

This was seconded by Alderman Walters and unanimously adopted. Pearson Stewart submitted additional signatures to the petition previously presented. ~~presented~~ submitted additional signature

TAX RELEASE

Town Clerk Roberts read a letter from Mr. William J. Esau asking relief from the 1% penalty on town taxes because did not receive a tax notice. Alderman Walters, seconded by Alderman Wager, moved that this request for release of penalty be denied. This was carried unanimously.

STREET NAME

Alderman Giduz submitted a petition from property owners on Clark Hill Drive to have the name changed to Tadley Drive. He said that his information was that all of the property owners on the street agreed to this name and moved that the name change be made official. This motion was seconded by Alderman Walters and unanimously carried.

The meeting adjourned at 11:20 P.M.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk

MINUTES

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on March 8, 1965 at 7:30 p.m. with the following members present: Mayor McClamroch, Aldermen Robinson, Page, Giduz, Wager, Strowd and Walters; Town Manager Peck; Town Clerk Roberts; Town Attorney LeGrand.

MINUTES

Alderman Wager moved approval of the minutes of the meeting of February 8 & February 13, 1965, as corrected. This was seconded by Alderman Robinson and unanimously approved.

TOWN APPEARANCE

Dr. A. C. Howell read a resolution of the UNC Faculty Council concerning downtown appearance, zoning and the open-space program, specifically aimed at the proposed hamburger stand on the corner of Franklin and Columbia Street. Dean Spruill, Chairman of the Faculty Council, supplemented the resolution, concurring in all of its aims. Alderman Giduz moved the adoption of the following resolution which was seconded by Alderman Strowd:

The Town of Chapel Hill, through its elected Board of Aldermen, is vitally concerned with the beauty of this community, both through its natural assets and its man-made developments.

That Chapel Hill is a desirable place in which to live is so in large part because of these natural assets and because of the foresight of property owners and developers in utilizing their land in ways that are to the general benefit of everybody.

= The Town welcomes new business and new construction, both through the greater availability of goods and services that these bring and through the tax revenue the private enterprise provides for the municipal government, our public schools, and the county government.

However, the Town is primarily concerned that development be in harmony with the nature of the community, and that property rights not be exercised to the detriment of the intangible and aesthetic qualities that in part make Chapel Hill what has come to be known as "the Southern part of heaven."

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It is in this spirit, and with appreciation for the private investment that is proposed, that the Town Board expresses its concern over the plan to construct a "walk-in" short-order restaurant on the main intersection of our business district, on a lot adjoining the University Baptist Church and diagonally across from the University's very beautiful Ackland Art Center and the main campus of the University.

It is with the background of what it believes to be a similar feeling of concern on the part of the University administration and faculty, the civic leadership of the community, and the overwhelming number of citizens of the Town and the greater Chapel Hill area, that the Town thus appeals to the property owners not to construct this restaurant on this site as planned. The Town is convinced, in light of the above-noted general public opinion, that the property owner would by so changing his plans, be acting not only in the over-all interests of the citizens of the Town of Chapel Hill, but in his own enlightened self-interest.

The Town of Chapel Hill is pleased to extend its good offices to the ~~property owner~~ to assist him in this manner in any way it can do so.

In discussion of this motion it was pointed out by Mr. LeGrand that the North Carolina Courts had ruled out any specific zoning or building legislation based entirely on aesthetics. Dean Spruill recommended that the Town attempt to get additional authority from the Legislature for control of this type. The resolution was adopted unanimously. The Town Manager was asked to send a copy of these resolutions with copies of letters that have been received on the subject to representatives of the Bell Chain.

REZONING-LONE PINE ROAD

Mr. Newton Underwood submitted a petition signed by most of the owners of the property between Tenny Circle and Bolin Creek asking for rezoning from RA-10 to RA-20.

PAVING PETITION-HILLSBORO STREET

Mr. Jack Carlisle submitted a petition for the improvement of Hillsboro Street between North Street and Airport Road by the addition of curb and gutter.

