

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 16, 1989 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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| Mayor | Eleanor Kinnaird |
| Aldermen | Randy Marshall |
| | Tom Gurganus |
| | Hilliard Caldwell |
| | Frances Shetley |
| | Judith Wegner |
| | Jay Bryan |
| Town Manager | Robert Morgan |
| Deputy Town Clerk | Beth McFarland |
| Town Attorney | Bob Hagemann (for Mike Brough) |

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JUDITH WEGNER THAT THE MINUTES OF MAY 9, 1989 BE APPROVED WITH A CORRECTION TO PAGE 5 (JAY BRYAN VOTED AGAINST THE MOTION TO ADOPT THE ORDINANCE AMENDING CHAPTER 13 OF THE TOWN CODE). VOTE: AFFIRMATIVE ALL

REQUEST FROM DEVELOPER OF AMBERLY

Phil Szostak, developer of the proposed Amberly Subdivision, stated that he had revised his plans and requested the Board set aside time to consider an extension to his conditional use permit.

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/PTA THRIFT SHOP

Helen Waldrop, Zoning Administrator, was sworn in. Ms. Waldrop stated that Dail Dixon for PTA Thrift Shop of Carrboro, had applied for a conditional use permit that would allow the construction of a storage addition, site redesign and additional parking. The property is located at 103 Jones Ferry Road and is zoned B-1-G. The parcel is identified as Tax Map 99, Block A, Lots 12, 13 and Block B, Lot 1. Ms. Waldrop presented slides of the existing site and overheads of the proposed site plans.

Ms. Waldrop stated that the administration recommended approval of the conditional use permit with the following conditions:

1. That a permanent drainage easement be acquired from the adjacent property owner(s) and that the town attorney have the opportunity to review the drainage easement document prior to issuance of the permit.
2. That evergreen plantings shall be installed six to eight feet on center along the southern face of the proposed fence as additional screening for the adjacent residential uses.
3. That the existing trees located in the vicinity of the southern property line be retained where ever possible.

David Rutter, representing the Planning Board, was sworn in. Mr. Rutter stated that the Planning Board recommended approval of the permit with the administration's conditions.

Sarah Hammond, representing the PTA Thrift Shop, was sworn in. Ms. Hammond answered the Board's questions about fencing off the pedestrian path, and about wine bottles being left on the back of the property.

Dale Dixon, representing the PTA Thrift Shop, was sworn in. Mr. Dixon answered the Board's questions.

Belinda Wells, with Balletine & Associates, was sworn in. Ms. Wells answered the Board's questions about the OWASA easement.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT, YES, THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT, YES, THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL 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 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 a permanent drainage easement be acquired from the adjacent property owner(s) and that the Town Attorney have the opportunity to review the drainage easement document prior to issuance of the conditional use permit.

4) That the existing trees located in the vicinity of the southern property line be retained where possible.

5) That cold joints be used for curb cuts and be included where the proposed bike path intersects the parking area.

6) That the required Type "A" screen be a six-foot high wooden fence of a shadow box design.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY TOM GURGANUS THAT EVERGREEN PLANTINGS BE INSTALLED SIX TO EIGHT FEET ON CENTER ALONG THE OUTSIDE OF THE FENCE, AND THAT A BIKE PATH BE PROVIDED ON THE EAST END OF THE PROPERTY RUNNING FROM JONES FERRY ROAD TO THE SOUTHERN PROPERTY LINE ACCORDING TO THE TOWN'S SPECIFICATIONS. SECONDED BY FRANCES SHETLEY. VOTE: AFFIRMATIVE TWO, NEGATIVE FIVE (MARSHALL, WEGNER, CALDWELL, BRYAN)

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JUDITH WEGNER THAT THE TOWN MANAGER BE AUTHORIZED TO NEGOTIATE WITH THE PTA THRIFT SHOP TO OBTAIN AN EASEMENT FOR THE BIKE PATH. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/BUCK-VAUGHN ENTERPRISES

Helen Waldrop, Zoning Administrator, was sworn in. Ms. Waldrop stated that Dail Dixon for Buck-Vaughn Enterprises, had applied for a conditional use permit that would allow the construction of two office/retail structures. The property is located on the south side of Weaver Street between Weaver and East Main Streets. The parcel is identified as Tax Map 98, Block N, Lots 12, 13 and 15. Ms. Waldrop presented slides of the existing site and proposed site plan.

Ms. Waldrop stated that the administration recommended approval of the permit with the following conditions:

1. That written permission or temporary construction easements will be required for all adjacent property owners and right-of-way authorities in those areas where encroachment will be necessary for construction of the buildings or parking lot renovations. Documentation of permission shall be submitted prior to construction plan approval.

