

curb and gutter etc., would make it prohibitive; that they would use City water, and would provide their own sewer system; that RA-10 would permit a 75 ft front lot; that he believes this extension is logical as he doubts if many would want to build in an area which is nearly all commercial. Mr. Chapin stated that the Planning Board went on record as allowing no more area to be rezoned from Jennings & Harriss Connors to the County line.

Attorney Battle stated there seems to be no justification in allowing some properties to be rezoned, thereby restricting the other persons property by restricting its use; that similar treatment should be applied to similar properties. Alderman Page moved that both request of Andrew Karres, et al, be referred to the Planning Board for recommendation, seconded by Alderman Giduz, and carried. Alderman Wager voted "nay". He stated his reason for so voting is that there is enough land rezoned in that area to serve for years and years as commercial zoning.

Mr. Dick Young inquired as to the 45' building restriction in the Business Zone. Mr. Peck stated that it will have to go before the Aldermen and Planning Board for recommendation as to amending the ordinance.

Adjournment 8:57 p.m.

*Robert M. McClamroch* Mayor

May 28, 1962.

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# MINUTES

Board of Alderman

Town of Chapel Hill, N.C.

The Board of Aldermen met at a Regular Meeting on June 11, 1962 at 7:30 p.m. o'clock in the Town Hall with the following members present: Mayor McClamroch; Aldermen Robinson, Giduz, Strowd, Page, Wager and Walters; Town Attorney LeGrand and Town Manager Peck.

Minutes of the meetings of May 14, May 21 and May 28, 1962 were approved on a motion by Alderman Page, seconded by Alderman Robinson and unanimously carried.

## Renewal of Notes

Alderman Walters moved the adoption of the following resolution:

WHEREAS, \$65,000 Municipal Building Bond Anticipation Notes of the Town of Chapel Hill dated October 19, 1961, payable June 19, 1962, issued in anticipation of the issuance of the bonds authorized by the bond ordinance entitled "An Ordinance authorizing the issuance of \$160,000 of bonds of the Town of Chapel Hill for the erection and equipment of buildings and the acquisition of a site therefor", adopted by the Board of Aldermen of said Town on March 13, 1961, will become due on June 19, 1962, and the Board of Aldermen desires to provide for the renewal of said notes as hereinafter set forth:

NOW, THEREFORE,

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, as follows:

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(1) Said outstanding notes shall be renewed by the issuance of \$65,000 Municipal Building Bond Anticipation Notes dated June 19, 1962, payable December 19, 1962, consisting of one note of the denomination of \$5,000, numbered 1, and six notes of the denomination of \$10,000 each, numbered from 2 to 7, inclusive, and bearing interest at the rate of 1.85% per annum. Such interest is payable at the maturity of the notes.

(2) The Mayor and the Town Clerk are hereby authorized and directed to cause said notes to be prepared and to execute said notes.

(3) The Mayor and Town Clerk are authorized to make application to the Local Government Commission of North Carolina for its full approval of said notes in the manner prescribed by the Local Government Act, and the Local Government Commission is hereby requested to deliver said notes through the State Treasurer in exchange for said outstanding notes upon payment of the interest payable with respect to said outstanding notes to the holder of said outstanding notes.

Alderman Giduz seconded the motion and the motion was adopted. Those voting for the motion were Messrs. Robinson, Giduz, Strowd, Page, Wager and Walters. No one voted against it.

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#### Sewer Policy

The Board discussed the sewer rental charge in reference to a few large users of water, part of which does not empty into the Towns sewer system. A statement of comparative figures was supplied by Ted Danziger and examined as to whether the charge was entirely equitable, and a few other cases of extensive water sprinkler systems and air conditioners, were reviewed. Alderman Giduz moved that an amendment to the ordinance be prepared, on the basis of additional water meter installation, seconded by Alderman Walters, and unanimously carried.

#### Auditor's Report

Mr. E. E. Peacock, Auditor, reported that he has examined the May 1962 vouchers and found them to be in order and properly supported. He also reported the following; that current tax collections are still about 2% lower than last year for the same period.

