

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on December 9, 1957, at Town Hall at 7:30 P. M., o'clock with the following present: Mayor Cornwell; Aldermen Wager, Strowd, Robinson, Giduz, Walters and Davis; Town Attorney LeGrand and Town Manager Rose. Planning Board members present were Messrs. Potter and Chapin.

Minutes for the Regular Meeting of November 18, 1957, were approved as read on a motion by Alderman Giduz, seconded by Alderman Wager.

Minutes for the Public Hearing of November 25, 1957, were approved as read on a motion by Alderman Walters, seconded by Alderman Robinson.

Mr. C. E. Stevens, Administrator, of the T. A. Hudson Estate appeared before the Board in the matter of rezoning two areas in the angle between the old and new Durham Highways from RA-20 to Suburban-Commercial. As the Planning Board's policy is to avoid spot development, the Board advised Mr. Stevens that he should prepare a plan for unified development of the area, working with the owner of the property between the two areas. No action was taken at this time.

MERRITT MILL ROAD - Sidewalk. Town Manager Rose stated that this matter has been held up because of insufficient number of signers on the petition, but now the Town has the signatures of all the property owners. Alderman Walters moved that Town Manager Rose be instructed to proceed with the sidewalk plan, seconded by Alderman Robinson, and passed.

MONTHLY REPORTS. Mayor Cornwell read a report from E. E. Peacock, Auditor, wherein he stated that the vouchers for the month of November, 1957, have been examined and he has found them to be in order and properly supported.

Reports from the Health Department, Fire Department, Police Department and Chapel Hill Recorder's Court were examined.

TOWN ATTORNEY.

Alderman Giduz moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955, AND SUBSEQUENTLY AMENDED.

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 August 26, 1957, to consider requests for rezoning certain areas hereinafter described; and

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

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to

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the rezoning of said areas;

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," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from RA-20 to RA-10 Residential, and that the uses permitted in areas designated as RA-10 Residential as set forth in said zoning ordinance shall hereafter apply to the following described area:

Beginning at a point in the Eastern margin of North Carolina Highway #86, being V. I. Moody's southwest corner, and running thence with Moody's line North 89 degrees 55 minutes East 785.8 feet to the center line of Roberts Street; North 18 degrees 08 minutes East approximately 400 feet to the Northern line of the Zoning District; North 77 degrees 20 minutes East approximately 2,375 feet to the Eastern line of the Ted Greene property; thence in a southerly direction with the Eastern line of the Ted Greene property approximately 1215 feet to the Southeast corner of the Ted Green property; thence North 89 degrees 44 minutes West 3,130 feet to the Eastern margin of N. C. Highway #86; thence with the Eastern margin of said Highway in a northerly direction 338 feet to the beginning to Residential RA-20 to RA-10 Residential.

Section II

All ordinances, laws, and clauses of laws in conflict herewith are hereby repealed.

This, the 9th day of December, 1957.

seconded by Alderman Strowd, and unanimously adopted

Alderman Davis moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955, AND SUBSEQUENTLY AMENDED.

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 May 27, 1957, to consider requests for rezoning certain areas hereinafter described; and

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen

the rezoning of the areas hereinafter described; and

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from RA-20 Residential to RA-15 Residential and that the uses permitted in areas designated as RA-15 Residential as set forth in said zoning ordinance shall hereafter apply to the following described area:

Beginning at an iron stake at the Southeastern corner of Shelton Womble's property and the Western right-of-way of U. S. Highway 15-501, and running thence with the property line of said Shelton Womble South 79 degrees 39 minutes West 266 feet to a point, the said point being 250 feet from the said U. S. Highway 15-501 measured along a line at a right angle to the said Highway; thence South 9 degrees 45 minutes West along a line parallel to and 250 feet from said Highway to a point where said line intersects the rear boundary line of lot No. 35, as shown on the preliminary sketch of "Connor Ridge", drawn by Godwin & Bell, dated April 18, 1957, thence along the rear line of lot No. 35 and the south boundary line of lot No. 34 to the Western right-of-way of U. S. Highway 15-501; thence North 9 degrees 45 minutes East along the said right-of-way to the point of beginning.

