

## MINUTES

April 2, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on April 2, 1973 at 7:30 P.M. with the following members present: Mayor Lee, Alderman Gardner, Marshall, Nassif, Scroggs, Smith, and Welsh. Also present were Interim Town Manager Levine, and Town Attorney Denny. Town Clerk Roberts was absent.

## MINUTES

Alderman Smith moved, seconded by Alderman Welsh, to approve the minutes of the meeting of March 26, 1973 as corrected. This motion was unanimously carried.

## BOARD OF ALDERMEN - MEETING DATE

Mayor Lee told the Board that April 23, 1973 is Easter Monday and suggested that the regular meeting be changed to April 30, 1973, the fifth Monday of the month. Alderman Smith moved, seconded by Alderman Marshall, that the public hearing and meeting scheduled for April 23, 1973 be re-scheduled for April 30, 1973, and that no meeting be held on April 23, 1973. This motion was unanimously carried.

## CEMETERY COMMITTEE

Alderman Marshall said that the first activity of the Cemetery Committee would be a tour of the cemeteries in Chapel Hill on April 10th at 3:30 P.M. She invited the Board members to participate in this tour.

## BICYCLES - WORKSHOP

Alderman Welsh said that the U. S. Departments of Transportation and Interior will be holding a workshop in May on Bicycles. She requested that a discussion of funds to send a representative be placed on the agenda. Mayor Lee said he is in favor of the Aldermen attending as many meetings as possible, and asked how much would be needed to fund the trip. Alderman Welsh said approximately \$100.00. Alderman Marshall moved, seconded by Alderman Smith, to approve an allowance of \$100.00 for Alderman Welsh to attend the Bicycle Workshop sponsored by the U. S. Department of Transportation and Interior. This motion was unanimously carried.

## C. D. - RESOLUTION

Interim Manager Levine asked that this item be placed on the end of the agenda. There were no objections.

## UMSTEAD PARK PLAN

Mr. Dick Helwig of the Recreation Commission described background for the development of the Umstead Park Plan. Mr. James Webb, planner for the Recreation Commission, presented and described the plan he developed. He described a plan for realigning Umstead Drive in order to expand the recreational site and avoid having the road through the center of the park. He showed on a map the areas of the park that could be used for recreation that are not presently being used, and proposed a link over the creek to a portion of property to the south. He also described the problems of Umstead Park being part of the Thoroughfare Plan. Alderman Marshall asked what part of Mr. Cooper's land would be affected by realigning Umstead Drive. Mr. Webb said a very small triangle of land. Alderman Nassif asked if the proposed plan takes into account the flood plain area to Estes Drive and asked if it could be used as a green belt area. Mr. Webb showed the park plan on a Flood Plain map and said the Recreation

