

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on November 20, 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 Smith moved, seconded by Alderman Nassif, to approve the minutes of the meeting of November 13, 1972 as circulated. This motion was unanimously carried.

## OPEN SPACE

Alderman Welsh asked that a discussion of a tract of land for open space be added to the end of the agenda. Alderman Marshall moved, seconded by Alderman Nassif, to receive the petition and add the item to the end of the agenda. This motion was unanimously carried.

## OXFORD APARTMENTS - SPECIAL USE

Van Opdenbrow showed the plan for this project and the proposed buildings. Alderman Welsh asked if the proposal met the requirements for open space. Van Opdenbrow said that the proposal more than met the requirements. Alderman Coxhead asked how many additional units were proposed. Mr. Opdenbrow said twelve. Alderman Smith asked if all the previous stipulations had been met. Van Opdenbrow said yes. Alderman Coxhead moved, seconded by Alderman Nassif, to approve the proposed modification for the Oxford Apartments Special Use Permit with the stipulation that all utilities be installed to Town standards and approved by the Town Manager prior to issuance of a Certificate of Occupancy, and that construction begin within one year and be completed within two years. Alderman Welsh said that the Appearance Commission had recommended that the plans and elevations for the project be as submitted. Mr. Glen Guy said that he had done this, but that due to the topography of the land two units may have to be varied in elevation. This motion was unanimously carried.

## EASTOWNE - SPECIAL USE

Van Opdenbrow showed the plan for this development and photographs of apartments similar to the ones being proposed. Alderman Scroggs asked if the turn-around, which the Appearance Commission objected to, was necessary in the opinion of the developer. Mr. Opdenbrow said no, and that the developer had agreed to eliminate it. Alderman Smith asked what the size of the recreation area is and what changes had been made from the previous plan. Mr. Opdenbrow said that the recreation area is larger than the amount recommended and that the total number of buildings have been decreased which increases the amount of open space on the site. Alderman Welsh asked if there were previous stipulations or if there were any drainage problems. Van Opdenbrow said no. Alderman Coxhead moved, seconded by Alderman Scroggs, to approve the modification for the Special Use Permit with the stipulation recommended by the Planning Board: that all utilities and improvements be installed to Town standards and approved by the Town Manager prior to issuance of a Certificate of Occupancy and with the stipulations recommended by the Appearance Commission:

1. that the turn-around at the end of the entrance drive be eliminated;
2. that the parking lot in the southeast corner of the property be re-designed to provide more planting area, moving the adjacent building if necessary;
3. that the detailed landscape plan, to be reviewed by the Appearance Commission and approved by the Board of Aldermen prior to issuance of a Building Permit, include the following:

- a. existing trees to remain,
  - b. design and location of signs and exterior lighting,
  - c. location and screening of trash storage facilities and exterior mechanical and electrical equipment,
  - d. sidewalks,
4. construction to begin within one year and be completed within four years from this date of this approval.

Alderman Nassif asked if this were the same owner as in Area III of Eastowne. Van Opdenbrow said no. Alderman Smith asked if the Eastowne area master plan had been submitted. Van Opdenbrow said that the master plan would be in next week. This motion was unanimously carried.

#### ORANGE BUILDERS - SPECIAL USE

Van Opdenbrow said that Orange Builders proposed a modification which involves a joint parking area and drive to be shared with WCHL. He said that the Planning Board will make no recommendation to the Board of Aldermen until a joint application for the modification is made by both Orange Builders and WCHL.

