

A Pay Plan Covering Employment by the Town of Chapel Hill", as adopted on June 27, 1961 and subsequently amended, be and the same is hereby further amended by changing the position entitled "Fireman" from salary range 14 to salary range 15 and position entitled "Fire Lieutenant" from salary range 15 to salary range 16.

SECTION II.

That weekly work hours for positions entitled "Firemen, Fire Lieutenant and Fire Captain" be reduced from 84 hours to 78 hours with a note applicable to these positions that this will be the effective work week only when all authorized positions are filled, that the work week of 84 hours would be in force when there are vacancies in the department. This shall become effective December 1, 1968.

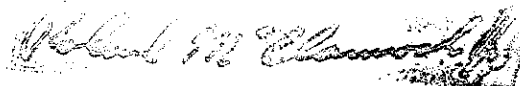
SECTION III.

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

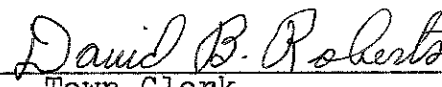
This the 12th day of December, 1968.

which would make his recommendations affected. Alderman Kage moved to adopt the ordinance as read. This was seconded by Alderman Ethridge and unanimously adopted.

The meeting adjourned at 8:20 P. M.



Mayor



Town Clerk

MINUTES II

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting on Monday January 13, 1969 with the following members present: Mayor McClamroch; Aldermen Prothro, Giduz, Varley, Kage, Smith and Ethridge. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

Mayor McClamroch announced that a special joint public hearing with the Planning Board had been advertised for this time. The Planning Board members present were: Scroggs, Chairman, Umstead, Wilson, Welsh, Wallace, Kellenberg, Weiss and Cleaveland.

Alderman Giduz asked that the Planning Board Chairman discuss the thinking behind the zone changes on which this hearing was based. Mr. Scroggs told the group that the Planning Board believed that it was proper to mix apartments and single family dwellings but that the densities should be

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about the same. He said that many of the recent disagreements about the apartment projects came from the fact that in some districts the density could be doubled by using multi-family buildings rather than using single family. He said that the new districts provided the uniform gradation from R-20 to R-3 and should eliminate some of the controversy. He said that what had not been settled and would not be settled by the action tonight was a policy on the proper mix and size of the various districts. He said that the Planning Board would go into this further. Mr. DeMaine explained that this was generally known as graining and in this extremes could be all apartments in one portion of town and all single family in another or mixing with apartments and single family units in the same block at different densities. It would be up to the Board to determine where between these extremes there would be a desirable mix of the various districts and this could be promoted by limiting the size of various districts throughout the planning area. Mr. Scroggs told the Aldermen that nothing in the districting as set forth would prohibit mixing on a social or economic basis but that it was natural that the least dense districts such as R-20 and R-15 would discourage apartment construction.

REZONING RA-20 to R-20

Mayor McClamroch read a suggestion by the Planning Board that land currently zoned RA-20 be placed in the newly created R-20 zone. Bill Olsen objected to the procedure, saying that the new districts should not have been established until there was a determination of what land would go into which district. He said that this objection would apply to all of the considerations during the hearing, more so to some of the others than to the R-20. Mr. Scroggs pointed out that the RA districts would still exist until formally removed. Mr. Wallace told the Board that the zoning map had been changed frequently and that change in districts was nothing new. Alderman Prothro moved, seconded by Alderman Varley, that this be referred to the Planning Board for study and consideration. This was unanimously carried.

REZONING RA-15 TO R-15

Mayor McClamroch read a suggestion by the Planning Board to rezone all land currently zoned RA-15 to the newly created R-15 zone. Mr. Scroggs pointed out that the R-15 zone allowed a somewhat less density for multi-family units than did the RA-15, but that there were no apartments being built in the present RA-15 zones. Alderman Giduz moved, seconded by Alderman Smith, to refer this matter to the Planning Board for study and recommendation. This was unanimously carried.

REZONING RA-10A TO R-10A

Mayor McClamroch read a suggestion by the Planning Board to rezone all areas in the present RA-10A to the newly created R-10A districts. Mr. Olsen suggested that as this was a fraternity zone that it be designated as R-10F rather than an R-10A. Alderman Prothro moved, seconded by Alderman Smith, to refer this to the Planning Board for study and consideration. This was unanimously carried.

REZONING MF TO R-3

Mayor McClamroch read a suggestion by the Planning Board to place all of the land now in the MF district to the newly created R-3 district. Alderman Smith moved, seconded by Alderman Prothro, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

REZONING RA-10 TO R-3, R-4, R-6 or R-15

Mr. DeMaine was asked to explain this recommendation. Using maps of the area he explained that there was a strip of land about 100 feet wide and 2,000 long generally running along the Duke Power Company right of way east of Merritt Mill Road that apparently was a remnant of an older district as it was now bounded by land zoned either Multi-Family, RA-6, or RA-15 which presumably would be changed to R-3, R-4, R-6 or R-15. He suggested that the zone of the surrounding districts be carried to the property line in each case. Alderman Prothro moved, seconded by Alderman Varley, to refer this to the Planning Board for study and consideration. This was unanimously carried.

