

A regular meeting of the Board of Aldermen of the Town of Carrboro was held on July 24, 1984 at 7:30 p.m. in the Town Hall Board Room, the regular place of meeting.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Joyce Garrett
	John Boone
	Jim White
	Zona Norwood
	Doug Anderson
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Alderman	Hilliard Caldwell
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PUBLIC HEARING/LAND USE ORDINANCE AMENDMENT/CHANGE IN RIGHT-OF-WAY WIDTH FOR LOCAL ROADS

The administration requested that the right-of-way width for local roads and streets be changed from 60 feet to 50 feet, providing the streets have curb and gutter.

Mr. Morgan explained that due to an error in publication of the notice of tonight's hearing, the administration recommended that this public hearing be continued on September 11, 1984.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THIS PUBLIC HEARING BE CONTINUED ON SEPTEMBER 11, 1984.
VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE MAP AMENDMENT/YAGGY TRACT

The administration recommended that a portion of the Yaggy Tract in downtown Carrboro be rezoned from B-1 and R-7.5 to R-3.

Jerry Davenport, the town's planner, stated that the Blue Ribbon Downtown Revitalization Task Force has recommended that commercial development be focused around the Carr Mill Mall and 100 block of Main Street and that the town pursue high density residential development and redevelopment of the areas near the downtown. Rezoning this property as requested would accomplish this goal, except that the administration believes that the R-S.I.R. provisions need substantial revision to bring them in line with the developing policies.

William Gattis questioned whether this rezoning would negatively impact on the property values of surrounding property in the Eugene Street area.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF CARRBORO TO CHANGE THE ZONING OF PART OF A PARCEL OF LAND OWNED BY THE YAGGY CORPORATION AND LOCATED IN DOWNTOWN CARRBORO SOUTH OF MAIN STREET (BEING PART OF PROPERTY REFERENCED BY TAX MAP 99, BLOCK D, LOT 19) FROM B-1 AND R-7.5 TO R-3" BE ADOPTED.
VOTE: AFFIRMATIVE FOUR, NEGATIVE ONE (GARRETT)

PUBLIC HEARING/CONDITIONAL USE PERMIT AMENDMENT REQUEST/CARR MILL

Dr. J.W. French and Patricia Ann French have applied for a conditional use permit amendment which would allow construction of a 33,600 square foot freestanding office and retail building, a 5,200 square foot freestanding storage building, and a 780 square foot addition to the southwest corner of the existing Carr Mill structure. The property is identified as Tax Map 93, Block A, Lot 14 and is zoned Business-1.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard gave a brief description of the proposed development. Mr. Shepard stated that the administration was recommending denial of the 5,200 square foot storage building for the following reasons: (1) The developer has not submitted the detailed information on existing stormwater and drainage facilities and detailed information on proposed changes in existing stormwater and drainage facilities; and (2) The area proposed for construction of the storage building is a stormwater detention area which is a part of the stormwater management plan for the Carr Mill and perhaps other properties and without the information on the amount of flow, use of swales or pipes, and specific details on location, sizes and construction specifications, the staff cannot determine that the building is sited or sized correctly nor that the proposal is in compliance with Section 15-262 15-263 of the Land Use Ordinance.

Mr. Shepard stated that the administration was recommending approval of the conditional use permit amendment for the 33,600 square foot freestanding office and retail building and the 780 square foot addition to the existing Carr Mill structure with the following conditions: (1) That if changes in permissible uses occur which require additional parking in excess of a 10% deviation from the presumptive parking standards, the developer shall be required to provide the parking spaces required by the applicable permitted uses; (2) That the freestanding building is either fully sprinkled or that the north wall is constructed to specifications for a four hour fire rating (this was only a suggestion and not intended to be a condition); (3) That the developer submit a detailed landscape plan for the courtyard area and foundation plantings around the freestanding office and retail building to the staff and Appearance Commission for review and approval prior to the issuance of a building permit; (4) That the five oak trees specified to be planted in the lawn area shall be a minimum of four inches in caliper at the time of planting; (5) That acceptance of this permit amendment will automatically revoke the conditional use permit granted 6/28/83 for a 23,100 square foot freestanding office building and the conditional use permit granted 1/24/84 for two additions to the existing structure totalling approximately 18,100 square feet; and (6) That an area along the eastern property line, which is a minimum of 8 feet wide, be reserved for future construction of a bicycle/pedestrian facility by others.