APARTMENTS

Mr. Ross Scroggs, Chairman of the Planning Board, advised the Aldermen that present zoning and subdivision ordinances were inadequate for control of large apartment projects, and ask for a moratorium on apartments until the Planning Board could propose revisions to these ordinances. He indicated that such provisions could be prepared in time for the quarterly hearing in May.

REZONING-MT. BOLUS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a petition for rezoning Mr. Bolus from RA-10 to RA-20. Alderman Strowd moved that this petition be approved by the Aldermen and that the necessary ordinance be prepared. This was seconded by Alderman Wager and carried unanimously.

REZONING-EPHESUS CHURCH ROAD-POWELL

Mayor McClamroch read a transmittal from the Planning Board recommending disapproval of a request for rezoning from RA-10 to Regional Commercial of about 1.3 acres of land on the Ephesus Church Road, submitted by Mr. Powell. The Planning Board vote was 4-3 with one member abstaining. Mr. Scroggs explained that the majority felt that there was sufficient land now zoned for commercial purposes, but that the minority had felt that this land was suitable only for commercial purposes, and that he personally would have voted for the rezoning if he had had an opportunity to vote. Mrs. Ivey spoke for the rezoning. Alderman Strowd moved, seconded by Alderman Wager, that this matter be referred again to the Planning Board for further consideration. This motion was unanimously adopted.

SPECIAL USE-COLONY APARTMENTS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of twenty five (25) units of the thirty (30) units requested by Mr. Powell. Mr. Scroggs explained that there was a small piece of land covered by this petition that was zoned for Agriculture rather than RA-10 which accounted for the difference in the number of units for which approval was recommended and the number requested. Alderman Walters moved the following: that approval be granted for construction of twenty five (25) units of the thirty (30) requested by Colony Apartments on basis of the findings: 1) That if developed according to the plan as submitted that it will not materially endanger the public health and safety, 2) that it meets all required conditions and specifications, 3) that it will not substantially injure the value of adjoining or abutting property, and 4) that it will be in harmony with the area in which it is to be located and in general conformity to the plan of development of Chapel Hill and its environs. This motion was seconded by Alderman Page and unanimously adopted.

SPECIAL HEARING

Mr. Powell requested that a special hearing date be set for a rezoning request to change the portion of land with in this apartment project from Agriculture to RA-10. He stated that the Planning Board had agreed to a special hearing. Alderman Giduz moved, seconded by Alderman Strowd, that a special hearing be held on April 12, 1965 for this purpose. This motion was adopted unanimously.

REZONING-EAST FRANKLIN STREET-HENRY

Mayor McClamroch read a transmittal from the Planning Board recommending that the request for rezoning from RA-10 to RA-6 and special use for apartments on about 3 acres of land on East Franklin Street adjacent to Crowell Little Motor Company not be approved. Alderman Wager moved, seconded by Alderman Robinson, that the request for rezoning be disapproved. This was carried unanimously. Alderman Walters moved, seconded by Alderman Page, that the request for a special use be denied on the grounds that the density requested exceeded that allowed in an RA-10 district. This motion was unanimously carried.

SPECIAL USE-APARTMENTS-COHEN

Mayor McClamroch read a transmittal from the Planning Board which recommended approval of a special use permit to construct seventy two (72) units between Mergan Creek and NC-54 Bypass. A request had been submitted for one hundred and eight (108) units. Mr. Cohen presented a brief history of the project stating that, based on the ordinance and all information that he had been able to get from town officials, the project has been designed to meet the specifications of the Town, and that in preliminary discussions with the Planning Board that there had been several suggestions which had been carried out in his plans, but there had been no question of the density of the project. Mr. Scroggs suggested that the request either be re-referred to the Planning Board or approved for a number of units between seventy two (72) and one hundred and eight (108). Mr. Anderson, City Planning and

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Architectural Associates, pointed out that while the densities in dwelling units per acre and population per acre in the proposed project exceeded slightly those of Glen Lennox, that the land coverage would be only about two-thirds that of Glen Lennox. Dr. Robert Phillips spoke for the construction of the apartments and immediate action rather than referral to the Planning Board. Dr. Ritchie Bell concurred in Dr. Phillips' remarks. Alderman Walters moved that the Planning Board be asked to re-consider this request. This motion was seconded by Alderman Robinson. Alderman Giduz submitted a substitute motion that the special use request for one hundred and eight (108) units be approved. There was no second to the substitute motion and the original motion was adopted by a 6-0 vote.