#### OPEN SPACE ORDINANCE AMENDMENT - RECREATION AREAS

Alderman Scroggs said that he was not satisfied with the way portions of the ordinance were phrased, but that he is 100% in favor of an open space ordinance. He said that under the amendment for sub-section F of Section 4 that the criteria does not have to do with population but rather with density and he said that paragraph 4 should be deleted. He said that with regard to multi-family dwelling units, it is simpler to say 500 square feet per dwelling unit and that the way proposed is not equitable. He said that he also objects to requiring a builder who builds at a lower density than zoned to provide a proportionately greater amount of open space, and that that is the opposite of what would be expected. Van Opdenbrow said that this provision was recommended to cover cases in which such lots would be subdivided or used for duplexes. Alderman Scroggs said that makes sense. Art Berger said that because the ordinance might be tested in court, the section on general criteria was included. Alderman Welsh said that with regard to subdivisions that there is a question of whether the Town can accept the dedication of parks and recreation areas for general public use and whether the Board wants to require the dedication of open space for public use. She said that the developer should have some input about how the open space in his subdivision should be used. She said that she thinks the proposal for the amounts of open space to be recommended is acceptable but that a simpler formula would be preferable. She said that the alternative suggestion that was made was not simpler than the one proposed in the ordinance. She said that an alternative to the Town assuming the responsibility for the maintenance of dedicated open space would be not to develop the open space immediately, but to leave it open until the neighborhood determines what kind of recreation area it wants. She asked whether the Town could or should take the responsibility of maintaining all the dedicated open space. Alderman Scroggs said that he was concerned about the discrepancies between the tables in Section 3, Note K, and in Sub-Section F of Section 4, number 5. He said that the inequities between the percentages of land required for open space between the multi-family developments and others is unacceptable. Van Opdenbrow said that it was the intent of the Planning Board to protect developers who want to develop multi-family dwelling units later from having to make up for open space that was not provided in earlier developments. Alderman Scroggs said that he would prefer a straight percentage. Town Attorney Denny said that the open space ordinance may need some technical clarification, but that the Board needs to indicate whether it accepts the concept of the open space ordinance. Alderman Coxhead said that in the amendment to Section 3, Note K, that the words "may require" should be changed to "should require." He said that if the open space was dedicated "to serve the residents of the subdivision" that the developer could realize a good tax benefit. Van Opdenbrow said that a developer should be able to develop recreation areas specifically for the residents in an apartment development. Alderman Welsh said that some homeowners associations are working with this problem. Alderman Nassif said that from the information he

received, the homeowners associations have not been very successful, but that in the Maryland-Washington area, an association is using a form of easements to be maintained by owners to provide open space areas. He asked if the Town could afford to maintain all the land that would be dedicated if the dedication were a requirement. He said that Durham cannot and is now refusing the dedication of open space. He said that in Sub-Section F of Section 4, number 3a, that the wording should be changed to indicate that the Board of Aldermen may determine the land required, not necessarily that the Board accept the recommendation of the Planning Board or Recreation Commission. He said that he wondered if the Town could force a developer to dedicate land. He said that if the Town requires that open space be dedicated in subdivisions, it is required to accept it and maintain it, but that it is not the responsibility of the Town to provide open space in every area. He said that the Town should provide major recreational areas, and that every developer should provide the amenities appropriate for the development. Town Attorney Denny said that land dedicated could be reserved as perpetual open space. Alderman Nassif said that he opposes requiring land to be dedicated and that if the Town wants to buy land, it can. Alderman Scroggs said that whatever open space is required should be clearly stated as a requirement and not left to the Board's discretion. Aldermen Scroggs, Nassif, and Welsh, said that they were not willing to vote for the ordinance in its present form. Mayor Lee asked Town Attorney Denny to review the entire ordinance. Alderman Nassif said that it should be clear that the Board is not opposed to the open space ordinance in principle and he reviewed the history of the development of an open space ordinance. Alderman Welsh said that the Board supports the concept of an open space ordinance in unified housing developments and subdivisions and she suggested that a committee be formed to review the proposed open space ordinance. Alderman Smith moved, seconded by Alderman Welsh, to refer the proposed open space ordinance to a committee composed of Town Attorney Denny, Alderman Nassif, Art Berger, Dick Helwig, and Phillip Cooke for review and recommendation. This motion was unanimously carried.