Dail Dixon, the developer's architect, was sworn in. Mr. Dixon stated that the storage building was not essential to the project.

Dr. J.W. French, the developer, was sworn in. Dr. French stated that he had done as much as he could to save the trees around Carr Mill since he had been the owner of this property, in fact, he has just had an arborist on the property who had said there a good possibility that three additional trees are presently dying. Dr. French stated that he did not think bicyclists will use the proposed route and requested that he be allowed to plant two inch trees instead of four inch trees.

Jay Bryan, residing at 301 Oak Avenue, was sworn in. Mr. Bryan spoke in favor of this project in that it is an effort to revitalize the downtown but spoke against the project in

that it will take away from the existing green space around the Carr Mill Mall.

Roy Williford, Planning Director, was sworn in. Mr. Williford stated that the Downtown Revitalization Task Force had recommended the proposed bikepath.

Blair Pollock, was sworn in. Mr. Pollock spoke in favor of the proposed bikepath.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT, YES, THE APPLICATION IS COMPLETE EXCEPT FOR THE REQUESTED STORAGE BUILDING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE, EXCEPT FOR THE REQUESTED STORAGE BUILDING. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE APPLICATION IS GRANTED, EXCEPT FOR THE REQUESTED STORAGE BUILDING, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) THE APPLICANT SHALL COMPLETE THE DEVELOPMENT STRICTLY IN ACCORDANCE WITH THE PLANS SUBMITTED TO AND APPROVED BY THIS BOARD, A COPY OF WHICH IS FILED IN THE CARRBORO TOWN HALL. ANY DEVIATIONS FROM OR CHANGES IN THESE PLANS MUST BE POINTED OUT SPECIFICALLY TO THE ADMINISTRATOR IN WRITING AND SPECIFIC WRITTEN APPROVAL OBTAINED AS PROVIDED IN SECTION 15-64 OF THE LAND USE ORDINANCE.

(2) IF ANY OF THE CONDITIONS AFFIXED HERETO OR ANY PART THEREOF SHALL BE HELD INVALID OR VOID, THEN THIS PERMIT SHALL BE VOID AND OF NO EFFECT.

(3) THAT IF CHANGES IN PERMISSIBLE USES OCCUR WHICH REQUIRE ADDITIONAL PARKING IN EXCESS OF 10% DEVIATION FROM THE PRESUMPTIVE PARKING STANDARDS, THE DEVELOPER SHALL BE REQUIRED TO PROVIDE THE PARKING SPACES REQUIRED BY THE APPLICABLE PERMITTED USES.

(4) THAT THE DEVELOPER SUBMIT A DETAILED LANDSCAPE PLAN FOR THE COURTYARD AREA AND FOUNDATION PLANTINGS AROUND THE FREE-STANDING OFFICE AND RETAIL BUILDING TO THE STAFF AND APPEARANCE COMMISSION FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

(5) THAT THE FIVE OAK TREES SPECIFIED TO BE PLANTED IN THE LAWN AREA SHALL BE A MINIMUM OF FOUR INCHES IN CALIPER AT THE TIME OF PLANTING.

(6) THAT ACCEPTANCE OF THIS PERMIT AMENDMENT WILL AUTOMATICALLY REVOKE THE CONDITIONAL USE PERMIT GRANTED ON 6/28/83 FOR A 23,100 SQUARE FOOT FREE-STANDING OFFICE BUILDING AND THE CONDITIONAL USE PERMIT GRANTED ON 1/24/84 FOR TWO ADDITIONS TO THE EXISTING STRUCTURE TALLING APPROXIMATELY 18,100 SQUARE FEET.

