

A regular meeting of the Carrboro Board of Aldermen was held on January 8, 1985 at 7:30 p.m. in the Fire Department Classroom.

Present and presiding:

Mayor
Aldermen

James V. Porto, Jr.
Joyce Garrett
Doug Anderson
Hilliard Caldwell
John Boone
Jim White
Zona Norwood
Robert W. Morgan
Sarah C. Williamson
Michael B. Brough

Town Manager
Town Clerk
Town Attorney

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF DECEMBER 11, 1984 BE APPROVED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF DECEMBER 18, 1984 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST FOR FUNDING/CRIME STOPPERS

Mr. Delos O'Daniel, representing Orange County Crime Stoppers, Inc., presented a request for funding in the amount of \$2,000.00. Mr. O'Daniel stated that this request would be in the form of a pledge from the town and would only be used if their private solicitation efforts are unsuccessful.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THIS REQUEST BE FORWARDED TO THE HUMAN SERVICES ADVISORY COMMISSION AND THAT THE COMMISSION BE REQUESTED TO REPORT BACK TO THE BOARD OF ALDERMEN WITH A RECOMMENDATION BY FEBRUARY 26, 1985. VOTE: AFFIRMATIVE ALL

REQUEST FOR RELIEF/PAYMENT OF CIVIL PENALTIES/JOHNNY'S SPORTING GOODS

Mr. Johnny Howard appeared before the Board of Aldermen to request relief from the payment of civil penalties in the amount of \$175.00.

Greg Shepard, Zoning Administrator, explained that Mr. Howard had sold Christmas trees at his business located on West Main Street from December 15-24 after being told that he was selling the trees in violation of the Land Use Ordinance and after he had been issued a notice of civil penalty.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT MR. HOWARD BE RELIEVED FROM THE PAYMENT OF THE CIVIL PENALTIES WITH THE UNDERSTANDING THAT HE WILL NOT SELL TREES AT HIS CURRENT PLACE OF BUSINESS IN THE FUTURE. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (ANDERSON)

REQUESTS TO SET PUBLIC HEARINGS

- (1) Land Use Ordinance Text Amendment/Creation of R-4.5 District

Mr. Tom Talley has requested that the Land Use Ordinance be amended to create a new district, R-4.5.

The administration requested that a public hearing be scheduled for January 22, 1985 to consider this request.

(2) Rezoning Request/West Poplar Avenue

Mr. Tom Talley has filed a petition to rezone several tracts along West Poplar Avenue from R-10 to R-4.5.

The administration requested that a public hearing be set for January 22, 1985 to consider this request.

(3) Conditional Use Permit Request/Wilson Park Condominiums

Mr. Jay Land has applied for a conditional use permit which would allow construction of 14 condominium units on a 3.3-acre site located on the northeast corner of North Greensboro Street and Walters Road. The property is identified as Tax Map 96, Block C, Lot 14, 16 and 17 is zoned Residential-10.

The administration recommended that a public hearing be scheduled for January 22, 1985.

(4) Miscellaneous Land Use Ordinance Amendments

The administration recommended that the Board of Aldermen set a public hearing for January 22, 1985 to consider several miscellaneous land use ordinance amendments. These amendments are in addition to the amendments scheduled for public hearing in December, 1984 and continued to January 22, 1985.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE REQUESTED PUBLIC HEARINGS BE SET. VOTE: AFFIRMATIVE ALL

ORDINANCE AMENDING THE TOWN CODE RELATING TO PARADES

The Board of Aldermen at its worksession held on January 2, 1985 recommended adoption of an ordinance amending the Town Code to delete the requirement that public hearings be held to close streets for the Annual Christmas Parade and Fourth of July Celebration, in addition to several other minor changes relating to street closings.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER SEVEN OF THE TOWN CODE RELATING TO PARADES," BE ADOPTED. VOTE: AFFIRMATIVE ALL

TRIANGLE J COG CHARTER AMENDMENT

The Executive Committee and the Board of Delegates approved an amendment to Triangle J Council of Government's charter, which establishes the State's annual population estimates for cities and counties as the factor for computation for member governments' dues instead of the federal decennial census.