REZONING RA-10 TO R-10 OR R-5

John Manning asked that all of the Glen Lennox property which lies east of the Bypass and south of Bolin Creek be put in the R-5 district not the R-10 district. He presented a written petition making this request. He also asked that the Coker property on Hillsborough Street be put in the R-5 district not the R-10. Mr. Scroggs, at the request of the Mayor, explained on the map the changes in the RA-10 district suggested by the Planning Board. Dr. Haisley asked that all undeveloped area be put in the R-10 district. Herman Lloyd asked that his vacant property near the north end of Oakwood Drive be put in the R-5 district. Wilbur Kutz asked that his land on the north side of East Franklin Street be put in the R-5 district. Henry Dearman, #7 Davie Circle, presented a petition asking that Davie Circle and the streets leading from Davie Circle be put in the R-10 district. Mr. Scroggs said that this would create quite a few non conforming uses. Mr. Olsen said that the designation R-5 was confusing that it should be R-10-5. Dr. Okum asked that his land within 500 feet of 54 Bypass be put in the R-5 district. Dr. Underwood said that Davie Circle was now developed mostly in R-5 density. Bill Hobbs said that the R-5 was most nearly RA-10 and should be retained wherever possible. Bill Olsen said that putting Davie Circle in an R-5 would allow quite a few single family houses to become duplexes. He said the same thing would be true on McCauley Street. James Coke, resident of Glendale, objected to any down grading in Davie Circle. Mrs. Pinney said Davie Circle should be R-5. Mr. McAllister, Davie Circle, said that this was encourage duplexes and that he does not want them. Alderman Ethridge asked for statistics on Davie Circle. These were not immediately available. Mr. DeMaine said that there were very lots under 10,000 square feet but quite a few two and three family units. Dr. Slifkin said it should be RA-10 or the R-5 district changed to be more nearly like RA-10 in that it required additional land for a duplex. Mr. Dearman said that the RA-10 would suit a group he represented. Alderman Smith moved, seconded by Alderman Kage, to refer this matter to the Planning Board for study and consideration. This was unanimously carried.

REZONING RA-6 TO R-6 OR R-4

Mr. Demain explained on the map the Planning Board's suggested division of the present RA-6 zone into R-6 and R-4. Mr. McAllister said that he thought the R-6 zone was out of line. Mrs. Herring said that the land west of Cameron Court should be R-4. Mr. Olsen wanted to have a survey of the areas for present density. Mr. Kutz said that the area around McCauley and Ransom Street would be made non conforming if put in R-6. Mr. Scroggs said that anything up to a triplex that would be conforming in RA-6 would also be conforming in R-6. Alderman Prothro moved, seconded by Alderman Kage, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

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DELETION OF RA DISTRICTS

Mayor McClamroch read the Planning Board's suggestion to delete all districts in the RA series and MF at such time as there is no land within the Chapel Hill planning district assigned to one of these districts. Alderman Smith moved, seconded by Alderman Giduz, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

The Hearing was adjourned at 9:17 P. M. and reconvened at 9:20 P.M. Mr. DeMaine reminded the Board that there had been several requests in writing for the assignment of certain districts that had not been discussed. One was a request by George Coxhead for placing the land between Pittsboro Road and Purefoy Road in R-5. Alderman Giduz moved, seconded by Alderman Smith, that this be referred to the Planning Board for study and recommendation. This was unanimously carried.

The second was Eastowne where there was a request that the RA-10 portion to be zoned RA-5. Mr. Slifkin objected to doing this after the end of the hearing. Alderman Giduz moved, seconded by Alderman Kage, to refer this to the Planning Board for study and recommendation. This was unanimously approved.

Alderman Varley objected to the procedure of reconvening the public hearing after some of the persons who had come for the hearing had left. Attorney Denny said that the written reports could be considered by the Planning Board without discussion. Alderman Ethridge asked that public discussion of the items be approved at the next meeting of the Board of Aldermen. Mayor McClamroch said that this could be done. Alderman Prothro said that the Planning Board should make the same allowances.

The third item was a request for the RA-10 district on the northeast side of Hillsborough Street at the Colonial Arms Apartments be R-5. Mrs. Merzbacher objected to the reconvened hearing. Paul Seibel supported the request for R-5 and said that they would like to ask for R-3. Alderman Varley moved, seconded by Alderman Ethridge, that consideration of these three items would be postponed until the February Hearing and be readvertised for that hearing and that the Planning Board not recommend any change from RA-10 for these pieces of property. Alderman Kage supported this motion. The vote was 5-1 with Alderman Giduz dissenting. Alderman Giduz moved, seconded by Alderman Smith, that the reconvened hearing be adjourned at 9:45 P. M. This was unanimously carried.

The Regular Meeting of the Board of Aldermen was called to order.

MINUTES

Alderman Kage moved, seconded by Alderman Prothro, that the minutes of December 9th be approved as distributed. This was unanimously carried. Alderman Varley moved, seconded by Alderman Kage, that the minutes of the meeting of December 12, 1968 be approved as corrected. This was unanimously carried.

SUBDIVISION-COLONY WOODS-SECTION III-PHASE 2

Mayor McClamroch read a recommendation from the Planning Board for approval of the final plat of this portion of Colony Woods. Alderman Prothro moved, seconded by Alderman Ethridge, to approve the final plat of this section. This was unanimously carried.

