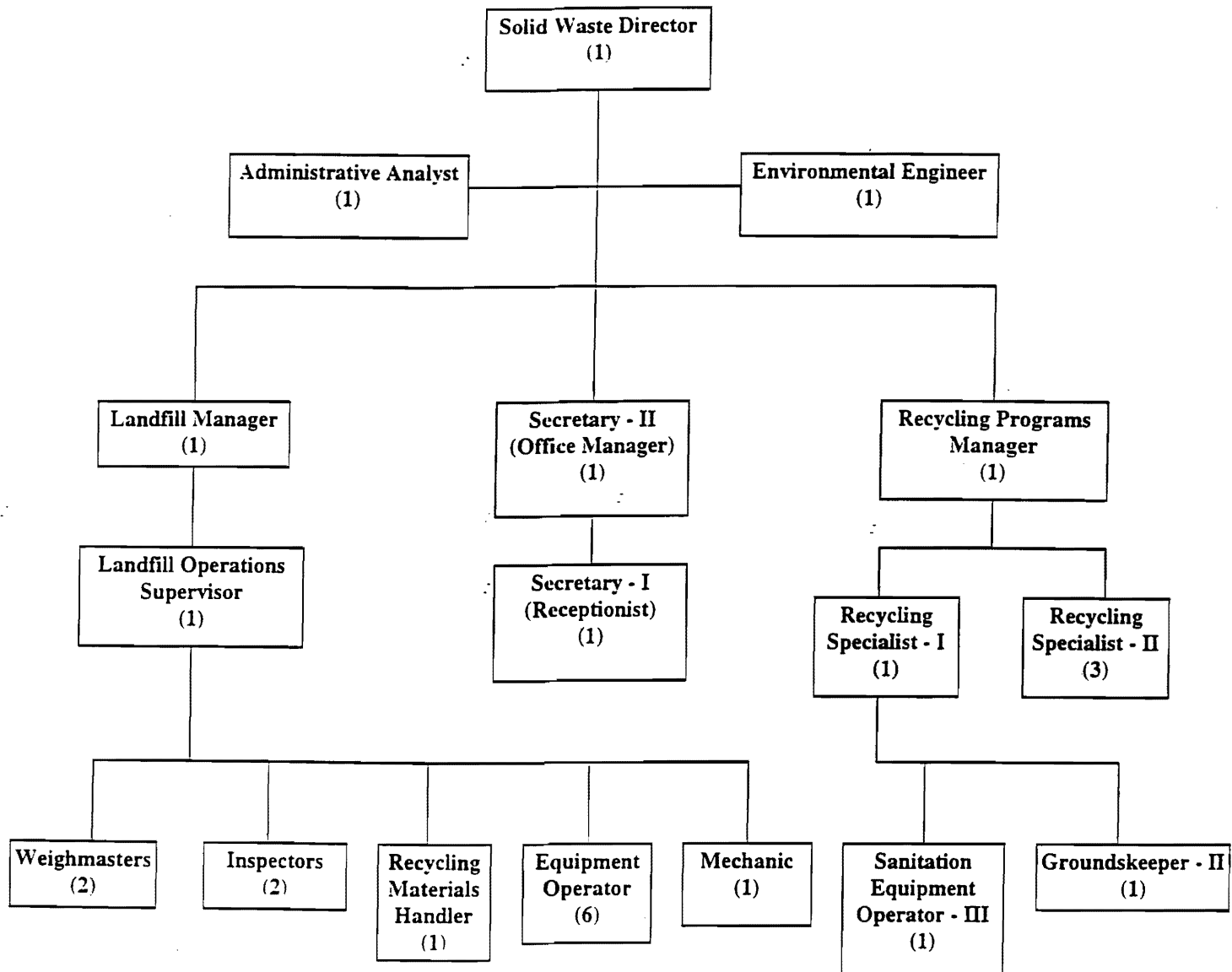
6. Report to the Chapel Hill Town Council on the pay and benefits review, proposed handling and employee impacts. 11-24-97
7. Report to the Carrboro Board of Aldermen on the pay and benefits review, proposed handling and employee impacts. 11-25-97
8. Implement the employee transfer. To be determined

