MINUTES October 23, 1972

Board of Aldermen Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on October 23, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Nassif, Marshall, and Coxhead. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to postpone approval of the minutes of the meeting of October 16th until corrections are presented to the Board. This motion was unanimously carried.

SPECIAL USE - EASTOWNE

Alderman Nassif asked that this item be added at the end of the agenda.

COUNCIL ON AGING

Alderman Coxhead said that he would like to have a budget item for the Council on Aging reconsidered. Alderman Nassif moved, seconded by Alderman Welsh, to add a budget reconsideration for the Council on Aging to the end of the agenda. The motion was unanimously carried.

GLASS RECYCLING

Alderman Scroggs said that Dr. Earl Mitchell expressed regret at the discontinuation of the glass recycling program and gave the Town $2.00 for the purchase of large gallon glass jugs. Alderman Nassif moved, seconded by Alderman Smith, to accept the $2.00 with regret. This motion was unanimously carried.

BY-PASS - 15-501

Mayor Lee described the status of the 15-501 By-Pass and the procedure for public discussion of it. Alderman Welsh described the location of the 15-501 By-Pass from Eastgate to the intersection with N.C. 54 and she described the development of the By-Pass and the concern that the citizens of Chapel Hill have about widening it. Mr. Richard Smith of the State Highway Department said that in 1961 the State Highway Commission Planning Board conducted a study of the By-Pass area and recommended that a four-lane divided facility with a median strip be constructed. In 1966 the Highway Commission approved the planning studies for the 15-501 Business and By-Pass to N.C. 54 and completed them in the spring of 1967. He said that the study was unpublished, but the recommendation was for a six-lane by-pass with a median strip to be constructed between Eastgate and N.C. 54. He said that it recommended that there be a four-lane highway with a wide median strip west of N.C. 54. He said that in March, 1971 the Thoroughfare Planning Engineer re-viewed the 15-501 By-Pass and set up a project to reanalyse it, but this has not been started yet. He said that when the traffic studies are completed, the plan for the By-Pass will determine the number of lanes that it will need and will take into account noise, air pollution, and various economic factors. He said that an engineer has been assigned to this project but will not be working on it immediately and that studies will be done and public hearings will be held before any construction begins. He said that a traffic count had been done on the By-Pass and he reviewed some of the figures. Mayor Lee thanked Mr. Smith for his report and then gave the citizens attending an opportunity to comment. Mr. Bill Hobbs of the Glen Lennox Corporation said that a section of 15-501 from Booker Creek to N.C. 54 had been donated to the State Highway Commission at no cost with the understanding that it would be no more than four lanes. He said that the interchanges that the Highway Commission has permitted between Eastgate to N.C. 54 has caused the traffic problem that presently exists. He said that 15-501 is no longer a By-Pass, but is a city street, and that a by-pass is needed to link with I-40. Mr. John Stokes, Mr. Frank Elfland, and Dr. Edward Perl said that they opposed the widening, thanked Mr. Smith for coming and giving information about the By-Pass, said that they were concerned about a plan developed in 1961 not being appropriate now, that property values would be decreased, that the By-Pass was being used by people from outside of Chapel Hill, and that a real by-pass should be created, not a street widened. Mr. James Webb, a faculty member of the Department of City and Regional Planning at the University, asked about the status of the corrider and loop plan proposed and requested that a new corrider be