UNIFIED BUSINESS ON NC 54-HOGAN

Mayor McClamroch read a transmittal from the Planning Board recommending approval of the Unified Business development requested by George Hogan and Jim Ford on the south side of NC 54 east of The Pines. Alderman Ethridge moved, seconded by Alderman Varley, that whereas the use as proposed would not endanger public health and safety, that it meets required conditions and will not injure value of adjoining or abutting property and that it is in harmony with the area and plan of development of Chapel Hill, that a special use permit be approved for the plans as submitted with the following stipulations: (1) that the alternative parking plan of the lots parallel to Finley Road be used; (2) that ~~and~~ walkways be provided to the building between parking rows and; (3) that a sign plan be approved by the Planning Board before any individual sign permit be issued. This motion was unanimously carried.

SPECIAL USE-APARTMENTS-BOLINWOOD

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a special use permit for Bolinwood Apartments with certain stipulations. Alderman Kage moved, seconded by Alderman Varley, that the recommendation of the Planning Board be upheld. Alderman Ethridge asked whether the elevation or perspective required of this project at the last meeting had been provided. Mrs. Welsh said that is had not as it was not required by the ordinance. Alderman Prothro asked if the Planning Board had considered other locations within the multi-family district for this project? Alderman Ethridge asked if this would be illegal? Mr. Denny said that any other location was not before the Planning Board and that they could not make a recommendation for the project some where else, that they had to consider the project submitted. Alderman Kage said that the minutes of the Planning Board indicated that they had gone over this project in detail and the majority was satisfied with this plan. Mayor McClamroch read a letter from Dr. Weiss who was absent from the meeting stating that he would have voted against the project. Mrs. Welsh wanted a requirement added to the stipulations calling for a landscape plan. Alderman Smith wanted more separation of the project from the single family residences near by, he also objected to the traffic through the nearby recreation area. Mayor McClamroch pointed out that Umstead Drive is on the major thoroughfare plan as a principal road to the high school. Alderman Giduz said that Mr. Smith's objection was to the zoning, it is now multi-family, and the consideration is being given to the design of the project. Alderman Ethridge noted that this same project had previously been turned down by the Planning Board. Alderman Varley pointed out that the recreation area had been provided by Mr. Umstead and some of it was on land still owned by Mr. Umstead. Alderman Prothro pointed out that many citizens in the area objected to this project. Mayor McClamroch suggested that the main entrance be made to Estes Drive not to Umstead Drive. Alderman Ethridge asked that an elevation be presented. Alderman Kage said that the objection had been relatively small and requiring an elevation would mean additional cost to the owner and that the owner could without permit cut all the trees on the site and grade to suit himself. Alderman Ethridge said that he was against multi-family use of this area and would like to see a total proposed plan for development of all the Umstead property similar to that of Eastowne. Alderman Prothro asked if there shouldn't be other stipulations. Alderman Giduz asked Mr. DeMaine to read some additional stipulations that he had suggested. They were: a detailed landscape plan to be approved by the Planning Board prior to issuance of a building permit.

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Alderman Ethridge added that this should be carried out within one year of completion of the building. Second that an elevation and revised by the grading plan be presented prior to the issuance of a permit to be reviewed and approved by the Planning Board. Alderman Ethridge said that he thought the Planning Board should first review a perspective of the plan. Alderman Giduz said that he was quite familiar with this site and had spent some time out there going over it, that a perspective was not needed. He then asked that the stipulations as read by Mr. DeMaine be added to the motion. Alderman Kage and Alderman Varley agreed to this change in the original motion including the requirement for completing the landscaping within one year. Alderman Kage asked what recourse the owners would have if the Planning Board would turn it down on one of these stipulations. Attorney Denny said it could be appealed to the Board of Aldermen. Alderman Smith said the project did not meet the requirements of the Zoning Ordinance referring to health and safety and valuation of adjoining property. Mayor McClamroch noted the adjoining property was not joined to this project by any road. He asked if the matter of entrance by Estes Drive was considered by the Planning Board. Mr. Scroggs said that it was a point worth considering but that in as much as Umstead Drive is a major road that it had not been considered by the Planning Board. Alderman Smith asked if we couldn't require this project to be moved. Mr. Scroggs said that in this area no substantial improvement could be made. Alderman Kage and Alderman Varley agreed to the following motion: whereas the project proposed, if developed according to the plan submitted and approved, would not materially endanger the public health or safety and that its use meets all required conditions and specifications and that it will not substantially injure the value of adjoining or abutting property and that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill, that the Bolinwood Apartments as submitted by Mr. Umstead be approved with the following stipulations: (1) a plan for screening between the nearest apartment buildings and homes on Severin Street be submitted and approved by the Planning Board before a building permit is issued; (2) a ^{lighting} landscaping plan be submitted for review by the the Community Appearance Commission before a building permit is issued; (3) location of garbage containers and collection points be specified for review by the Appearance Commission before a Certificate of Occupancy is given; (4) location of the sewer connection to Severin Street be revised to allow for a minimum of ground clearing; (5) a detailed landscape be submitted to and approved by the Planning Board before a building permit is issued; (6) that elevations of the building and revised grading plan showing all areas that will be left in their present condition be submitted to and approved by the Planning Board prior to the issuance of a building permit; (7) that the landscape plan be completed as shown on the approved plan within a year after the completion of the project. Voting for the motion were Aldermen Kage, Varley and Giduz; Against the motion Ethridge, Smith and Prothro. Mayor McClamroch voted for the motion and declared it passed.

