

[Handwritten signature]
 NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill that the Orange County Board of Elections be, and they are hereby requested to proceed with the necessary steps to enable the transfer of said supplemental registrants to the General Registration Books of Orange County.

This the 14th day of May, 1969.
 Alderman Smith moved passage of this resolution. This was seconded by Alderman Ethridge and unanimously carried.

REGISTRATION

Alderman Ethridge suggested that registration books be checked against the tax books to see if people qualifying as legal residents are listing their taxes. The Town Manager was asked to prepare a resolution to the County Tax Supervisor for the next meeting.

ANIMAL ORDINANCE

Alderman Ethridge asked that the ordinance prohibiting animals in the town limits be studied and possibly revised to allow animals under certain circumstances.

The Meeting adjourned at 6:00 P.M.

[Handwritten signature of Mayor Lee]
 MAYOR

[Handwritten signature of David Roberts]
 David Roberts, Town Clerk

MINUTES

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen and Planning Board met for a regular Quarterly Hearing at 7:30 P.M. May 26, 1969 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Coxhead, Ethridge and Nassif: Alderman Prothro was absent. Planning Board members Wilson, Welsh, Shearer, Tuttle, Umstead and Holland. Also present were Town Manager Peck, Town Clerk Roberts and Town Attorney Denny.

Mayor Lee told the audience that this was a public hearing, that they were invited to speak on any of the matters before it, and that after this hearing no additional arguments would be heard by either the Planning Board or the Board of Aldermen and that the Aldermen could take no action other than refer matters to the Planning Board.

REZONING-REGIONAL COMMERCIAL-DURHAM BOULEVARD

Mayor Lee read a request from Harriss Land Company, Inc, for rezoning from Agriculture and R-20 to Regional Commercial of the western portion of Lot 4, Block C, Orange County Tax Map #27 on the southern side of Durham Boulevard immediately east of Harris-Conners Chevrolet Company, containing about 6 acres. John Manning spoke for the proposal and told the Board that this would be used for a extension of Harris-Conners business and that no resale of any portion of

CCB099

this land was proposed. Alderman Smith moved, seconded by Alderman Ethridge, that this matter be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

REZONING-REGIONAL COMMERCIAL-DURHAM BOULEVARD

Mayor Lee read a request from Robert F. Logan, Sion Jennings and Valera McFarland to rezone from Agriculture and R-20 to Regional Commercial of land on the north side of the Durham Boulevard from Booker Creek extending approximately 1,500 feet in a northeast direction along the highway to a depth of 250 feet in a northwesterly direction from the highway, shown on Orange County Tax Map #45, Block B, as Lots 8, 9, 10, 11 & 12, and a small portion of Lot 27-A-3. Mr. DeMaine located these properties on the maps. Mr. Watson speaking for the property owners, said that this would be the highest and best use for this land, that Mr. Logan and Mrs. McFarland live on the property but that the McFarland house had been condemned. He pointed out that the Boulevard was in front and R-3 behind and that this was not land suitable for single family housing. Mr. Scroggs asked if there had been a recent study of this area. Mr. Wilson said that the Planning Board study stopped at Booker Creek. Alderman Nassif asked if this area was considered for rezoning when the land behind it was zoned R-3 about a year ago? It was not as only the land petitioned for rezoning could be considered and this was not included in that. Alderman Scroggs moved, seconded by Alderman Nassif, to refer this to the Planning Board for consideration and recommendation. This was unanimously carried.

