

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 22, 1991 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     |
|               | Jacquelyn Gist      |
|               | Jay Bryan           |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael Brough      |

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE MINUTES OF OCTOBER 8, 1991 BE APPROVED. VOTE: AFFIRMATIVE ALL

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RESOLUTION PROCLAIMING NOVEMBER 3, 1991 AS MARCH AGAINST CRIME DAY

The following resolution was introduced by Alderman Hilliard Caldwell and duly seconded by Alderman Jacquelyn Gist.

RESOLUTION PROCLAIMING NOVEMBER 3, 1991  
AS MARCH AGAINST CRIME DAY  
Resolution No. 15/91-92

WHEREAS, the residents of all twelve (12) public housing communities in the Chapel Hill-Carrboro area have joined together to sponsor a march against crime and illegal drug use on November 3, 1991; and

WHEREAS, the residents of Carrboro's Oakwood community are part of this effort to promote greater citizen involvement in fighting crime; and

WHEREAS, the Town of Carrboro recognizes the importance of citizen participation in preventing crime and drug abuse.

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

Section 1. The Board hereby proclaims November 3, 1991 as March Against Crime Day in the Town of Carrboro and urge all Carrboro residents to join the Oakwood community in the March Against Crime activities scheduled to begin at Chapel Hill Town Hall at 3:00 p.m. on November 3rd.

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 22nd day of October, 1991:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

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CERTIFICATE OF APPRECIATION AWARDED

Mayor Kinnaird presented a certificate of appreciation to David Knight, a former member of the Carrboro Planning Board.

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PUBLIC HEARING RESET/CONDITIONAL USE PERMIT/U.S. POST OFFICE

The administration recommended that the public hearing on the conditional use permit request for the U.S. Post Office be rescheduled for November 19, 1991.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE PUBLIC HEARING BE RESCHEDULED FOR NOVEMBER 19, 1991. VOTE: AFFIRMATIVE ALL

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PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT REQUIRING DISCLOSURE OF DEVELOPMENT PLANS

This was a public hearing to consider a modified version of a text amendment to the Land Use Ordinance which would require the use of temporary signs throughout a project indicating future development plans and other important design features.

Julia Trevarthen, the town's Senior Planner, reviewed the two options for this amendment and stated that the administration recommended adoption of Option 4.

Mike Hughes, a developer, submitted objections to Options 3 and 4 and suggestions for implementation of Option 3.

Larry Carroll, with the Home Builders Association of Durham and Chapel Hill, stated that his organization would support Option 4.

Charles Finley, a resident of 200 Carol Street, suggested that older Carrboro neighborhoods be required to meet the requirements of the proposed ordinance especially for extension of roads.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT OPTION 3 BE REFERRED BACK TO THE TOWN STAFF WITH THE REQUEST THAT THE SUGGESTIONS MADE BY MIKE HUGHES BE CONSIDERED AND THAT OPTION 4 BE BROUGHT BACK TO THE BOARD WHEN OPTION 3 IS BROUGHT BACK TO THE BOARD. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GURGANUS, SHETLEY)

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PUBLIC HEARING/LAND USE ORDINANCE TEXT AMENDMENT CONCERNING DOWNTOWN PERMIT PROCEDURES

This was a public hearing to consider an amendment to the Land Use Ordinance which would make the ordinance more "friendly" to small businesses.

Julia Trevarthen, the town's Senior Planner, explained the proposed amendment. Ms. Trevarthen stated that the administration recommended approval of the proposed amendment.

Mayor Kinnaird stated that the Planning Board recommended approval of the proposed amendment with the following changes/additions:

1. When use categories in the Table of Permissible Uses have the "ZC" designation, the zoning administrator will have the discretion to change the permit requirement to a conditional use permit rather than a special use permit in circumstances where the project will have extraordinary impact on surrounding properties.
2. That the Board of Adjustment receive training in reviewing development plans.

Mayor Kinnaird stated that the Downtown Development Commission recommended that approval of the proposed amendment as a preliminary step in responding positively to the Commission's Doing Business With Carrboro report. In addition, the Commission recommended that the town staff continue to examine the development process to make changes that would truly differentiate between the zoning, special use and conditional use permit, such as developing a short list of information to be submitted for a zoning permit.

Mayor Kinnaird stated that the Appearance Commission recommended that any appearance change be brought before the Appearance Commission for approval.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO MAKE THE APPROVAL PROCESS LESS COMPLICATED FOR SMALL BUSINESSES," BE ADOPTED, AND THAT ANY APPEARANCE CHANGE BE SENT TO THE APPEARANCE COMMISSION FOR APPROVAL. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to request the town staff to prepare amendments to Section 148 of the Land Use Ordinance to state that when the zoning administrator finds a proposed use may have a significant impact on properties or the general public, the administrator would kick the application up to the special or conditional use permit requirements. In addition, the Board requested that this amendment be reviewed by the Appearance Commission, Downtown Development Commission and Planning Board prior to bringing it to the Board of Aldermen to set a public hearing.

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PRESENTATION OF AUDIT REPORT FOR FISCAL 1990-91

Sam McNarry, with Deloitte and Touche presented the town's audit report for fiscal year ending June 30, 1991.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE AUDIT REPORT BE ACCEPTED. VOTE: AFFIRMATIVE ALL

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REVIEW OF POSSIBLE IMPROVEMENTS TO JAMES STREET AND LORRAINE STREET NECESSITATED BY THE PROPOSED POST OFFICE

Sarah Burdick, the town's Transportation Planner, presented information on traffic counts in the vicinity of James, Main and Lorraine Streets.