Following the Assembly of Governments meeting on October 22, 1997, we will be seeking further direction through the steering committee in the scheduled Friday, October 24 meeting as to this plan and whether we should proceed on this or another timetable.

cc; Sonna Lowenthal, Assistant Town Manager
Rod Visser, Assistant County Manager
Gayle Wilson, Solid Waste Director

(32)

**Solid Waste Department
Organizational Chart (FY 1998-99)**





cc: Board Members
Bob Morgan
Ray Wilkerson
Kenneth Withrow

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JAMES B. HUNT JR.
GOVERNOR

P.O. BOX 25201, RALEIGH, N.C. 27611-5201

E. NORRIS TOLSON
SECRETARY

March 17, 1998

The Honorable Michael Nelson
Mayor of Carrboro
301 West Main Street
Carrboro, North Carolina 27510-2029

Dear Mayor Nelson:

SUBJECT: SR 1919 (Smith Level Road), Widening from SR 1938 (Ray Road) to
Bridge No. 88 over Morgan Creek, Carrboro, Orange County, State Project
No. 9.8070219, TIP No. U-2803

The Planning and Environmental Branch of the Division of Highways has begun studying the proposed improvements to SR 1919 (Smith Level Road). The project is included in the 1998-2004 North Carolina Transportation Improvement Program and is scheduled for right of way in year 2000 and construction in year 2002.

The 1998-2004 TIP calls for widening the existing two-lane facility to a multi-lane facility from Bridge No. 88 over Morgan Creek to SR 1938 (Ray Road) in Orange County. Only one cross-section is being considered for this corridor. A five-lane facility from Bridge No. 88 over Morgan Creek to Rock Haven Road. The five-lane facility will taper to a three-lane facility and then to a two-lane facility from Rock Haven Road to SR 1938 (Ray Road). Curb and gutter treatment will be provided along the five-lane section and shoulders will be provided along the other areas.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project. If applicable, please identify any permits or approvals which may be required by your agency. Your comments will be used in the preparation of a State funded Combined Environmental Assessment/Finding of No Significant Impact. This document will be prepared in accordance with the State Environmental Policy Act. It is desirable that your agency respond by May 12, 1998 so that your comments can be used in the preparation of this document.



If you have any questions concerning the project, please contact Ms. Stacy Baldwin, P.E., Project Planning Engineer, of this Branch at (919) 733-7844, Ext. 264.