#### ZONING FEE

Mayor Lee said that discussion of this item will be delayed in accordance with the Planning Board's recommendation.

#### UNIFIED HOUSING RECREATION AREAS

Mayor Lee said that the same committee which is reviewing the open space ordinance could consider the unified housing recreation area ordinance. Alderman Welsh moved, seconded by Alderman Smith, to refer the ordinance for unified housing recreation areas to the committee studying the open space ordinance. This motion was unanimously carried.

#### TERMINATION DATES FOR SPECIAL USE PERMITS

Alderman Smith moved, seconded by Alderman Scroggs, to approve the recommendation of the Planning Board for amending Section 4-C-1-g as proposed and to have the ordinance prepared. This motion was unanimously carried.

#### SCREENING - COMMERCIAL USES

Alderman Smith said that he is concerned that when a commercial building is constructed next to a residential building that it can be constructed on the property line and results in a wall for the people living in the residential structure. Alderman Marshall asked if residential uses should be taken out of the CBD. Van Opdenbrow described the possible inequities. Alderman Smith said that he is concerned about the existing residential buildings in the CBD and does not think that businesses should be permitted to build on property lines when adjacent to residential structures. Alderman Welsh said that she agreed and that people living in residential structures in the CBD would be penalized. Alderman Marshall asked if the CBD Study would be concerned with this kind of problem. Town Attorney Denny said that for spot situations like this, a different type of

zoning could be created. Mayor Lee asked how much impact this ordinance would have on people living in residential structures in the CBD. Alderman Smith said that it would have a great impact, particularly on Rosemary Street. Alderman Coxhead said that perhaps no residential structure should be permitted in the CBD. Alderman Smith said that that would be in conflict with the pedestrian orientation for the CBD. Alderman Scroggs said that to fragment the CBD with spot zones would defeat the concept of a CBD zone. Mayor Lee said that the Planning Board, Appearance Commission, Redevelopment Commission, and the CBD Study Committee should consider this amendment together. Van Opdenbrow said that the proposed amendment protects residential uses by requiring screening when they are located next to commercial uses. Alderman Nassif said that in a limited business district, if a structure is destroyed, it cannot be re-built, and that in the CBD, wooden buildings destroyed cannot be re-built. Alderman Welsh moved, seconded by Alderman Smith, to refer the proposed amendment to the Planning Board to review with the Appearance Commission, Redevelopment Commission, and the CBD Study Committee. This motion was unanimously carried.

#### SPECIAL USE MODIFICATIONS

Alderman Scroggs moved, seconded by Alderman Smith, that the ordinance for the Special Use Modifications amendments to the Zoning Ordinance be prepared. This motion was unanimously carried.

#### DEPARTMENT OF HUMAN SERVICES

Jeanne Jones, Director of the Department of Human Services, reviewed the major points in her first report to the Board: the plan for comprehensive social services, urban data collection, the assessment of existing resources, plans for implementation of the comprehensive plan, citizen input, work with the Housing Authority, Redevelopment Commission, and Police Department, the coordination of social service agencies of the Town, and the development of workshops for agency personnel. Alderman Marshall asked if the League of Women Voters and the Women's Political Caucus have been contacted to participate in the Day Care Workshop. Ms. Jones said that the people working with day care in Chapel Hill need practical information quickly, but that she will consider contacting those groups to participate. Alderman Smith said that he read the report thoroughly and suggested that a vehicle be purchased so that the staff and people in the Town could be moved easily. Mayor Lee said that the Board has the responsibility to seriously consider revenue sharing and he hopes that pieces of equipment such as that could be purchased with revenue sharing funds. He commended Jeanne Jones on the program that she developed in the short time that she has been with the Town.

