

AGENDA
CARRBORO BOARD OF ALDERMEN
TUESDAY, MAY 26, 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: May 19, 1998**

(2) **Award of Bid/Street Resurfacing Program**

The purpose of this agenda item is to request that the Board approve the award of a contract to Riley Paving, Inc. of Carthage, North Carolina for the 1997-98 Street Resurfacing Project for a total cost of \$145,680.50.

(3) **Request to Set Public Hearing/Land Use Ordinance Text Amendment/Retail Uses in B-2 Zone**

The Board of Aldermen is requested to respond to a property owner's request for an amendment to the land use ordinance that would allow certain high-volume retail uses to operate in the B-2 zone. 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 June 23, 1998.

(4) **Request to Set Public Hearing/Street Closing Application/Weaver Street Market Birthday Celebration and Carrboro Music Festival**

Weaver Street Market and the Carrboro Art Committee have submitted a Street Closing Permit Application for the temporary closing of:

100 block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection from 10:00 a.m. to 10:30 p.m.

200 block of West Weaver Street from the Greensboro Street intersection to West Main Street intersection from 1:00 p.m. to 10:30 p.m.

on Sunday, June 21st to accommodate Weaver Street Market's birthday celebration from 10:30 a.m. to 1:00 p.m. and to accommodate the music festival from 1:30 to 9:30 p.m.

In accordance with Section 7-19 of the Town Code, a Public Hearing must be held to receive public input prior to issuing a Street Closing Permit. The administration requests that a public hearing be set for June 9, 1998.

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

D. PUBLIC HEARINGS

7:55 - 8:40 P/10 (1) **Conditional Use Permit Major Modification/Carrboro Plaza Shopping Center**

Phil Post and Associates, on behalf of the owners of the Carrboro Plaza Shopping Center, has applied for a major modification to the conditional use permit (CUP) for Carrboro Plaza to allow for the creation of two new out parcels for future development. The Board of Aldermen must hold a public hearing to receive public input before reaching a decision on a major CUP modification.

8:40 - 8:50 P/5 (2) **Land Use Ordinance Text Amendment/Collection of Fees Associated with Development Projects**

The purpose of this item is for the Board of Aldermen to review and receive comments regarding a proposed amendment to the Land Use Ordinance which would provide that administrative decisions and actions on development projects may be withheld or delayed until all fees due under this ordinance have been paid.

8:50 - 9:00 NP (3) **Voluntary Annexation Request/Lot #69, Lake Hogan Farms, Phase 4A**

Dale Redfoot, representing Lake Hogan Farms Development Company, has submitted a petition for annexation requesting that a 0.60-acre tract located in Lake Hogan Farms Subdivision, Phase 4-A be annexed into the town. The administration recommends that the Board of Aldermen adopt the attached ordinance, which annexes this property into the town effective May 31, 1998.

9:00 - 9:10 BREAK

E. OTHER MATTERS

9:10 - 9:20 P/5 (1) **Request for Additional Funding/Day Care Services Association**

Representatives from Day Care Services Association will present a request for funding to provide permanent housing for that agency.

9:20 - 9:35 P/5 (2) **Consideration of Joint Planning Area Land Use Plan and Agreement Amendments**

The Board of Aldermen will review the proposed Joint Planning Area Land Use Plan and Agreement amendments which were presented at a Joint Planning Public Hearing on April 8, 1998 and consider adopting those amendments.

9:35 - 9:50 P/10 (3) **Presentation of Manager's 1998-99 Budget and Request to Set Budget Review Schedule**

The Town Manager will present his recommended budget for Fiscal year 1998-99 and request the Board of Aldermen set a budget review schedule.

- 9:50 – 9:55 F. MATTERS BY TOWN CLERK
- 9:55 – 10:05 G. MATTERS BY TOWN MANAGER
- 10:05 – 10:15 H. MATTERS BY TOWN ATTORNEY
- 10:15 – 10:25 I. MATTERS BY BOARD MEMBERS

*The times listed on the agenda are intended only as general indications. Citizens are encouraged to arrive at 7:30 p.m. as the Board of Aldermen at times considers items out of the order listed on the agenda.

BOARD OF ALDERMEN

ITEM NO. B(2)

AGENDA ITEM ABSTRACT

MEETING DATE: May 26, 1998

SUBJECT: Award of Contract for 1997-98 Street Resurfacing Project

DEPARTMENT: Public Works	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS: none	FOR INFORMATION CONTACT: Katherine Duncan, Purchasing Officer, 968-7729 Chris Peterson, Director, Public Works, 968-7716
THE FOLLOWING INFORMATION IS PROVIDED: (x) Purpose (x) Summary (x) Analysis (x) Recommendation (x) Action Requested	

PURPOSE

The purpose of this agenda item is to request that the Board approve the award of a contract to Riley Paving, Inc. of Carthage, North Carolina for the 1997-98 Street Resurfacing Project.

SUMMARY

Several years ago, the Town established a Capital Reserve Account for street resurfacing. Funds are reserved annually and every other year approximately four (4) miles of streets are resurfaced. The objective is to reserve sufficient funding to allow each Town maintained street to be resurfaced approximately every twelve (12) to fifteen (15) years. The Town has used the services of the Institute of Transportation, Research and Education (ITRE) to conduct an "Asphalt Pavement Evaluation Study". This study helps the Town more accurately prioritize the streets needing resurfacing.

The Administration prepared bid specifications and advertisements were then placed in The News and Observer, The Challenger Newspaper (a minority participation paper), and The Triangle Tribune (the triangle's new minority paper). Additionally, efforts were made to locate minority contractors using the FOB (Female Owned Business) Directory, the National Black Pages (RDU Edition), and the Piedmont Minority Suppliers Council.

On May 12, 1998, four (4) sealed bids were received and publicly read aloud.

ANALYSIS

BID SUMMARY TOWN OF CARRBORO Contract for Street Resurfacing

<u>Contractor</u>	<u>Base Bid</u>	<u>Contingency</u>	<u>Total</u>	<u>Bid Bond</u>	<u>Minority</u>
NELLO TEER	\$203,483.75	\$20,348.38	\$223,832.13	5%	0%
CC MANGUM, INC.	\$187,885.40	\$18,788.54	\$206,673.94	5%	0%
RILEY PAVING, INC.	\$145,680.50	\$14,568.05	\$160,248.55	5%	0%
THOMPSON-ARTHUR PAVING CO.	\$217,225.00	\$21,722.50	\$238,947.50	5%	10.7%*
*subcontracted					

Riley Paving, Inc. is the lowest responsible bidder with a base bid of \$145,680.50 and a total, with contingency, of \$160,248.55. The contingency is computed at 10% of the bid. The Town's requirement for bid bond was met. Adequate funding is available for this project.

RECOMMENDATION

The Administration recommends that the Board award the 1997-98 Street Resurfacing contract to the lowest, qualified bidder: Riley Paving, Inc. and authorize the Town Manager to execute the contract with Riley Paving, Inc.

ACTION REQUESTED

Authorize the Town Manager to contract with Riley Paving, Inc. for the Street Resurfacing Project.

BOARD OF ALDERMEN

ITEM NO. B(3)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, May 26, 1998

SUBJECT: REQUEST TO SET A PUBLIC HEARING for Tuesday, June 23, 1998, to consider a Land Use Ordinance amendment concerning retail uses in the B-2 zoning district.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: Portion of zoning map showing B-2 zone Land Use Ordinance amendment request	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714
THE FOLLOWING INFORMATION IS PROVIDED:	
(X) Purpose Recommendation	(X) Analysis (X) Summary (X)

PURPOSE

To set a public hearing to respond to a property owner's request for an amendment to the land use ordinance that would allow certain high-volume retail uses to operate in the B-2 zone. 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 June 23, 1998.

SUMMARY

On April 9, 1998, a request for amendment was submitted by Richard Phillips, property owner of 408 W. Weaver Street located in the B-2 zoning district. The request is to allow retail uses in the B-2 zone, as follows:

"Uses such as athletic equipment stores, camera stores, electrical/musical equipment stores, jewelry/tool stores, etc., that sell small to medium items and generate modest, but not excessive amounts of customer traffic."

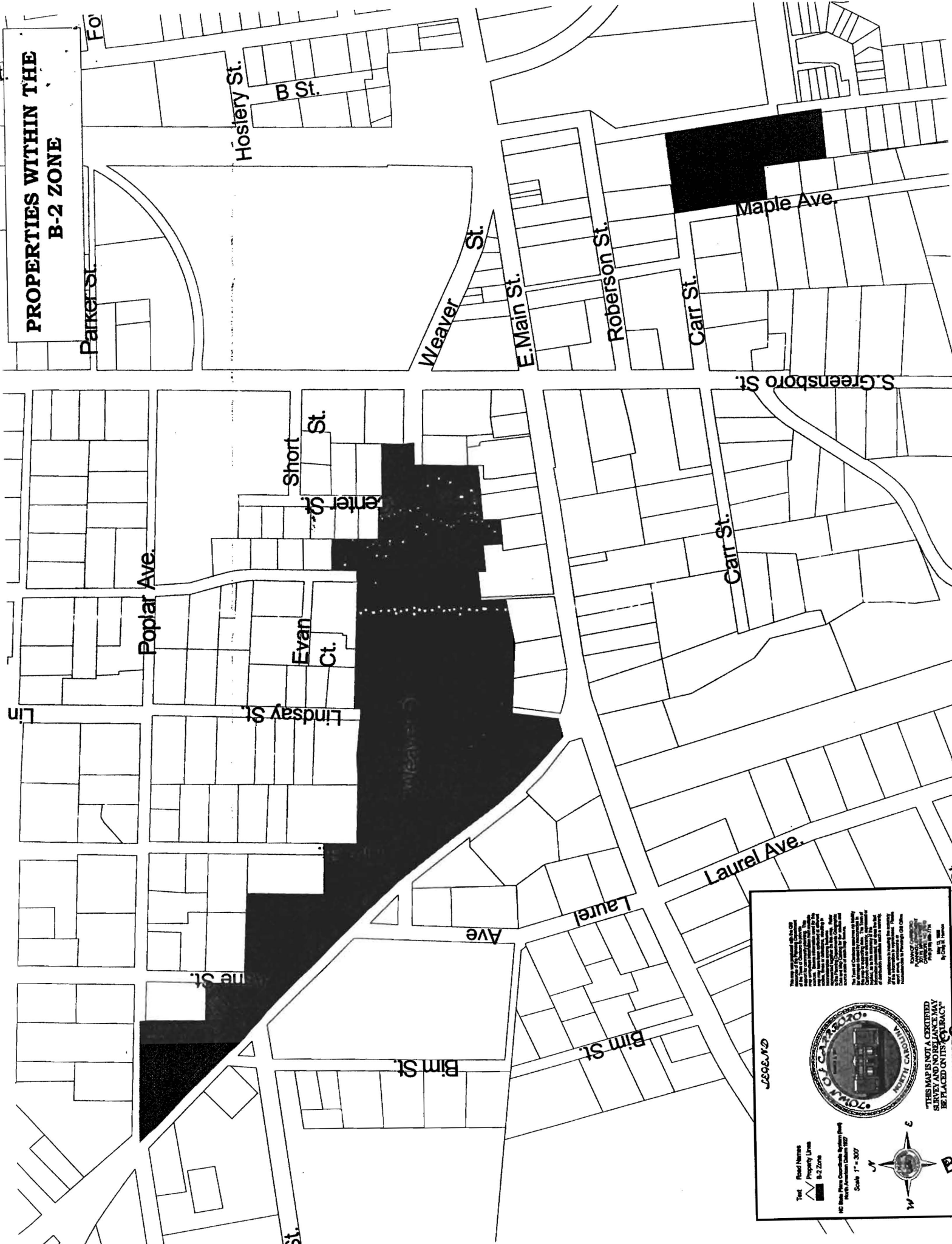
A copy of Mr. Phillips' request is attached. Uses, such as those described above, are classified as high-volume retail in the Land Use Ordinance. High-volume retail uses are not permitted in the B-2 zone.

Should the Board decide to consider an amendment to the Land Use Ordinance for this purpose, staff will prepare an ordinance for forwarding to both Orange County, the Planning Board, and the Downtown Development Commission for their review and recommendations.

RECOMMENDATION

The Administration recommends that the Board of Aldermen set a public hearing for June 23, 1998 to review a land use ordinance amendment that would allow certain high-volume retail uses in the B-2 zone.

PROPERTIES WITHIN THE B-2 ZONE



Legend

- Road
- Property Lines
- B-2 Zone

NOTES:

This map is prepared for the City of Greensboro, North Carolina, and is not to be used for any other purpose without the express written consent of the Town of Greensboro. The map is prepared for the City of Greensboro, North Carolina, and is not to be used for any other purpose without the express written consent of the Town of Greensboro. The map is prepared for the City of Greensboro, North Carolina, and is not to be used for any other purpose without the express written consent of the Town of Greensboro.

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED ON ITS ACCURACY.

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

To the Board of Aldermen, the Planning Board, and the Appearance Commission,
as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):

"uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky... and that generate less customer traffic... than stores selling smaller items." Page 8, Section 15-15.

- 2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):

uses such as athletic equipment stores, camera stores, electrical/musical equipment stores, jewelry/tool stores, etc. that sell small to medium items and generate modest but not excessive amounts of customer traffic.

- 3) State the reasons for the proposed amendment:

1. The building is too small for a carpet store (one was there & ceased selling), furniture store, or an appliance store. Such stores today require far more space.
2. There is no interest by prospective tenants of the sort allowed in the B-2 Zone.
3. There is tremendous interest in renting by prospects of the sort described in section #2 above.
4. The building was rented previously to businesses dealing in small to medium size items (Van's Dry Cleaning and Electric Supply).

SIGNATURE:

Richard C. Phillips
applicant

Richard C. Phillips
/print/

ADDRESS:

P.O. Box 2351

Chapel Hill, N.C. 27515-2351

TELEPHONE NUMBER:

919-929-5978

BOARD OF ALDERMEN

ITEM NO. B(4)

AGENDA ITEM ABSTRACT

MEETING DATE: May 26, 1998

SUBJECT: REQUEST TO SET A PUBLIC HEARING - STREET CLOSING APPLICATION

EVENTS: Weaver Street Market Birthday Celebration & Fete de la Musique (Carrboro Music Festival)

DEPARTMENT: PUBLIC WORKS DEPT.	PUBLIC HEARING: NO						
ATTACHMENTS: Street Closing Application Sketch	FOR INFORMATION CONTACT: Chris Peterson 968-7716 James Harris 968-7700						
THE FOLLOWING INFORMATION IS PROVIDED: <table><tr><td><input checked="" type="checkbox"/> Purpose</td><td><input type="checkbox"/> Summary</td><td><input checked="" type="checkbox"/> Analysis</td></tr><tr><td><input type="checkbox"/> Recommendation</td><td><input checked="" type="checkbox"/> Action Requested</td><td></td></tr></table>		<input checked="" type="checkbox"/> Purpose	<input type="checkbox"/> Summary	<input checked="" type="checkbox"/> Analysis	<input type="checkbox"/> Recommendation	<input checked="" type="checkbox"/> Action Requested	
<input checked="" type="checkbox"/> Purpose	<input type="checkbox"/> Summary	<input checked="" type="checkbox"/> Analysis					
<input type="checkbox"/> Recommendation	<input checked="" type="checkbox"/> Action Requested						

Purpose

Weaver Street Market and the Carrboro Art Committee have submitted a Street Closing Permit Application for the temporary closing of:

- 100 block of East Weaver Street from the Main Street intersection to the Greensboro Street intersection from 10:00 a.m. to 10:30 p.m.
- 200 block of West Weaver Street from the Greensboro Street intersection to West Main Street intersection from 1:00 p.m. to 10:30 p.m.

on Sunday, June 21 to accommodate Weaver Street Market's birthday celebration from 10:30 a.m. to 1:00 p.m. and to accommodate the music festival from 1:30 to 9:30 p.m.

In accordance with Section 7-19 of the Town Code, a Public Hearing must be held to receive public input prior to issuing a Street Closing Permit.

Analysis

The Event Sponsors shall be responsible for notifying the surrounding residences and businesses of the June 9th Public Hearing to review this application.

Action Requested

To set a Public Hearing date of June 9.

PERMIT APPLICATION

CONCERNING THE USE OF STREETS AND PUBLIC RIGHT-OF-WAY FOR STREET FAIRS, FESTIVALS, CARNIVALS, AND OTHER PUBLIC EVENTS

	Weaver Street Market Birthday Celebration	Fete de la Musique (Carrboro Festival of Music)
Event Sponsor:	Weaver Street Market	Carrboro Art Committee and Town of Carrboro
Sponsor Address/Telephone #	Weaver Street Market 101 East Weaver Street Carrboro, NC 27510 929-0010 ext. 115	Town of Carrboro 301 West Main Street Carrboro, NC 27510 968-7700 - James Harris
Event Coordinator	Cat Moleski 932-5157	Joy Preslar 967-0367 James Harris 968-7700
Proposed Date	Sunday, June 21 (No Raindate)	Sunday, June 21 (No Raindate)
Approximate # of persons expected to attend event	Birthday celebration 250-350 Music Festival 6,000	Music festival 6,000
Time of Event Time of Closing	10:30 am – 1:00 pm 1:30 – 9:30 pm 10:00 am – 10:30 pm	3:00 – 9:30 pm 2:00 – 10:30 pm
Street to be closed	100 block of East Weaver Street	200 block of West Weaver Street
Clean-Up Timetable Responsible party	1:00 – 1:30 pm Weaver Street Market responsible 9:30 – 10:30 pm Weaver Street Market responsible	9:30 – 10:30 pm Carrboro Art Committee
Town services requested	Barricades and signs for traffic control And roadway closure Police officers for crowd control, security and traffic control	Barricades and signs for traffic control and roadway closure Police officers for crowd control, security and traffic control Portable dumpster and recycling containers Portable toilets (4 with one being handicapped accessible)
Sketch of proposed closing	Attached	Attached
Insurance	Southern Pilot Insurance	Town of Carrboro

COSTS TO BE PAID BY APPLICANT

Administrative

Application Fee	\$ 50
Advertising of Public Hearing	<u>65 estimate</u>
	\$ 115

Labor

Public Works Department	\$ 300
Police Department	<u>800</u>
	\$ 1,100

Miscellaneous

Portable toilets	<u>\$ 290</u>
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TOTAL ESTIMATED COSTS: **\$ 1,505**

NOTIFICATION OF CENTRAL COMMUNICATIONS (911):

*The **APPLICANT** is responsible for notifying Central Communications (911):*

- *at least five (5) days in advance of the event in writing (Orange County EMS, Post Office Box 8181, Hillsborough, NC 27278)*
- *on the day of the closing, prior to the actual closing of the street (dialing 911)*
- *on the day of the closing, when the street is re-opened (dialing 911)*

NOTIFICATION OF THE PUBLIC:

A public hearing is required for all street closing permit applications. The public must be notified by a formal advertisement in a local newspaper. The Public Works Department *will submit* the advertisement copy to the newspaper. **However, the applicant will be responsible for reimbursing the Town for the full cost of the advertisement.**

Any other notification of the public of this event will be the Applicant's responsibility.