Sincerely,

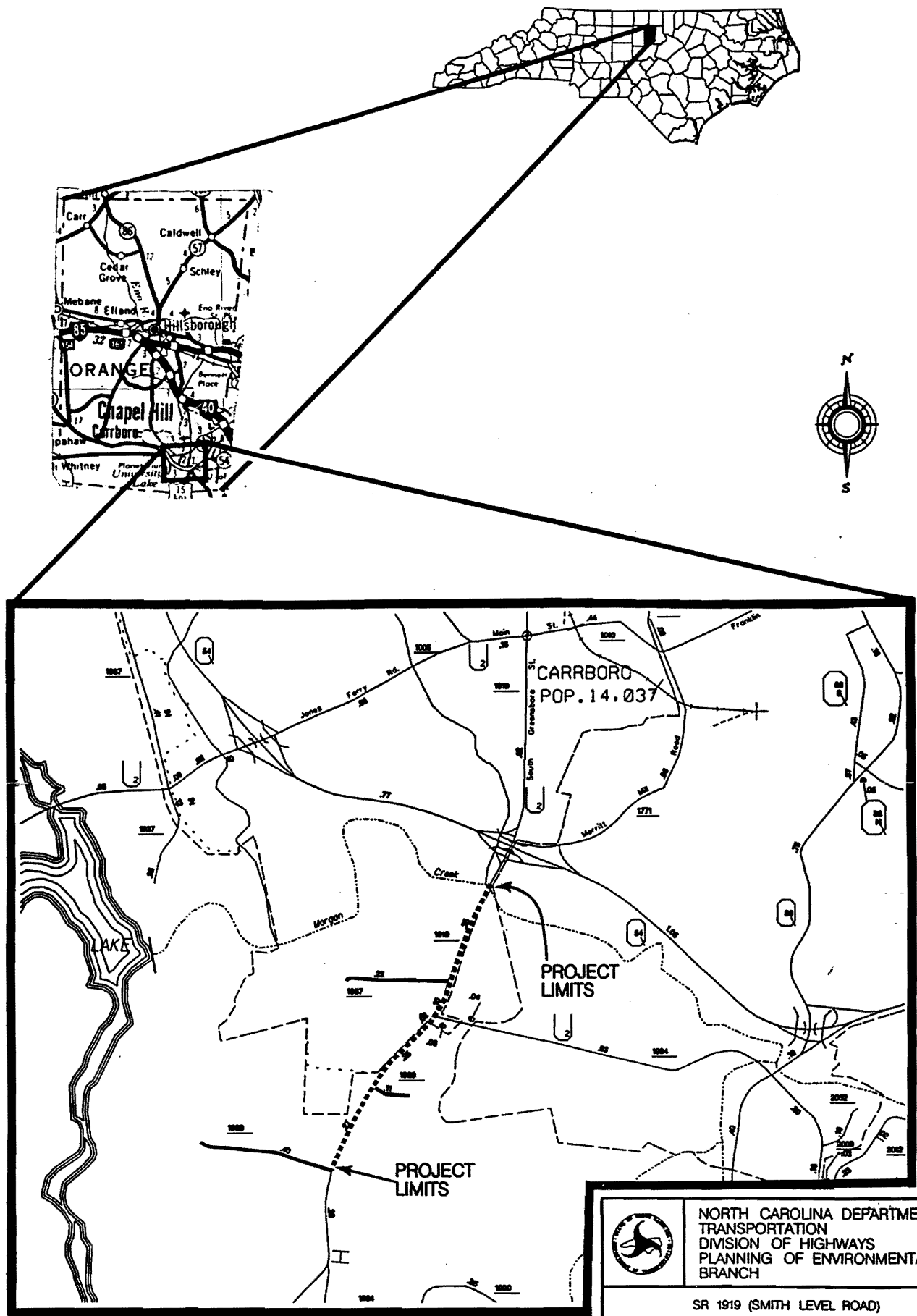
A handwritten signature in dark ink, appearing to read "H. Franklin Vick". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

H. Franklin Vick, P. E., Manager
Planning and Environmental Branch

HFV/plr

Attachment

RECEIVED MAR 20 1998



NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION
DIVISION OF HIGHWAYS
PLANNING OF ENVIRONMENTAL
BRANCH

SR 1919 (SMITH LEVEL ROAD)
FROM RAY ROAD (SR 1938)
TO BRIDGE 88 OVER MORGAN CREEK
CARRBORO, ORANGE COUNTY
U-2803

NOT TO SCALE

FIGURE 1



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT JR.
GOVERNOR

March 12, 1998

The Honorable Michael Nelson
Mayor, Town of Carrboro
301 West Main Street
Carrboro, North Carolina 27510

Dear Mayor Nelson:

Thank you for your recent letter concerning the proposed improvement of SR 1919 (Smith Level Road) in Orange County (TIP No. U-2803).

The North Carolina Department of Transportation (NCDOT) has advised me that based on the January 30 meeting, Smith Level Road will be designed as a five lane facility between Morgan Creek and Rock Haven Road and tapered to two lanes prior to the intersection of Ray Road.