SPECIAL USE--TURNKEY-BYPASS

Mayor McClamroch read a transmittal from the Planning Board recommending approval of a revision of the Turnkey Project for Allan & O'Hara. Alderman Prothro moved, seconded by Alderman Giduz, to approve the amendment to the original plan carrying forward the stipulations shown in the minutes of October 14, 1968 and adding to it the stipulations that

elevations be presented to the Planning Board and approved by the Board prior to the issuance of a building permit and that the landscaping as approved be completed within of the completion of the project. This was unanimously carried.

REZONING & SPECIAL USE-CAMELOT 2

Mayor McClamroch told the Board that action on this project had been postponed at the December meeting and referred to the Open Space Committee. Mrs. Prothro reported that the Open Space Committee did not feel that the Town would be justified in purchasing this land for open space. Mr. Dunn told the Board that several of the neighbors had been interested but that they could not meet the price of the land. Mayor McClamroch read a transmittal from the Planning Board submitted at the meeting of December 9th recommending rezoning of this land from RA-20 to Multi-Family. Alderman Giduz moved, seconded by Alderman Kage, that this be approved and the necessary ordinance prepared. Alderman Prothro and Smith opposed this project. Alderman Varley asked if there would be any connection by road to Greenwood? There will not be. Alderman Giduz stated that the project was oriented to the shopping center and not to Greenwood and therefore was an appropriate development. Voting for the motion was Aldermen Kage, Varley and Giduz - against the motion Aldermen Smith and Prothro. Alderman Ethridge abstained as he owns property in this area. Mayor McClamroch read a transmittal previously submitted by the Planning Board recommending approval of a special use permit for this project with ten stipulations. Mr. Cowell, representing the owner, offered additional stipulations as follows: (1) that the developer would be willing to deed to the Town about 2.6 acres adjacent to Greenwood and the Glendale tract owned by the Town and restricted to park or recreational use with no road to be permitted on the area; (2) that an easement be provided from this property to Bolin Creek along the new ditch to be constructed providing south of the bridge across Battle Branch a 50 foot drainage and pedestrian easement and north of this bridge a 40 foot pedestrian and drainage easement. Alderman Kage moved, seconded by Alderman Giduz, that whereas the use proposed would not materially endanger the public health or safety, that it meets required conditions and will not substantially injure the value of adjoining or abutting property and that the location and character of the use will be in harmony with the areas in which it is located and in general conformity of the plan of development of Chapel Hill, that the special use permit as submitted for Camelot II be approved with the following stipulations: (1) that a public pedestrian access right be provided along all public improvements and access roads; (2) that there be no access road across the RA-20 portion of the land; (3) that the 2.6 acres between Greenwood and this project as offered by Mr. Cowell be deeded to the Town and restricted as indicated in the offer; (4) that more dense planting than shown in the landscape plan be provided along Estes Drive with some conifers substituted for poplars; (5) that the actual level of the under surface of the building floor be above the Army Corps of Engineers 100 year flood forecast elevation; (6) that a combination drainage and pedestrian easement be provided along Battle Branch canal 50 feet in width south of the bridge and 40 feet in width between the bridge and Bolin Creek; (7) that the developer be responsible for the replacement of sewer lines disturbed; (8) that there be extensive planting between the two Camelot developments; (9) that the garbage stations be re-studied and located with the approval of the Town Manager and: (10) that there be a pedestrian easement along Bolin Creek. This can be combined with the present sewer easement along the creek. (1) That the rezoning of this area from RA-20 to R-3 be accomplished. Voting for the motion were Aldermen Kage, Varley and Giduz, against the motion were Aldermen Smith and Prothro. Alderman Ethridge abstained as he owns property in this area.

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WESLEY COURT SEWER

The Town Manager explained the situation on Wesley Court and Severin Street where seven houses were presently served by an old fiber sewer that could no longer be made to serve and recommended that the Town, as soon as possible, install an eight inch sewer line and assess the cost against the property it serves. Alderman Prothro moved adoption of the following resolution: W - SEWER IMP

RESOLUTION - SEWER IMPROVEMENT

WHEREAS, the Town of Chapel Hill has received a petition for the extension of its sewer system to serve houses on Wesley Court and Severin Street now served by an inadequate private line, and

WHEREAS a working sanitary sewer line is necessary for the health and welfare of this neighborhood.

NOW THEREFORE, BE IT RESOLVED; that the sewer system of the Town of Chapel Hill be extended from a point on Bradley Road to Wesley Court, and northward toward Severin Street to serve seven residences and one or more vacant lot and that the cost of this sewer extension be assessed against these lots equally, and that this assessment may be paid over a period of ten (10) years with one tenth of the total assessment being due each year and an interest charge of six percent per annum on all unpaid balances.

This the 13th day of January, 1969.

This was seconded by Alderman Giduz and unanimously carried.

BAPTIST CHURCH PARKING LOT

Mayor McClamroch read a letter from the Town Manager addressed to the University Baptist Church concerning the parking lot which the church wish the Town to lease and operate. Alderman Giduz asked that a landscaping plan for this lot be prepared and submitted for approval by the Appearance Commission. Alderman Prothro moved, seconded by Alderman Smith, that this proposal be approved and authorize the Mayor and Town Clerk to sign a contract with the church. This was unanimously carried.