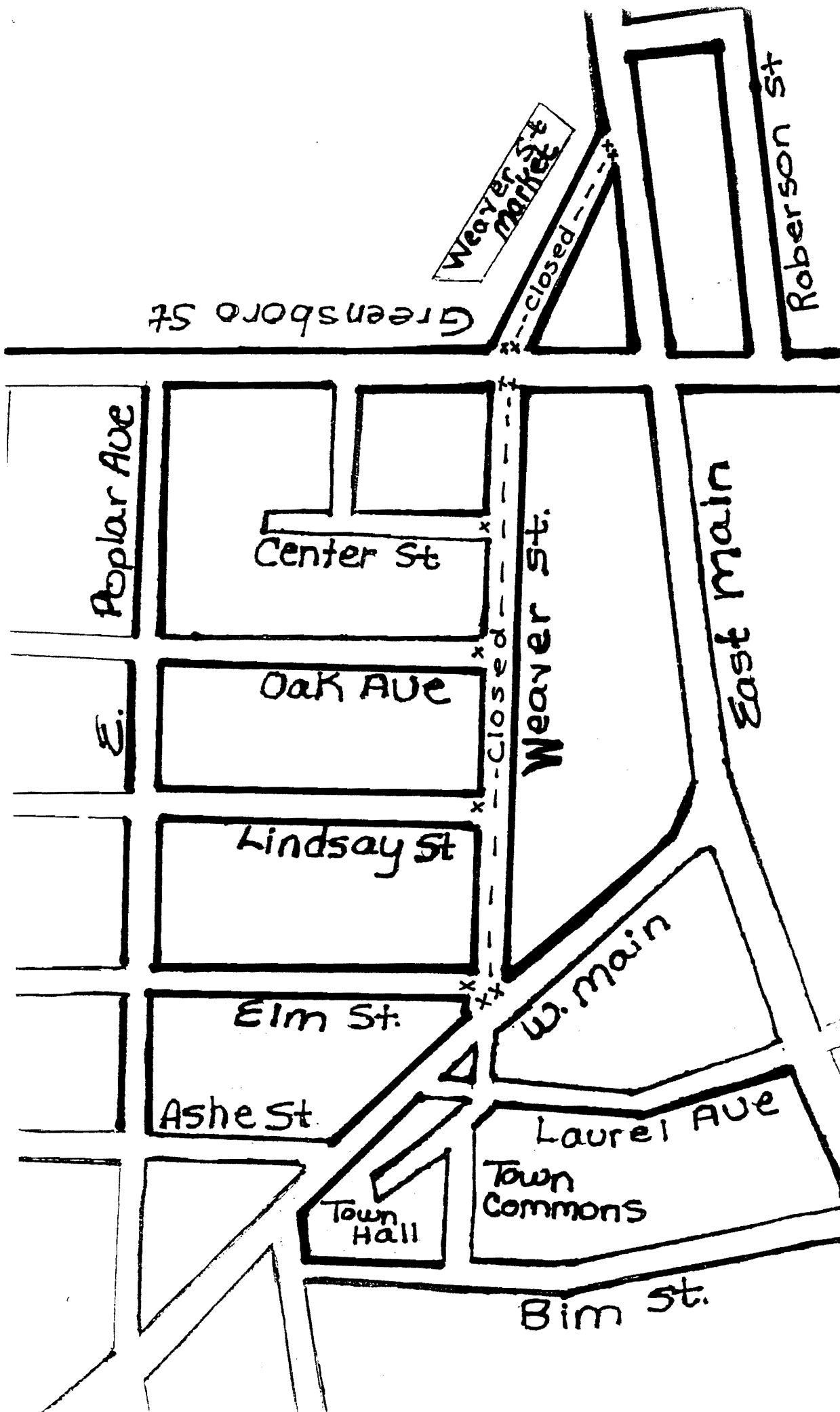
NOTIFICATION OF ABUTTING PROPERTY OWNERS:

The **APPLICANT** is responsible for notifying all abutting property owners of the Public Hearing. Such notification must be accomplished at least seven days prior to the Public Hearing. The notification must include:

- the DATE, TIME and LOCATION of the proposed street closing; and
- the DATE, TIME and LOCATION of the Public Hearing as well as the subject matter of this Public Hearing

The Public Works Department must receive in writing from the **APPLICANT** the following at least five days prior to the Public Hearing:

names of all property owners notified
copy of the notification
method used to notify these property owners (mail or hand delivery)



x - barricades

June 21 proposed closing

Ferry

June 21st Weaver Street Mkt Birthday Celebration

Robinson St

Street

Main

Carrboro
Town
Center

Trade Place

↑↑↑
Village
Lds

Harrel
TV

Hair
Salon

Booth
A

Booth
B

Booth
C

Booth
D

Weaver Street

Carnival
area

Picnic
area

Band area

Weaver St. Market

Earthwares

Greensboro Street

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: May 26, 1998

SUBJECT: Carrboro Plaza CUP Major Modification

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: Staff Report Reduced Site Plans Advisory Board Recommendations Summary Sheet Letter from Chapel Hill Transit Authority	FOR INFORMATION CONTACT: Keith Lankford--968-7712
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Summary (X) Analysis (X) Recommendation	

PURPOSE

Phil Post and Associates, on behalf of the owners of Carrboro Plaza shopping center, has applied for a major modification to the conditional use permit (CUP) for a major modification to the Carrboro Plaza Conditional Use Permit, which would allow for the creation of two new out parcels. The Board of Aldermen must receive public comment on an application for a major modification request before making a decision. The Administration recommends that the Board approve the major modification as presented.

SUMMARY

The Board of Aldermen granted the owners of Carrboro Plaza a minor modification to their CUP on March 24, 1998 for the reconfiguration of their main parking lot, and for the re-establishment of a recycling center near the ABC store.

The approved minor modification actually resulted in an increase in the number of parking spaces for the center of 33 spaces.

Phil Post and Associates, on behalf of the owners of Carrboro Plaza shopping center, has applied for a major modification to the conditional use permit (CUP) for Carrboro Plaza to allow for the creation of two (2) new out parcel lots.

These two out parcel lots will be located in the area currently occupied by the Chapel Hill Transit Authority's park and ride lot.

The lease for the 149 parking spaces in the park and ride lot has been expired for some time now.

These two proposed lots will **not** have direct access onto Highway 54, but shall be accessed by a single joint access easement off of the internal access road to the center (see attached plans).

The Zoning Division has not received any plans for the specific development of the two proposed lots.

Any development on these out parcel lots will have to go through the standard review and approval process for a zoning permit, special use permit or conditional use permit, depending upon the type of use being proposed.

The major modification includes a conceptual design for a new park and ride lot) located on the backside of the main building (off of Old Fayetteville Road) with approximately 145 parking spaces (this number may change with the final design.

The Chapel Hill Transit Authority (CHTA) may seek a modification to the shopping center's CUP at some point in the future for approval of the new park and ride lot.

If that modification is approved, then the CHTA will seek approval of construction plans (see attached letter dated April 29, 1998).

This conceptual plan of the park and ride lot is presented on these plans to obtain input (not formal approval).

The CHTA is also investigating other possible locations within the western Highway 54 corridor for the location of a park and ride lot.

ANALYSIS

(See Attached Staff Report)

RECOMMENDATION

The Administration is recommending that the major modification to the conditional use permit, to create the two (2) new out parcel lots, be approved as presented.

STAFF REPORT

TO: Board of Aldermen

DATE: May 26, 1998

PROJECT: Request for a Major Modification to the Carrboro Plaza to Allow for the Creation of Two New Out Parcels

APPLICANT: ~~824~~
Phil Post and Associates
401 Providence Road
Chapel Hill, N. C. 27514

PURPOSE: To allow for a major modification to the Carrboro Plaza Conditional Use Permit, which would allow for the creation of two new out parcels.

EXISTING ZONING: B-4 Outlying Concentrated Business

TAX MAP NUMBER: 7.114..31

LOCATION: 104 Highway 54 Bypass

TRACT SIZE: 18.875 acres

EXISTING LAND USE: Existing shopping center, multiple use categories

PROPOSED LAND USE: Creation of two new out parcels. The use categories for these two new lots have not been determined at this time. Separate permits will be required in the future for each lot.

**SURROUNDING
LAND USES:** North: B-4 and R-10—Post Office, 15.100, Vacant land, and Single family residences, 1.110
South: R-3, Apartments, 1.330
East: B-3, Retail Sales, 2.110 and gas sales operations, 9.300
West: WR--Vacant lot/Pasture; Single family residences, 1.110
WM-3—Utility Facility, 17.000

ZONING HISTORY: B-4 Since 1981

**RELEVANT
ORDINANCE SECTIONS:** Section 15-64 Amendments to and Modifications of Permits

BACKGROUND

The Board of Aldermen granted the owners of Carrboro Plaza a minor modification to their CUP on March 24, 1998 for the reconfiguration of their main parking lot, and for the re-establishment of a recycling center near the ABC store. The purpose of this minor modification was to reconfigure the parking lot for the entire shopping center and to re-establish a recycling center on this site. The purpose of the parking lot reconfiguration (including the internal driveways) was "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". The approved minor modification actually resulted in an increase in the number of parking spaces for the center of 33 spaces. This reconfigured parking lot meets all relevant aspects of the Land Use Ordinance including shading, dimensions, and handicapped space allocation. This minor modification also re-established a recycling center near the ABC store and the former Sav-A-Center store.

ANALYSIS

Phil Post and Associates, on behalf of the owners of Carrboro Plaza shopping center, has applied for a major modification to the conditional use permit (CUP) for Carrboro Plaza to allow for the creation of two (2) new out parcel lots. These two out parcel lots will be located in the area currently occupied by the Chapel Hill Transit Authority's park and ride lot. The Land Use Ordinance requires that the Advisory Boards make recommendations on major modifications to CUPs and report them to the Board of Aldermen. The Administration recommends that the Board approve the major modification, to create the two (2) new out parcel lots, as presented.

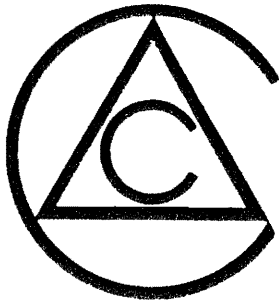
The owners of the Carrboro Plaza shopping center have requested a major modification of their CUP to create two new commercial out parcels for future development. These two new lots will be located in the area that is currently the site for Chapel Hill Transit Authority's park and ride lot. These lots will not have direct access onto Highway 54, but shall be accessed by a single joint access easement off of the internal access road to the center (see attached plans). The lease for the 149 parking spaces in the park and ride lot has been expired for some time now. 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 and approval by the Board of Aldermen (scheduled for Tuesday, May 26, 1998). The purpose of this major modification is solely to request approval of the creation of the two new out parcel lots. Any development on these out parcel lots will have to go through the standard review and approval process for a zoning permit, special use permit or conditional use permit, depending upon the type of use being proposed.

The major modification includes a conceptual design for a new park and ride lot with 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 Chapel Hill Transit Authority (CHTA) will seek a modification to the shopping center's CUP at some point in the future for approval of the new park and ride lot. If that modification is approved, then the CHTA will seek approval of construction plans (see attached letter dated April 29, 1998). This conceptual plan of the park and ride lot is presented on these plans to obtain input (not formal approval). This conceptual plan will be used by CHTA to prepare cost estimates to be used to solicit funding sources for the construction of the new park and ride lot. The CHTA is also investigating other possible locations within the western Highway 54 corridor for the location of a park and ride lot.

The conceptual plan is fairly complete and includes an analysis of the proposed grading and drainage, compliance with the dimensional requirements of the Land Use Ordinance, compliance with the handicapped parking space requirements of the State Building Code, a parking lot lighting and utility plan. The primary item that is incomplete on this set of plans which prohibits their formal approval at this time is compliance with the screening and shading requirements of the Land Use Ordinance

RECOMMENDATION

The Administration is recommending that the major modification to the conditional use permit, to create the two (2) new out parcel lots, be approved as presented.



RECOMMENDATION

MONDAY, MAY 18, 1998

CARRBORO PLAZA

MOTION WAS MADE BY MS. BEVIN AND SECONDED BY MS. WENCK THAT THE APPEARANCE COMMISSION RECOMMENDS THAT THE BOARD OF ALDERMAN APPROVE THE CUP MAJOR MODIFICATION FOR CARRBORO PLAZA WITH THE FOLLOWING CONDITION:

1. That a type B Screen be installed between the proposed out parcels and Highway 54 consistent with the existing landscape at Central Carolina Bank (CCB).

The votes were as follows: Ayes--five (5) (Alison Weiner, Debbie Bevin, Mary Tippens, Richard Taylor, and Wendy Wenck); Noes--zero (0); Absent/ Excused--zero (0).

Appearance Commission Chair

Date



TOWN OF CARRBORO

TRANSPORTATION ADVISORY BOARD

301 West Main Street, Carrboro



RECOMMENDATION

MAY 21, 1998

CUP MAJOR MODIFICATION: CARRBORO PLAZA SHOPPING CENTER

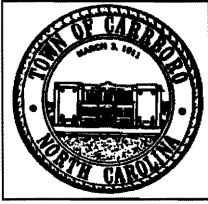
MOTION WAS MADE BY KEITH COOK AND SECONDED BY ELLEN PERRY THAT THE TRANSPORTATION ADVISORY BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN APPROVE THE MAJOR MODIFICATION TO THE CONDITIONAL USE PERMIT OF THE CARRBORO PLAZA SHOPPING CENTER TO CREATE TWO NEW OUT PARCEL LOTS. VOTE: AFFIRMATIVE ALL.

Neal Mochel

Neal Mochel, Chairman

5/22/98

5/22/98



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

April 21, 1998

CUP MAJOR MODIFICATION: CARRBORO PLAZA SHOPPING CENTER

MOTION WAS MADE BY M.C. RUSSELL AND SECONDED BY JAMES BATESON THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN APPROVE THE MAJOR MODIFICATION TO THE CONDITIONAL USE PERMIT OF THE CARRBORO PLAZA SHOPPING CENTER TO CREATE TWO NEW OUT PARCEL LOTS. VOTE: AYES 6 (Searing, Rodemeir, Cohen, Presler, Bateson, Russell); NOES 0; ABSENT/EXCUSED 3 (Kaufman, Cheek, Marshall).

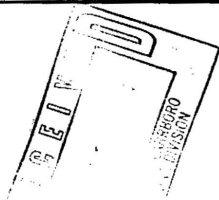
MOTION WAS MADE BY M.C. RUSSELL AND SECONDED BY JAMES BATESON THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN ENCOURAGE THE TOWN OF CHAPEL HILL TO KEEP THE BUS FACILITY ON THE EXISTING 18-ACRE PARCEL WITHOUT SEEKING TO RELOCATE THE FACILITY ON ANOTHER PARCEL. VOTE: AYES 6 (Searing, Rodemeir, Cohen, Presler, Bateson, Russell); NOES 0; ABSENT/EXCUSED 3 (Kaufman, Cheek, Marshall).

Andrew B. Cohen /js 5/22/98
Andrew B. Cohen, chairman (date)

SUMMARY SHEET OF STAFF AND ADVISORY BOARD RECOMMENDATIONS

CONDITIONAL USE PERMIT, MAJOR MODIFICATION—CARRBORO PLAZA

Recommended by	Recommendations	Complied With or Not Needed
1. AC	That the Board of Alderman approve the Major Modification to the Conditional Use Permit of the Carrboro Plaza Shopping Center to create two (2) new out parcels lots.	
2. AC	That a type B Screen be installed between the proposed out parcels and Highway 54 consistent with the existing landscape at Central Carolina Bank (CCB).	Not Needed
3. PB	That the Board of Alderman approve the Major Modification to the Conditional Use Permit of the Carrboro Plaza Shopping Center to create two (2) new out parcels.	
4. PB	That the Board of Alderman encourage the Town of Chapel Hill to keep the bus facility on the existing 18-acre parcel without seeking to relocate the facility on another parcel.	Not Needed
5. STAFF	That the Major Modification to the Conditional Use Permit to create the two (2) new out parcel lots be approved as presented.	
6. TAB	That the Board of Alderman approve the Major Modification to the Conditional Use Permit of the Carrboro Plaza Shopping Center to create two (2) new out parcels lots.	



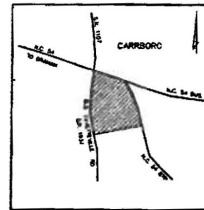
CARRBORO PLAZA

CARRBORO NORTH CAROLINA

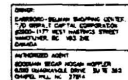
PHASE I: MINOR MODIFICATION TO C.U.P. FOR PARKING LOT RENOVATIONS AND RECYCLING CENTER
PHASE II: C.U.P. MODIFICATION FOR OUTPARCELS "B" & "C" AND PARK & RIDE CONCEPT PLAN

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	PAVING PLAN
LA-1	LANDSCAPE PLAN



VICINITY MAP
NOT TO SCALE



SITE DATA:

PARCEL TAX REFERENCE: 7.84.31 PIN NO. 9778 - IS - 4752
PARCEL SIZE: 15.875 ACRES / 682,195 SQ. FT.
ZONING DISTRICT: BUSINESS - 4 (B-4)
PARCEL ADDRESS: 104 HIGHWAY 54 BYPASS
GROSS LEASABLE FLOOR AREA: 120,948 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: 15.875 ACRES
PROPOSED PARCEL "B" AREA: 0.926 ACRES
PROPOSED PARCEL "C" AREA: 0.953 ACRES
15.986 ACRES BALANCE

PARKING CALCULATIONS:

	HANDICAP	COMPACT	STANDARD	PARK & RIDE LOT	TOTAL
PARKING SPACES EXISTING:	15	0 (0%)	484	149	649
PARKING SPACES REQUIRED:	14	0 (0%)	66		630
PARKING SPACES PROVIDED:	15	153 (99%)	553		662
LOADING SPACES REQUIRED:	-	-	3		3
LOADING SPACES PROVIDED:	-	-	3		3

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. THESE LOADING SPACES ARE REQUIRED FOR FLOOR AREA OF 80,000 TO 127,999 SQUARE FEET.
4. THE EXISTING PARK & RIDE LOT SPACES (149) WILL BE DISPLACED BY OUTPARCELS "B" AND "C". THE PARK & RIDE CONCEPT PLAN DEMONSTRATES HOW 145 SPACES COULD BE PROVIDED IN AN ALTERNATE LOCATION.

PURPOSE:

PHASE I: TO PROVIDE THE NUMBER OF PARKING SPACES REQUIRED FOR THE SHOPPING CENTER 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, 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 OWNERS, TOWN OF CARRBORO, AND CHAPEL HILL TRANSIT AUTHORITY. A SEPARATE CUP MODIFICATION (INSIGNIFICANT, MINOR OR MAJOR) SHALL BE SUBMITTED TO THE TOWN OF CARRBORO BY CHAPEL HILL TRANSIT AUTHORITY FOR THE FINAL PARK & RIDE PLANS DEVELOPED FROM THE CONCEPT PLAN INCLUDED IN THESE PLANS. CONSTRUCTION OF PARK & RIDE LOT AT THE LOCATION SHOWN SHALL BE BY OTHERS, NOT THE SHOPPING CENTER OWNERS.

GENERAL NOTES:

1. DEVELOPMENT IS PROPOSED AS A TWO 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 FLEETWORK ELECTRIC, BELL/SOUTH PUBLIC SERVICE GAS COMPANY, AND CABLEVISION) ARE EXISTING ON THE PROPERTY, AND WILL BE EXTENDED TO OUTPARCELS "B" AND "C" INTERNALLY.
7. A PRECONSTRUCTION CONFERENCE SHALL BE CONDUCTED WITH THE TOWN OF CARRBORO OFFICIALS INCLUDING ZONING OFFICER (958-770) AND PUBLIC WORKS SUPERVISOR (958-776).
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 HAULED TO AN ASPHALT RECYCLING FACILITY.
10. FIRE LANE PAVEMENT MARKING AND SIGNAGE SHALL BE REQUIRED AS DIRECTED BY THE FIRE MARSHALL. ANY EXISTING PAVEMENT MARKING (STRIPING, SYMBOLS AND SIGNAGE) IN CONFLICT WITH DEMOLITION OR RENOVATION WORK SHALL BE REPLACED. NO EXISTING PAVEMENT MARKINGS ON THE FRONT SIDE OF THE SHOPPING CENTER SHALL BE RETAINED. ALL STRIPING AND SYMBOLS SHALL BE WITH NEW TRAFFIC PAINT.

