

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

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Doug Anderson
	John Boone
	Zona Norwood
	Jim White
	Hilliard Caldwell (arrived at 8:30 p.m.)
	Joyce Garrett (arrived at 7:50 p.m.)
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 DOUG ANDERSON THAT THE MINUTES OF MARCH 12, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/TEMPORARY STREET CLOSING REQUEST/APPLE SHARE FESTIVAL PARADE

The Apple Share Committee has requested the temporary closing of portions of Main Street from West Franklin Street to the Carrboro Town Hall, and Weaver Street from East Main Street to the Carrboro Town Hall, on Saturday, April 20, 1985 from 10:30 a.m. to 12:00 noon for the first Apple Share Festival Parade.

The administration requested that a public hearing be scheduled for April 9, 1985.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT A PUBLIC HEARING BE SCHEDULED FOR APRIL 9, 1985. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/OPEN SPACE

Jerry Davenport, the town's Planner, stated that the administration was requesting that the Board of Aldermen amend the Land Use Ordinance for developments of 25 units or more and with a density of more than 4 units per acre to: (1) provide a minimum of 15% open space; and (2) provide a 60-foot setback from streams. This amendment would also allow additional heights (to 50 feet) in the R-3 district.

Mr. Davenport also presented a slide show of various apartment complexes in town showing the difference in well-landscaped developed and developments with very little open space.

(Alderman Garrett arrived at the meeting.)

Diana Woolley, Chairman of the Planning Board, stated that the Planning Board was recommending approval of the ordinance changes to Section 15-198, but were recommending against the changes to Section 15-185.

Steve Chandler, a member of the Planning Board, spoke in favor of the proposed amendments.

Lively Luddington spoke in favor of the proposed amendments.

Kathy Buck spoke in favor of the proposed amendments.

(Alderman Caldwell arrived at the meeting.)

Frances Shetley spoke in favor of the proposed amendments.

Bob Anderson stated that developers want to provide pleasant developments to live in and urged adopted of the open space amendment. Mr. Anderson cautioned the Board not to take any parcels in connection with the stream amendments.

Margaret Scarborough, with the Morgan Creek Stream Watch Committee, spoke in favor of the proposed amendments.

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

It was the consensus of the Board to delete Section 3 from the ordinance.

MOTION WAS MADE BY JIM WHITE AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE MODIFYING THE USABLE OPEN SPACE REQUIREMENT" BE ADOPTED, AS AMENDED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

PUBLIC HEARING/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.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard explained the proposed project and stated that the administration was recommending approval of the conditional use permit with the following conditions: 1) that a guard rail be installed along the east side of Carmel Ridge Drive; 2) that a temporary turnaround be incorporated into the site design for emergency and refuse vehicles; 3) that the name of Carmel Springs Drive be changed so that it is not phonetically similar to existing streets in the town's planning jurisdiction; 4) that a deceleration taper lane be constructed on the west side of South Greensboro Street north of the Old Pittsboro Road intersection. The lane shall be 100 feet in length with a 12-foot beginning width and tapering to 0 feet; 5) that the recreation facilities be revised to provide additional equipment to satisfy Section 15-197 of the Carrboro Land Use Ordinance; and 6) that the fire hydrant and water lines be installed and working before construction begins.

Mr. Shepard stated that the Appearance Commission was recommending approval of the conditional use permit with the following conditions: 1) that internal signs for the project be typical of those used in Phase I of Whispering Hills (routed/sandblasted wood and externally lit); and 2) that foundation plantings designated on the site plan be typical of all buildings to be constructed.

David Bonk, the town's transportation planner, was sworn in. Mr. Bonk stated that the Transportation Advisory Board was recommending approval of the conditional use permit as recommended by the administration, with the exception of deletion of the condition requiring Old Pittsboro Road to be resurfaced.

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 as recommended by the town staff, with the exception of the condition requiring resurfacing of Old Pittsboro Road and the condition requiring construction of the deceleration lane on South Greensboro Street.

Bob Anderson, the developer's architect, was sworn in. Mr. Anderson explained the proposed project.

David Kale, the developer, was sworn in. Mr. Kale requested relief from the condition that he be required to construct a deceleration lane on South Greensboro Street, suggested that alternatives might be to prohibit right turns at this location; one-way Old Pittsboro Road; or request D.O.T. to improve this intersection. Mr. Kale also requested that he not be required to install all water lines when the fire hydrant is installed.

