A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 1, 1985 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor

James V. Porto, Jr.

Aldermen

Doug Anderson Joyce Garrett Hilliard Caldwell

> John Boone Jim White Zona Norwood

Town Manager Town Clerk Town Attorney Robert W. Morgan Sarah C. Williamson Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE MINUTES OF SEPTEMBER 24, 1985 BE APPROVED. VOTE: AFFIRMATIVE ALL

CHARGE ISSUED TO NEW BOARD MEMBER

The Town Clerk issued a charge to Gary Phillips, a recent appointee to the Downtown Development Commission.

PROCLAMATIONS ISSUED

Mayor Porto issued proclamations proclaming October 5, 1985 Safety Day in Carrboro in addition to kicking-off the United Way campaign in Carrboro.

TOWN CODE AMENDMENT REQUIRING SPRINKLERS IN CERTAIN NEW BUILDINGS WITHIN THE TOWN AND EXTRATERRITORIAL PLANNING AREA

Section 12-17 of the current Town Code requires that buildings in excess of 50 feet in height constructed within the town contain an automatic sprinkler system. The Board requested, and the General Assembly passed, a local bill authorizing the town to require sprinkler systems in such buildings outside the town but within the town's extraterritorial planning jurisdiction, as well as nonresidential buildings in excess of 5,000 square feet in floor surface area and buildings intended for assembly occupancy.

The administration recommended adoption of the attached ordinance amending the Town Code to implement the newly granted enabling authority. The Board of Aldermen at its worksession held on September 24, 1985 concurred with the administration's recommendation.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER TWELVE OF THE TOWN CODE TO REQUIRE SPRINKLERS IN CERTAIN NEW BUILDINGS WITHIN THE TOWN AND ITS EXTRATERRITORIAL PLANNING AREA," BE ADOPTED. VOTE: AFFIRMATIVE ALL

REQUESTS TO SET PUBLIC HEARINGS

(1) Conditional Use Permit Request/Woodbridge Apartments II

Charter Properties, Inc. has applied for a conditional use permit which would allow construction of 230 apartments on a 21.6-acre tract located on Jones Ferry Road, west of and adjacent to the existing Woodbridge Apartments. The tract is identified as Tax Map 116, Lots 5 and part of Lot 6 and is zoned Residential-3.

The administration requested that a public hearing be scheduled for October 15, 1985.

(2) Conditional Use Permit Request/Village Bank

Nick Watts has applied for a conditional use permit which would allow a branch of Village Bank to be located at 503 West Main Street. The existing building at the corner of the West Main Street and Fidelity Street intersection, will be repaired and remodeled to accommodate the bank use with two drive-in windows. The total square footage of the existing building is 3,100 square feet. Approximately 1,675 square feet will house the bank use and the remaining 1,425 square feet may be leased to other uses in the future. The property is zoned Business-1 and is identified as Tax Map 98, Block A, Lot 9.

The administration requested that a public hearing be scheduled for October 15, 1985.

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

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/PUBLIC NOTICE REQUIREMENTS

Mike Brough stated that the administration was requesting that the Board of Aldermen consider a proposal to amend the public notice requirements in the land use ordinance to comply with changes in State law.

Diana Woolley, Chair of the Planning Board, stated that the Planning Board recommended adoption of this ordinance.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL 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 DOUG ANDERSON THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO REQUIRE THAT WRITTEN NOTICE OF ZONING MAP AMENDMENTS BE SENT TO THE OWNERS OF THE PROPERTY INVOLVED AND THE OWNERS OF ABUTTING PROPERTY," BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/REVIEW PROCEDURES FOR PROCESSING CONDITIONAL USE PERMITS AND LAND USE ORDINANCE AMENDMENTS

Roy Williford, Planning Director, presented a review schedule for conditional use permits and a review schedule for land use ordinance text and map amendments. Mr. Williford stated that the purpose of the schedule was to promote awareness of the processing time required for obtaining both conditional use permits and land use ordinance amendments.

Diana Woolley, Chair of the Planning Board, stated that the Planning Board was recommending approval of the Development Review Schedule with the addition that under Section D property owners within 200 feet be added to the list of persons to be notified. Ms. Woolley stated that the Planning Board was recommending approval of Land Use Ordinance Amendment and Rezoning Procedures with the addition that the Planning Board chairman be added as a party to be sent a preliminary memounder Section C.

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 PLANNING BOARD'S RECOMMENDATIONS BE ACCEPTED. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman John Boone and duly seconded by Alderman Doug Anderson.

A RESOLUTION ADOPTING A SCHEDULE FOR THE REVIEW OF CONDITIONAL USE PERMITS AND LAND USE ORDINANCE TEXT AND MAP AMENDMENTS Resolution No. 17/85-86

WHEREAS, conditional use permit requests and proposed Land Use Ordinance text and map amendments are normally processed through a regular procedure that involves review and consideration by the town staff as well as town advisory boards before a final decision is rendered by the Board of Aldermen; and

WHEREAS, the Board finds its helpful for all involved, particularly developers seeking such permits or amendments to be aware of and understand the time frame and steps involved in this process;

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

Section 1. The Board hereby adopts the attached "Development Review Schedule for Conditional Use Permits" and "Time Line and Procedure for Processing Land Use Ordinance Amendments and Rezonings". The attached schedules are adopted for the purpose of informing all persons of the normal sequence of steps and time frame involved with applications for conditional use permits and Land Use Ordinance text and map amendments. The Board recognizes that deviations from the attached schedules may and will occur in particular situations, consistent with the mandatory procedures setforth in the Land Use Ordinance and other provisions of state law.

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 1st day of October, 1985:

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

Noes: None

Absent or Excused: None

PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT/SHELTERS FOR THE HOMELESS

Jerry Davenport, the town's planner, stated that the administration was requesting that the Board of Aldermen consider a proposed amendment to the Land Use Ordinance that would provide for shelters for the homeless.

Diana Woolley, Chair of the Planning Board, stated that the Planning Board was requesting that this matter be continued to a meeting subsequent to their October 17, 1985 meeting to allow them an opportunity to fully review this proposed ordinance.

Sue Baker, with the Interfaith Council in Chapel Hill, stated that half-way houses are needed in the community and

requested that temporary shelters be permitted without a special use permit.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THIS PUBLIC HEARING BE CONTINUED UNTIL OCTOBER 22, 1985. VOTE: AFFIRMATIVE ALL

LAND USE ORDINANCE TEXT AMENDMENT/MOBILE HOMES

The Board of Aldermen considered whether to amend the land use ordinance dealing with mobile homes. Two alternative proposals were presented to the Board of Aldermen on September 24, 1985--one prepared by the Planning Board, and the other by the administration.

Mike Brough explained that the ordinance recommended by the Planning Board was adopted on first reading by the Board of Aldermen at its meeting of September 24, 1985, but due to the required vote for adoption on first reading, the matter was before the Board of Aldermen tonight for consideration.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO RESTRICT THE LOCATION OF MOBILE HOMES IN RESIDENTIAL ZONES AND TO PROHIBIT MOBILE HOME TYPE STRUCTURES IN BUSINESS ZONES," BE ADOPTED AS RECOMMENDED BY THE PLANNING BOARD. VOTE: AFFIRMATIVE FOUR, NEGATIVE TWO (BOONE, GARRETT)

BAMBOO ORDINANCE

Mike Brough reviewed a memorandum he had written to the Board regarding options the Board could take reference controlling bamboo.

The Board choose not to take any action reference this matter.

There being no further business, the meeting was adjourned.

Mayor

Town Clerk