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

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



COVER SHEET

CARRBORO PLAZA
SHOPPING CENTER

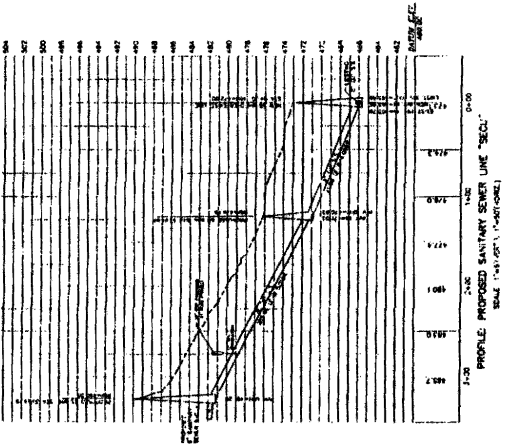
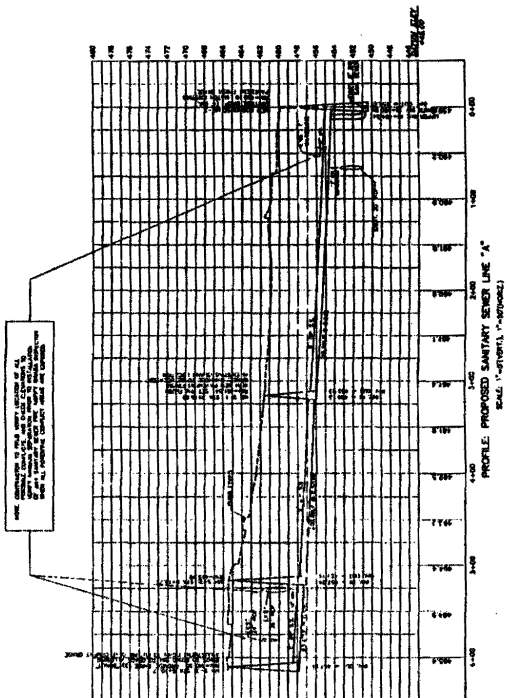
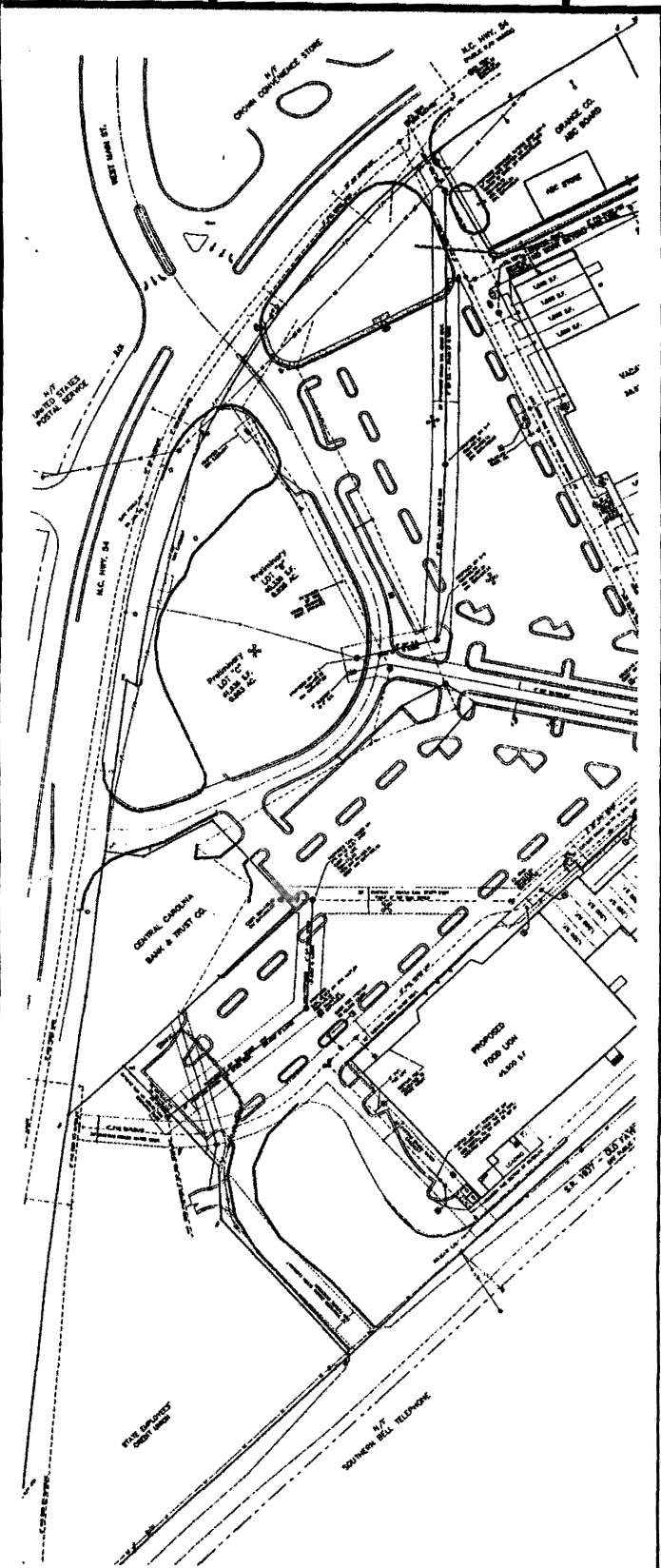
CARRBORO

DATE: 11/11/98
BY: PHILIP POST
CHECKED BY: PHILIP POST
SCALE: AS SHOWN
SHEET NO. 1 OF 1

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF HIGHWAYS, BRIDGES AND STRUCTURES, AND THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF AIRPORTS, PUBLISHED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

SHEET 1 OF 1

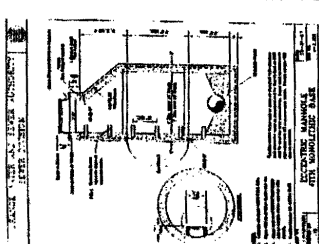
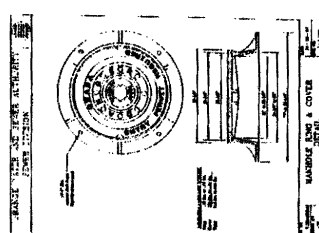
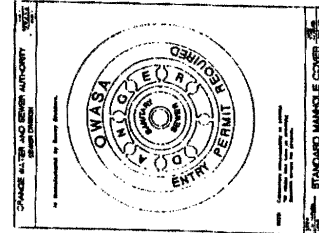
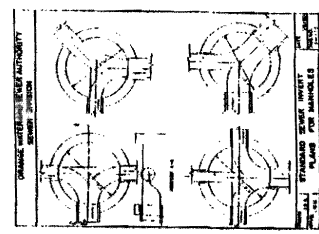
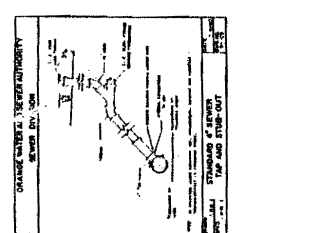
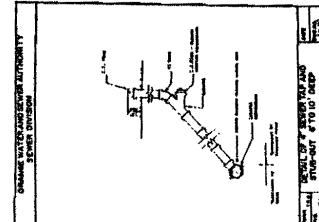
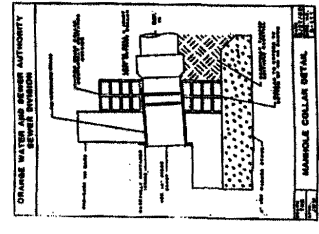
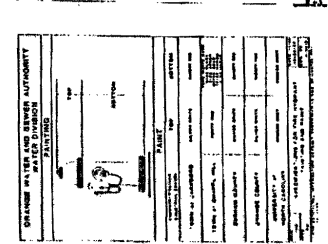
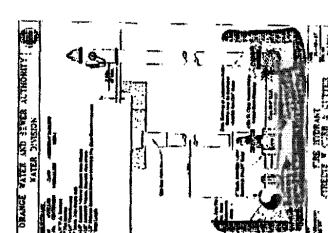
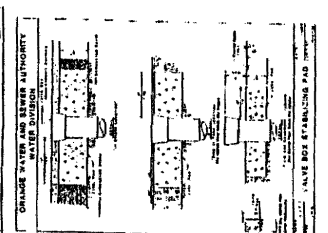
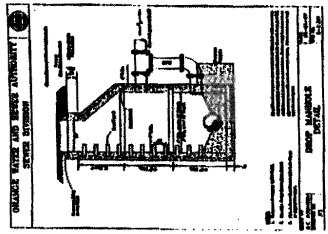
[illegible]



OWASA DETAILS

DOWN OF CAMERON
CARBORO PLAZA
SHOPPING CENTER
GRANDE COUNTY, N.C.

PHILIP
POST
&
ASSOCIATES



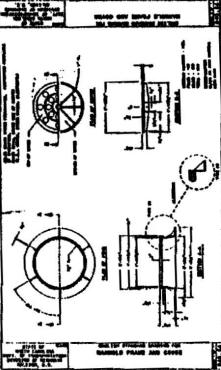
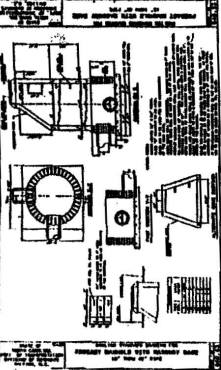
PHILIP
POST
ASSOCIATES



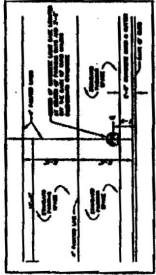
SITE DETAILS
SHOPPING CENTER
CARBORO PLAZA
CARBORO, N.C.

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NORTH CAROLINA CONSTRUCTION CODES AND SPECIFICATIONS.
2. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE TOWN ENGINEER.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE TOWN OF CARBORO.

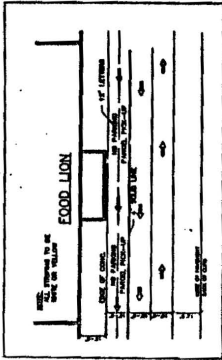
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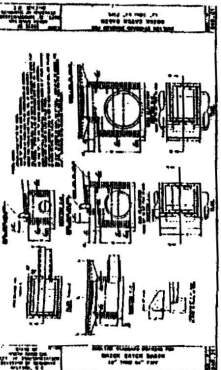
1. STORM WATER MANHOLE FRAME AND COVER



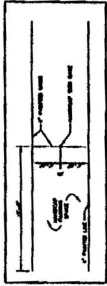
2. PARKING LOT LIGHT BASE LOCATION



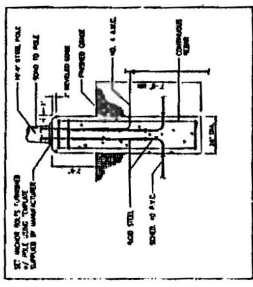
3. FOOD LION BUILDING ELEVATION



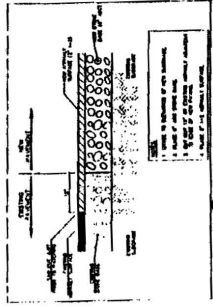
4. STORM WATER CATCH BASIN



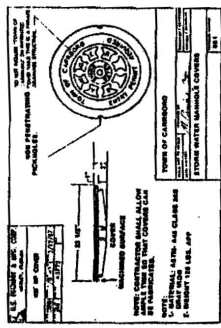
5. HANDICAP SIGN BASE LOCATION



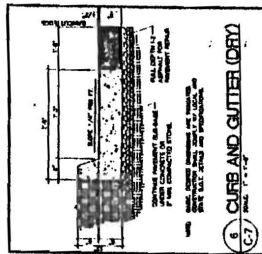
6. PARKING LOT LIGHT BASE



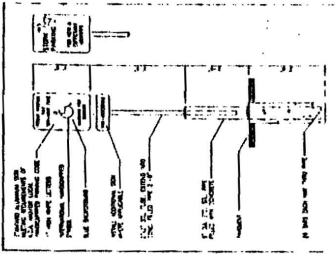
7. PARK AND RIDE AREA



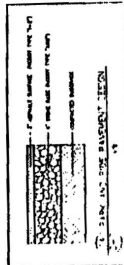
8. YARD INLET - MANHOLE COVER



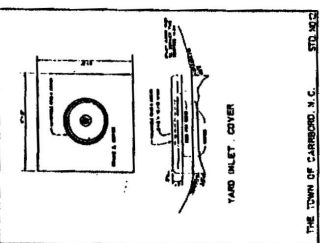
9. CURB AND GUTTER (DRY)



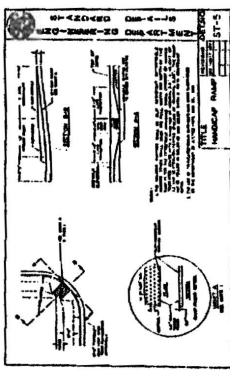
10. HANDICAP SIGN BASE



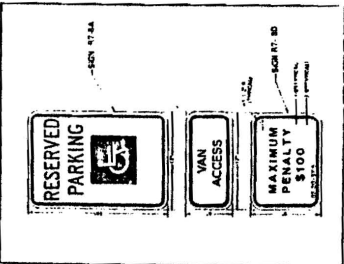
11. CONCRETE FRAME



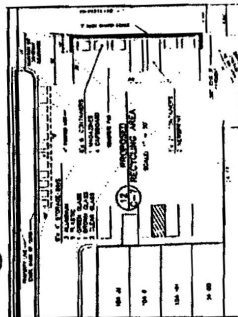
12. STORM WATER YARD INLET



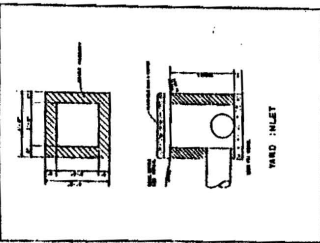
13. HANDICAP RAMP



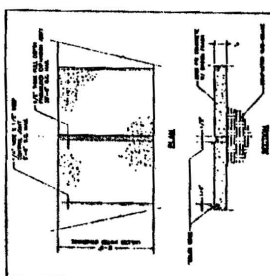
14. RESERVED PARKING SIGN



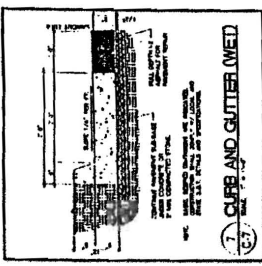
15. HANDICAP PARKING SIGN



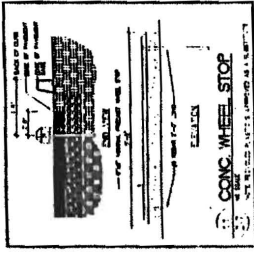
16. STORM WATER YARD INLET



17. CONCRETE SIDEWALK



18. CURB AND GUTTER (WET)



19. CONCRETE WHEEL STOP

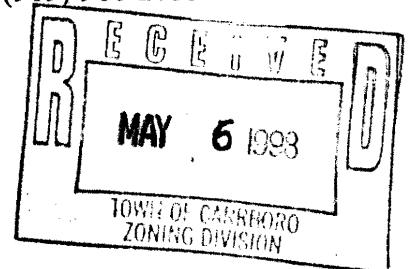
DIRECTOR
 PLANNING
 SHERMAN
 401 Providence Road
 Cranston, RI 02914
 (401) 228-1173
 401-228-1173
 401-228-1173
 401-228-1173
 401-228-1173
 401-228-1173

TOWN OF CHAPEL HILL
TRANSPORTATION DEPARTMENT
306 N. COLUMBIA STREET
CHAPEL HILL, NORTH CAROLINA 27516

April 29, 1998

Tel: (919) 968-2755

Mr. Vijay K. Shah
Vice President, Investments
Goodman, Segar, Hogan and Hoffler
6320 quadrangle Drive, Suite 360
Chapel Hill, N. C. 27514



Dear Mr. Shah:

This is a follow-up to your letter dated April 15, 1998 and our telephone call earlier today. It is intended to clarify our previous discuss on the possible relocation of park/ride spaces within the Carrboro Plaza Development. Thank you for your patience, cooperation and willingness to discuss the matter of entering into an agreement for park/ride spaces.

Chapel Hill Transit is interested in continuing to discuss the possibility of a long term lease agreement which would allow the construction of approximately 140 park/ride spaces within your development. Because of the federal funding which we would use for such a project, the minimum term of a lease would be 20 years. As I indicated in our last meeting on April 8th, we have requested grant funding for construction of a park/ride project but have not yet received any approval.

We strongly believe that the demand for such spaces in the NC 54 west, commuting corridor would justify a park/ride lot of 400 to 500 spaces. We realize that your site cannot accommodate a lot of this size so we are evaluating other potential sites in the corridor. We expect that more than one site may have to be developed to meet our needs, therefore we wish to fully explore a possible lease with you.

I believe that the preliminary plan that you have prepared to date, along with the cost estimate for developing 140 park/ride spaces, and the preliminary terms for a lease agreement, are sufficient for us to evaluate the park/ride potential of this site and compare it to other alternatives we are considering. I believe that the best way to proceed is for us to sign a "letter of intent" on how we would proceed. Such a letter could have the terms of a lease agreement as an attachment. This would clearly indicate your cooperation and willingness to proceed on such a project. It should also satisfy the Town of Carrboro, which has expressed an interest in such a project.

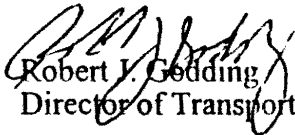
The final decision on whether to proceed and all additional development costs would be our responsibility. This would depend on the availability of funding and our ability to finance the project, as well as our selection of this site over the other alternatives we are

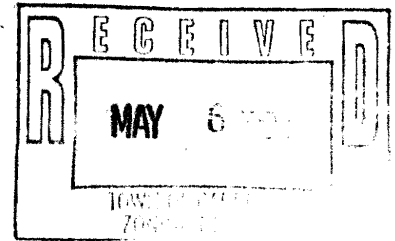
considering. If we chose to proceed and signed a lease agreement with you, we would be responsible for the preparation of completed plans, the review and approval of those plans by the Town of Carrboro, obtaining the required permits, the success bidding of the work, and the actual construction of these spaces. The "letter of intent" could set a time limit of 3 years within which we would be required to sign a lease agreement and begin the project or all obligations would expire.

If this is acceptable to you, please let me know and I will prepare a "letter of intent" and a draft lease agreement based on the term we have discussed. Again, thank you and the owner of the property for your cooperation on this matter. I hope this will not delay your ongoing project in any way and that you will not incur any additional cost towards a potential agreement on this site.

If you have any questions on this, please call. Thank you.

Sincerely,


Robert J. Godding
Director of Transportation



Cc: Florentine Miller, Assistant Town Manager
✓ Robert Morgan, Carrboro Town Manager

BOARD OF ALDERMEN

ITEM NO.: D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: MAY 26, 1998

SUBJECT: PUBLIC HEARING: LAND USE ORDINANCE TEXT AMENDMENT REGARDING
COLLECTION OF FEES ASSOCIATED WITH DEVELOPMENT PROJECTS

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
ATTACHMENTS: PROPOSED ORDINANCE AMENDMENT	FOR INFORMATION CONTACT: PATRICIA MCGUIRE, 968-7714	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) PURPOSE	() ACTION REQUESTED	() ANALYSIS
(X) SUMMARY	(X) RECOMMENDATION	

PURPOSE:

The purpose of this item is for the Board of Aldermen to review and to receive comments regarding a proposed amendment to the Carrboro Land Use Ordinance which would provide that administrative decisions and actions on development projects may be withheld or delayed until all fees due under this ordinance have been paid.

SUMMARY:

On June 24, 1997, the Board of Aldermen adopted the 1997-98 Miscellaneous Fees and Charges Schedule. On September 16, 1997, the Board of Aldermen adopted an amendment to the 1997-98 Miscellaneous Fees and Charges Schedule which added language authorizing the Town to levy an interest charge on engineering fees which remain unpaid for thirty days from the date of billing.

On September 17, 1997, the Planning Staff mailed to all developers with projects under Town scrutiny notification of the Board's September 16, 1997 action. Additionally, notice of the interest fee is noted in all letter-invoices requesting 80% of the plan review engineering fee.

In an effort to encourage developers to pay fees as they are incurred and to prevent the levy of an interest rate, the attached ordinance has been drafted for adoption by the Carrboro Board of Aldermen.