(7) THAT AN AREA ALONG THE EASTERN PROPERTY LINE, WHICH IS A MINIMUM OF EIGHT FEET WIDE, BE RESERVED FOR FUTURE CONSTRUCTION OF A BICYCLE/PEDESTRIAN FACILITY BY OTHERS, SO LONG AS IT IS IN THE DEVELOPER'S AUTHORITY TO DO SO.

VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/CARRBORO SQUARE

Midstates Group, Inc. of Atlanta, Georgia has applied for a conditional use permit which would allow construction of 216 condominium dwelling units on a 19-7 acre parcel located south of Roberson Street between Maple Avenue and Eugene Street. The parcel is identified as Tax Map 99, Block D, part of Lot 19 and is presently zoned combination of both Business-1 and Residential-7.5.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard presented a brief review of the proposed project. Mr. Shepard stated that the administration was recommending approval of the conditional use permit, conditioned on the Board of Aldermen's approval of the Zoning Map amendment for this property, and subject to the following conditions: (1) That additional sidewalks are required to provide pedestrian access from all parking spaces to dwelling units; (2) That curb and gutter and dumpster pad construction are in accordance with Town standard specifications; (3) That the developer submit a detailed landscape plan for review and approval by the staff and Appearance Commission prior to the issuance of a building permit; (4) That all water lines which serve fire hydrants shall be installed as 8-inch lines to provide adequate fire protection; (5) That the proposed grass surfaced recreation area shall be required to be developed as an active recreation facility approved by the Recreation Director; (6) That the proposed emergency access drive align with the proposed access easement to the Rogers-Triem property; (7) That the proposed project signs located at the corner of Roberson and Main and Roberson and Scarborough shall not be permitted; (8) That the developer shall be required to submit detailed construction drawings of the proposed retaining wall and detailed hydrological calculations of the flow of the drainage channel adjacent to Buildings B and C for review and approval by the town's consulting engineer prior to the initiation of construction. In addition, hydrological calculations shall also be provided for the entire project for review and approval by the town's consulting engineer prior to the initiation of construction; (9) That the access road from Roberson to the northern side of Building A be constructed to collector road standards, including 5 foot bicycle/pedestrian lanes on each side and a sidewalk on the eastern side.

Mr. Shepard stated that the Planning Board was recommending approval of the conditional use permit with the following conditions: (1) That a phasing plan be provided with a schedule of initiation and completion of each phase; (2) That the number of units be 216; (3) That a recreation area calculation be provided and the proposed active recreation facilities be indicated; (4) The loop turn-around near the southern end of the property must have a minimum diameter of 70' for emergency vehicle egress and ingress and dumpster collection; (5) Show standard details for curb and gutter, streets, and sidewalks; (6) Provide a street name and address system; (7) Indicate appropriate utilities; (8) Show dumpster pad locations and dumpster screening; (9) Show 429 parking spaces; (10) That fire lane striping is provided in accordance with the Town Code; (11) That the recommendation of the town's consulting engineer are considered for revisions to the plans; (12) Provide information to indicate the proposed alignment of the private road with Roberson Street; (13) Provide bicycle path connection from within project to the existing bicycle facility along the railroad spur; (14) That metes and bounds description of property is provided.

Mr. Shepard stated that the Appearance Commission was recommending approval of the conditional use permit with the following conditions: (1) In addition to the areas noted to remain undisturbed on submitted Plan Z-2, the two remaining undisturbed areas along the northwest boundary of the site shall be maintained at a minimum of 40' in width with the exception of the two remaining undisturbed area near the Farmers' Market, this area shall be maintained at a minimum of the equivalent of a Type "A" screen; (2) All areas to

remain undisturbed shall be delineated and protected by the erection of wooden barriers. If disturbed, these areas shall be replaced and maintained as a double Type "A" screen; (3) All dumpsters shall be screened by erecting a cedar fence^m around each dumpster; (4) All paved areas shall be curbed; (5) The emergency access area, the area connecting Rand Road with proposed parking lots, shall be constructed of turfstone.

