

## MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on September 20, 1971 with the following members present: Mayor Lee, Aldermen Welsh, Scroggs, Smith, Nassif, and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

## MINUTES

Alderman Coxhead moved, seconded by Alderman Nassif to approve the minutes of the meeting of September 13th as circulated. This was carried by a vote of five to nothing.

## COURT ROOM REMODELING

Tom Bridges, City Planning and Architectural Associates, told the Board that the most recent estimate for remodeling the Court Room was \$20,000.00 for the Court Room, \$7,000.00 for additional remodeling for the building required by the building code, plus carpet and draperies, estimate \$1250.00, and architectural fees estimate \$5500.00. Alderman Nassif asked if the extra items had to be done. The Town Manager said that the Town could claim exemption from the code. Alderman Nassif said that in his opinion they would just be refurnishing the room and that the items outside the Court Room could be left off. Alderman Wallace said that he felt that the Town should set an example and that other citizens would be required to meet the code. Alderman Scroggs asked if any further scheduling could reduce the immediate cost, and suggested eliminating the air conditioning at this time. Alderman Welsh agreed that the existing air conditioners could be left for another year and asked about the built-ins? Mr. Bridges estimated them at \$3,000.00. Alderman Wallace moved, seconded by Alderman Coxhead, to go ahead with the advertisement for bids according to the proposal date of September 3rd. This was carried by a vote of five to one with Alderman Nassif opposing. Mr. Bridges said that they could advertise about October 1st, and receive bids late in October, and the work should be done by the end of January.

NOTE: Alderman Wallace came in during the above discussion.

## COLONY WOODS--PRELIMINARY PLAT RENEWAL

Mr. Bill Lester, Owner and Developer of Colony Woods, told the Board that he felt that the ditches discussed in the latest section of Colony Woods at the last Board meeting would be better off left as open ditches than piped or given concrete bottoms. He agreed that the one ditch on the east side of Colony Woods Drive should be extended about another 25 feet. He brought some pictures of the various ditches. Alderman Nassif said that there had been considerable erosion, and that as the lots are built on that the owners will object to the ditches and want the Town to put in the necessary pipe. He said that if they were left that he would want the assurance by the developer that there would be no further erosion. Alderman Wallace moved, seconded by Alderman Welsh, to refer this to the Public Works Department for recommendation as soon as possible. Mr. Lester said that the Subdivision was considered all right last April, and that he didn't think there should be change in the requirements just because the renewal period had come around. Alderman Welsh asked if any open space were available? Mr. Lester said that he would be willing to dedicate the acre more or less marked "Park" on the east side of Billington Boulevard, north of Ephesus Church Road. Alderman Welsh noted that this was a very small tract, but she felt that the Town would be glad to get it. The motion was unanimously carried.

## ROSEMARY PEDESTRIAN BRIDGE

Joe Haken, Engineer, asked the Board for a decision for or against the construction of a pedestrian bridge over Rosemary Street between the parking garage and the N.C.N.B. Plaza. He said that it was necessary to know at this time so they could design the building with or without it. Mayor Lee said that without having specific plans for it that they couldn't answer, but that he liked the concept. Alderman Scroggs said that the Board had no authority to approve it until

January 1, 1972. Mr. Haken said that he would be glad to have a declaration of intent by the Board. Alderman Scroggs questioned the proposal to lease parking in the building, and asked if the CBD parking ordinance was doing what was intended for it to do? He asked if the Board felt that the bridge was serving a public purpose? Mr. Haken said that this building would contain 244 spaces, of which 110 were assigned either to the Bank or to other lessees of the building leaving 134 for public parking in some fashion, leased, metered, or other. He said that there would be a stair access from Rosemary Street to the Pedestrian Bridge. Alderman Welsh said that she felt that the bridge was in the public interest and favored it. Alderman Nassif suggested that the Board go on record as favoring the concept provided that 134 spaces be available to the public for parking. Alderman Coxhead told the Board that there had been a request for a surface crosswalk in mid-block, and that the bridge would be better and safer than such a walk, and moved that the Board go on record as favoring the bridge when it can be legally done. Mayor Lee said that he would be willing to favor the concept of the bridge. Alderman Nassif asked that the requirements of the 134 spaces of public parking be included. Alderman Smith questioned the traffic situation which might be caused by construction of the parking deck, and favored the requirements for public parking. Alderman Wallace suggested that the metered parking revenue should go to the Town. Alderman Nassif said that this was being constructed to meet the needs of the building. Alderman Wallace told the Board that it met the parking requirements and that he preferred attendant parking rather than meters, with TV monitoring and good lighting. Alderman Nassif moved, seconded by Alderman Welsh, that the Board go on record of favoring the concept of the bridge, providing that not less than 134 spaces be made available for public use in some manner. Alderman Wallace asked what consideration would be expected? He said that he felt this was in some ways similar to street vending, and that the use of this public space should be paid for by the user. He said that he would expect further controversy on this point if the bridge were permitted. The motion was carried unanimously. Mr. Haken asked if that meant that the Board would approve the bridge after January 1st? Alderman Nassif said no, that it meant that they approved the concept with the stipulation concerning parking, but that it was not legally approved at this time. Mayor Lee said that the Board liked the idea of the bridge, but that they would argue about detail later when the plan was presented. Alderman Wallace suggested that the motion be reworded to declare the intent of the Board to approve the bridge as presented with the parking stipulation. Alderman Wallace moved, seconded by Alderman Welsh to rescind the previous motion. In reply to question, Attorney Denny assured the Board that it would have the authority to approve a bridge after January 1st. The motion was unanimously carried. Alderman Wallace then moved, seconded by Alderman Coxhead, that the Board declare its intent to approve a concrete pedestrian walkway over Rosemary Street, when it does have the authority, provided that not less than 134 spaces were made available for public parking therein. Alderman Scroggs said that this did not mean that they gave the air rights without some thought of consideration. The motion was carried by a vote of four to one, with Alderman Smith opposing.