Commission would like to consider the green belt. Mr. Helwig said there are immediate needs for safety measures to be taken in the park area. He requested that the reduced speed limit signs and extra signals be considered as immediate measures, and that priorities for recreation in the Town be considered. Alderman Welsh asked if only teenagers are using the park. Mr. Helwig said that many of the activities are for children ages six to twelve, but that the activities serve a range of ages and the picnic facilities are used by fifty to one hundred people at a time. He said it is very desirable to consolidate the recreation area on one side of Umstead Drive. Alderman Gardner asked if traffic counts had been made for the intersection of Umstead Drive and Airport Road. Mr. Helwig said yes. Alderman Gardner asked if the traffic flow from the Colonial Heights area could be distinguished from park traffic through this count. Mr. Webb said no, but that he estimates that 1,800 to 2,000 cars per day are from Colonial Heights. He said that Village West could add 1,000 trips per day to that figure. Alderman Marshall said the Highway Department should be requested to supply these figures and make recommendations about the traffic through the park. Alderman Scroggs said he is not in favor of taking private property to realign the road. He asked if a smoother curve could be considered. Mr. Webb said the plans had been drawn to an extreme for discussion with the Highway Department. He said that the curves could be used to slow the traffic. Alderman Nassif said the road should be difficult to negotiate and said he would favor two "T" intersections with stop signs. Alderman Scroggs said he was just as reluctant to kill people in automobiles as people in parks. Ms. Ontjes asked why the Umstead Drive extension was opened and said Village West should go through Estes Drive and not have an access road onto Umstead Drive. Mr. Opdenbrow said the road was opened when a special use permit for Bolinwood was approved, and that access was needed for fire protection. Mr. Roger Lotchin asked what chance there is that the Highway Commission will approve the extra curves in the road. Mr. Arthur Cogswell requested that Mr. Webb summarize his findings related to Village West. Mr. Webb said the primary impact will be the access road and the traffic flow on Umstead Drive, but that adequate traffic information is not available. Alderman Welsh said a letter should be written to the Highway Commission asking for recommendations on the questions raised by this proposed plan. Mayor Lee said the Recreation Commission and Town administration should get more information about Umstead Drive and make recommendations to the Board. He suggested that the plan be referred back to the Recreation Commission for further consideration of priorities. Alderman Marshall said the developers should be commended on the plan. Mayor Lee said Umstead Drive problems should be referred to the Streets Committee. Alderman Welsh asked if there is a speed limit designated for park areas. Alderman Nassif said the Town should take a position on the Thoroughfare Plan before going to the Highway Commission. Mayor Lee expressed appreciation to the Recreation Commission and Mr. Webb for the presentation.

#### VILLAGE WEST - UNIFIED HOUSING SPECIAL USE

Mayor Lee read a transmittal from the Planning Board recommending denial of this request and referred to transmittals from the Appearance Commission and Staff. Mr. Opdenbrow showed the area on a map and gave the background for the request. He described the developer's plans for providing an access road for the residents living southeast of Village West; said that the Condominium Association would maintain the interior roads; said the plans for the interior streets are above town requirements; that plans for erosion control would be made; and that provisions for the handicapped to have access to the pool would be made. He said the construction of the project would begin within one year and be completed within three years and that stipulations in the transmittals would be met. He said the Town had received a letter from the developer stating his intent to petition for annexation into the Town, and showed the traffic projections made by the developer's traffic consultant. Alderman Welsh asked about fire protection. Mr. Opdenbrow said the developer could pay a fee or re-

quest annexation, and that he had requested annexation. Alderman Smith asked if the Town would be responsible for the maintenance of the interior streets if Village West were annexed. Mr. Opdenbrow said the Town would have to maintain the main road, but the Condominium Association would maintain all interior streets. Alderman Marshall said the project is well-planned, but she is disturbed about a high-density project so near to the park when 66% of the community is already multi-family. Alderman Nassif read part of the transmittal from the Planning Board stating that reasons for denial related to wanting diversity in communities and questioned the Planning Board's definition of diversity. He said condominiums are a diversity and described how their prices relate to zoning and property values. Mr. Art Hurow of the Planning Board said the definition of diversity is in use. He said the developer could sell one of the condominiums and rent the rest as apartments, and the Town would have no control. Mr. Spransy noted that the Planning Board vote for denial was not unanimous. Alderman Nassif said that condominiums are another way to have private homes. He said no single element has contributed more to urban sprawl than single-family detached homes on half-acre lots. He discussed private ownership and rentals and the relationship to design and said that single-family homes have been a disaster to the landscape. Alderman Welsh asked why the R-15 zone was designated originally. She said urban sprawl is not desirable, but topography must be taken into account. She said there are problems with the rezoning and major questions about traffic, public safety, automobiles in the park, and fire protection. She said there is a need to consider the appropriateness of the zoning and density in this area. Alderman Nassif said he is concerned about the traffic on Umstead Drive. He said that a question had been raised at the public hearing about the ninety-foot right-of-way and the Thoroughfare Plan and that more information is needed. Alderman Welsh said there is a great problem with cars and traffic in that area. Alderman Smith said the Streets Committee has been requested to study Umstead Drive; the Town will take a stand on the Thoroughfare Plan; and that the Highway Commission is not interested in Umstead Drive. He said the traffic questions should be answered before a vote is taken on this issue. Alderman Smith moved, seconded by Alderman Welsh, to deny the request for a Unified Housing Special Use permit because of the traffic and safety problems in Umstead Park, the access to Airport Road, and the need for more information. Alderman Welsh said the proposed development does not meet the Special Use permit finding related to public safety. Alderman Scroggs made a substitute motion, seconded by Alderman Gardner, that the Board, finding that:

