

A regular meeting of the Carrboro Board of Aldermen was held on February 26, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF FEBRUARY 12, 1985 BE APPROVED WITH ANY NECESSARY CORRECTIONS. VOTE: AFFIRMATIVE ALL

ISSUANCE OF CHARGE TO NEW PLANNING BOARD MEMBER

The Town Clerk issued a charge to Dr. James Manor, a recent appointee to the Planning Board.

DOMINO'S PIZZA SIGN

Mr. John Stewart, representing Domino's Pizza, requested relief from the Board of Adjustment's ruling that the inside sign in this business be removed.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THIS MATTER BE REFERRED TO A FUTURE BOARD OF ALDERMEN'S WORKSESSION FOR FUTHER CONSIDERATION. VOTE: AFFIRMATIVE ALL

REQUESTS TO SET PUBLIC HEARINGS

- (1) Ordinance Amending the Land Use Ordinance Restricting the Location of Mobile Homes

At the Board's direction, the Town Attorney has prepared an amendment to the Land Use Ordinance regulating the location of mobile homes. This amendment modifies the table of permissible uses to take a much more restrictive approach on where mobile homes can be located. The ordinance also prohibits mobile homes used as commercial structures from being located in commercial districts.

The Board of Aldermen at its worksession held on February 20, 1985 recommended that a public hearing be scheduled for March 12, 1985 to receive citizen input on this ordinance.

- (2) Financing Proposals for Street Improvements

At the Board of Aldermen's Worksession on February 20, 1985 the administration presented a report on alternative methods of financing the street improvements included in the November, 1984 bond referendum. The Board of Aldermen recommended that a public hearing be scheduled for March 12, 1985 to consider the proposals.

- (3) Land Use Ordinance Amendment/Lots Divided by District Lines

Section 7 of the miscellaneous land use ordinance amendments adopted on January 22, 1985 amended Section 15-16 of the Land Use Ordinance dealing with lots divided by district lines. The former Section 15-16 provided that, when a lot was divided by a district boundary line, then the density permissible on the overall lot would be calculated by adding the density permissible in each portion of the lot, but the dwelling units could actually be placed without regard to the zoning district boundary line. The amendment required that, in lots greater than two acres, the dwelling units must be located at a density that corresponded with the zoning of each respective portion of the lot. This amendment created a unintended hardship for a development that had been in the planning phase for over a year and that submitted its application shortly after the effective date of this amendment.

To avoid this unnecessary hardship, the administration recommended the adoption of the attached amendment, which restores this one aspect of the ordinance to the way it was prior to the most recent amendment.

The administration recommended that a public hearing be scheduled for March 12, 1985 to receive citizen comments on this ordinance.

(4) Community Development Block Grant for Community Revitalization Program

The administration recommended that two public hearings be set as part of the Community Development Block Grant application process. The first public hearing, to be held on March 12, 1985, will be conducted to explain the program and to obtain citizen input. The second public hearing, to be held on March 26, 1985, will be conducted to present the proposed application for public comment.

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

TOWN HALL BALLFIELD

Lighting poles and other elements of the Town Hall ballfield have been found to be deteriorated and therefore unsafe. The administration discussed this item and presented alternatives at the Board of Aldermen's worksession on February 20, 1985. It was the Board's consensus to authorize removal of all ballfield appurtenances and utilize up to \$6,940.00 of Capital Projects Funds for construction of a new field at the Community Park. It was also the consensus of the Board to seek matching funds from LWCF to fully develop the ballfield up to a total of \$13,880.00.

Mr. Morgan informed the Board that the town had been given a verbal commitment from LWCF for this project.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ADMINISTRATION BE AUTHORIZED TO REMOVE ALL THE TOWN HALL BALLFIELD APPURTENANCES AND USE UP TO \$6,940.00 IN CAPITAL PROJECTS FUNDS FOR CONSTRUCTION OF A NEW FIELD AT THE COMMUNITY PARK. IN ADDITION, THE ADMINISTRATION SHALL BE AUTHORIZED TO SEEK MATCHING FUNDS FROM LWCF UP TO \$13,880.00 TO FULLY DEVELOP THE BALLFIELD. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/CLEORA STERLING CORP., JOHN B. HILL, AND ELAINE M. HILL PROPERTY

The Cleora Sterling Corporation, John B. Hill, and Elaine M. Hill are requesting that their property located off of Highway 54 West be annexed by the Town of Carrboro.