ZONING ORDINANCE-CONDOMINIUMS & TOWN HOUSES

Alderman Ethridge moved adoption of the following ordinance:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED MARCH 14, 1955 AND AS SUBSEQUENTLY AMENDED TO PERMIT CONDOMINIUM AND TOWN HOUSE RESIDENTIAL UNITS.

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 25, 1968 to consider the following change in the Zoning Ordinance; and,

WHEREAS, following said Public Hearing the Planning Board of the Town of Chapel Hill recommended the Board of Aldermen adoption of the following amendments to the zoning Ordinance; and,

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

Section I

Amend Section 3 (District Regulations) by deleting the present wording of Note I under Notes Accompanying Table of District Regulations and substituting the following:

Unified Housing Developments - Any multiple dwelling containing six (6) or more family dwelling units and any combination of structures on the same lot containing six (6) or more family dwelling units, or, in the case of condominiums or town houses any multiple dwelling containing two (2) or more family dwelling units and any combination of structures on the same lot containing two (2) or more family dwelling units is a Unified Housing Development and subject to the Special Use requirements of this ordinance.

Section II

Amend Section 4-D-22 by deleting the heading following the number "22", and substituting the following:

UNIFIED HOUSING DEVELOPMENTS * of ten (10) or more family dwelling units.

Section III

Amend Section 4-D-22-c (Minimum Lot Area) by adding after the words "appropriate zoning district" the following:

For purposes of this ordinance individual town house units as permitted under this special use permit shall not be considered as lots.

Section IV

Amend Section 4-D-22- by deleting the subsection heading "f. Plans" and by substituting for it the heading, "h. Plans", and by adding after subsection e. (Other Requirements) and before the new subsection h. (Plans) the following:

- f. Property Ownership for Condominium and Town House Development. The ownership of all property in a proposed Condominium or Town House Development at the time the application is filed with and considered by the Planning Board and the Board of Aldermen of the Town of Chapel Hill shall be vested in one ownership entity, that is, in one person, tenants in common, tenants by the entirety, or in a partnership or corporation.
- g. Maintenance of Common Areas for Condominium or Town House Development. The automatic membership rights and assessment obligations of all owners of property within a Condominium or Town House Development shall be so covered by covenants running with the land and other contractual provisions as to insure the proper maintenance of all common areas, and shall include provisions for liens against the individual properties and legally enforceable personal obligations on the part of the individual property owners within the development; which covenants and provisions shall be submitted to and approved by The Board of Aldermen of Chapel Hill. Such covenants shall be recorded and such contractual rights and obligations shall be established prior to the sale of any unit or parcel in the development.

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Section V

Amend Section 4-D-22-h (Plans) by adding after subsection (6) the following:

(7) Plans for Town House and Condominium Development must show the delineation of all individual town house or condominium units and the parcel of land which they occupy, if any.

Section VI

Amend Section 4-D-23 by deleting the heading following the number "23", and substituting the following:

UNIFIED HOUSING DEVELOPMENTS * of any type of six (6) or more and less than ten (10) family dwelling units and unified housing developments under a condominium or town house method of ownership of two (2) or more and less than ten (10) family dwelling units.

Section VII

Amend Section 4-D-23-c (Minimum Lot Area) by adding after the words "appropriate zoning district" the following:

For purposes of this ordinance individual town house units as permitted under this special use permit shall not be considered as lots.

Section VIII

Amend Section 4-D-23 by deleting the subsection heading "f. Plans" and by substituting for it the heading "h. Plans", and by adding after subsection e. (Other Requirements) and before the new subsection h. (Plans) the following:

- f. Property Ownership for Condominium and Town House Development. The ownership of all property in a proposed Condominium or Town House Development at the time the application is filed with the Town of Chapel Hill shall be vested in one ownership entity, that is, in one person, tenants in common, tenants by the entirety, or in a partnership or corporation.
- g. Maintenance of Common Areas for Condominium or Town House Development. The automatic membership rights and assessment obligations of all owners of property within a Condominium or Town House Development shall be so covered by covenants running with the land and other contractual provisions as to insure the proper maintenance of all common areas, and shall include provisions for liens against the individual properties and legally enforceable personal obligations on the part of the individual property owners within the development; all of which shall be submitted to and approved by The Board of Adjustment of Chapel Hill. Such covenants shall be recorded and such contractual rights and obligations shall be established prior to the sale of any unit or parcel in the development.

Section IX

Amend Section 4-D-23-h (Plans) by adding after subsection (6) the following:

(7) Plans for Town House and Condominium Development must show the delineation of all individual town house or condominium units and the parcel of land which they occupy, if any.

Section X

Amend Section 12 (Definitions) by adding after the definition of Trailer Camp or Park and before the definition of Usable Open Space the following definition:

Unified Housing Development - Any multiple dwelling containing six (6) or more family dwelling units and any combination of structures on the same lot containing six (6) or more family dwelling units or, in the case of condominiums or town houses as defined in 2 and 3 below, any multiple dwelling containing two (2) or more family dwelling unit and any combination of structures on the same lot containing two (2) or more family dwelling unit, and under any of the following methods of ownership:

1. Individual or corporate ownership where the units are rented or leased to the occupants.
2. Condominiums, in which a building, or portion of a building may be in individual ownership, but the land occupied by the development is shared by the building owners thru membership is a home owners association or corporation.
3. Town houses, in which a building or portion of a building and the land occupied by or allocated to that building or portion of a building may be in individual ownership, but the balance of the land occupied by the development is shared by the building owners thru membership is a home owners association or corporation.

Section XI

Amend Section 12 (Definitions) by adding to the definition of Lot, after the last sentence ending in the words "required by this ordinance" the following:

For the purposes of this ordinance, town house units developed and sold under the Unified Housing Development provisions of the Special Use section of this ordinance shall not be considered as lots.

Section XII

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

This the 13th day of January 1969.

This was seconded by Alderman Varley and unanimously carried.

SUBDIVISION ORDINANCE-CLUSTER DEVELOPMENT

Alderman Ethridge moved adoption of the following ordinance:

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE APPROVAL OF LAND SUBDIVISIONS WITHIN THE TOWN OF CHAPEL HILL AND SURROUNDING AREAS", AS ADOPTED OCTOBER 8, 1956, AND AS SUBSEQUENTLY AMENDED, TO MAKE POSSIBLE THE CONCEPT OF CLUSTER DEVELOPMENT.

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 25, 1968 to consider the following change in the Subdivision Ordinance; and,

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WHEREAS, following said Public Hearing the Planning Board of the Town of Chapel Hill recommended to the Board of Aldermen adoption of the following amendments to the Subdivision Ordinance;

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I.

Amend Section 1 (Definitions) by adding, in proper alphabetical location, the following:

CLUSTER DEVELOPMENT - A subdivision of land into two or more lots with provision for dedication of open space sufficient to meet the density requirements for the appropriate zoning district, and in which one or more of the lots fails to meet the standards established for its zoning district in the Zoning Ordinance of Chapel Hill and Surrounding Areas. For purposes of this ordinance a group development on a single lot with review and approval procedures as specified in the Special Use section of the Zoning Ordinance of Chapel Hill and Surrounding Areas is not termed a cluster development.

HOME OWNERS ASSOCIATION or NEIGHBORHOOD ASSOCIATION - An association of owners of property within a subdivision, membership in which is compulsory with purchase of property within the subdivision.

SECTION II.

Amend Section 3 (Procedures for Review and Approval of Subdivisions by adding immediately after the sentence ending on line 3 of page 4 with the words, "at which it is to be reviewed", and before the sentence beginning "One copy", the following:

"In the case, however, of a proposed subdivision falling under the definition presented in this ordinance of Cluster Development, the preliminary plans shall be given a public hearing by the Planning Board and the Board of Aldermen in accordance with the provisions of the Zoning Ordinance of Chapel Hill and Surrounding Areas for submission of proposed amendments, prior to referral to the Planning Board for its recommendation."

SECTION III.

Amend Section 3 at the end of sub-heading (E) (Approval of Final Plat by Board of Aldermen and Recording Thereof) by adding after the sentence ending with the words "Approving the Plat", the following:

"Approval of the final plat of a cluster development by the Board of Aldermen shall be contingent on formal acceptance of any dedications to the Town of Chapel Hill or other public body shown thereon. "

SECTION IV.

Amend Section 4 (Minimum Standards of Design) subsection (G) (Group Developments) by adding the following:

It is recognized that under certain circumstances the objectives of the provisions of the Zoning Ordinance which regulate density of development may be achieved better through regulation on a tract basis than through regulation of individual lots. In some situations it is appropriate to permit building development to be located on lots smaller than normally required in the appropriate zoning district when there is permanent dedication of a sufficient amount of properly located park, recreational or other open space land within the tract to offset the reduction of individual lot sizes and yard requirements and to maintain a density of the entire tract not greater than the density permitted by the appropriate district. The provisions of these regulations concerning cluster developments are designed to permit this kind of development with the intention of giving the developer greater freedom in the design of his subdivision while at the same time safeguarding the public interest in maintaining a given maximum intensity of development and in provision of usable open space.

General Approval Requirements - The Board of Aldermen, on recommendation of the Planning Board, and after a public hearing, may approve a cluster subdivision in any residential district on finding that such subdivision has the following characteristics:

1. The tract proposed for cluster development shall be at least two acres in size.
2. Public water supply and sewerage connections shall be available for each lot in the subdivision.
3. The total number of lots proposed for the tract, excluding common open space, shall be not greater than the number determined by dividing the total land available after street dedication by the usual minimum lot size allowable within its zoning district.
4. The unsubdivided land within the tract shall be dedicated in fee to a neighborhood association or a home owners association which shall be incorporated by or registered in the Secretary of State's office, or to the public in fee or in lesser interest for use as park or recreational areas or for preservation as open space.
5. Land dedicated as common or public property shall not have less area than the sum of the areas by which each lot is less than the usual minimum lot size allowable within its zoning district.

Additional Design Requirements for Cluster Developments - The foregoing requirements for lot areas may be reduced by not more than 50%, providing that the resulting density for the entire tract shall not be greater than that permissible in the appropriate zoning district. Yard requirements may be reduced by not more than 50% except that side yards may not be reduced to less than eight feet. In no case shall required yards be reduced to permit construction adjacent to an outside boundary of the subdivision that would violate the normal yard requirements of the appropriate zoning district. Lot widths may be reduced as follows:

R-20 and R-15 and AG to not less than 75 feet
 R-10, R-10A and R-5 to not less than 60 feet
 R-6, R-4 and R-3 to not less than 50 feet

provided that lots facing the exterior boundary of the tract may not be reduced below the normal width requirements of the appropriate zoning district.