NOTE: Alderman Nassif had been excused during the above discussion for the balance of the meeting.

#### DENSITY IN THE CENTRAL BUSINESS DISTRICT

Mr. Haken asked that the Board make a study of increasing the allowable density in the Central Business District. He said that he felt that there should be some residences within the district, but that at the current land cost that it could not be justified except at a much higher density than was presently allowed. He quoted a land cost of \$125,000.00 per acre, and asking for 75 units per acre, plus shops. Mayor Lee said that he felt that this was a mistake. Alderman Scroggs said that he supported the idea of considerably increasing the density allowances, and that there would be a trade off in the matter of traffic and urban sprawl if it could be done. Alderman Welsh said that she liked the idea of residential units, but not high rise in the CBD. Alderman Scroggs said that the density in the CBD really was determined by automobiles, not by people. Mayor Lee said that there should be some way found to restrict the cars. No action was taken on the request.

A resolution requested by the Board concerning the application of leased parking lots to meeting the zoning requirements for parking in the CBD was discussed. Alderman Scroggs told the Board that the parking requirements should be revised to provide that some of the parking requirements must go towards customer parking. Alderman Smith suggested that no action be taken on this until the matter of the pedestrian bridge is decided. Alderman Scroggs moved, seconded by Alderman Smith, to request the Planning Board to study the revision of the CBD Parking Requirements paying particular attention to the needs of the customers rather than employees. This was unanimously carried.

#### ASSISTANT MANAGER

The Town Manager told the Board that Mr. Honeycutt, Assistant Manager, had gone back to school, and could only work one or possibly two days per week, and asked for additional funding to employ a full time assistant. Mayor Lee said that he thought that the structure of the Town organization should be examined before this was done. Alderman Welsh opposed the appropriation of additional funds. Alderman Wallace asked if it would be feasible to hire somebody on a temporary basis? No. Alderman Wallace then spoke in favor of a deputy manager for planning coordination, and said that he had lost confidence in the Planning Staff. Alderman Welsh moved, seconded by Alderman Smith, to defer this matter until the meeting of October 4th. This was unanimously carried.

#### ART COMMITTEE

Alderman Welsh nominated Mrs. Eleanor Lunde, Mrs. Ruth Hill, and Mr. Leonard White to compose a committee to consider displaying art in the Municipal Building. Alderman Wallace moved, seconded by Alderman Coxhead that the nominations be closed. This was unanimously carried. Alderman Welsh then moved, seconded by Alderman Wallace, that the three nominees be appointed by acclamation to form this committee. This was unanimously carried.

#### BUDGET ORDINANCE

Mayor Lee read an ordinance amending the budget ordinance to appropriate \$500.00 for additional legal fees.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1971 AND ENDING JUNE 30, 1972

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, 1971 and Ending June 30, 1972, and To Levy Taxes and Raise Revenue for the said Fiscal Year" as duly adopted on July 27, 1971 be and the same is hereby amended as follows:

Increase Account 6000, General Government by \$500.00  
from \$136,011 to \$136,511

Decrease Account 8000, Contingencies by \$500.00  
from \$38,364 to \$37,864

#### SECTION II

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

This the 20th day of September, 1971

Alderman Scroggs moved, seconded by Alderman Smith that this be adopted as read. This was unanimously carried.

#### LEAGUE CONVENTION

Mayor Lee and Aldermen Welsh and Smith said that they planned to attend the convention of the League of Municipalities in Durham on October 10, 11, and 12.

#### SEWER BID

Mayor Lee read the bids received for construction of a sewer line from Morgan Creek to Whitehead Circle and Chase Avenue. Alderman Coxhead moved, seconded by Alderman Scroggs, that the low bid submitted by T. H. Faulkner, of Kinston, of \$158,295.50 be approved. This was unanimously carried.