Alderman Wager moved the adoption of the following:

#### AN ORDINANCE TO AMEND THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955, AND AS 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 April 24, 1962, to consider various amendments to the "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended; and,

WHEREAS, following said public hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen the adoption of various amendments to the said ordinance; and,

WHEREAS, thereafter the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to such proposed amendments to the said zoning ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill, that the "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", as adopted March 14, 1955, and as subsequently amended, hereinafter referred to, for conven-

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ience, as the Chapel Hill Zoning Ordinance, be and the same is hereby further amended, as follows:

#### SECTION I.

That the ordinance entitled, "AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE 'ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS', AS ADOPTED MARCH 14, 1955, AND AS SUBSEQUENTLY AMENDED, SO AS TO PROVIDE FOR REGIONAL COMMERCIAL DISTRICTS", as adopted September 11, 1961, be and the same is hereby repealed.

#### SECTION II.

Amend the section entitled, "Section 1. Districts and Boundaries Thereof", by striking out all of Sub-section B. thereof, as contained in the original ordinance, and all subsequent amendments thereto, and by inserting in lieu thereof a new Sub-section B, to read as follows:

B. In order to regulate and limit the intensity of use of lot areas; to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential and other uses; to regulate and determine the areas of open spaces surrounding buildings; and to regulate and limit the height and size of buildings, the Town of Chapel Hill and the area surrounding its corporate limits hereinabove described and as defined in Chapter 527 of the Session Laws of 1953 are hereby divided into the following classes of districts:

1. RA-20 Residential District
2. RA-15 Residential District
3. RA-10 Residential District
4. RA-10A Residential District
5. RA-6 Residential District
6. Agricultural District
7. Central Business District 1
8. Central Business District 2
9. Limited Business District
10. Suburban Commercial District
11. Regional Commercial District
12. Industrial District

The area heretofore designated on the zoning map as "Business" shall hereafter be designated as "Central Business District I".

The aforesaid districts have been created in accordance with a comprehensive plan.

#### SECTION III.

That the section entitled, "Section 3. District Regulations", be and the same is hereby amended by deleting all of the table of district regulations as the same is now contained in the Chapel Hill Zoning Ordinance and by inserting in lieu thereof the following new Tables of District Regulations:

SEE TABLES ON FOLLOWING PAGES

#### SECTION IV.

Amend the section entitled, "Section 4. Special Use Permits", by deleting all of the table entitled, "Table of Regulations for Special Use Permits", referred to under the sub-section entitled, "D. TABLE OF REGULATIONS FOR SPECIAL USE PERMITS", as the same is now contained in the Chapel Hill Zoning Ordinance and by inserting in lieu thereof a new table to be entitled, "TABLE OF REGULATIONS FOR SPECIAL USE PERMITS", to read as follows:

SEE TABLE for Special Use Permits

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## SECTION V.

Amend Section 4, Sub-section B, "SPECIAL USE PERMITS ISSUED BY THE BOARD OF ADJUSTMENT", Subdivision 1, "GENERAL REQUIREMENTS", Paragraph d, by striking out, at the end of said Paragraph "d", the words, "unless otherwise specified", and by inserting in lieu thereof a period.

Amend Section 4, Sub-section C, "SPECIAL USE PERMITS ISSUED BY THE BOARD OF ALDERMEN ON RECOMMENDATION OF THE PLANNING BOARD", Subdivision 1, "GENERAL REQUIREMENTS", Paragraph j, by striking out all of said paragraph "j" and by inserting in lieu thereof, the following:

j. In addition to the conditions specifically imposed in paragraph and such further conditions as the Board of Aldermen may deem reasonable and appropriate, special uses shall comply with the height, area and parking regulations for the use district in which they are located. All special uses other than Fraternity and Sorority House Courts, Mobile Home Courts or Trailer Parks, Unified Business Developments and Unified Housing Developments, shall comply with yard regulations for the use district where they are located. No structure in any Fraternity or Sorority House Court, Mobile Home Court or Trailer Park, Unified Business or Unified Housing Development shall be located closer to any external property line of the tract on which it is situated than 25 feet, nor closer to any street right of way line than the distance specified as a front yard requirement for the district in which it is located.

## SECTION VI.

That the section entitled, "Section 4.1. Regional Shopping Center District", and all amendments thereto, be and the same are hereby repealed and deleted.