Roy Williford, the town's Planning Director, presented alternatives for improvements to James and Lorraine Streets along with the estimated costs for each alternative.

Charles Finley stated that the sketches for the various alternatives were being distributed to the residents of the neighborhood surrounding the proposed post office.

It was the consensus of the Board to direct the town staff to request that NCDOT reconsider its decision to provide pedestrian access at the NC 54 and West Main Street intersection and to state under what conditions traffic signalization would be warranted at the intersection of James and Main Streets. In addition, the Board requested an interpretation of the traffic counts presented by the town staff. Also, the Board requested that possible locations for 4-way stops be considered, and that the town staff clarify its recommendation on development of a connector roads plan for the undeveloped areas north of Hillsborough Road.

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REPORT ON SLOPES ALONG STATE STREET PROJECT STREETS

David Poythress, with the town's Public Works Department, and Wally Bowman, resident construction engineer with N.C.DOT, reviewed the alternatives for reconstructing the 2:1 slopes to 3:1 slopes for potentially 31 properties along West Main Street, Hillsborough Road and North Greensboro Street.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY JAY BRYAN THAT THE 31 PROPERTY OWNERS N.C.DOT HAS INDICATED ARE AT THE MINIMUM 2:1 SLOPE BE CONTACTED AND ASKED IF THEY ARE SATISFIED WITH THEIR 2:1 SLOPES OR WOULD THEY PREFER THAT THEIR SLOPES BE CHANGED TO A 3:1 MINIMUM, AND THAT N.C.DOT PROVIDE THE BORROW SOIL MATERIAL AND ANY ADDITIONAL CLEARING NEEDED FREE OF CHARGE. VOTE: AFFIRMATIVE ALL

The following resolution was introduced by Alderman Tom Gurganus and duly seconded by Alderman Jay Bryan.

A RESOLUTION REQUESTING NCDOT TO  
BEAR THE COST OF MODIFYING THE 2:1 SLOPES  
ON CERTAIN LOTS ADJACENT TO THE ROAD IMPROVEMENTS  
ON MAIN STREET, HILLSBOROUGH ROAD, AND  
NORTH GREENSBORO STREET  
Resolution No. 14/91-92

WHEREAS, NCDOT and the Town of Carrboro have worked cooperatively in constructing the improvements to Main Street, Hillsborough Road, and North Greensboro Street; and

WHEREAS, the total cost of these improvement projects is projected to be over \$2.7 million and the town's contribution to this cost will be approximately \$700,000 in addition to approximately \$86,000 for the sidewalks to be paid at 100% cost by the Town of Carrboro; and

WHEREAS, the street improvements required certain changes in the pre-existing street grades, and this in turn required cutting or filling to the adjacent properties into the new street grades; and

WHEREAS, on approximately 31 properties that adjoin these streets, 2:1 slopes adjacent to the streets were created; and

WHEREAS, the 2:1 slopes were created, rather than a lesser slope, in order to minimize the need to remove trees adjacent to the streets; and

WHEREAS, several residents whose properties have been affected by the 2:1 slopes have requested that those slopes be adjusted to a 3:1 ratio; and

WHEREAS, if all those property owners whose properties have been affected by the 2:1 slopes requested an adjustment to 3:1, the cost would be an estimated \$18,581; and

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

Section 1. The Board requests that NCDOT accept responsibility for changing any or all of the 31 properties where 2:1 slopes have been created to 3:1 slopes upon the request of the property owner, and that NCDOT have this work performed at no additional cost to the town or its citizens.

Section 2. The Manager shall immediately send a copy of this resolution to appropriate officials at NCDOT and shall report back to the Board as soon as a response is received.

Section 3. 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 22nd day of October, 1991:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

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**APPOINTMENT TO ORANGE COMMUNITY HOUSING CORPORATION**

The Orange Community Housing Corp. has notified the town that LeAnn Nease's term as one of the Town of Carrboro's representatives on the Board of Directors of the Orange Community Housing Corp. will expire at the end of October, 1991. The Nominating Committee for the Orange Community Housing Corp. recommended that Ms. Nease be re-appointed to a three-year term.

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JAY BRYAN THAT LEANN NEASE BE RE-APPOINTED TO THE ORANGE COMMUNITY HOUSING CORP. VOTE: AFFIRMATIVE ALL

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**REQUEST TO CANCEL NOVEMBER 5TH BOARD MEETING AND SCHEDULE A BOARD WORKSESSION FOR NOVEMBER 6TH**

The administration requested that the Board of Aldermen cancel its meeting scheduled for November 5, 1991 due to the election being held on that date. In addition, if the Board wishes to hold the worksession scheduled by the Agenda Planning Committee on Wednesday, November 6, 1991, to discuss the downtown design guidelines, the administration requested that the Board officially schedule that worksession.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE NOVEMBER 5, 1991 MEETING OF THE BOARD OF ALDERMEN BE CANCELED, AND THAT THE AGENDA PLANNING COMMITTEE BE REQUESTED TO RESCHEDULE THE WORKSESSION TO DISCUSS THE DOWNTOWN DESIGN GUIDELINES. VOTE: AFFIRMATIVE ALL

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MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE BOARD ADJOURN TO WORKSESSION AT 12:45 A.M. VOTE: AFFIRMATIVE ALL

  
Mayor

  
Town Clerk