Section II

All ordinances, laws, and clauses of laws in conflict herewith are hereby repealed.

This, the 9th day of December, 1957.

seconded by Alderman Robinson, and unanimously adopted.

Alderman Davis moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955, AND SUBSEQUENTLY AMENDED.

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 May 27, 1957, to consider requests for rezoning certain areas hereinafter described; and

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

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from Agricultural to RA-15 Residential and that the uses permitted in areas designated as RA-15 Residential as set forth in said zoning ordinance shall hereafter apply to the following described area:

Beginning at a point in Shelton Womble's southern line, the said point being 250 feet from U. S. Highway 15-501 measured along a line at a right angle to the said highway and running thence with the said Shelton Womble's line South 79 degrees 39 minutes West 71.7 feet; thence North 85 degrees 02 minutes West 256.3 feet to a stake; thence North 4 degrees 58 minutes East 15 feet to a stake in center line of Old Durham-Chapel Hill Road; thence following the center line of Old Durham-Chapel Road South 85 degrees 00 minutes 290 feet; thence South 88 degrees 32 minutes West 260 feet to C. T. Womble and J. N. Couch corner; thence South 80 degrees 30 minutes West 246 feet; thence South 69 degrees 00 minutes West 100 feet; thence South 55 degrees 00 minutes West 276 feet; thence South 60 degrees 45 minutes West 610 feet; thence South 50 degrees 15 minutes West 12.5 feet; thence South 36 degrees 00 minutes East 183.5 feet to Southeast corner of Frederick Conner's property; thence South 42 degrees 30 minutes West 390 feet to Southwest corner of Frederick Conner's property; thence South 31 degrees 00 minutes 00 minutes East 150 feet to the Southern boundary of N. C. Public Service Gas Line Easement; thence following the rear boundary line of lots facing Wallace Street, as shown on the preliminary sketch of "Conner Ridge", drawn by Godwin & Bell, dated April 18, 1957, to a point 250 feet from U. S. Highway 15-501; thence North 9 degrees 45 minutes East along a line parallel to and 250 feet from said Highway to the point of beginning.

Section II

All ordinances, laws, and clauses of laws in conflict herewith are hereby repealed.

This the 9th day of December 1957.

seconded by Alderman Robinson, and unanimously adopted.

Alderman Wager moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREA AS ADOPTED MARCH 14, 1955, AND SUBSEQUENTLY AMENDED.

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 May 27, 1957, to consider requests for rezoning certain areas hereinafter described; and

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

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from Agricultural to RA-15 Residential, and that the uses permitted in area designated as RA-15 Residential as set forth in said zoning ordinance shall hereafter apply to the following described area:

All that tract and parcel of land situated lying and being in Chapel Hill Township, Orange County, N.C., and known as a part of Roberson-Claytor farm and the Hoke Iron Mine property and situated on both sides of Bolin Creek a short distance North of Town of Chapel Hill and more particularly described as BEGINNING at a stake at the Southwestern intersection of Barclay Road and Weiner Street and running thence along the West property line of Weiner Street (a 60 foot street) South 22 degrees 20 minutes West about 1916.2 feet to a stake in South line of the road leading into the dwelling house on the property herein conveyed and running thence with the line of the said road South 71 degrees 43 minutes East 60 feet to a fence post; running thence South 22 degrees 20 minutes West 280 feet to the center of Bolin Creek; running thence down the center of said creek in an Eastern direction to its intersection with Tanyard Branch; running thence up to Tanyard Branch in a Southwestern direction about 800 feet to the J. C. Merritt line; running thence North 87 degrees 52 minutes West 1400 feet to a stake in a branch; running thence down said branch and crossing in the Southern Railroad Company' right-of-way to a point in the said branch and

