

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at a special quarterly hearing with the Planning Board on Monday May 27, 1968 at 7:30 p. m. with the following members present: Mayor McClamroch; Alderman Prothro, Giduz, Smith Varley, Ethridge and Kage. Planning Board members present were Tuttle, Fitch, Cleaveland, Scroggs, Welsh, Umstead, Wilson, Wallace, Weiss, and Kyle. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

HEARING-PAVING ASSESSMENTS

Mayor McClamroch announced that hearing had been advertised for this time to consider the assessment roll for street improvements on Laurel Hill Road and Stagecoach Road. No one appeared to question the roll. Alderman Prothro moved, seconded by Alderman Smith, that the roll be confirmed as received from the Town Clerk, effective 7:31 p. m. This was unanimously carried.

JOINT QUARTERLY HEARINGREZONING-REGIONAL COMMERCIAL-AIRPORT ROAD

Attorney Robert Page represented Mr. Marlow in his request for rezoning from RA-20 to Regional Commercial a lot on the west side of Airport Road north of Critz Drive. Mr. Page introduced Mr. Fowler, Gulf Oil Company, who explained a proposed plan to develop a service station and a store as two separate buildings on this lot. Alderman Kage questioned the traffic and the five entrances into this property. Mr. Fowler said that all the highways were in conformance with the State Highway Commission driveway regulations. Mr. Scroggs asked if this were a special use request or a subdivision? At this time it is nothing but a zoning request. Mr. Page told the Board that this project would cost about \$100,000, that a service station was needed in this area, that this site was poor for housing, and that he had a petition signed by 84 home owners in the area supporting the rezoning. Alderman Giduz asked about previous rezoning requests in this area. Mr. DeMaine told the Board that in 1963 a request for Suburban Commercial for this lot had been tabled and apparently brought up again, that in 1966 a request for Regional Commercial had been recommended by the Planning Board denied by the Aldermen until Airport Road was improved. Dr. Buckner opposed the rezoning and presented a petition of about 60 signatures which he said represented 35 of the 39 homeowners living in Glen Heights opposing the rezoning because of the traffic and school buses. Four persons in the audience spoke for and four against the rezoning. Alderman Ethridge noted that this could be the start of strip commercial which would be damaging to this entrance to Chapel Hill. Alderman Prothro moved, seconded by Alderman Varley, that this be referred to the Planning Board for study and recommendation. This was unanimously carried.

REZONING-LIMITED BUSINESS-N. COLUMBIA STREET

Herb Holland spoke for Mr. Bush, himself, and others in support of a request for rezoning from RA-6 to Limited Business of land on the west side of N. Columbia Street from the Central Business District to Carr Street. He noted that there was a need for additional land for offices, that this was rather poor residential property, and that the land across the street from much of it was zoned for Limited Business. Alderman Giduz asked about the location of the proposed thoroughfare? This would run through the middle of the area for which rezoning was requested. Mr. Walker, 104 Carr St. objected on the basis of traffic, noise and possible deterioration of properties. Alderman Giduz moved, seconded by Alderman Smith, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

