

Aldermen Smith seconded the motion and the resolution having been considered, it was adopted, Messrs. Aldermen Prothro, Giduz, Smith, Varley, Kage voting for the resolution and no one voting against it.

The Meeting was adjourned at 12:15 A.M.



Mayor



Town Clerk

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on Monday March 25, 1968 at 7:30 p.m. with the following members present: Mayor McClamroch; Aldermen Kage, Prothro, Giduz, Ethridge, Varley and Smith. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Prothro moved, seconded by Alderman Smith, that the minutes of the meeting of March 11, 1960 be approved as corrected. This was unanimously carried.

UNIVERSITY LAKE WATERSHED

Mrs. Herring told the Board that a large trailer park was proposed west of the University Lake in the Lake watershed, that a hearing was scheduled on this for March 26th, and that she thought that the Town should oppose granting a permit for the trailer park on the grounds of possible water pollution. Mark Burnham, planner for the Research Triangle Planning Commission, said that his board was concerned about the affect of this development. Alderman Giduz moved, seconded by Alderman Prothro, that a letter be sent to the County Commissioners asking that they consider the possible hazards in such development in the watershed, and requesting that they attempt to extend their zoning jurisdiction to include all of the watershed of the University Lake. This was unanimously carried.

REZONING & SPECIAL USE - UNIVERSITY SQUARE

Mayor McClamroch read a transmittal from the Planning Board recommending rezoning of the Eubanks and Queen property approximately as requested by Allan & O'Hara, the developers, and approval of a special use permit to allow a high rise dormitory for students to be constructed on this site. Alderman Prothro asked Mr. DeMaine, Town Planner, to discuss the project briefly. Alderman Ethridge said that in his opinion that such development would destroy the character of Cameron Avenue and that he was opposed to such encroachment. Alderman Smith questioned whether the proposal would meet the parking and open space requirements? It can be done only by using part of the existing University Square property. In a final question concerning proposed development of the balance of University Square, Mr. Hitchings said that they proposed a high rise building for offices in the north-west corner providing some 75,000 to 80,000 square feet, and when this is completed that the whole project would have to be in conformance with parking and open space requirements. Alderman Ethridge moved, seconded

by Alderman Prothro, that the requests for rezoning and the special use request be denied. Alderman Kage asked if a fraternity could be put in the portion of the Eubanks property now zoned RA-10A? One, or possibly two, could with special use permits. Alderman Smith suggested a modification with a wide strip of green along Cameron Avenue and a lower building. Alderman Kage said that probably nothing would ever go into this area that would be any more attractive than the dormitory now proposed. He said that dense development for housing students belonged within walking distance of the University not on the edge of Town. Alderman Smith suggested that the best alternative was to leave the areas for single family dwellings only. The homeowners need protection as well as the University and the students. Mr. DeMaine said that possible alternatives would be a fraternity court, a 22-unit apartment or some quasi public building. Alderman Varley said that the character presented by the Eubanks home could not be economically maintained and that he supported the project. Alderman Kage said that the past could not be perpetuated and what was desirable was to make the best of the automobile and not try to prohibit it. Alderman Prothro suggested reducing the height of the building by three stories and setting it back much further from the street. Voting on the motion: For - Prothro, Ethridge and Smith; Against - Giduz, Kage and Varley. Mayor McClamroch voted against the motion. Alderman Ethridge then suggested that the stipulations recommended on the special use request be discussed and suggested a minimum setback of 160 feet and a high screen along Cameron Avenue and all edges of the property with 6 to 8 foot fence or wall with planting. Arthur Tuttle told the Board that the ordinance limited walls on the front property line to 3 feet but that the planting could be six feet or higher. Mr. Hitchings asked if the Board would like to see landscape sketches and introduced Mr. Coulter to present a plan for landscaping a 10-foot strip along Cameron Avenue. Alderman Ethridge asked about a 3-foot additional setback beyond that shown on the plan to which Mr. Hitchings replied that it would be too close to the other tower but that it would be setback 10 feet or more. Alderman Smith asked if the parking lot could be lowered? Mr. Hitchings said that it could at some places but to lower it at the front might kill the trees and do more damage than not lowering it. Alderman Kage questioned the recommendation of the Planning Board prohibiting driveway entrances onto Cameron Avenue. Mr. Hitchings said that in his opinion this was not fatal to the project but could be very disadvantageous as this would become a long dead end entry way for a large number of cars that would have to enter or leave through the balance of the University Square area. He suggested that Fetzner Lane or Colony Court could be opened but that they would prefer not to. Alderman Kage asked where one driveway should be put if it were allowed? Mr. Hitchings said that they would prefer the center of the property so that the traffic could turn both right and left from the driveway, and that there would be traffic bumps which would limit speed and discourage through traffic. Marvin Allen objected to Mr. Hitchings being asked questions and objectors to the project not being asked questions. Alderman Ethridge said that he would oppose opening Fetzner Lane. Alderman Prothro moved, seconded by Alderman Giduz, that no access to this property be allowed except from Franklin Street. This was unanimously carried. Alderman Prothro moved, seconded by Alderman Giduz, that the dormitory building shall have a minimum setback distance of 130 feet from the right of way of Cameron Avenue and that the developer be requested to set the building back 30 feet further from the street if possible. This was unanimously carried. Alderman Ethridge moved, seconded by Alderman Prothro, that a landscape plan be submitted to the Planning Board and approved by them prior to the issuance of a building permit. This plan