#### FLOOD INSURANCE

Mick McMahan, the Town's Grants Coordinator, distributed a memo describing the federally subsidized flood insurance available to citizens in flood prone areas and a proposed resolution to be used when applying for flood insurance. Alderman Welsh asked if there are any areas in the country which require developers to take out flood insurance if they build in the floodway fringe. Mick McMahan said that he didn't know of any. Alderman Welsh asked if that would be desirable. Mr. McMahan said that the program applies only to those structures already located in the floodway or flood plain and that Ridgefield and Camelot Apartments could qualify because they were built before March, 1972. Alderman Coxhead moved, seconded by Alderman Nassif, to adopt the resolution for applying for flood insurance as presented.

#### RESOLUTION - FLOOD INSURANCE

WHEREAS, certain areas of the Town of Chapel Hill, North Carolina are subject to periodic flooding and/or mudslides from the Little, Bolin, Booker, and Morgan Creeks causing serious damages to residential properties within these areas; and

WHEREAS, relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968 as amended; and

WHEREAS, it is the intent of this Board to comply with land use and management criteria regulations as required in said act; and

WHEREAS, it is also the intent of this Board to recognize and duly evaluate flood and/or mudslide hazards in all official actions relating to land use in the flood plain and/or mudslide areas having special flood and/or mudslide hazards; and

WHEREAS, the Code Citation(s) of any State enabling legislation and of any resulting county, city, town or village ordinance that authorizes this Town to adopt land use and control measures is Chapter 160A of the General Statutes of North Carolina.

NOW THEREFORE, BE IT RESOLVED, that this Board hereby assures the Federal Insurance Administration that it takes the following legislative action:

1. Appoints the Building Inspector with the responsibility, authority, and means to:
  - a. Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood and/or mudslide hazards on available local maps of sufficient scale to identify the location of building sites.
  - b. Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain and/or mudslide area.
  - c. Maintain for public inspection and furnishing upon request, with respect to each area having special flood hazards, information on elevations (in relation to mean sea level) of the lowest floors of all new or substantially improved structures; and
  - d. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain or mudslide areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards.
  - e. Submit on the anniversary date of the community's initial eligibility, an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain and/or mudslide area management measures.
2. Take such other official action as may be reasonably necessary to carry out the objectives of the program.

BE IT FURTHER RESOLVED, that this Board hereby appoints the Town Manager with the overall responsibility, authority and means to implement all commitments made herein.

This motion was unanimously carried.

#### HUMAN RELATIONS COMMISSION - APPOINTMENT

Alderman Nassif moved, seconded by Alderman Smith, that nominations for the vacancy on the Human Relations Commission be closed. This motion was unanimously carried. Alderman Welsh said that the Town's policy is that appointments should take three meetings and asked if appointments could be made in less than three meetings if there is no reason to delay. Town Attorney Denny described the intent of the policy and said that if there is no reason to delay an appointment if it can be made in less than three meetings. Alderman Marshall moved, seconded by Alderman Nassif, to appoint Reverend Frank Perry to the vacancy on the Human Relations Commission by acclamation for a term ending December, 1972. This motion was unanimously carried.

## REDEVELOPMENT COMMISSION - APPOINTMENT

Mayor Lee said that no recommendations for the vacancy had been made by the Redevelopment Commission. Action on this was delayed.

## TRANSPORTATION SYSTEM

Alderman Nassif said that the Board should go on record favoring the January referendum, to recognize the problem that exists in Carrboro, and to recognize that transportation is of major concern in Chapel Hill. He said that the Board should notify the Commission of its intent to proceed with the referendum and to request that the Commission indicate to the Board what plan could be considered without Carrboro's participation. Alderman Scroggs said that he agreed with that and that the wording on the ballot should not commit Chapel Hill to the bond if federal assistance is not available or other problems arise. Alderman Nassif asked how many days were left in which to file. Town Attorney Denny said approximately 60 days before the date of the election. He said that the referendum is held by the County Board of Elections which must give notice 30 days prior to the closing of the books which close 21 days before the election. He said that information for the bond election must be prepared in New York and for practical reasons needs to be done within the next few weeks. Mayor Lee asked the Town Manager to request that Terry Lathrop come to the next meeting and give a report. Alderman Nassif left the meeting.