UNIFIED HOUSING-APARTMENTS-THE OAKS

Mayor Lee read a request for a special use permit for Unified Housing from Phillips Realty Co. for 192 apartment units to be located in The Oaks Subdivision south of Ephesus Church Road. Mr. Bowles and Mr. Phillips presented plans, sketches and maps of the proposed development showing the layout, a birdseye perspective and typical elevations. He said that these would be similar to the development on Ephesus Church Road but somewhat larger. Jerry Smith and Bob DeMaine discussed the roads on the west side of the project and Mr. Smith said that more road would be dedicated than shown on the plans in order to provide proper access to other property in The Oaks. He agreed that this would require some alteration in the parking proposals in the apartment project. Alderman Scroggs asked about the sidewalks? They are provided around the buildings, but not on any of the streets. Alderman Ethridge asked if the plans met the desires of the Appearance Commission? Mrs. Welsh said that they did. Ken Howard opposed the project, he said that the zoning underwhich it was being put in was illegal as it was not within 500 feet of a major street. He spoke against the apartments in general and this location in particular. Alderman Ethridge said that this matter had been thoroughly considered at the time the zoning had been approved and asked the Attorney's opinion about this legality. Mr. Denny said that a standard procedure had been used and that in his opinion the zoning was valid until rescinded by the Board or set aside by a court. Mr. DesJardins opposed the project. Jerry Smith told the Board that the area originally zoned had been reduced by construction of the golf course on two sides, and noted that there were large lots surrounding it on other sides. That it was an isolated apartment development quite away from any other property. He also told the Board that contracts amounting to about one million dollars had been let for the total Oaks property and included all underground utilities. Alderman Ethridge said that reconsideration of the zoning now would be capricious and damaging and he opposed it. Alderman Ethridge moved, seconded by Alderman Scroggs, that this be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

REZONING-REGIONAL COMMERCIAL-PITTSBORO ROAD

Mayor Lee read a request for rezoning from R-20 to Regional Commercial of two lots on the south side of Pittsboro Road near the southwestern corner of the Chapel Hill Planning District, shown on Tax Map #147, Block G, as Lots 2 and 4. Bob Windsor spoke for this project and noted that Lot 2 was adjacent to a commercial area, that there was high traffic count on the road, and that additional commercial land was needed in the area. Mr. Poythress opposed this rezoning and submitted a petition in opposition signed by a number of the neighbors. Mr. Burns spoke in opposition saying that this was residential area and that the existing small group of commercial buildings were a nuisance and that they did not want it extended. Bob Windsor pointed out again that this was a major highway and more suitable for commercial development than housing, that there was existing commercial, and that many new houses were being located nearby in Heritage Hills, and needed the services. W. B. Partin opposed. Alderman Scroggs asked about the district planning line? The lots extend 200 to 400 feet beyond the Chapel Hill Planning District into the County Planning District. Alderman Ethridge asked if any right of way had been obtained by the Highway Department for widening the highway? None has been in this area but that there were rumors that some had been elsewhere. Alderman Smith moved, seconded by Alderman Ethridge, that this be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

SPECIAL USE-CONDOMINIUM-AIRPORT ROAD

Mayor Lee read a request for special use permit by Chapel Hill Realty Company to convert the Chalet Apartments to condominium.

These apartments are located west of Airport Road and south of Green Street and shown as Lot 6, Block E, Orange County Tax Map #33. Bob Page represented Chapel Hill Realty Company and spoke for the project. He quoted the General Statutes permitting unit ownership and the Chapel Hill Zoning Ordinance pertaining to condominiums. He told the Board that all regulations of each had been met. Alderman Nassif asked about the layout and construction of buildings. Alderman Smith asked if these would be sold to the present tenants? Not necessarily. Alderman Scroggs moved, seconded by Alderman Coxhead, to refer this to the Planning Board for study and recommendation and that the Town Attorney be asked to review the legal requirements before the Planning Board review. This was unanimously carried.

REZONING-CENTRAL BUSINESS DISTRICT-WEST FRANKLIN STREET

Mayor Lee read the request by Edward Tolliver, T. T. Atkins, Henry Edmiston and Argusta Edwards to rezone from R-6 to Central Business Lot 3, 5, 6, 9, Block A, Orange County Tax Map #86, lying between West Franklin Street and Yates Court. Henry Edmiston told the Board that his lot on West Franklin Street was now divided between CBD and R-6 and that it could be used better if the entire lot were zone CBD. Alderman Scroggs noted that the Planning Board had previously recommended this for rezoning to CBD and that he still thought it was a good idea. Alderman Scroggs moved, seconded by Alderman Coxhead, that this matter be referred to the Planning Board for consideration and recommendation. Alderman Smith said that he felt the opposition needed more chance to be heard on this. The motion was unanimously carried. Alderman Ethridge asked that the Planning Board look at the open land near this area on Basnight Lane.