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should include the planting both in front of the building and along the side lines and that the screen on the side should be not less than 6 feet in height. This was unanimously carried. Alderman Giduz moved, seconded by Alderman Prothro, that this be subject to the adoption of the necessary rezoning ordinances. This was unanimously carried. Alderman Prothro moved, seconded by Alderman Smith, to approve the special use request for a commercial dormitory for students as requested by Allan & O'Hara subject to the four stipulations adopted above. This was unanimously carried. Alderman Giduz moved, seconded by Alderman Varley, to approve the rezoning as recommended by the Planning Board, approximately as requested by Allan & O'Hara, and asked that an ordinance be drawn accordingly with the rezoning to become effective at some date to be specified when the ordinance was adopted. Alderman Giduz stated that he believed this project was good for the whole of Chapel Hill and would not destroy, as alleged, the atmosphere of Cameron Avenue. He noted that the Planning Board seemed to agree with this. Voting for the motion were Alderman Giduz, Varley and Kage; voting against the motion were Alderman Prothro, Smith and Ethridge. Mayor McClamroch voted for the motion.

STREET PAVING - LEE PAVING COMPANY

Mr. Jack Watts, representing Lee Paving Company of Sanford, requested an extension of the time for completion of the contract for street improvement on Laurel Hill Road and Stagecoach Road for the following reasons: On August 23rd when the contract had been signed the company would have started the project but was asked to hold up about two weeks so that a water line could be installed on Laurel Hill Road. On September 18th the water line was still not ready for street work to begin. The starting date was set by the Town Engineer at September 27th leaving only 53 of the 90 working days allowed in the contract. Storm drainage had to be changed by order of the Highway Department. This change involved considerable rock not contemplated in the original contract. There was vandalism of the equipment on the job delaying the project by a week or more. Just prior to the contract terminal date the Engineer was informed that most of Laurel Hill Road could be paved but not the complete section, and that Stagecoach Road was not ready. The Engineer's decision was that no paving should be put down on either street unless all of that street was ready. There were water leaks on Stagecoach Road that delayed work on this street. The weather did not permit paving during the latter part of December and all of January. The Engineer would not allow paving in February because of temperature. Attorney Denny read a written statement by Engineer Tom Rose indicating that there had been delays beyond the control of the contractor, and that the street would probably be better because the base was allowed to set up during the winter and that in his opinion there had been no monetary loss caused by the delay in the work. Alderman Varley moved, seconded by Alderman Prothro, that the time limit on the contract be extended to the time the Town accepted the work. This was unanimously carried.