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SECTION V.

Add to Section 5 (Improvements Required) of the Subdivision Ordinance following the last line of sub-heading (E) the following:

(F) Additional Improvements Required for Cluster Developements. The dedication of unsubdivided land within the tract in fee to a home owners association or neighborhood association which shall be incorporated by or registered in the Secretary of State's office or to the public in fee or in lesser interest for use as park or recreational areas or for preservation for open space.

SECTION VI.

All ordinances or portions or ordinances in conflict herewith are hereby repealed.

This the 13 day of January, 1969.

This was seconded by Alderman Prothro and unanimously carried.

ZONING ORDINANCE-DRIVEWAYS

Alderman Smith moved adoption of the following ordinance:

AN ORDINANCE AMENDING 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 November 25, 1968 to consider the following change in the Zoning Ordinance; and,

WHEREAS, following said Public Hearing the Planning Board of the Town of Chapel Hill Recommended the Board of Aldermen adoption of the following amendments to the zoning Ordinance; and,

WHEREAS, thereafter the Board of Aldermen adopted the recommendation of the Planning Board; NOW, THEREFORE,

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

SECTION I.

Amend Section 4, Subsection D-21-e(2) to read as follows:

"(2) Points of access and egress shall consist of driveways which shall be of adequate design to provide for the traffic and shall conform to the driveway regulations of the Town of Chapel Hill. Such driveway shall be placed at a sufficient distance from any street or highway intersection to minimize traffic hazards, inconvenience and congestion."

SECTION II.

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

This the 13 day of January 1969.

This was seconded by Alderman Kage and unanimously carried.

LEGISLATION

Consideration of legislation to be requested of this year's General Assembly was postponed until the next meeting. Members of the Board were asked to consider any legislation they thought should be submitted.

BIDS-SEWER PUMPS

The Town Manager reported on the bids received for 2.5 mgd sewer pump to be installed at the Rogerson Street Pump Station. Alderman Giduz moved, seconded by Alderman Varley, that the low bid by J. H. Valentine of \$18,455 be accepted and that the Mayor and Town Clerk be authorized to sign a contract. The motion was unanimously carried.

BIDS-POLICE CARS

The Town Manager reported two bids had been received for furnishing seven police cars and that the low bidder had been Harriss-Conners Chevrolet Co. The Town Attorney told the Board that Mr. Harriss had told him that he had made an error of about \$1,900 in the bid price and could not accept the contract. Alderman Ethridge moved, seconded by Alderman Smith, that both bids be rejected and that the cars be re-advertized. This was unanimously carried.

BUDGET AMENDMENT

Alderman Smith moved, seconded by Alderman Ethridge, that the following ordinance amending the Budget to provide for riot insurance be adopted.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1968 AND ENDING JUNE 30, 1969

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, 1968 and Ending June 30, 1969, and to levy taxes and raise Revenue for said Fiscal Year, as duly adopted on July 22, 1968, be and the same is hereby amended as follows:

1. Increase the appropriation account #6000 General Government by \$500 to \$87,452.
2. Decrease the appropriation account #8000 Contingencies by \$500 to \$30,564.

SECTION II.

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

This the 13th day of January, 1969.
This was unanimously carried.

FIRE DEPARTMENT PENSION FUND

Mayor McClarmoch read the annual report for the Fire Department Pension Fund. Alderman Smith moved, seconded by Alderman Prothro, that this report be approved. The Mayor and Town Clerk be authorized to sign it. This was unanimously carried.

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NOTICE OF PUBLIC HEARINGS

Alderman Giduz moved, seconded by Alderman Ethridge, that the recommendation of the Town Manager concerning notice for public hearing be referred to the Planning Board for study and recommendation. This was unanimously carried.

RELEASES

Alderman Ethridge moved, seconded by Alderman Smith that the following taxes and sewer charges be released for the reasons shown. This was unanimously carried.

<u>Name</u>	<u>Rec.#</u>	<u>Amount</u>	<u>Reason</u>
C. P. Spruill	4247	\$ 8.00	Vacant Lot not connected to sewer
Martha Mourning	22024	3.94	Personal property located on Howell Street
William Steen Gaud	1701	13.35	Personal property located in Tar Hell Trailer Court
J. Howard Tew	22061	27.16	Personal property located on Homestead Road
Ross I. Baker	180	59.00	Personal Property located on Hwy. 54 (trailer)
Aftim Michael Acra	13	17.47	Personal property not in city
E. J. Owens, Inc.	5334	63.45	Vacant lot not in city
George L. Coxhead	1037	20.24	Trailer listed in error
Frederick W. Vogler	46.13	26.26	Personal property located on Coolidge Street
Exchange Swimming Pool	5662	72.60	Double listed
Public Service Co.	5334	6,933.98	This amount being released covers property that is outside of Chapel Hill

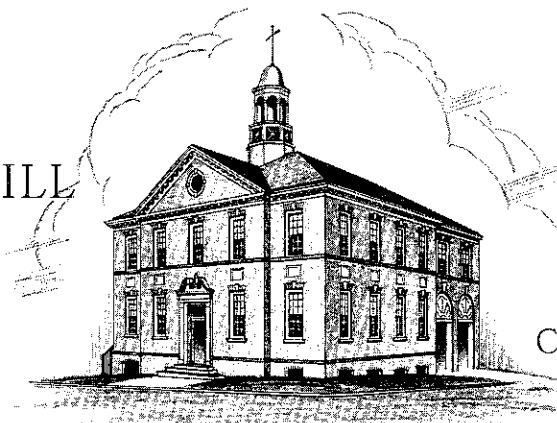
POLICE DEPARTMENT

The Town Manager recommended that an additional police officer be authorized so that officers could be assigned more time work on juvenile delinquency problem in cooperation with the Recreation Department. Alderman Prothro moved, seconded by Alderman Smith, that an additional police patrolman be authorized. This was unanimously carried.