SPECIAL USE-APARTMENTS-CARLISLE

Mayor McClamroch read a transmittal from the Planning Board recommending that the special use request by Jack Carlisle for two hundred and thirty one (231) apartments be disapproved. Mr. Carlisle proposed to the Board that approval be given for the construction of eighty nine (89) units, with the understanding that he would re-submit a request for additional units, but the Board would be under no obligation to approve anything more than the eighty nine (89) originally requested. This proposal would be for a single entrance from Hillsboro Street, with the entrance from Airport Road coming only with the approval of additional units. Mr. Scroggs opposed this proposal. Alderman Walters moved, seconded by Alderman Strowd, that approval of this project be denied on the grounds that it would endanger public health and safety and would not be in harmony with the area in which it would be located. Alderman Giduz proposed a substitute motion that this proposal be referred back to the Planning Board. This was seconded by Alderman Strowd. The substitute motion was carried by a vote of 5-1. On a show of hands voting for the motion were Aldermen Giduz, Strowd, Wager, and Page, against the motion Alderman Walters, abstaining Alderman Robinson.

REZONING-WILLOW DRIVE

Mayor McClamroch read a transmittal from the Planning Board recommending disapproval of a rezoning request from Regional Commercial to RA-6 of the land along Willow Drive owned by Willow Terrace Apartments. Alderman Walters moved, seconded by Alderman Page, that the rezoning be disapproved. Mr. Phil Rominger, representing Willow Terrace Apartments, spoke for the rezoning. Mr. Conner, adjacent property owner, also spoke for the rezoning. The motion was carried unanimously.

Alderman Strowd moved, seconded by Alderman Robinson, that the request for special use be denied on the grounds that it did not meet the specifications under the existing zoning. This was unanimously approved.

REZONING-EAST FRANKLIN STREET-McCAULEY

Mayor McClamroch read a transmittal from the Planning Board recommending disapproval of the request for rezoning from RA-10 to Regional Commercial on East Franklin Street at the intersection of Milton Avenue. Alderman Wager moved, seconded by Alderman Walters, that this request for rezoning be denied. Mr. I. C. Weller, present owner of the property, argued for the rezoning and Mr. Tyler, resident of Milton Avenue, opposed it. The motion was carried unanimously.

REZONING-WEAVER DAIRY ROAD

Mayor McClamroch read a transmittal from the Planning Board recommending rezoning of about sixty eight (68) acres on the west side of Weaver Dairy Road from Agriculture to RA-15. Alderman Page moved, seconded by Alderman Giduz, that this application be approved and the necessary ordinance prepared. This motion was carried unanimously.

REZONING-EPHESUS CHURCH ROAD-RICHARDS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of rezoning of about one hundred and seventeen (117) acres on south side of Ephesus Church Road from agriculture to RA-15. Alderman Robinson moved, seconded by Alderman Wager, that this rezoning request be approved and the proper ordinance be prepared. This motion was carried unanimously.

ZONING ORDINANCE REVISIONS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of certain word changes in the Zoning Ordinance pertaining to the notes accompanying the table of district regulations and certain paragraphs of Section 10 and Section 12. Alderman Giduz moved that these changes be approved as advertised and that the necessary ordinance be prepared. Alderman Strowd seconded this motion which was carried unanimously.