Mr. Shepard stated that the Transportation Advisory Board was recommending approval of the conditional use permit with the following conditions: (1) The fitness trail shown in the plans should be developed as a bikeway with a more appropriate surface and maintained by the homeowners association; (2) The Town of Carrboro should be given an easement to the bikeway to connect it to future bikeways at nearby developments; (3) The fitness trail/bikeway should be extended with a loop at each end, as shown in the original plan; (4) The developer should agree to provide bus stop shelters at the Franklin Street Extension; (5) The developer should provide sidewalk access to the Main Street bus stop.

David Williams, representing the developer, was sworn in. Mr. Williams stated that the project is screened very well from the existing neighborhood, that the developer would be willing to deed the necessary easement to the town for the construction of the Franklin Street Extension. Mr. Williams requested that sidewalks be approved as shown on the site plan; that the developer feels a need for project signs as proposed for directional purposes; and that an appraisal had been done which showed that the property values of adjoining properties should increase as a result of this project.

William Gattis was sworn in. Mr. Gattis, speaking on behalf of the residents of Eugene Street/Guthrie Avenue area, expressed his concern that this project will increase property values of adjoining property, as a result, increasing property taxes. Mr. Gattis also stated his concern that approval of this project will set the Franklin Street Extension in place.

Lee Corum, representing Rogers-Triem, was sworn in. Mr. Corum expressed his concern over the affects of this project on increased run-off and flooding of the Rogers-Triem property.

Roy Williford, Planning Director, was sworn in. Mr. Williford stated that this project would increase traffic by approximately 1400 trips per day.

Jay Bryan was sworn in. Mr. Bryan expressed his concern that the town was catering to non-permanent residents and that the proposed screening will not screen noise.

MOTION WAS MADE BY JOHN BOONE THAT THE PUBLIC HEARING BE CLOSED. MOTION DIED FOR THE LACK OF A SECOND.

MOTION WAS MADE BY DOUG ANDERSON THAT THE PUBLIC HEARING BE CONTINUED ON SEPTEMBER 11, 1984. MOTION DIED FOR THE LACK OF A SECOND.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JOYCE GARRETT THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE THREE, NEGATIVE TWO (WHITE, ANDERSON)

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JOYCE GARRETT THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE, WITH THE EXCEPTION OF THE OFF-PREMISES SIGN. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE APPLICATION BE GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the land use ordinance;

(2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect;

(3) That additional sidewalks be required to provide pedestrian access from all parking spaces to dwelling units;

(4) That the curb and gutter and the dumpster pad be constructed in accordance with Town standard specifications and approval by the Public Works Director;

(5) That the developer submit a detailed landscape plan for review and approval by the town staff and Appearance Commission prior to the issuance of a building permit or the initiation of any clearing or grading work, whichever occurs first;

(6) That the proposed emergency access drive align with the proposed access easement on the Rogers-Triem property;

(7) That the proposed project signs located at the corner of Roberson Street and Main Street and Roberson and Scarborough Streets shall not be permitted;

(8) The developer shall be required to submit detailed construction drawings of the proposed retaining wall and detailed hydrological calculations of the flow of the drainage channel adjacent to Buildings B and C for review and approval by the town's consulting engineer prior to the initiation of construction. In addition, hydrological calculations shall also be provided for the entire project for review and approval by the town's consulting engineer prior to the initiation of construction;

(9) That to the extent it is within the developer's authority to do so, the access road from Roberson Street to the northern side of Building A be constructed to collector road standards, including five foot bicycle/pedestrian lanes on each side and a sidewalk on the eastern side;