HOUSING APPLICATION

Emery Denny read a resolution requested by the Housing Authority approving an application for \$40,000 for local planning funds for 100 new units and authority to enter the rent supplement and turnkey programs. The Board reviewed a list of questions from the Town Attorney to the Housing Authority in Atlanta and the replies to these questions. Alderman Kage pointed out that the Town Board would have no authority to review any sites under consideration except where rezoning was requested or special use required, that the Housing Authority is not required to give any public notice or hold any hearings on such matters. He also noted that the answer the Question 12 indicated that the Town might be expected to waive portions of the Zoning Ordinance to facilitate such projects and suggested that a paragraph be added to the resolution indicating that any projects

undertaken under this approval should conform with the zoning ordinance or any other ordinance or code of the Town of Chapel Hill. Alderman Smith moved that the resolution be approved as submitted with the addition of the suggested paragraph requiring compliance with all Town ordinances. This was seconded by Alderman Prothro and unanimously carried.

BOND ELECTION

The Board discussed the draft of two statements that had been prepared concerning the six issues to be voted on in May. The Board asked that an additional statement be included indicating that if the bonds for street improvement under Item 5 and those for parks, playgrounds and neighborhood facilities under Item 6 were approved by the voters, and then the Town was unable to obtain matching federal funds to support the proposed programs of concentrated code enforcement of which these are part, that these bonds would not be issued. With this correction the drafts were approved for distribution.

APPOINTMENT OF SUBSTITUTE JUDGES FOR THE ELECTION

Alderman Prothro moved that Mrs. Joan O'Brien be appointed as Judge for the Northside Precinct for the May 4th Election to replace Mrs. Jack Merritt. This was seconded by Alderman Ethridge and unanimously carried.

Alderman Varley moved that Mrs. David Dunn be appointed as Judge for the E. Franklin Street Precinct for the May 4th Election to replace Mrs. Pearson Stewart. This was seconded by Alderman Smith and unanimously carried.

Alderman Kage moved that Mrs. Nancy W. Pruden be appointed as Judge for the Country Club Precinct for the May 4th Election. This was seconded by Alderman Ethridge and unanimously carried.

Alderman Varley moved that Mr. Leon Ennis be appointed as Judge for the Glenwood Precinct for the May 4th Election to replace Mr. Roger A. Evans. This was seconded by Alderman Ethridge and unanimously carried.

Alderman Smith moved that Miss Gloria Robinson be appointed as registrar for the Westwood Precinct for the May 4th Election to replace Anne Queen. This was seconded by Alderman Prothro and unanimously carried.

Alderman Giduz moved that Miss Anne Queen be appointed as Judge for the Westwood Precinct for the May 4th Election to replace Miss Gloria Robinson. This was seconded by Alderman Smith and unanimously carried.

PARKING - BOUNDARY STREET

Alderman Giduz moved, seconded by Alderman Varley, that parking be allowed on the west side of Boundary Street between Franklin and Rosemary Street on Election Day only. This was unanimously carried.

ZONING - MF - PARK ROAD

Alderman Giduz moved adoption of an ordinance :

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED, SO AS TO REZONE THE AREA HEREINAFTER DESCRIBED

WHEREAS, after due advertisement as provided by law, a joint Public Hearing was duly called and held by the Board of Aldermen

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and the Planning Board of the Town of Chapel Hill on February 26, 1968 to consider requests for rezoning the area hereinafter described; and

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen rezoning of the area hereinafter described as requested; and

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board with the respect to the rezoning of this area; NOW, THEREFORE,

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

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted on March 14, 1955 and subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-10 to Multi-Family and the uses permitted in the areas designated as Multi-Family, as set forth in said Zoning Ordinance, shall hereafter apply to the following described area:

BEGINNING at a stake in the Southern property line of Parking Road, the Northeast corner of Lot No. 3 in the subdivision hereinafter referred to; running thence with the Southern property line of Park Road, South 15 degs. 48' East 115 feet to a stake, South 7 degs. 16' East 110 feet to a stake, corner of Chapel Hill Insurance and Realty Company's Chase Park property; thence with the line of the said Chase Park Property South 58 degs 35' West 210 feet to a stake, the northeast corner of Lot No. 10; thence with the line of Lot No. 10 North 7 degs 16' West 110 feet to a stake, the corner of Lots Nos. 10, 9 and 4; thence with the line of Lot No. 9 North 16 degs 48' West 115 feet to a stake, corner of Lots Nos. 9, 8 and 3; thence with the line of Lot No. 3 North 58 degs 35' East 210 feet to the beginning, containing 1.017 acres, more or less, and being Lots 4 and 5 of the KITTRELL MILL PROPERTY, as surveyed, subdivided and platted by R. M. Trimble for H. G. Dorsett April 21, 1924, which plat is recorded in the Office of the Register of Deeds of Orange County in Plat Book 1, at Page 12, and being "First Tract" of the land conveyed to Chapel Hill Insurance and Realty Company by deed of H. G. Dorsett and Wife, dated April 21, 1924, registered in said Register's Office in Book 83, at Page 305, and being the same land conveyed to E.W. Neville by L. J. Phipps, Receiver of Chapel Hill Insurance and Realty Company by deed dated March 19, 1953, and recorded in the Office of the Register of Deeds of Orange County in Book 145, at Page 463. This is Lot 10, Block A, Orange County Tax Map #90 as revised 1967.

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of March 1968.

to rezone to a Multi-Family two lots belonging to Elmer Pendergraph on Park Road. This was seconded by Alderman Prothro and unanimously carried.

ZONING - EXTRACTIVE USES

Alderman Ethridge moved adoption of the following ordinance to control Extractive Uses:

AN ORDINANCE TO AMEND PORTIONS OF THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED, TO PROVIDE FOR EXTRACTIVE USES

WHEREAS, after due advertisement as provided by law, a joint Public Hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on February 26, 1968, to consider changes in the Zoning Ordinance to provide for Extractive Uses; and

WHEREAS, following said Public Hearing the Planning Board recommended to the Board of Aldermen the adoption of the hereinafter described amendment to the Zoning Ordinance; and

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted on March 14, 1955, and as subsequently amended, be and the same is hereby further amended as follows:

- 1. Amend Section 3 entitled "District Regulations" by inserting in the listing of "Industrial Uses not otherwise Prohibited by Law" in the "Uses Permitted" column of the "Table of District Regulations - Uses Permitted", the following phrase immediately after the word "tannery"; "mining, other than limited extractive uses for which a Special Use Permit has been granted pursuant to Sec. 4 hereof;"
- 2. Amend Section 4 entitled "Special Use Permits", by inserting the following in the listing of Regulations for Special Use Permits:

<u>Use</u>	Limited Extractive Use
<u>Approved</u>	Board of Adjustment
<u>Permitted Districts</u>	Agricultural, Industrial
<u>Minimum Lot Area</u>	5 acres; the unrehabilitated area of operations must not exceed 10 acres
<u>Screening & Fencing</u>	Areas being excavated where the final slope will exceed 30% shall be enclosed with a fence at least 4 feet high not less than 10 feet from the excavation's edge
<u>Plans are Required and Must Show</u>	
<u>Topography</u>	Existing and finished topography at contour intervals not exceeding 5 feet
<u>Structure</u>	Location and approximate size of existing and proposed buildings and structures within the site and existing buildings and structures within 500 feet adjacent thereto

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Circulation

Proposed points of access and egress

Parking and Loading

A Parking area must be shown sufficient to assure that the traffic flow on any adjacent highway will not be impeded

Other Requirements

Property lines, highway right of way lines, streams and water courses, and the proposed plan for rehabilitation, including an estimate of the cost as certified by a civil engineer licensed to practice in North Carolina

Other Requirements

No Limited Extractive Use, associated storage, processing, or loading shall be conducted within 100 feet of any highway right-of-way line where excavation will lower the surface of the land below that of the existing roadway; no final slope shall exceed 50%; no blasting operations shall be conducted during the hours from 5:00 P.M. to 8:00 A.M., or in such a way as to cause nuisance or hazard to other property owners by way of noise, vibration, dust, or flying debris; no operation shall impede the normal flow of any stream or water course, silt up or pollute any stream, or undermine any public road or bridge, or promote flooding on adjacent property. All abandoned areas of operation in any Limited Extractive use shall be rehabilitated to the extent of grading in such a manner as to promote non-erosive drainage, and to a final slope not to exceed 50%; a natural cover viable for the soil type, as recommended by the County Agricultural Agent, shall be planted to secure all slopes. A surety bond in an amount approved by the Board of Adjustment and in a form approved by the Town Attorney, shall be posted with the Town of Chapel Hill to insure that the rehabilitation requirements of the permit, as issued, are completed. The Board of Aldermen may impose any additional rehabilitation requirements as it may deem necessary as a condition on the Special Use Permit.