SUBDIVISION-ESTES HILLS

Mayor McClamroch read a transmittal from the planning Board recommending approval of the final plat of Phase #6 of Estes Hills Subdivision. Alderman Strowd moved, seconded by Alderman Walters, that the final plat of Phase #6 of the Estes Hills Subdivision be approved as submitted. This motion was unanimously carried.

PARKING-WEST FRANKLIN STREET

The Street Committee had been asked to review a petition for angle parking on West Franklin Street submitted at the February 23rd meeting. Alderman Robinson called Chief Blake who reported that Police Department surveys indicated that the parking was adequate at all times, that the accident record had been improved by the change from angle to parallel parking and the congestion on the street greatly reduced. Mr. Clavin Simmons argued for the parking stating the business on West Franklin Street have been hurt by lack of parking. Mayor McClamroch pointed out that the primary purpose for streets was for moving traffic not providing parking and indicated that the off street parking on East Franklin Street was available because of the initiative of the merchants in the area. Alderman Robinson stated the recommendation of the Street Committee was that the parallel parking be retained and moved that this recommendation be upheld. This was seconded by Alderman Page and carried unanimously.

PARKING-McDADE & LINDSAY STREETS

Alderman Strowd moved adoption of the following ordinance:

AN ORDINANCE RELATING TO PARKING ON McDADE AND LINDSAY STREETS

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

SECTION I.

That from and after the 8th day of March, 1965 it shall be unlawful to park an automobile or vehicle of any kind on the south side of McDade Street between Church Street and Mitchell Lane.

SECTION II.

That from and after the 8th day of March, 1965 it shall be unlawful to park an automobile or vehicle of any kind on the north side of Lindsay Street between Church Street and Mitchell Lane.

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SECTION III.

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

This the 8th day of March, 1965.

This was seconded by Alderman Page and unanimously approved.

ELECTIONS

Alderman Page moved adoption of the following resolution:

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

Section 1. Pursuant to the Charter of the Town of Chapel Hill and the General Laws of the State of North Carolina governing elections in municipalities, the Board of Aldermen hereby calls for an election to be held in the Town of Chapel Hill on Tuesday, May 4, 1965, the same being the first Tuesday after the first Monday in May, the date established by law for said election. Said election shall be conducted for the purpose of electing a Mayor, three Aldermen, and a Judge of the Recorder's Court by the voters of the Town. The Mayor shall be elected to hold office for a term of two years, the three Alderman to hold office for a term of four years and the Judge of the Recorder's Court to hold office for a term of two years.

Section 2. The polls shall be open on the day of election from 6:30 A.M. until 6:30 P.M. Eastern Standard Time, and no longer, and each person whose name is registered and who is eligible, as defined by general law, shall be entitled to vote,

Section 3. The name of each candidate for Mayor, Alderman and Judge of the Recorder's Court shall be printed upon the official ballot, provided there is filed with the Town Clerk and Town Manager not less than fifteen days prior to the holding of such election a certificate of nomination with the name of the candidate and the office for which he is a candidate. The candidate receiving the highest number of votes for Mayor shall be declared elected to such office for the ensuring term of two years. The three candidates receiving the highest number of votes for the office of Aldermen shall be declared elected for the ensuring term of four years. The candidate receiving the highest number of votes for Judge of the Recorder's Court shall be declared elected for the ensuing term of two years.

Section 4. The place for holding the elections are hereby designated as follows:

a. Northside Precinct. The Northside Precinct shall include all of the property located within the corporate limits of the Town of Chapel Hill lying east of Carrboro, North of Franklin Street, and West of North Columbia Street and the Airport Road, the polling place for which shall be located at the Fire Station #1.

b. East Franklin Precinct. The East Franklin Precinct shall include all of the area located within the corporate limits of the Town of Chapel Hill with boundaries as follows: beginning at the intersection of Cameron Avenue and Columbia Street then Northward along Columbia Street and Airport Road; then Northward along Airport Road to Bolin Creek; then Eastward along Bolin Creek to East Franklin Street (U.S. 15-501 Business); then Northeastward along East Franklin Street to Highway U. S. 15-501 Bypass; then southward along U. S. Highway 15-501 Bypass to Bolin Creek; then westward along Bolin Creek to Battle Branch and along Battle Branch to Cameron Avenue; then westward along Cameron Avenue to the point of beginning, the polling place for which shall be located at Graham Memorial.

