

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a special hearing and regular meeting at 7:30 P.M., October 25, 1971, with the following members present: Mayor Lee, Aldermen Wallace, Scroggs, Smith, Nassif, and Coxhead. Alderman Welsh was absent. The Planning Board members present were: Weiss, Mitchell, Huron, and Shearer. Also present were Town Manager Peck, and Town Clerk Roberts.

REZONING - R-5 - HOLLAND

The rezoning request was shown on maps of the area and a petition from neighbors opposing the rezoning was read. Speaking in opposition for the rezoning were: Robert Harris, lawyer for Residents of the area Tom Rezzuto, John Allcott, Dan Olsen, Robert Miller, Phillip Russell, and B. B. Sparrow, all residents of Chase Avenue, who opposed the rezoning on grounds of density, deterioration of the character of the neighborhood, traffic, and property values. Bill Olsen, Jr. opposed, primarily on the basis of traffic. Speaking for the rezoning were: Nelson Benzing, architect for the project, who noted that the principal access to the development would be Purefoy Road, that the plan would retain the Holland home and that there was a need in this area for multi-family housing. He said that 39 units could be built on the property as it exists, but that the additional units that would be allowed by rezoning would be very desirable, as they were within walking distance of much of the University. Dr. Holland spoke for the project, saying that he expected it to be an attractive project and that he expected to continue to live there. He said that he felt that it would upgrade the area. Alderman Scroggs said that there was enough land zoned R-3,4,&5 to satisfy the needs of Chapel Hill for several years and that this shouldn't be considered until much of that has been used. He moved, seconded by Alderman Coxhead to refer this to the Planning Board for study and recommendation. Alderman Smith asked about the surrounding zoning? Mostly R-10. Alderman Nassif asked about the sewer? The proposed outfall from Morgan Creek would cross this property. Alderman Nassif noted that there was a stream on the property, and that R-10 density might be too high. He said that he felt that allowing any traffic on Chase Avenue would be inappropriate. Alderman Wallace suggested that the Board might consider rezoning to less density than R-10 as Purefoy Road was also crowded. A letter from the Community Church was read opposing the change, and it was noted that there was a dispute over a 25 foot strip of land between Holland property and the Christian Science Church. The motion was carried by a vote of five to zero.

ZONING ORDINANCE AMENDMENT

A proposed amendment to the Zoning Ordinance was read which would limit construction in agricultural districts to one principal building. This is a clarification of the existing ordinance. Alderman Scroggs moved, seconded by Alderman Nassif, to refer this to the Planning Board for study and recommendation. This was unanimously carried.

The hearing was adjourned at 8:20 P.M.

MINUTES

Alderman Smith moved, seconded by Alderman Wallace, to approve the minutes of the meeting of October 18, 1971 as circulated. This was unanimously carried.

HEIGHT LIMITATIONS

Mr. Roger Foushee recommended that additional height limitations be placed in portions of the CBD that would not allow buildings on Franklin Street higher than the new N.C.N.B. building which is considerably less than 90 feet. Alderman Nassif moved, seconded by Alderman Scroggs to receive this and send it to the Planning Board. Alderman Wallace asked that some action be taken before the next high building is started. Alderman Scroggs said that he opposed this recommendation and would prefer to remove the height limit.

Alderman Nassif noted that this request was for limit in only a small area. Alderman Scroggs said that in his opinion a low limit would result in all buildings being built to that limit and that variety in height was desirable and interesting. The vote to refer it to the Planning Board was unanimously carried.

PARKING

A petition from Betty Hughes was read requesting no parking for at least two existing parking spaces on the south side of Franklin Street west of Kenan Street to improve site distance. Alderman Nassif moved, seconded by Alderman Wallace to receive this petition and refer it to the Street Committee. This was unanimously carried.

HUMAN RELATIONS COMMISSION

Mayor Lee read a letter from Mrs. Parker, chairman of the Human Relations Commission, noting the vacancy by the resignation of Mr. Wesley Hare, and recommending appointment of Dr. Curtis Harper. Mayor Lee told the Board that he had just received the letter of resignation from Mr. Hare. Alderman Smith moved, seconded by Alderman Nassif, that Mr. Hare's resignation be accepted and a letter thanking him for his service be written, and that the matter of a replacement be placed on the next agenda. This was unanimously carried.