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REZONING & SPECIAL USE-UNIFIED HOUSING-ELLIOTT ROAD

Mayor McClamroch said that these two items should be discussed together as they made up a single project. Robert Seymour, President of the Inter Church Council, discussed the housing situation in general after which Mr. DeMaine pointed out the location of the proposed site and the location of the project within the site. Mr. Chapin then told the Board that the Inter Church Council had proposed to construct a total of 100 housing units in town but that suitable sites were extremely scarce. He noted that they wanted to put 39 units on this five acre site which was suitable because it was in town, near shopping, had water and sewer, and land priced so that it met the HUD standards for costs. He noted that they expected to request permits for another 16 units on a two acre site at some later time. He told the Board that the 39 units now proposed would range from 1 to 4 bedrooms with rent from \$70.00 to \$118.00 per month and 12 would class as low income units and 27 as moderate income units. He noted that the nearest point of this project to Old Oxford Road was 125 feet with no planned access except to Elliott Road, that it was near Franklin Street which would reduce the traffic problem, and that the church proposed a day care center on the remaining four acres of church property. Mrs. Welsh, speaking for the Community Appearance Commission, complimented the site planning but suggested that additional landscaping be developed at the entrance on Elliott Road. Alderman Giduz asked about previous requests for rezoning? Attorney Robert Midgette, representing residents of the surrounding area, said that there had been a request for rezoning to RA-10 by Mr. Ellinger in 1963 and that the Planning Board had unanimously recommended denial and the Aldermen had denied it unanimously. Mr. Midgette noted that petitions by more than 20% of the adjacent property opposing the rezoning had been filed which would require the three fourths vote of the Board of Aldermen to accomplish the rezoning. He then presented petitions from residents and property owners of the surrounding areas opposing the project and told the Board that there were more than 200 names on the petitions. He noted their opposition based on traffic and property values, etc. Attorney Robert Page then summarized the opposition. Alderman Ethridge asked if this would be considered spot zoning? No. Mr. DeMaine noted that this is a generally undeveloped area being used as a buffer between Franklin Street and Old Oxford Road. Alderman Giduz asked the Town Attorney what criteria should be considered in rezoning. This was read from the ordinance by Mr. Denny. Alderman Giduz asked about a zoning request by Mr. Rashkis about 1966? This apparently never came before a hearing. Thirteen members of the audience spoke in support of the request, five spoke in opposition to it. Alderman Giduz then moved, seconded by Alderman Prothro, that both the rezoning and special use permit be referred to the Planning Board for study and recommendation.

SPECIAL USE-UNIFIED HOUSING-NC 54 BYPASS

Bob Anderson, representing the owners, described the project and site plan. He discussed a plan for 170 units whereas the advertising had been for 146 units based on a statement from the Architect's office. Attorney Denny ruled that this was not enough to invalidate the hearing and subsequent action. Mrs. Welsh, CAC, suggested breaking up the parking areas with planting, keeping the necessary slopes as flat as possible for planting and maintenance, and partially screening the stores both front and rear. Mr. Peck asked about the dedication of the thoroughfare across the corner of the property. This will be dedicated. Mr. Weiss asked about the traffic at the entrance? Mr. Anderson felt this would be no problem. Mr. Scroggs then asked whether a housing and business development could be combined? Attorney Denny said that separate action would have to be taken on the two projects but that they could be combined for advertizing. Alderman Giduz raised the question of a general policy of having businesses

at street intersections not along the highways? Mr. Anderson pointed out the future radial road which would come close to this proposed business property and noted that the businesses would be primarily for local service. Mrs. West, owner of land adjacent to this project on the east side, opposed the business portion of the project. A question was raised as to the appropriate Board for considering the service station portion of the unified business application as single service stations require a special use from the Board of Adjustment. The Board felt that the service station being considered as part of the unified business development should probably come before the Planning Board and Board of Aldermen. Alderman Smith moved, seconded by Alderman Giduz, that this be referred to the appropriate board or boards for study and recommendation. This was unanimously carried.

SPECIAL USE-UNIFIED HOUSING-15-501-BYPASS

Bob Anderson told the Board that Phil Rominger wished to withdraw his request for special use permit as the plan had asked for 136 units but should have been for 150 units.

ORDINANCE REVISION-OPEN SPACE

Mayor McClamroch read a proposed amendment to the ordinance which would allow credit to apartment density for open space dedicated as part of the project. Alderman Prothro moved, seconded by Alderman Ethridge, that this matter be referred to the Planning Board for study and recommendation. This was unanimously carried.

SPECIAL USE-UNIFIED HOUSING-BOLIN CREEK

Jim Ford presented a plan for 120 dwelling units similar to the one presented at the last hearing but with a different access which eliminated some of the problems of the previous request. Alderman Giduz noted that thoroughfare plan through this area was not provided for. Mrs. Welsh, CAC, pointed out that the landscaping plan of this project was inadequate, that the parking lots and sidewalks needed to be improved. Mr. Peck asked if the access to the project would be a public street or private driveway? Private driveway. He then asked if this would provide access to the Tenney land? No. Alderman Smith stated that if dedication of the thoroughfare is required across Carlisle property that it should be required here. Mrs. Eckland opposed the project saying that Bolin Creek should be preserved. Mr. Haisley opposed, presenting a petition of 192 signatures opposing the project, noting that many would not oppose if it were submitted at a lower density. Mrs. Klinberg questioned the thoroughfare across this property, and Mr. DeMaine explained the Thoroughfare Plan in this area. Mrs. Welsh asked if it could be legally required. Mr. Denny pointed out that it had been done in both subdivisions and special use permits and could be made a condition for issuing the permit. Two other members of the audience opposed the project. Alderman Prothro moved, seconded by Alderman Varley, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