RECOMMENDATION:

The administration recommends that the Board of Aldermen adopts the proposed Land Use Ordinance amendment regarding the collection of fees associated with development projects.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT ADMINISTRATIVE DECISIONS AND ACTIONS ON DEVELOPMENT PROJECTS MAY BE WITHHELD OR DELAYED UNTIL ALL FEES DUE UNDER THIS ORDINANCE RELATING TO SUCH PROJECTS HAVE BEEN PAID

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-8(b) of the Carrboro Land Use Ordinance is amended to read as follows:

"(b) Except as otherwise provided in this chapter or the miscellaneous fees and charges schedule, fees established in accordance with subsection (a) shall be paid upon submission of a signed application or notice of appeal."

Section 2. Section 15-8 of the Carrboro Land Use Ordinance is amended by adding a new subsection (c) to read as follows:

"(c) Notwithstanding the provisions of Section 15-66 (Applications to be Processed Expeditiously) the planning staff may delay action on any request for a certificate of occupancy or final subdivision approval until all fees (including without limitation, engineering review fees) arising out of the permit review process for that particular development have been paid."

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 1998.

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

April 21, 1998

LAND USE ORDINANCE TEXT AMENDMENT: ENGINEERING FEES

MOTION WAS MADE BY ADAM SEARING AND SECONDED BY JOHN MARSHALL THAT THE PLANNING BOARD RECOMMENDS THAT THE BOARD OF ALDERMEN ADOPTS THE ORDINANCE ENTITLED "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE THAT ADMINISTRATIVE DECISIONS AND ACTIONS ON DEVELOPMENT PROJECTS MAY BE WITHHELD OR DELAYED UNTIL ALL FEES DUE UNDER THIS ORDINANCE RELATING TO SUCH PROJECTS HAVE BEEN PAID". VOTE: AYES 7 (Marshall, Searing, Rodemeir, Cohen, Presler, Russell, Bateson); NOES 0; ABSENT/EXCUSED 2 (Cheek, Kaufman).

Andrew B. Cohen *5/22/98*
Andrew B. Cohen, Chairman (date)

The following ordinance was introduced by Alderman Jacquelyn Gist and duly seconded by Alderman Hank Anderson.

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE
TO PROVIDE THAT ADMINISTRATIVE DECISIONS AND ACTIONS
ON DEVELOPMENT PROJECTS MAY BE WITHHELD OR DELAYED
UNTIL ALL FEES DUE UNDER THIS ORDINANCE
RELATING TO SUCH PROJECTS HAVE BEEN PAID
Ordinance No. 29/97-98**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-8(b) of the Carrboro Land Use Ordinance is amended to read as follows:

- (b) Except as otherwise provided in this chapter or the miscellaneous fees and charges schedule, fees established in accordance with subsection (a) shall be paid upon submission of a signed application or notice of appeal.

Section 2. Section 15-8 of the Carrboro Land Use Ordinance is amended by adding a new subsection (c) to read as follows:

- (c) Notwithstanding the provisions of Section 15-66 (Applications to be Processed Expeditiously) the planning staff may delay action on any request for a certificate of occupancy or final subdivision approval until all fees (including without limitation, engineering review fees) arising out of the permit review process for that particular development have been paid.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes: Hilliard Caldwell, Hank Anderson, Michael Nelson, Jacquelyn Gist, Alex Zaffron, Allen Spalt

Noes: None

Absent or Excused: Diana McDuffee

BOARD OF ALDERMEN

ITEM NO.: D(3)

AGENDA ITEM ABSTRACT

MEETING DATE: MAY 26, 1998

SUBJECT: PUBLIC HEARING: VOLUNTARY ANNEXATION OF LOT #69 OF LAKE HOGAN FARMS PHASE 4A

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <u>X</u> NO	
ATTACHMENTS: PETITION FOR ANNEXATION DEED DESCRIPTION OF PROPERTY LOCATION MAP ORDINANCE	FOR INFORMATION CONTACT: ROY M. WILLIFORD, 968-7713	
THE FOLLOWING INFORMATION IS PROVIDED:		
(X) PURPOSE	(X) ACTION REQUESTED	() ANALYSIS
() SUMMARY	(X) RECOMMENDATION	

PURPOSE:

Dale E. Redfoot, representing the Lake Hogan Farms Development Company LLC, submitted a PETITION FOR ANNEXATION on May 05, 1998. The PETITION FOR ANNEXATION requests that 0.60 acre, Lot #69, located in Lake Hogan Farm Subdivision Phase 4A be annexed into the Town. The 0.60 acre to be annexed is non-contiguous to the Town of Carrboro.

ACTION REQUESTED:

The Board of Aldermen is requested to hold a public hearing to consider the PETITION FOR ANNEXATION submitted by Dale E. Redfoot and to receive public comment.

RECOMMENDATION:

The Administration recommends that the Board of Aldermen adopt the attached ordinance which annexes the property known as Lot 69 in the Lake Hogan Farms subdivision, Phase 4A into the Town of Carrboro.

MAY 05 REC'D

TOWN OF CARRBORO



PETITION FOR ANNEXATION OF NON-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 NON-CONTIGUOUS TO THE TOWN OF CARRBORO, AND IS LOCATED AT LAKE HOGAN FARMS SUBDIVISION AND TAX MAP REFERENCED 7.109.2. 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 DWELLINGS UNITS LOCATED ON THIS PROPERTY ARE AS FOLLOWS:

0.60 ACRES 1 DWELLING UNITS

RESPECTFULLY SUBMITTED THIS 16th DAY OF APRIL, 19 98.

NAME:	<u>LAKE HOGAN FARMS DEVELOPMENT CO. LLC</u>
ADDRESS:	<u>123 BLACKCHERRY LANE</u>
	<u>CHAPEL HILL, NC 27514</u>
OWNER/PRESIDENT:	<u>Paul E. Perfect</u> <u>MANAGER MEMBER</u>

ATTEST: Paul A. Tipton (TOWN CLERK) 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. 1601-31.

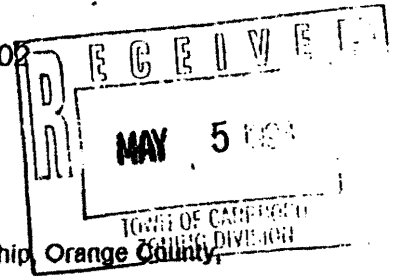
This the 7th day of May, 19 98.

TOWN CLERK: Sarah C. Williamson

BRADY H. GOFORTH & ASSOCIATES, INC.



121 West Clay Street ◆ Suite "A" ◆ Mebane, NC 27309
Phone (919) 563-3623



DEED DESCRIPTION (ANNEXATION OF PROPERTY):

Being Phase Four "A" Lake Hogan Farms Subdivision, located in Chapel Hill Township, Orange County, North Carolina and being more particularly described as follows:

Beginning at an existing iron rod, said iron being the southwest corner of lot #70 of Lake Hogan Farms Subdivision, Phase One, Section "E"; Thence S 89°53'21" E - 113.24 feet to an existing iron rod, a corner of lots 70 & 71 of Lake Hogan Farms Subdivision, Phase One, Section "E"; Thence along the same line S 89°53'21" E - 33.51 feet to a new iron rod; Thence S 00°06'39" W - 204.48 feet to an existing iron rod; Thence N 89°53'20" W - 118.00 feet to an existing iron rod; Thence along a curve to the left having a radius=932.95', delta=12°42'28", arc=206.91', tangent=103.88' and a chord bearing and distance of N 07°53'31" W - 206.49 feet to the place and point of beginning. Containing 0.60 acre± as surveyed by Brady H. Goforth & Associates, Inc. dated April 13, 1998 and being based on a plat north meridian.

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

AN ORDINANCE ANNEXING
Lot #69, Lake Hogan Farms, Phase 4A

WHEREAS, a petition was received requesting the annexation of Lot #69 of the Lake Hogan Farms Subdivision, Phase 4A; and

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on May 26, 1998, following notice of such hearing published in The Chapel Hill News on May 15, 1998.

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

Section 1. The Board of Aldermen finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160A-31(f).

Section 2. The following area is hereby annexed to and made a part of the Town of Carrboro:

Beginning at an existing iron rod, said iron being the southwest corner of Lot #70 of Lake Hogan Farms Subdivision, Phase One, Section "E" thence S 89 degrees 53' 21" E 113.24 feet to an existing iron rod, a corner of lots 70 and 71 of Lake Hogan Farms Subdivision, Phase One, Section "E"; thence along the same line S 89 degrees 53' 21" E 33.51 feet to a new iron rod; thence S 00 degrees 06' 39" W 204.48 feet to an existing iron rod; thence N 89 degrees 53' 20" W 118.00 feet to an existing iron rod; thence along a curve to the left having a radius=932.95', delta=12 degrees 42' 26", arc=206.91', tangent=103.88' and a chord bearing and distance of N 07 degrees 53' 31" W 206.49 feet to the place and point of beginning. Containing 0.60 acre as surveyed by Brady H. Goforth & Associates, Inc. dated April 13, 1998 and being based on a plat north meridian.

Section 3. The area within the street right-of-way (to the center of the street) immediately adjacent to the boundaries of the above-described area is also annexed to the Town of Carrboro.

Section 4. The Board hereby strongly requests that the applicant for the annexation and all persons associated with the annexed property indicate in all advertisements and sales information regarding this property that the property is located within the corporate limits of the Town of Carrboro.

Section 5. This ordinance shall become effective on May 30, 1998.

Section 6. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

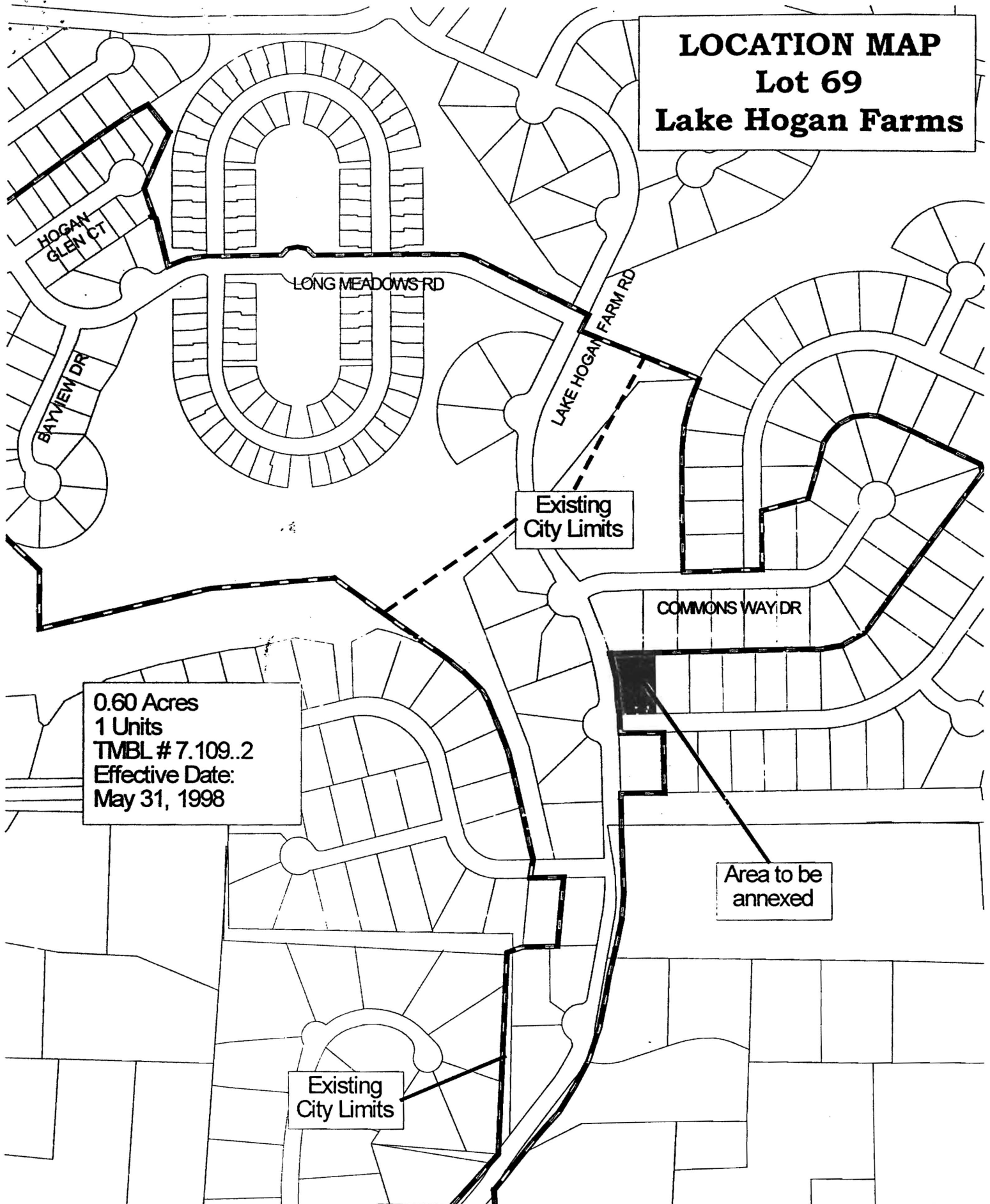
The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes:

Noes:

Absent or Excused:

LOCATION MAP
Lot 69
Lake Hogan Farms



0.60 Acres
1 Units
TMBL # 7.109.2
Effective Date:
May 31, 1998

Area to be
annexed

Existing
City Limits

Existing
City Limits

" This map is not a certified survey and no reliance may be placed in its accuracy."

Craig M. Harmon

Craig M. Harmon, GIS Specialist

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Hilliard Caldwell.

AN ORDINANCE ANNEXING
Lot #69, Lake Hogan Farms, Phase 4A
Ordinance No. 39/97-98

WHEREAS, a petition was received requesting the annexation of Lot #69 of the Lake Hogan Farms Subdivision, Phase 4A; and

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on May 26, 1998, following notice of such hearing published in The Chapel Hill News on May 15, 1998.

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

Section 1. The Board of Aldermen finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160A-31(f).

Section 2. The following area is hereby annexed to and made a part of the Town of Carrboro:

Beginning at an existing iron rod, said iron being the southwest corner of Lot #70 of Lake Hogan Farms Subdivision, Phase One, Section "E" thence S 89 degrees 53' 21" E 113.24 feet to an existing iron rod, a corner of lots 70 and 71 of Lake Hogan Farms Subdivision, Phase One, Section "E"; thence along the same line S 89 degrees 53' 21" E 33.51 feet to a new iron rod; thence S 00 degrees 06' 39" W 204.48 feet to an existing iron rod; thence N 89 degrees 53' 20" W 118.00 feet to an existing iron rod; thence along a curve to the left having a radius=932.95', delta=12 degrees 42' 26", arc=206.91', tangent=103.88' and a chord bearing and distance of N 07 degrees 53' 31" W 206.49 feet to the place and point of beginning. Containing 0.60 acre as surveyed by Brady H. Goforth & Associates, Inc. dated April 13, 1998 and being based on a plat north meridian.

Section 3. The area within the street right-of-way (to the center of the street) immediately adjacent to the boundaries of the above-described area is also annexed to the Town of Carrboro.

Section 4. The Board hereby strongly requests that the applicant for the annexation and all persons associated with the annexed property indicate in all advertisements and sales information regarding this property that the property is located within the corporate limits of the Town of Carrboro.

Section 5. This ordinance shall become effective on May 30, 1998.

Section 6. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

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

Noes: None

Absent or Excused: None

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Hilliard Caldwell.

**AN ORDINANCE ANNEXING
Lot #69, Lake Hogan Farms, Phase 4A
Ordinance No. 30/97-98**

WHEREAS, a petition was received requesting the annexation of Lot #69 of the Lake Hogan Farms Subdivision, Phase 4A; and

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the question of annexation was held on May 26, 1998, following notice of such hearing published in The Chapel Hill News on May 15, 1998.

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

Section 1. The Board of Aldermen finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Carrboro, as the term "contiguous" is defined in G.S. 160A-31(f).

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Section 4. The Board hereby strongly requests that the applicant for the annexation and all persons associated with the annexed property indicate in all advertisements and sales information regarding this property that the property is located within the corporate limits of the Town of Carrboro.

Section 5. This ordinance shall become effective on May 31, 1998.

Section 6. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes: Hilliard Caldwell, Hank Anderson, Michael Nelson, Jacquelyn Gist, Alex Zaffron. Allen Spalt

Noes: None

Absent or Excused: Diana McDuffee

BOARD OF ALDERMEN

ITEM NO. E(1)

AGENDA ITEM ABSTRACT

MEETING DATE: May 26, 1998

SUBJECT: Request for Additional Funding/Day Care Services Association

DEPARTMENT: n/a	PUBLIC HEARING: YES ____ NO <u>x</u> __
ATTACHMENTS: Request for Funding	FOR INFORMATION CONTACT: Sue Russell, Executive Director, Day Care Services Association

PURPOSE

To receive a request for funding from Day Care Services Association to provide permanent housing for that agency.

SUMMARY

Day Care Services Association has submitted a request for funding to the Town of Carrboro in the amount of \$40,000 to be paid over a five-year period, or \$8,000 per year to assist in the purchase of a 10,500 square foot building located at 1000 Franklin Square. This building would provide permanent housing for the Day Care Services Association.

The Human Services Commission is recommending an appropriation of \$7,500 in the 1998-99 budget for Day Care Services Association. These funds would be used to provide scholarships for AA licensed day care centers.

ACTION REQUESTED

To receive the funding request.

Day Care Services Association

P.O. Box 901, Chapel Hill, North Carolina 27514
telephone (919) 967-3272 facsimile (919) 967-7682

May 15, 1998

COPY

Michael Nelson
A-22 White Oak Condomiums
Carrboro, NC 27510

Dear Mr. Nelson,

Day Care Services Association is seeking your support for our capital campaign to provide permanent housing for our agency. In April, we let you know our exciting news that we found the perfect building for our needs which was owned by Quintiles Transnational. We also informed you that Quintiles recognized DCSA's important work in our community and, consequently, donated over half of the cost of the building, a value of over \$525,000. We are proceeding with our capital campaign to raise the other half. We have received an individual gift from local philanthropist Adele M. Thomas. We now need the support of our public partners.

Attached you will find our capital campaign funding strategy. You will note that we are hoping for a total of \$190,000 from our local governments. As we stated in our earlier proposals, we are asking the Carrboro Town Council to help us meet the costs of this capital project through a \$40,000 contribution paid over a five year period, or \$8,000 a year. We believe this partnership of Carrboro dollars with other dollars raised for this effort will produce a better space to serve families and child care providers in Carrboro and all of Orange County.

Thank you again for your consideration.

Sincerely,


Quinton Baker, President
Board of Directors


Sue Russell
Executive Director



Promoting Affordable, Accessible, High Quality Child Care



DCSA Capital Campaign 1998-99

Goal: Purchase 1000 Franklin Square (10,500 Sq. ft. building)

Sale price: \$1.1 million

Corporate gift: \$525,000

Amount to raise: \$675,000 (includes \$100,000 for addition of an elevator, moving expenses, etc.)

<i>Who?</i>	<i>When asked?</i>	<i>How Much?</i>	<i>Expected Date</i>
PUBLIC <i>Goal: \$300,000</i>			
Local Governments	Apr-98	\$190,000	varies
University of North Carolina	May-98	\$25,000	Aug-98
UNC Hospital	May-98	\$25,000	Aug-98
Local/State Partnership	May-98	\$25,000	Sep-98
Legislation	Jun-98	\$100,000	Sep-98
DHHS allotment for TEACH	May-98	\$150,000	Oct-98
potential total:		\$515,000	

PRIVATE <i>Goal: \$350,000</i>			
Key Community Individuals (leadership gifts)	May - July	\$300,000	May - July -98
Community Individuals (smaller gifts & direct mail)	May - July	\$100,000	May - July
50 Key Foundations	May - July	\$100,000	July 98 - June 99
25 Corporations	May - July	\$100,000	May 98 - June 99
potential total:		\$600,000	

FUNDRAISING/EVENTS <i>Goal: \$25,000</i>			
Crooks Corner (Chapel Hill restaurant) reception/auction	Aug-98	\$15,000	Aug-98
Raffle at DCSA Annual Dinner	Jun-98	\$5,000	Jun-98
Community Yard Sale	Aug-98	\$2,000	Aug-98
Other miscellaneous events	May 98 - June 99	\$15,000	May 98 - June 99
potential total:		\$37,000	

Day Care Services Association Considering a Permanent Home...