Roy Williford, Planning Director, stated that as a part of a July 27, 1983 Community Development Block Grant, the Cleora Sterling Corporation agreed to submit a petition for satellite voluntary annexation before the date of the loan closing. However, the agreement stated that the town would not act upon the petition to make the annexation effective before July 1, 1985. Mr. Williford stated that the administration was recommending adoption of the annexation ordinance which will become effective on July 1, 1985.

Pat Davis, Assistant to the Executive Director of OWASA, stated that OWASA was interested in this voluntary annexation as it presents possible indirect, if not direct, impacts on OWASA. If public sewer service is extended to this area, the result could be even greater pressure for expansion of the sewer system in the University Lake Watershed and an associated increase in development activities in this area. Mr. Davis reminded the town that in a letter dated August 15, 1980, the town administration had discussed limiting sewer system extensions in the watershed in order to maintain water quality.

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 ANNEXING THE CLEORA STERLING CORP., JOHN B. HILL, AND ELAINE M. HILL PROPERTY" BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

PUBLIC HEARING/VOLUNTARY ANNEXATION REQUEST/SECTIONS II AND V OF THE TENNIS CLUB ESTATES

Roy Williford, Planning Director, stated that Weatherhill Limited Partnership was requesting the annexation of Sections II and V of the Tennis Club Estates complex.

Mr. Williford stated that the administration was recommending approval of the annexation ordinance.

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

PUBLIC HEARING/LAND USE ORDINANCE TEXT AND MAP AMENDMENT/DOWNTOWN AND COMMERCIAL REZONING

The purpose of this public hearing was to hear citizen comments on whether the Board of Aldermen should approve, modify and approve, or not approve the Land Use Ordinance text and map amendment included in the Downtown and Commercial Rezoning proposal.

Diana Woolley, a member of the Blue Ribbon Downtown Revitalization Task Force, introduced the proposal and recommended adoption of the Downtown and Commercial Rezoning proposal.

Larry Hayes, a member of the Blue Ribbon Downtown Revitalization Task Force, briefly explained the B1(c) district.

Diana Woolley briefly explained the B1(g) district.

Kathy Buck, a member of the Blue Ribbon Downtown Revitalization Task Force, explained the B2 and B2(h) districts.

Dail Dixon, a member of the Blue Ribbon Downtown Revitalization Task Force, explained the B3 and B4 districts.

Diana Woolley explained the M1 district.

Ron Wells, a member of the Blue Ribbon Downtown Revitalization Task Force, explained the R2 district.

Jerry Davenport, the town's planner, stated that the goals of the revitalization plan for the downtown are to increase the level of commercial activity in the downtown--increase the level of sales, the number of jobs; to increase substantially the level of investment in the downtown (and corresponding to decrease the level of taxes born by the residential sector); to improve the appearance of the buildings and open spaces in the downtown; and to retain the high quality of life associated with this area in the face of change (decrease the congestion in the downtown, not disturb established neighborhoods, encourage the removal of incompatible uses, and restore pride in the downtown.)

Mr. Davenport stated that the key to the plan is to bring more people to the downtown by creating a sizeable number of new housing opportunities near the Town Center. Second, the plan seeks to focus attentions in the short run on one small, concentrated area--so that the improvements will be highly visible. Third, the plan seeks to mix incentives with regulations, to set up trade offs.

Mr. Davenport also discussed the comments received at the "pre-public hearing" conducted by the Downtown Revitalization Task Force on February 18, 1985. (See Town Clerk's file of this meeting for a copy of these comments.)

Alderman Caldwell expressed his concern that all the present members of the Blue Ribbon Downtown Revitalization Task Force are professionals or business people.

Mike Brough explained the proposed ordinance entitled "An Ordinance Amending the Carrboro Land Use Ordinance Relating to Commercial Zoning Districts and Changing the Zoning of Numerous Properties."

Mr. Brough stated that the town had received several petitions protesting various aspects of the commercial rezoning ordinances pending before the Board of Aldermen. Mr. Brough stated that in his judgment, only one of the petitions triggers the requirement that an amendment be passed by a three-fourths majority vote. That petition applies to a portion of the area that is proposed for B-1(g) zoning. The remaining petitions either do not have sufficient signatures to trigger the requirement or seek to protest a change in the text of the zoning ordinance.