ZONING AMENDMENT-SIGNS

Bob DeMaine read a proposed amendment to the Sign Ordinance discussing each change. Alderman Varley asked if this would make many signs non conforming? Several, primarily because of the roof requirements and the lighting intensities. Joe Alexander representing a sign company, objected to the ordinance and made some rather broad statements about the large number of signs they would make non conforming without pointing out specific signs or in what manner they would become non conforming. Alderman Giduz moved, seconded by Alderman Ethridge, that this portion of the hearing be continued until the June 24th meeting so that it could be given further consideration. This was unanimously carried.

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ZONING ORDINANCE REVISIONS

Bob DeMaine explained some of the technical revisions and word changes designed to clarify the Zoning Ordinance. Alderman Kage moved, seconded by Alderman Prothro, that this proposal be written so that the changes would be clarified and then referred to the Planning Board for study and recommendation. This was unanimously carried.

MAP REVISIONS

Bob DeMaine went over the proposed changes in the district lines in the commercial districts which would bring them into conformity with the property lines. Alderman Giduz moved, seconded by Alderman Smith, that this be referred to the Planning Board for study and recommendation. This was unanimously carried. The Joint Public Hearing was adjourned and the Regular Meeting called to order at 12:58 A.M. Alderman Giduz moved, seconded by Alderman Varley, that this meeting be adjourned until 4:30 P.M.

Tuesday May 28, 1968 4:30 P. M.

The regular meeting which had been adjourned from May 27th to this time was called to order by Mayor McClamroch with all members present except Alderman Kage.

MINUTES

Alderman Prothro moved, seconded by Alderman Varley, that the minutes of the meeting of May 13, 1968 be approved as corrected. This was carried by a vote of 5-0.

HUMAN RELATIONS COMMISSION

Mayor McClamroch read a proposed ordinance establishing the Human Relations Commission. (See Page 5A) Alderman Prothro moved, seconded by Alderman Giduz that this ordinance be adopted as read. This was carried by a vote of 5-0.

SPEED LIMITS

Mayor McClamroch read a proposed ordinance establishing a 20-mile speed limit on East Franklin Street between Henderson and Hillsborough Street and on Columbia Street between Franklin Street and Cameron Avenue. (See Page 5AA) Alderman Giduz moved, seconded by Alderman Varley, that this ordinance be adopted subject to final approval by the State Highway Commission. This was carried by a vote of 5-0.

BOND ELECTION

The Town Clerk presented the returns of the Registrars and Judges of the Election and Certificate of the Board of Canvassers showing the votes cast at the Special Election held on May 4, 1968 by voters voting on the Bond Ordinance submitted at such election. The returns and certificates were read and considered. Alderman Ethridge moved that the following resolution be adopted. (See Official Minute Book) The resolution was approved by a vote of 6-0 (Alderman Kage having come in prior to the introduction of the resolution) and signed by each Alderman. Alderman Smith moved that the Town Clerk be directed to file the original statement in his office and to publish a copy of this statement in the manner provided by law. Alderman Varley seconded the motion and the motion was unanimously adopted.

WATERSHED RESOLUTION

Alderman Ethridge moved adoption of the following resolution;

AN ORDINANCE TO ESTABLISH A HUMAN RELATIONS COMMISSION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

Section 1. Creation and name. There is hereby created an advisory commission known as the Human Relations Commission of the Town of Chapel Hill.

Section 2. Appointment and term of office. The Commission shall be composed of eighteen (18) members, serving without pay. They shall be appointed by the Mayor and Board of Aldermen, and vacancies occurring on the Commission shall be filled in the same manner for the unexpired term. The terms of office of the members shall be three years, or until their successors are appointed and qualified. The term of members first appointed shall be as follows:

Six members shall be appointed for a period of one (1) year, six members for a period of two (2) years, and six for a period of three (3) years. At the expiration of such periods, each member shall thereafter be appointed for a full three year term, and members may be appointed to succeed themselves.

Section 3. Offices and meeting. Immediately after appointment, the members of the commission shall meet and select a chairman and such other officers as may be necessary. The Commission shall have the power to make and adopt by-laws and rules and regulations for its procedure. The Commission shall hold regular meetings at such time and places as may be fixed by the Commission.