What is the problem with DCSA's current space?

The space that DCSA currently occupies is over-crowded and not conducive to expanding services expected with continuing growth. Currently, there are over 30 different funded projects being operated out of the current location, which has 4,400 square feet of office space. This space houses a child care resource library, a small conference room, reception area for families and workspace for 40 staff members. Because of the overcrowded conditions in the current building, we must cease developing new programs and services. We can rent additional space for additional services in other locations, but services will become fragmented and administrative costs associated with multi-site management and communication will increase.

Why is owning a building a smarter idea for DCSA than continuing to pay rent?

By working toward owning a building, DCSA is investing in its future. Currently, DCSA is spending over \$45,000 annually in space costs. By using these funds to purchase its own building, DCSA would be investing in itself. If funds can be raised to cover a substantial part of the cost of this space, then DCSA's overall organizational administrative costs would be lowered, leaving more funds for direct services. DCSA is at a crossroads in our development. We can continue to rent more space at a high cost with no return or we can make a long term investment in enhanced child care services for Orange County and North Carolina.

What would a DCSA-owned building provide that current space does not allow?

A new building would provide appropriate and adequate space for the delivery of critical and innovative services to families and child care providers. Enlarged space would allow for the development of a child care and family resource center. Child care providers and parents who come to DCSA for technical assistance, training or family support services could check out toys, books and materials that could help them provide better care for children. The Orange County Partnership for Young Children, Orange County's Smart Start agency, could also be housed in the facility, thus bringing together community early childhood services. Additional space would make it possible for DCSA to house workshops and courses provided for child care providers and families. The space would also provide DCSA staff with sufficient workspace to do their jobs and provide the needed privacy when working with individual families. Finally, enlarged space would provide flexibility for growth that is expected in the future.

Why should the community support DCSA's building campaign?

Child care issues was ranked as the number one need on a recent United Way community survey. The need for a quality, coordinated and effective child care delivery system for our community is critical for our children's future success in school, our families' ability to work and our community's economy. DCSA has a long history of providing essential services to the children, families and child care providers of Orange County. As a community resource since 1975, DCSA has been an agency committed to producing results. Throughout its history DCSA has received numerous awards for excellence and its

programs are being replicated throughout North Carolina and the nation. Orange County has the benefit of being the development ground for many of these new initiatives. The community should feel proud to support DCSA's efforts to create a permanent and more cost effective home for its services.

How does DCSA make a difference for parents in our community?

Parents of young children in our community can access DCSA's services to help them (1) find safe, reliable and appropriate child care for their children and (2) receive financial assistance if they cannot afford the full cost of care. DCSA helps parents and the community know about child care issues and efforts to support the healthy development of our youngest citizens and the child care needs of their parents.

How does DCSA help child care providers in Orange County?

DCSA is committed to improving the quality of child care in our community by helping child care providers. Through educational scholarships, salary supplements linked to educational attainment, technical assistance and training, DCSA is providing child care programs and their staff with the tools and incentives to improve themselves and their programs. This support has resulted in more children in the county being able to access better quality child care.

How does DCSA affect the quality of child care across North Carolina?

Research has shown the positive link between the education and compensation of the child care provider and outcomes for children in their care. Using these results, DCSA has become a leader in program development in North Carolina. Through its T.E.A.C.H. Early Childhood® Project, child care providers in all 100 counties are able to receive scholarships to earn credentials and degrees in early childhood education and increase their compensation as they achieve their educational goals. DCSA has also developed a model program which provides salary supplements linked to attained education to encourage providers to stay in the field. This program is now being replicated in over 1/3 of the Smart Start counties. Finally, DCSA, through its research and advocacy efforts, has studied various issues such as the working conditions of the early childhood workforce or the return on investment when families receive child care subsidy and brought the results to the attention of public policy makers.

How has DCSA grown in the last few years?

DCSA has been very successful in developing new programs in Orange County and across North Carolina. This success has meant that the agency has grown in programs, budget and staff. In 1990 DCSA had six different programs; in 1996 DCSA was working on 28 different projects, delivering services in Orange County, in other counties across the state and statewide. The number of staff has also increased from 4.25 staff members to over 40. This growth has produced a tenfold increase in the agency's budget.

Is it likely that DCSA will continue to grow?

Families need for safe, reliable and high quality child care is not expected to diminish in the future. It is expected that child care services will continue to expand, with DCSA increasing its services to meet this demand. This growth will be very difficult without increasing office space.

DAY CARE SERVICES ASSOCIATION, INC.

FACT SHEET

WHO WE ARE

Day Care Services Association, Inc. (DCSA) is a private, nonprofit, tax exempt corporation dedicated to promoting affordable, accessible, high quality child care for all families.

WHAT WE DO

DCSA performs three major functions: service, research and advocacy. These activities include:

- family support services such as child care referral for all families and child care subsidy to help low income working families who cannot pay the full cost of quality child care;
- support services that help child care providers operate more efficiently;
- quality enhancement services such as scholarships for child care providers to take courses, salary supplements to improve the wages of child care workers and reduce turnover in programs, technical assistance and training; and
- public policy research to understand the complex issues facing the early care and education system; and advocacy to improve the affordability, quality and accessibility of child care for all families.

WHO WE SERVE

DCSA is committed to serving children and their families. Additionally, services are targeted to child care providers through whom better quality services can be rendered to children and their families. DCSA administers programs that operate in Orange County, in specific counties in North Carolina and statewide.

HOW WE ARE FUNDED

DCSA receives funding from a variety of sources including federal, state and local governments, foundation grants, fund raising events, and fees for services.

HOW WE OPERATE

DCSA is directed by a Board of Directors made up of individuals who have various levels of expertise in children's services. DCSA employs an executive director and 65 other staff members, including 20 AmeriCorps members.

SAMPLE PROGRAMS

- | | |
|-------------------------------------|--|
| T.E.A.C.H. Early Childhood® Project | provides scholarships statewide that link education and compensation for child care providers to earn credentials and degrees |
| DCSA Child Care Scholarship Program | provides scholarships for low to moderate income families for child care |
| Child Care W.A.G.E.\$ | provides salary supplements to child care professionals based on attained education to help improve compensation and reduce turnover |
| Child Care Referral | helps families locate child care that meets their needs and the needs of their children |

CONTACT

Day Care Services Association
P. O. Box 901
Chapel Hill, NC 27514
(919) 967-3272



BOARD OF ALDERMENITEM NO. E(2)**AGENDA ITEM ABSTRACT****MEETING DATE: Tuesday, May 26, 1998****SUBJECT: FINAL DECISION on Joint Planning Area Land Use Plan and Agreement Amendments.**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: Joint Planning Public Hearing Agenda Draft minutes of April 8, 1998 Joint Planning Public Hearing Planning Board recommendation Letter from Inna Deng Johnson Letters from Jef Letter from Jean Earnhardt Maps of undeveloped land in Transition Area I Resolutions	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714 Roy Williford -- 968-7713
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Analysis (X) Summary (X) Recommendation	

PURPOSE

To review the proposed Joint Planning Area Land Use Plan and Agreement amendments which were presented at a Joint Public Hearing on April 8, 1998 and make a final decision. This decision will be forwarded to the Orange County Planning Board for their consideration and recommendation prior to the Board of County Commissioners' decision on June 22, 1998.

SUMMARY

On April 8, 1998, a joint public hearing was held by Orange County, Chapel Hill and Carrboro to consider amendments to the Joint Planning Area Land Use Plan, Map and Agreement.

All items were referred to the jurisdictions' respective planning boards for review and recommendations. All recommendations will be forwarded to the Orange County Board of Commissioners on June 22, 1998.

ANALYSIS

The proposed Joint Planning Area agreements and staff recommendations, as presented in the staff reports, are noted below.

Table 1. Summary of Proposed Joint Planning Area Amendments.

JPA #	Initiated By	Subject	Staff Recommendation
1a	Orange County Planning Staff	Amendment to Joint Planning Agreement to provide for the adoption of temporary development moratoria.	Approval
		✓ Amend Joint Land Use Plan and Map to incorporate Facilitated Plan for Northern Study Area and remove references to T-1 and T-2.	
2-98	Town of Carrboro		Approval

JPA #	Initiated By	Subject	Staff Recommendation
3-98	Town of Chapel Hill	Amend Joint Planning Agreement to delete reference to T-1 and T-2 and provide a process to approve a floating conditional use district.	Approval
1-98	Inna Deng Johnson	Amendment to JPA Land Use Plan and Map to incorporate the Chapel Hill Northwest Area plan. Amend to JPA Land Use Plan and Map to expand Chapel Hill Transition Area to include nine tracts located in Rural Buffer.	Approval

The staff recommendations for items JPA 1-98 and JPA 3-98 remain as noted in the table above.

Four letters have been submitted to the town regarding JPA-2-98 and JPA 1-98. Copies of those letters are attached.

During the public hearing on April 8, a number of citizens provided comments regarding JPA 2-98, plan and agreement amendments pertaining to the adoption of the *Facilitated Small Area Plan for Carrboro's Northern Study Area*. Where illustrative or appropriate, the comments or questions, staff response, and any proposed changes to the text of the draft plan are presented in the following table. A number enclosed within parentheses following any comment/question indicates that the comment was made by that number of speakers.

Table 2. Summary of comments, responses, and/or staff-recommended changes.

#	Comments/ Questions	Staff - proposed change and/or Response
1.	Ordinances should be presented for approval concurrently with plan.(3)	No change. On August 19, 1997, the board voted to submit plan to ordinance drafting committee to prepare land use ordinance text and map amendments needed to implement the plan, which along with the plan, would be referred at a later date, to the Joint Planning Amendment Process as a package. Following a worksession on January 20, 1998, at which the progress of the committee was reviewed and a revised schedule considered, the Board of Alderman voted to submit the Joint Planning Land Use Plan and agreement amendments for review at the April 8 public hearing.
2.	A reference to connector roads, which had been eliminated by the steering committee, remains on page 78 of the plan.	This reference will be removed.
3.	How close to 75 percent threshold is Transition Area I? (2)	See attached maps and item 9 below.
4.	No mention at facilitated meeting that proposed plan abrogates model of Transition Areas I and II. (2)	The Transition Areas are defined in Section V of the Joint Planning Land Use Plan as "suitable for urban-type densities." The Facilitated Plan proposes to cluster a bulk of the new residential development by encouraging village-scale development, and to conserve natural and environmentally sensitive areas. A "conditional use floating zone" is proposed as the mechanism by which village scale development will occur. The requirement that proposed sites be served by water and sewer coincides with the orderly growth objectives that necessitated the designation of two Transition Areas in the Joint Planning Land use Plan.
5.	Plan was prepared by Facilitation Steering Committee. (2)	The plan incorporates the work of the original Small Area Planning Work Group, Randall Arendt, the participants in the facilitated workshop, and the Steering Committee.
6.	Consensus was not reached on	Consensus was not reached on this item at the facilitated work group

#	Comments/ Questions	Staff - proposed change and/or Response
	Item 1.6 on page 58, which pertains to the creation of business/office/assembly areas. (2)	meeting. This item was referred to the Facilitated Conference Steering Committee that, in turn, referred it to the Board of Aldermen on August 19, 1997 for a decision. The Board of Aldermen passed the following: "Motion was made by Alex Zaffron and seconded by Jacquelyn Gist that the floating office zone, as presented in the Draft Small Area Plan, be submitted as part of the plan to the ordinance drafting committee.
7.	"Mixed-use village center" understood to be singular, as was "floating zone." (2)	Randall Arendt's "Summary of Recommendations on the Draft Plan for the Northern Study Area" speaks of a "floating zone" for Villages and Developments in the plural sense, as follows: "11a. <i>Village Floating Zone</i> : Amend policy proposal in the Draft Plan for a Mixed-Use Village Center along Old 86 to a policy endorsing the concept of a "floating zone" for future residential village developments in the Transition Areas. 11b. <i>Floating Mixed-Use Center</i> : Amend policy proposal in the Draft Plan for a Mixed-Use Center along Homestead Road to a policy endorsing the concept of a "floating zone" for mixed-use villages with very modest retail components at appropriate locations in the Transition Areas."
8.	Map on page 13 shows streams and waterways on the wrong property. (2)	The stream location on David Rutter's property near Old NC 86 and Stony Hill Road is shown incorrectly and is being corrected.
9.	The information on map A-1 does not match glossary definitions for "developed" and "undeveloped." (2)	Some of the properties characterized, as "developed" do not meet the definition found within the Joint Planning Agreement. However, due to the nature of certain subdivision, and associated deed restrictions, additional development on these properties is extremely limited (e.g. Drew Lane, Talbryn) and consequently they have been characterized as "developed."
10.	Bald Mountain is described as the "highest point in Carrboro," but is not in Carrboro. (2)	The plan is being corrected to indicate that the highest peak wholly contained within the planning jurisdiction is Big Hill, with elevation approximately 630 feet above sea level.
11.	Objective 5.L., regarding the policy to extend Eubanks Road, is unclear. (2)	Replace this objective, as follows, "Re-examine the policy to extend Eubanks Road as a vehicular thoroughfare. Note that this extension might be more appropriate as a rustic trail."
12.	Citizens did not endorse Eubanks Road extension from Old NC 86 to Ellis Road, as referenced on page 77 of the plan. (2)	The reference to the Eubanks Road extension as a proposed arterial in Appendix B of the plan is being removed.
13.	Opposed to combination of Transition Areas I and II. (4)	No change.
14.	Opposed to mixed use development and floating districts.	No change.
15.	Support Randall Arendt's recommendations.	Mr. Arendt's "Summary of Recommendations on the Draft Plan for the Northern Study Area" form the basis for the Facilitated Plan as revised by participants in the two-day facilitated planning conference.
16.	Moratorium should be continued so that ordinance can be adopted.	The development moratorium for projects requiring special or conditional use permits in the Northern Study Area was extended to September 30, 1998 by vote of the Board of Aldermen on May 12, 1998.
17.	Keep Calvander intersection together.	There was no consensus reached on this item at the facilitated workshop.
18.	Remain a resident of Orange County.	No change.
19.	Transition Area Advisory Board to	Present Planning Board consists of eleven members, two of whom reside

#	Comments/ Questions	Staff - proposed change and/or Response
	Carrboro Planning Board	within the town's extraterritorial planning area and two of whom reside within the town's joint planning area. As proposed by Randall Arendt, and agreed to by participants in the facilitated workshop, the town is in the process of developing an advisory board to the Planning Board, whose members shall reside within the Transition Areas.

RECOMMENDATION

The Administration recommends that the Board of Aldermen incorporate the changes proposed above in items 2, 8, 10, 11, and 12. The Administration also recommends that the Board adopt the attached resolutions.

DRAFT**ORANGE COUNTY BOARD OF COMMISSIONERS
CARRBORO BOARD OF ALDERMEN
CHAPEL HILL TOWN COUNCIL****JOINT PLANNING PUBLIC HEARING
APRIL 8, 1998****MINUTES**

The Orange County Board of Commissioners, the Carrboro Board of Aldermen, and the Chapel Hill Town Council met for a Joint Planning Public Hearing on Wednesday, April 8, 1998 at 7:30 p.m. in the Carrboro Elementary School, 400 Shelton Street, Carrboro, North Carolina.

ORANGE COUNTY BOARD OF COMMISSIONERS PRESENT: Chair Margaret Brown, and Commissioners Moses Carey, Jr., William Crowther, Alice M. Gordon, and Stephen H. Halkiotis.

CARRBORO BOARD OF ALDERMEN PRESENT: Mayor Mike Nelson and members Hank Anderson, Hilliard Caldwell, Jacqueline Gist, Diana McDuffee, Alan Spalt and Alex Zaffron.

CHAPEL HILL TOWN COUNCIL PRESENT: Mayor Rosemary Waldorf, and members Julie Andresen, Flicka Bateman, Joyce Brown, Joseph Capowski, Pat Evans, Kevin Foy, Lee Pavao and Edith Wiggins.

OPENING REMARKS FROM THE CHAIR: Chair Brown convened the meeting.

PUBLIC CHARGE: Chair Brown dispensed with the reading of the Public Charge.

PUBLIC HEARING ITEMS: A Public Hearing was held for the purpose of giving all interested citizens an opportunity to speak for or against proposed amendments to the Joint Planning Agreement and Joint Planning Area Land Use Plan and Map. All amendments require the approval of the governing boards of Orange County, Chapel Hill, and Carrboro.

ORANGE COUNTY:

Joint Planning Agreement Amendment – Temporary Development Moratoria: This item was presented by Interim Planning Director Gene Bell for the purpose of receiving public comment on a proposed amendment to the Joint Planning Agreement. From time to time a development moratorium is appropriate in order to address exigent circumstances or as a result of a study of density designations, plan classifications or other matters prescribed by the adopted Joint Planning Area Land Use Plan, the Joint Planning Area Land Use Map or any of the land use ordinances of the Towns of Chapel Hill and Carrboro for their transition areas and Orange County for the Rural Buffer. Currently, the Joint Planning Agreement does not provide for development moratoria. The need for such a provision in the agreement was highlighted in October, 1997, when Carrboro proposed a moratorium on processing special use and conditional use permit applications in the Northern Study Area pending completion of land use ordinance amendments. Orange County did not object to Carrboro's Land use Ordinance text amendments establishing a six month moratorium. The proposed amendment to the Joint Planning Agreement would preserve the status quo pending the consideration of a land use ordinance amendment designed to address exigent circumstances or the results of a study. It would allow for adoption of a moratorium of no more than six months that could be extended one time for no more than six months.

COMMENTS AND/OR QUESTIONS FROM THE BOARD OF COMMISSIONERS, CHAPEL HILL TOWN COUNCIL AND CARRBORO BOARD OF ALDERMEN: None

COMMENTS AND/OR QUESTIONS FROM CITIZENS

Mr. Randy Danzinger, of 212 Dairyland Road, Chapel Hill, North Carolina, commented that he was strongly in favor of the moratorium being adopted. He stated that he is not in favor of the development proposals that Carrboro has presented. He expressed his concern that Carrboro officials do not have the best interests of the Calvander community in mind. This is a particular concern to them because they are not voting members of the Carrboro community. They need to have their concerns taken seriously by the Board of Commissioners as they are the only elected officials that the residents of Calvander have.

Ms. Fay Hogan Daniel, a Calvander landowner, expressed her displeasure that Carrboro could make decisions regarding her land but she could not vote for them. She requested that the Board of Commissioners be the decision makers for this area. She strongly supported the moratorium.

Mr. Curtis Hogan stated that this land represented his retirement fund. He did not support Carrboro having power over the future use of his land.

JEF, a Calvander resident, spoke in support of this proposed moratorium. It is important that there be time to complete the planning process for future development.

Mr. Stephen Dear, a Stony Hill Road resident, spoke in support of the proposed Moratorium.

Ms. Carol-Ann Greenslade spoke in support of establishing a moratorium. She stated that it would be in the best interest of the community to complete the planning process before allowing future development.

Neil Alderman indicated that he was speaking on behalf of one of the property owners and that he did not support this proposal for a moratorium.

A motion was made by Commissioner Carey, seconded by Commissioner Gordon, to refer the proposed amendment to the Joint Planning Agreement to the Towns of Chapel Hill and Carrboro for a decision at which time the matter will be referred to the Orange County Planning Board to be returned to the Board of Commissioners no sooner than June 22, 1998.

MOTION: APPROVED

TOWN OF CARRBORO:

JPA-2-98-Facilitated Small Area Plan For Carrboro's Northern Study Area -

Mayor Mike Nelson presented a brief history of this item. He indicated that a year ago they engaged in two-day long work sessions on the Small Area Plan. Everyone in this area was invited to attend and there were more than 150 participants at those two meetings. It was led by Randall Arendt and all decisions were unanimous and made by consensus. The plan you see before you came out of that meeting. There were very diverse views from the participants. It was important such a wide range of views and issues could be resolved by consensus.