1. the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. the use meets all required conditions and specifications,
3. that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and
4. the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its Environs,

approve the request for a Unified Housing Special Use permit subject to all stipulations agreed on except:

1. that a standard street connection be provided to the properties to the southeast; and
2. that all interior streets be constructed to Town standards and dedicated as public rights-of-way,

of the Planning Board transmittal, with the added stipulation that construction begin within one year and be completed within three years. Alderman Nassif said he is still concerned with the access to Umstead Drive and questions the safety, otherwise he endorses the project. The substitute motion failed to pass with Aldermen Scroggs and Gardner voting for the motion. The vote on the original motion was three to three with Aldermen Scroggs, Gardner, and Nassif voting against. Mayor Lee voted against the motion and it failed to pass. Alderman Nassif said a traffic count was needed at a different point

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on Umstead Drive. Alderman Welsh said the Highway Department has not studied the traffic during the recreation season. Alderman Nassif said the Town should do a traffic count. Mayor Lee asked how many people use the park. Mr. Hank Anderson said approximately 2,000, and that there is no off-street parking and that Carrboro citizens use the park. He said regulatory signs would give some relief. Alderman Nassif said he would like to have a report from the Highway Commission next week on traffic anticipated from Village West. He said also that he opposes having fill used for a road in the flood plain. Mr. Paul Ragland said he spends a great deal of time in the park; that there has been a traffic problem there for a long time; and that the problem of safety for children in the park will get worse. A citizen asked if the Highway Department had been asked to send a representative to a Board meeting. Mayor Lee said that they have come several times but with no results. Interim Manager Levine said the Mayor, the Town Manager, the Recreation Commission, the Planning Department and others have met with the Highway Commission, but either is accomplished. Alderman Nassif moved, seconded by Alderman Scroggs, to place this item on the next agenda, that the stipulations agreed upon be listed, and that the Highway Commission be requested to study and respond to the proposal immediately. Alderman Marshall said information about standards for traffic through parks should be sought. The motion carried by a vote of four to two with Aldermen Welsh and Marshall opposing.

#### FARRINGTON ROAD ESTATES

Mayor Lee read a transmittal from the Planning Board recommending approval of the preliminary and final plats. Mr. Opdenbrow described the recommendations to the Board and showed the area on a map. Alderman Welsh asked the number of units proposed for the entire acreage. Mr. Opdenbrow said 16 could be constructed with one building per lot, that one building can have four units. Alderman Welsh asked about open space. Mr. Opdenbrow said there is none provided. Alderman Welsh said she will not support any new subdivision requests until open space is provided. Alderman Smith asked how far the subdivision is from the Town sewer line. Mr. Harold Harris of the Public Works Department said almost one mile. A citizen said she is concerned about the ninety-foot Thoroughfare and said approval of the subdivision would automatically approve linkage for the Thoroughfare through Hillside Estates. Alderman Scroggs said the Thoroughfare won't affect homes in Hillside Estates, that the developer doesn't give it, the Town requires it. Mayor Lee said that Alderman Nassif had requested previously that signs be posted on roads subject to extension or on the Thoroughfare Plan. Mr. John Hennesy, representing the owners of the land, said the owners would prefer not dedicating the Thoroughfare. Alderman Smith said the Town should think about the sewer connection in this area. Alderman Smith moved, seconded by Alderman Scroggs, to approve the preliminary and final plats, and the recommendation that no full-scale subdivision of this property be permitted without erosion and sedimentation control measures as recommended by the Orange Soil and Water Conservation District. This motion was unanimously carried.

