

A regular meeting of the Carrboro Board of Aldermen was held on November 11, 1986, at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	James V. Porto, Jr.
Aldermen	Randy Marshall
	Tom Gurganus
	Hilliard Caldwell
	John Boone
	Judith Wegner
	Zona Norwood
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 HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF OCTOBER 28, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

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PROCLAMATIONS ISSUED

Mayor Porto issued proclamations proclaiming November 13th Arbor Day and November 8th as Community Safety Day.

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REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT AMENDMENTS/ARTSCHOOL

Main Street Partners have applied for a conditional use permit amendment that would allow the modification of the existing permit to allow an Arts Inclusive Mixed Use Development at 300 East Main Street. The land is identified as Tax Map 92, Block A, Lots 5, 8 and 9 and is zoned B-1(c). The administration recommended that a public hearing be set for November 25, 1986.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT A PUBLIC HEARING BE SCHEDULED FOR NOVEMBER 25, 1986. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING/VOLUNTARY ANNEXATION/WOODBRIDGE II, PHASES 1-7

Roy Williford, Planning Director, stated that Charter Properties Project Partnership #5 had submitted a petition requesting the annexation of Woodbridge II, Phases 1-7. This property is contiguous to the Town of Carrboro, is located at the corner of Jones Ferry Road and State Road 1937, contains 7.75 acres, and has 85 units.

Mr. Williford stated that the administration recommended adoption of the ordinance annexing this property effective November 30, 1986.

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

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE ANNEXING WOODBRIDGE APARTMENTS II, PHASES 1-7," BE ADOPTED, EFFECTIVE NOVEMBER 30, 1986. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING/LAND USE ORDINANCE AMENDMENTS: MISCELLANEOUS

Jerry Davenport, the town's planner, stated that this matter was before the Board to decide whether to amend the Carrboro Land Use Ordinance to address a number of miscellaneous matters, including:

- a. To modify and clarify provisions dealing with open space and recreational facilities;
- b. To authorize cluster subdivisions in the R-40 and R-80 zoning districts;
- c. To allow for the crossing of designated buffers;
- d. To control the placement of structures and impervious surfaces within developments; and
- e. To limit the density within 300 feet of a designated buffer.

Mr. Davenport explained the changes in the proposed ordinance which had been made since the last public hearing on this matter.

Andy Dobelsteim, Chair of the Planning Board, stated that the Planning Board supported working on the general concepts of increasing the buffer setbacks in the watershed, the notion of restricting density in the watershed, and very strongly supported the idea of cluster development in the watershed.

Frances Shetley, Chair of the Transportation Advisory Board, stated the Transportation Advisory Board strongly recommended that no change be made to the Land Use Ordinance that would affect the approved Thoroughfare Plan and the town's ability to reserve right-of-way necessary to accomplish that plan.

Randy Danziger stated that he was concerned about the run-off in residential areas and running thoroughfares through the watershed unless there is a way to control run-off into the watershed.

Allen Spalt, a resident of 300 James Street, presented a statement speaking in favor of amendments to the Land Use Ordinance to offer protection to the watershed, but questioned whether the proposed amendments address the fundamental problem--the level of development in the watershed. Mr. Spalt stated that he felt the proposed amendments will still permit much too much density for the long-term interests of retaining good quality drinking water. Mr. Spalt stated that he supported Dr. Daniel Okun's comments made at an earlier public hearing on these proposed amendments. Specifically, that: "degradation is a function of development...in every instance," "mitigation measures...all kinds of devices...at best are only partially successful", "mitigation measures may only delay to some extent the erosion of the water quality", and "we are really not prepared...to maintain the facilities that we put in for mitigation."

Robert Smythe, an environmental land use consultant, stated that the best way to protect the watershed is to have no development. Mr. Smythe pointed out that studies have shown that residential development cost cities more revenue than they produce. Mr. Smythe suggested clustering dwelling units in small areas away from the watershed to offer as much protection as possible to the watershed.

Melva Okin stated that she felt water and sewer extensions lead to more development and will lead to more pollutants entering the watershed.

Eleanor Kinnaird urged the Board to hold off on adoption of the proposed ordinance until the study on the effects of development in the watershed are complete.