established around Chapel Hill. Mr. George Taylor of Kings Mill Road said that he hoped the Highway Commission would construct the outer loop of the Thoroughfare Plan. Mr. John Gulick of Highland Woods said that he agreed that serious consideration should be given to an outer loop, that the by-pass did not need to be widened, and that traffic on the by-pass could be improved and safety increased with the additions of stop lights, eliminating left turns that block traffic, having three lanes at certain intersections and traffic lights, and controlled parking north of the N.C. 54 Bridge. He questioned using public property for private profit and said that a portion of the land near the By-Pass was being used for a market and that the Highway Commission had the responsibility for controlling that. Ms. Peachy Wicker of Highland Woods said that that area was a market and living area this summer and that the Town had the responsibility for it. Mr. Watson Morris of the University Garden Apartments said that he opposed the widening because it would be counter-productive in the long run. He said that widening the By-Pass would lead to increased traffic and will eventually lead to the destruction of Chapel Hill. He said that attention should be turned to mass-transit systems to move people. He said that there should be restricted use of automobiles and a well-developed bus system. He said that if the outer loop proposed were to be constructed through Mason Farm there would be great opposition. Alderman Scroggs said that he does not want his life restricted by restricting the use of automobiles. Rev. Robert Seymour of the Binkley Baptist Church said that he was speaking for the three churches located on the By-Pass. He said that the trucks on the By-Pass on Sunday morning make it difficult for the speakers in churches to be heard, and that the schools along the road have the same problems during the week. Dr. John Spitznagel of Iris Lane said that the By-Pass is a city street, that he opposes widening it to four lanes, that the noise is already too great to sleep in the summer with the windows of his house open, that noise abatement should start now, and that other alternatives for the traffic should be considered. Van Opdenbrow explained how developers have contributed to the right-of-way in the outer loop. Mr. Smith said that the present 15-501 By-Pass would be used until a new facility is constructed. Mr. Bill Hobbs said that he does not think that the outer loop near the Oaks was located far enough from the Town, that an outer loop should be two to three miles outside of the Town. Ms. Connie Toverud asked how much weight the opinions expressed by the citizens of Chapel Hill would hold. Mr. Smith said that the Highway Commission would give a lot of weight to the opinions. Mayor Lee said that the citizens give the Aldermen information and that the Board can give the Highway Commission information so that a feasible plan for traffic can be developed. Mr. John Humber of Christopher Road said that he was concerned about the needs of the transient population and the needs of the Chapel Hill population. Mr. Smith said that the Thoughfare Plan is being completed, that when it is, hearings will be held; and that a study will be done in conjunction with planning. Mayor Lee said that the purpose of this discussion is to keep citizens informed and that the Board will keep informed about the Highway Commission's plans. Mr. Roger Foushee said that Estes Drive which is four lanes will connect with the two lanes at 15-501 and that the entire road system will need to be reconsidered and a comprehensive regional long-range plan for the Piedmont area and the Research Triangle Area will need to be developed. Mayor Lee said that the Highway Commission would not come in and construct a six-lane road without discussing it with the Town of Chapel Hill. Mr. George Harris of Glen Lennox said that he would not object to four lanes on the 15-501 By-Pass if another outer corridor is also constructed further out. Ms. Katherine Wright of Buttons Lane asked if a ninety-foot right-of-way would be considered for an outer loop. Mr. Smith said that the Highway Commission has a two-hundred-foot right-of-way where the present By-Pass is and a major highway would still be there whether or not there were an outer loop. Ms. Katherine Klingberg asked if traffic rotaries or "roundabouts" would help the traffic engineering. Mr. Smith said that the Highway Commission does not like to construct rotaries because of the weaving problem they create. Alderman Nassif read the traffic count figures along the 15-501 By-Pass. Mr. William Brooks asked what