## SECTION VII.

Amend the section of said ordinance entitled, "Section 6. Off-Street Parking and Loading Space", as follows:

1. Strike out all of Paragraph 1, under the sub-section entitled, "A. GENERAL REQUIREMENTS", and insert in lieu thereof the following:

Off-street parking space (either garage or properly graded open space) shall be provided in accordance with the requirements set forth below in all classes of districts except Central Business District 1. Off-street loading space shall be provided in accordance with the requirements set forth below in all classes of districts. Off-street parking and loading space shall also be provided as required under the provisions of Section 4.

2. Add under sub-section entitled, "A. GENERAL REQUIREMENTS", three additional paragraphs, to be numbered 5, 6 and 7, to read as follows:

5. All parking, loading, outdoor operations, and outdoor storage areas or facilities for fuel, material incineration and products in any class of business, commercial or industrial district shall be enclosed by a wall or fence of solid appearance or a tight evergreen hedge not less than 6 feet high where necessary to conceal such areas or facilities from Residence Districts adjoining or facing across a street in the rear or on the side of the principal building or use provided that no such enclosure is required in or adjacent to any principal front yard or corner side yard or within 25 ft. of the intersection of a driveway center line and a street line.

6. In any Suburban Commercial or Industrial District no required parking area shall be within 10 feet of any

street right-of-way. In any Regional Commercial District no required parking area shall be located in any required front yard.

7. No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of off-street parking requirements in this ordinance shall be included as part of any off-street parking area similarly required for another building or use unless the times of usage of such buildings or uses will not be simultaneous, as determined by the Board of Adjustment.

3. Strike out all of the unnumbered paragraph immediately following the title of the sub-section entitled, "B. OFF-STREET PARKING", and insert in lieu thereof, the following:

Notwithstanding any other provision or standards contained in this ordinance, parking areas of sufficient size to provide parking for all patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use in any Limited Business District, Suburban Commercial District and Regional Commercial District.

For the purposes of this ordinance, each off-street parking space shall be construed to include 200 square feet of space of the proper shape to accommodate an automobile, together with necessary ingress and egress facilities. Such space shall not be reduced or encroached upon in any manner. Off-street parking space shall be provided on the lot or tract (except as noted below) and satisfactorily maintained by the owners of the following types of property uses, on the basis indicated:

4. Strike out under sub-section entitled, "B. OFF-STREET PARKING", all of Paragraph 8 thereof, entitled, "8. Business or commercial uses".

5. Change the number of the paragraph under sub-section B. entitled, "9. Industrial uses", from 9 to 10.

6. Add under the sub-section entitled, "B. OFF-STREET PARKING", two additional paragraphs, to be numbered 8 and 9, to read as follows:

8. Grocery stores, drug stores, variety stores, banks, apparel stores, specialty shops, department stores, personal service stores and similar types of businesses: 1 space for each 200 feet of gross commercial floor area. The parking areas of such spaces shall be within 100 feet of the use to which they pertain or within 200 feet in the case of areas containing more than 75 spaces.

9. Furniture stores, appliance stores, automobile showrooms and similar types of businesses: 1 space for each 500 square feet of gross commercial floor area. The parking areas of such spaces shall be within 200 feet of the use to which they pertain or within 400 feet in the case of areas containing more than 75 spaces.

#### SECTION VIII.

Amend the section of said ordinance entitled, "Section 7. Signs", as follows:

1. Strike out the first sentence of Paragraph 2 of said section and insert in lieu thereof the following:

Advertising signs of all types are business uses and, except where specifically authorized by the terms of this ordinance, shall not be permitted in any district other than Central Business Districts 1 and 2, Limited Business District, Suburban Commercial District, Regional Commercial

District and Industrial District.

2. Strike out all of Paragraph 4 of said section and insert in lieu thereof the following:

Except as specifically authorized herein, no sign of any type shall be placed nearer the right-of-way line of any public street or road than the building lines established by the yard regulations of this ordinance, nor shall any such sign occupy any of the area required to be left clear for a front or side yard, except that in any class of business or commercial district, other than Limited Business District, a maximum of three identification signs, each no larger than 12 square feet in area, may be located in a required front yard. No sign may be located in the required front yard in any Limited Business District.