2. That the construction drawings shall be approved by the Town Engineer and Public Works Director.

3. That if reconstruction of any public sidewalk is necessary to install improvements, the replaced sidewalks shall be a minimum of 4 feet wide. If sidewalk replacement is necessary at Main Street, the new 4-foot sidewalks shall be installed from the southwest property corner to the proposed driveway entrance.

4. That final architectural drawings shall be reviewed and approved by the Appearance Commission prior to issuance of the conditional use permit.

5. That the existing three lots shall be recombined to form one lot as shown on the plans prior to issuance of the conditional use permit.

David Rutter, representing the Planning Board, was sworn in. Mr. Rutter stated that the Planning Board recommended approval of the permit with administration conditions #1 through #4, in addition to the following condition: That the construction of Building B shall not be permitted until such time as adequate parking is found to serve the uses allowable in Building A, Building B and the Britt Building at 110 Main Street, also owned by the applicant and for which this site now supplies satellite parking.

Gary Buck was sworn in. Mr. Buck read a statement requesting that administration condition #5 be removed (that the existing three lots be recombined to form one lot) because Buck/Vaughn Enterprises does not own all three parcels.

Walter Holt was sworn in. Mr. Holt presented the results of a parking study conducted on April 6, 1989.

Ed Vaughn was sworn in. Mr. Vaughn stated that Carrboro Baptist Church had agreed to allow satellite parking for 15 spaces for the pharmacy only.

Mayor Kinnaird read a letter from Amy Parker dated February 1, 1989 addressed to Dail Dixon speaking to the parking issue.

Cleve Fogleman, from F & F Automotive, was sworn in. Mr. Fogleman requested that the Board require Buck/Vaughn grant a driveway easement for the Farmers Corner property. Mr. Fogleman also spoke to the parking problem in downtown Carrboro.

Diana Staley, representing the Employment Security Commission located in the Britt Building, was sworn in. Ms. Staley presented a lease agreement stating that Buck/Vaughn Enterprises was required to provide 45 on-site parking spaces for the Commission.

Twillia Peterson, representing Club Nova located at 103-D W. Main Street, spoke about the downtown parking problems noting that people visiting the Employment Security Commission were using their parking lot. Ms. Peterson requested that the Board address the downtown parking problem.

Audrey Townesend, co-owner of Townesend Bertram and Co. located in Carr Mill Mall, spoke about the downtown parking problems.

Jim Rumfelt, owner of The Clean Machine located on Main Street, was sworn in. Mr. Rumfelt stated that he is pro-development as long as adequate parking is provided.

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

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY TOM GURGANUS THAT DISCUSSION OF THIS MATTER BE CONTINUED UNTIL MAY 23, 1989 IN ORDER TO ALLOW THE TOWN ATTORNEY TO RESPOND TO BOARD MEMBER'S QUESTIONS RELATING TO PARKING AND THE RELATIONSHIP OF OWNERS AND APPLICANTS TO THIS PROJECT. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE TOWN ATTORNEY LOOK AT THE QUESTION OF WHETHER APPROVING THIS PERMIT WOULD CAUSE THE BRITT BUILDING TO BE IN VIOLATION OF THIS ZONING PERMIT. VOTE: AFFIRMATIVE ALL

PROPOSAL FOR IMPLEMENTATION OF UNIVERSITY LAKE WATERSHED STUDY

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE FOLLOWING PROPOSAL FOR IMPLEMENTATION OF THE UNIVERSITY LAKE WATERSHED STUDY BE ADOPTED:

1. Planning directors of Carrboro, Orange County and Chatham County should be asked to develop a list of issues to be resolved in deciding how to implement the study recommendations; OWASA staff should be given an opportunity to recommend addition items at an appropriate time (deadline for completion of this task would be June 10 - 15.)

2. The Orange/Chatham Work Group should be asked to convene a series of informational meetings to facilitate preliminary discussion of issues identified by the planning directors; all jurisdictions would participate in these discussions although it would be understood that the final decision-making authority on land use regulations lies with Carrboro, Chatham and Orange Counties; OWASA would participate as an observer; meetings would be open to any other interested observers; representatives of each jurisdiction may be changed by the respective jurisdictions in light of the specific task to be undertaken by the work group at this time; the goal would be to clarify areas in which coordinated action might be advisable and possible and to describe areas where there may be disagreement; work group would prepare a short report to decision-making jurisdictions outlining areas of possible agreement and possible disagreement, necessary initiatives and recommendations concerning ultimate decision-making process - deadline for completion of this task would be approximately September 30th.

3. Governing boards of Carrboro, Chatham and Orange would review report from work group and decide about additional steps needed and decision-making process; goal would be to take necessary action in a coordinated fashion, taking into account other related ongoing planning efforts such as the rural character study being conducted by Orange County - deadline for completion of this task would be determined once issues and areas of possible agreement and disagreement are more clear.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE MEETING BE ADJOURNED. VOTE: AFFIRMATIVE ALL



Mayor



Town Clerk