A letter was presented from Richard Andrews (109 Laurel Avenue) and Margaret Davis (104 Laurel Avenue) requesting that their property be included in the B-2 zone that is being proposed for the ballpark and the former Winnebago lot.

A letter was presented from John Roberts (500 W. Main Street) requesting that his property be zoned residential to conform with the other lots on his block.

A letter was presented from Robert Anderson, owner of property on the north side of Main Street, expressing opposition to the proposed overlay zone on the south side of West Main Street at Jones Ferry Road. Mr. Anderson suggested that the overlay zone be limited to the property northwest of the Jones Ferry Road/West Main Street intersection, or that it be extended to the entire area both north and south of West Main Street.

Jane Hamborsky, residing at 105 Center Avenue, expressed her concern about the possible building heights proposed for the B1(c) zone. Ms. Hamborsky stated that she could live with

building heights of 28 to 35 feet. Ms. Hamborsky also stated that she thought the changes will cause more traffic congestion in the downtown area.

Dougald McMillian, a partner of Carrboro Station Partners located at 201-C East Main Street, stated that he thought he should have been consulted about what the best and highest use of his area should be. Mr. McMillian also stated that he was particularly concerned about this as it relates to planning for parking, future special use permits and traffic patterns as they will affect his business.

Eleanor Kinnaird, residing at 207 W. Poplar Avenue, stated that the citizens of Carrboro really care about the quality of life in Carrboro, particularly in the downtown. Ms. Kinnaird stated that she would have gladly served on the Downtown Revitalization Task Force if she had been asked. Ms. Kinnaird reminded the Board that there is lots of area in the downtown that is not developed and is ready for development and does require any zoning changes. Specifically, the area along Main Street that goes from Triangle Tire to Fidelity Street. Ms. Kinnaird stated her concern for changing the zoning in mill house sections. Ms. Kinnaird suggested that boutiques, shops and businesses like to be located in historic districts and if this is driven away by destroying our unique property, we are going in the wrong direction. Ms. Kinnaird stated that the town already has a buffer. Ms. Kinnaird urged the Board to protect the trees in town.

Starnes Weaver, owner of property on Weaver Street, stated that he thought the proposed zone will be too restrictive in that if he builds a building on his property, he will have to make it look like a house. Mr. Weaver also expressed his concern that he would not be able to put a drive-in window on his property. Mr. Weaver requested that the number of uses allowed in the B-2 or B-2(h) zone be increased to allow additional uses in these zones. Mr. Weaver also suggested that the language be amended to allow parking in places other than at the rear of a building.

Mayor Porto noted that Mr. Gordon Gold had submitted a letter objecting to the B-2(h) zone.

Julianne Andrese, part-owner of the property located at 205 Maple Avenue, requested a zone change from the B-1(g) to a more restrictive zone for that portion near Maple Avenue in order to protect the well-being of the neighborhood. Ms. Andrese objected to allowing 50-foot buildings next to well-established neighborhoods. Ms. Andrese stated that the residential heart of Carrboro is as important as a vital business district. Ms. Andrese stated that she felt the approval of this zoning plan should be a high priority, but the plan should take into account existing uses and protect the integrity of existing neighborhoods and do it in a way which does not threaten what we have now but build on the unique qualities and charm that Carrboro has. Ms. Andrese stated that the Historic District Study stated that the zoning plan should pay attention to scale. Ms. Andrese stated that she felt the proposed plan does not. Ms. Andrese stated that she was particularly concerned about B-1(g) allowing 50-foot buildings. Ms. Andrese stated that the proximity of the B-1(g) district to the Maple Avenue neighborhood does not provide a buffer. Ms. Andrese stated that the proposed office building on the present location of the farmers market will create a serious problem of scale. More serious than the height is the fact that the B-1(g) zone will allow night-time use. Ms. Andrese stated that she would like to see the building heights lowered to 30 feet maximum in the B-1(g) area and would also like to see the area on Carr Street changed to a less dense zone so the uses would be restricted.

Jay Bryan, residing on Oak Avenue, requested that tonight's public hearing be continued. Mr. Bryan reminded the Board

that the report presented by Vernon George stated that there was no need for any building higher than three stories. Mr. George stated that it was important to keep the scale of the town and keep the same aesthetic character that should reflect the scale and charm of what the downtown is and that the compatibility of architecture was important. Mr. Bryan stated that the height of buildings has an affect on the value of adjoining residential properties. Mr. Bryan stated that his concern for the B-2(h) zone an its text is that it takes out language from the original proposal that had it as an emphasis the re-adaptive use of houses which were in that zone. Mr. Bryan stated that the use of the existing houses along Weaver Street could be encouraged and expressed concern that the language of the B-2(h) text seems to focus on construction of new buildings not the preservtion of existing structures. Mr. Bryan also stated that he thought buildings in the B-2(h) zone should be reviewed by the Appearance Commission.

