

MINUTES

Board of Aldermen

Aug. 28, 1961

Town of Chapel Hill, N.C.

The Board of Aldermen met jointly with the Planning Board at a quarterly Public Hearing at the Town Hall at 7:30 P.M. o'clock with the following present: Mayor McClamroch; Aldermen Strowd, Giduz, Robinson, Page and Walters; Town Manager Rose. Absent: Alderman Wager and Town Attorney LeGrand. Members of the Planning Board present were: Messrs. Powell, chrm, Chapin, Lasley, Smith and Burns, also consultant to the Board, Pearson Stewart.

Mayor McClamroch stated that the purpose of the meeting was to consider the following matters for rezoning:

1. From "RA-10 Residential to RA-20 Residential", an area bounded North by the rear lines of the lots facing Senlac Road, and on Boundary and Battle Lane, at the request of Dr. Fred Patterson and others. Town Manager stated that a protest has been filed by Attorney John Manning, who has stated that his client, the heirs of the Estate of Nell Lewis Battle Booker are owners of twenty (20) per cent or more of area of the lots included in the proposed change, and that in view of the fact that this property may be purchased by the University, to grant this upzoning might thwart the bequest of the will of Nell Booker and prohibit the sale of the property.

Dr. Fred Patterson stated that it is not his intention to upzone for any purpose other than for the common good of the neighborhood so that there won't be a duplication of the situation of E. Rosemary Street area.

Mr. John Manning stated that primarily the grounds under the Will give the University an opportunity to purchase; that any zoning change at this time might adversely effect the purchase of the property.

2. An Ordinance to Amend the Zoning so as to Provide for Regional Commercial District.

Whid Powell, chairman, of the Planning Board discussed the Regional Commercial District ordinance as prepared by the Town Attorney. The matter was discussed also by Wm. S. Stewart, attorney for owner of several properties, and by others interested. Alderman Giduz moved that the matter be referred to the Planning Board for recommendation, seconded by Alderman Strowd, and passed.

3. Town Manager read the proposed Amendment to the Zoning Ordinance so as to Rezone from Suburban Commercial to Regional Commercial the three (3) areas around University Heights. Alderman Giduz moved that the matter be referred to the Planning Board for recommendation, seconded by Alderman Page, and passed.

4. Town Manager read the Proposed Amendment to the Zoning Ordinance so as to Rezone the Area described from RA-20 Residential to Suburban Commercial, known as Valley Drive In Theater location.

Attorney Hodson spoke in favor of the rezoning. He stated that the area could not be considered a residential area; that the proposed mobile homes center would be landscaped and not unsightly from the highway; that adjoining property owners do not object. Alderman Strowd moved that the matter be referred to the Planning Board for recommendation, seconded by Alderman Robinson, and passed.

5. Town Manager read Proposed Amendment to the Zoning Ordinance G(1) Table of District Regulations on height restriction. The Board discussed the "not closer than 200 feet to the nearest private property" and made clear this means so as not to over-shadow adjacent properties. Alderman Walters moved the matter be referred to the Planning Board for recommendation, seconded by Alderman Page, and passed.

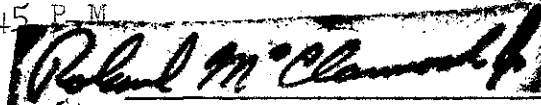
6. Town Manager read the Proposed Amendment to the Zoning Ordinance under Note D, "Rear yard regulations" of the "Table of District Regulations" to be amended to read "(a) no part of such building is closer to any lot line than the distance specified as the minimum side yard for the district in which it is located". Alderman Giduz moved that the matter be referred to the Planning Board for recommendation, seconded by Alderman Walters, and passed.

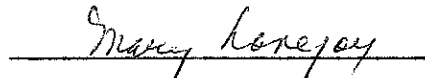
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7. Town Manager read Proposed Ordinance to Amend the Zoning Ordinance under Uses that begins "Public Utility Stations or SubStations" be amended to include electric power transmission lines involving constructing of towers or structures other than single poles ----- There was much discussion in this matter. Mr. W. T. Ward, Charlotte attorney for the Power Company, stated that under this amendment, it would be a hardship for a company to purchase the right of ways, and then might not be able to secure a Special Use Permit to construct such lines; that Utility Line Easements are for one specific purpose and nothing else; that power companies as well as public utilities are charged with exercising discretion in putting these lines through for the best of all concerned; that rapidly growing towns have shown the power lines to be a permanent thing long after the houses have lost their best values. Several persons stated it would greatly decrease property values; that in case of a breakdown the proposed loop line is greatly needed; transmission lines are not merely distribution lines. Alderman Giduz moved that this matter be referred to the Planning Board for recommendation, seconded by Alderman Strowd, and passed.

Whid Powell requested that Town Attorney LeGrand get a ruling from the Attorney General in the above matter; that a description be given (in re: Legal Domain). Watts Hill stated that it was hoped that any help that could be given to aid the University and Duke Power to try to get a power line & to establish it where it would injure the least number of people, would be appreciated.

There being no further business to be considered at this time, the meeting was adjourned at 9:45 P.M.

 Mayor

 Town Clerk

August 28, 1961

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

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

Minutes for the August 14, 17, 22 and 28 were approved on a motion by Alderman Giduz subject to correcting page 263 under ordinance - first paragraph by deleting "request for" as it is a repetition; page 267, line 8 by inserting after the word months, "to the next increment value from \$3,624 yearly to \$3,804 yearly"; page 271 first paragraph show motion by Alderman Giduz and seconded by Alderman Walters, seconded by Alderman Strowd, and passed.

Oath of Office

William S. Stewart as Judge of Recorder's Court administered the Oath of Office to ROBERT H. PECK as Town Manager.

The new Town Manager was seated.

Traffic Safety Award

Mr. Jim Coleman of the N.C. Motor Club, Inc., presented Police Chief Blake with an award for No Traffic Fatalities for the 1960 year, also for more than two (2) years period.