c. Estes Hill Precinct. The Estes Hill Precinct shall include all of the property located within the corporate limits of the Town of Chapel Hill lying East of Airport Road, North of Bolin Creek and West of East Franklin Street (U.S. 15-501 Business), the polling place for which shall be located at the Estes Hill Grammar School.

d. Westwood Precinct. The Westwood Precinct shall include all of the property located within the corporate limits of the Town of Chapel Hill lying south of Franklin Street, east of Carrboro and Pritchard Branch and west of South Columbia Street, the polling place for which precinct shall be located in the Chapel Hill High School.

e. Country Club Precinct. The Country Club Precinct shall include all of the property located within the corporate limits of the Town of Chapel Hill lying south of Cameron Avenue, Battle Branch and Bolin Creek, west of U. S. Highway 15-501 Bypass and east of South Columbia Street, the polling place for which precinct shall be located in Wollen Gymnasium.

f. Glenwood Precinct. The Glenwood Precinct shall include all of the property located within the corporate limits of the Town of Chapel Hill lying East of U. S. Highway 15-501 Bypass and north of Mason Farm Road, the polling place for which precinct shall be located in the Glenwood School.

Section 5. Registrars and Judges of Elections for the several election precincts above described are hereby designated and appointed as follows:

(a) Northside Precinct. Mrs. Ira Hicklin is hereby designated and appointed Registrar and Ola Andrews and Thayer Lloyd are hereby designated and appointed Judges.

(b) East Franklin Precinct. Mrs. Lawrence Cramer is hereby designated and appointed Registrar and Mrs. Myrtle Jeter and Mrs. Pearson Stewart are hereby designated and appointed Judges.

(c) Estes Hills Precinct. Mrs. Raymond Andrews is hereby designated and appointed Registrar and Mrs. Winston Broadfoot and Mr. Dohald W. Herb are hereby designated and appointed Judges.

(d) Westwood Precinct. Mrs. Ann Queen is hereby designated and appointed Registrar and Mrs. Gloria Robinson and Mr. P.R. Perry are hereby designated and appointed Judges.

(e) Country Club Precinct. Mrs. Gerald MacCarthy is hereby designated and appointed Registrar and W. W. Baucom and A. T. Miller are hereby designated and appointed Judges.

(f) Glenwood Precinct. Mrs. Lindsay Neville is hereby designated and appointed Registrar and Mrs. Robert B. Midgett and Mrs. Russell Tomlinson are hereby designated and appointed Judges.

Each of the above-named Registrars and Judges of the election, before entering upon his duties, shall take oath before any person authorized by law to administer oaths to conduct the election fairly and impartially, according to the Laws of the State of North Carolina and the Town of Chapel Hill.

Section 6. The Registration books shall be opened for the registration of voters at 9:00 A.M. on Saturday, April 10, 1965, and shall close at sunset on Saturday, April 24, 1965, and each registrar shall keep open the said books for the registration of voters residing in his precinct and entitled to registration. On each Saturday during the period of registration the registrar shall be at the polling place in his precinct with the registration books between the hours of 9:00 A.M. and Sunset for the registration of voters.

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Saturday, May 1, 1965 is hereby designated Challenge Day, and any elector desiring to challenge any name included in said registration books shall this day advise the Registrar of the fact. The Registrar and Judges shall thereupon set a date and time for hearing the challenge which date shall be prior to election day.

Section 7. This Resolution Ordinance shall be published in a Newspaper having general circulation in the Town of Chapel Hill.

This was seconded by Alderman Giduz and carried unanimously.

