

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met jointly with the Planning Board at the Quarterly Meeting on November 27, 1961, at 7:30 P.M. o'clock with the following present: Mayor McClamroch; Aldermen Page, Wager, Walters, Strowd, Giduz, and Robinson, and Town Attorney LeGrand, Town Manager Peck. Members of the Planning Board present were: Messrs. ~~Hakan~~, Smith, ~~Stewart~~, Lasley, Burns, Powell, Lallanne, Cleaveland and Turner.

Mayor McClamroch stated that the purpose of the meeting was to bring before the Board's the following requests for rezoning, and special use permits as advertised; that no action would be taken at this time; that the requests would be referred to the Planning Board for its recommendation and then brought back to the Board of Aldermen.

1. Request of Mrs. Marie L. McArthur that her property on Columbia Street between Stinson Street and Longview Street be rezoned from RA-6 to RA-10A. No opposition was shown. Aldermen Giduz moved that the request be referred to the Planning Board for recommendation, seconded by Alderman Wager, and passed.

2. Request of Robert E. Page to rezone his lot at #125 S. Graham Street from RA-6 to Business. Mr. Page was not present. Alderman Robinson spoke against the request. Attorney Hodson, counsel for opposing property owners, stated that if this lot is rezoned it will decrease the value of nearby property; that there is a need for this type of housing; that he was submitting a petition signed by all the residents and property owners in the 100 block with the exception of the applicant. Alderman Giduz moved that the request be referred to the Planning Board for recommendation, seconded by Alderman Wager, and passed.

3. Request of Masterbuilt Homes, Inc. to rezone two areas (not contiguous) from RA-10, RA-20 & Agricultural to Regional Commercial and for a Special Use permit for Unified Housing Development. Mr. Blankstein came before the Board with maps and charts to explain the development. He stated there would be 1.5 acres for recreation; minimum traffic flow; carefully planned buildings; a fall-out shelter; that Masterbuilt owns the property; that they will submit plans to Planning Board. No opposition was expressed. Alderman Strowd moved that this request be referred to the Planning Board for recommendation, seconded by Alderman Walters, and passed.

4. Request of D. W. King, J. C. Williams, and Collier Cobb & Associates, Inc., individually, to rezone from RA-20 to Suburban Commercial their three lots located on the west side of E. Franklin Street between Meadowbrook Drive and Estes Drive. Collier Cobb, III. appeared before the Board. He stated his proposed professional building will not depreciate the area in which two of the three corners are already commercial. Mr. Cobb asked that if their lot was not rezoned, that he be given a special use permit to construct an office building and presented tentative plans for the building. In order to have enough land to qualify for a special use, part of the lot behind the corner lot would have to be included. Alderman Giduz moved that the request to rezone lots of Collier Cobb & Associates, Inc., from RA-20 Residential for a Special Use permit, be referred to the Planning Board for recommendation, seconded by Alderman Page, and passed.

Alderman Walters moved that the request of D. W. King to rezone a lot located on west side of E. Franklin Street between Meadowbrook Drive and Estes Drive from RA-20 Residential to Suburban Commercial be referred to the Planning Board for recommendation, seconded by Alderman Robinson, and passed.

Alderman Giduz moved that the request of J. C. Williams to rezone a lot on the west side of E. Franklin Street between Meadowbrook Drive and Estes Drive from RA-20 Residential to Suburban Commercial be referred to the Planning Board for recommendation, seconded by Alderman Giduz, and passed.

5. Request of W. O. Ray to rezone his property on the north west side of E. Franklin Street between Eastwood Lake Road and Milton Avenue from RA-10 to Commercial. Mr. Wilbur Kutz, agent for Mr. Ray appeared before the Board. He stated that Mr. Ray is residing in New York, but

would like to rezone this property so as to get the best price for it. It was established that about three years ^{ago}, adjoining property owners opposed this rezoning. Mr. William Tyler of Milton Avenue appeared before the Board again opposing this rezoning. Alderman Robinson moved that the request be referred to the Planning Board for recommendation, seconded by Alderman Strowd, and passed. Five members voted "aye". Alderman Wager voted "nay".