Section 4. Powers and duties. The Human Relations Commission shall have the following duties: (1) to encourage understanding and good will between all races and thus promote the general welfare of this community, (2) to act as a public forum in hearing complaints involving racial tension, (3) to report to the Board of Aldermen and to recommend if so desiring, measures designed to protect the welfare of the Community.

Section 5. All Ordinances or portions of Ordinances and Resolutions in conflict herewith are hereby repealed.

This the 27th day of May, 1968.

AN ORDINANCE TO AMEND THE ORDINANCE ESTABLISHING SPEED LIMITS ON THE STATE HIGHWAY SYSTEM WITHIN CHAPEL HILL"

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill the ordinance establishing speed limits on the highway system be hereby amended as follows:

Rescind the Following Speed Limits

<u>Speed Limit</u>	<u>Location Number</u>	<u>Description</u>
<u>35</u>	<u>1</u>	E. Franklin Street (US 15 Bus. - US 501 Bus.) from a point 0.20 mile west of Hillsboro Street to the northeastern corporate limit.
<u>35</u>	<u>4</u>	South Columbia Street (US 15-501 Bus.) from Franklin Street (NC 54 Bus.) to the southern corporate limit.

Declare the Following Speed Limits

<u>Speed Limit</u>	<u>Location Number</u>	<u>Description</u>
<u>20</u>	<u>3</u>	East Franklin Street (US 15-501 Business) from Hillsborough Street (SR 1748) to a point 0.2 mile west of Hillsborough Street (SR 1748).
<u>20</u>	<u>4</u>	South Columbia Street (US 15-501 Business) from East Franklin Street (US 15-501 Business) to Cameron Avenue.
<u>35</u>	<u>11</u>	Franklin Street (US 15-501) from Hillsborough Street (SR 1748 to the eastern corporate limit, approximately 0.1 mile east of Milton Avenue.
<u>35</u>	<u>12</u>	Columbia Street (US 15-501, N. C. 54) from Cameron Street to South Road (NC 54).
<u>35</u>	<u>13</u>	Columbia Street (US 15-501) from South Road (NC 54) to the southern corporate limit, approximately 0.4 mile south of McCauley Street.

This the 27th day of May, 1968.

WHEREAS an adequate supply of good water is one of the most important resources of any urban area, and:

WHEREAS excessive development in the watershed serving as a municipal water supply, can, unless public sewer is provided, endanger the quality of the water and the health of those who use the water, and:

WHEREAS, control by zoning is a practical method for protecting the watershed while permitting reasonable development:

NOW, THEREFORE BE IT RESOLVED that the Orange County Board of Commissioners be requested to establish within the watershed above the University Lake a single family district with a maximum density of one family per acre for residences not connected to a public sanitary sewer system, and to extend its zoning jurisdiction beyond Chapel Hill Township to that portion of Bingham Township which lies in the watershed of the University Lake.

This the 28th day of May, 1968.

This was seconded by Alderman Smith and unanimously carried.

RELEASES & REFUNDS

Alderman Ethridge moved that the following be released or refunded as having been erroneously charged.

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
D. N. Stallings	4846	\$30.00	Double listed also listed to Donald F. Clifford, Jr.
Walls Grocery	4404	18.86	Property located at Chatham line.
Marvin Norwood	2726	15.30	Sewer charged on wrong bill
Silas R. Lucas	4657	46.13	Sewer double listed

Kate W. Egan

5.54

Property located in
Carrboro

This was seconded by Alderman Kage and unanimously carried.

Alderman Ethridge moved, seconded by Alderman Prothro, that Steve Bernholz be appointed Solicitor to take office prior to June 15, 1968 at the convenience of Jim Harper, present Solicitor. This was unanimously carried.

Alderman Giduz moved, seconded by Alderman Prothro, that the following be re-appointed to an additional one-year term on the Recreation Commission: Bill Basnight, Pat Earey, C. A. McDougale, F. W. Hengeveld. The Board balloted for additional vacancies. After having counted the ballots, Mayor McClamroch stated that Mr. Alice Battle had been named to a two-year term and that Dick Jamerson had been named to a one-year term to complete the term of Mrs. Lindahl.