3. Amend Section 5-B entitled "Non-conforming Uses of Land"

by adding the following paragraph at the end of that section:

Any Limited Extractive use existing in the Chapel Hill Planning District as of March 25, 1968 shall be permitted to continue its operations. However, the owner or operator of every such use shall, within one year after said date, submit an application for a Special Use Permit, indicating compliance with all requirements for a Limited Extractive use set forth in Section 4; Regulations for Special Use Permits. Failure to submit an application for Special Use on or before the specified date shall render such Limited Extractive Use a non-conforming use of land, and such use shall cease operations within 60 days.

4. Amend Section 12 entitled "Definitions" by inserting the following definitions in the appropriate places:

Mining - A use where any material or substance other than water is extracted from the earth for use or sale by digging, boring, quarrying, stripping, or washing, but not including the removal or disposal of such materials or substance from highway cuts where a final construction plan exists, or from the excavation for a structure for which a building permit has been issued, or in the leveling or preparation of land for building sites.

Limited Extractive Use - Quarrying, or removal of clay,

topsoil, sand, or gravel, and normal crushing, sorting, or washing with plain water of such substances, but not including the removal or disposal of such substances from highway cuts where a final construction plan exists or from the excavation for a structure for which a building permit has been issued, or in the leveling or preparation of land for building sites.

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of March, 1968.

This was seconded by Alderman Prothro and unanimously carried.

ZONING - DRIVE IN BUSINESSES

Alderman Smith moved adoption of an ordinance controlling Drive In Businesses:

AN ORDINANCE TO AMEND PORTIONS OF THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, and as **SUBSEQUENTLY** AMENDED, TO PROVIDE FOR DRIVE-IN BUSINESSES UNDER THE SPECIAL USE SECTION

WHEREAS, after due advertisement as provided by law, a joint Public Hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on February 26, 1968 to consider changes in the Zoning Ordinances with regard to Drive-In Businesses; and

WHEREAS, following said public hearing the Planning Board recommended to the Board of Aldermen the adoption of the hereinafter described amendment to the Zoning Ordinance; and

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted on March 14, 1955, and as subsequently amended, be and the same is hereby further amended as follows:

1. Amend Section 4, designated "Special Use Permits", by inserting the following in the listing of Regulations for Special Use Permits:

<u>Use</u>	Drive-in Business
<u>Approved</u>	Board of Adjustment
<u>Permitted Districts</u>	The location of Drive-in Businesses shall be in compliance with the Table of District Regulations
<u>Minimum Lot Area</u>	As required by the Table of District REgulations for appropriate district

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Parking and Loading

Parking shall not be permitted on sidewalks; no vehicular overhand shall be permitted on pedestrian walkways

Screening and Fencing

Parking, storage, and service areas of Drive-in Business shall be screened from the view of abutting (residential) properties by suitable, solid-appearing continuous walls, fences, or planting, at least six foot high; no such enclosure shall come within 25 feet of the intersection of a driveway centerline and a street line; (provided however, in the event such use is exclusively a drive-in window facility operated by a commercial bank, savings and loan association, or similar institution, screening and planting shall be required only to the extent required by the Board of Adjustment in granting the Special Use Permit).

Plans are Required and Must ShowStructures

Location of structures and arrangements of all proposed parking, storage, and service areas, including lighting, fencing, landscaping, protective screening at lot lines adjacent to abutting residential property and facilities for trash removal.

Circulation

Proposed points of ingress and egress together with the proposed pattern of internal automobile circulation, including proposed provision for pedestrian movement.

Parking and Loading

Location and extent of proposed service areas.

Other Requirements

Location and size of proposed signs and description of proposed plan for disposal of trash, garbage, and litter.

