

A regular meeting of the Carrboro Board of Aldermen was held on March 4, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Tom Gurganus
	Hilliard Caldwell
	John Boone
	Judith Wegner
	Zona Norwood
Town Manager	Robert W. Morgia
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

Absent:
 Aldermen Doug Anderson

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUES OF FEBRUARY 25, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

RESOLUTION COMMENDING LEANN NEASE FOR HER SERVICE TO THE CARRBORO BOARD OF ADJUSTMENT

The following resolution was introduced by Hilliard Caldwell and seconded by Tom Gurganus.

A RESOLUTION COMMENDING LEANN NEASE FOR
 HER SERVICE TO THE CARRBORO BOARD OF ADJUSTMENT
 Resolution No. 35/85-86

WHEREAS, LeAnn Nease has served as a member of the Carrboro Board of Adjustment since February, 1980; and

WHEREAS, Ms. Nease served as Vice-Chairman of the Board of Adjustment from May of 1981 until her resignation in October of 1985; and

WHEREAS, Ms. Nease served on the Planning Board from 1976 until her appointment to the Board of Adjustment; and

WHEREAS, Ms. Nease was instrumental in the development of the Town of Carrboro's land use policies by her service on the Land Use Task Force and Handicapped Access Committee prior to her appointment to the Board of Adjustment; and

WHEREAS, Ms. Nease exemplified leadership in her role as Vice-Chairman of the Board of Adjustment and dedication to the betterment of the Town of Carrboro;

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

Section 1. The Board expresses its sincere gratitude and appreciation to LeAnn Nease for her contributions to the Carrboro Board of Adjustment.

Section 2. This resolution shall be spread upon the official minutes of the Board of Aldermen and a copy shall be delivered to LeAnn Nease.

Section 3. This resolution shall be effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 4th day of March, 1986:

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

Noes: None

Absent or Excused: Doug Anderson

RESOLUTION FROM BOARD OF ADJUSTMENT REQUESTING ITS DECISION
CONCERNING THE DOMINO'S PIZZA SIGN BE ENFORCED

Margaret Brown, Chair of the Board of Adjustment, presented a resolution adopted by Board of Adjustment requesting the appropriate town officials to enforce its decision of February 6, 1985 concerning the Domino's Pizza's noncompliance with the Town of Carrboro's sign ordinance.

Ms. Brown stated that the Board of Adjustment was also requesting that it meet with the Board of Aldermen at least twice per year.

REQUESTS TO SET PUBLIC HEARINGS

(1) Joint Land Use Plan

The Orange County Board of Commissioners has proposed an April 17, 1986 date for the next public hearing on the Joint Planning Area Land Use Plan. The public hearing will be held at the Chapel Hill High School Cultural Arts Auditorium at 7:30 p.m.

The administration recommended that the Board of Aldermen call a special meeting for April 17, 1986 to be held at the Cultural Arts Auditorium and set a public hearing for April 17, 1986 to consider the Joint Land Use Plan.

(2) Northern Connector Roads Plan

At the Board of Aldermen's February 4, 1986 worksession, the Board referred the northern portion of of the Connector Roads Plan to the Transportation Advisory Board for clarification of a particular route.

The Transportation Advisory Board has completed its review and the administration requested that a public hearing be scheduled for March 18, 1986 to receive citizen comments on this portion of the plan.

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

The Board requested that the staff include the map of the proposed northern connector roads plan in all advertisements.

DESIGN PLANS FOR LLOYD/BROAD STREET COMMUNITY DEVELOPMENT
STREET AND DRAINAGE IMPROVEMENTS PROJECT

The John R. McAdams Company presented the design plans for the Lloyd/Broad Street Community Development street and drainage improvement project to the Board of Aldermen at its worksession held on February 25, 1986.

The Board requested that this matter be placed on tonight's agenda for formal approval of the plans.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE PLANS BE APPROVED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/SOUTHERN CONNECTOR ROADS PLAN

At the Board of Aldermen's February 4, 1986 worksession, the town staff presented the Connector Roads Plan. The Board requested that the plan be separated into two parts--the southern portion and the northern portion. The purpose of tonight's public hearing was to receive citizens' comments on the southern portion of the plan.

Jim Dunlop, the town's transportation planner, stated that the connector road system in the southern development area will provide access to the Laurel Hill Parkway thoroughfare which will loop the By-Pass, beginning at Jones Ferry Road and connecting with N.C. 54 and eventually I-40. Because of the development that has already taken place in this area, the two connectors that are central to the overall system--Berryhill Drive and Rock Haven Road--have been approved for construction. In addition, portions of the Laurel Hill Parkway have also been approved for construction.

Mr. Dunlop stated that the Transportation Advisory Board had approved the proposed southern connector roads plan.

Ed Johnson, with the N.C.D.O.T., stated that the Department of Transportation was pleased with the configuration of the proposed southern connector roads plan.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY TOM GURGANUS THAT THE SOUTHERN CONNECTOR ROADS PLAN BE ADOPTED. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/1986-87 BUDGET PREPARATION

This was a public hearing to receive, for consideration, the views and comments of citizens regarding the preparation of the 1986-87 annual budget, including the 5-year capital improvements plan.

Don Casper, Assistant Town Manager, stated that this public hearing had been advertised in the newspaper, on cable t.v. and flyers had been included in the Village Advocate for all Carrboro residents.

Bill Birken, residing on West Carr Street, stated that he was concerned about basic services being cut, and suggested that a cap be placed on filling higher paid professional positions.