## BIDS

Town Manager Peck said that five invitations to bids on two garbage trucks and bodies were sent out and that one bid was received for the two garbage trucks and two bids were received for the bodies. He said that the low bid exceeded the budgeted amount by \$3,860, but recommended that the two garbage trucks be purchased from Miller Truck Sales, for \$18,498, and that the low bid on the bodies be accepted from Worth Keeter, Inc. for \$18,362. Alderman Coxhead moved, seconded by Alderman Smith, to accept the Miller bid on the two garbage trucks, the low bid from Worth Keeter for the bodies, and to adjust the budget accordingly. This motion was unanimously carried. Alderman Nassif returned to the meeting.

Town Manager Peck said that two bids were received for the sidewalk construction on Ephesus Church Road and he recommended that the low bid of \$14,851, submitted by Muirhead Construction Company, be accepted. Alderman Marshall moved, seconded by Alderman Scroggs, to accept the bid submitted by Muirhead Construction Company for \$14,851 for the sidewalk construction on Ephesus Church Road. Town Manager Peck said that this sidewalk bid includes curb and gutter from the Ephesus Church School to Tinkerbelle Road. This motion was unanimously carried. Alderman Nassif asked if the cost would come out of the sidewalk fund. Town Manager Peck said that the curb and gutter portion would be paid out of the street fund, but that a breakdown has not been made.

Town Manager Peck distributed information about the purchase of a landfill tractor, discussed the prices proposed for the purchase of a used tractor, and recommended purchase of a D-8 tractor from Gregory Poole for \$31,500. Alderman Coxhead moved to accept the proposal submitted by Gregory Poole for the D-8 tractor for \$31,500. Alderman Nassif asked how many places were contacted for proposals. Town Manager Peck said two, North Carolina in Raleigh and Gregory Poole. Mr. Paul Kelly, representing North Carolina Equipment, said that his company did not understand that the Town would consider purchasing a used tractor and requested an opportunity to make a proposal for that. Alderman Nassif asked Town Manager Peck to describe the procedures used for soliciting proposals. Town Manager Peck said that the two firms which handled this kind of equipment were contacted for proposals. Alderman Smith asked what the cost for a new D-8 tractor would be. Mr. Kelly said approximately \$90,000. Alderman Nassif said that he was concerned when expenditures for large equipment are being made that potential sources are being overlooked in order to confine purchases to the Raleigh area. Alderman Scroggs asked what

the life of a used tractor would be. Mr. Kelly said about ten years. Alderman Smith asked the Town Attorney what his recommendation would be in this situation. Town Attorney Denny said that all the proposals would have to be rejected and the process for receiving new proposals begun again. Alderman Marshall asked why Chapel Hill was purchasing used equipment when other towns are not. Mayor Lee asked what the warranty periods are on new and used tractors. Town Manager Peck said that the warranty on a Caterpillar tractor is 90 days and it would be one year on a new tractor. Alderman Scroggs said that in purchasing a machine getting light use, a used machine might be economical, but that for a machine getting a great deal of use, the Town would probably lose money in purchasing a used machine. He asked if opportunities to purchase a tractor outside of the state could be explored. Town Manager Peck said that in purchasing used equipment the reputation of the dealer is important. Alderman Smith asked how much money is in the landfill budget. Town Manager Peck said that he was not sure. Alderman Smith asked if it would be possible to pay for a portion of the tractor now and the balance next year. Town Manager Peck said that a tractor could be purchased on a lease-purchase agreement. Alderman Smith asked who pays for landfill equipment. Town Manager Peck said that the County, Carrboro, and Chapel Hill will share the cost of equipment for the first eighteen months. Alderman Smith moved, seconded by Alderman Scroggs, to reject the proposals and to request that the Town Manager advertise for bids for the purchase of a new landfill tractor. This motion was unanimously carried.