(10) In addition to the areas noted to remain undisturbed on submitted Plan Sheet Z-2, the area adjoining the Farmers' Market shall be maintained at a minimum of the equivalent of a Type "A" screen;

(11) That all areas to remain undisturbed shall be delineated and protected by the erection of wooden barriers. If disturbed, these areas shall be replaced and maintained as a double Type "A" screen;

(12) If possible, the developer shall provide bus stop shelters at the Franklin Street Extension; and

(13) If possible, the developer shall provide sidewalk access to the Main Street bus stop.

VOTE: AFFIRMATIVE FOUR, NEGATIVE ONE (WHITE)

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/OAKBRIDGE
SUBDIVISION

White Oak Properties, Inc. has applied for a conditional use permit which would allow construction of an architecturally integrated subdivision of 14 lots on a 3.32 acre site located on the south side of High Street. The property is zoned Residential-10 and is identified as Tax Map 103, Block A, Lots 6 and 33.

Mr. Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard explained the proposed project. Mr. Shepard stated that the administration was recommending approval of the project, conditioned on the Board's approval of the Land Use Ordinance amendment which would allow "local" streets to be built in a 50 foot right-of-way. Mr. Shepard stated that the administration also recommended the following conditions be attached to the permit: (1) That the name of the subdivision is changed since it is phonetically similar to other Carrboro developments; (2) That the applicant submit elevation drawings for each building to the staff and Appearance Commission for review and approval prior to the issuance of a building permit for each lot; (3) That the applicant submit a detailed screening and landscaping plan to the staff and Appearance Commission for review and approval prior to the issuance of a building permit; (4) That the front property lines are located at the assumed right-of-way required for a "local street"; (5) That the proposed sidewalk on the southern side of the proposed private road is required to be a four foot wide sidewalk built to Town standards; (6) That the proposed driveways will encompass an area large enough to accommodate a minimum of two parking spaces; (7) Submit a stormwater management plan for review and approval by the town's consulting engineer prior to initiation of construction.

Mr. Shepard stated that the Planning Board was recommending approval of the project with a recommendation to the Board of Aldermen that the road through the subdivision be allowed according to the construction standards and that the screening, fencing, and landscaping requirements along the road be incorporated in this project.

Mr. Shepard stated that the Transportation Advisory Board was recommending approval of the project subject to the following conditions: (1) That the pedestrian easement shown on the plans be widened to include a separate bikeway with an appropriate hard surface to be chosen by the developer; (2) That the pedestrian easement be connected with an internal sidewalk system along the west side of the private street extending from the present easement to the cul-de-sac; (3) That this internal sidewalk be in keeping with the natural setting, perhaps timber-edged with pine bark surface, but gravel is unacceptable; and (4) That the ordinance dealing with private street rights-of-way be interpreted to include private streets with 50 foot rights-of-way.

Mr. Shepard stated that the Appearance Commission was recommending approval of the conditional use permit with the following conditions: (1) That all proposed fencing be deleted and replaced with "Type A" vegetative screening except for the fence on the south side of the property adjoining Gurganus property; (2) That street trees shall be planted along the private road every 40 feet on alternating sides; (3) That all existing trees specified to remain must be replaced if lost due to construction; (4) That a proposed sign shall be routed or painted wood; and (5) That the applicant submit elevation drawings for each building to the Appearance Commission for review and approval prior to issuance of a building permit for each lot.

Phillip Post, the developer's engineer, was sworn in. Mr. Post explained the proposed drainage improvements along Hillsborough Road proposed by D.O.T. and stated that the developer would perform the necessary drainage improvements to the Eliadis property.

Eric Neville, residing at 401 Hillsborough Road, was sworn in. Mr. Neville asked the Board to address the drainage problems and requestd that fencing be installed behind his property.