#### NORTH CAROLINA BOTANICAL GARDEN

Mr. C. Ritchie Bell, Director of the North Carolina Botanical Garden, described the garden and its availability as a community asset. He read a resolution passed by the Board of Aldermen in 1971 supporting the Botanical Garden and requesting State funds for it. He said support had been requested from the University, the Chapel Hill-Carrboro Schools, the Federal government, and private citizens. He then described programs conducted in the garden. Alderman Smith asked if the Town could legally allocate monies to improve state property. Mr. Bell said the Town could allocate funds for staff which is needed. Town Attorney Denny said the appropriation could be made for a specific purpose. Mayor Lee asked how much would be required. Mr. Bell said \$12,000 per year for three years. Mayor Lee asked if this would open the Garden to the Town's Recreation Department. Mr. Bell

said the Garden is open now, but people are needed to conduct the activities. Alderman Welsh asked if a resolution requesting State funds would be useful. Mr. Bell said no. Alderman Welsh asked if the Town doesn't fund the project what will happen to it. Mr. Bell said it will close July 1, 1973. Mayor Lee said he thinks the Garden is important and should be considered at budget time. Alderman Marshall said it is an asset to the community. Alderman Nassif moved, seconded by Alderman Welsh, to refer this to the Finance Committee for consideration at budget time. This motion was unanimously carried.

#### PLANNING PROCESS - PROPOSED REORGANIZATION

Mayor Lee referred to transmittals from the Planning Board, Appearance Commission, and Recreation Commission concerning the "Nassif Plan" for reorganization. Alderman Nassif said he is concerned about the notion that the plan favors developers and said that was not the intent. He said his reason for submitting the plan was to improve the Town's planning processes and long-range planning capability. He said the proposal contains two categories: planning and organizational structure. He said there is no way for one or even ten people to do all the work involved with planning and that his plan is based on ideas presented by Mr. Phil Green. He asked Mr. Green to discuss his concept with the Board. Mr. Green said that to begin thinking about a planning organization requires breaking the traditional mental set about planning, that traditionally, planning has been more involved with taking action, rather than planning. He said there should never be a recommendation made by the Planning Board without reference to a plan and an explanation of how it would affect the plan. He said a common problem is lack of adequate staff. Mr. Green said the Planning Board should concentrate on goals, and goal-setting should be done by a group composed of a wide variety of representatives with a technical staff to implement the zoning and subdivision ordinances. Alderman Nassif said citizen participation is needed and with this plan the Board would be more accessible to citizens than at present. He said the question of whether the Town should have a full staff to do the work, or whether it should have a small staff to work with consultants has never been settled. He said the Planning Board is more a reaction board than a planning board and that it should be a board determining the physical, economic, and social goals for the Town. Alderman Scroggs said some problems of the Planning Board result from paper pushing and inadequate staff. He said the technical work must be done by a group other than the Planning Board. Alderman Nassif said that is what the proposal is designed to do. Alderman Welsh said she finds it difficult to get agreement among a large number of people and that in trying to make applications to proposals, the plan is often laid aside. She said it is difficult to agree on a plan, and it will be difficult to implement it. Alderman Scroggs asked what is meant by land use. Alderman Nassif said a Land Use Committee would consider specific uses of specific land and would respond when petitions are presented by individuals for land use in terms of the Town's plan. He said these petitions would be judged by goals and policies set by the Town. Mayor Lee said the Boards needed additional time to study this proposal and that it should be discussed when there is a light agenda.