Other Requirements

1. The location on the lot and character of a Drive-in Business if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs.
2. Ingress and egress to any street shall not substantially increase traffic hazards.

3. Driveways shall be in compliance with all existing ordinances and other applicable regulations.
 4. Pedestrian walkways shall be clearly separated and well defined from service areas by curbs.
 5. Driveways shall be well defined by curbs, planting, or other devices along curb line on all streets upon which lot faces.
 6. No merchandise shall be displayed or business conducted between the street line and the front building line set by this ordinance with the exception of automobile service stations, where no merchandise shall be displayed or business conducted between the street line and the front building line other than service station pump islands.
 7. Lighting fixtures shall be of such design as to restrict fisability of light source to the property illuminated.
 8. Signs shall be in compliance at all times with all applicable ordinances and regulations.
 9. Refuse cans, where needed, shall be attractively designed and conveniently located. Provision for the regular disposal of trash, garbage and litter from the premises shall be made.
2. Amend Section 12, designated "Definitions", by inserting the following in the appropriate place:

Drive-in Business - A Drive-in Business is one which provides service outside the atructure to customers on foot and/or in automobiles, including but not limited to businesses such as" automobile service Stations, (foot service stands), soft drink stands, car washes, (and drive-in windows facilities for use by a commercial bank or savings and loan association or similar institutions).

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of March, 1968.

This was seconded by Alderman Ethridge and carried by a vote of 5-0 with Alderman Kage abstaining.

ZONING - SETBACKS - CBD

Alderman Prothro moved adoption of an ordinance establishing building setback lines in the Central Business District. This was seconded by Alderman Smith and unanimously carried:

AN ORDINANCE TO AMEND PORTIONS OF THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED, CONCERNING THE SETBACKS IN THE CENTRAL BUSINESS DISTRICT

WHEREAS, after due advertisement as provided by law, a joint Public Hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill, on February 25, 1968, to consider changes in the Zoning Ordinance to provide for a minimum setback in the Central Business District; and

WHEREAS, following said Public Hearing the Planning Board

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recommended to the Board of Aldermen the adoption of the hereinafter described amendment to the Zoning Ordinance; and

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I.

1. That Section 3, entitled "District Regulations", be amended by placing in the "Table of District Regulations-Lot, Yard, Height," under the column headed "front depth in feet (See Note C)" in the line applicable to Central Business following "(See Note C-5)" the following "(See Note C-6)".

2. Amend Section 3, entitled "District Regulations" in that portion entitled "Notes Accompanying Table of District Regulations" by adding after Note C-5 the following "6. No. building constructed in the Central Business District after the date of this ordinance shall be less than 30 feet from the centerline of the street right of way."

SECTION II.

All ordinances shall specifically rescind the following ordinances:

1. An ordinance dated October 22, 1948 (Book 8, Page 48) pertaining to a setback line on Kenan Street.
2. An ordinance dated March 12, 1947 (Book 7, Page 312) pertaining to a setback on the east side of Roberson Street.
3. An ordinance dated May 13, 1957 (Book 10, Page 119) pertaining to a setback line on East Rosemary Street.
4. An ordinance dated June 18, 1947 (Book 7, Page 327) pertaining to a setback line on the south side of West Rosemary Street.
5. An ordinance dated July 8, 1957 (Book 10, Page 139) pertaining to a building setback line on West Rosemary Street.

SECTION III.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of March, 1968

REZONING - MF - BOLIN CREEK

Alderman Smith moved adoption of an ordinance rezoning to Multi Family about 35 acres along Bolin Creek south of Estes Drive belonging to Frank Umstead. This was seconded by Alderman Giduz and unanimously carried:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED, SO AS TO REZONE THE AREA HEREINAFTER DESCRIBED

WHEREAS, after due advertisement as provided by law, a joint Public Hearing was duly called and held by the Board of Aldermen and the Planning Board of the Town of Chapel Hill on February 26, 1968 to consider requests for rezoning the area hereinafter described; and

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen rezoning of the area hereinafter described as requested; and

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board with the respect to the rezoning of this area; NOW, THEREFORE,

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

SECTION I.