3. Strike out all of Paragraph 6 of said section and insert in lieu thereof the following:

A maximum of three square feet of advertising sign area for each lineal foot of frontage occupied by a business or industrial use shall be permitted on the premises on which such use is conducted. In no case shall any sign be erected or displayed on the side street side of a corner building, nor on the rear of any building, if such building be located within 100 feet of a Residential district. The permitted sign area in Limited Business Districts and Regional Commercial Districts shall be divided among not more than three signs. Notwithstanding the foregoing, the maximum permitted area of all signs on any lot in a Limited Business District shall be 50 square feet.

4. Add two additional paragraphs to be numbered 9 and 10, to read as follows:
9. In any Limited Business District and any Regional Commercial District any advertising sign shall pertain solely to the identification of the principal use on the premises and shall not advertise products or services that differ in name from the principal use.
10. Any illuminated sign shall be lighted only with non-flashing and non-animated illumination. Any lights used for illumination shall be so arranged as to reflect light away from any adjoining residence districts and any light used for illumination and not an integral part of the sign shall be so arranged as to reflect light away from streets.

#### SECTION IX.

Amend the section of said ordinance entitled, "Section 12. Definitions", as follows:

1. Strike out the paragraph entitled, "24. Lot, Corner", and insert in lieu thereof the following:

24. Lot, Corner. A lot abutting upon two streets or roads (including platted but unopened streets or roads) intersecting with an interior angle of more than 60 degrees.

2. Strike out the paragraph entitled, "29. Lot, Through", and insert in lieu thereof the following:

29. Lot, Through. An interior lot having frontage on two streets or a lot abutting on two streets, or roads intersecting with an interior angle of 60 degrees or less, or a lot having frontage on three or more streets.

#### SECTION X.

All ordinances in conflict herewith are hereby repealed.

This the 11 day of June, 1962.

Seconded by Alderman Walters, and unanimously carried.

Rezoning

1. Request by Lambda Chi Alpha Fraternity for a Special Use Permit for three buildings at the corner of E. Franklin Street and Pickard Lane to be used by the fraternity. The Planning Board recommended disapproval. Mr. Phil Green, Jr., came before the Board and stated that the fraternity wants to move into an area already developed for fraternity use; that a survey has shown that few if any of the existing fraternities are conforming; that there is no real reason for this particular fraternity being held to an unreasonably strict requirement; that these buildings cannot be reasonably used for anything other than to house students. Alderman Strowd moved that this request be tabled, seconded by Alderman Giduz, and unanimously carried.

2. Request by the Lambda Chi Alpha Fraternity that parking requirements for fraternities be reduced. The Planning Board recommended disapproval of lowering the restriction. Alderman Strowd moved that this request be referred back to the Planning Board for restudy and recommendation, seconded by Alderman Page, and carried. Alderman Walters voted "nay".

3. Request of the Board of Education to rezone that portion of land on W. Franklin Street, between Columbia Street and Mallette Street from RA-6 to Central Business District I.

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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM RA-6 to CENTRAL BUSINESS DISTRICT I.

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 28, 1962 to consider a request for rezoning the area hereinafter described from RA-6 to Central Business District I; 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 area hereinafter described, as requested, from RA-6 to Central Business District I; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-6 to Central Business District I, and that the uses permitted in areas designated as Central Business District I, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

All that property described as follows: Beginning at a point on the eastern property line of the School property on the south side of W. Franklin Street 150 feet from the south edge of W. Franklin Street; thence with the east property line south 26 degrees east about 565 feet to the south east corner of the property; thence south 64 degrees west 179 feet; thence north 26 degrees west 111 feet; thence south 64 degrees west 437 feet; thence north 26 degrees west 448 feet to the south edge of the existing Central Business District I Zone; thence with the edge of the existing Central Business District I zone north 64 degrees east 620 feet to the point of beginning.

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## SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Walters, and carried.

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4. Request of Hancock & Goodyear Mortgage Company to rezone from RA-20 to RA-15 about 31 acres on the south side of Ephesus Church Road east of 15-501 Bypass. It was established that this property was contiguous to Ridgfield Park Subdivision on the east, and the Planning Board recommended approval. The Town Attorney was requested to prepare an ordinance covering this.

5. Request by the Sparrow Estate for rezoning about four acres on the west side of Hillsboro Street from RA-10 to RA-6. The Planning Board recommended disapproval. Alderman Wager moved that the recommendation of the Planning Board be upheld, seconded by Alderman Walters, and unanimously carried.