BICYCLE TRAFFIC

Chief Blake said that the Police Department had been warning bicycle riders for the last month regarding traffic lights, stop signs, and other traffic violations. He said that one of the most dangerous practices was riding in the streets at night without lights or reflectors. He said that he did not know of any second offenders, but that there might be some. He said that there was the dangerous practice of riding against the flow of traffic, but that this was usually done by juveniles. He proposed that the Police Department start issuing citations as they would in the case of other vehicles, but that he would like to have sufficient warning given the riders by newspaper and radio, so that they might expect more than a warning. He said that there had not been too many accidents, but a great many near accidents. Alderman Coxhead said that riding a bicycle should be encouraged, but agreed that citations should be issued for violations of traffic regulations. He asked the reporters present to give publicity to the fact that citations could be expected in the near future. Alderman Nassif said that he wanted copies of rules distributed through the schools, the University, and other places before strengthening the enforcement. Alderman Scroggs suggested that the Tar Heel and Weekly be asked to provide this new publicity. He said that additional flyers were not necessary, that there had been wide distribution of the ordinance and rules, and that the traffic regulations had long been a law. Mayor Lee asked how complaints could be made of bicycles without license tags? The Police would receive such identification if the complainant knew the person riding the bicycle. Alderman Smith said that the Town should embark on a safety crusade, and should require tags on bicycles and asked that the bicycle clubs and recreation program help sell the safety aspect of bicycle riding. The Town Manager asked if it would be logical to require riding on certain sidewalks? Chief Blake said that some, not all, were suitable. Mayor Lee asked if some of the problems weren't violations by car drivers? Yes. Alderman Wallace said that there were many violations by riding on the sidewalk in the main block of Franklin Street, which was prohibited. Chief Blake said that only citations would stop this as there had been a number of warnings given. Alderman Scroggs said that bicycles and cars did not mix well, and that bicycles were too slow to be ridden safely on the streets, and that it was practical to use sidewalks. Mayor Lee said that some drivers do not respect bicycles the way they should. Alderman Scroggs said that he felt that drivers were generally more careful than the bicycle riders. Alderman Nassif said that the motorcycles were also a traffic problem, and that he wanted a wide distribution of information. Dick Broom said that the pamphlet concerning bike routes and regulations had been distributed in all the schools. Mayor Lee told Chief Blake that he had the Board's support to move ahead with an enforcement program. Chief Blake said that he would do so and use discretion as to the enforcement.

MINI-BIKES

Chief Blake said that mini-bikes were a difficult problem, that they could not be licensed because the drivers were under 16, and that the schools had requested assistance in keeping them off of the school property, but there was very little law except trespass that would apply, and this would take positive action by the schools. Mayor Lee suggested that this be referred to the Town Attorney to work with the Chief to see if something could be done. Mr. John Clemens, neighbor of Phillips Jr. High School, said that the mini-bike was a serious problem in and around the school property.

UNIVERSITY MALL

Mr. William Horne, traffic engineer, pointed out to the Board that they now had authority to make a variance in driveway width for special uses and that he would like to have authority to design wider driveways on Willow Drive at the main entrances into University Mall, and the eastern entrance to the bank on Estes Drive. He said that these three should be 36 feet wide. He pointed out that the two entrances to the service station were already 35 feet as this was legal under the Town Ordinance. Alderman Nassif moved, seconded by Alderman Scroggs, to approve the modification of the special use plan showing two 36 foot drives on Willow Drive and three 35 foot entrances on Estes Drive. The motion was unanimously carried.

PARKING

Alderman Coxhead, reporting for the Street Committee, recommended removal of parking at the bend in W. University Drive, two spaces on E. Franklin Street between the Planetarium and the Episcopal Church, and parking on both sides of Ridge Lane between Gimghoul Road and Evergreen Road. An ordinance to do this was read.

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> |
|-----------------------|-------------|--|--|
| Ridge Lane | Either | Gimghoul Road | Evergreen Lane |
| West University Drive | Either | Fire Hydrant about 200 feet north of Penick Lane | A driveway on the northwest side about 400 feet northeast of Penick Lane |
| East Franklin Street | South | A point 430 feet west of Raleigh Street | A point 500 feet west of Raleigh Street |

SECTION II

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

This the 25th day of October, 1971

Alderman Smith moved, seconded by Alderman Nassif that it be adopted as read. This was unanimously carried. Roger Foushee suggested that no parking be considered on the full length of Ridge Lane.

SIDEWALK

Alderman Coxhead recommended that a sidewalk be designed and built when possible on Boundary Street between Park Place and Battle Lane

and suggested that this be given a high priority. Alderman Nassif suggested that this be done also along with the other sidewalk proposed. Alderman Scroggs said it would be needed now, particularly with the University constructing more parking along Park Place but that there was more room on the other side of the street on property owned by the University. It was requested that a design be made for this and a proposed schedule made for this sidewalk and others included in the budget.