Alderman Smith introduced the following resolution:

The Chapel Hill Board of Aldermen hereby commends Luther Atwater on the occasion of his retirement, June 9, 1968 for his 44 years of continuous faithful service to the Town of Chapel Hill and its citizens and wishes him health and happiness in his retirement.

This the 27th day of May, 1968.

This was seconded by Alderman Prothro and unanimously carried. The Board asked that Luther Atwater be invited to attend the June 24th Meeting to receive the certificate.

The Board balloted on membership on the Human Relations Commission and Advisory Commission with the following results:

Roy B. Brock - 2 years
Charles E. Bowerman - 1 year
Carlton Byrd - 2 years
Mrs. Fred N. Cleaveland - 3 years
Mr. Wilmer S. Cody, Jr. 3 years
Braxton D. Foushee - 1 year
Thomas Gardner - 2 years
Rev. Thomas Hoyt, Jr. 3 years
Mrs. Jane Joyner -1 year
Rev. J. R. Manley 3 years
Joseph D. Page - 1 year
Miss Anne E. Queen - 1 year
Phil Rominger - 2 years
Hayden B. Renwick - 2 years
W. M. Shuford - 2 years
R. D. Smith - 3 years
Rev. H. L. Watson - 1 year
C. F. Williams - 3 years

CITIZENS' ADVISORY COMMISSION

Mrs. Rebecca Clark - 1 year
 Edwin L. Caldwell, Jr. - 2 years
 Edward Carver, Jr. - 2 years
 E. B. Crawford - 1 year
 Vernon Crook - 2 years
 O. K. Cornwell - 2 years
 Collier Cobb, III - 1 year
 M. M. Fitch - 1 year
 J. T. Gobbel - 2 years
 Clyde E. Hornaday - 1 year
 Howard N. Lee - 1 year
 Joe Nassiff - 2 years
 Dickson Phillips - 2 years
 Arlena Riggsbee - 1 year
 Michael A. Stegman - 2 years
 F. E. Strowd - 1 year
 Mrs. Adelaide Walters - 1 year
 Mrs. E. E. Yaggy, Jr. - 2 years

The Meeting adjourned at 6:10 P. M.

W. L. McClamroch
Mayor

David B. Roberts
Town Clerk

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on Monday June 10, 1968 at 7:30 p.m. with the following members present: Mayor McClamroch, Aldermen Ethridge, Kage, Smith, Giduz and Prothro. Alderman Varley was absent. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

PUBLIC HEARING-ANNEXATION

Mayor McClamroch announced that a public hearing had been advertised for this time to consider the annexation proposals for Airport Road, Willow Drive and Ephesus Church Road. The Town Manager explained the proposals and enumerated the services to be provided as shown in the annexation report. There were about thirty persons present indicating interest in the annexation, they asked questions, but none indicated opposition to the annexation. Mayor McClamroch explained that no action could be taken within seven days subsequent to the hearing. Alderman Smith moved, seconded by Alderman Prothro, that the hearing be adjourned. This was unanimously carried.

MINUTES

Alderman Prothro moved, seconded by Alderman Kage, that the minutes of the meeting of May 27, 1968 be approved as corrected. This was unanimously carried.

PETITIONS

Mr. Seymour brought the Board a petition with reference to the Inter Church Council housing project.

REZONING-MARLOW

Mayor McClamroch read a transmittal from the Planning Board recommending rezoning of a lot on the northwest corner of the interesection of NC 86 and Critz Drive to Regional Commercial. Alderman Giduz asked if this was the proper location for a potential shopping center? Mr. DeMaine said there was a question whether it would be better here, at Estes Drive or on Homstead Road, noting that Homestead Road was outside the Planning District. Mr. Tuttle, Chairman of the Planning Board, said that this could be the start of a strip commercial district in the area. He was apprehensive of the land just north of this which is outside of the Planning District.

Alderman Prothro supported the general town policy of having commercial districts at intersections of major highways. Alderman Kage noted that the traffic and road conditions here were poor and would be until four-laning of NC 86 is completed. Mr. DeMaine told the Board that the plans for the airport were still uncertain and future development of the airport could change the nature of the neighborhood. Alderman Giduz moved, seconded by Alderman Kage, to uphold the recommendation of the Planning Board and prepare an ordinance for rezoning this property. Alderman Kage then offered a substitute motion, seconded by Alderman Giduz, to delay the effective date of the rezoning for thirty days after the contract for widening was let. Town Attorney Denny recommended that a specific date be set rather than indefinite time depending on someone else's action. Alderman Kage then changed his motion to make the rezoning effective March 1, 1969 and Alderman Giduz withdrew his second to this motion. The motion was then withdrawn. Voting on the original motion to uphold the Planning Board, Aldermen Giduz and Kage voted for the motion, Aldermen Ethridge, Smith and Prothro voted against the motion. Major McClamroch ruled that the motion was defeated.

REZONING-NORTH COLUMBIA STREET

Major McClamroch read a transmittal from the Planning Board recommending rezoning of the west side of North Columbia Street between the Central Business District and Carr Street from RA-6 to Limited Business. Alderman Ethridge moved, seconded by Alderman Prothro, to uphold the recommendation of the Planning Board and prepare an ordinance for rezoning this area. Alderman Smith asked about the effect on the Thoroughfare Plan? There could be some adverse effect. The motion was unanimously carried.

REZONING-ELLIOTT ROAD

Major McClamroch read a transmittal from the Planning Board recommending disapproval of a request for rezoning of five acres east of Elliott Road from Agriculture to RA-10. Alderman Ethridge moved, seconded by Alderman Prothro, to overturn the recommendation of the Planning Board and prepare an ordinance for rezoning this area. He noted the opposition was based on technical matters and property values and that he did not believe the property values surrounding this area would be decreased, that the land could not be readily developed as RA-20 and that the interest of the community as a whole was involve in this zoning. He noted that the political consideration was more a part of the Aldermen's job than the Planning job and should be given more consideration by this Board. Alderman Prothro noted that this was not spot zoning though some people had said it was, that it was not logical to keep it in Agriculture, that the neighborhood had changed since 1963 when a similar rezoning application had been denied, that the action was in the interest of the community as a whole and that the project to help low-cost housing should be supported by the Board. There was general agreement that this was not considered spot zoning by the Planning Board or any of the Aldermen. Alderman Smith told the Board that the traffic problem would not be serious at that point, that 39 houses that near the four-lane Franklin Street would not constitute a traffic hazard, that the project was entirely outside of Estes Hills, Coker Hills or Lake Forest and that this project could do much to help the housing situation and thereby the race situation in Chapel Hill. Alderman Giduz asked the Town Attorney if it was pertinent to consider who was applying for a particular rezoning or whether the rezoning should be considered without regard to individuals. Mr. Denny told the

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Board that the ownership should not be a factor and that zoning decisions should be based on the use of the land which would be allowed. Alderman Kage told the Board this decision must be based on the individual judgement of each Board member and his understanding of the zoning process and goals. He read several parts of a memorandum by the Town Attorney on zoning indicating need for uniform and consideration of the Comprehensive Plan. Alderman Ethridge agreed but felt that this proposal met all criteria for rezoning with one exception. Alderman Giduz said that he supported action of the Planning Board. On a vote Alderman Prothro, Ethridge and Smith voted for the motion, Aldermen Giduz and Kage voted against the motion. The Mayor ruled that the motion was passed and that an ordinance should be prepared, noting that a three-fourths vote of the Board would be necessary to pass the ordinance because of the legal petition registered against the rezoning.

SPECIAL USE-INTER CHURCH COUNCIL

Mayor McClamroch read a transmittal from the Planning Board stating that they had no recommendation on this because they had recommended in opposition to the rezoning of the area but asking that, if the area were rezoned, the special use project be referred back to the Planning Board for study and consideration. Alderman Ethridge moved, seconded by Alderman Giduz, that this matter be tabled. This was unanimously carried.