I appreciate your interest in this project and assure you the NCDOT welcomes your participation as they continue to study the transportation needs in Orange County. Please let me know if I can be of further assistance.

My warmest personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hunt".

James B. Hunt Jr.

JBH/hfv

cc: E. Norris Tolson, Secretary, Department of Transportation
J. Douglas Galyon, Member, Board of Transportation



RECEIVED MAR 16 1998

cc: Board members
Recreation Parks Com.
Bob Morgan
From: Richard Kinney
Willard Caldwell

Dear Carrboro Town Council,

I am writing this letter to you in the hopes that my fellow skateboarders and me will have an area in Carrboro Park set aside for us to skate in. Carrboro Park is the best place to put a small skatepark. I myself am in 8th grade at McDougle Middle, and I live right behind the school, (Many of my friends live in the same area, and skateboard as well.). This place would be accessible to others and me in Carrboro, and Chapel Hill. I know that skateboarding is becoming more widely accepted, and companies like Nike are trying to enter the industry. I do not believe in this and many other skaters and I all over the U.S. believe that they should stick to football, basketball, etc. Back to business, I realize that you are probably thinking, "Isn't Chapel Hill building a skatepark?" the answer is yes, but this park will not be finished for a few years, and is not going to be very accessible to younger skateboarders who cannot drive. Carrboro Park would be the ideal place in Carrboro to build a small skatepark.

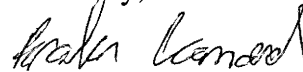
If the town decides to allow us to have a skatepark I recommend the following rules:

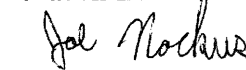
1. Skateboarding will be done at your own risk.
2. Destruction of property will result in fine. (Not counting Ramp or rail damage from skateboarding.)
3. Skateboarders will be responsible for keeping their area of the park clean.
4. Individuals may add new ramps if wanted.
5. The town is not responsible for any injuries.

I am not saying that you must apply these rules, I am simply recommending them. The rest of the rules are up to you.

I would like to thank Mr. Caldwell for supporting skateboarding at McDougle and for having this idea, I would also like to thank you for listening.

Sincerely,


Braden Leonard


Joe Norkus


David Lai

RECEIVED MAR 17 1998

919-968-4501
919-732-8181
Extension: 1-2125-# (Kathy Baker)

ORANGE COUNTY
GOVERNMENT

Fax

To: Pete Richardson, Clerk

From: KATHY BAKER

Sarah Williamson, Clerk

Fax: 644-3004

Pages: 1

Phone 968-4501/732-8181

Date: 03/18/98

Re: Tentative Date for Continuation of JPA

CC: Cal Horton, Town Manger

Public Hearing w/ Chapel Hill & Carrboro

Bob Morgan, Town Manager

☐ Urgent ☐ For Review ☐ Please Comment ☒ Please Reply ☐ Please Recycle

● **Comments:** After reviewing our combined calendars we have come up with several possible dates for a continuation of the April 8th meeting should that be necessary.

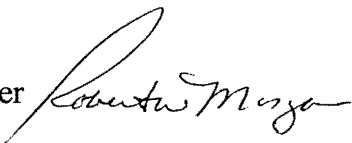
Those dates are listed below. Would you please poll your elected officials as soon as possible and let us know by phone or fax which if any of these dates would be possible for a continuation meeting. Thank you.

	YES	NO
Thursday June 18, 1998		
Wednesday, June 24, 1998		
Tuesday, June 30, 1998		

NOTE To Sarah: Bev indicated That the Board
already declined using
the June 1 date
Sorry.

MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Robert W. Morgan, Town Manager 

SUBJECT: Town Commons Playground/Grant Funds

DATE: March 23, 1998

It has come to our attention that Smart Start funds are available for playground projects through the Orange County Partnership for Young Children. As you know, a playground was envisioned for the Town Commons from the original master plan. Until now, it has not been possible for me to recommend funds for this project, however the possibility exists to receive an \$8,000 grant toward this goal. I would envision that this amount, coupled with a town commitment to spend \$20,000, would allow for a play setting to be installed with safety and accessibility issues clearly addressed.