PARKING FOR HANDICAPPED

An ordinance was read which would shift the parking space designated for the handicapped on W. Franklin Street by about 100 feet.

AN ORDINANCE TO AMEND SECTION 21-35A, CODE OF ORDINANCES, TOWN OF CHAPEL HILL

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

SECTION I

That Section 35A of Chapter 21 of the Code of Ordinances, Town of Chapel Hill be amended by correcting the item (2) to read "(2) The metered parking spaces located one hundred and eighty (180) feet west of the center line of Kenan Street".

SECTION II

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

This the 25th day of October, 1971.

This was done at the request of the Committee for the Handicapped. Alderman Coxhead moved, seconded by Alderman Scroggs to adopt the ordinance as read. This was unanimously carried.

POLICIES

Alderman Scroggs suggested that each person review the list of policies and circulate any notes that they might want considered. Alderman Nassif said that it might be better to do it by Committee and said that he had read the policies and made notes on them, and if Alderman Scroggs had done this also, that they could make a committee to discuss them with the Manager. This procedure was agreed to and the other members were asked to refer questions or comments they might have to one of these persons.

SEWER AGREEMENTS

The Board discussed a proposed agreement with the University covering operation of the Morgan Creek disposal Plant, and one with Carrboro which would amend the existing agreement to bring it in line with the University agreement, which included a provision by payment to be collected from Carrboro by Chapel Hill and paid to the University as a use charge for the Morgan Creek Plant. Alderman Scroggs said that he felt that Carrboro was getting a better deal through this than they could through any other means of disposal. Alderman Nassif said that he would like to see the creek cleared up and felt that the Board should go ahead with something, but he objected to collecting the fee for the University. There was some dissatisfaction with the agreements in this form, but it was pointed out that they are a compromise in an effort to get something going to take care of Carrboro's sewage disposal problem, and clean up Morgan Creek. Alderman Smith moved, seconded by Alderman Coxhead, to send the new proposal to Carrboro for further discussion after it has been reviewed by Carrboro. Alderman Nassif said that he objected strenuously to collecting the fee for the University. The motion was carried by a vote of four to one with Alderman Nassif opposing.

RECREATION COMMISSION

Mayor Lee told the Board that the Recreation Commission has not made a recommendation for a replacement created by Mrs. Clifford's resignation, but that the Chairman had said that they were looking for someone who could represent the senior citizens to take this appointment. Alderman Smith moved, seconded by Alderman Scroggs, to defer this appointment until the Recreation Commission has had more time to make a recommendation. This was unanimously carried.

BEER AND WINE

Alderman Nassif moved, seconded by Alderman Wallace, to approve an ordinance to repeal section 3-2 of the Town Code, prohibiting the sale of beer on Sunday.

AN ORDINANCE TO REPEAL SECTION 3-2, CODE OF ORDINANCE OF THE TOWN OF CHAPEL HILL

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

SECTION I

That Section 3-2 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby repealed.

This the 25th day of October, 1971.

Alderman Smith objected that the ordinance was not in the proper form. The motion was carried by a vote of four to one with Alderman Smith opposing.

PRITCHARD AVENUE

A report was made to the Board concerning the estimated cost of paving the extension of Pritchard Avenue from Longview Street to the existing paving. This estimate was \$3,000. Alderman Nassif asked if there was a petition for Longview Street? No. Alderman Smith moved, seconded by Alderman Nassif, not to pave the extension of Pritchard Avenue at this time, but to consider paving both Pritchard and Longview Street at a later date, using the authority to pave without petition if necessary. This was unanimously carried.

UTILITIES

Mayor Lee announced that he had been appointed to the study Committee of the Utilities Commission to consider University Utilities, and asked that this be discussed further with the Board of Aldermen at a later date.

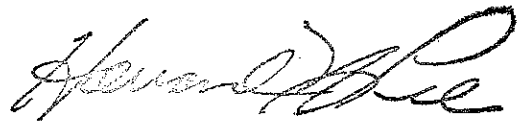
ORGANIZATION

Alderman Wallace asked that an organization chart be prepared and distributed to the Board.

SIDEWALKS

Alderman Smith asked that the Street Committee inspect the sidewalk on Church Street between McDade and Franklin Streets.

The meeting adjourned at 10:10 P.M.


Mayor


Town Clerk, David B. Roberts

MINUTES

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. Monday November 1, 1971 with the following members present: Mayor Lee, Aldermen Coxhead, Wallace, Nassif, Smith, Scroggs, and Welsh. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES