

A regular meeting of the Carrboro Board of Aldermen was held on March 12, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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

CHARGE ISSUED TO NEW PLANNING BOARD MEMBER

The Town Clerk issued a charge to Betsy Holland, a new appointee to the Planning Board.

REQUEST FROM PLANNING BOARD

Diana Woolley, Chairperson of the Planning Board, requested that the Board of Aldermen consider limiting the number of public hearings scheduled for each meeting in order that the Planning Board can adequately review each proposal.

The Board of Aldermen requested that the town staff formulate a proposal to limit the number of public hearing scheduled for each meeting.

REQUESTS TO SET PUBLIC HEARINGS

(1) Land Use Ordinance Text Amendment: Open Space

The administration requested that the Board of Aldermen set a public hearing for March 26, 1985 to review a proposed change in the open space provisions in the Land Use Ordinance which would increase open space provided in high density projects to 15% and require an open space buffer within a distance of streams, and increase the height in the R-3 district from 35 feet to 50 feet.

The administration requested that a public hearing be scheduled for March 26, 1985.

(2) Conditional Use Permit Request/Crest Street Apartments

Orange Builders has applied for a conditional use permit which would allow construction of 15 townhouse units on a 2.52-acre site located on the north side of the terminus of Crest Street. The property is zoned Residential-7.5 and is identified as Tax Map 94, Block A, Lot 16.

The administration requested that a public hearing be scheduled for March 26, 1985.

(3) Conditional Use Permit Request/Fairoaks Subdivision

The Westminster Company has applied for a conditional use permit which would allow construction of 295 units on a 49.16-acre parcel located on the north side of Hillsborough Road directly opposite its intersection with James Street. The parcel is identified as Tax Map 108, Lots 9 and 9A and is zoned a combination of Residential-15 and Residential S.I.R.

The administration requested that a public hearing be scheduled for March 26, 1985.

- (4) Conditional Use Permit Request/Whispering Hills II - Phase I

Kale Properties has applied for a conditional use permit which would allow construction of 14 townhouse units on a 2.41-acre site located directly east of Whispering Hills I. The property is identified as a portion of Tax Map 100, Block A, Lot 3 and is zoned Residential-7.5.

The administration requested that a public hearing be scheduled for March 26, 1985.

- (5) Land Use Ordinance Map Amendment/P.H. Craig Property/ R-R to R-SIR

The administration requested that the Board of Aldermen set a public hearing for March 26, 1985 to consider the petition of P.H. Craig to rezone his property north of Estes Drive and east of Bolin Creek, from R-R to R S.I.R.

The administration requested that a public hearing be scheduled for March 26, 1985.

- (6) Voluntary Annexation Request/Phases I and II/Canterbury Townhomes

Pine Ridge Development Corporation has submitted a petition requesting the annexation of Canterbury Townhomes - Phase I and II and a lot to be dedicated to the Town of Carrboro. Phase I contains 1.45 acres, Phase II contains 1.38 acres, and the lot to be dedicated to the Town contains 6.89 acres.

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

A RESOLUTION SETTING A PUBLIC HEARING TO
CONSIDER THE ANNEXATION OF PHASES I AND II
OF THE CANTERBURY TOWNHOMES UPON THE
REQUEST OF THE PROPERTY OWNERS
Resolution No. 30/84-85

WHEREAS, the Town of Carrboro has received a petition from the owners of Phase I and II of the Canterbury Townhomes requesting that their property 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;

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

Section 1. The Board of Aldermen shall hold a public hearing on March 25, 1985 to consider the voluntary annexation of Phases I and II of the Canterbury Townhomes.

Section 2. The Town Clerk shall cause a notice of this public hearing to be published 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 12th day of March, 1985:

Ayes: Boone, Caldwell, Anderson, White, Norwood,
Garrett
Noes: None
Absent or Excused: None

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT ITEMS (2), (3) AND (6) BE SCHEDULED FOR PUBLIC HEARING ON MONDAY, MARCH 25, 1985 AND THAT ITEMS (1), (4) AND (5) BE SCHEDULED FOR PUBLIC HEARING ON TUESDAY, MARCH 26, 1985. IN ADDITION, THE BOARD REQUESTED THAT THE ADVISORY BOARDS BE REQUESTED TO REVIEW THESE PROJECTS BEFORE THE SCHEDULED PUBLIC HEARINGS. VOTE: AFFIRMATIVE ALL

NATIONAL FORESTRY SERVICE GRANT

Each year the Department of Agriculture releases funds to the U.S. Forestry Service to provide assistance to fire departments. The amount of the grant awarded is \$2,000 with the local government or fire department providing 50% of the funds required to purchase equipment.

The administration had requested authorization to apply for this grant at the Board of Aldermen's worksession held on March 6, 1985, but during the interim the town staff discovered that the town is not within the population range to qualify for the grant. Therefore, the administration requested this item be removed from the agenda.

APPOINTMENTS TO 2000 TASK FORCE

The Board of Aldermen at its worksession held on March 6, 1985 reviewed a list of persons who have expressed interest in serving on the Carrboro 2000 Task Force. The Board recommended that following appointments be made:

Board of Adjustment--Margaret Brown and Linda Reifsnnyder

Planning Board--Diana Woolley and Steve Chandler

Appearance Commission--Kathy Buck and Dail Dixon

Parks & Recreation Commission--Doris Murrell and David Griffiths

Transportation Advisory Board--Frances Shetley and Dazzie Lane

Human Services Advisory Committee--Randy Marshall and Lillie Atwater

Cable T.V. Committee--October Ivins and Jacques Menache

Chamber of Commerce--Buz Lloyd

Chapel Hill-Carrboro Realtors' Association--Gary Phillips

Chapel Hill-Carrboro PTA--Jean Neville

OWASA--Hank Anderson and Pat Davis

Chapel Hill Housing Authority--Judd Barrett

Orange County Economic Development Commission--Norman Weatherly

University of North Carolina--Eugene Swecker

Carrboro Garden Club--Virginia Petty

Friends of Old Carrboro--Jay Bryan

Triangle J COG--Ray Green

White Oak Homeowners' Association--Robert Oakes, Sr.

Webbwood Homeowners' Association--Bob Wilson

Forest Court Homeowners' Association--Elaine Deutsch

Brighton Square Homeowners' Association--A.G. LoRe

At-Large--John Roberts, Judith Wegner, Terri Buckner, James Albright, A.C. Bushnell, Jane Hamborsky, Dougald McMillan

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE FOREGOING APPOINTMENTS TO THE CARRBORO 2000 TASK FORCE BE MADE. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT FOR COMMUNITY REVITALIZATION PROJECTS

The N.C. Department of Natural Resources and Community Development will be receiving applications for community revitalization projects on or before April 18, 1985. The administration recommended that a community development block grant application for approximately \$750,000 be formulated for the revitalization of the Lloyd/Broad Street neighborhood.

Roy Williford, Planning Director, stated that the purpose of this public hearing was to obtain citizens' views on the types of activities which the town should include in its application for CDGB funds. A second public hearing will be held on March 26, 1985 to present the program of activities proposed in the CDBG application for comment and Board approval.

Mr. Williford stated that the staff is currently focusing on applying for community revitalization funds for the Lloyd/Broad Street area. The following activities are proposed to be included in the application: 1) owner-occupied housing rehabilitation using community development loans/grants; 2) rental occupied housing and rehabilitation using N.C. Housing Finance Agency loans; 3) improving neighborhood streets with curb and gutter; 4) extending a street from Greensboro Street to connect with Lloyd Street; 5) providing sidewalks along one side of Broad, Cobb and Lloyd Streets; 6) removing dilapidated and unsafe housing conditions; and 7) providing up to five lots for "Habitat for Humanity" to construct new housing for low and moderate income homeowners.

Donnell Thompson, residing on Lloyd Street, stated that he had requested the N.C.D.O.T. to install a "Do Not Block Drive" sign at the Lloyd/Main Street intersection to improve access out of this intersection but nothing has been done. Mr. Thompson requested the town's assistance in improving access out the Lloyd Street area. Mr. Thompson also requested the town's assistance in alleviating the sight distance problem at the Roberson/Merritt Mill Road intersection.

Joe Parrish, residing on Lloyd Street, spoke in favor of the staff's proposed CDBG application.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE ADMINISTRATION PROCEED WITH THIS APPLICATION AS PROPOSED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/FINANCING PROPOSALS FOR STREET IMPROVEMENTS

At the Board of Aldermen's worksession held 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 tonight's meeting to consider the proposals.

Don Casper, Assistant Town Manager/Finance Director, presented several alternatives for financing the street improvements included in the November, 1984 bond referendum. (See Town Clerk's file of this meeting for a copy of the proposals.)

Roger Gregory asked if population growth was considered in the proposals for financing.

Mr. Casper stated that population growth was considered in the proposals.

Will Ward spoke in favor of the one-year financing proposal.

Donnell Thompson spoke against any proposal that would involve a large tax increase.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE STAFF BE INSTRUCTED TO PROCEED WITH ISSUANCE OF BONDS. VOTE: AFFIRMATIVE TWO, NEGATIVE FOUR (GARRETT, WHITE, NORWOOD, ANDERSON)

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOYCE GARRETT THAT THE FINANCING PROPOSALS BE EXAMINED AGAIN AFTER JULY 1, 1985. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (BOONE)

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/RESTRICTIONS ON LOCATION OF MOBILE HOMES

The Board of Aldermen at its worksession held on January 2, 1985, instructed the Town Attorney to prepare an amendment to the Land Use Ordinance regulating the location of mobile homes. That ordinance was before the Board of Aldermen tonight for consideration.

Diana Woolley, Chairperson of the Planning Board, requested that this public hearing be continued in order to give the Planning Board an opportunity to review this ordinance.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THIS MATTER BE REFERRED TO THE PLANNING BOARD AND THAT THIS PUBLIC HEARING BE CONTINUED ON APRIL 9, 1985. VOTE: AFFIRMATIVE AL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/LOTS DIVIDED BY DISTRICT LINES

The Board of Aldermen considered reinstating the provisions of Section 15-16 of the Land Use Ordinance which formerly 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.

Mike Brough explained the proposed ordinance.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DOUG ANDERSON THAT THIS PUBLIC HEARING BE CLOSED AS NO ONE 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 LAND USE ORDINANCE TO PROVIDE THAT, WHEN A LOT GREATER THAN TWO ACRES THAT IS LOCATED IN TWO OR MORE ZONING DISTRICTS IS DEVELOPED

FOR RESIDENTIAL PURPOSES, THE OVERALL DENSITY OF THE LOT MAY BE DISTRIBUTED ON THE LOT WITHOUT REGARD TO THE LOCATION OF THE ZONING DISTRICT BOUNDARY LINE THAT DIVIDES THE LOT," BE ADOPTED. VOTE: AFFIRMATIVE ALL

LAND USE ORDINANCE TEXT AMENDMENT: MISCELLANEOUS

The administration recommended adoption of an ordinance amending 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 at its meeting on February 12, 1985, but due to the lack of the required vote for adoption on first reading, the ordinance was before the Board tonight for second reading.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE MAKING MISCELLANEOUS AMENDMENTS TO THE LAND USE ORDINANCE," BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (WHITE)

It was the consensus of the Board to schedule a public hearing for April 9, 1985 on the former Section 4 of the above-referenced ordinance which would allow landowners who have expired conditional use permits (issued after July 1, 1980) to proceed with development using pre-1984 densities.

NATIONAL REGISTER NOMINATION FOR 100 BLOCK OF MAIN STREET

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

Roy Williford, Planning Director, stated that the Downtown Revitalization Committee and town staff were recommending submittal of the district for National Register designation.

Claudia Brown stated that a meeting had been held in January with the downtown businessmen who would be affected by this nomination and as far as she knew, all of the questions and concerns had been answered.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY DOUG ANDERSON THAT THE BOARD WAS IN SUPPORT OF THE NATIONAL REGISTER NOMINATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

ESTABLISHMENT OF DOWNTOWN DEVELOPMENT COMMISSION

At the January, 1985 retreat, the Board of Aldermen instructed the staff to prepare an ordinance establishing a downtown development commission. This commission was to be the permanent replacement for the Downtown Revitalization Task Force.

The Board of Aldermen at its worksession held on March 6, 1985 requested the Town Attorney to revise the ordinance and that this matter be placed on tonight's discussion agenda.

The administration requested that a public hearing be scheduled on this matter for March 26, 1985.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 25, 1985. VOTE: AFFIRMATIVE ALL

AMENDMENTS TO CHAPTER 16 AND LIMITED AREA FRANCHISE FOR VILLAGE CABLE

Pursuant to the Board's request, the Town Attorney has prepared amendments to Chapter 16 of the Town Code dealing with the regulation of cable television and a limited area franchise for Village Cable. The purpose of the amendments and the new franchise is to provide the authorization to Village Cable to continue to serve areas it is already serving on the effective date of the annexation of such areas. The administration and the Cable T.V. Committee recommended approval of the ordinances.

The Board of Aldermen at its worksession held on March 6, 1985 requested that this item be placed on tonight's discussion agenda.

Mark Prak, representing Village Cable, stated that there was one area of disagreement in the ordinance and requested that the Cable T.V. review this item.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE ORDINANCES ENTITLED, "AN ORDINANCE GRANTING A LIMITED AREA CABLE TELEVISION FRANCHISE TO VILLAGE CABLE OF ORANGE COUNTY, INC." AND "AN ORDINANCE AMENDING CHAPTER 16 OF THE CARRBORO TOWN CODE RELATING TO THE REGULTION OF CABLE TELEVISION" BE ADOPTED ON FIRST READING. VOTE: AFFIRMATIVE ALL

SPECIAL LEGISLATION/PAYMENT IN LIEU OF PARKING

Several recent developments within the downtown area have made it apparent that, if the town seeks to encourage more intensive downtown development, we will have to allow development without on-site or off-site parking, giving developers the choice of either installing such parking if they can or make payments to a town parking fund if they cannot. The Town Attorney has drafted special legislation that would give the town the authorization to establish the off-street parking fund and allow the town to give developers the choice of either constructing their own parking or making a payment to this fund in lieu of providing their own parking.

The Board of Aldermen at its worksession held on March 6, 1985 requested that this item be placed on tonight's discussion agenda.

Mike Brough explained the proposed legislation.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE TOWN ATTORNEY BE INSTRUCTED TO SUBMIT THIS SPECIAL LEGISLATION TO THE TOWN'S LEGISLATIVE DELEGATION FOR INTRODUCTION IN THE GENERAL ASSEMBLY. VOTE AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

[Signature]
Mayor