The Board of Aldermen at its worksession held on January 2, 1985 recommended approval of the charter amendment.

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman John Boone.

RESOLUTION AMENDING THE CHARTER RESOLUTION OF
TRIANGLE J COUNCIL OF GOVERNMENTS
TOWN OF CARRBORO
Resolution No. 22/84-85

WHEREAS, N.C.G.S. 168-470(a) provides that any two or more units of local government may create a regional council of governments by adopting identical concurrent resolutions to that effect and said concurrent resolutions, and any amendments thereto, will be referred to as the "charter" of the regional council; and

WHEREAS, N.C.G.S. 168-472 provides that the charter of a regional council of governments may establish a method for amending the charter; and

WHEREAS, Article XIV of the presently existing charter of Triangle J Council of Governments (said charter having been adopted by all 36 local governmental units within the six county area of Region J), provides as follows "amendments to this charter shall become effective when adopted by resolution of two-thirds (2/3) of the participating governmental units in the Council of Governments;" and

WHEREAS, on December 6, 1984, the Triangle J Council of Governments Board of Delegates unanimously agreed to recommend the following amendment to its charter for adoption by resolution of the participating governmental units.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The Town of Carrboro hereby amends the charter resolution of Triangle J Council of Governments as follows:

Paragraph 2 of Article X of the Triangle J Council of Governments Charter Resolution is hereby amended to read as follows:

2. The general budget shall set out the proportionate share of the budget to be borne by each member governmental unit with per capita (based on the latest annual official state estimate of population) share for each member governmental unit being the same. No reduction or exception shall be made in the instances where the population figures of two or more governmental units reflect an overlapping population.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 8th day of January, 1985:

Ayes: Joyce Garrett, Doug Anderson, Hilliard Caldwell, John Boone, Jim White, Zona Norwood

Noes: None

Absent or Excused: None

APPOINTMENT TO TRANSPORTATION ADVISORY BOARD

There presently exists one vacancy on the Transportation Advisory Board. Ms. Dazzie Lane has requested appointment to this Board.

The Board of Aldermen at its worksession held on January 2, 1985 recommended that Ms. Lane be appointed to the Transportation Advisory Board.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT DAZZIE LANE BE APPOINTED TO THE TRANSPORTATION ADVISORY BOARD. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/BERRYHILL

The Berryhill Corporation has applied for a conditional use permit which will allow construction of 700 units in an architecturally integrated subdivision on a 90-acre parcel located on the west side of Smith Level Road between Morgan Creek and B.P.W. Club Road. The parcel is identified as Tax Map 122, Block A, Lots 2 and 2A and is zoned Residential-S.I.R (Suitable for Intensive Residential).

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard presented the plans for the proposed project and

stated that the administration was recommending approval of the project with the following conditions:

1) That a sidewalk built to town standards be constructed along the west side of Smith Level Road phased with the road improvements.

2) That a taper built to N.C.D.O.T. standards be constructed along the west side of Smith Level Road at the southwest corner of the intersection of B.P.W. Club Road and Smith Level Road.

3) That B.P.W. Club Road be paved in accordance with the phased road improvements to 34-foot face-to-face cross-section with sidewalk built to town standards along the north side.

4) That the town will not be responsible for collecting refuse from containers in the development which are not compatible with the town's collection equipment.

5) That fire hydrants shall be installed and working prior to building construction of each phase.

6) That a hard surface drive (turf stone, asphalt or similar) is constructed on the north side of the high rise building in Area A for fire apparatus accessibility.

7) That sprinkler, fire alarm and standpipe systems for each high rise building shall be reviewed and approved by the Fire Chief prior to initiation of building construction for that phase.

8) That detailed hydrological calculations be submitted with construction plans for review and approval by the town engineer prior to issuance of a building permit.

9) That a pedestrian and bicycle easement be dedicated to the Town of Carrboro with an average width of 60 feet from the creek edge back into the property. Easement should begin at the southeast corner of the proposed pond.

10) That two pedestrian bridges be constructed across Morgan Creek in locations proposed by the planning staff.

11) That an area along Morgan Creek from the southeast corner of the proposed pond to Smith Level Road be dedicated to the Town of Carrboro for a proposed park.