The item was presented by the Carrboro Planning Director Roy Williford for the purpose of receiving public comment on a proposal to amend the Joint Planning Area (JPA) Land Use Plan and Map to incorporate the facilitated small area plan accepted by the Board of Aldermen on August 19, 1997. 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. Population projections at the time indicated 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 in areas where public water and sewer service could be extended. The Northern Study Area plan proposes to cluster a bulk of the new residential development by encouraging

1 village-scale development to conserve natural and environmentally sensitive areas, allows density bonuses
2 for affordable housing meeting certain development criteria, and sanction neighborhood and community
3 scale commercial centers. The overall target density for the Northern Study Area is approximately the
4 same as the current density of the town: 2.1 dwelling units per acre. The target density for mixed-use
5 areas is approximately five dwelling units per acre. These development management options have been
6 selected in order to minimize the negative impacts of new development on environmental quality,
7 transportation, taxation and existing neighborhoods. These elements should discourage a sprawled pattern
8 of monotonous development, preserve Carrboro's unique, small town character and allow the creation of
9 new, neighborhood-scale communities which can be connected to existing and new areas via a network of
0 open space corridors. This plan attempts to balance community, conservation and development objectives
1 within the transition areas and extraterritorial jurisdiction that lie to the north of Carrboro's town limits.
2 Community and conservation objectives include allowing patterns of growth which minimize negative
3 impacts and maximize positive impacts on the community and allow for the efficient provision of town
4 services, the provision of a variety of housing types and styles, development of a multi-modal transportation
5 system, conservation of natural and environmentally sensitive areas, and the protection of environmental
6 quality, and the encouragement of active farmland preservation.

7
8 **COMMENTS AND/OR QUESTIONS FROM THE BOARD OF COMMISSIONERS, CHAPEL HILL TOWN**
9 **COUNCIL AND CARRBORO BOARD OF ALDERMEN:**
0

1 Commissioner Gordon asked what the similarities and differences were between the proposed
2 floating zone and the way a Planned Development would be implemented in Orange County.
3

4 Mr. Williford indicated that the current joint plan requires that nodes have to be established for the
5 commercial or the mixed use areas. Floating zones would require a site plan as well as the traditional
6 quasi-judicial process approving plans based on the ordinance. There would be no specific nodes.
7

8 **COMMENTS AND/OR QUESTIONS FROM CITIZENS**
9
0

1 Ms. Shirley Marshall spoke in support of both the Carrboro and Chapel Hill plans. She pointed out
2 that the goals were simple and specific in concept. Elected and planning officials alike had essentially two
3 goals. The first to define and plan for a northern build-out area for Chapel Hill and Carrboro. The second
4 goal was to support that defined area by creating a buffer against a rush of urbanization from a possible
5 developing urban Durham area. The solution that was developed was called the Rural Buffer. In addition,
6 Orange County government was adamant that no more citizens would be placed in the position where all
7 planning decisions were made for them solely by elected officials for whom they could not vote. Therefore,
8 extension of extraterritorial jurisdiction could not be, and was not, a part of the solution. This agreement to
9 stick to each units jurisdictional business has made this unique approach workable and has brought the
0 various groups to tonight's hearing and sets up the further refinements necessary to enhance the goals of
1 the Rural Buffer. She strongly supports both Carrboro and Chapel Hill's proposed plans.

2 Mr. Randy Danzinger commented that this planning process was very thoughtfully started and
3 worked on diligently by many citizens and elected officials. He indicated that the ordinances which control
4 the implementation of the plan should come forth for consideration at the same time that the plan is
5 considered for adoption. This would allow citizens to see what they were actually going to get if they voted
6 to approve it. Unless there is an overwhelming need to adopt this now, he requested that the adoption
7 process be postponed until the ordinance controlling the enforcement of it be presented as well.
8

9 Mr. Williford indicated that the Ordinance Drafting Committee has been working diligently. They are
0 working on guidelines for affordable housing, and design guidelines for the villages. It will probably be
1 August before the Ordinance is presented. In order to have an ordinance, a plan is necessary. It was
2 envisioned that the plan would be adopted first, to be followed by the ordinance. The plan is detailed and

1 spells out the type of implementation desired by the facilitation work group. The Ordinance Drafting
2 Committee is attempting to put the plan into ordinance language.

3
4 Mr. Don Kutty, indicated that he was a member of the steering committee and participated in the
5 facilitated process. He spoke about connector roads. Consensus was reached on prohibiting large
6 developments from connecting through small developments. The current draft of the map has eliminated
7 these connector roads and most of the text has removed reference to them. However, on page 78 a
8 reference was left in the document.

9
0 Mr. Roy Williford indicated that they intended to correct this to coincide with the other references in
1 the Plan.

2
3 JEF, a resident of the Calvander area, asked several questions. Mr. Williford responded that he
4 was not able to say exactly how close to the 75% threshold Transition Area I was because it includes right-
5 of-ways and other public utility easements. However, in general the figure is approximately 70%. Also, the
6 plan which was accepted by Carrboro was written by the Facilitation Steering Committee. JEF then
7 commented that he thinks the plan is moving in the right direction, but it still needs work. He referred back
8 to the work of the Joint Land Use Planning Agreement from 15 years ago. One of their largest concerns
9 was leapfrog development in the transition area. He wants to see that honored. He mentioned that when
0 they were in the facilitated meeting they were not told that this plan abrogates the Transition Area I and II
1 model. He believes in that model and he does not approve of this model. Those Ordinances should be
2 incorporated within Carrboro as well as outside. He listed what he identified as six or more factual errors in
3 this report. In particular, Item 1.6 on page 58 pertaining to the creation of the business/office assembly
4 areas. He felt that there were many inaccuracies and inconsistencies in the proposed plan.

5
6 Carrboro Board of Alderman Gist pointed out that this is a Draft and those inaccuracies will be
7 corrected prior to adoption.

8
9 Mr. Stephen Dear, a resident of Stony Hill Road, agreed with JEF. He also pointed out that he, JEF
0 and a group of residents of this area met recently and there was agreement among that group with the
1 points that JEF has made. They do not think that the plan is ready for adoption.

2
3 Ms. Carol-Ann Greenslade re-stated that she had been involved in this planning process from the
4 beginning. She repeated that all decisions were made with the idea that there were two transitions areas.
5 She is opposed to changing this portion of the plan. She also pointed out that she was opposed to having
6 this zone be separate from the rest of the plan. She requested that the County remain the overseer of that
7 area. She wanted to be reassured that the Ordinance would be considered for adoption by the Board of
8 Commissioners.

9
0 Attorney Mike Brough indicated that Carrboro would propose the adoption of the Ordinance and
1 send the text to the Commissioners. If the County objects, then it would not be adopted until agreement
2 was reached. That process has not been changed. The change that is being proposed is with respect to
3 the floating zone concept. Presently, an amendment to the map can only be adopted by a joint public
4 hearing of the Board of Aldermen and County Commissioners. This is proposing that this process would
5 not be required of the floating zones. Once the concept is approved by the Board of Commissioners,
6 Carrboro could act without the joint process for individual decisions on a particular portion of the property.
7 There is a perception that the implementation of the floating zone is closer to an administrative process
8 which is site specific. However, it is closer to the conditional use process which under the existing
9 arrangement is already administered by Carrboro. It would still require a public hearing in the
0 Carrboro area.

1 Ms. Carolyn Miller, a Stony Hill resident, indicated that she participated in the facilitated meetings.
2 She felt that it was a good plan but that it should be adopted at the same time that the ordinances were
3 adopted. She was very opposed to this being adopted without the ordinance being adopted at the same
4 time or before. She pointed out that there was supposed to be a 75 foot, undisturbed buffer between Stony
5 Creek and Hogan Farm which was completely destroyed. There is no buffer left.
6

7 Carrboro Board of Alderman Gist stated that a moratorium on development for that area is currently
8 in place for the area for which the ordinances are being written. They are in the process of getting the
9 moratorium extended for another 6 months while the ordinances are completely written.
0

1 Mr. David Rutter, a resident of this area, indicated that he is confused as to why the process is
2 being put forth without the ordinance being completed.
3

4 It was mentioned that the plan has been accepted, not adopted. Transition Area I and II distinctions
5 would be removed so that the floating zones could operate. Those floating zones could not be put into the
6 transition areas as they exist because of density requirements.
7

8 Mr. Rutter mentioned that many years ago Mayor Jim Porto of Carrboro asserted Carrboro's right to
9 annex industrial nodes which were not clearly defined and were miles away from Carrboro's limit.
0 Carrboro's staff also prepared a plan that would bring office and industrial uses to the Calvander
1 community. He stated that he does not support the current Carrboro plan. Nor does he support the
2 removal of the Transition I & II areas. He asked if County representatives would retain a part in the
3 transitional development in future years. He requested that the ordinances be written before the plan is
4 adopted.
5

6 Mr. Curtis McLaughlin, a resident of Drew Lane and Homestead Road, indicated that he was
7 opposed to the floating districts. He participated in the planning group but not the consensus group. He
8 wanted to know what was going to happen to the lot across from him. He stated that he does not want to
9 have mixed use development on that road and does not support the floating districts.
0

1 Mr. Andrew Cohen, Chair of the Carrboro Planning Board, commended the elected officials for their
2 commitment to hearing what citizens have to say. He asked that a plan be adopted. The moratorium will
3 end shortly. He stated that interests of the community as a whole must be considered and a decision must
4 be made. He urged the elected officials to make a decision. He requested that the elected officials adopt
5 this plan.
6

7 Ms. Linda Brockwell Roberts, a Calvander resident, spoke in support of the Randall Arendt study
8 and asked that his recommendations be taken into strong consideration for this area. She asked that the
9 moratorium be continued so that the ordinance could be completed. She distributed a video and asked the
0 Board of Commissioners to view it. She asked that her family's land and homes be kept together. The
1 property she was referring to is the four corners (except for the community store) of Calvander. She asked
2 to remain a County resident.
3

4 Carrboro Board of Alderman Zaffron commented that regarding the use of plural or single language
5 in referring to Village Mixed Use Centers he referred to page five (5) "Goals & Objectives", the precise
6 language that was agreed upon in the facilitated meeting #11(a) Mixed Use Village Centers. The language
7 reads "village floating zone, amend policy proposal and draft plan for a mixed use village center along Old
8 86 to a policy endorsing the concept of a "floating zone" for future residential village developments in the
9 transition area. That is the language that was agreed upon in the facilitated meeting. He indicated that the
0 Board of Aldermen are looking at how to provide representation for the Calvander residents. An
1 autonomous advisory board for the transition area is one of the suggestions they are looking at.
2

A motion was made by Commissioner Halkiotis, seconded by Commissioner Crowther, to refer the proposal to amend the Joint Planning Area Land Use Plan and Map to the Towns of Chapel Hill & Carrboro for a decision at which time the matter will be referred to the Orange County Planning Board to be returned to the Board of Commissioners no sooner than June 22, 1998

VOTE: APPROVED

No - Alderman Jacqueline Gist

Joint Planning Agreement Amendments – Transition Area I & II and Floating Conditional Use

District:

This item was presented by Carrboro Planning Director Roy Williford for the purpose of receiving citizen comment on a proposal to amend the Joint Planning Agreement to incorporate the *Facilitated Small Area Plan for Carrboro's Northern Study Area* accepted by the Board of Aldermen on August 19, 1997. The plan covers both Transition Areas I and II as specified in the Joint Planning Area Land Use Plan (JPA LUP), as well as areas within Carrboro's extraterritorial jurisdiction. The amendment to the agreement will remove the density cap of one unit per acre in Transition Area II and combine Transition Areas I and II. In addition, the amendment would allow the Board of Aldermen to establish floating, conditional use zones. 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. There were facilitated meetings in the Spring of 1997, during which the Northern Study Area (NSA) Plan was developed. It was agreed that participants preferred floating, conditional use zones. Three types are noted, residential, mixed-use and office/assembly. This strategy was selected, as it was believed that it would provide the highest level of scrutiny for proposed developments. The JPA agreement amendments have been prepared in order to allow the floating zones to "land" anywhere within Carrboro's transition areas, if deemed appropriate during the rezoning process, with the approval of the Board of Aldermen.

A motion was made by Commissioner Halkiotis, seconded by Commissioner Crowther, to refer the proposed amendment to the Joint Planning Agreement to the Towns of Chapel Hill and Carrboro for a decision at which time the matter will be referred to the Orange County Planning Board to be returned to the Board of Commissioners no sooner than June 22, 1998.

VOTE: APPROVED

No - Alderman Jacqueline Gist

TOWN OF CHAPEL HILL:

JPA-3-98 – Chapel Hill Northwest Small Area Plan: This item was presented by Chapel Hill Planner Rob Wilson for the purpose of receiving citizen comment on a proposal to amend the Joint Planning Area (JPA) Land Use Plan to incorporate the Chapel Hill Northwest Small Area Plan as accepted by the Chapel Hill Town Council on September 11, 1995. In January, 1993 the Council initiated a small area planning process for the northwestern portion of the Town's planning jurisdiction. The Northwest Small Area Plan study area generally consists of the land south of Interstate 40, including a portion of the land north of Weaver Dairy Road, the land west of Airport Road (N.C. Highway 86), and the land north of the University of North Carolina's Horace Williams tract and Homestead Road. The western boundary of the area generally follows Rogers Road. A rail line bisects the study area. The study area is also split into three drainage basins: New Hope Creek, Booker Creek and Bolin Creek. In December 1994 the Work Group recommended the Northwest Small Area Plan to the Council and in September 1995 the Town Council requested that the Plan be considered at a Joint Planning Area Public Hearing. In general, the Plan proposes a Village Pattern of Development along the rail line corridor, primarily located on the Greene tract. The Plan assumes that the Green tract would be developed and would not be used for landfill purposes. Generally decreasing residential densities are proposed as distance from the village center increases, in a

1 effort to help preserve the character of existing neighborhoods. The Plan proposes several greenways, a
2 large community park and recommends that a portion of the tract be used for affordable housing. The
3 Greene tract is jointly owned by Chapel Hill, Carrboro and Orange County and any future use will need to
4 be approved by all three jurisdictions. The Plan seeks to balance community, conservation and
5 development objectives within the Northwest study area. A clustered pattern of growth is envisioned in
6 order to permit the preservation of open space for parks and greenways, while also buffering existing
7 neighborhoods from future development.

8
9 Mr. Chuck Welsh, of Little John Road in Chapel Hill, commented that the plan looks very good to
0 him; however, he does not feel that it provides for affordable housing. He pointed to the requirement for
1 larger lots, and OWASA sewer requirements as keeping the price so inflated that ordinary families cannot
2 afford to live there.

3
4 Ms. Inna Deng asked for clarification regarding the possibility of sewer being provided for residents
5 near the site of the current landfill.

6
7 Chair Brown indicated that there were no plans to provide sewer to this site. There are proposals in
8 the benefit package to address the need for water. That is in the process of discussion at the present time.

9
0 Mr. Daniel Swartz, who lives across from this property, commented that the Chapel Hill Northwest
1 Small Area Plan is a good one. If the plan is adopted, he wanted to know if current residential use would
2 continue to be allowed. He was assured that residential uses are allowed in all zoning categories.

3
4 Mayor Rosemary Waldorf thought that Ms. Deng was referring to a discussion and suggestions that
5 were made several months ago. Those suggestions were not acted upon by the boards who had the
6 authority to make a determination on this issue. There was a recommendation by a special committee that
7 water be provided generally in that area. The current status is that the Town of Chapel Hill has
8 recommended that water be provided as a community benefit to residents of the historical Rogers Road
9 area. She thought that the County and Carrboro had agreed to that as well. Chapel Hill has not indicated
0 that the provision of sewer should be provided as a community benefit because there is no connection
1 between the operation of the landfill and the need for sewer. Sewer and additional water are public
2 services that would come to those areas as part of the pattern of orderly growth as other development
3 occurs.

4
5 Mayor Mike Nelson indicated that Carrboro's position was basically as Mayor Waldorf stated with
6 one exception. They are still willing to discuss the issue of sewer but that dialogue has not taken place with
7 the other governing bodies. They have supported water for that area.

8
9 Chair Brown agreed that water for the historic Rogers Road neighborhood is being considered. She
0 does not have knowledge of any plans for extension of sewer into that area.

1
2 Council member Evans stated that except for staff there are only two elected officials who worked
3 on the original Chapel Hill Northwest Area Plan. She is one of them and even for her it was before she was
4 an elected official. It was widely approved and she stated that there were more people participating in the
5 Chapel Hill Northwest Area Plan then even participated in Carrboro's plan. She expressed frustration
6 regarding its delay but has decided that something good could come out of this. She indicated that in the
7 Land Use Committee for the Shaping Orange County's Future Task Force, and in other meetings, there is
8 concern about preserving the Rural Buffer and preserving rural land. One of the things that could be added
9 to this plan, if there is agreement, is a component for Transfer Of Development Rights to the Greene Tract
0 which is already designated as higher density area. In this way we could work to preserve the Rural Buffer
1 and/or land outside of the Rural Buffer. This could actually improve the plan.

1 Amelia DeLoatch, a resident of Northwood Drive, asked what would be allowed in the Employment
2 Campus.

3
4 The Employment Campus, as it is described in the plan, describes a land use category that would
5 be new to Chapel Hill's plan. It would include uses that would allow employees to stay at their work place
6 for the duration of the day. It would include office and flex space uses as well as other supporting uses.

7
8 Alderman Spalt stated that there is an opportunity for preserving the Rural Buffer as well as for
9 enhancing it and possibly additional lands beyond the Rural Buffer. The time that it will take to work this out
0 would mean that the Carrboro plan would have to be delayed by several years. He stated that there is not
1 time for that. He hoped that there would be a way, after the plans are adopted and put into place, to
2 explore the idea of Transfer of Development Rights in relation to the plans and the rezoning that will take
3 place. He does not want to see the plans delayed but it is something that would be wise to explore.

4
5 Chair Brown asked how much of the commercial area is developed.

6
7 The office component at the corner of Weaver Dairy Road and NC 86 has two of the buildings
8 occupied. Phases III and IV of the Timberhill Office Buildings are currently under construction. Phase IV
9 and V which includes the area where the Harris Teeter will go are also under construction. There are
0 additional phases that are not being developed at this time.

1
2 Chapel Hill's Planning Director Roger Walden indicated that the Northeast quadrant of that
3 intersection is being developed. There is a master plan approved for 40 acres of land and the Town has
4 approved Special Use Permits for approximately 1/2 of the 40 acres.

5
6 Shirley Marshall stated that the Triangle Transit Authority (TTA) is looking at further railroad plans
7 and density. The corridors they are talking about for the railroads would be ideal sites to hold Transferred
8 Development Rights. Landowners have come forth with land they would like to have placed in this program
9 but it is much more difficult to find land which would be available to hold the development rights.

0
1 Chair Brown, Alderman Zaffron, and Council member Evans agreed to work on a Task Force
2 to study this issue.

3
4 A motion was made by Carrboro Board of Alderman Zaffron, seconded by Mayor Waldorf, to create
5 a task force to meet and develop a report clarifying the issue of Transfer of Development Rights and
6 present a recommendation.

7 VOTE: UNANIMOUS

8
9 A motion was made by Commissioner Gordon, seconded by Commissioner Halkiotis, to refer the
0 Joint Area Land Use Plan to the Towns of Carrboro and Chapel Hill for a decision, at which time the matter
1 will be referred to the Orange County Planning Board to be returned to the Board of Commissioners no
2 sooner than June 22, 1998.