Jay Bryan questioned why no action by the Board was not an option and urged the Board to consider down zoning in the watershed to limit development

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

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY ZONA NORWOOD THAT THIS PUBLIC HEARING BE REOPENED AT A LATER DATE. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (MARSHALL, CALDWELL, PORTO, WEGNER, BOONE)

Alderman Marshall requested that the town staff prepare a memorandum to the Board of Alderman explaining the consequences of a building moratorium in the watershed.

MOTION WAS MADE BY JUDITH WEGNER THAT THE PROPOSED ORDINANCE BE AMENDED AS FOLLOWS: (1) BY STRIKING THE FIRST SENTENCE OF SUBSECTION 13(9)B) AND CREATING A NEW SUBSECTION 13(9)(d) TO READ AS FOLLOWS: "BUILDINGS, IMPERVIOUS SURFACES (INCLUDING ROADS) AND LAND DISTURBING ACTIVITIES SHALL BE SITUATED SO AS TO POSE THE LEAST ADVERSE IMPACT ON THE WATERSHED ENVIRONMENT AND SO AS TO TAKE FULL ADVANTAGE OF THE ASSIMILATIVE CAPACITY OF THE LAND." (2) BY ADDING A NEW SECTION 18 TO AMEND THE TABLE OF PERMISSIBLE USES TO DISALLOW MULTI-FAMILY DEVELOPMENTS IN THE R-40 AND 4-80 AND LIMIT RESIDENTIAL USES TO SINGLE-FAMILY DETACHED. (MOTION DIED FOR THE LACK OF A SECOND.)

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY ZONA NORWOOD THAT THIS PUBLIC HEARING BE CONTINUED AT A LATER DATE AFTER DISCUSSIONS WITH CHAPEL HILL AND ORANGE COUNTY ARE COMPLETED CONCERNING THE WATERSHED, AND THAT THE LESS CONTROVERSIAL PORTIONS OF THE PROPOSED AMENDMENTS BE SEPARATED FROM THE ORDINANCE AND CONSIDERED SEPARATELY. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (MARSHALL, CALDWELL, PORTO, BOONE, WEGNER)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY AND CLARIFY PROVISIONS DEALING WITH OPEN SPACE AND RECREATIONAL FACILITIES, TO AUTHORIZE CLUSTER SUBDIVISIONS IN THE R-40 AND R-80 ZONING DISTRICTS, TO ALLOW FOR THE CROSSING OF DESIGNATED BUFFERS, TO CONTROL THE PLACEMENT OF STRUCTURES AND IMPERVIOUS SURFACES WITHIN DEVELOPMENTS, TO LIMIT THE DENSITY WITHIN 300 FEET OF A DESIGNATED BUFFER TO A MAXIMUM OF ONE UNIT PER TWO ACRES, AND OTHER MISCELLANEOUS MATTERS," BE ADOPTED. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (NORWOOD, GURGANUS)

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#### QUARTERLY REPORT/TRANSPORTATION ADVISORY BOARD

Frances Shetley, Chair of the Transportation Advisory Board, stated that the T.A.B. was still working on the long-range circulation plan, a representative from the N.C. Department of Transportation had spoken to the T.A.B. concerning the Durham-Chapel Hill Transportation Plan, and the T.A.B. had been studying the connector roads plan west of Cobblestone.

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#### LOTS FOR HABITAT FOR HUMANITY, INC.

James Harris, Community Development Coordinator, stated that as part of the Lloyd/Broad Street Community Development Project, the town had stated in its application that it would provide six lots to Habitat for Humanity for new housing. Two lot owners identified during the grant application process have decided not to sell their property. Mr. Harris stated that the administration recommended that two smaller lots located on Starlight Drive (Lots 19 and 20) be combined with Lot 18 and subdivided, thereby creating the two lots

needed to meet the program goals. Mr. Harris requested that the Board authorize the Town Manager to enter into an agreement with The John R. McAdams Co. to survey the property and prepare a final plat to subdivide this property.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE TOWN MANAGER BE AUTHORIZED TO ENTER INTO AN AGREEMENT WITH THE JOHN R. MCADAMS CO. TO SURVEY THIS PROPERTY AND PREPARE A FINAL PLAT IN ORDER TO SUBDIVIDE THIS PROPERTY. VOTE: AFFIRMATIVE ALL

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There being no further business, the meeting was adjourned.

Sarah C. Williamson  
Town Clerk

[Signature]  
Mayor