For that reason I would recommend that we fund the Town's portion of \$20,000 through a lease arrangement of several payments to decrease the annual impact of taking this action. The deadline for this grant is March 31, 1998 and therefore, I will bring this matter to you at your meeting tomorrow night under "Matters By the Town Manager." Please call if you have question or concerns. I have attached a resolution for your consideration .

Thank you.

**Orange County Partnership for Young Children
Application for Community Playground Grant
P R O P O S A L N A R R A T I V E**

Title of Project/Activity: TOWN COMMONS PLAYGROUND PROJECT

Target Population and Need: The Town Commons is located on property owned by the Town of Carrboro directly behind Town Hall at 301 W. Main St. This project is home to the Carrboro-Chapel Hill Farmer's Market, an Arts and Crafts Market, concerts, community gatherings and festivals. The site is public and open to the community-at-large. Rental of the facility is not limited to Carrboro, but available and used by all residents of Orange County. A wide and diverse range of people makes casual use of the site.

There is not presently a playground on site, but the initial site master plan called for a playground to be included. There are no pre-school facilities located near this site. The closest public pre-school play equipment is located at Wilson Park. There exists a major need for this type of activity in this area. This facility would be available to serve all-income levels and is especially attractive to the more urbanized residential residents of the downtown area.

Proposed Activity: This will be a new playground with the inclusion of equipment suitable for use by pre-school ages. The playground will be developed with an infusion of \$20,000 in Town funds coupled with the requested amount of \$8,000 from the "Model Community Playground Grants." The grant funds will enable the playground to integrate pre-school play equipment into the site. Normally, public playgrounds are built to standards that accommodate ages six through twelve. With grant funds received as requested, the site will incorporate equipment available for use by pre-school ages. The playground will meet both early childhood education and national playground safety standards.

The work will be accomplished by the Town's Recreation and Parks Department which stands committed to these standards in all play equipment and have on staff a certified playground equipment inspector. The playground is planned to be constructed and ready for use during Fiscal Year 1998-99. The Town's Public Works Department will be responsible for maintenance and the Town's comprehensive liability insurance will cover the operation of the playground.

Staffing: Department staff with the Recreation and Parks Director serving as Project Manager will be involved in this work. No subcontractor other than the equipment manufacturer is planned to be used. Although certain site work may be accomplished by a different subcontractor. All work will be directly in improvements and not consulting, service providers, etc. All funds are planned to go toward construction costs. As stated earlier, a Recreation Supervisor has attained certification from the National Playground Safety Institute and will be integrally involved in all phases of the work.

Outcomes: Since the Town Commons does not serve a finite group of children, outcomes are difficult to project. However, the enormous use of the site by such large diverse groups will insure that the play equipment will serve needs of pre-school children far more successfully than other sites the Town presently maintains. The play equipment will allow for the social interaction of children during times their parents are at the same site visiting the Farmer's Market, concerts and other activities. Placing a number on the children who will benefit is difficult but the prospect of an enormous number is certainly a reasonable assumption.

Collaboration: Many agencies and organizations have supported the overall construction and development of the Town Commons. From the NC Department of Agriculture to local fund-raising committees, the Town Commons is a multi-agency, community collaborative project. For this segment of the project the main partners will be the Orange County Partnership for Young Children and the Town of Carrboro. The Carrboro Board of Aldermen supports this initiative and a supporting resolution is attached.

Evaluation Plan: As with all Town park facilities, evaluation as to their effectiveness takes place in many different ways. Consumer satisfaction takes place by on-site surveys of users and evaluations during actual group and individual use. The Town also evaluates the usefulness of its facilities in terms of accessibility to every potential user.