Griffin Graves, attorney for the developer, was sworn in. Mr. Graves requested that his client not be required to install the deceleration lane as this proposed development will not impact significantly sufficiently to warrant this deceleration lane.

Pete Thorn was sworn in. Mr. Thorn spoke in favor of the project and requested that the developer not be required to install the deceleration lane.

Woody Claris was sworn in. Mr. Claris spoke against requiring the developer to install the deceleration lane.

Frances Shetley was sworn in. Ms. Shetley spoke in favor of requiring the developer to install the deceleration lane.

Ben Bedford was sworn in. Mr. Bedford spoke in favor of the proposed project.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL 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 guard rail be installed along the east side of Carmel Ridge Drive.
- 4) That a temporary turnaround be incorporated into the site design for emergency and refuse vehicles.
- 5) That the name of Carmel Ridge Drive be changed so that it will not be phonetically similar to existing streets in the town's planning jurisdiction.
- 6) That the fire hydrant be installed and working before framing of the housing units begins.
- 7) That internal signs for the project be typical of

those used in Phase I of Whispering Hills (routed or sandblasted wood and externally lit).

- 8) That foundation plantings designated on the site plan be typical of all buildings to be constructed.

VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/LAND USE ORDINANCE MAP AMENDMENT/P.H. CRAIG PROPERTIES

P.H. Craig requests that the Board of Aldermen rezone his two tracks of land (72 acres) lying north of Estes Drive and east of Bolin Creek from R-R to R-S.I.R.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THIS PUBLIC HEARING BE CONTINUED UNTIL APRIL 23, 1985, AT THE REQUEST OF THE APPLICANT. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR COMMUNITY REVITALIZATION

David Benish, the town's Planning Intern, stated that the purpose of this matter was to hear citizens' views on an application to the N.C. Department of Natural Resources and Community Development for the purpose of promoting the revitalization of the Lloyd/Broad Street neighborhood.

Mr. Benish stated that the administration requested authorization to submit a \$750,000 Community Development Revitalization Grant application for the Lloyd/Broad Street neighborhood and that the attached resolution and assurances be adopted.

Donnell Thompson asked for clarification of what was included in the application.

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

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

A RESOLUTION TO APPLY FOR FUNDS UNDER THE NORTH
 CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT
 PROGRAM AND TO ADOPT A PROGRAM THEREFORE
 Resolution No. 31/84-85

WHEREAS, the Town of Carrboro is interested in making itself an excellent place for living and working for all its citizens and is anxious to work for the removal of all factors that make the accomplishment of such a goal difficult, including any causes and evidences of blight and deterioration; and

WHEREAS, the North Carolina Community Development Block Grant Program (authorized under the Housing and Community Development Act of 1974 as amended in 1981) offers incentives to local governments to develop viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities principally for persons of low and moderate income; and

WHEREAS, the Town of Carrboro agrees that there is a need to continue a comprehensive and coordinated plan and program in order to meet its community development needs in the most effective manner;

NOW, THEREFORE BE IT RESOLVED by the Board of Aldermen of the

Town of Carrboro that the Community Development Application for Community Revitalization and Local Option projects, and the contents therein (including all assurances) are hereby adopted and, the Town of Carrboro will work diligently to implement the proposed program if these requested grant funds are awarded; and

BE IT FURTHER RESOLVED that Robert W. Morgan, Town Manager, is authorized to act as the official representative of the Town of Carrboro in connection with this application and to provide such additional information as may be required by the North Carolina Department of Natural Resources and Community Development.

Adopted this the 26th day of March, 1985 with the following vote:

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

Noes: None

Absent or Excused: None

FINAL PLAT APPROVAL REQUEST/CANTERBURY TOWNHOUSES, PHASES I AND II

Pineridge Development Corporation has applied for final plat approval for Phases I and II of Canterbury Townhouses located southwest of the Highway 54 Bypass and Smith Level Road intersection, directly across from Royal Park Apartments. A conditional use permit for a 112-unit townhouse development was granted by the Board of Aldermen on January 24, 1984.

Mayor Porto stated that the applicant had requested this item be removed from this agenda.

