

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, February 25, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Tom Gurganus Doug Anderson Hilliard Caldwell John Boone Judith Wegner Zona Norwood
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Brenda Foreman (representing Mike Brough)

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE MINUTES OF FEBRUARY 18, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

TIMETABLE FOR IMPLEMENTATION OF IMPACT FEES

At the Board of Aldermen's February 18, 1986 worksession, the town staff presented a proposed timetable for the formulation and adoption of a facilities impact fee ordinance. It was the consensus of the Board to approve this schedule and place it on tonight's consent agenda for adoption.

MOTION WAS MADE BY DOUG ANDERSON AND SECONDED BY JOHN BOONE THAT THE TIMETABLE BE ADOPTED. VOTE: AFFIRMATIVE ALL

CONDITIONAL USE PERMIT REQUEST/RAMSGATE APARTMENTS

Orange County Investment Group of Greensboro has applied for a conditional use permit which will allow the construction of 188 apartments at 200 Highway 54 Bypass, on the west side of N.C. Highway 54 Bypass and south of West Poplar Avenue. The tract contains 12.96 acres, is zoned Residential-3 and is identified as Tax Map 114, Lots 13 and 17D.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard presented the site plan for the proposed project and stated that the administration was recommending approval of the conditional use permit with the following conditions:

1. That the owner petition for voluntary annexation prior to issuance of certificates of occupancy for Phase 10.

2. That a four-foot concrete sidewalk be constructed to town standards along the property's frontage on Old Fayetteville Road.

3. That Type "B" screening be required along those portions of West Poplar Avenue, Old Fayetteville Road and Highway 54 Bypass where either: (i) existing vegetation is cleared within 20 feet of property lines; or (ii) no Type "B" screen exists along the property lines.

4. That the proposed right-of-way dedication be provided in the form of a recorded plat prior to issuance of any building permit.

5. That proposed roadway and storm drainage improvements to West Poplar Avenue and Old Fayetteville Road shall be subject to both Town of Carrboro and N.C.D.O.T. standards and approvals.

6. That the private drive interconnecting West Poplar Avenue and Old Fayetteville Road, and the road improvements to Old Fayetteville Road shall be completed prior to issuance of certificates of occupancy for Phase X.

7. That the road improvements to Highway 54 Bypass and West Poplar Avenue shall be completed prior to issuance of certificates of occupancy for Phase III.

8. That the bus pull off and shelter shall be completed prior to certificates of occupancy for Phase X.

Mr. Shepard stated that the administration was recommending that this public hearing be continued until March 11th in order for the town's consulting engineer make a recommendation as to whether a storm water retention pond was necessary.

Jim Dunlop, the town's transportation planner, was sworn in. Mr. Dunlop stated that the Transportation Advisory Board was recommending approval of the conditional use permit with the administration recommendations.

Worth Hollowman, an attorney representing the developer, was sworn in. Mr. Hollowman stated that the developer has worked closely with the town in meeting all its concerns and recommendations and that the developer was willing to follow the recommendation of the town's engineer concerning the storm water retention pond.

Len White, a member of the firm developing this property, was sworn in. Mr. White presented the elevation drawings for the project and stated that rents for the apartments should range between \$350 and \$450 per month.

Linda Branson, Manager of Chateau Apartments, was sworn in. Ms. Branson stated that the residents of Chateau Apartments were not opposing the development, but expressed concern that the landscaping be compatible with their landscaping.

Heath Carrier, the developer's landscape architect, was sworn in. Mr. Carrier presented the landscape plans for the project.

Chuck Truby, engineer for the project, was sworn in. Mr. Truby stated that the retention pond should not hold up the project in that the developer was willing to do whatever the town's engineer recommended.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL 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 the 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 of no effect.