alternatives there were to having four or six lanes. Mr. Smith said that the By-Pass could be widened from outside with the median left to be used for six lanes if that were necessary in the future. Mr. Chris Schweitzer of Sourwood Drive said that he hoped that the By-Pass would be left as it is with service roads developed to handle the traffic. Dr. Perl said that although the Highway Commission has 200 feet of right-of-way, he does not think that a plan developed ten or twelve years ago needs to be followed regardless of the consequences and asked if the Highway Commission would consider other alternatives. Mr. Smith said that the purpose of planning was to consider alternatives. Alderman Scroggs said that the Highway Commission had planned in advance for a by-pass and asked Mr. Schweitzer what he thought a reasonable time for planning would be. Mr. Schweitzer said that if a mistake is made in planning it should not be continued and that the Town's present need should be considered before plans for widening are undertaken. Mr. Tom Bridges said that he hopes that what is done will not desecrate the buffers next to the road. Alderman Welsh asked how much influence a discussion like this would have in the revision of the Thoroughfare Plan or whether it was an exercise in futility. Mr. Smith said that the planning for the 15-501 By-Pass would be done by a section of the Highway Commission, not his, but that the information from the public discussion would be used. He said that the Highway Commission will meet with groups in Chapel Hill when the study is being done. Alderman Welsh asked if Mr. Smith would get the information from the discussion to the Highway Commission section that would work on the By-Pass. Mr. Smith said that he would write a file memo and discuss it with the engineer. Alderman Welsh said that the purpose of having this discussion was to have the information considered before plans are actually developed and a public hearing is scheduled. Mr. Ron Rollet asked if the Town Council had any influence with the Highway Commission when it decides it wants to do something. Mayor Lee said that the Town has the responsibility for what happens in Chapel Hill and that although they could do something against the Town's desires that is not the present trend. He said that the Town has tried to develop a relationship that will result in the Highway Commission and Town working together and avoiding things that the citizens do not want. Mayor Lee said that the Board would try to reflect what the citizens wanted in discussions with the Highway Commission. Mr. Jack Roth of Glenwood Drive said that the 15-501 By-Pass is dangerous and widening it would make it worse. He asked if an underpass could be constructed for bikes and children. Mr. Smith said that the Highway Commission prefers overpasses to underpasses. Mr. Terry Lathrop said that he favors busses. He said that highways do not generate traffic, that people do, and that something needs to be done to improve the By-Pass. He said that he hopes that the Highway Commission will treat this as a road that serves Chapel Hill. He said there needs to be pressure on the Research Triangle Planning Commission to improve the transit plan for the Research Triangle Area, and thinks that this problem needs to be considered in terms of the entire region. He said that Chapel Hill had signed an agreement in 1962 with the Highway Commission to build a by-pass but that it could go back on that agreement. Alderman Smith said that it was important to look at the growth of Chapel Hill since 1961 when there were few houses in Colony Woods and in that part of the Town. He said that traffic on the By-Pass between 4:30 and 5:00 P.M. is a nightmare and that widening it would create a greater nightmare. He said that 15-501 needs to be considered a major north-south road and the Highway Commission should plan an outer loop before there is a traffic crisis. Mayor Lee extended his appreciation and the appreciation of the Board to Mr. Smith and the Highway Commission and he expressed the appreciation to the citizens who attended the meeting for coming and expressing their opinions. The public discussion was adjourned at 9:40 P.M. Alderman Scroggs left the meeting.

NOISE

The Town Manager said that Alderman Scroggs asked this item to be delayed.

LAND PURCHASE

The Town Manager said that the Recreation Department asked that this item be delayed.

LEGISLATIVE COMMITTEE

Alderman Welsh reported that five amendments to the Constitution would be on the November ballot:

1. 18-year-olds holding office;
2. maximum age limits for judges and justices;
3. procedures for the censure and removal of justices and judges;
4. the Environmental Bill of Rights; and
5. limiting the incorporation of cities and towns.

The Legislative Committee recommended support for amendments 1. and 5., the Environmental Bill of Rights and limiting the incorporation of cities and towns. Alderman Welsh moved, seconded by Alderman Nassif, that the Town go on record supporting the Environmental Bill of Rights and limiting the incorporation of cities and towns. Alderman Nassif said that satelite communities can still be developed and may be annexed. Alderman Smith said that he hopes the press will make it clear that the Town Board took a position on those items appropriate for the Town. This motion was unanimously carried.

ADVISORY PERSONNEL BOARD - APPOINTMENT

Mayor Lee said that the vacancy created when Mr. Hubbard resigned is for a term which expires in June, 1974. Town Attorney Denny said that no one should be added to the Board before the hearing presently being conducted is concluded. Alderman Smith asked that the other members of the Board be informed and asked to suggest a replacement.

BOARD OF ADJUSTMENT - APPOINTMENT

Mayor Lee said that no recommendation had been received from the Board of Adjustment for this vacancy. Alderman Welsh nominated Mr. Jim Barnett for the vacancy.