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the said East line of the said right-of-way North 35 degrees 55 minutes West 1647 feet to the center line of Bolin Creek; running thence up the center of the said creek and again crossing the said right-of-way to an iron stake in the East bank of the creek, a corner of the Webb-Harward property; running thence with the line of the said property and again crossing the said right-of-way North 13 degrees 05 minutes East 1953 feet to a concrete monument and pointers; running thence South 67 degrees 52 minutes East 571 feet to a concrete monument and pointers; running thence North 16 degrees East 1007 feet to a concrete monument and pointers, a corner of the property of the University of North Carolina; running thence North 76 degrees 58 minutes East 1084 feet to a concrete monument; running thence with the line of the said property South 5 degrees 13 minutes West 1762 feet to a concrete monument, and pointers; running thence South 82 degrees 28 minutes East 23 feet to a stake, a corner of the Elkin Hill property; running thence with the line of the said property South 19 degrees East 892 feet to a stake in the South property line of Barclay Road; running thence along the South property line of the said road North 71 degrees East 896 feet to the beginning, containing 223 acres, more or less. The property herein conveyed was surveyed and plotted by F. M. Carlisle.

Section II

That the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from RA-6 Residential to RA-15 Residential, and the uses permitted in areas designated as RA-15 Residential as set forth in said zoning ordinance shall hereafter apply to the following described area:

That property described as lying East of Tanyard Branch and South of Bolin Creek is now in RA-6 and is more particularly described as BEGINNING at a point in Bolin Creek, T. M. Greene's Northwest corner and which point is about 3900 feet from the Airport Road, now N.C. Highway No. 86; running thence with the said Greene's line South 4 degrees 52 minutes West 725 feet to an iron in a rock pile; running thence North 87 degrees 52 minutes West 1,035 feet to Tanyard branch; running thence down the said branch in a Northeastern direction to its intersection with Bolin Creek; running thence down Bolin Creek in an Eastern direction to the beginning, and containing 8 acres, more or less.

Section III

All ordinances, laws, and clauses of laws in conflict herewith are hereby repealed.

This, the 9th day of December, 1957.

seconded by Alderman Walters, and unanimously adopted.

Alderman Robinson moved the adoption of the following:

AN ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955, AND SUBSEQUENTLY AMENDED.

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 May 27, 1957, to consider requests for rezoning certain areas hereinafter described; and

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

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to the rezoning of said areas;

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," adopted March 14, 1955, and as subsequently amended, be and the same is hereby amended so that the following area be and the same is hereby rezoned from RA-6 Residential to Business, and that the uses permitted in areas designated as Business as set forth in said zoning ordinance shall hereafter apply to the following described area:

Beginning at the Western edge of Nunn Alley on the North Side of West Rosemary Street and extending West on West Rosemary Street to the Eastern margin of North Roberson Street and extending back for a distance of 200 feet from West Rosemary Street.

Section II

All ordinances, laws, and clauses of laws in conflict are herewith repealed.

This the 9th day of December, 1957.

seconded by Alderman Walters, and unanimously adopted.

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Alderman Robinson moved the adoption of the following:

ORDINANCE RELATING TO TRAFFIC ON PITTSBORO STREET BETWEEN CAMERON AVENUE AND SOUTH COLUMBIA STREET.

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

I

That on and after the 1st day of January, 1958, it shall be unlawful to operate an automobile truck on Pittsboro Street between Cameron Avenue and South Columbia Street except local delivery trucks used in making deliveries to or from houses located in said area, it being the intent and purpose of this ordinance to close Pittsboro Street, between Cameron Avenue and South Columbia Street, to use and operation by through trucks and by trucks not engaged in making deliveries to or from houses located within said area.

II

Each and every violation hereafter shall be punishable as a misdemeanor.

III

This the 9th day of December, 1957.

seconded by Alderman Strowd, and unanimously adopted.

Security Homes Company Sewer Line - Ridgefield.

Town Manager Rose read a letter wherein the Security Homes Company requested a written expression from the Town as to when they may expect payment of the balance of the sewer cost as forty houses have been connected to the sanitary sewer line. Town Manager Rose was instructed to advise them that payment may be expected by late spring 1958.

Rezoning Ayr Road & Highway 54. In this matter of rezoning on the South East corner of Ayr Road and Highway 54 which would normally be heard at a Public Hearing on the 4th Monday in February, it was not established that an emergency exists. Alderman Davis moved that the matter be considered at the regular time in February, seconded by Alderman Strowd, and passed.

PLANNING BOARD REPORTS. In rezoning the following:

Hidden Hills Extension from Agricultural to RA-20. Alderman Giduz moved that the Board of Aldermen accept the recommendation

of the Planning Board to approve this request, seconded by Alderman Walters, and passed.

Estes Drive and Durham Boulevard from RA-20 to Suburban Commercial. The petitioner, The Service Insurance & Realty requested that no action be taken at this time. Alderman Davis moved that the request be accepted by the Board of Aldermen, seconded by Alderman Strowd, and passed.

East Franklin Street and East Rosemary Street from RA-10 to RA-10A The petitioner, Mr. John T. Manning, Agent, requested that the petition be withdrawn. Alderman Wager moved that his request be accepted by the Board of Aldermen, seconded by Alderman Robinson, and passed.

E. Rosemary & E. Franklin Street from RA-6 & RA-10A to Business. The Planning Board recommended the approval of this request. Alderman Strowd moved that the recommendation of the Planning Board be accepted, seconded by Alderman Giduz, and passed.

Conner Ridge Subdivision - Preliminary Plat. The Planning Board recommended the approval of the plat on the second portion of Conner Ridge Subdivision, comprising lots 44-46, 62-86, and 99-101. Alderman Davis moved the recommendation of the Planning Board be accepted, seconded by Alderman Walters, and passed.

Plantation Acres - Final Plat. The Planning Board recommended the approval of the final plat. Alderman Walters moved that the recommendation of the Planning Board be accepted, subject to the developer's submittal to the Town Manager the necessary copies of the plat as required by the Subdivision Ordinance, seconded by Alderman Wager, and passed.

T. M. Greene Property - Preliminary Plat. The Planning Board deferred action on this preliminary plat as submitted until the developer provides a map of his whole tract showing its proposed development as required in the Subdivision Ordinance. The Board of Aldermen took no action at this time.

Hidden Hills Extension Subdivision - Preliminary Plat. The Planning Board recommended the approval of the Preliminary Plat consisting of lots 17-29. Alderman Giduz moved that the recommendation of the Planning Board be accepted, seconded by Alderman Strowd, and passed.

Extension of the Fire District. Town Manager Rose read a letter from E. G. Merritt, Samuel H. Magill and John Alexander McMahon, Commissioners, requesting that the following described territory be added to the territory of the said District:

Beginning at the Eastern-most point of the South Section of the Greater Chapel Hill Fire Protection District, where the Meeting of the Waters Branch intersects with U. S. 15-501 known as the Chapel Hill bypass; running thence with U. S. 15-501 in a North-easterly direction, across the intersection of Laurel Hill Road and Laurel Hill Road Extension with U. S. 15-501, to a point where the property of the University of North Carolina touches the South-eastern side of U. S. 15-501; thence with the property line of the University of North Carolina in a South-easterly direction to the intersection of that property line with Morgan Creek; thence with Morgan Creek in a Westerly direction to the point where Morgan Creek inter-

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sects with the property line of E. G. Merritt; thence in a northerly direction with the property line of E. G. Merritt and the Easterly boundary of the Winter Hill Development to U. S. 15-501; thence in a North-easterly direction with U. S. 15-501 to the beginning point; which area is further described as including Laurel Hill Road Extension, Coker Drive, Kings-Mill Road, Sourwood Drive, Bartram Drive, Spring Lane, Oteys Road, Morgan Creek Road, and any other road or street heretofore or hereafter opened in the said area.