#### HITCHHIKING

Alderman Coxhead reported for the Street Committee on the problem of the traffic hazard caused by hitchhikers on N. Columbia Street, and recommended that an ordinance be prepared prohibiting stopping or standing by automobiles on the east side of N. Columbia Street for a short distance north of Rosemary Street, and for a short distance north of North Street. He moved, seconded by Alderman Smith, that an ordinance be prepared which would prohibit cars stopping in these areas. This was unanimously carried.

#### WEAVER ROAD RIGHT OF WAY

Alderman Coxhead told the Board that the Street Committee had examined the unopened right of way from Glendale to Roosevelt Drive for which a petition has been received for abandoning the right of way, and recommending that this right of way be retained.

#### PARKING--NORTH COLUMBIA STREET

The Town Manager explained that the parking should be removed on the east side of N. Columbia Street, and the south side of North Street, near Columbia Street, to permit a left turn lane for northbound traffic on Columbia Street at Airport Road, and recommended an ordinance prohibiting this parking.

AN ORDINANCE TO AMEND CHAPTER 21, CODE OF ORDINANCES, TOWN OF CHAPEL HILL:

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

#### SECTION I

That Chapter 21, Code of Ordinances, Town of Chapel Hill, is hereby amended by adding the following to Section 21-27, No Parking as to particular streets:

<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
N. Columbia St.	West	North Street	A point 122 feet south of the center line of North Street
North Street	South	Columbia Street	A point 136 feet east of the western curb line of Columbia Street


#### SECTION II

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

This the 20th day of September, 1971

Alderman Coxhead moved, seconded by Alderman Smith to adopt the ordinance as read. This was unanimously carried.

The meeting adjourned at 6:30 P.M.

  
 Mayor  
  
 Town Clerk, David B. Roberts

#### MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular quarterly hearing with the Planning Board at 7:30 P.M., Monday, September 27, 1971 with the following members present: Mayor Lee, Aldermen Smith, Welsh, Scroggs, Wallace, and Nassif. Alderman Coxhead was absent.

The Planning Board members present were Chairman Weiss, Mitchell, Shearer, Wallace, Hemmens, Hurow, and Spransy. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Mayor Lee told the audience that the usual rules of procedure were to hear a discussion of the proposal by the Planner and the Developer, then questions by the Board of Aldermen and the Planning Board, and questions or statements from the audience, after which the Aldermen could reject the proposal or refer it to the Planning Board for study and recommendation.

#### SPECIAL USE - SERVICE STATION - WEST FRANKLIN STREET

Mr. J. L. Gullage, Humble Oil Company real estate representative, presented a request for special use permit for construction of a gasoline service station on the south side of West Franklin Street between Merritt Mill and Graham Street. He told the Board that he felt that service stations on corners were desirable, because there are set backs on both sides which provided open corners which are safer than buildings built up to the corner. He cited the large amount of vehicular traffic at this site about 12,000/day, and the small amount of pedestrian traffic about 28, by traffic count, and the large increase in vehicle registration more than double, in the last 10 years in the Chapel Hill area. He showed slides of the development surrounding the site, and its uses at the present time, the proposed plan for the station, and the type of landscaping proposed or used at other station sites, and indicated that he felt this request met all of the requirements for special use. Dr. Cohn said that the Appearance Commission had not seen the latest plans. Mr. Gullage said that he had not been notified of the meetings of the Design Review Committee or the Appearance Commission. Mr. Palmer and Mr. Opdenbrow of the Planning Staff both stated that Mr. Gullage had been informed orally of the times, dates, and places of these meetings. The Board reviewed the project fact sheet as prepared by the Planning Department on this project, the drawings of the proposed location profile, and appearance of the proposed structure, and area map showing the location of the structure. No one else spoke for the project. Walter Creech opposed it because he felt some of the trees would be destroyed. Mr. Gullage said that six trees would be kept. Reverend Manly, speaking for the Citizen's Action Group for Progress, said that the nearby citizens oppose it and that it would be a traffic problem until a traffic light were installed at this intersection. Mr. Berger of the Planning Staff pointed out on an area map showing the number of service stations in this vicinity as being nine in the Chapel Hill Central Business District, and approximately eight in the adjoining Carrboro area. Mrs. Velma Perry opposed this because of the church across the intersection, and the traffic problems. Mrs. Weaver opposed it. Alderman Nassif noted that there was a service station study in progress, questioned the traffic safety, and suggested waiting until the study was complete and any ordinance written based on the study had been adopted. Alderman Smith told the Board that this had been a dangerous intersection for the last 28 years, that at this point five (5) streets intersect, and that the State Highway Commission had been requested many years ago to study this