APPEARANCE COMMISSION - APPOINTMENTS

Mayor Lee said that the Appearance Commission has three vacancies. The Appearance Commission recommended that Mr. Tom Bridges and Mr. Ed Kyser be reappointed and that Ms. Ortrude White and Ms. Marjorie Sloane be appointed. Alderman Welsh said that when the vacancies were considered previously Alderman Nassif requested that they be delayed and she asked if they could be made now with Alderman Nassif's approval. Alderman Nassif said yes. Alderman Smith moved, seconded by Alderman Marshall, to nominate for the vacancies on the Appearance Commission Mr. Tom Bridges, Mr. Ed Kyser, Ms. Ortrude White, and Ms. Marjorie Sloane. This motion was unanimously carried.

UTILITIES TASK FORCE - APPOINTMENT

Alderman Nassif said that Mr. Ivan Hill has been added to the Utilities Task Force which is composed of the following people: John McKee, Chairman, Watts Hill, Sr., Carl Smith, Sandy McClamrock, M. L. Taliaferro, with Joseph Nassif as liaison member. Serving as advisory to the Committee are: Jake Wicker, Marshall Lancaster, Joe Talley and Robert Peck. Wiley Franklin agreed to serve on the Task Force on October 27th.

APPEARANCE COMMISSION

Mr. Sid Cohn, Chairman of the Appearance Commission, distributed a memo and copies of a visual survey of Chapel Hill to the members of the Board of Aldermen and said that two significant problems were developing in Chapel Hill: 1) the height of buildings in the CBD; and 2) the quality of development at the entrances to Chapel Hill. The Appearance Commission recommended that the Zoning Ordinance be amended to limit the height on buildings in the CBD to thirty-five (35) feet until the CBD study is completed; that appearance districts be created at the entrances and on all major arteries into the Town in order to give the Town a chance to do a complete study of these areas and that all building permits in the appearance districts be Special Use Permits. Alderman Smith asked if the recommendation was consistant with the ordinance providing for screening in the CBD. Mr. Cohn said yes. Alderman Marshall said that the idea of having

a moratorium on these two things was good. Alderman Nassif asked if these zoning amendments would require public hearing. Town Attorney Denny said that they both would. Alderman Welsh moved, seconded by Alderman Nassif to refer the proposed amendments to the Zoning Ordinance to the Planning Board for study and recommendation. This motion was unanimously carried.

COKER WEST - PRELIMINARY PLAT

Van Opdenbrow said that the plat was not available. Alderman Welsh moved, seconded by Alderman Smith, to delay action on this request until the plat is available. This motion was unanimously carried.

FARRINGTON HILLS SUBDIVISION - FINAL PLAT

Town Manager Peck said that the final plat for seven lots was being submitted for approval. He outlined the drainage problems and showed the changes proposed and said that except for lack of curb and gutter they meet the recommendation of the Public Works Department. Alderman Nassif asked how the water would be carried off the road. Town Manager Peck showed the plan on the plat. Alderman Welsh said that the streets in that area were in bad condition and asked why. Town Manager Peck said these streets were not being maintained by anyone. Alderman Welsh said that the portion of the Subdivision Ordinance which concerns streets needs to be re-written. Alderman Welsh asked about Azalea Drive. Town Manager Peck said that it is neither a Town road or a State road, that no governmental unit is responsable for it, and that it will not be improved until it becomes a State road. Ms. Gray said that some repaving in Morgan Creek will be done by the company that put in the sewer. She said that she has a petition from residents in the subdivision who oppose having a curb and gutter on the street for aesthetic reasons. She said that she also has plans for a path along the road. Alderman Marshall suggested that a thirty-foot pedestrian easement be provided along the sewer easement to the creek between lots 57 and 58. She circulated pictures of the proposed easement. Alderman Nassif said that he did not like curb and gutter except on major arteries and agrees with the Planning Board recommendation. Alderman Welsh asked if the area near the arboretum could be used by the people in the subdivision. Ms. Gray said yes and that they could build steps down to the arboretum. Alderman Marshall said that an easement between lots 57 and 58 would be preferable. Alderman Nassif moved, seconded by Alderman Welsh, to approve the preliminary and final plats for this section of Farrington Hills as recommended by the Planning Board, with a variance from the requirement for curb and gutter, all improvements to be designed and constructed to Town standards and approved by the Town Manager, and subject to the posting of a bond of amount and type determined by the Town Manager, for the installation of improvements, and with open space in the arboretum, and with a dedicated pedestrian easement between Lots 57 and 58. Alderman Smith asked if the proposed rip-rap is sufficient. Town Manager Peck said that it will have to be inspected carefully. This motion was unanimously carried.