3) That the owner petition for voluntary annexation prior to issuance of certificates of occupancy for Phase 10;

4) That a 4-foot concrete sidewalk be constructed to town standards along the property's frontage on Old Fayetteville Road;

5) That Type "B" screening be required along those portions of West Poplar Avenue, Old Fayetteville Road and Highway 54 Bypass where either (i) existing vegetation is cleared within 20 feet of property lines; or (ii) no Type "B" screen exists along the property lines;

6) That the proposed right-of-way dedication be provided in the form of a recorded plat prior to issuance of any building permit;

7) That proposed roadway and storm drainage improvements to West Poplar Avenue and Old Fayetteville Road be subject to both Town of Carrboro and N.C.D.O.T. standards and approvals;

8) That the private drive interconnecting West Poplar Avenue and Old Fayetteville Road and the road improvements to Old Fayetteville Road be complete prior to issuance of certificates of occupancy for Phase 10;

9) That the road improvements to Highway 54 Bypass and West Poplar Avenue be completed prior to issuance of certificates of occupancy for Phase 3;

10) That the bus pull off and shelter be completed prior to certificates of occupancy for Phase 10;

11) That any signs to be erected shall be of painted or routed wood and contain all earth-tones;

12) That the Town of Carrboro engineer submit a recommendation to the Board of Aldermen concerning the retention pond for the project for permit modification;

13) That the existing sedimentation pond be restored to its pre-use state following construction; and

14) That at least 2 trash receptacles be placed on the building site and that the developer be required to keep the site reasonably free of trash.

VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (WEGNER)

CONDITIONAL USE PERMIT REQUEST/TENNIS CLUB ESTATES, SECTION IV

Wells Management Group, Inc. has applied for a conditional use permit which would allow subdivision of a 4.88-acre tract into 24 lots plus a common area. This property is located west of Westbrook Drive, between Beechwood Drive and Tanglewood Lane. This subdivision will be Section IV of the Tennis Club Estates. Sections I, II, III and V are either complete or presently under construction. The property is zoned Residential-3 and is identified as Tax Map 116A, Block B, Lots 4, 5, 6, 7 and 8.

Greg Shepard, Zoning Administrator, was sworn in. Mr. Shepard presented the site plan for the proposed project and stated that the administration was recommending approval of the conditional use permit with the following conditions:

1) That the developer petition for voluntary annexation

prior to Final Plat approval for Tennis Club Estates, Section IV.

2) That the final plat for this section of development shall indicate the publicly dedicated easement area for pedestrian and bicycle traffic.

3) That a minimum of four additional parking spaces be provided for guest parking along the private drive (Lori Lane).

4) That signs indicating the range of building addresses shall be installed at the following locations: 1) Intersection of Westbrook Drive and Lori Lane, 2) Intersection of Tanglewood Lane and Lori Lane, and 3) Internal intersection of Lori Lane.

5) That the parking area for Building 24 be revised to either of the following locations: a) directly off the Tanglewood Lane cul-de-sac, or b) on Lori Lane a minimum of 50 feet from its intersection with Tanglewood Lane.

Jim Dunlop, the town's transportation planner, was sworn in. Mr. Dunlop stated that the Transportation Advisory Board was recommending approval of the conditional use permit with the staff conditions, with the exclusion of #3 and #5. In addition, Mr. Dunlop stated that the additional traffic generated by this development would significantly impact the intersection of Westbrook Drive and Highway 54 Bypass.

Ron Wells, the developer of the proposed project, was sworn in. Mr. Wells requested an exception from staff conditions 3 and 5 and stated that he felt the additional parking can be accommodated without designating spaces on Lori Drive and stated that he did not see the safety issue in requiring condition #5.

Steve Bain, an adjacent property owner of the proposed project, was sworn in. Mr. Bain spoke in favor of the project and requested that staff condition #5 not be required.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT BE 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 the developer petition for voluntary annexation prior to final plat approval for Tennis Club Estates, Section IV.

4) That the final plat for this section of development indicate the publicly dedicated easement area for pedestrian and bicycle traffic.

5) That signs indicating the range of building addresses be installed at the following locations: (i) intersection of Westbrook Drive and Lori Lane; (ii) intersection of Tanglewood Lane and Lori Lane; and (iii) internal intersection of Lori Lane.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT A MINIMUM OF FOUR ADDITIONAL PARKING SPACES BE PROVIDED FOR GUEST PARKING ALONG THE PRIVATE DRIVE (LORI LANE). VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (ANDERSON, PORTO, BOONE, NORWOOD, CALDWELL)

REQUEST TO REVISE PHASING PLAN/APPROVAL OF PERFORMANCE SECURITY/WILSON PARK CONDOMINIUMS

Greg Shepard, Zoning Administrator, stated that Jay Land had requested a revision of the approved phasing plan for Wilson Park Condominiums. Mr. Land has also requested approval of performance security which will allow the sale and occupancy of all units in the first two phases prior to completion of all site improvements required for those phases.