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

PUBLIC HEARING/MISCELLANEOUS LAND USE ORDINANCE AMENDMENTS

The purpose of this public hearing was to consider several amendments to the Land Use Ordinance. These amendments included:

1. Provisions for the transfer of sign surface area allocation from one lot to another when a tract is subdivided;
2. Provisions relating to window signs;
3. Miscellaneous amendments to: (a) exempt the display of merchandise from the sign provisions, and (b) to disallow the retail sale of goods produced by the seller out of a motor vehicle;

4. Exemption of public parking lots from the paving requirements for a period of five years; and
5. Definition of independent parking lots and requirements for paving.

Mike Brough explained the proposed amendments.

Steve Oglesbee, representing the Board of Adjustment, presented a resolution adopted by the Board of Adjustment, opposing the proposed amendment relating to window signs.

Calvin Mellott expressed concern that the proposed amendments are aimed at the downtown businessmen.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY JUDITH WEGNER THAT THE ORDINANCE ENTITLED, "AN AMENDING THE CARRBORO LAND USE ORDINANCE TO PROVIDE FOR A TRANSFER OF SIGN SURFACE AREA ALLOCATION FROM ONE LOT TO ANOTHER WHEN A TRACT IS SUBDIVIDED" BE ADOPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE PROVISIONS RELATING TO WINDOW SIGNS", BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (CALDWELL, GURGANUS, WEGNER)

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MAKE CLEAR THAT DISPLAYS OF MERCHANDISE OFFERED FOR SALE DO NOT CONSTITUTE SIGNS", BE ADOPTED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO PROHIBIT RETAIL SALES OF GOODS AND FOOD PRODUCTS FROM MOTOR VEHICLES EXCEPT IN THE FARMERS' MARKET", BE ADOPTED. VOTE: AFFIRMATIVE THREE, NEGATIVE THREE (PORTO, WEGNER, GURGANUS)

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO EXEMPT PUBLIC PARKING LOTS FROM THE PAVING REQUIREMENTS FOR A PERIOD OF FOUR YEARS", BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (GURGANUS)

It was the consensus of the Board to delay action on the ordinance entitled, "An Ordinance Amending the Carrboro Land Use Ordinance to Define Independent Parking Lots and Spell Out the Circumstances Under Which Such Lots Must be Paved" until the Board's meeting scheduled for March 11, 1986.

AMENDMENT TO TOWN CODE TO MODIFY THE FIRE DISTRICT MAP

Chief Swiger stated that the secondary fire district currently includes properties located along West Weaver Street, which are also located in the B-2 zoning district. The intent of the secondary fire district is to allow for the adaptive re-use of the existing residential structures; however, all new structures must comply with the basic primary fire district regulations. In addition, the B-2 district requires a 10-foot lot line setback and, therefore, does not permit the construction or use of common walls requiring added fire protection.

A reasonable solution to resolving this dilemma would be to modify the secondary fire district boundary since the need for this district in the B-2 zone is questionable, and since there is an apparent conflict with the fire district regulations and the Land Use Ordinance regulations. Likewise, the

primary fire district should be extended to include all of the Carr Mill properties up to Parker Street.

Chief Swiger stated that the administration recommended adoption of an ordinance modifying the current fire district boundaries.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING CHAPTER 12 OF THE TOWN CODE TO INCORPORATE BY REFERENCE A NEW MAP OF THE PRIMARY AND SECONDARY FIRE DISTRICTS" BE ADOPTED.
VOTE: AFFIRMATIVE ALL

ACCEPTANCE OF ODUM PROPERTY GIFT

Mr. and Mrs. Eugene Odum have deeded to the town a tract of land adjacent to Jones Ferry Road containing approximately 1.17 acres. The gift contains a restriction that generally limits the use of the land to open space and would not permit the construction of permanent, above-ground, enclosed structures.

The administration recommended adoption of a resolution accepting the offer of dedication of this property.

The following resolution was introduced by Alderman Judith Wegner and seconded by Alderman Tom Gurganus.

A RESOLUTION ACCEPTING THE OFFER OF
DEDICATION OF APPROXIMATELY 1.17 ACRES OF LAND ALONG
JONES FERRY ROAD FROM EUGENE P. ODUM AND MARTHA O. ODUM
Resolution No. 36/85-86

WHEREAS, Eugene P. Odum and wife Martha O. Odum have deeded to the Town of Carrboro a tract of land adjacent to Jones Ferry Road containing approximately 1.17 acres, subject to the restriction that the property be maintained as open space; and

WHEREAS, the Town of Carrboro wishes to accept this offer of dedication.

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

Section 1. The Board hereby accepts the foregoing offer of dedication and expresses its appreciation to the Odum's for their willingness to dedicate this property.

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 4th day of March, 1986:

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

Noes: None

Absent or Excused: Doug Anderson

CITIZEN OPINION FORUMS

Mr. Morgan informed the Board that three Citizen Opinion Forums to gather comments on North Carolina's future needs have been scheduled by the State Goals and Policy Board.

It was the consensus of the Board to have the administration prepare a resolution listing the Town of Carrboro's

priorities for transportation funding for consideration by the Board of March 11, 1986.

BROCHURE ON THE DEVELOPMENT REVIEW PROCESS

Mr. Morgan presented the Board with a brochure entitled, "Understanding the Development Review Process" which will be made available to citizens.

There being no further business, the meeting was adjourned.

Frank C. Williamson
Town Clerk

[Signature]
Mayor