EASTOWNE

Van Opdenbrow said that no action was taken by the Board of Aldermen on the Planning Board's recommendation for a master plan for the entire Eastowne development as recommended by the staff memorandum. Alderman Nassif moved, seconded by Alderman Welsh, that a full master plan for the Eastowne subdivision be submitted as recommended by the Planning Board before approval of Garden Park Apartments will be made by the Board of Aldermen. This motion was unanimously carried.

COUNCIL ON AGING

Alderman Coxhead said that the budget for the Council on Aging was cut during the budget sessions and requested that $1400 of the $1900 that was cut be appropriated from the revenue sharing funds. He said that this was a people-oriented program and that the funds appropriated by the Town would be matched with federal funds. Mayor Lee said that he would like to present a total program for the revenue sharing funds. Alderman Welsh said she hopes this appropriation would not mean that the Board would be committed to indefinitely continue the program as it presently exists. Alderman Coxhead moved, seconded by Alderman Welsh, that an ordinance be prepared for the Council on Aging to appropriate $1400 from contingency. This motion was unanimously carried.

REVENUE SHARING

Alderman Smith said that he would like the Board to discuss how to allocate the revenue sharing funds. Town Manager Peck asked that each member of the Board put in his suggestion for priorities in the allocation of the funds. Mayor Lee asked that this item be on the agenda in November.

ASSISTANT TOWN ATTORNEY

Town Attorney Denny introduced Mr. David Drake, the new Assistant Town Attorney. Mayor Lee welcomed Mr. Drake on behalf of the Board of Aldermen and the Town of Chapel Hill.

The meeting was adjourned at 11:00 P.M.

Mayor

Town Clerk, David B. Roberts

MINUTES November 6, 1972

Board of Aldermen Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on November 6, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Nassif, Coxhead, and Marshall. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to approve the minutes of the meeting of October 16, 1972 as re-circulated. This motion was unanimously carried. Alderman Coxhead moved, seconded by Alderman Nassif, to approve the minutes of the meeting of October 23, 1972 as corrected. This motion was unanimously carried.

BICYCLES

Mr. John Kent distributed and read a petition with 500 signatures regarding bicycles and bicycle safety and requesting a safer bicycle route system, a bicycle safety inspection and registration program, CAUTION BICYCLES signs at dangerous intersections, additional bicycle racks, bicycle lanes on State roads and streets, and the replacement of sewer grates which are dangerous to bicycles. Alderman Welsh moved, seconded by Alderman Marshall, to receive the petition and refer it to a committee to be appointed by the Mayor to study the request and make recommendations. Smith asked Mr. Kent to submit the names of people who might be interested in serving on the Committee to the Mayor. This motion was unanimously carried.

RECREATION PROGRAM

Mayor Lee said that Harper Peterson of the Recreation Department asked if the Board would like to see slides of the summer recreation program. Alderman Marshall moved, seconded by Alderman Nassif, that the slides be shown after the items on the agenda for which people have come to discuss have been completed. This motion was unanimously carried.

CBD STUDY COMMITTEE

Mr. James Wallace said that the CBD Study Committee has received $24,600 in pledges, that it will be able to raise an additional $400, that it requests the Board of Aldermen to allocate the remaining $2000 and commission the study. He said that several gifts which have been pledged are conditional on the Committee getting the total amount and that Mr. Leary, the consultant, is ready to begin. Alderman Nassif asked if Mr. Wallace had the money in hand. Mr. Wallace said no, that he has it in pledges and that the money will be paid when the individuals are billed for it by the Town. Alderman Nassif moved, seconded