#### OPEN SPACE

Alderman Welsh said that open space bond money was available for the purchase of four tracts of land and that two are presently being negotiated. She said that the offer made on the third was rejected by the owner of the property and requested that the Board request the Town Attorney to begin condemnation proceedings for 3.6 acres of the Umstead property. Alderman Welsh moved, seconded by Alderman Marshall, to approve the resolution for condemning the 3.6 acres of Umstead property for open space.

#### R E S O L U T I O N

WHEREAS, the provisions of Section 401 of Chapter 160A of the General Statutes of North Carolina authorize the Town of Chapel Hill to acquire fee simple title in real property in order to preserve open spaces and areas for public use and enjoyment, and

WHEREAS, the land hereinafter referred to is undeveloped land that has value for park and recreational purposes, and the conservation of land and natural resources including scenic purposes, and

WHEREAS, the provisions of Section 241 of Chapter 160A of the General Statutes of North Carolina authorize the Town of Chapel Hill to acquire by condemnation the fee simple title to property for the enlarging of parks, playgrounds and other recreational facilities, and authorize the said Town to acquire said property in accordance with the procedures set forth or referred to therein including local Acts applicable to the Town of Chapel Hill, and

WHEREAS, Chapter 695 of the Session Laws of 1969 authorizes the Town of Chapel Hill to acquire property by condemnation through the use of procedures set forth in Article 9 of Chapter 136 of the General Statutes of North Carolina as modified therein, and

WHEREAS, the provisions of said Article 9 of Chapter 136 of the General Statutes authorize the procedure of condemnation through the filing and recording of a Declaration, Notice and Complaint of Taking, and the deposit into Court the amount estimated to be the compensation for said taking, and

WHEREAS, the said Town has caused the property hereinafter referred to to be appraised, and has sought to acquire title to said property through negotiations with owners thereof, but has been unable to do so, and



WHEREAS, the property hereinafter described is necessary and desirable for the public purposes aforesaid.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CHAPEL HILL that the Attorney for the Town of Chapel Hill is hereby authorized and directed to prepare a complaint and declaration of taking and such other documents as may be required for the purposes of acquiring title to the property hereinafter described, and the appropriate officers of the Town of Chapel Hill are hereby authorized and directed to execute such documents, and

WHEREAS, it has been estimated by the Board of Aldermen that the just compensation for said taking is the sum of \$7,720.00, and the said appropriate officials of the Town of Chapel Hill are authorized to deposit said sum with the Court, and that title to said property be acquired pursuant to said Article 9.

The Owner of the property, the subject of this Resolution, is:

FRANK G. UMSTEAD ET ALS

and the property, the subject of this Resolution, is more particularly described as follows:

All that certain tract or parcel of land adjoining Bolin Creek and the Property of the Town of Chapel Hill containing 3.86 acres, more or less, and more particularly described as follows:

BEGINNING at an old iron control corner in the southwestern right-of-way line of Umstead Drive, corner with the property of Exchange Swimming Pools, Inc. as described in Deed Book 186 at Page 238, Orange County Registry; running thence along and with the eastern line of said property South  $25^{\circ} 17'$  West 411.00 feet to an iron in the center of Bolin Creek; running thence along with the centerline of Bolin Creek South  $37^{\circ} 55'$  East 77.92 feet to a point in the center of said Bolin Creek, corner with the property of the Town of Chapel Hill; running thence along and with the northwestern line of the property of the Town of Chapel Hill North  $57^{\circ} 29'$  East 568.00 feet to an iron stake in the southern right-of-way line of Umstead Drive; running thence along with the southern right-of-way line of said Umstead Drive North  $71^{\circ} 23'$  West 290.00 feet to an iron stake and continuing thence North  $65^{\circ} 17'$  West 84.22 feet to an iron stake, point and place of BEGINNING and being and containing 2.23 acres as shown on the plat thereof by Harold M. Harris, Registered Land Surveyor dated December 1972, to which said plat reference is hereby made for a more particular description.