David Bonk, the town's transportation planner, was sworn in. Mr. Bonk stated that this development utilizes this land very well in that it is a large tract of land owned by a single landowner and will only produce two entrances onto Smith Level Road, thereby restricting conflicting movements. Mr. Bonk stated that this development will add approximately 5% additional traffic per phase. And, this development will encourage bike traffic and use of the transit system in that transportation service should be able to be extended to this development at a reasonably low cost.

Diana Woolley, Chair of the Planning Board, was sworn in. Ms. Woolley stated that the Planning Board was recommending approval of the conditional use permit with the same conditions that the staff recommended with the addition of the following condition: "That the Fire Chief stipulate that the present fire equipment is adequate."

Stan Foushee, the town's fire inspector, was sworn in. Capt. Foushee stated that the present fire equipment will be adequate to serve this development if it is sprinkled.

Steve Chandler, residing on Smith Level Road and a member of the Planning Board, was sworn in. Mr. Chandler asked how the fire department would rescue people from the top floor of the high rise building proposed in this development.

Capt. Foushee stated that the town's ladder truck would be

used and, if needed, the Chapel Hill Fire Department's ladder truck would be used.

Gordan Brown, the developer's attorney, introduced the individuals associated with this development: Paul Johnston, Paul Hutchins, Richard Chesson, Ken Coulter, and Duane Cohen.

Duane Cohen was sworn in. Mr. Cohen explained the landscape plans, and stated that the developer would like to commit to annexation on a phase-by-phase basis to become effective one year after final plat approval.

Griffin Schoenfeld was sworn in. Mr. Schoenfeld expressed his concern over the additional traffic which this development will produce on Smith Level Road.

John Nesburg was sworn in. Mr. Nesburg asked about the cost of the units in this development.

Bob Anderson was sworn in. Mr. Anderson stated that the development will consist of a mixed housing types with the high rise units being the most expensive.

Paul Hutchins was sworn in. Mr. Hutchins stated that this will be a premium development with premium costs.

Steve Chandler expressed his concern over the additional traffic which will be put on Smith Level Road from this development and the additional pressure that will be placed on the school system with the addition of this number of people.

Carl Fox was sworn in. Mr. Fox expressed his concern over the additional traffic which will be placed on Smith Level Road by this development. Mr. Fox also asked how many people would be living in this development.

Duane Cohen stated that there would be approximately 1200 people living in the development upon completion.

Don Willhoit was sworn in. Mr. Willhoit stated his concern that Phase I of this development include the improvements to Smith Level in order that the bridge on Smith Level could be widened at the start of the project.

Sherwood Ward was sworn in. Mr. Ward spoke in favor of the project and stated that he felt N.C.D.O.T. could be persuaded to improve Smith Level Road.

Claudia Roberts Brown was sworn in. Ms. Brown stated that the Appearance Commission had not seen any landscape plans for this project.

Greg Shepard stated that the Land Use Ordinance does not require developers to submit detailed landscape plans when the c.u.p. is requested.

Jay Bryan was sworn in. Mr. Bryan asked about the height of the high rise and asked the Board to consider imposing a building moratorium.

Dick Chesson, an appraiser representing the developer, was sworn in. Mr. Chesson stated that the proposed development is the highest and best use of this land, the project is physically adaptable to the land, and the project is economically feasible.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DOUG ANDERSON THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

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

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE 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 a sidewalk built to town standards be constructed along the west side of Smith Level Road phased with the road improvements.

4) That a taper built to N.C.D.O.T. standards be constructed along the west side of Smith Level Road at the southwest corner of the intersection of B.P.W. Club Road and Smith Level Road by the completion of Phase I.

5) That B.P.W. Club Road be paved in accordance with the phased road improvements to 34 foot face-to-face cross-section with sidewalk built to town standards along the north side.

6) That the town will not be responsible for collecting refuse from containers in the development which are not compatible with the town's collection equipment.

7) That fire hydrants shall be installed and working prior to building construction of each phase.

8) That a hard surface drive (turf stone, asphalt or similar) be constructed on the north side of the high rise building in Area A for fire apparatus accessibility.