Roy Spratt, owner of the building located at the corner of Lindsay and Weaver Streets, spoke against the restrictions against drive-in windows in the B-2(h) zone. Mr. Spratt stated that the restrictions that require buildings to look like a house are unreasonable in some cases.

Danny Fox, City Executive with First Citizens Bank in Chapel Hill, stated that First Citizens Bank has purchased the property where the old Winnebago building was located and if drive-in windows are disallowed, this property could not be developed by the bank.

Frances Sheltey, Chairperson of the Transportation Advisory Board, stated that the Transportation Advisory Board was recommending that the M-1 zone west of North Greensboro Street be changed to B-2(h). Ms. Shetley stated that a buffer of R-7.5 might be a good buffer zone for the houses along North Greensboro Street on the east side. Ms. Shetley also stated that anything over 35 feet in the area of Carr Mill and Main Street would be out of place.

Dr. J.W. French, owner of Carr Mill, stated that he was very content with the three-story building for the Carr Mill addition, but it would not be feasible to construct the new building on the farmers market lot less than 50 feet in height.

Sherry Jones, residing at 110 Elm Street, commented that there were no downtown property owners on the Downtown Revitalization Task Force when the task force was created. Ms. Jones stated that the Vernon George report called for retaining the town village scale, that no multi-story megadevelopments are needed. Ms. Jones stated that the Mr. George's report stated that there are no market pressures for buildings higher than 35' to generate an adequate yield. Ms. Jones stated that Mr. George's report stated that instances of commercial development outside the downtown core will slow intensification of the critical mass in the heart of the downtown. Ms. Jones stated that the George report should be zoned residential. Ms. Jones proposed the following building heights: B-1(c) 35' (40' at most), B-1(g) 40' with buffers, setbacks, B-2 28', B-4 50', M-1 35' with stbacks of 75' on North Greensboro Street and 25' along other streets and residential zones, M-1(a) 28' (This is a specific zone for the Fitch property which cuts deeply into a residential area.), M-2 35', and R-2 40'.

Jerry Davenport pointed out the areas proposed for zoning changes.

Jacquelin Best, residing at 505 E. Poplar Avenue, requested that the height limitations of buildings be limited to 35'.

Brett Sutton, residing on Maple Avenue, requested to know how many of the members of the Downtown Revitalization Task Force are not residents of Carrboro. Mr. Sutton stated that he

feels Carrboro residents have been under-represented. Mr. Sutton stated that the residents of his neighborhood object to the configuration of the B-1(g) zone and would prefer to be zoned B-2. Mr. Sutton stated that there are at least eight houses within 50 feet of the proposed general commercial district. Mr. Sutton stated that the residents of his neighborhood object to the B-1(g) zone because of the commercial encroachment, auto-oriented district, increase in crime, late night uses, and 50' building heights. Mr. Sutton suggested that the B-1(c) zone would be more appropriate for the Maple/Carr Street area. Mr. Sutton stated that he was not objecting to the high density residential development downtown, the general commercial development, and facilitating the flow of traffic around Carrboro by opening up certain roads.

Celia Pistolis, residing at 109 Shelton Street, stated that she was originally appointed to the Downtown Revitalization Task Force but due to the meeting times was unable to attend very many of the meetings. Ms. Pistolis asked why there are 25' buffers proposed in some areas of the proposed M-1 zone and 75' buffers in other areas. Ms. Pistolis stated that putting an M-1 zone in basically a residential area does not seem reasonable and will be detrimental to the residences located on North Greensboro Street. Ms. Pistolis stated that if the Board chooses to rezone this area M-1, the type of uses should be limited and a consistent buffer should be applied to the entire M-1 zone.

Faucette Williams, residing at 500 N. Greensboro Street, stated that there are five houses from Cedar Court to Parker Street, three of those owners have signed a petition opposing the M-1 zone. Ms. Williams requested that these properties be zoned residential.