Lula Eliadis was sworn in. Ms. Eliadis stated that she would support the project if the necessary drainage improvements to her property are made.

Dena Neville, residing on Hillsborough Road, was sworn in. Ms. Neville stated her concern that this project will increase the present drainage problems. Ms. Neville distributed copies of a letter she had received from the town in 1971 assuring her that the town would make the necessary corrections to the drainage system at the intersection of Pine Street and Hillsborough Road to provide for adequate drainage, but that these improvements were never done.

Robert Morgan, Town Manager, was sworn in. Mr. Morgan stated that N.C.D.O.T. has verbally agreed to enlarge the drainage pipe across Hillsborough Road and the developer tonight has indicated he would enlarge the pipe under Ms. Eliadis' driveway. Mr. Morgan stated that Chris Peterson, Public Works Director, has stated that the culvert along Pine Street would have to be replaced with a larger pipe by the town in order to handle the present drainage problems. Mr. Morgan stated that the town staff had not considered the drainage ditch along Hillsborough Road running between Pine Street and Oak Street.

Chris Peterson, Public Works Director, stated that the drainage problem on Ms. Neville's problem could only be corrected would be to install storm drain pipe and catch basins. Even with this, surface water would continue to run down Hillsborough Road without curb and gutter.

Frances Watson was sworn in. Ms. Watson requested that fencing also be installed behind her house adjoining the proposed project.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOYCE GARRETT THAT THIS PUBLIC HEARING BE CONTINUED ON SEPTEMBER 11, 1984. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Town of Carrboro has been awarded a total of \$72,312 in Local Option Community Development Block Grant funds since 1982. To date, the town has only programmed \$10,000 for improvements to Old Pittsboro Road and Alabama Avenue. In order to program the remaining \$62,312, the town must hold a public hearing and submit a revised application.

Roy Williford, Planning Director, stated that the administration was recommending that the Board of Aldermen authorize the staff to submit an amended application which would provide up to \$70,812 for the reconstruction of Old Pittsboro Road.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THE ADMINISTRATION BE AUTHORIZED TO SUBMIT AN AMENDED APPLICATION WHICH WOULD PROVIDE UP TO \$70,812 FOR THE RECONSTRUCTION OF OLD PITTSBORO ROAD. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/RESOLUTION AUTHORIZING THE SUBMITTAL OF AN UMTA SECTION 9A GRANT APPLICATION

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David Bonk, the town's transportation planner, stated that the administration was requesting the Board of Aldermen's authorization to submit an application for Section 9A funds from the Urban Mass Transportation Administration for the purpose of upgrading bus shelter turnouts and graphics in addition to transit planning assistance.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THE PUBLIC HEARING BE CLOSED AS NO ONE WISHED TO SPEAK.
VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman John Boone and duly seconded by Alderman Doug Anderson.

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF
AMERICA, FOR A GRANT UNDER THE URBAN MASS
TRANSPORTATION ACT OF 1964, AS AMENDED
(Resolution No. 2/84-85)

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

1. That the Town Manager is authorized to execute and file an application on behalf of the Town of Carboro with the U.S. Department of Transportation, to aid in the financing of planning and/or capital assistance projects pursuant to Section 9A of the Urban Mass Transportation Act of 1964, as amended.

2. That the Town Manager is authorized to execute and file with such application and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That the Town Manager is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project.

4. That the Town Manager is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the Town Manager is authorized to execute grant agreements on behalf of the Town of Carrboro with the U.S. Department of Transportation for aid in the financing of the planning and/or capital assistance projects.

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The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of July, 1984:

Ayes: Boone, White, Garrett, Norwood, Anderson

Noes: None

Absent or Excused: Caldwell

CONDITIONAL USE PERMIT MODIFICATION/PLANTATION PLAZA

Plantation Partnership has requested a modification to a conditional use permit granted on February 27, 1983 to R.S. Lloyd for construction of the Telo Shopping Plaza on a 23.5 acre parcel located on the southwest corner of Highway 54 and Highway 54 Bypass. The parcel is identified as Tax Map 108, part of Lot 35 and Tax Map 114, Lot 30 and is zoned Business-4.

