

A special meeting of the Board of Aldermen was held on Wednesday, November 7, 1984 to hold a public hearing on Land Use Ordinance map and text amendments for Highway 54 Bypass property.

Present and presiding:

Mayor Protem	John Boone
Aldermen	Jim White
	Zona Norwood
	Hilliard Caldwell
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

Absent:

Mayor	James V. Porto, Jr.
Aldermen	Doug Anderson
	Joyce Garrett

The administration requested that the Board of Aldermen hold this public hearing to decide:

- 1) Whether to rezone property lying between 54 Bypass and Old Fayetteville Road from R-3 to B-4; or
- 2) Whether to create a Bypass Commercial Overlay District (BC District) and to designate the aforementioned area as such a district; or
- 3) Whether to keep the area as an R-3 district and not create an overly district.

The administration requested that the James Moore rezoning continued from the October 9, 1984 meeting of the Board of Aldermen be incorporated in this larger rezoning request.

Mike Brough explained that a protest petition has been filed with the Town Clerk which would require a 3/4 vote of the Board of Aldermen to rezone the areas proposed for rezoning.

Jerry Davenport, the town's planner, explained that the issue before the Board was to rezone from R-3 to B-4 that property or any part thereof lying between Highway 54 Bypass and Old Fayetteville Road, from south of Telo Shopping Center to north and west of Harris Distributors, Willow Creek Shopping Center and the McDade property. Whether to create an Overlay Zone that would permit some commercial uses and to locate that zone on top of the R-3 on the Bypass.

Mr. Davenport stated that the Board had three options:

- (1) Rezone from R-3 to B-4
 - (1) The entire area;
 - (2) A set distance from 54 Bypass; and
 - (3) Several of the tracts
- (2) Create new Overlay Commercial Zone (BC District)
 - (a) Same area options as in one;
 - (b) Text options: add or delete controls (This option would require the Board:
 - (1) Leave R-3 zone in place
 - (2) Adopt new overlay ordinance
 - (3) Adopt new overlay map
- (3) Leave R-3 zone as is.

Mr. Davenport stated that the staff was recommending that the area not be rezoned, but be left as R-3. Mr. Davenport stated that if the Board wanted to allow commercial opportunities along the Bypass, the staff recommended that this development be allowed only pursuant to the Bypass Commercial Overlay District. Mr. Davenport stated that the staff strongly recommended against rezoning this area B-4.

David Bonk, the town's transportation planner, reviewed the updated Highway 54 Bypass Study. (See Town Clerk's file of this meeting for a copy of this report.) Mr. Bonk stated that rezoning of the 54 Bypass from R-3 to B-4 would have an adverse impact on the ability of the roadway to efficiently accommodate traffic. The degree to which the Bypass would be overburdened is related to the number and types of commercial development that takes place.

Frances Shetley, Chairman of the Transportation Advisory Board, read a statement from the TAB urging the Board of Aldermen to reject the proposals to allow commercial development along the 54 Bypass.

Bill Koole, Chairman of the Downtown Revitalization Task Force, stated the DRTF was recommending against rezoning additional property along Highway 54 Bypass as B-4 Commercial. The DRTF recommended the following uses should be allowed in the proposed overlay zone if enacted: hotel/motel uses, light manufacturing conducted entirely indoors, wholesale sales with no outdoor storage or display, and vehicle sales and service.

Diana Woolley, Chairman of the Planning Board, stated that the Planning Board recommended that the property along Highway 54 Bypass remain zoned R-3.

Kathy Buck, Chairman of the Appearance Commission, stated that the Appearance Commission was recommending that the property along Highway 54 Bypass remain zoned residential because the Bypass is a gateway for the town.

Grif Graves, representing James Moore, stated that Mr. Moore did not feel that the entire area should be rezoned to B-4. Mr. Graves stated that Mr. Moore was requesting that his application or rezoning of his property from R-3 to B-4 be withdrawn from consideration. Mr. Graves stated that Mr. Moore was opposed to the presently drafted definition of an overlay zone.

MOTION WAS MADE BY JIM WHITE THAT THE PUBLIC HEARING BE CLOSED. MOTION WITHDRAWN.

Everett Billingsley, Executive Director of OWASA, stated that water and sewer are available for high density residential uses along the Highway 54 Bypass. Mr. Billingsley also stated that a limited portion of the area of interest is located within the University Lake drainage basin, therefore, runoff from future development on this land would eventually reach the lake.

Wally Kaufman, a real estate appraiser, stated that neighboring property values will be decreased if this property were rezoned to B-4.

Keith Godwin, representing Chateau Apartments, spoke in opposition to the proposed rezoning and creation of an overlay zone.

Eleanor Kinnaid, residing on W. Poplar Avenue, presented a petition containing 221 signatures opposing the rezoning of the land along Highway 54 Bypass. The petition stated that possible strip development, which could result from changing the zoning in the area could create severe visual pollution at this major entry-way into our community. It also would lessen the quality of life and the property values in the

surrounding neighborhoods, and would hamper the revitalization of the center of Carrboro.

Cindy Sharer, residing on W. Poplar Avenue, and a traffic planner for the City of Durham, spoke against the proposed rezoning. Ms. Sharer stated that commercial development would generate significantly higher traffic volumes than residential uses, driveways from strips development causes many problems, and a traffic signal would probably need to be installed at W. Poplar and 54 Bypass, which would slow traffic on the Bypass.

Carolyn Cheek, residing on Lilac Drive, spoke against the proposed rezoning.

Betsy Justice, residing at 103 Walden Drive, and representing the manager of Berkshire Manor Apts., spoke against the proposed rezoning.

Doug Sharer, residing at 501 W. Poplar Avenue, spoke against the proposed rezoning stating that this would force high density residential uses to other areas of town.

Kathy Buck, a resident of Old Fayetteville Road, spoke against the proposed rezoning stating that the property values of the properties on the west side of Old Fayetteville Road had already been decreased when the watershed zone was enacted by the Board.


Ellen Sheridan, residing in Old Poplar Village, spoke against the proposed rezoning.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY HILLIARD CALDWELL 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 ZONA NORWOOD THAT THE PROPERTIES NOT BE REZONED TO B-4 BUT REMAIN ZONED R-3 AND THAT AN OVERLAY ZONE NOT BE CREATED. VOTE: AFFIRMATIVE ALL

There being no further business the meeting was adjourned.


Town Clerk


Mayor Pro Tem