Revisions to the Subdivision Ordinance

The Board discussed revisions to the subdivision ordinance as recommended. Town Manager read the following recommendations:

Amendments on Improvements

Substitute a new Section 5 (B) for the present Section 5 (B), page 9, to read as follows:

"(B) Streets and Alleys. All streets and alleys in the subdivision shall be graded by the subdivider to the width, cross section, and profile specified by the Town Manager. In general, streets shall be cleared and graded to widths as follows: thoroughfares and collector streets, 56 feet; residential streets, 48 feet; and alleys, 20 feet. Sidewalks shall be graded, in all subdivisions in town, to a minimum distance of eight feet from the curb.

"Where water and sewer lines are required to be installed under Section 5 (D), the subdivider shall be required to install curb and gutter and pavement on all streets. In all other subdivisions, the subdivider may pave streets if it meets the requirements of the State Highway Commission. In either event, paving shall be to a minimum width of 40 feet on thoroughfares and collector streets, 32 feet on residential streets, and 16 feet in alleys, and shall be to such cross section and profile as shall meet the specifications on file in the office of the Town Manager.

"Approval of grading or paving of streets and alleys outside town shall be given by the Town Manager only after consultation with the district engineer of the State Highway Commission or his representative."

Proposed Amendments to Subdivision Regulations

Amend Section 5 (D), page 9, by adding the following immediately after the word "Utilities" and before the words "Water mains and sanitary sewers".

"All subdivisions shall be connected to an approved sewage disposal system, except as follows: (1) Where a stabilized rate of percolation of more than 2" per hour is obtained, septic tanks may be installed on lots with a minimum area of 20,000 square feet; or (2) where a stabilized rate of percolation of 2" per hour or less, but greater than 1" per hour is obtained, septic tanks may be installed on lots with a minimum area of one acre. Where a stabilized rate of percolation of 1" per hour or less is obtained, septic tanks will not be permitted, and the subdivision shall be connected to an approved sewage disposal system. The stabilized rate of percolation shall be that certified to the Planning Board by the District Health Department at the time the Preliminary Sketch is submitted.

For purposes of this ordinance an approved sewage disposal system shall consist of (1) the Town of Chapel Hill sewerage system or other system of a municipality or sanitary district created under the laws of the State, or (2) a "package" plant constructed by the subdivider in a location and to specifications approved by the Town Manager in consultation with the State Board of Health, or an existing "package" plant where it has been determined by the Town Manager in consultation with the State Board of Health that such existing plant has the capacity to handle the full load of the new subdivision at established State standards. Connections to the Town of Chapel Hill system shall be in accordance with the Town's policies for sewer extensions and connections. Where "package" plants are used, a plan setting forth standards for the operation and

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maintenance of the plant shall be approved by the Town Manager in consultation with the State Board of Health.

Subdivision Regulation - P 9-10

Section 5D.

Where the subdivision is provided with a public water supply there shall be not less than a six inch water line located so that a fire hydrant connected to this line would be within 800 feet, by street, of every lot in the subdivision. A 6" tee and valve shall be placed in the line at the proper location for each proposed hydrant, and where the street is to be paved, a six inch stub for the hydrant shall be extended behind the curb line.

Section 6A, page 11

There shall also be submitted a statement describing the type of water supply and sewage disposal facilities proposed to be installed in the subdivision. Where the installation of septic tanks is proposed, an analysis of percolation tests made under the supervision of, and certified by, the District Health Department shall accompany the subdivision plat. Where water is to be furnished by the University, the size and location of all proposed water mains shall be shown on the plat.

"All water mains, sanitary sewers, storm sewers, gas lines and other underground utilities and proper service connections shall be installed prior to street paving."

Miscellaneous Amendments

Amend Section 4 (B) (3), page 6, by striking out the figure "15" and substituting the figure "20" following the words "curb radii at street intersections shall not be less than" and before the word "feet,"

Amend Section 4 (B) (7), page 7, by striking out the word "Suburban" following the words "rear of all lots in" and before the words "Commercial Districts."