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas", as adopted on March 14, 1955 and subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-15 to Multi-Family and the uses permitted in the areas designated as Multi-Family, as set forth in said Zoning Ordinance, shall hereafter apply to the following described area:

BEGINNING at a point 180 feet South of the Southwest intersection of Severin Street and Ward Street and running thence with Block N. Elkin Hill, South 72 degs, 38' West 520 feet to a stake and North 17 degs. 22' West 150 feet to a stake in the dead end cul de sac at the Western extremity of Severin Street; thence with said cul de sac along the arc of a circle to the right with a radius of 60 feet 150 feet, more or less, to a stake; thence with Block O, Elkin Hill, North 17 degs. 22' West 150 feet; North 72 degs. 38' East 100 feet to a stake; North 17 degs, 22' West 180 feet to a stake in the South property line of Barclay Road; thence with said line North 72 degs. 38' East 140 feet to a stake and thence North 17 degs. 22' West 240 feet to a stake; thence North 72 degs. 38' East 100 feet to a stake; thence North 17 degs. 22' 125 feet to a stake; thence with a branch in a Northeastern direction 165 feet to a stake; running thence North 72 degs. 38' East 53 feet to a stake in the West property line of Ward Street; thence with the Western property line of Ward Street North 17 degs. 22' West 397 feet, more or less, to a stake in the South property line of Estes Drive Extended; thence with the southern and southeastern property line of Estes Drive extended about 2,300 feet to a point in the center line of Bolin Creek; thence with said creek in an eastern direction 450 feet to a point; thence South 14 degs. West 710 feet to a stake; thence with the cemetery South 87 degs. 14' East 1,230 feet to a stake; thence North 22 degs. 20' East 815.35 feet to a stake in the West property line of Ward Street; running thence with Ward Street North 17 degs. 22' West 625 feet to the BEGINNING.

SECTION II.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of March, 1968.

RELEASES

Alderman Ethridge moved, seconded by Alderman Kage, that the following taxes be released as erroneously charged. This was unanimously carried.

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Mrs. H. A. Whitfield	3855	\$ 12.00	Not covered, just a lot
Lawrence A. Thomas	4776	64.12	Double listed, same as Rec.#4782
Mrs. W. M. Bell	4484	30.00	Not connected
Marvin Norwood	2554 (1966)	23.10	County reduced valuation from 13,160 to 11,060

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<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Leafy Spear Pollock	2940	9.25	Property not in Town

PLANNING BOARD APPOINTMENT

Mayor McClamroch read a letter from Andy Shearer resigning from the Planning Board because he was moving out of town. The Board appointed Charles Weiss to replace Mr. Shearer for the remainder of his term.

SPEED LIMITS

The Street Committee recommended that the Board request the Highway Commission to reduce the speed limit to 20 mph on East Franklin Street between the Central Business District and Raleigh Road, and on South Columbia Street between the Central Business District and Cameron Avenue. Alderman Giduz moved the adoption of this report. This was seconded by Alderman Varley and unanimously carried.

SALE OF GARBAGE BODY

Alderman Ethridge moved, seconded by Alderman Prothro, that a bid of \$325.28 made by James Burnett on a used garbage body be accepted. This was unanimously carried.

The meeting adjourned at 11:40 P.M.



Mayor



Town Clerk

MINUTES

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on Monday, April 8, 1968 at 7:30 p.m. with the following members present: Mayor McClamroch; Aldermen Smith, Giduz, Prothro, Kage, Ethridge and Varley. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

MINUTES

Alderman Prothro moved, seconded by Alderman Varley, that the minutes of the meeting of March 25, 1968 be approved as distributed. This was unanimously carried.

RESOLUTION

Alderman Smith introduced the following resolution and moved its adoption:

WHEREAS, on April 4, 1968, Dr. Martin Luther King, Jr. pioneer and promoter of the non-violent activities of the Civil Rights Movement was assassinated and

WHEREAS the Chapel Hill community is deeply grieved at the tragedy that has befallen the family of Dr. King, and the terrible loss this constitutes to the cause of universal brotherhood in this crucial period of our world history.