6. Request by John D. Latimer for rezoning from RA-20 and Commercial to Regional Commercial about eleven acres on the south side of Durham Boulevard 15-501 and the Durham County Line. The Planning Board recommended disapproval. Alderman Walters moved that the recommendation of the Planning Board be upheld, seconded by Alderman Giduz, and unanimously carried.

7. Andy Karres, et al., request for rezoning from RA-20 to Regional Commercial about 35 acres on the north side of the Durham Boulevard. The Planning Board recommended disapproval. Alderman Walters moved that the recommendation of the Planning Board be upheld, seconded by Alderman Strowd, and carried. Alderman Giduz abstained.

8. Andy Karres, et al., request for rezoning from RA-20 to RA-10 about 150 acres along the Durham County Line. The Planning Board recommended that this request be tabled until the scheduled August meeting when it is hoped to have completed the Land Use Plan. Alderman Giduz moved that the recommendation of the Planning Board be upheld, seconded by Alderman Strowd, and unanimously carried.

## ORDINANCES

Alderman Page 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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM RA-6 to RA-10A.

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 November 27, 1961, to consider a request for rezoning the area hereinafter described from RA-6 to RA-10A; 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 area hereinafter described, as requested, from RA-6 to RA-10A; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-6 to RA-10A, and that the uses permitted in areas designated as RA-10A, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

BEGINNING at an iron stake on the Southwestern corner of the property located at the intersection of North Columbia and Stinson Streets; thence north 17 degrees 2 minutes west 206.1 feet along the eastern margin of North Columbia Street to an iron stake at the intersection of North Columbia and Longview Streets; thence along the southern margin of Longview Street north 70 degrees 17 minutes east 81 feet to an iron stake and north 59 degrees 20 minutes east 40 feet to an iron stake, which stake is the northwest corner of the Mates property; thence with the Mates line south 19 degrees 49 minutes east 91 feet to an iron stake; thence north 60 degrees 45 minutes east 25.15 feet to an iron stake thence south 17 degrees 46 minutes east 140 feet to an iron stake on the northern boundary of Stinson Street; thence south 75 degrees 5 minutes west 150.2 feet along the northern margin of Stinson Street to the point of BEGINNING containing 0.68 acres.

SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Robinson, and carried.

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Alderman Strowd 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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "RA-20" to REGIONAL COMMERCIAL".

& SUBURBAN COMMERCIAL )

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 April 24, 1962 to consider a request for rezoning the area hereinafter described from RA-20 and Suburban Commercial to Regional Commercial; 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 area hereinafter described, as requested, from RA-20 to Regional Commercial; and, & Suburban Commercial )

WHEREAS thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-20 & Suburban Com. to Regional Commercial, and that the uses permitted in areas designated Regional Commercial, as set forth in said zoning ordinance, shall

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hereafter apply to the following described area:

Land lying between the Durham Road (US 15-501) Old Durham Road, east of County Road 1741 as follows: Starting at the intersection of County Road 1741 and U.S. 15-501 at its south east corner, thence along U.S. 15-501 about 1,220 feet to the eastern boundary of the Harris-Connors property; thence along this property line in a southerly direction about 700 feet to the Old Durham Road; thence westwardly along the northern line of the Old Durham Road about 970 feet to County Road 1741; thence northwardly with the eastern edge of County Road 1741 about 100 feet to the point of Beginning.

## SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Walters, and carried.

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Alder Wager 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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "RA-20 and AGRICULTURAL to REGIONAL COMMERCIAL".

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 April 24, 1962, to consider a request for rezoning the area hereinafter described from Agricultural and RA-20 to Regional Commercial; 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 area hereinafter described, as requested, from RA-20 and Agricultural to Regional Commercial; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-20 and Agricultural to Regional Commercial, and that the uses permitted in areas designated as Regional Commercial, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

All that certain tract or parcel of land lying and being on the north side of U.S. Highway 15-501, and about two miles northeast of the Town of Chapel Hill, at the intersection of said highway and a county road and more particularly described as BEGINNING at an Iron Stake at the northeast intersection of said highway and a county road; and running thence along the north property line of said highway north 61 degrees 30 minutes East 580 feet to a stake; running thence north 4 degrees 30 minutes East 361 feet to a stake; running thence north 87 degrees 30 minutes West 800 feet more or less to a stake on the East side of said county road; running thence with the East property line of said county road South 21 degrees

30 minutes East 713 feet to a stake, the place and point of BEGINNING and containing approximately 7 acres.

## SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Walters, and carried.

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Alderman Page 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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "RA-20 and SUBURBAN COMMERCIAL to REGIONAL COMMERCIAL.

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 April 24, 1962, to consider a request for rezoning the area hereinafter described from RA-20 and Suburban Commercial to Regional Commercial; 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 area hereinafter described, as requested, from RA-20 and Suburban Commercial to Regional Commercial; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from RA-20 and Suburban Commercial to Regional Commercial, and that the uses permitted in areas designated as Regional Commercial, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

Beginning at the intersection of the Ephesus Church Road and Lloyd Road, thence along the eastern edge of the Ephesus Church Road to the 15-501 Bypass; thence along the southern line of the Boulevard about 2,450 feet to the first cross over between the east and west lanes; thence in a south eastwardly direction perpendicular to the highway for 500 feet; thence in a south westwardly direction parallel to the highway about 730 feet to the London Oil Company property; thence in a southerly direction about 130 feet along the property line of the London Oil Company; thence in a south westwardly direction parallel to the Lloyd Road and 400 feet from the northern edge of the road about 670 feet to the edge of the Gardner property, now zoned "Suburban Commercial"; thence along this property line in a southerly direction about 400 feet to Lloyd Road; thence along the northern edge of Lloyd Road in an easterly direction to the Ephesus Church Road, the point of Beginning.

## SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Strowd and carried.

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Alderman Wager 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 as subsequently amended, so as to REZONE THE AREA HEREINAFTER DESCRIBED FROM "SUBURBAN COMMERCIAL to REGIONAL COMMERCIAL.

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 April 24, 1962, to consider a request for rezoning the area hereinafter described from Suburban Commercial to Regional Commercial; 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 area hereinafter described, as requested, from Suburban Commercial to Regional Commercial; and,

WHEREAS, thereafter, the Board of Aldermen adopted the recommendation of the Planning Board with respect to the rezoning of said 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 March 14, 1955, and as subsequently amended, be and the same is hereby further amended so that the following area be and the same is hereby rezoned from Suburban Commercial to Regional Commercial, and that the uses permitted in areas designated as Regional Commercial, as set forth in said zoning ordinance, shall hereafter apply to the following described area:

All those certain lots or parcels of land situated, lying and being on the South side of the Old Chapel Hill-Durham Road, and kown and designated as Lots 3,4,5,6,7,8,9,10,11, 12,13,14,15,16,17 and 18 in Block F of University Heights Development according to plat and survey thereof of Frank M. Carlisle, C.E., on May 21, 1947, plot of which is on file in the Office of the Register of Deeds of Orange County in Plat Book 4, at page 17, and more particularly described as BEGINNING at a stake in the South property line of the Old Chapel Hill-Durham Road and running thence with the property line of the said road South 86 degrees 15 minutes East 400 feet to a stake; running thence South 3 degrees 45 minutes West 232 feet to a stake; running thence North 86 degrees 15 minutes West 225 feet to a stake; running thence North 3 degrees 45 minutes East 82 feet to a stake; the Southeast corner of Lot No. 9; running thence North 86 degrees 15 minutes West 175 feet to a stake, the Southwest corner of Lot No. 3; running thence North 3 degrees 45 minutes East 150 feet to the point of Beginning.

#### SECTION II.

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

This the 11 day of June, 1962.

Seconded by Alderman Strowd, and carried.

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Thorofare Plan

The Board discussed the recommendation from the Planning Board wherein they considered the proposed north - south radial street requested by the State Highway Commission, between Raleigh Road and Pittsboro Road. Alderman Giduz moved that the matter be referred back to the Planning Board for further study of the radial, seconded by Alderman Page, and unanimously carried.

Proposed extension of Pittsboro Street to Rosemary Street be extended along Pritchard Avenue and to connect with the Airport Road, was recommended as link in the Thorofare Plan by the Planning Board. Alderman Giduz moved that the recommendation of the Planning Board be upheld, seconded by Alderman Walters, and unanimously carried.