9) That sprinkler, fire alarm and standpipe systems for each high rise building shall be reviewed and approved by the Fire Chief prior to initiation of building construction for that phase.

10) That detailed hydrological calculations be submitted with construction plans for review and approval by the town engineer prior to the issuance of a building permit.

11) That the Appearance Commission be allowed to comment and review on all particular phases of each plan.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT:

1) A pedestrian and bicycle easement be dedicated to the Town of Carrboro as submitted on the approved plans.

2) That one pedestrian/bicycle bridge shall be constructed across Morgan Creek on the western portion of the property as shown on the approved plans, provided that an easement is obtained from the adjoining property across Morgan Creek by the town. The cost to the developer for construction of this bridge shall not exceed \$7,000.

3) That an annexation petition be submitted for approval prior to issuance of certificates of occupancy for any phase.

VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (MAYOR PORTO CAST AN AFFIRMATIVE VOTE)

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE CONDITIONAL USE PERMIT BE GRANTED SUBJECT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT REQUEST/COBBLESTONE SUBDIVISION

Covenant Properties has applied for a conditional use permit which will allow a subdivision of 64 lots on a 41.4-acre parcel located on the north side of Hillsborough Road, immediately west of the James Street and Hillsborough Road intersection. A portion of this parcel is located in the Orange County planning jurisdiction. It is zoned a combination of Rural Residential and Residential-20, and is identified as Tax Map 108, Lots 8 and 8A.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard presented the proposal for this development and stated that the administration was recommending approval of the conditional use permit with the following conditions:

- 1) That a sidewalk be constructed on the north side of the east-west sub-collector.
- 2) That the existing Hillsborough Road be improved with an additional seven feet of pavement and a standard shoulder section along the property's frontage on Hillsborough Road.
- 3) That a standard four foot sidewalk be constructed along the property's frontage on Hillsborough Road at such time that curb and gutter is installed, or that a performance bond be offered if curb and gutter is not installed by the completion of the last phase of the subdivision.
- 4) That final plat approval for Phase I shall include the dedication of an additional 10 feet of right-of-way along the property frontage on Hillsborough Road.
- 5) That a final plat for any phase including a portion of the Duke Power right-of-way shall indicate the Duke Power restrictions regarding grading and filling in their right-of-way.
- 6) The proposed fitness trail shall be surfaced with 4" compacted Chapel Hill gravel with a 2" crush and run base.
- 7) That the "sewer line proposed by others" on the preliminary site and utility plan dated 7-2-84 shall be constructed by the developer if the line has not been constructed by others at the initiation of construction of Phase 3 of Cobblestone Subdivision.
- 8) That the sign easement at the corner of the proposed entrance and Hillsborough Road be enlarged to accommodate the installation of a sign which can comply with the required setbacks.
- 9) That the proposed drive (ending in a cul-de-sac) serving lots 1-7 be reduced in width to 20' face-to-face.

David Bonk, the town's transportation planner, was sworn in. Mr. Bonk discussed the proposed widening of Hillsborough Road.

Raymond Atwater, one of the developers, was sworn in. Mr. Atwater presented the plans for the project.

Gary Buck, one of the developers, was sworn in. Mr. Buck requested that the developers be allowed to post a bond for the Hillsborough Road improvements.

Roman Kolidij was sworn in. Mr. Kolidij requested that the Board place a condition on this development to ensure coordinated construction of the joint entrance for this development and the proposed Fair Oaks project.

Joe St. Gene was sworn. Mr. St. Gene urged annexation of this property and expressed concern over the additional traffic which will be generated by this development on Hillsborough Road.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THIS PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL 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 deviation 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 a sidewalk be constructed on the north side of the east/west sub-collector.

4) That the existing Hillsborough Road be improved with an additional seven feet of pavement and a standard shoulder section along the property's frontage on Hillsborough Road by the completion of Phase III.

5) That a standard four foot sidewalk be constructed along the property's frontage on Hillsborough Road at such time that curb and gutter is installed, or that a performance bond is offered if the curb and gutter is not installed by the completion of the last phase of the subdivision.

6) That final plat approval for Phase I shall include the dedication of an additional ten feet of right-of-way along the property frontage on Hillsborough Road.