3 VOTE: UNANIMOUS

4
5 **CITIZEN INITIATED REQUEST:**

6 **JPA-1-98 - Request by Ms. Inna Deng to Amend the Joint Planning Area Land Use Plan & Map:** This
7 item was presented by Interim Planning Director Gene Bell for the purpose of receiving citizen comment on
8 a citizen initiated request to amend the Joint Planning Area Land Use Plan and Map. This request by Ms.
9 Inna Deng (JPA-1-98) is to amend the Joint Planning Area Land use Plan and Map by expanding the
0 Chapel Hill Transition Area plan category to include two tracts on the North side of Eubanks Road. The
1 tracts are identified as lots 27 and 27E, Tax map 18, Chapel Hill Township and contain 8.08 and 3.62 acres
2 respectively. The tracts are a part of the land proposed for inclusion in the Chapel Hill Transition Area as

proposed in the Chapel Hill Northwest Small Area Plan. Staff recommends inclusion of the whole area and not just the two tracts owned by Ms. Deng.

QUESTIONS AND/OR COMMENTS FROM THE BOARD OF COMMISSIONERS, CHAPEL HILL TOWN COUNCIL, CARRBORO BOARD OF ALDERMEN:

Commissioner Crowther asked if both of the properties were in the Rural Buffer. Mr. Bell indicated that Ms. Deng's property as well as the other 7 parcels in the rectangular area were in the Rural Buffer.

Carrboro Board of Alderman Spalt asked staff if the Small Area Plan being recommended to the three elected bodies already encompass this request.

It was pointed out that there was a small section of the Rural Buffer that is an anomaly. That is the portion that is being recommended to be included in the Chapel Hill Transition Area. If the elected officials decide to take the recommendation to move it to the Transition Area, then Ms. Deng's request fits right in. If the decision is to have that small area remain in the Rural Buffer, then it might not be aligned with Ms. Deng's request. If it is moved to the Transition Area there is a change in the long term expectation as far as sewer is concerned. It is currently in the Rural Buffer portion of the Joint Planning Area, an area in which the County exercises zoning jurisdiction and all three bodies exercise authority for approving/denying amendments to the Plan.

Mr. Cal Horton, Chapel Hill Town Manager, mentioned that the town of Chapel Hill has purchased a major piece of the property being considered. They have also sent a letter to Ms. Deng indicating that they would like to purchase her land.

QUESTIONS AND/OR COMMENTS FROM CITIZENS:

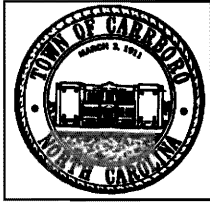
A motion was made by Mayor Waldorf, seconded by Commissioner Carey, to refer the proposed amendment, including the other seven parcels in the area as recommended in the Chapel Hill Northwest Small Area Plan, to the Towns of Chapel Hill and Carrboro for a decision at which time the matter will be referred to the Orange County Planning Board to be returned to the Board of Commissioners no sooner than June 22, 1998

VOTE: UNANIMOUS

ADJOURNMENT: There being no further business, the meeting was adjourned. The next regular meeting of the Board of Commissioners will be a bi-monthly work session held on Tuesday, April 14, 1998 at the Government Services Center, Hillsborough, North Carolina.

Margaret W. Brown, Chair

Kathy Baker, Deputy Clerk



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

April 21, 1998

FINAL DECISION: JPA LAND USE PLAN AND AGREEMENT AMENDMENTS

MOTION WAS MADE BY ADAM SEARING AND SECONDED BY SUSAN RODEMEIR THAT THE PLANNING BOARD RECOMMENDS APPROVAL OF THE AMENDMENT TO JOINT PLANNING AGREEMENT TO PROVIDE FOR THE ADOPTION OF TEMPORARY DEVELOPMENT MORATORIA. VOTE: AYES 5 (Marshall, Searing, Rodemeir, Cohen, Bateson); NOES 1 (Russell); ABSTAIN 1 (Presler); ABSENT/EXCUSED 2 (Cheek, Kaufman).

MOTION WAS MADE BY ADAM SEARING AND SECONDED BY M.C. RUSSELL THAT THE PLANNING BOARD RECOMMENDS APPROVAL OF:

1. AMENDING THE LAND USE PLAN AND MAP TO INCORPORATE THE FACILITATED SMALL AREA PLAN FOR THE NORTHERN STUDY AREA AND TO REMOVE REFERENCES TO T-1 AND T-2.
2. AMENDING THE JOINT PLANNING AGREEMENT TO DELETE REFERENCE TO T-1 AND T-2 AND TO PROVIDE A PROCESS TO APPROVE A FLOATING CONDITIONAL USE DISTRICT.

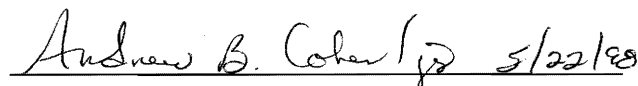
VOTE: AYES 7 (Marshall, Searing, Cohen, Rodemeir, Presler, Russell, Bateson); NOES 0; ABSENT/EXCUSED 2 (Cheek, Kaufman).

MOTION WAS MADE BY M.C. RUSSELL AND SECONDED BY JOHN MARSHALL THAT THE PLANNING BOARD RECOMMENDS APPROVAL OF THE AMENDMENT TO THE JOINT PLANNING LAND USE PLAN AND MAP TO INCORPORATE THE CHAPEL HILL NORTHWEST SMALL AREA PLAN AND MAP. VOTE: AYES 6 (Marshall, Searing, Cohen, Rodemeir, Russell, Bateson); NOES 0; ABSTAIN 1 (Presler); ABSENT/EXCUSED 2 (Cheek, Kaufman).

April 21, 1998

MOTION WAS MADE BY M.C. RUSSELL AND SECONDED BY JAMES BATESON THAT THE PLANNING BOARD RECOMMENDS APPROVAL OF AMENDING THE JOINT PLANNING LAND USE PLAN AND MAP TO EXPAND THE CHAPEL HILL TRANSITION AREA TO INCLUDE THE DENG PROPERTY AND THE SEVEN (7) OTHER PARCELS IDENTIFIED IN THE CHAPEL HILL NORTHWEST SMALL AREA PLAN. VOTE: AYES 4 (Rodemeir, Cohen, Bateson, Russell); NOES 2 (Marshall, Searing); ABSTAIN 1 (Presler); ABSENT/EXCUSED 2 (Cheek, Kaufman).

MOTION WAS MADE BY JAMES BATESON AND SECONDED BY ADAM SEARING THAT THE PLANNING BOARD EXPRESS CONCERN TO THE ORANGE COUNTY COMMISSIONERS THAT THE REZONING OF THE DENG PROPERTY SETS A DANGEROUS PRECEDENT FOR THE PRESERVATION OF THE RURAL BUFFER. VOTE: AYES 6 (Marshall, Searing, Rodemeir, Cohen, Presler, Bateson); NOES 0; ABSTAIN 1 (Russell); ABSENT/EXCUSED 2 (Cheek, Kaufman).

 5/22/98
Andrew B. Cohen, chairman (date)

INNA DENG JOHNSON
4646 Grinding Stone Drive
Raleigh, North Carolina 27604

April 16, 1998

TO: The Landfill Group
Orange County Manager
Town of Chapel Hill
Town of Carrboro

It was a pleasure to meet so many government bodies in the zoning meeting on Wednesday, April 8, 1998.

I always have the well being of this County as well as Chapel Hill and Carrboro in mind.

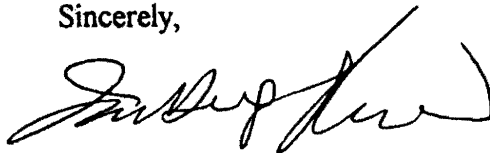
I have agreed with the prior owner's family that whether I keep this land or I sell it, that I will conserve the site of the spring, where their mother used to live, and turn it into a small park and build a log gazebo with a description of the family history tree. Hopefully with a small cotton field patch (their ancestors used to farm cotton in this field).

I have also promised to put the land into restricted deeds and reserve this part of memory for their family as well as for Orange County, Town of Chapel Hill and Carrboro.

I hope you can help me to achieve this promise.

With best wishes, I am

Sincerely,



Inna Deng Johnson

PS. I have indeed promised the prior owners (about 10 families) to keep this land from landfill or anything related.

Although I graduated from Michigan State U. many of my classmates and my brother did attend UNC. I also has an office in Chapel Hill, and would like to service this County and these cities to the best way I can.

Jef

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

April 9, 1998

Mr. Alex Zaffron
Carrboro Alderperson

Dear Mr. Zaffron,

As I said to you after the public hearing last night, I thank you for your response regarding the accuracy of one of the points which I brought up pointing out inaccuracies in the Facilitated Small Area Plan which was the focus of the public hearing. I do appreciate the dialogue because as you and I agreed, accuracy and clarity of language must withstand the test of time, especially in public documents.

This morning I went back through the documents in my files regarding the facilitated meetings in 1997. I was able to retrieve the actual document given to me at the door of the second meeting delineating the items to be discussed, and about which we attempted to reach consensus. I have enclosed for your perusal my copy of that document, "Summary of Recommendations."

Now, I know that my handwritten notes make it somewhat difficult, but I believe that the language on the third page, item numbers 11a. and 11b. is still quite clear.

"11a. Village Mixed-Use Center Along Old 86: Reclassify as a residential village due to commercial viability problems related to low traffic counts and unsuitability of road for increased through-traffic. Residential village use endorsed due to parcel size, mild terrain, and sewer/water availability.

11b. Community Mixed-Use Center Along Homestead Road: Residential village concept endorsed with possibility of a very modest retail component due to proximity of much more attractive shopping opportunities in the Chapel Hill Transition area."

I do hope you will note that in both items that they are both referred to in the SINGULAR, and not the plural. My handwritten notes on these same documents lead me to believe we did reach consensus on these items, with some modifications; but ONLY IN THE SINGULAR, and not the plural as your current Facilitated Plan... would suggest. So, I stick to my original statement at the public hearing last night as a true presentation of the facts of this matter: the citizens present at the facilitated planning meetings in 1997 NEVER endorsed multiple mixed-use zones of any kind, and the plan should reflect that consensus, not this mistake. This impacts directly on the creation of ordinance language for your proposed "Floating Mixed-Use Zones".

I look forward to discussing this further if you wish. I am still eager to discover just when in the process of creating this plan for the town of Carrboro that this very important language was altered to read as the final draft plan reads. I believe inaccuracies such as this continue to render the plan itself too faulty to recommend approval to our County Commissioners at this time. When and if these inaccuracies are corrected the merits of the plan can then be discussed.

Again, thanks for your time and energy in continuing to collectively work on this process. I look forward to hearing from you soon.

Peace,



*cc All other Alderpersons
County Commissioners*

April 7, 1998

My Dear County Commissioners:

I am writing this down so that these points can be discussed as a part of the evaluation of the public hearing regarding amending the Joint Land Use Planning Agreement, which is being held on April 8, 1998, at Carrboro Elementary School.

I've been involved as a citizen in the Joint Land Use planning process for many years. I also know that I am not a professional planner. It is my belief that all public documents created should be clear, accurate and factual. Yet I fear that the document before you, the Facilitated Small Area Plan for Carrboro's Northern Study Area, is full of inaccuracies, unclear statements, misstatements, and incorrect maps, and should not be adopted until these inaccuracies are corrected. I recommend that the document be reviewed and revised by the town of Carrboro so that these problems are corrected before the plan is adopted by you, so that this misinformation is not perpetuated by its existence in the public record of Orange County. Only when the language in the plan is made clear, accurate and factual, can the plan itself be considered on the merits of its ideas.

Some of these inaccuracies and misstatements include:

1. p. iv: "This document incorporates the consensus of the two-day facilitated conference into a revised small area plan for further considerations and adoption by the Town of Carrboro, the Town of Chapel Hill, and Orange County under the terms of the 1987 Joint Planning Agreement." Also p.2: "This plan represents the consensus gained through the efforts of the two day open forum."

Fact: There is at least one statement included in the document upon which consensus was not reached at the two-day facilitated conference. This is Measure 1.6 on page 58 pertaining to the creation of business/office/assembly areas. (as well as other references to this type of industrial/manufacturing zone: pp. 34, 50)

My point is that not all elements of this plan were endorsed by the consensus of those citizens attending the facilitated two-day meeting, and to state otherwise is a gross misrepresentation of fact.

2. p.4: Under the topic of *Mixed-Use Village Centers*, my notes of the facilitated two-day meeting show that we did discuss a "Mixed Use Village Center" (that was originally mapped along Old NC 86) as a "floating zone," but none of my notes ever show that we spoke in the plural: same for the larger "Floating Mixed-Use Center" (that was mapped for Homestead Road).

My notes show that we spoke of ONE "Village Mixed-Use Center" and ONE "Community Mixed-Use Center": both floating because the planners could not determine where to put them on the map. My understanding was that after one was sited, planned & built, that it would be the only one that could be sited in the Study Area. (also other references to this topic: pp. 41, 47, 57)

3. p.5 : Under the title of "Mapping Accuracy: Item #1," the plan purports to "improve the accuracy of the town's computer-generated maps by specifically inviting public comment and feedback on perceived errors to the Planning Department staff."

Fact: This document contains mapping inaccuracies and errors in the map on page 13 (streams and waterways placed on the wrong properties) as well as the map on page A-1 (some lands that are "developed" according to the definitions in the glossary of the document are designated as "undeveloped" on the map, and visa versa).

I believe that adopting this plan as it currently written formalizes and perpetuates these mistakes. These maps will be used in the future by people not currently involved in the process, so they should be accurate before adoption.

4. p.11: Under the titles "Soils and Slopes," the plan places Bald Mountain (elevation 762 feet) as the "highest point in Carrboro." To my knowledge Bald Mountain is not in Carrboro.

5. p. 43: "Under Objective 5.E," the plan states, "Re-examine the policy to extend Eubanks Road as a vehicular thoroughfare in the location shown on official documents, which might be more appropriate as a rustic trail. Continue to support."

What does this mean, exactly? Continue to support WHAT? The road? the policy? vehicular thoroughfares? official documents?...

6. p. 77: under "III Proposed Arterials" the plan states "Eubanks Road Extension- Westward from its intersection with Old NC 86 to a proposed connection with Ellis Road outside of the planning jurisdiction."

My notes from the facilitated meetings show that the citizens present did not endorse this proposed arterial road. This is another item which I believe is misrepresented as one reached by consensus.

As I said at the beginning, I am not a planner, but a citizen, so I ask you to scrutinize my above six statements for accuracy as well! If you find them accurate, then please do not adopt right now this particular version of this particular plan. Rather wait until the document itself is corrected before adopting it.

Thanks for your time and consideration.

Peace,



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

Jean A. Earnhardt
600 Bolin Brook Farm Road
Chapel Hill, North Carolina 276516

To Mayor Mike Nelson and the Carrboro Board of Aldermen:

As the lengthy planning process for the Northern Transition area nears completion I would like to thank the Board of Aldermen for the following:

1. You encouraged participation. Residents of the Northern Transition area were invited to be a part of the planning process from the very beginning when the first small area planning group met.
2. You listened. There were public hearings, regular board meetings, sixteen hours of facilitated meetings. No person was denied a courteous hearing. You gave us your attention.
3. You were willing to invest. You contracted with the dispute settlement center to make our meetings more productive. You made the wise decision to hire Randall Arendt, a planning expert whose ideas we valued and whose fairness and openness inspired trust.
4. You were willing to make changes. Residents of the Northern Transition had valid concerns about the original plan. Some parts were cut and some were changed. Many excellent suggestions became part of the final plan.
5. You were patient. You did not rush to a decision but allowed ample time for all concerns to be voiced and for reasonable people to resolve their differences of opinion.

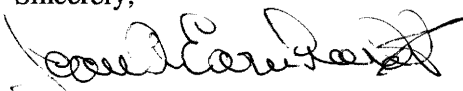
You should all be pleased and proud of the results. These open forums have produced an excellent plan. I hope you will give it your unanimous approval.

Next comes the other vital part of the planning -- the ordinances which will ensure that the small area plan works as intended and provides the safeguards we all want.

The ordinance committee appointed by the Board has been meeting regularly since last October. The amount of time we have put into working through hundreds of details should indicate to you how seriously we have approached our task. We have continued in the cooperative spirit of the facilitated meetings, using the consensus results of those meetings plus Randall's comments and suggestions as our constant guidelines. You will be reviewing our recommendations soon and I believe you will agree that these are tough ordinances designed to carry out the choices expressed at the meetings.

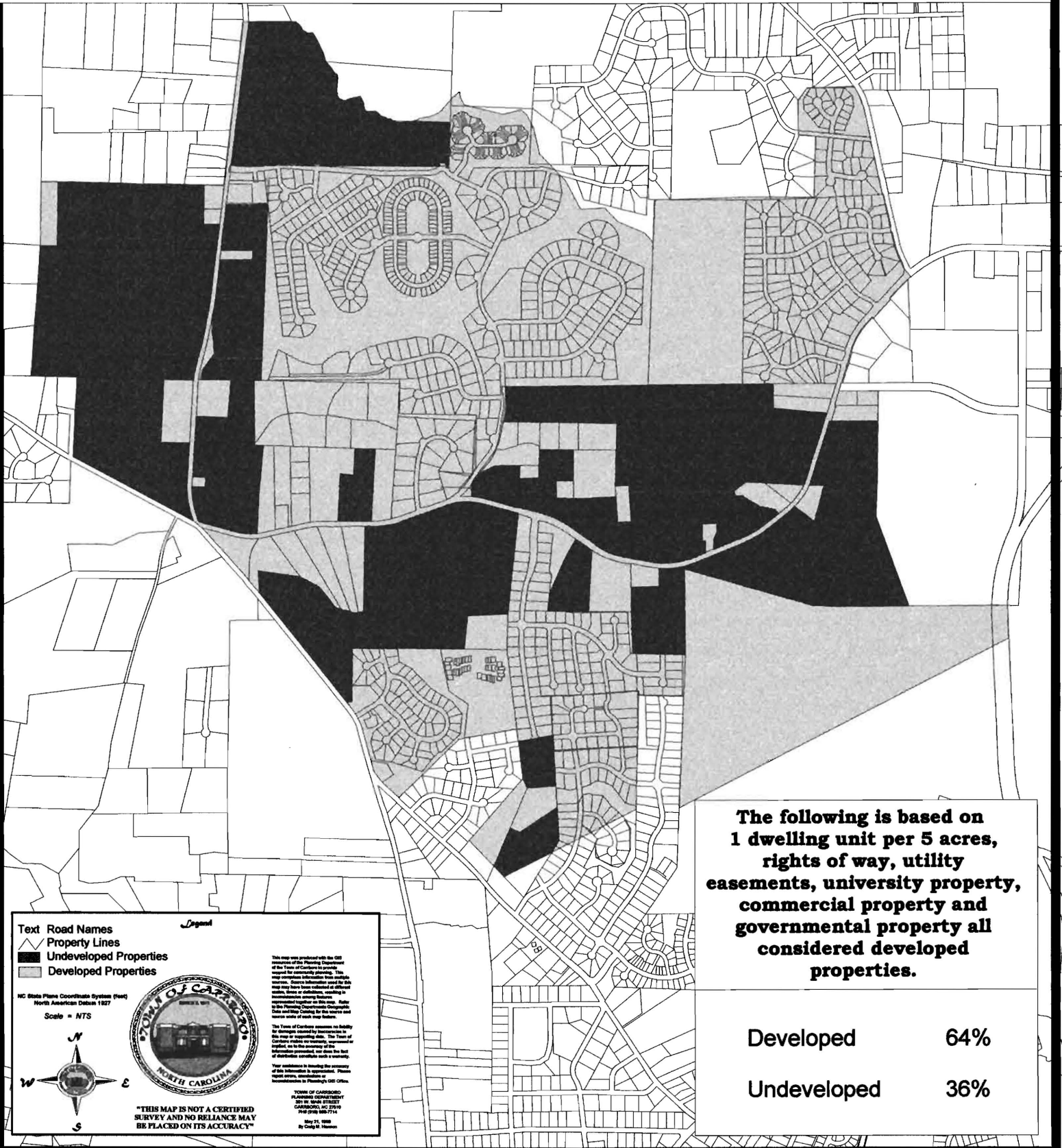
We - the Board, the residents of the Northern Transition and the citizens of Carrboro -- have traveled a long way together since the planning process began. It has not always been easy. It can be frightening to look into the future, to know that change is coming and that familiar places may not stay the same. But if we become paralyzed by this fear, we freeze our options as well and we allow change to overwhelm us. If, instead, we acknowledge that there will be growth and development we are able to concentrate on *how to do it best*. Then, I believe we will succeed.