#### RECREATION DEPARTMENT BUDGET REPORT

Hank Anderson, Director of the Recreation Department, gave a report on activities conducted by the Recreation Department during this fiscal year. He then described the goals for the 1973-74 year for the Recreation Department. He said the Recreation Department needs a Teen Coordinator and more office space. He said additional land acquisitions are proposed for next fiscal year. He said that most of the requests for land will come from the 1968 Redevelopment Bond Issue. He said this year that the Recreation Department is re-

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questing construction of two community centers, two tennis courts, two outdoor swimming pools, and seven sports and athletic fields. He said the two community centers are a priority in addition to one indoor pool, two outdoor pools, and one multi-purpose sports field. He said that a five-year plan has been drawn up for the Recreation program and that 1973-74 will be a catch-up year. Alderman Nassif asked on what time table the land areas will be developed. Hank Anderson said that in 1973-74 the Town should develop the Ephesus Church Road site with one community center of 14,000 square feet containing one indoor pool of 6,000 square feet; one outdoor pool; and one multi-purpose field. Mayor Lee asked if it is possible to build an outdoor pool with a bubble top and heat and use the space from the indoor pool for other activities. Alderman Marshall said bubbles cause a lot of problems. Mr. Anderson said the indoor pool and the outdoor pool would serve different purposes and that the pools would be revenue-producing. He said that the center and pool are the number one priority, that the maintenance cost of the A. D. Clark pool for three years would pay for the new pool. Alderman Welsh suggested that the cost could perhaps be shared by the School Board. Mr. Anderson said that access and parking areas should be developed in Cedar Falls Park in 1973-74. Alderman Welsh asked if the budget would include funds for developing the Binkley Baptist Church property. Mr. Anderson said that he expected to have a master plan for all of the sites ready for budget time and that it will be necessary to call for a bond. Alderman Smith said he likes the plan, but he thinks a request to float a \$1,000,000 bond will be defeated. Mr. Anderson said this proposal is an investment for Chapel Hill and he doesn't think the bond issue would fail. Mayor Lee stated the purpose of departmental reports is to inform the Board and that the Recreation program is behind in development. Alderman Marshall said as prices increase the cost of facilities will increase, and that programs offered by the Recreation Department will save citizens money. Alderman Welsh asked if the Recreation budget will include work programs for 15 - 18 year olds in the summer. Mr. Anderson said yes, to clear the Cedar Falls Park area, and that this will take \$6,000 to \$8,000. Alderman Smith said the Recreation Department should pay the minimum wage. Mayor Lee thanked Mr. Anderson for his report and said it reflects vision.

#### LEGISLATION

Mayor Lee referred to the resolutions supporting SB 148, HB 175, SG 304, and SB 145.

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

WHEREAS state and national banks are an integral part of any community and play an important role in the development of a municipality, and

WHEREAS the personal property of state and national banks is currently exempt from taxation, and

WHEREAS the services that a town or city must provide to a state or national bank are no different from those which are provided to other business and financial institutions within the corporate limits of a town or city, and

WHEREAS Senate Bill 145 provides that all banks, both state and national, doing business in this state will be taxed uniformly in a just and equitable manner, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby support Senate Bill 145 and urges the passage of this legislation.

This the second day of April, 1973.

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

WHEREAS municipal governments must supply adequate services, including waste collection, sewerage, water, streets, and police and fire protection to all citizens and corporations within their limits, and

WHEREAS hospital, medical, and dental service corporations which are located within the boundaries of towns and cities enjoy these benefits but are exempt from most taxes, and

WHEREAS House Bill 175 would provide for the taxation of the real and personal property of hospital, medical, and dental service corporations, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill hereby expresses its support of House Bill 175 and urges the passage of this legislation.

This the second day of April, 1973.

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

WHEREAS the property tax is a tax on property and does not take into account the ownership of the property, and

WHEREAS a tax of this type has regressive tendencies, especially in areas where property values have increased rapidly, and

WHEREAS older citizens who own property but have small fixed incomes are injured more severely than other segments of the society when real property values and taxes increase, and

WHEREAS many such people have been discouraged from maintaining and improving their homes; and, in some cases, have been forced to sell their dwellings, and

WHEREAS Senate Bill 148 would grant tax relief for the residential property of elderly persons with limited incomes, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby endorse Senate Bill 148 and urges the passage of this legislation.

This the second day of April, 1973.