7) That a final plat for any phase, including a portion of the Duke Power right-of-way shall indicate the Duke Power restrictions regarding grading and filling in their right-of-way.

8) The proposed fitness trail shall be surfaced with 4" compacted Chapel Hill gravel with a 2" crush and run base.

9) That the "sewer line proposed by others" on the preliminary site and utility plan dated 7/2/84 shall be constructed by the developer if the line has not been constructed by others at the initiation of construction of Phase 3 of Cobblestone Subdivision.

10) That the sign easement at the corner of the proposed entrance and Hillsborough Road be enlarged to accommodate the installation of a sign which can comply with required setbacks.

11) That the proposed drive (ending in a cul-de-sac) serving lots 1-7 be reduced in width to twenty feet face-to-face.

12) That any trees to be planted be at least two inches in caliper size and be selected from the list of approved trees in the Land Use Ordinance.

13) The town staff will coordinate the construction of the entrance drive with the proposed adjoining drive and the final plans for the two drives shall be reviewed by the Appearance Commission and the town's consulting engineer.

VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (ANDERSON)

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/CLARK PROPERTY

The purpose of this public hearing was to consider the request from Nello Clark, Melvin Clark and Thelma Clark Olive for the annexation of their property located off of Hillsborough Road into the town limits of Carrboro. The applicants' petition for annexation was contingent on the approval of the Cobblestone Subdivision proposed on this property.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THIS HEARING BE CLOSED AS NO ONE WISHED TO SPEAK.
VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING THE NELLO CLARK, MELVIN CLARK AND THELMA CLARK OLIVE PROPERTY," BE ADOPTED. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT REQUEST/RUSSELL SQUARE

Jim Groce has applied for a conditional use permit which will allow construction of four apartments and renovation of an existing structure for two apartments on a 0.43-acre parcel located on the east side of North Greensboro Street between Willard Street and Pleasant Drive (504 North Greensboro Street). The parcel is identified as Tax Map 93, Block A, Lot 1 and is zoned Business-1.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard explained the proposal for this development and stated that the administration was recommending approval of the conditional use permit with the condition that a plat be prepared and recorded dedicating an additional 10 feet of right-of-way along the property frontage on North Greensboro Street.

Jim Sarton, representing the developer, was sworn in. Mr. Sarton spoke in favor of the development proposal and requested the Board's approval.

Catherine Peele, residing in Cedar Court Apartments, was sworn in. Ms. Peele requested the Board's assistance in requiring the developer to connect all units in the proposed development onto the sewer line on North Greensboro Street.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THIS PUBLIC HEARING BE CLOSED. VOTE:: AFFIRMATIVE ALL

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

MOTION WAS MADE BY JOHN BOONE AND SECONED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE APPLICATION IS 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 a plat be prepared and recorded dedicating an additional ten feet of right-of-way along the property frontage on North Greensboro Street.

4) If any existing trees noted to remain on the site are lost due to construction, then the trees will be replaced of six-inch caliper size and of similar type (except along the east side of the site where another type of tree from the approved list of trees in the Land Use Ordinance may be planted in place of the elms).

5) That the developer erect wooden barriers at the dripline around existing trees near the construction site and that no cutting, filling or building materials be placed within the trees' dripline.

6) That the Japanese Zelkova be identified and that it be a shade type tree in nature and hardy for our area.

7) That a Type B screen be provided between the existing residential uses north and south of the site.

8) That all six units be served by sewer on North Greensboro Street.

VOTE: AFFIRMATIVE ALL

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR ECONOMIC DEVELOPMENT

The N.C. Department of Natural Resources and Community Development is accepting applications for Economic Development projects. The submission deadline for this funding cycle is February 1, 1985.

The purpose of this public hearing was to hear the views of the public on the types of economic development activities the town should include in its Community Development Block Grant application.

A representative of Brew Systems Coffee Company requested they be considered for community development funds for this funding cycle.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THIS PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

REPORT FROM HISTORIC DISTRICT SUBCOMMITTEE ON HISTORIC DISTRICT STUDY

The Historic District Subcommittee to the Downtown Revitalization Task Force requested that the Board of Aldermen review the National Register Nomination for the 100 block of East Main Street prepared by the consultant to the Committee, Pat Dickinson, and make such changes or comments as may be deemed appropriate. The Board was also requested to ratify the submission of the document to the state and federal governments.