Ray Allen Butler, owner of Butler's Garage, requested that his property remain zoned for business uses in order that Butler's Garage may continue as a family business.

Calvin Mellott, President of the Carrboro Business Association, stated the majority of the downtown businessmen resent the fact that they have not had an input into the proposal before the Board. Mr. Mellott stated that of the 50 members of the Association who were polled, 48 objected to the proposal and 2 abstained.

Ralph Teal, owner of Triangle Tire Co., stated that he did not see how down-zoning property will increase the value of it. Mr. Teal stated that basically, this proposal will cut the value of his property in half. Mr. Teal stated that his property had been zoned B-4 for 14 years. He stated that he did think seven different zones on Main Street are needed. Mr. Teal stated that he agreed that building height requirements, parking requirements and some other needs need to be addressed, but maybe the present zones need to be fine tuned rather than creating all the new zones.

LeRoyce Rice, owner of Rice's Glass Co., spoke in opposition to the proposed rezoning proposal and suggested that the present zoning be fine tuned.

Robert Schantz, residing on Maple Avenue, spoke against the proposed B-1(g) zone. Mr. Schantz stated that it seems ridiculous to have a 50' building so close to a historical millhouse neighborhood.

Jay Bryan stated that he thought three stories could be put in 35' without any difficulty and he thought this was a fair and reasonable height. Mr. Bryan stated that he did not feel that increasing the square footage required for buildings from 3,000 to 7,500 was necessary in the B-2(h) zone. Mr. Bryan stated that he thought this would prevent using existing structures on those lots. Mr. Bryan stated that he feels the petition protesting the change in definition of the M-1 zone and the increase in the building heights from 35' to

50' for the Fitch Lumber Company property is a valid petition and should require a three-fourths vote of the Board to pass.

Mr. Brough stated that in his judgment, the three-fourths rule only applies to changes in the zoning map not to changes in the text of the Land Use Ordinance.

Jay Bryan asked why the house located behind the Carrboro Mini Mart is included in the proposed B-3 zone. Mr. Bryan stated that it is an owner-occupied residence.

Gary Phillips, owner of property in downtown Carrboro, stated that he feels the proposed zoning plan is an important first step and should be given careful consideration.

Donnell Thompson, residing on Lloyd Street, expressed his concern that the zoning changes will cause property taxes to be increased due to increase in property values.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT THIS PUBLIC HEARING BE CONTINUED ON APRIL 9, 1985. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JIM WHITE AND SECONDED BY DOUG ANDERSON THAT THIS MATTER BE REFERRED TO THE BOARD OF ALDERMEN'S WORKSESSION SCHEDULED FOR MARCH 20, 1985 AND THAT THE BOARD BE GIVEN COPIES OF ALL CITIZEN COMMENTS RECEIVED AT THE PRE-PUBLIC HEARING CONDUCTED BY THE DOWNTOWN REVITALIZATION TASK FORCE AND AT THE PUBLIC HEARING HELD TONIGHT. VOTE: AFFIRMATIVE ALL

NATIONAL REGISTER NOMINATION FOR 100 BLOCK OF MAIN STREET

The purpose of this item is for the Board of Aldermen to decide whether to submit the 100 block of West Main Street (south side from Roberson to Greensboro Street, together with "Bulwinkles" on the north side) to the state and federal governments for nomination as a National Register District.

It was the consensus of the Board to postpone action on this matter pursuant to the request of Claudia Brown.

HUMAN SERVICES ADVISORY COMMISSION REPORT

The chairman of the Human Services Advisory Commission, Mr. Randy Marshall, presented a report on the Commission's recommendations regarding an application by Crime Stoppers, Inc. for municipal funds. Mr. Marshall stated that the Commission had voted to recommend that the request not be funded.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE REPORT OF THE HUMAN SERVICES ADVISORY COMMISSION BE ACCEPTED. VOTE: AFFIRMATIVE ALL

The Board requested that the administration inform Crime Stoppers that they were welcome to submit a request for funding in the 1985-86 budget.

RESOLUTION REQUESTING EXTENSION OF APPROVAL FROM LOCAL GOVERNMENT COMMISSION TO USE ALL OF THE REVENUES FROM THE ONE-HALF PERCENT SALES TAX

Since the town has already begun to deliberate on the 1985-86 budget and since it has become critical to project future revenues for the next couple of years, the administration recommended that the town request from the Local Government Commission a five-year release of revenues generated from the

one-half percent additional sales tax instead of the one-year release period as was previously requested.