This is one of the major challenges in playground design. Although national committees have evaluated this problem since enactment of the Americans with Disabilities legislation, many accessibility problems remain in installation of play equipment. A major evaluation of design will be undertaken to insure the most accessible site improvements are made and equipment is installed.

Agency Qualifications: The Town of Carrboro's Recreation and Parks Department employs two Certified Leisure Professionals through the National Recreation and Parks Association. There exists over twenty-five years of experience on staff in the installation and maintenance of children's play equipment. The department was one of the first in the state and nation to have staff trained and certified by the National Playground Safety Institute to conduct "in-house" review of Town play equipment. Staff participated in the early studies surrounding playground safety conducted by the US Consumer Product Safety Commission which developed the first playground national safety guidelines.

The Town has not been cited for any fiscal management problems, the Board of Directors is the duly elected Board of Aldermen and the Town is required to have an outside audit every fiscal year. This audit is a matter of public record and will certainly be made available immediately if needed.

Budget Narrative: Although an integral element of the original Town Commons design, a playground has not been funded for several years. A major effort is presently concerned with acquisition of funds to build the bandstand, which was also an original component. With the approval of Smart Start funds, emphasis would be given to providing \$20,000 in town funds to provide a comprehensive playground developed with a budget of \$28,000. As the site becomes more developed, the possibility that no play equipment will be provided on site becomes higher.

Smart Start funds would create a commitment to the development of a play structure on site that may not happen without the timeliness of grant approval. The other resources for the project will be the Town's \$20,000 which would be leveraged by this grant. Another important aspect would be the commitment to include equipment appropriate for use by pre-school age children. There are no other state or federal dollars available for this project. It is not anticipated that funding would be needed in successive years and the Town of Carrboro will maintain the facility in perpetuity.

The grant will also enable this particular playground to be a highly visible example of play integration into a very public, multi-use area. The potential for valuable use of Smart Start funds is the anticipation that grant approval will provide impetus for a much needed and deserving project that has been planned for years but failed to have the appropriate impetus to proceed. Approval of the request will provide that impetus. Thank you for your consideration.

(For information please contact Richard E. Kinney, Recreation and Parks Director at 968-7703)

TO AUTHORIZE PURSUING A COMMUNITY PLAYGROUND
GRANT FROM THE ORANGE COUNTY PARTNERSHIP FOR YOUNG
CHILDREN FOR THE TOWN COMMONS

Resolution No.

WHEREAS, The Board of Aldermen recognizes the value of quality play opportunities for all children and that public play equipment provides for designated play and learning environments; and

WHEREAS, An accessible play experience provides diversity in both the physical and social environment and enhances the potential for the child to make choices, take on challenges, learn and to have fun; and

WHEREAS, The Board of Aldermen wishes to have a playground accessible at the Town Commons.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE
TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen supports requesting a grant in the amount of \$8,000 in Smart Start funds to be applied toward the construction of such a playground on the Town Commons.

Section 2. That the Board of Aldermen appreciates the efforts of the Orange County Partnership for Young Children to administer and make such funds available to the community for this worthwhile purpose.

Section 3. That the Town Manager be directed to submit the application for \$8,000 in Smart Start funds to this agency by March 31, 1998.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998.

Ayes:

Noes:

Absent or Excused:

The following resolution was introduced by Alderman Jacquelyn Gist and seconded by Alderman Allen Spalt.

A RESOLUTION TO AUTHORIZE PURSUING A
COMMUNITY PLAYGROUND GRANT FROM
THE ORANGE COUNTY PARTNERSHIP FOR YOUNG CHILDREN
FOR THE TOWN COMMONS

Resolution No. 33/97-98

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Section 3. That the Town Manager be directed to submit the application for \$8,000 in Smart Start funds to this agency by March 31, 1998.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 24th day of March, 1998:

Ayes: Hank Anderson, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: Hilliard Caldwell