The Board of Aldermen at its worksession held on January 2, 1985 requested that this matter be placed on tonight's discussion agenda.

Claudia Roberts, a member of the Historic District Subcommittee, urged the Board favorable action on this proposal.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT ACTION ON THIS MATTER BE DELAYED UNTIL FEBRUARY 26, 1985

AND THAT THE ADMINISTRATION REQUEST THE STATE TO WITHDRAW THIS MATTER FROM ITS JANUARY AGENDA. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL/PLANTATION PLAZA

Plantation Partnership has applied for final plat approval of Plantation Shopping Plaza. A conditional use permit modification was granted by the Board of Aldermen on November 27, 1984 to allow construction of the plaza with 135,037 square feet of commercial space in four places. The property is located at the southwest corner of Highway 54 and Highway 54 Bypass and is zoned Business-4.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT THE FINAL PLAT BE APPROVED WITH NO ADDITIONAL CONDITIONS. VOTE: AFFIRMATIVE ALL

FRANCHISE REQUEST FROM VILLAGE CABLE TO EXTEND SERVICE TO CARR MILL

Village Cable has requested the town's permission to extend its cable service to the N.C. Memorial Hospital offices within Carr Mill to provide the same teleconferencing service to those offices that it now provides to the hospital.

The ordinance granting Village Cable a limited franchise to provide this service to Carr Mill was adopted on first reading at the Board's meeting of December 11, 1984. The ordinance was before the Board tonight for its second reading.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE GRANTING A LIMITED FRANCHISE TO VILLAGE CABLE, INC. TO CONNECT CARR MILL TO ITS CABLE TELEVISION SYSTEM," BE ADOPTED. VOTE: AFFIRMATIVE ALL

RESOLUTION SUPPORTING THE EFFORTS BY THE TRANSPORTATION ADVISORY COMMITTEE OF THE DURHAM-CHAPEL HILL-CARRBORO URBAN AREA TO HAVE THE MEMBER OF THE N.C. BOARD OF TRANSPORTATION REPRESENTING DURHAM COUNTY ALSO REPRESENT ORANGE COUNTY

Alderman Anderson requested that this resolution be considered by the Board of Aldermen.

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

A RESOLUTION ENDORSING THE EFFORTS BY THE TRANSPORTATION ADVISORY COMMITTEE OF THE DURHAM-CHAPEL HILL CARRBORO URBAN AREA TO HAVE THE MEMBER OF THE NORTH CAROLINA BOARD OF TRANSPORTATION REPRESENTING DURHAM COUNTY ALSO REPRESENT ORANGE COUNTY IN ALL TRANSPORTATION PLANNING MATTERS

Resolution No. 23/84-85

WHEREAS, the Town of Chapel Hill and Carrboro are closely linked with the rest of the Triangle Area both spatially and economically; and

WHEREAS, the Towns of Chapel Hill and Carrboro were designated by the United States Bureau of the Census to be within one urban area with the City of Durham for transportation planning purposes; and

WHEREAS, the Transportation Advisory Committee for the Durham-Chapel Hill-Carrboro Urban Area studies and makes recommendations concerning transportation needs and priorities for the entire urban area; and

WHEREAS, Orange County and Durham County are represented by different members of the North Carolina Board of Transportation; and

WHEREAS, efficiency in the transportation planning process would be promoted if the Board of Transportation member for Durham County could also represent the interests of Orange County; and

WHEREAS, the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Urban Area has adopted a resolution requesting that the N.C. Board of Transportation designate the member representing Durham County as the representative of Orange County as well;

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

Section 1. The Board of Aldermen hereby endorses the resolution of the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Urban Area requesting that the N.C. Board of Transportation designate the member representing Durham County to represent Orange County as well on all transportation planning matters.

Section 2. 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 8th day of January, 1985:

Ayes: Doug Anderson, Hilliard Caldwell, Jim White, John Boone, Zona Norwood

Noes: Joyce Garrett

Absent or Excused: None

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. R. [Signature]
Mayor