SPECIAL USE-BELL & PENDERGRAFT

Mayor McClamroch read a transmittal from the Planning Board recommending approval of 170 housing units on the north side of NC 54 Bypass between Pritchard Branch and Smith Level Road, known as the Laurel Ridge apartments. Alderman Prothro moved, seconded by Alderman Ethridge, to uphold the recommendation of the Planning Board and approve the special use permit as requested by the applicant with the stipulations that the dwelling locations be adjusted to conform to the ordinance specifications and that the suggestions offered by the Appearance Commission be made part of the over-all landscape plan. This was unanimously carried. Mayor McClamroch then read a transmittal from the Planning Board recommending approval of a Unified Business development as part of the Laurel Ridge apartment development. Alderman Smith questioned the desirability of opening up a new area for business on the bypass. He called attention to the Board that they had just turned down one for Mr. Marlow that was quite similar. Alderman Smith moved, seconded by Alderman Prothro, that the application for Unified Business be disapproved. Alderman Giduz asked the Planning Board why this met their normal requirements of being near an intersection? Mr. DeMaine told the Board that the Thoroughfare Plans showed a proposed radial route along Pritchard Branch which would enter the Bypass very close to this location. Mr. Tuttle noted that this was a neighborhood service center with a store, restaurant and gas station, but that the gas station and possibly the restaurant would depend on business from outside the area. He noted that the Planning Board had recommended that the entrances be limited so that there would be no more entrances onto the entrances onto the Bypass than necessary. Alderman Prothro suggested a stipulation be made which would require entrance to the proposed radial at such time as it was opened. It was noted that there might be some land under different ownership between this development and the radial road so the stipulation did not seem possible. Alderman Ethridge opposed the motion and said that in his opinion this was not similar to the Marlow proposal because it was a unified development and near a proposed intersection and was well set back from the highway. It was noted that the setback was no more than the minimum required by the ordinance. Voting for the motion

to disapprove were Aldermen Ethridge, Prothro and Smith, voting against the motion were Aldermen Kage and Giduz. Mayor McClamroch ruled that the motion was passed and a special use permit denied.

SPECIAL USE-BOLIN MEADOWS

Mayor McClamroch read a transmittal from the Planning Board recommending disapproval of the Unified Housing development for 120 units on the south side of Bolin Creek submitted by Dr. Nathan. Alderman Giduz told the Board that the developer has asked that the consideration of this be postponed until the next meeting. Alderman Giduz moved, seconded by Alderman Kage, that this be postponed until the meeting of June 24th. This was unanimously carried.

ZONING ORDINANCE-OPEN SPACE

Mayor McClamroch read a transmittal from the Planning Board recommending that land that was part of a Unified Project and was dedicated for open space and accepted by the Town be allowed to count in considering density requirements for the project. Alderman Prothro moved, seconded by Alderman Smith, to accept the recommendation of the Planning Board and prepare an ordinance accordingly. This was unanimously carried.

ZONING ORDINANCE REVISIONS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a series of changes in the Zoning Ordinance to improve the wording and readability. Alderman Giduz moved, seconded by Alderman Smith, that the recommendation of the Planning Board be accepted and the necessary ordinance prepared. This was unanimously carried, seconded by Alderman Kage, that this be postponed until the meeting of June 24th.

ZONING MAP REVISIONS-REGIONAL & SUBURBAN COMMERCIAL DISTRICTS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a series of map changes to adjust Regional and Suburban Commercial Districts to fit property lines. Alderman Kage moved, seconded by Alderman Smith, that the recommendation of the Planning Board be upheld and the proper ordinance prepared. This was unanimously carried.

SUBDIVISION-GREEN HILLS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of the final plat of Green Hills with stipulations that the necessary right of way and performance bond for sewer construction be provided and that setback lines be shown on the plat where they exceed 50 feet. Alderman Smith moved seconded by Alderman Kage that this final plat of Green Hills be approved with the stipulation that a bond for sewer construction be provided and special set back lines shown on a plat where needed. This motion was unanimously carried.

PRELIMINARY PLAT-LAUREL HILLS SECTION II

Mayor McClamroch read a transmittal from the Planning Board recommending approval of the revision of the Preliminary plat Section II of Laurel Hills submitted by W. L. Hunt. Alderman Ethridge moved, seconded by Alderman Prothro, that this be approved. The motion was unanimously carried.

PRELIMINARY PLAT-COKER HILLS EXTENSION

Mayor McClamroch read a transmittal from the Planning Board recommending re-approval of a preliminary plat of Coker Hills extension on the west side of Curtis Road and North Lake Shore Drive. Alderman Giduz moved, seconded by Alderman Smith, that this extension be granted. This was unanimously carried.

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PRELIMINARY PLAT-ELLIOTT ROAD EXTENSION

Mayor McClamroch read a transmittal from the Planning Board recommending re-approval of the extension of Elliott Road between US 15-501 Business and Bypass. Alderman Prothro moved, seconded by Alderman Ethridge, that this preliminary plat be re-approved. This was unanimously carried.