REDEVELOPMENT COMMISSION

The Town Manager told the Board that the Redevelopment Commission needed the services of an Attorney and recommended that the Town Attorney be made available to the Commission. Alderman Smith moved, seconded by Alderman Giduz, that the Redevelopment Commission be authorized to use the Town Attorney as necessary in the preparation of an application for a redevelopment project. This was unanimously carried.

TOWN OF CHAPEL HILL



CHAPEL HILL, N.C.

NOTICE OF SPECIAL MEETING OF THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL

TO: Mrs. Mary Prothro ✓
Mr. Roland Giduz ✓
Mr. David Ethridge
Mr. Robert Kage ✓
Mr. Reginald Smith ✓

You, and each of you, are hereby notified that the Board of Aldermen have called a Special Meeting, to be held in the Town Hall, at 5:00 P.M., on Monday the 20 day of January, 1969, to discuss the State wide sales tax increase for Local Governments.

This the 27 day of January, 1969.

Roland McClamroch, Jr.
Mayor

ACCEPTANCE OF NOTICE

We, the undersigned, members of the Board of Aldermen of the Town of Chapel Hill, hereby accept notice of a Special Meeting of the Board of Aldermen, called by Honorable Roland McClamroch, Jr., Mayor, to be held in the Town Hall, at 5:00 P.M. on the 20 day of January, 1969, and hereby waive notice of said meeting.

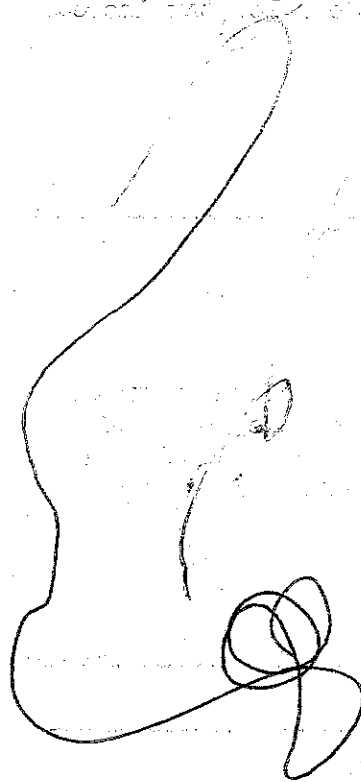
This the Seventeenth day of January, 1969.

Robert Kage
Mary Prothro
Roland Giduz
R. D. Smith
David Ethridge
Robert Varley

THE UNIVERSITY OF CHICAGO
LIBRARY

1962
1963
1964
1965
1966

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LIBRARY

These books are part of the collection of the University of Chicago Library. They are not to be removed from the library without the permission of the Librarian.

THE UNIVERSITY OF CHICAGO

POLICE REPORT

Alderman Smith commented on the Police Annual Report and asked the newspaper to make note of the number of doors and windows that had been found unlocked.

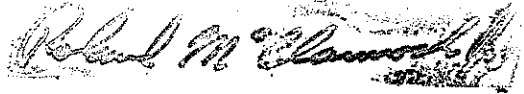
PARKING

Alderman Kage commented on the problems in enforcing the parking regulations, particularly in Westwood and Gimghoul and asked that the effort to enforce these ordinances be increased.

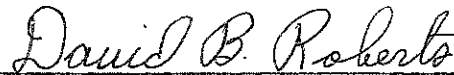
RECORDERS COURT SURPLUS

Alderman Ethridge noted that there was a surplus of about \$1,400 in the Recorders Court appropriation and moved that this be made available for work with juvenile delinquents and that any project approved of expenditures of this money be approved by the Town Manager. This was seconded by Alderman Prothro and unanimously carried.

The Meeting adjourned at 12:35 A.M.



Mayor



Town Clerk

MINUTESBOARD OF ALDERMENTOWN OF CHAPEL HILL

The Board of Aldermen met at special meeting on Monday January 20, 1969 at 5:00 P.M. with the following members present: Mayor McClamroch; Aldermen Prothro, Varley, Smith, Giduz and Kage. Alderman Ethridge was absent. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

Mayor McClamroch told the Board that the meeting had been called at the request of the North Carolina League of Municipalities to adopt a position on the legislative proposal for a sales tax for the benefit of local government. The advantages and disadvantages of a statewide local sales tax versus the local option tax was discussed, afterwhich Mayor McClamroch recommended the local option saying that he did not believe that a statewide tax of this type would be approved by the General Assembly. Alderman Smith moved, seconded by Alderman Prothro, that the Board go on record as favoring the local option sales tax. This was unanimously carried.

The meeting adjourned at 5:12 P. M.



Mayor



Town Clerk

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