Greg Shepard, Zoning Administrator, presented the proposed amendments.

Dwuane Stewart, representing the developer, requested the Board's favorable consideration of the proposed amendments.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE CONDITIONAL USE PERMIT MODIFICATION BE APPROVED AS RECOMMENDED. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL REQUEST/WEATHERHILL TOWNHOUSES, PHASES IV AND V

Wells Management Group, Inc. is applying for final plat approval for Phases IV and V of the Weatherhill Townhouses. These are the fourth and fifth phases of six phases located on Cedarwood Lane, a private drive with access to Beechwood Drive. A conditional use permit for this development was granted by the Board of Aldermen on March 22, 1983.

Greg Shepard stated that the administration was recommending approval of the final plat subject to receipt of a performance bond or other security in the amount of \$44,088.00, and that the petition for annexation include the signatures of all new property owners prior to annexation. The administration further recommended that a public hearing be scheduled for September 11, 1984 to consider the annexation request.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE FINAL PLAT BE APPROVED SUBJECT TO THE ADMINISTRATION'S RECOMMENDATIONS. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Anderson and duly seconded by Alderman Boone.

A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF PHASES FOUR AND FIVE
OF WEATHERHILL UPON THE REQUEST OF THE PROPERTY
OWNER, WEATHRHILL LIMITED PARTNERSHIP
(Resolution No. 3/84-85)

WHEREAS the Town of Carrboro has received a petition from Weatherhill Limited Partnership Associates requesting that its property known as Phases Four and Five be annexed into the Town of Carrboro; and

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

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

Section 1. The Board of Aldermen shall hold a public hearing on September 11, 1984 to consider the voluntary annexation of Phases Four and Five of Weatherhill.

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

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 24th day of July, 1984:

Ayes: Garrett, Anderson, Boone, White, Norwood

Noes: None

Absent or Excused: Caldwell

ACCEPTANCE OF BID FOR GARBAGE TRUCK

The Board of Aldermen authorized \$110,000 for the purchase of a new front-end loader. The administration advertised for bid proposals and received bids from Kabco, Inc. (\$92,069) and Carolina Waste Equipment Co. (\$100,394). Only one the two bidders met the required specifications. Therefore, the administration recommended acceptance of the bid submitted by Carolina Waste Equipment Company for a total cost of \$100,394.

Chris Peterson, Public Works Director, explained that this truck would be purchased under a lease/purchase agreement over a period of four years.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE BID BE AWARDED TO CAROLINA WASTE EQUIPMENT CO. FOR A TOTAL COST OF \$100,394 AND THAT THE ADMINISTRATION BE AUTHORIZED TO NEGOTIATE WITH VARIOUS LEASING COMPANIES FOR A FOUR-YEAR LEASE/PURCHASE CONTRACT OF THIS EQUIPMENT. VOTE: AFFIRMATIVE ALL

APPOINTMENTS TO BOARDS

The Board of Aldermen at its worksession held on July 18, 1984 recommended the appointment of Steve Oglesbee to the Transportation Advisory Board and Alderman Doug Anderson as the liaison member to the Transportation Advisory Board. The Board further directed the Town Clerk to advertise any remaining vacancies to various town boards.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT STEVE OGLESBEE BE APPOINTED TO THE TRANSPORTATION ADVISORY BOARD AND THAT DOUG ANDERSON BE APPOINTED AS THE BOARD'S REPRESENTATIVE ON THE TRANSPORTATION ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

Tom Gurganus, a member of the Board of Adjustment, requested the Board consider appointing an in-town citizen to the out-of-town position on the Board of Adjustment due to the problem of locating a county citizen to serve in the out-of-town seat.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. R. [Signature]
Mayor