Alderman Robinson moved that this area be added to the district, seconded by Alderman Wager, and passed, subject to any required approval by the North Carolina Fire Insurance Rating Bureau.

COPYING MACHINE. Town Manager Rose supplied prices and descriptions of a "Thermo-Fax" copying machine which is needed by the Town Office. Alderman Walters moved that the Town Manager be authorized to purchase the copying machine; that funds for payment be taken from the Contingency Fund, seconded by Alderman Wager, and passed.

CURB & GUTTER - Oakwood. Town Manager Rose stated that letters have been mailed to all signers of the petition on Oakwood Drive, advising them that the cost of curb and gutter will run \$3.82 per front foot; that property owners have been asked to return to the Town, a statement of whether or not they want curb and gutter. Of the 24 replies received, only four answered favorably.

Colored Cemetery

Town Manager Rose stated that Ed Swain, and Bynum Weaver have requested to buy five (5) acres of the eleven (11) acres contained in the Town's Colored Cemetery, and other would like to buy the remainder of the area. Town Attorney LeGrand was requested to look into the matter. No action was taken at this time.

Ackland Museum. The University would like to have four trees removed in that area, two of which are already dead. The matter is to be studied by the Committee of the Whole.

Glenwood School. The school authorities requested the closing to vehicle traffic the unnamed road running from N. C. Highway 54, just west of the Phillips 66 Service Station, to the school. This involves property owned by John T. Manning, James Godfrey and William Muirhead in addition to the service station. It was decided to discuss this matter with the owners.

The Committee of the Whole were asked to study the petition to annex an area South of Carrboro in the neighborhood of the Lincoln High School.

Mr. Adolphus Clark came before the Board in the matter of proceeding with plans for the swimming pool at the Colored Recreation Center. He was advised to consult with the Town Attorney and proceed with plans to incorporate and get organized.

NEW BUSINESS.

Alderman Giduz inquired about traffic islands at Battle Lane Cameron Avenue & Country Club Road, also on the Airport Road at North Columbia and North Streets.

Alderman Strowd stated that before another wave of new commercial buildings takes place, the Town should have an Ordinance extending the Fire District to cover the entire business district. Alderman Strowd moved that the Town Attorney draw up

such an ordinance, seconded by Alderman Walters, and passed.

Alderman Robinson asked if something could be done about the storm water that flows from Cameron Court across the Leola Foust yard; also the water that stands on both side of West Rosemary street in front of the Methodist Church. He also asked about plans for extending McDade Street west across the branch to Mitchell Lane.

On a motion made by Alderman Davis, seconded by Alderman Strowd and unanimous consent, the meeting was adjourned at 9:15 P.M., o'clock.

Oliver K. Cornwell Mayor

Mary Lorejay Town Clerk

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December 9, 1957

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on January 13, 1958, at Town Hall at 7:30 P. M., o'clock with the following present: Mayor Cornwell; Aldermen Davis, Robinson, Strowd, Giduz, Walters and Wager; Town Attorney LeGrand, and Town Manager Rose.

Minutes for the Regular Meeting of December 9, 1957, were approved on a motion by Alderman Giduz, seconded by Alderman Walters.

SEWERS NORTH OF TOWN. Bobby Roberts presented a request for permission to connect to the Town's Sanitary Sewer Line, an area known as the North Columbia Street Sanitary Sewer District. Mr. Roberts stated that the property owners in that area and himself will pay for the line; that it will be done under Town specifications. Mr. Dobson, Sanitarian from the Health Department stated that it would greatly relieve an existing unsanitary condition. Alderman Strowd moved that because of the proximity of this area to the Town limits and the existing unsanitary condition, this area be permitted to connect to the Town's Sanitary Sewer Line with the understanding that the lines would be constructed under Town specifications, with the usual charges for outside service and no agreement for reimbursement in the event of annexation, seconded by Alderman Walters, and passed.

LeGrand