Mr. Shepard stated that the administration was recommending approval of the revised phasing plan and performance security.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE REVISED PHASING PLAN AND PERFORMANCE SECURITY BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST TO REVISE PHASING PLAN/WOODBRIDGE APARTMENTS, PHASE II

Greg Shepard, Zoning Administrator, stated that Charter Properties, Inc. has requested a revision of the approved phasing plan for Woodbridge Apartments, Phase II which will allow the order of construction and occupancy of the buildings to be rearranged.

Mr. Shepard stated that the administration recommended approval of the revised phasing plan with the condition that Conditions #6, #13, and #16 of the conditional use permit granted on October 15, 1985 be modified to reflect the changes in the phasing plan.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY DOUG ANDERSON THAT THE REVISED PHASING PLAN BE APPROVED SUBJECT TO THE CHANGES IN THE CONDITIONAL USE PERMIT. VOTE: AFFIRMATIVE ALL

SUPPLEMENTAL RETIREMENT INCOME PLAN OF N.C.

Don Casper, Assistant Town Manager, stated that the N.C. General Assembly, through special legislation, has authorized local law enforcement agencies and local government employees to participate in a supplemental retirement income plan. The State of North Carolina participates in the contribution to this plan for local law enforcement personnel. In order for local law enforcement officers and local government employees to contribute, it is necessary for the Board of Aldermen to adopt a resolution to participate and permit the Manager to enter into an agreement to that end.

Mr. Casper stated that the administration recommended the adoption of a resolution authorizing the town's participation and authorizing the Manager to sign an agreement with the State's agent, Branch Banking and Trust Company.

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

RESOLUTION
Resolution No. 34/85-86

WHEREAS, the State of North Carolina, by action of the 1984 General Assembly, has adopted the Supplemental Retirement Income Plan of North Carolina pursuant to which the State of North Carolina, its departments, agencies and instrumentalities are authorized to provide a supplemental retirement income plan to conform with Section 401(k) of the Internal Revenue Code of 1954 as amended; and

WHEREAS, the governing body of this unit realizes the necessity of providing its employees with the benefits of the Supplemental Retirement Income Plan of North Carolina.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN IN REGULAR SESSION:

1. That the Town of Carrboro hereby elects to participate in the Supplemental Retirement Income Plan of North Carolina for law enforcement officers and/or the general employees.

2. That the Town of Carrboro hereby agrees to comply with all the provisions of the Plan and the operating procedures of the Administrator of the Plan.

3. That the Town Manager is hereby ordered and directed to make application to the Board of Trustees of the Supplemental Retirement Income Plan of North Carolina for the enrollment of this Unit and its employees in said Plan.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 25th day of February, 1986:

Ayes: Tom Gurganus, Doug Anderson, Hilliard Caldwell, Jim Porto, John Boone, Judith Wegner, Zona Norwood

Noes: None

Absent or Excused: None

RESOLUTION URGING CHATHAM COUNTY TO ADOPT WATERSHED REGULATIONS

The Board of Aldermen at its January, 1986 Planning Retreat, requested the Town Attorney to prepare a resolution urging the Chatham County Board of Commissioners to consider adopting land use control measures to restrict development within that portion of the University Lake Watershed that lies within Chatham County. The Town Attorney has prepared such a resolution for the Board's consideration.

It was the consensus of the Board to delay action on this matter until April.

WATER SUPPLY AND USAGE IN THE UPPER ENO RIVER BASIN

Mr. Morgan stated that on March 5, 1986, the Orange County Board of Commissioners will conduct a public hearing on water supply and usage in the upper Eno River Basin. The

resolution of this issue could impact the Chapel Hill/Carrboro area.

Mr. Morgan presented the Board with a report from the Orange County Manager entitled, "Water Supply and Usage in the Upper Eno River Basin".

It was the consensus of the Board to request a representative of the Orange Water & Sewer Authority to present a report on this matter.

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

[Signature]
Mayor