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

WHEREAS food is a necessity of life and the amount of nourishment required for healthful living does not change for high or low income groups, and

WHEREAS a general tax on food has the effect of increasing the price and is therefore regressive, discriminating against poorer segments of the society, and

WHEREAS Senate Bill 304 would exempt certain foods from the sales and use tax, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill does hereby support Senate Bill 304 and urges the passage of this legislation with the following reservation:

In that medicines, especially prescription medicines, are also often essential to health, we believe that medicines should also be exempt from such taxes.

This the second day of April, 1973.



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Alderman Smith moved, seconded by Alderman Welsh to approve the resolution and send copies of them to the legislators; and also to send letters supporting HB 151 and SB 250 to the legislators. This motion was unanimously carried.

Mr. Pearson Stewart described HB 290. He said this bill establishes the principle of a lead regional organization, it removes veto power over local actions, and provides for a single regional organization with control over other regional organizations. He said that the Triangle J. Council of Governments will discuss this bill Thursday night. Alderman Welsh asked if the lead regional organization would have control over state interstates, regional reservoirs, or erosion control. Mr. Stewart said no.

#### REFUSE COLLECTION

Alderman Nassif questioned the interpretation of the ordinance amendment concerned with refuse collection. He said it deleted the hours of collection on the street in the Central Business District; and that some stores in the CBD don't have back doors and cannot use adjacent land for trash. He said that Section B in the ordinance does say trash can be placed on sidewalks for collection. Town Attorney Denny said Section B is susceptible to that interpretation but its intent was for leaf and limb collection, and was never intended for application in the CBD. He said the word rubbish excludes garbage altogether. He said there are a number of stores in the CBD which don't have areas on their premises on which to put garbage and they have had to make other arrangements. Mayor Lee suggested this be referred to the Town Manager. There were no objections.

#### DRAINAGE - GLENDALE DRIVE, AIRPORT ROAD

Mr. Harold Harris of the Public Works Department described one major flooding problem in the Town on Glendale Drive and said he had met with the residents there. He showed the area on a map and said the sewer line was there before the houses were built. Mr. Harris then outlined several alternative solutions. Mayor Lee asked if the problem was caused by the elevation of the houses. Mr. Harris said yes, and also that the present line can't take the flow. He recommended installing a new line along the backs of the properties, but said there is a question of who would be responsible for paying for the line which would cost approximately \$20,000. He asked the Board what the Town's responsibility would be in matters like this and said that what is done here would set a precedent for similar problems throughout the Town. Alderman Scroggs asked why the sewer line problem is related to times of rain. Mr. Harris said this is due to seepage or breaks in the line. He said the Public Works Department will spend all summer studying all the lines in Town and that a smoke machine has been ordered to help in this study. Alderman Scroggs asked if there could be something downstream putting pressure on the line. Mr. Harris said possibly. Alderman Nassif asked if any homes have check-valves. Mr. Harris said one house has a check-valve, but these devices must be cleaned daily to function properly. Alderman Nassif asked if the sewer lines from the houses are installed properly. Mr. Harris said they are as far as he knows and that the residents are not satisfied with the check-valves. Dr. Raymond Dawson of 304 Glendale Drive said the ideal solution would be a new line, that the check-valve is not a satisfactory solution. Alderman Welsh asked if the residents have discussed the equitable arrangements. Mr. Dawson said no. Mr. Harris said there is a question of whether the lots that are already assessed for sewer can be assessed again for the new line. Mrs. Dawson said the old line was replaced and is not adequate and that the Town was responsible for that. Alderman Marshall said problems have developed as a result of additions to the line and these people should not be assessed. Alderman Smith said this should be referred to the Town Manager for consideration and if funds are available to proceed



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with the installation. Alderman Nassif moved, seconded by Alderman Marshall, that plans be prepared and bids be taken and presented to the Board. This motion was unanimously carried.

Mr. Harris said another problem which just developed involves the line that crosses under Airport Road from the housing project to Mt. Bolus Road. He said this line is built under the road, the pipe has collapsed, and water is coming up through the catch basin. He said the longer the Town waits to fix this, the more extensive the problem will be, and he estimated the cost to be \$15,000 to \$20,000. He said there is also a question of whether the State will be involved. Alderman Welsh moved, seconded by Alderman Smith, to refer this to the Town Manager to take immediate action. This motion was unanimously carried.