Everett Billingsley, Executive Director of the Orange Water and Sewer Authority, stated that he was concerned about the Town of Carrboro's request to the Local Government Commission to use revenues from the one-half percent additional sales tax for purposes other than water or sewer improvements. Mr. Billingsley stated that the only way OWASA can fund its capital projects is by raising rates. The State Legislature intended for a portion of the one-half cent sales tax proceeds to go to water and sewer projects to alleviate the impact on rates. Mr. Billingsley stated that if this funding source is not available for water and sewer improvements, then several local water and sewer needs will not be met as soon as they otherwise might be or might not be undertaken at all. Water and sewer rates would have to be increased to provide funds for these projects.

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

A RESOLUTION REQUESTING APPROVAL FROM THE LOCAL
GOVERNMENT COMMISSION FOR THE TOWN TO USE ALL OF THE
REVENUES FROM THE ONE-HALF PERCENT ADDITIONAL SALES TAX
FOR PURPOSES OTHER THAN WATER OR SEWER FACILITIES

Resolution No. 29/84-85

WHEREAS, the Town of Carrboro has not operated a water or sewer system since 1977; and

WHEREAS, water and sewer facilities are provided to the Town of Carrboro and other areas within southern Orange County by the Orange Water and Sewer Authority (OWASA), a separate, incorporated unit of local government duly constituted under G.S. Chapter 162A; and

WHEREAS, OWASA, not the Town of Carrboro, is responsible for meeting the projected capital needs for water and wastewater capital needs of its service area; and

WHEREAS, OWASA has the financial resources through its rate structure and bonding authority to meet the water and wastewater capital needs of its service area; and

WHEREAS, it clearly appears that OWASA can meet all of its capital needs during the petition period;

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

Section 1. This petition shall apply to the period beginning with the initial receipt of funds from the one-half percent additional sales tax and ending June 30, 1989.

Section 2. During the petition period, as set forth in Section 1, the Board of Aldermen requests that the Local Government Commission authorize the town to use all of the revenues generated by the additional one-half percent sales tax for purposes other than water or sewer facilities.

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 26th day of February, 1985:

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

Noes: None

Absent or Excused: None

APPOINTMENT TO FIRE PREVENTION COMMITTEE

Mr. Doug Emerson has requested to be appointed to the Fire Prevention Committee.

The administration recommended that Mr. Emerson be appointed to the Committee.

MOTION WAS MADE BY JOHN BONE AND SECONDED BY DOUG ANDERSON THAT DOUG EMERSON BE APPOINTED TO THE FIRE PREVENTION COMMITTEE. VOTE: AFFIRMATIVE ALL

LAND USE ORDINANCE TEXT AMENDMENTS: MISCELLANEOUS

The administration requested that the Board of Aldermen amend the Land Use Ordinance to make minor changes, including provisions dealing with the protection of trees during construction and the dimensions of signs.

This ordinance was adopted on first reading by the Board of Aldermen at its meeting of February 12, 1985, but due to the lack of the required vote for approval on first reading, this ordinance was before the Board again for second reading.

It was the consensus of the Board to delay action on this matter until its next meeting.

WILLOW CREEK SHOPPING CENTER CONDITIONAL USE PERMIT MODIFICATION

Roy Williford, Planning Director, stated that JEM Development had applied for a modification to the conditional use permit for Willow Creek Shopping Center which would allow construction of an Automatic Teller Machine on the property. The property is identified as Tax Map 114, Lot 15 and is zoned Business-4.

Mr. Williford stated that the administration was recommending approval of the requested modification.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT CONDITIONAL USE PERMIT MODIFICATION BE APPROVED AS REQUESTED. VOTE: AFFIRMATIVE ALL

FINAL PLAT APPROVAL/CASTALIA COURT

Roy Williford, Planning Director, stated that Peter Thorn was requesting final plat approval for Castalia Court, which will allow its conversion to an architecturally integrated subdivision. A special use permit was granted by the Board of Adjustment on July 6, 1983, which allowed construction of three detached multi-family (condominium) units at 1209 Hillsborough Road across from the Riffel Woods Subdivision. The parcel is identified as Tax Map 108, Lot 51 and is zoned Residential-20.

Mr. Williford stated that the administration was recommending approval of the final plat.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE FINAL PLAT APPROVAL BE GRANTED. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. Port
Mayor