POOL ROOMS & BEER

Alderman Wager moved the adoption of the following ordinance:

AN ORDINANCE RELATING TO POOL OR BILLIARD TABLES

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

SECTION I.

That from and after the 8th day of March, 1965, it shall be unlawful to have, maintain or use or permit to be used, maintained or operated, a pool or billiard table of any kind in any place or establishment within the corporate limits of the Town of Chapel Hill wherein beer or wine are legally sold for consumption on the premises.

SECTION II.

All ordinances in conflict herewith are hereby repealed.

This the 8th day of March, 1965.

This was seconded by Alderman Walters and carried unanimously.

STREET ASSESSMENTS

Alderman Walters moved that the assessment roll be confirmed at 10:35 p.m. as submitted and a copy be placed with the minutes. This motion was seconded by Alderman Page and carried unanimously.

SEWER CONTRACT

Alderman Strowd moved adoption of the following resolution:

RESOLVED: That the following contracts be awarded for SEWER IMPROVEMENTS in accordance with bids submitted, and that the Mayor and Clerk be authorized and directed to execute and contracts in the name of the Board when same shall have been approved by the Town Attorney. WRENN-WILSON CONSTRUCTION COMPANY

This was seconded by Alderman Robinson and unanimously approved.

BUDGET CHANGE

Alderman Giduz moved the following amendment to the Budget Ordinance:

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1964 AND ENDING JUNE 30, 1965.

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

SECTION I.

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance Appropriating Funds for the Fiscal Year Beginning July 1, 1964 and ending June 30, 1965 and to Levy Taxes and Raise Revenue for said Fiscal Year", as duly adopted on July 28, 1964 be and the same is hereby amended, as follows:

1. That Appropriations account entitled "6220 Fire Department" be increased by \$2,650.00.
2. That Appropriations account entitled "8000 Contingencies" be decreased by \$2,650.00.

SECTION II.

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 8th day of March, 1965.

This was seconded by Alderman Strowd and unanimously approved.

PARKING-PRITCHARD & VANCE STREET

Alderman Page moved, seconded by Alderman Giduz, that the parking on Pritchard Street now on the east side should be moved to the west side between Rosemary and Noble Street and that no parking should be allowed on any part of Vance Street Extension, and asked that the proper ordinances be drawn. This was unanimously approved.

SPEED LIMIT

The Manager was asked to write to the Highway Department concerning a reduced speed limit on South Columbia Street between Franklin and McCauley Street and on Sunset Street.

Adjourned at 11:15 p.m.

Robert M. McClamroch Mayor
David B. Roberts Town Clerk

MINUTES

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen met at a Special Meeting on March 15, 1965 at 4:30 p.m. with the following members present: Mayor McClamroch, Aldermen Page, Wager, Walters, Strowd, Giduz and Robinson; Town Manager Peck; Town Clerk Roberts; Town Attorney LeGrand. Also present were the following members of the Planning Board: Scroggs, Chairman; Smith, J. Wallace, Burns, W. Wallace, Fitch and Martin.

SPECIAL USE-APARTMENTS-COHEN

Mayor McClamroch announced that the special meeting had been called for consideration of two items, the first of which was re-consideration of the special use request for apartments submitted by Mr. Cohen. Alderman Giduz moved to re-consider the vote by which the Kingswood Subdivision was referred to the Planning Board at the March 8 meeting. This was seconded by Alderman Robinson on the understanding that this motion merely brought the subject up for discussion and the merits of the case were not pertinent to this vote. The Board approved the motion unanimously. The Planning Board was asked to give their views on this matter. Mr. Wesley Wallace pointed out that the Zoning Committee had recommended to the Planning Board that one hundred and eight (108) units be approved, but that because this was a new area that he favored limiting the density and so had made the motion at the Planning Board meeting that it be approved for seventy two (72) units which is the density that would apply in an RA-15 area. He felt that under the provisions of the Zoning Ordinance at present that to allow maximum density would be similar to reducing the area to RA-6 or less.

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