An extension of West Franklin Street to Jones Ferry Road was approved by the Planning Board. Alderman Strowd moved that the recommendation of the Planning Board to include this extension in the Thorofare Plan, be upheld, seconded by Alderman Robinson, and unanimously carried.

Proposed western extension of the outer loop from the intersection of NC 54 and the 54 Bypass was recommended by the Planning Board. Alderman Wager moved that the Planning Board's recommendation, be upheld, seconded by Alderman Page, and unanimously carried.

A cross street connecting West Franklin and West Rosemary between Church Street and Roberson Street be included in the Thorofare Plan was recommended by the Planning Board. Alderman Giduz moved that the recommendation of the Planning Board, be upheld, seconded by Alderman Robinson, and unanimously carried.

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SUBDIVISIONS

Extension of the Preliminary Plat of Laurel Hill Subdivision was discussed by the Board. In view of the radial street as recommended by the State Highway Commission which could affect this area, Alderman Giduz moved that this matter be tabled until further recommendation is received from the Planning Board, seconded by Alderman Page, and unanimously carried.

Hillside Estates - Final Plat Alderman Strowd moved that the Board accept the recommendation of the Planning Board to approve the final plat subject to placing proper signatures on the plat.

Hargraves Terrace - Final Plat The Planning Board recommended approval of this plat subject to the completion of improvements to the satisfaction of the Town Manager. Mr. Peck stated these conditions have not been met.

Highland Acres - Preliminary Sketch The Planning Board recommended that action be withheld until information can be had from the State Highway Commission concerning the possible relocation of a highway through the area. Aldermen Walters moved that the recommendation of the Planning Board be upheld, seconded by Alderman Giduz, and unanimously carried.

Richards Road - Preliminary Sketch The Planning Board recommended that action be deferred until a recommendation has been received from the State Highway Commission as to the location of the proposed intersection of the thorofare along Bolin Creek and East Franklin Street. Alderman Walters moved that the matter be tabled, until such information is received, seconded by Alderman Wager, and unanimously carried.

SPECIAL HEARING

A special hearing regarding the proposed revision to the zoning ordinance with reference to electrical transmission lines was set

IAA762

for July 9, 1962.

#### ANNUAL REPORT

The Aldermen received the Annual Report of the Planning Board.

#### SEWER EXTENSION

The Town Manager recommended that the current sewer policy be used to achieve all sewer extensions. He recommended that a manhole be built by the Town at the end of Whitaker Street to which Mr. C. V. Cummings could connect.

#### DOGS

The Town Manager reported that Dr. Garvin, County Health Officer had asked the County Commissioners to provide dog warden service in Chapel Hill.

#### Cemetery Fund

Alderman Page moved that the General Fund be reimbursed by the amount of \$671.75 from Cemetery Saving Account to take care of monies expended for cemetery needs.

#### Cemetery

The Board declined an offer from United Cemetery Consultants, Inc., to purchase the Memorial Cemetery on the Durham Road. Alderman Giduz made this a motion, seconded by Alderman Page, and unanimously carried.

#### Human Relation Committee

Town Manager Peck stated there has been an accident on Merritt Mill Road in Carrboro, reported by the committee. The Board agreed as the road is in Carrboro, Chapel Hill has no responsibility in this accident.

#### Annual Budget

Copies of the annual budget have been supplied to the Board members and a Special Meeting will be called for June 18 at 4:00 p.m. o'clock. The Board intend to visit McMasters Street, Whitaker Street and other sites where problems exist.

#### Off Street Parking

After much discussion the Board agreed that purchase of the Creech and Coenen properties on E. Rosemary Street, is not practical at this time, that the Ranson property should be purchased by the Town and developed for Off Street Parking. Alderman Strowd moved that the Town prepare to sell \$40,000 of Revenue Bonds, and consummate the purchase of the Dale Ranson property, seconded by Alderman Page, and unanimously carried. Town Manager was requested to advise Mrs. Frederic Coenen and Walter Creech that the Town will not purchase their properties.

#### Fluoridation

Old Business: Alderman Giduz urged that the matter of fluoridation be added to the agenda for the next meeting.

Adjournment: 11:46 p.m.

*Robert M. Channell*

June 11, 1962