REZONING-AGRICULTURE TO R-5-ELLIOTT ROAD

Mayor Lee read a request from the Inter Church Council for rezoning from Agriculture to R-5 of about 5 acres lying west of Elliott Road between Franklin Street and Old Oxford Road being a portion of Lot 2, Block D, Orange County Tax Map #44. Robert Seymour, Chairman of the Inter Church Council, told the Board this land was needed for housing. Mike Brooks, also speaking for the Inter Church Council, told the Board that

CCB099

Dan Okun had made some land available for housing on the Bypass which could hold from thirty to forty units out of the hundred available to them but that this land on Elliott Road was better suited for several reasons and that both were needed. He also said they hoped to put some more units near Northside. He said that these would be 80% moderate income (\$5,000 to \$8,500 per year) and 20% for low income. Alderman Scroggs noted that several of the zoning requests overlapped this. Bob DeMaine showed all the projects in this area on the maps. Bob Midgette, speaking for Dr. Wesler and others living in the area, opposed the rezoning. He noted that similar rezoning had been denied to Mr. Ellinger in 1963 and that the character of the neighborhood did not change, even though Franklin Street had been widened. He said that property values would be depreciated and that neither the Inter Church Council or the Planning Board proposal for rezoning was acceptable to the people in the area. He mentioned the opposition in Riggsbee Heights to zoning for similar housing in their area. He read from a letter submitted by Mr. Crisp, appraiser, in 1968 in support of the contention that the property values would be hurt. He noted that zoning should be a protection for everyone not a solution for social problems. Paul Seible opposed the rezoning and hinted that it might bring litigation to test it. Mrs. Rush opposed. Mrs. Andrews opposed. Mr. Wallace supported the rezoning. Mr. Hertz supported it. Mr. Brinson opposed it. Mrs. David supported it. Mr. Geer supported it. Alderman Ethridge moved, seconded by Alderman Scroggs, that the matter be referred to the Planning Board for study and recommendation. This was unanimously carried.

Alderman Nassif said that the Planning Board should have future land use plans in advance of the zoning requests.

REZONING-REGIONAL COMMERCIAL-EAST FRANKLIN STREET

Mayor Lee read a request from Mr. S. E. Lloyd for rezoning from R-3 to Regional Commercial for 5.7 acres shown on Lot 4, Block B, Orange County Tax Map #46 lying on the southeast side of East Franklin Street just west of the intersection with Elliott Road. Mr. Lloyd spoke in favor of this request. Alderman Coxhead moved, seconded by Alderman Smith, that this be referred to the Planning Board for study and recommendation. This was unanimously carried.

REZONING-REGIONAL COMMERCIAL-EAST FRANKLIN STREET

Mayor Lee read a request from Mr. J. W. Thompson for rezoning from R-3 to Regional Commercial of a lot on the south side of East Franklin Street between Couch Lane and Elliott Road. This is shown on Orange County Tax Map #46, Block D, Lot 3. Alderman Scroggs moved, seconded by Alderman Smith, that this be referred to Planning Board for study and recommendation.

REZONING-REGIONAL COMMERCIAL-EAST FRANKLIN STREET

Mayor Lee read a request from Mr. R. G. Windsor for rezoning to Regional Commercial of practically all of the lots on the north side of East Franklin Street between the existing Suburban Commercial district and WCHL and all of the lots on the south side of East Franklin Street from the existing Commercial District to Crowell Little Motor Company and two lots owned by Shelton Womble and Mrs. C. T. Womble west of the Bypass north of Willow Drive and land on the north side of East Franklin Street from Meadowbrook Lane to Estes Drive along the east side of Estes Drive for a distance of about 500 feet from the center of Franklin Street. Bob Windsor spoke for this rezoning and told the Board that the design for East Franklin Street was to handle up to 28,000 vehicles per day which was the 1990 projection and that the Board's interest in maintaining an attractive entrance to Chapel Hill was unrealistic. Mr. Hale opposed. Mr. Fountain opposed, particularly any extension of business on Estes Drive. Mr. Martindale supported

the rezoning. Mr. Nassif questioned the increase in traffic caused by commercial zoning? In volumn it would be about like R-3 but there might be more use of driveways with commercial than with Multi-family housing. Mr. Slifkin opposed. Alderman Coxhead moved, seconded by Alderman Ethridge, to refer this to the Planning Board for study and recommendation.