PRELIMINARY PLAT-STRATFORD HILLS

Mayor McClamroch read a transmittal from the Planning Board recommending re-approval of a preliminary plat of Stratford Hills. Alderman Kage moved, seconded by Alderman Smith, that this preliminary plat be re-approved. This was unanimously carried.

OPEN SPACE APPLICATION

Alderman Kage moved adoption of the following resolution approving the submission of an application for open space grant to the Bureau of Outdoor Recreation. (See Page 6 A) This was seconded by Alderman Ethridge and unanimously carried.

COMMUNITY ACTION PROGRAM

The Town Manager explained that approval was requested for an annual renewal of the Community Action Program operated jointly by Orange and Chatham counties. Alderman Smith moved, seconded by Alderman Ethridge, that this program be approved. This was unanimously carried.

TAX RELEASES

Town Clerk Roberts told the Board that a reduction in value had been awarded by the County to Ed Mann on his house from 21,000 to about \$11,000. The Board took no action and asked that the Tax Collector check this reduction.

COMMUNITY APPEARANCE COMMISSION -RESIGNATION

Mayor McClamroch read a resignation from Robert Stipe from the Community Appearance Commission as he expected to be out of the Country for about a year. Alderman Kage moved, seconded by Alderman Prothro, that the resignation be accepted with grateful appreciation of all the work done by Mr. Stipe in getting the Appearance Commission started, organized and operating. This was unanimously carried. The Aldermen asked that the Community Appearance Commission submit suggestions for replacement of Mr. Stipe and any other members whose term expires this year.

HIGHWAY AGREEMENT - N.C. 86

Mayor McClamroch read a proposed contract with the Highway Commission required for the improvement of NC 86. Alderman Kage moved, seconded by Alderman Ethridge, that the contract be approved and that the Mayor and Town Clerk be authorized to sign for the Town. This was unanimously carried.

DUMPS ON AIRPORT ROAD

Alderman Smith moved, seconded by Alderman Giduz, that all necessary legal measures be taken if the dumping situation on the east side of Airport Road is not corrected by July 1, 1968. This was unanimously carried.

VOTING REQUIREMENTS BY BOARD MEMBERS

RESOLUTION

WHEREAS, the Town of Chapel Hill recognizes the desirability of maintaining certain portions of the Chapel Hill area in a natural state, and

WHEREAS, a specific 51-acre tract of undeveloped forest land, situated 800 feet north of the town boundary between Honeysuckle Road and Weaver Dairy Road, can be acquired at this time, and

WHEREAS, the Town of Chapel Hill has the authority to acquire land to be kept in a natural state under the provisions of G.S. 160-181.3 through 160-181.10,

NOW, THEREFORE, BE IT RESOLVED that the Town of Chapel Hill apply through the North Carolina Recreation Commission for a Federal grant from the Land and Water Conservation Fund of the Bureau of Outdoor Recreation under the provisions of Public Law 88-578 (78 Stat. 897)

That the Town pay its share of the cost with funds from the bond for purchase of open space approved by the voters of Chapel Hill on May 4, 1968.

That the Mayor and Town Manager be authorized to sign a contract with the Bureau of Outdoor Recreation and/or the N. C. Recreation Department for purchase of this property.

This the 10 day of June, 1968

Alderman Giduz questioned the Town Attorney about the requirements pertaining to abstaining from voting on Town Boards. The Town Attorney told the Board the Chapel Hill Charter allowed only three reasons for non-voting by Aldermen: absence, personal interest and financial interest, but that this rule did not apply to the voting by the Planning Board.

STREET COMMITTEE

Alderman Kage asked about the sidewalks on Estes Drive. Alderman Giduz said that he would try to have a meeting of the Street Committee on this and other matters within a week.

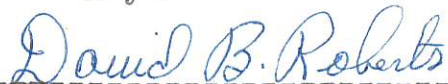
CREST DRIVE

Alderman Ethridge asked about the screening that had been agreed to by Muirhead on Crest Drive at the time the land belonging to Muirhead was rezoned for Industrial uses. It was suggested that unless this matter was taken care of that this land be advertised for rezoning from Industrial to Residential at the August Hearing. The Town Manager was asked to write to the owner concernin this.

The Meeting adjourned at 11:05 P.M.



Mayor



Town Clerk

CCD346