#### REORGANIZATION - ADMINISTRATION

Mayor Lee said a special meeting would be called next week to discuss reorganization. There were no objections.

#### LANDFILL EQUIPMENT - TRACTOR

Alderman Marshall moved, seconded by Alderman Scroggs, to accept the bid of \$49,400 from the North Carolina Equipment Company for a TD-20C Crawler Tractor. Alderman Smith asked if the Public Works staff approved this tractor. Mr. Harris said this tractor will do the job needed. This motion was unanimously carried.

#### C. D. - RESOLUTION

Mayor Lee read a resolution expressing Chapel Hill's willingness to participate in the C. D. Revenue Sharing program as a pilot city. Alderman Smith moved, seconded by Alderman Nassif, to adopt this resolution as read.

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

WHEREAS the Town of Chapel Hill is committed to planned growth and orderly community development, and

WHEREAS Chapel Hill has had a long-standing commitment to sound planning and management as evidenced by its full-time planning staff which includes a long-range planner and a zoning and subdivision administrator as well as support staff, and

WHEREAS Chapel Hill has recognized the growing demands for increased planning expertise, the Board of Aldermen approved a new position of Director of Urban Development to provide new leadership for the planning necessary for the orderly growth and development of the Town, and

WHEREAS Chapel Hill has demonstrated a serious commitment to involving the citizens of the Town in the on-going planning process as evidenced by the Planning Board, Community Appearance Commission, the Recreation Commission, and the Redevelopment Commission, and

WHEREAS Chapel Hill has recently undertaken a special project, PITCH, to provide an opportunity for all of the citizens of the Town to discuss the future development of the entire Town, and

WHEREAS Chapel Hill has demonstrated its willingness to plan and develop programs and services cooperatively with other governmental units, as evidenced by the formation of the Consumers Utility Corporation of Chapel Hill, the Chapel Hill-Carrboro Joint Transportation Commission, and the establishment of a regional landfill, and

WHEREAS Chapel Hill has demonstrated its commitment to the concept of regional planning and coordination through its participation in

the Region J Council of Governments, and

WHEREAS Chapel Hill has not only demonstrated its concern for the quality of life for its citizens through physical planning, but also through social planning as indicated by its creation of a Human Relations Commission and a Department of Human Services, NOW THEREFORE

BE IT RESOLVED that the Board of Aldermen of the Town of Chapel Hill formally requests that the Department of Natural and Economic Resources, Division of Community Services consider selecting the Town of Chapel Hill to be one of the five pilot cities in North Carolina for the new Community Development Program.

This the second day of April, 1973.

This motion was unanimously carried.

#### EXTRATERRITORIAL ZONING - OAK FOREST AND LAKE FOREST

Town Attorney Denny read an ordinance providing for the extraterritorial zoning of Lake Forest and Oak Forest. Alderman Nassif moved, seconded by Alderman Scroggs, to adopt the ordinance as read.

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

WHEREAS, G. S. 160A-360 provides for the enlargement of a Town's extraterritorial jurisdiction to include an area within one (1) mile of the corporate boundary of said Town, and

WHEREAS, the area hereinafter described is all within one (1) mile of the corporate limits of the Town of Chapel Hill, and

WHEREAS, there is currently in effect an Ordinance providing for the Zoning of Chapel Hill Township, Orange County, duly adopted by the Orange County Board of Commissioners for said County, and

WHEREAS, Subsection e of Section 2 of Chapter 1088 of the Session Laws of 1969 provides that the extraterritorial jurisdiction of the Town of Chapel Hill may be extended into an area as prescribed by the General Statutes with agreement of the County Commissioners, and

WHEREAS, the Board of Aldermen of the Town of Chapel Hill has requested the County Commissioners to agree to enlargement of the extraterritorial zoning jurisdiction of the Town of Chapel Hill as hereinafter provided, and

WHEREAS, the Board of County Commissioners for Orange County has agreed thereto, NOW THEREFORE,