REZONING-EAST FRANKLIN STREET

Mayor Lee read a recommendation from the Planning Board to consider rezoning the north side of East Franklin Street changing to R-15, R-10 and R-3 in various areas. Mr. Wilson, Planning Board Chairman, explained the proposal of the Planning Board using the maps of the area. He said the Planning Board felt that this area should be residential rather than commercial, he felt that multi family housing was a better use than single family housing. Alderman Ethridge supported this proposal. Alderman Nassif approved the proposal and questioned the access to Franklin Street. Mr. Wilson said that the Planning Board hoped that the development would take place in a manner that would limit the access. Mrs. Merzbacher said she would support the residential use and oppose any commercial development. It was noted that there was a legal petition in opposition to this as well as the Inter Church Council's proposal which would require a three fourths vote by the Board of Aldermen. Alderman Nassif moved, seconded by Alderman Ethridge to refer this to the Planning Board for study and recommendation. This was unanimously carried.

REZONING-PINEY MOUNTAIN ROAD

Mayor Lee read a request for rezoning from Agriculture to R-10 of 5 1/2 acres on Piney Mountain Road shown on Tax Map #28, as Lot 20. Mr. Watson located this lot on the map and explained the proposal. He noted the rough terrain and felt that R-10 zoning was needed to make the development feasible. He asked that this be considered with the next request from Ernest Riggsbee for rezoning from R-10 about 14 acres on Piney Mountain Road shown as Lot 21. He told the Board that this could be used for public or low cost housing. Mrs. Thomas Williams presented a petition by Mr. Blacknell, owner of Lot 20 opposing rezoning this property and 15 to 20 property owners in the area opposed rezoning of the Riggsbee land. He noted that this was a dead end dirt road and they did not want so much housing opening onto it. The petition opposing the Blacknell rezoning had been submitted at 8:30 A. M. on May 8 and the Town Attorney was asked to prepare a ruling as to whether it met the requirements concerning a legal petition in opposition. Alderman Smith questioned the right of one person to request rezoning of another person's property. Mr. Watson said that they were negotiating with him for the tract and the negotiations were incomplete and that they had to come in at this time to meet the deadline. Alderman Scroggs said the general interest sometimes required allowing requests for property by non owner. Alderman Smith moved, seconded by Alderman Scroggs that the matter of the Blacknell zoning be referred to the Planning Board for study and recommendation. This was unanimously carried.

Alderman Coxhead moved, seconded by Alderman Nassif, that the matter of the Riggsbee rezoning be referred to the Planning Board for Study and recommendation. This was unanimously carried.

REZONING-R-10-PITTSBORO ROAD

Mayor Lee read a request from LeRoy Merritt for rezoning from Agriculture to R-10 about 60 acres on the west side of US 15-501, Pittsboro Road, and the south side of Dogwood Acres including all of the land lying between the highway and Dogwood Acres. Jim Farlow spoke for this rezoning and showed a map of the area involved. He noted that this would be the same as Dogwood Acres zoning. A letter from Mr. E. G. Merritt, owner of part