Sincerely,



Jean A. Earnhardt

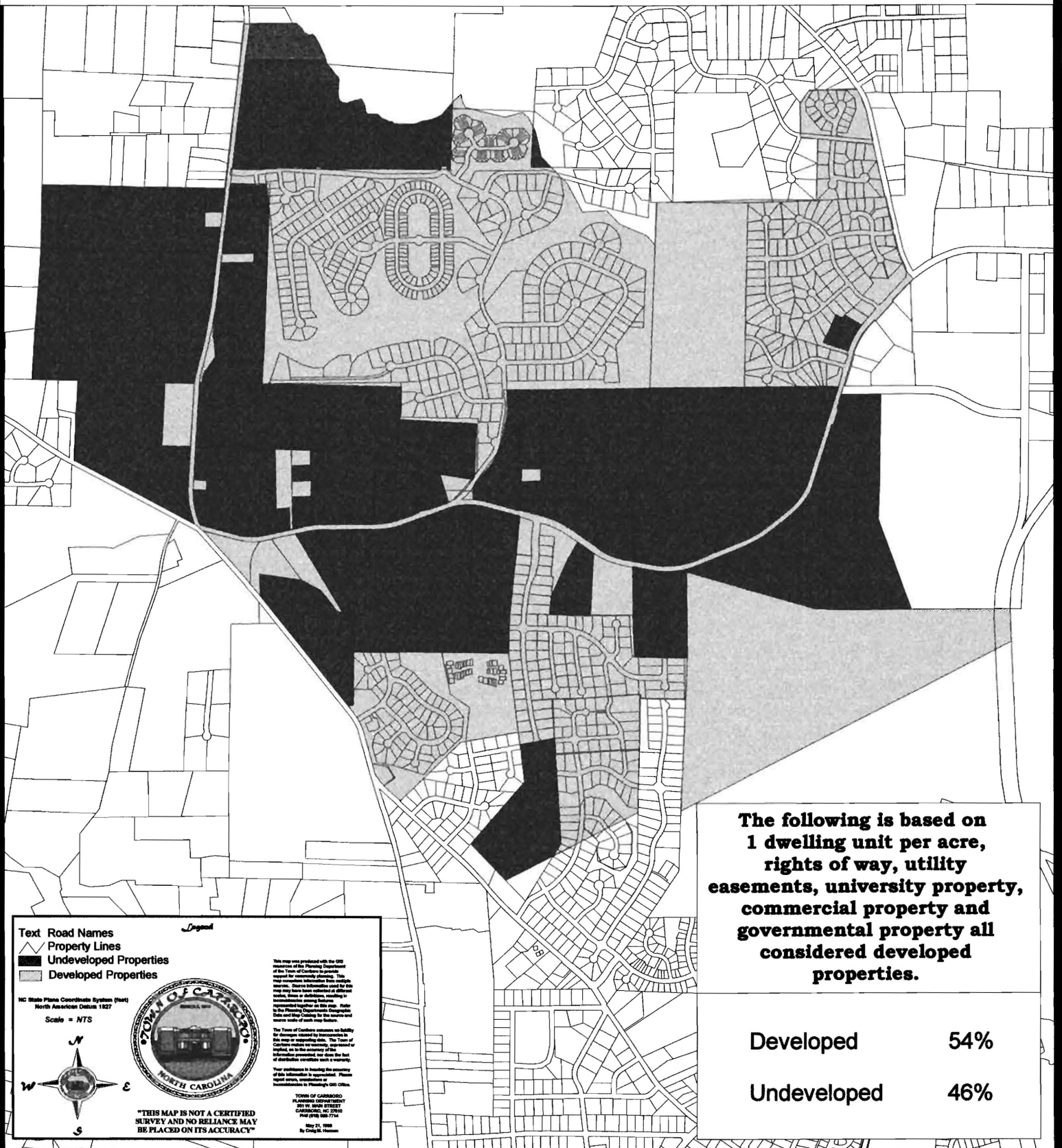
UNDEVELOPED PROPERTIES - TRANSITION AREA 1 TOWN OF CARRBORO



The following is based on
1 dwelling unit per 5 acres,
rights of way, utility
easements, university property,
commercial property and
governmental property all
considered developed
properties.

Developed	64%
Undeveloped	36%

UNDEVELOPED PROPERTIES - TRANSITION AREA 1 TOWN OF CARRBORO



The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION ADOPTING A
JOINT PLANNING AGREEMENT AMENDMENT
To Implement Recommendations Contained in the
Facilitated Small Area Plan for
Carrboro's Northern Study Area
Resolution No. 42/97-98**

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, 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; and

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

WHEREAS, the Small Area Plan was considered by Orange County, the Town of Chapel Hill, and the Town of Carrboro at a Joint Public Hearing on April 8, 1998

NOW, THEREFORE, the Joint Planning Agreement is hereby amended as follows:

1. Section 1.2 (Definitions) of the Agreement is amended by deleting from subsection H ("Transition Area") everything after the first three sentences. (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).

2. Section 2.1 (Standards Within the Transition Area) of the Agreement is amended by deleting the last sentence of paragraph B, which provides- "Transition Area II shall have density limited pursuant to Section 1.2H."

at least 75% of the area within Transition Area I meets certain developmental thresholds).

2. Section 2.1 (Standards Within the Transition Area) of the Agreement is amended by deleting the last sentence of paragraph B, which provides- "Transition Area II shall have density limited pursuant to Section 1.2H."

3. Subsection 2.6E of the Agreement is amended by rewriting the second sentence and by adding a new third sentence to read as follows- "With respect to property that is located within the CJDA Transition area, changes in zoning classifications, other than changes to the "floating" conditional use districts designed to implement the recommendations of the "Facilitated Small Area Plan for Carrboro's Northern Study Area (i.e. changes to Carrboro's Traditional Neighborhood conditional use district or Office/Assembly conditional use district) may not be made unless and until an ordinance approving such zoning map amendment has been approved both by Orange County and Carrboro following a joint public hearing by the two governing bodies. Changes to the foregoing conditional use districts within the CJDA Transition area may be approved by Carrboro without Orange County's concurrence, but subject to the provisions of Section 2.3 of this Agreement regarding permit administration."

This amendment to the Joint Planning Agreement shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill and Carrboro.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes: Hank Anderson, Hilliard Caldwell, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: Diana McDuffee

I, Sarah C. Williamson, Town Clerk of the Town of Carrboro, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Carrboro Board of Aldermen on May 26, 1998.

Town Clerk

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION AMENDING
THE JOINT PLANNING AREA LAND USE PLAN AND MAP
TO INCORPORATE CHAPEL HILL'S NORTHWEST SMALL AREA PLAN
Resolution No. 44/97-98**

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, a Joint Planning Area Land Use Plan and Map were adopted on October 13, 1986, by all parties to the Joint Planning Agreement, and have since been amended on several occasions; and

WHEREAS, a Small Area Plan that provides a framework for the future use of land within Chapel Hill's northwest transition area was accepted by the Chapel Hill Town Council on September 11, 1995; and

WHEREAS, the Small Area Plan was the product of a two and one-half year planning process that involved numerous public officials, planners, and residents of the affected area, and included three neighborhoods meetings and a Town Council Public Hearing; and

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

WHEREAS, implementation of the recommendations contained in the Small Area Plan requires an amendment to the Joint Planning Area Land Use Plan and Map;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES THAT THE JOINT PLANNING LAND USE PLAN AND MAP BE AMENDED AS FOLLOWS:

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 "Northwest Small Area Plan for Chapel Hill's Northwest Study Area," accepted by the Chapel Hill Town Council on September 11, 1995, is specifically incorporated by reference into this Plan and supersedes any provisions of this Plan that inconsistent with the Small Area Plan with respect to Chapel Hill's northern Transition Area.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes: Hank Anderson, Hilliard Caldwell, Jacquelyn Gist, Allen Spalt, Alex Zaffron

Noes: Michael Nelson

Absent or Excused: Diana McDuffee

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION APPROVING A
JOINT PLANNING AGREEMENT AMENDMENT TO PROVIDE
FOR THE ADOPTION OF TEMPORARY DEVELOPMENT MORATORIA
Resolution No. 45/97-98**

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, Whenever major revisions the adopted Joint Planning Area Land Use Plan, the Joint Planning Area Land Use Map or any of the land use ordinances of the Towns of Chapel Hill and Carrboro for their Transition Areas and Orange County for the Rural Buffer are contemplated, uncertainty may be created as to the effect of ordinance amendments on development applications that are pending if and when such amendments are adopted, and;

WHEREAS, Joint Planning Agreement does not provide for development moratoria, and

WHEREAS, The Orange County Board of County Commissioners, the Chapel Hill Town Council and the Town of Carrboro Board of Aldermen desire to avoid such uncertainty, to preserve the status quo pending the consideration of a land use ordinance amendment designed to address exigent circumstances or the results of a study, and;

WHEREAS, This issue was considered during a joint public hearing on April 8, 1998;

NOW, THEREFORE, the Joint Planning Agreement is hereby amended as follows:

1. Section 2.3 and of the Agreement ("Permit Administration Within the Transition Area") and Section 2.4 ("Permit Administration Within the Rural Buffer") are amended by adding the language proposed in "An Ordinance Amending the Joint Planning Agreement Pertaining to Development Moratoria" which was included in the agenda packet for the April 8, 1998 Joint Public Hearing and is attached hereto.

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

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

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

Noes: Hilliard Caldwell

Absent or Excused: Diana McDuffee

**AN ORDINANCE AMENDING THE JOINT
PLANNING AGREEMENT PERTAINING TO
DEVELOPMENT MORATORIA**

**ARTICLE 2 ADOPTION, ADMINISTRATION AND AMENDMENT OF
STANDARDS**

2.3 Permit Administration within the Transition Area

- C. From time to time a development moratorium is appropriate in order to address exigent circumstances or the results of a study of density designations, plan classifications or other matters prescribed by the adopted Joint Planning Area Land Use Plan, the Joint Planning Area Land Use Map or any of the land use ordinances of the Town of Chapel Hill or the Town of Carrboro. To preserve the status quo pending the consideration of a land use ordinance amendment designed to address exigent circumstances or the results of a study, the Town of Carrboro or the Town of Chapel Hill may propose the adoption of a development moratorium pending consideration of the ordinance amendment. With respect to the CJDA, any proposed moratorium shall not be effective until adopted by the Town of Carrboro and approved by Orange County following a public hearing conducted by the Town of Carrboro. With respect to the CHJDA, any proposed moratorium shall not be effective until adopted by the Town of Chapel Hill and approved by Orange County following a public hearing conducted by the Town of

Chapel Hill. Any such adopted and approved moratorium shall initially be no more than six months in duration and may be extended one time for no more than six months for the reasons and following the procedures prescribed here.

2.4 Permit Administration within the Rural Buffer

- C. From time to time a development moratorium is appropriate in order to address exigent circumstances or the results of a study of density designations, plan classifications or other matters prescribed by the adopted Joint Planning Area Land Use Plan, the Joint Planning Area Land Use Map or any of the land use ordinances of Orange County. To preserve the status quo pending the consideration of a land use ordinance amendment designed to address exigent circumstances or the results of a study, Orange County may propose the adoption of a development moratorium pending consideration of the ordinance amendment. Any proposed moratorium shall not be effective until adopted by Orange County following a public hearing conducted by Orange County. Any such adopted moratorium shall initially be no more than six months in duration and may be extended one time for no more than six months for the reasons and following the procedures prescribed here.

The Joint Planning Agreement is amended effective _____,
the amendment contained in this ordinance having been approved by
the Town of Carrboro and the Town of Chapel Hill and this
ordinance having been adopted by Orange County on the effective
date.

lsg-10
morator.doc

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION AMENDING THE JOINT PLANNING AREA LAND USE PLAN
TO INCORPORATE THE FACILITATED SMALL AREA PLAN FOR
CARRBORO'S NORTHERN STUDY AREA
Resolution No. 47/97-98**

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, 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; and

WHEREAS, the Small Area Plan was considered by Orange County, the Town of Chapel Hill, and the Town of Carrboro at a Joint Public Hearing on April 8, 1998;

NOW THEREFORE, THE CARRBORO BOARD OF ALDERMEN HEREBY RESOLVES THAT THE JOINT PLANNING LAND USE PLAN 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.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 26th day of May, 1998:

Ayes: Hank Anderson, Hilliard Caldwell, Jacquelyn Gist, Michael Nelson, Allen Spalt,
Alex Zaffron

Noes: None

Absent or Excused: Diana McDuffee

I, Sarah C. Williamson, Town Clerk of the Town of Carrboro, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Carrboro Board of Aldermen on May 26, 1998.

Town Clerk

The following resolution was introduced by Alderman A2 and duly seconded by
Alderman 36 (JPA 2-98)

A RESOLUTION ADOPTING A
JOINT PLANNING AGREEMENT AMENDMENT
Resolution No. 42/97-98

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, 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 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; and

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

WHEREAS, the Small Area Plan was considered by Orange County, the Town of Chapel Hill, and the Town of Carrboro at a Joint Public Hearing on April 8, 1998

NOW, THEREFORE, the Joint Planning Agreement is hereby amended as follows:

1. Section 1.2 (Definitions) of the Agreement is amended by deleting subsection H ("Transition Area") everything after the first three sentences and inserting the following language: "Transition Area I and Transition Area II" 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 (1) unit per acre and at least 75% of the area within Transition Area I meets certain density thresholds).

2. Section 2.1 (Standards Within the Transition Area) is amended by deleting the last sentence of paragraph B, which sentence reads: "Area II shall have density limited pursuant to Section 1.2H."

3. Subsection 2.6E of the Agreement is amended by adding a new third sentence to read: "Any property that is located within the CJDA Transition Area shall be subject to the density standards of the CJDA Transition Area."

The
and

AYES:

NOES:

ABSENT O.

21001. 47
 aff. att.
 (JPA 2-98)

A RESOLUTION AMENDING THE JOINT PLANNING AREA LAND USE PLAN

TO INCORPORATE FACILITATED SMALL AREA PLAN FOR
 WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro CARRBORO'S
 entered into a Joint Planning Agreement, dated September 22, 1987, as amended April 2, 1990, and NORTHERN
 STUDY
 AREA

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 LAND USE PLAN 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).

A RESOLUTION AMENDING
THE JOINT PLANNING AREA LAND USE PLAN AND MAP
JPA 3-98

A2
J6
S1
Giff
M. K.
(Nelson)

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, a Joint Planning Area Land Use Plan and Map were adopted on October 13, 1986, by all parties to the Joint Planning Agreement, and have since been amended on several occasions; and

WHEREAS, a Small Area Plan that provides a framework for the future use of land within Chapel Hill's northwest transition area was accepted by the Chapel Hill Town Council on September 11, 1995; and

WHEREAS, the Small Area Plan was the product of a two and one-half year planning process that involved numerous public officials, planners, and residents of the affected area, and included three neighborhood meetings and a Town Council Public Hearing; and

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

WHEREAS, implementation of the recommendations contained in the Small Area Plan requires an amendment to the Joint Planning Area Land Use Plan and Map;

NOW THEREFORE, THE ORANGE COUNTY BOARD OF COMMISSIONERS, CHAPEL HILL TOWN COUNCIL AND CARRBORO BOARD OF ALDERMEN HEREBY RESOLVE THAT THE JOINT PLANNING LAND USE PLAN AND MAP BE AMENDED AS FOLLOWS:

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 "Northwest Small Area Plan for Chapel Hill's Northwest Study Area," accepted by the Chapel Hill Town Council on September 11, 1995, 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 Chapel Hill's northern Transition Area.

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

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

AYES:

NOES:

~~Amended~~

A2 Jt

45

JOINT PLANNING AGREEMENT AMENDMENT (JPA 1A-98)

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, Whenever major revisions the adopted Joint Planning Area Land Use Plan, the Joint Planning Area Land Use Map or any of the land use ordinances of the Towns of Chapel Hill and Carrboro for their Transition Areas and Orange County for the Rural Buffer are contemplated, uncertainty may be created as to the effect of ordinance amendments on development applications that are pending if and when such amendments are adopted, and;

WHEREAS, Joint Planning Agreement does not provide for development moratoria, and

WHEREAS, The Orange County Board of County Commissioners, the Chapel Hill Town Council and the Town of Carrboro Board of Aldermen desire to avoid such uncertainty, to preserve the status quo pending the consideration of a land use ordinance amendment designed to address exigent circumstances or the results of a study, and;

WHEREAS, This issue was considered during a joint public hearing on April 8, 1998;

NOW, THEREFORE, the Joint Planning Agreement is hereby amended as follows:

1. Section 2.3 and of the Agreement ("Permit Administration Within the Transition Area") and Section 2.4 ("Permit Administration Within the Rural Buffer") are amended by adding the language proposed in "An Ordinance Amending the Joint Planning Agreement Pertaining to Development Moratoria" which was included in the agenda packet for the April 8, 1998 Joint Public Hearing and attached hereto.

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

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

AYES:

NOES:

Caldwell

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

A RESOLUTION AMENDING THE JOINT PLANNING AREA LAND USE PLAN TO EXPAND
Resolution No. 43/97-98 (JPA 1-98) THE

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, 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, the Northwest Small Area Plan that provides a framework for the future use of land within the northern transition area was accepted by the Chapel Hill Town Council on September 11, 1995; and

WHEREAS, the three governing boards held a joint public hearing on April 8, 1998 on the proposal;

NOW THEREFORE, THE CARRBORO BOARD OF ALDERMEN HEREBY RESOLVES that the Joint Planning Area Land Use Plan and Map be amended to expand the Chapel Hill Transition Area plan category to include two tracts on the north side of Eubanks Road, as well as seven other lots in the area.

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

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

AYES:

NOES:

ABSENT OR EXCUSED:

BOARD OF ALDERMEN

ITEM NO. E(3)

AGENDA ITEM ABSTRACT

MEETING DATE: May 26, 1998

SUBJECT: Presentation of Manager's 1998-99 Budget and Request to Set Budget Review Schedule

DEPARTMENT: Town Manager	PUBLIC HEARING: YES ___ NO __x_
ATTACHMENTS:	FOR INFORMATION CONTACT: Robert Morgan, 968-7706

Purpose

The purpose of this item is to formally present the Manager's recommended budget for fiscal year 1998-99 and to set a schedule for budget review.

Analysis

The Mayor and Board of Aldermen will receive the 1998-99 proposed budget at tonight's meeting.

In accordance with the action that the Board took at its May 19th meeting the budget review schedule will be as follows:

1998-99 BUDGET REVIEW SCHEDULE

Tuesday, May 26th

Board receives 1998-99 Budget

Thursday, May 28th - 1st Budget Worksession

1. Overview of CIP, Five-Year Plan and Debt Service (20 min.)
2. Police Department (20 min.)
3. Fire Department (20 min.)
4. Planning Department (20 min)
Transportation Budget
5. Public Works Department (20 min.)

Tuesday, June 2nd

1. Public hearing on 1998-99 Budget
2. Presentation of the Human Services Commission's 1998-99 Budget Recommendations

Thursday, June 4th - 2nd Budget Worksession

1. Recreation Department (30 min.)
2. Administration (30 min.)
 - Town Manager
 - Economic and Community Development
 - Management Services
 - Personnel
 - Town Clerk
 - Governance
3. Non-departmental (30 min.)
 - Salary Adjustments
 - Technology Budget

Tuesday, June 9th

1. Report from Budget Review Committee
2. Board gives direction to Town Manager to prepare final budget document.

Tuesday, June 23h

Adoption of 1998-99 Budget, Pay Plan and Miscellaneous Fees and Charges Schedule

Action Requested

To adopt the above-listed budget review schedule.