Amend Section 6 (A) (2), page 11, by adding at the end of the paragraph the following new sentence:

"; and an inset sketch map showing the location of the subdivision in relation to the Town and the principal highways or streets in the Chapel Hill region."

Amend Section 6 (A) (3), page 11, by adding the following clause immediately after the words "... and other open spaces;" and before the words "as may be required by...":

"contours of intervals of 5 feet or less, referred to sea level datum;"

Several persons in the audience questioned the necessity of 6 inch water lines leading to subdivisions, whereas 2" have been serving the needs, and topographical map requirements.

Adjournment of Public Hearing at 9:26 P.M.

The Board of Aldermen then convened in a Regular Meeting.

Minutes of the November 13, 1961, meeting were approved on a motion by Alderman Giduz, seconded by Alderman Robinson, and passed.

ASSESSMENT ROLL

Town Manager stated that notice of the Assessment Roll was published and the assessment roll has been available to the public in the Clerks Office for the past two weeks; that the Town has paid for the paving; that prices are based on the actual cost involved in each area. Alderman Giduz moved that the assessment roll be confirmed (time-9:45 P.M.) and that a copy be attached to these minutes, seconded by Alderman Walters, and unanimously passed.

Rolling Hills-Subdivision

Mayor McClamroch stated that because of a misunderstanding between the Planning Board and the District Health Department, he believes it would be in order to rescind the action taken by the Board at the last meeting. Alderman Strowd moved that the action as taken by the Board which requested the Planning Board restudy the Rolling Hills Subdivision, seconded by Alderman Page, and passed. Alderman Wager moved that the recommendation of the Planning Board to approve the Final Plat of the Rolling Hills Subdivision, be accepted, seconded by Alderman Walters, and passed.

NEW BUSINESS:

Whid Powell stated that the Planning Board would welcome any comments on the Subdivision Amendment at the meeting on December 5.

Alderman Robinson discussed sidewalks on W. Rosemary Street. Town Manager stated that when the property owners advise the Town that they will give the needed right of way, the Town will install a cement sidewalk; also that Mrs. Amelia Franklin, who lives at 401 Sunset Drive lacks 1,000 sq. feet to convert her home into two-family dwelling. The Board advised that Mrs. Franklin can seek a variance before the Board of Adjustment.

Adjournment at 10:03 P.M.

Robert M. McClamroch Mayor
Mary Lovejoy Town Clerk

November 27, 1961.

MINUTES

Board of Alderman

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on December 11, 1961, at 7:30 P.M. o'clock with the following present: Mayor McClamroch; Aldermen Giduz, Robinson, Page, Strowd, Walters and Wager; Town Attorney LeGrand and Town Manager Peck.

Minutes for November 27, 1961, meeting were approved on a motion by Alderman Robinson, seconded by Alderman Wager, and passed.

Delegations

A group of residents from Mt. Carmel who are interested in the proposed transmission power lines of Duke Power, appeared before the Board with John Manning as their counsel. He stated that the residents of Mt. Carmel, Clearwater Lake and Lystra Road oppose the power line being built in that area; that they do not want the University to profit at their expense; that if Duke Power proposes a line through their property, then they want a Public Hearing to be held and everything be brought out into the open. A protest petition signed by 47 persons was submitted to the Board to become a part of the records. The Mayor stated that if Duke Power propose a power line in that area, a public hearing will be had.

N.C. Building Code

Alderman Page moved the adoption of the following:

AN ORDINANCE TO ADOPT THE PROVISIONS OF THE NORTH CAROLINA STATE BUILDING CODE AND TO INCORPORATE THE PROVISIONS THEREOF AS THE BUILDING CODE FOR THE TOWN OF CHAPEL HILL

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I.

That the provisions of the "North Carolina State Building Code", as set forth and provided in the 1958 Edition of the "North Carolina State Building Code", as published by the North Carolina Building Code Council and the North Carolina Department of Insurance, be and the same are adopted as the official building code for the Town of

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