FINAL PLAT APPROVAL REQUEST/TENNIS CLUB ESTATES, SECTION II

Wells Management Group, Inc. is applying for final plat approval for Section II of their architecturally integrated subdivision called Tennis Club Estates. This section of the subdivision is located on the west side of Westbrook Drive and north of Berryhill Drive. A conditional use permit for this development was granted by the Board of Aldermen on March 22, 1983.

Greg Shepard, Zoning Administrator, stated that the administration was recommending approval of the final plat with the condition that the applicant inform each buyer, prior to closing, of the proposed paving schedule and disclose all information required by Section 15-220(f) of the Carrboro Land Use Ordinance.

MOTION WAS MADE BY JIM WHITE THAT THE FINAL PLAT BE APPROVED SUBJECT TO THE RECOMMENDATION OF THE ADMINISTRATION. VOTE: AFFIRMATIVE ALL

PHASING PLAN REVISION/SPRING VALLEY SUBDIVISION

Structure Plus, Inc. has requested a revision to its approved phasing plan. The proposed revision is to replace Phase 4 with a new Phase 1-C.

Greg Shepard, Zoning Administrator, stated that the administration was recommending approval of the requested revision to the phasing plan.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON

THAT THE PHASING PLAN REVISION BE APPROVED. VOTE: AFFIRMATIVE ALL

SECOND READING/AMENDMENTS TO CHAPTER 16 OF TOWN CODE AND LIMITED AREA FRANCHISE FOR VILLAGE CABLE

This was the second reading on amendments to Chapter 16 of the Town Code, dealing with the regulation of cable television, and a limited area franchise for Village Cable. These two ordinances were adopted on first reading at the Board's meeting held on March 12, 1985.

Mike Brough noted several minor changes requested by Village Cable which had been included in the proposed ordinance. Mr. Brough also stated that Village Cable was requesting a waiver of the requirement to provide a performance bond.

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 REGULATION OF CABLE TELEVISION" BE ADOPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE PERFORMANCE BOND BE WAIVED. VOTE: AFFIRMATIVE FOUR, NEGATIVE ONE (WHITE)

ORDINANCE CHANGING THE REGULAR MEETING SCHEDULE OF THE BOARD OF ALDERMEN

At its meeting on March 12, 1985, the Board of Aldermen instructed the Town Attorney to prepare an amendment to the Town Code changing the regular meeting schedule of the Board to provide for meetings on the first, second, third and fourth Tuesday of each month. The ordinance amendment is necessary even though the Board regards the change as experimental.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE CHANGING THE REGULAR MEETING SCHEDULE OF THE BOARD OF ALDERMEN FROM THE SECOND AND FOURTH TUESDAY OF EACH MONTH TO THE FIRST, SECOND, THIRD AND FOURTH TUESDAY OF EACH MONTH", BE ADOPTED. VOTE: AFFIRMATIVE ALL

FARMERS' MARKET REQUEST FOR FEE INCREASE

Mike Brough stated that Ms. Alice Marriott of the Farmers Market Organization has contacted him seeking an increase in the fees for the market spaces from \$1.50 per day to \$2.00 per day for the first space, \$4.00 for the second space (a total of \$6.00 for two spaces) and \$8.00 for the third space (a total of \$14.00 for all three spaces).

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

A RESOLUTION RAISING THE FEE SCHEDULE FOR THE CARRBORO MARKET SPACES Resolution No. 32/84-85

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Miscellaneous Fees and Charges Schedule is amended to raise the daily space fee for spaces at the Carrboro Farmers' Market from \$1.50 per day to \$2.00 per day for the first space, \$4.00 per day for the second space (a

total of \$6.00 for two spaces) and \$8.00 per day for the third space (a total of \$14.00 for all three spaces).

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 26th day of March, 1985:

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

Noes: Doug Anderson, Joyce Garrett

Absent or Excused: None

ORDINANCE ESTABLISHING DOWNTOWN DEVELOPMENT COMMISSION

Alderman White suggested that Section 2 of the ordinance establishing the Downtown Development Commission be revised to read as follows: "(10) Act as executive director of the downtown development commission, serving as coordinator and resource person in development of plans and as the representative and spokesman in the negotiation and implementation of the plans."

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO TOWN CODE TO CREATE A DOWNTOWN DEVELOPMENT COMMISSION" BE ADOPTED AS AMENDED. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to request the town staff to advertise the positions available on this commission.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J. Post

Mayor