

A regular meeting of the Carrboro Board of Aldermen was held on April 9, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	John Boone
	Zona Norwood
	Hilliard Caldwell
	Doug Anderson
	Joyce Garrett
	Jim White (arrived at 7:45)
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 ZONA NORWOOD THAT THE MINUTES OF MARCH 25 AND MARCH 26, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT REQUEST/SOMERSET PLACE

Talmark Development has applied for a conditional use permit which would allow construction of 16 apartments on a 120,060 square foot lot located at 606 North Greensboro Street. The property is identified as Tax Map 97, Block B, Lot 20 and is zoned Residential-7.5

The administration requested that a public hearing be scheduled for April 23, 1985.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT A PUBLIC HEARING BE SCHEDULED FOR APRIL 23, 1985. VOTE: AFFIRMATIVE ALL

TEMPORARY STREET CLOSING REQUEST/APPLE SHARE FESTIVAL PARADE

The Apple Share Committee has requested the temporary closing of portions of Merritt Mill Road on Saturday, April 20, 1985 from 10:30 a.m. to 12:00 noon for the first Apple Share Festival Parade.

Greg Shepard, Zoning Administrator, stated that the Apple Share Committee has submitted an alternate route proposal for the parade due to concerns of the town staff surrounding the closing of so many intersections in their original proposal.

Melody Ivins, with the Apple Share Committee, spoke in favor of the street closing.

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

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

A RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF PORTIONS OF MERRITT MILL ROAD
Resolution No. 35/84-85

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The following streets shall be temporarily closed Saturday, April 20, 1985 from 10:30 a.m. to 12:00 noon, to accommodate the first Apple Share Festival Parade. This event is to be held in accordance with the permit issued by the Board of Aldermen pursuant to Article III of Chapter 7 of the town code.

- a. Merritt Mill Road, beginning at the intersection at Rosemary Street to the intersection of Cameron Avenue.
- b. Restriction of northbound traffic on Merritt Mill Road from its intersection with South Greensboro Street to Cameron Avenue.

Section 2. The town administration shall install appropriate traffic control devices to give notice of the temporary traffic controls.

Section 3. No person may operate any vehicle contrary to the traffic control devices installed in accordance with Section 2 of this resolution.

Section 4. 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 9th day of April, 1985:

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

Noes: None

Absent or Excused: Jim White

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

The Board of Aldermen continued the public hearing on this proposed amendment to the Land Use Ordinance regulating mobile homes from the March 12, 1985 Board Meeting. This proposal originated from instructions of the Board of Aldermen to the Town Attorney to prepare such an ordinance at its January 2, 1985 meeting.

Jim Manor, representing the Planning Board, stated that the Planning Board was recommending against the proposed ordinance because it would exclude an affordable means of housing. Mr. Manor also read a statement from Diana Woolley, Chairman of the Planning Board. Ms. Woolley suggested that the Board look at the possibility of requiring architectural or appearance standards for mobile homes, including requiring permanent foundations and removal of axles, roof pitch and facade, then the town could tax the structures as real property.

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

It was the consensus of the Board to refer this ordinance back to the Planning Board for modifications.

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/ DEVELOPMENTS USING PRE-1984 DENSITIES

At the request of the Board of Aldermen at its meeting on March 12, 1985, the Board has brought back before it for reconsideration a Land Use Ordinance amendment that would allow lots where previously issued permits have expired to be developed at densities greater than those presently permissible under some circumstances.

Mike Brough explained the proposed amendment.

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

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ALLOW LOTS WHERE PREVIOUSLY ISSUED PERMITS HAVE EXPIRED TO BE DEVELOPED AT DENSITIES GREATER THAN THOSE PRESENTLY PERMISSIBLE UNDER SOME CIRCUMSTANCES" BE ADOPTED. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (ANDERSON, GARRETT)

PUBLIC HEARING/SPECIAL LEGISLATION ON IMPACT FEES AND SPECIAL ASSESSMENT DISTRICTS FOR CAPITAL IMPROVEMENTS

The purpose of this public hearing was to receive citizen comments on proposed special legislation which would authorize the town to do the following:

- a. Establish a system of impact fees to be charged to new developments to help defray the costs of needed capital improvements;
- b. Establish special assessment districts in which properties would be assessed for a portion of the costs of such improvements that benefit these properties within the town and extraterritorial planning area; and
- c. Allow the town to accept fees in lieu of recreation areas and to require that such fees be paid when the developments are too small to provide recreation areas.

Mike Brough explained the proposed special legislation.

Judith Wegner spoke in favor of the proposed special legislation.

Frances Shetley spoke against the special assessment districts portion of the legislation and suggested placing a moratorium on construction. Ms. Shetley also urged the Board to require a referendum on the establishment of any special assessment districts even if the town receives the special legislation.

Bob Brown, residing on Smith Level Road, spoke in favor of holding a referendum if the town receives the special legislation to establish special assessment districts. Mr. Brown suggested that developers be required to bear any costs associated with road improvements needed as a result of their developments or development should be curtailed.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JIM WHITE THAT THE TOWN ATTORNEY BE DIRECTED TO SUBMIT TO THE TOWN'S LEGISLATIVE DELEGATION SECTIONS ONE (IMPACT FEES) AND SECTION THREE (RECREATION FEES IN LIEU OF FACILITIES) OF THE PROPOSED SPECIAL LEGISLATION AND THAT THE PUBLIC HEARING BE CONTINUED ON APRIL 16, 1985 ON SECTION TWO (ASSESSMENT DISTRICTS FOR CAPITAL IMPROVEMENTS). VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (GARRETT, CALDWELL)

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

Greg Shepard, Zoning Administrator, stated that Pineridge Development Corp. 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 Apts. A conditional use permit for a 112-unit townhouse development was granted by the Board of Aldermen on January 24, 1984.

Mr. Shepard stated that the administration was recommending approval of the request with the condition that the applicant be required to 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 JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE FINAL PLAT BE APPROVED SUBJECT TO THE ADMINISTRATION'S RECOMMENDATION. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GARRETT)

FINAL PLAT APPROVAL REQUEST/TENNIS CLUB ESTATES SECTION V

Greg Shepard, Zoning Administrator, stated that Wells Management Group, Inc. has applied for final plat approval for Section V of their architecturally integrated subdivision called Tennis Club Estates. This section of the subdivision is located on the west side of Westbrook Drive between Beechwood Drive and Tanglewood Lane. A conditional use permit for this development was granted by the Board of Aldermen on March 22, 1983.

Mr. Shepard stated that the administration was recommending approval of the final plat and was recommending that occupancy be authorized.

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

EXECUTIVE SESSION

MOTION WAS MADE BY JIM WHITE AND SECONDED BY JOHN BOONE THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS LITIGATION. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Frank C. Williamson
Town Clerk

J. Port
Mayor