This motion was unanimously carried.

#### LEGISLATION

Mayor Lee said that Ms. Trish Stanford Hunt said that the legislative year is beginning earlier this year and that she would like an opportunity to provide information to the Board of Aldermen. He said that he suggested that she meet first with the Legislative Committee.

#### BOARD OF ALDERMEN'S MEETINGS

Alderman Coxhead moved, seconded by Alderman Marshall, that there be no meeting of the Board of Aldermen on December 25, 1972 and January 1, 1973. This was unanimously carried.

#### RELEASES AND REFUNDS

Alderman Smith moved, seconded by Alderman Marshall, to approve the resolution for tax releases as presented.



## RESOLUTION - TAX RELEASES

WHEREAS, taxes listed below were erroneously levied through clerical error on properties belonging to the following:

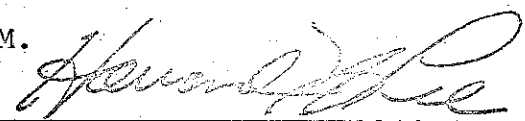
Chapel Hill Realty	7178	\$ 73.65	Overcharged for sewer
Jessie B. Lewis	3818	\$ 41.40	Not connected to sewer
John Allen Cates	1068	\$176.00	Overcharged for sewer
W. Howard Wagner	6686	\$144.61	Not in Town, Hideaway Est.
Haywood C. Rankin	5284	\$ 14.65	Not in Town, Rt. 3
J. R. Ellis	1914	\$ 36.00	Lot not on sewer
Clark M. & Nancy Rogers	5449	\$ 32.48	Was charged late, list in error

WHEREAS, the above list of people have made application for release of said taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, that it finds that taxes on the above listed people were levied through clerical error, and in the discretion of the Board should be released to the taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such release.

This motion was unanimously carried

The meeting was adjourned at 6:50 P.M.

  
Mayor

  
Town Clerk, David B. Roberts

## MINUTES

November 27, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a public hearing with the Planning Board at 7:30 P.M. on November 27, 1972 with the following members present: Mayor Lee, Aldermen Nassif, Marshall, Smith, Coxhead, Scroggs, and Welsh. The Planning Board members present were: Messers. Cooke, Wells, Weiss, Helton, Hurow, Ms. Parker, and Ms. Powell. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

## PUBLIC HEARING

Mayor Lee outlined the format for the joint public hearing of the Planning Board and the Board of Aldermen indicating that the items for rezoning, special use, amendments to the Zoning Ordinance, and amendments to the Subdivision Ordinance had been advertised for the public hearing and that each item would be considered with a general presentation followed by an opportunity for the public to speak in support or in opposition.

## REZONING - UMSTEAD

Van Opdenbrow showed the area requested for rezoning on the map and indicated that the request by Bolinbrook Associates was to rezone from R-3 and R-15 to R-6 a tract of land containing approximately 27 acres located southeast of Estes Drive Extension, shown on Orange County Tax Map 30 as portions of Lots 5, 6, 8A, and 10. He said that the rezoning would increase the density in that area by approximately 12%. He said that the staff does not see any problem resulting from the rezoning request. Mr. Robert L. Andersen, President of Columbia Corporation, a proposed development would offer a new option in housing in Chapel Hill with condominiums to be sold at \$25,000 to \$30,000. Mr. Arthur Cogswell, the architect, said that the request is not to increase the number of units but to distribute the units on the site in a manner which reduces the necessity for extensive clearing. He said that with regard to traffic, that the site has access to two thoroughfares shown on the Thoroughfare Plan, and that because the