CCB099

of the property, opposing the zoning of his land was presented. Alderman Ethridge asked if all other owners agreed. Mr. Farlow said that his understanding was that they did among themselves. He said that Mr. E. G. Merritt originally favored the zoning but changed his mind. Alderman Nassif asked if part of this wasn't R-20 not Agriculture? It is. D. A. Blackwood, property owner across the Pittsboro Road, opposed because of the traffic and septic tank problems. E. Y. Jones opposed on the same grounds. Mr. Trageser opposed the rezoning. Alderman Ethridge moved, seconded by Alderman Coxhead, that this be referred to the Planning Board for study and recommendation and that the present R-20 zoning be excluded. Mr. Farlow said that this area had city water available and that it drained away from the road, therefore there should be no septic tank problems or pollution of wells. He said that this land was excellent for septic tanks. Mr. DeMaine questioned the Subdivision Ordinance concerning lot sizes for septic tanks? 20,000 square feet. Mr. Farlow suggested that apartments could be put in with this zoning that would not overload septic tanks. Alderman Ethridge asked that all the property owners included in this rezoning be checked to get their concurrence. The motion was unanimously

REZONING-R-10-WEAVER DAIRY ROAD

Mayor Lee read a request for rezoning from R-15 to R-10 about 112 acres bounded on the west by Lake Forest, on the south by Clark Hills and a section of Old Oxford Road, on the east by McFarland & Williams land and Weaver Dairy Road and on the north by the Tillman land. The land is shown on Tax Map #27, Block A, Lot 2 and Map #28 as Lot 35. Mr. Duff spoke for this project with a subdivision plan which he was proposing for the area. He noted that the lots graded down from the adjacent R-20 areas with large lots adjacent and lots as small as 11,000 square feet at the far end of the development. The development included 179 lots with 19 acres of park land divided between three pieces. This area is presently all out of town but touches the corporate limit line along Booker Creek. Alderman Smith asked about additional play areas? Alderman Scroggs said that this should be considered when the subdivision is considered not under the zoning request. Alderman Smith moved, seconded by Alderman Scroggs, that the matter be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

ZONING ORDINANCE-LOT SIZES-LIMITED BUSINESS

Mayor Lee read a request from the Planning Board to consider reducing the minimum single family lot size in Limited Business from 10,000 square feet to 6,000 square feet. Mr. Wilson explained that the Limited Business District should be designed as a higher density use than R-10. Alderman Coxhead moved, seconded by Alderman Ethridge, that this be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

ZONING ORDINANCE-SPECIAL USE DENSITY IN LBD

Mayor Lee read a request from the Planning Board to consider amending the Zoning Ordinance to create a special use permit within the Central Business District and Limited Business District adjacent to Central Business District to allow greater housing density that is allowed elsewhere in the Planning District. Mr. Wilson and Mr. DeMaine explained the details of the program and the reason for it. Alderman Nassif questioned the possibility of towers on adjacent lots being too close to each other. Mr. W. L. Wiley opposed. Marvin Allen opposed. Alderman Scroggs moved, seconded by Alderman Smith, to refer to the Planning Board. This was unanimously carried.

Alderman Ethridge said that he felt that more control was needed. Mr. DeMaine said that the proposal was to encourage to mix of single family office and apartment development. Alderman Scroggs said that this might encourage town house development near the CBD and that he thought this might be a desirable type of development to relieve the housing pressure. He said that higher density was needed and he felt it should be close in. Alderman Smith suggested the town house and nothing else be allowed. The motion was unanimously carried.

REZONING-R-6 TO LIMITED BUSINESS-MALLETTE & KENAN STREET

Mayor Lee read a request from the Planning Board to consider rezoning from R-6 to Limited Business concerning lots on Mallette and Kenan Street from the CBD on the north to the rear of lots facing Cameron Avenue on the south. Marvin Allen said there was a petition in opposition that had been submitted and asked for ruling on its validity. The Town Attorney said that he would study and make a recommendation before the Planning Board considered the matter. Mr. Fisher asked if a retail business would be allowed? No. Mr. Durham said he didn't particularly like the idea. Mrs. Lewis objected, Ann Queen objected. Rev. Manley said he would object as it might be continued into the Roberson Street and Graham Street area and he would object to that. Alderman Scroggs moved, seconded by Alderman Smith, that this be referred to the Planning Board for consideration and recommendation. Alderman Nassif said that he did not believe offices needed to be in this area. Alderman Coxhead said that he would oppose it. Alderman Ethridge said that he did not believe it should be referred to the Planning Board. Alderman Smith moved, seconded by Alderman Ethridge, that this not be considered by the Planning Board. This was carried by a vote of 4-1 with Alderman Scroggs opposing. The question was raised whether the matter of extending the CBD on the east side of Mallette Street was still active? Yes.