BE IT RESOLVED by the Board of County Commissioners of Orange County and the Board of Aldermen of the Town of Chapel Hill that the extraterritorial zoning jurisdiction of the Town of Chapel Hill be, and is hereby enlarged to include the following described area:

To include properties identified as Lots 5 and 15, and a portion of Lots 5A and 16, Tax Map 25; and a portion of Lot 17, Tax Map 41B; Orange County Tax Maps as revised 1971; the area further being described as follows:

BEGINNING at the intersection of the existing Chapel Hill Zoning District Line as shown on Orange County Tax Maps 25 and 41B, with the western property line of Lot 17, Tax Map 41B, and proceeding:

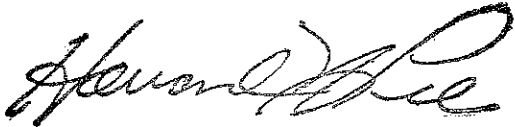
Thence in a northerly direction along the western property line of Lot 17, Tax Map 41B approximately 120 feet to the northwestern corner of said lot; thence in a northerly direction along the western property line of Lot 5A, Tax Map 25, approximately 740

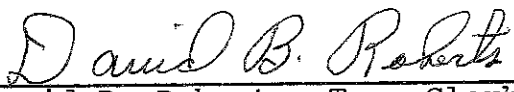
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feet to the northeastern corner of Lot 17C, Tax Map 25; thence in a westerly direction along the northern property line of Lot 17C, Tax Map 25 approximately 190 feet to the southwestern corner of Lot 5, Tax Map 25; thence in a northerly direction along the western property line of Lot 5, Tax Map 25, approximately 800 feet to the southwestern corner of Lot 4, Tax Map 25; thence in an easterly direction along the southern property line of Lot 4, Tax Map 25, approximately 510 feet to the southeastern corner of Lot 4, Tax Map 25; thence in a northerly direction along the western property line of Lot 5, Tax Map 25, approximately 1,325 feet to the northwestern property corner of said lot, said corner lying on the southwestern right-of-way line of S.R. 1733 (Weaver Dairy Road); thence in a southeasterly direction along the southwestern right-of-way line of S.R. 1733 (Weaver Dairy Road) approximately 2,060 feet to the northeastern corner of Lot 15, Tax Map 25; thence in a southerly direction, along the eastern property line of Lot 15, Tax Map 25, approximately 50-feet to the southeastern corner of said lot; thence in a westerly direction, along the southern property line of Lot 15, Tax Map 25, approximately 150 feet to the northeastern corner of Lot 16, Tax Map 25; thence in a southerly direction, along the eastern property line of Lot 16, Tax Map 25, approximately 1,020 feet to the intersection of said line with the existing Chapel Hill Zoning District Line; thence in a southwesterly direction along the existing Chapel Hill Zoning District Line approximately 2,370 feet to the intersection of said line with the western property line of Lot 17, Tax Map 41B; the same being the point and place of BEGINNING.

DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR ORANGE COUNTY and THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, this the second day of April, 1973.

This motion was unanimously carried.

The meeting was adjourned at 12:15 P.M.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
David B. Roberts, Town Clerk

#### MINUTES

April 9, 1973

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting on April 9, 1973 at 7:30 P.M. with the following members present: Mayor pro tem Smith; Aldermen Gardner, Marshall, Nassif, Scroggs, and Welsh. Also present were Interim Town Manager Levine, and Town Clerk Roberts. Mayor and Town Attorney Denny were absent.

#### MINUTES

Alderman Nassif moved, seconded by Alderman Marshall, to approve the minutes of April 2, 1973 as corrected. This motion was unanimously carried.

#### STREETS COMMITTEE REPORT

Alderman Smith asked that a Streets Committee report be heard at the end of the agenda. There were no objections.

#### SPECIAL USE EXTENSION - EDMISTON

Mayor pro tem Smith read a letter from Mr. Ward Setzer of Security Building Company requesting a six-months extension of the Special Use