ZONING-OFF STREET PARKING

Mayor Lee read a request by the Planning Board to consider an amendment to the Zoning Ordinance which would allow the requirements for parking in the Central Business District to be met either in the conventional manner or payment into an Off Street Parking Fund created by the city which would be used to increase off street parking facilities in the Central Business District. The Town Manager explained this proposal. Alderman Ethridge moved, seconded by Alderman Nassif, that this be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

MAJOR STREETS FOR ZONING PURPOSES

Mayor Lee read a request by the Planning Board to consider an amendment to the Zoning Ordinance to add to the list of major streets for zoning purposes. Burlington Boulevard from Ephesus Church Road southward to Little Creek and amend the list by changing the name Sycamore Street to Brookside Drive. Alderman Scroggs moved that this be referred to the Planning Board for consideration and recommendation. This was seconded by Alderman Smith and unanimously carried.

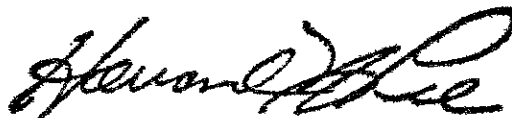
SPECIAL USE PROJECTS-ADDITIONAL REQUIREMENTS

Mayor Lee read a request by the Planning Board to consider an amendment to the Zoning Ordinance as pertains to Special Use projects to provide for the submission for more detailed plans as it pertained to the appearance of the site in the proposed development and requiring detailed plans prior to the issuance of building permits showing landscaping and other details of the development in this site. Alderman


CCB099

Nassif asked what plans would be expected? Mrs. Welsh, representing the Planning Board and the Community Appearance Commission, explained where it was being requested. Jerry Smith said that some developers would object to this but he personally favored it. Alderman Smith moved, seconded by Alderman Scroggs, that this be referred to the Planning Board for consideration and recommendation. This was unanimously carried.

The Hearing was adjourned at 12:41 A.M.



MAYOR



David Roberts, Town Clerk

MINUTES

BOARD OF ALDERMEN

TOWN OF CHAPEL HILL

The Board of Aldermen met at a regular meeting at 7:30 p.m. May 28, 1969 with the following members present: Mayor Lee; Aldermen Nassif, Ethridge, Coxhead, Smith and Scroggs. Alderman Prothro was absent. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Coxhead moved, seconded by Alderman Nassif, that the minutes of the meetings of May 12 & 14, 1969 be approved as circulated and corrected. This was unanimously carried.

SUMMER YOUTH OPPORTUNITIES COMMISSION

Thomas Hoyt, speaking for the Human Relations Commission, asked that the Human Relations Commission be authorized to develop plans for a Commission, independent of the Human Relations Commission, to coordinate summer employment for teenagers. He said that Mr. Brock, Mr. Smith, Mr. Gardner and himself would form a subcommittee of the Board to work out the details of the operation and report back to the Aldermen with recommendations for membership on such a Commission.

Alderman Ethridge moved, seconded by Alderman Scroggs, that the petition be accepted. Alderman Smith said that at the present time there was a group at the high school and one in Carrboro working on this matter. He thought another group would help coordinate it. Alderman Coxhead moved that the Human Relations Commission be authorized to proceed with this project. This was seconded by Alderman Ethridge and unanimously carried.

RECREATION DEPARTMENT

Mrs. Lindahl asked the Board for authorization to create a new position within the Recreation Department known as Director of Activities and that she be authorized to offer this position to Hank Anderson at a salary of \$11,000 per year. She told the Board that Mr. Anderson had had about 15 years experience in recreation, that he worked for nine months with the Chapel Hill Recreation Commission and was extremely valuable during that time and that he was completing