

MINUTES OF A REGULAR MEETING OF THE
MAYOR AND CHAPEL HILL TOWN COUNCIL
MUNICIPAL BUILDING
MONDAY, MARCH 10, 1980
7:30 P.M.

Mayor Pro Tem Howes called the meeting to order. Present were:

Marilyn Boulton (late)
Joseph Herzenberg
Beverly Kawalec
Joe Straley
Bill Thorpe
James Wallace

Also present were Town Manager E. Shipman and Town Attorney E. Denny. Mayor Pro Tem Howes announced that Mayor Nassif was in conference and would soon join the meeting. Council member Smith was ill.

Petitions and Requests

Ms. Sharon Lawrence presented a petition for the Closing of Raleigh Road on March 22, 1980, between 11 a.m. and 11 p.m., to allow old campus residence halls to hold "Old Campus Day." They expected to have approximately 500 students participating in the events on both sides of the street and believed it would be safer to close the street. The Assistant Vice Chancellor for Student Affairs, Hal Wallace, had endorsed the event. Mr. Shipman stated he had received the petition earlier in the day but had checked with the chiefs for Public Safety who had no objections as long as the barricades were manned adequately.

Council member Kawalec asked if this would involve amplified music. A band and group of minstrels had been planned, with the band to play between 7 and 10 p.m. (Mayor Nassif came in.) Mr. Shipman commented that no one had applied for a permit for a band.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER STRALEY, TO RECEIVE THE PETITION AND ADOPT THE FOLLOWING RESOLUTION:

A RESOLUTION CLOSING A PORTION OF RALEIGH STREET

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the closing to vehicular traffic of the portion of Raleigh Street between Cameron Avenue and South Road (also known as Raleigh Road) on March 22, 1980, between the hours of 11 a.m. and 11 p.m. during Olde Campus Day events, upon the following conditions:

1. The Old Campus Residence Hall Association of the University of North Carolina will erect barricades and station persons at the barricades at the intersections of Raleigh Street with Cameron Avenue and Raleigh Road to allow immediate access by emergency vehicles;
2. The Association will clear debris by 11 p.m.; and
3. The University Administration states in writing that it has no objections to closing the road.

This the 10th day of March, 1980.

Council member Wallace commented that this area was surrounded by University uses and should not disturb residential neighborhoods. Council member Kawalec reminded the Council of its policy of not acting on petitions on the night they were received. She would not object to this petition because the event was planned before another meeting, but asked that the group in the future give the Council time to deliberate. Council member Wallace asked that the resolution be subject to issuing of a permit for the band. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. David Bruin, Chairman of RSVP, petitioned the Council to continue to sponsor the group in the coming fiscal year, 1980-81. (Council member Boulton came in.) Their grant proposal had to be submitted to ACTION by March 31, and they needed the Council's action before that time.

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO RECEIVE THE PETITION AND REFER IT TO THE MANAGER FOR A REPORT ON MARCH 24. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Shipman had received a petition from Ms. Hugh Britton relative to snow removal on Davie Circle. The Manager recommended that it be referred to himself and the Streets and Public Safety Committee. COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WALLACE, TO REFER THE MATTER TO THE MANAGER AND STREETS AND PUBLIC SAFETY COMMITTEE. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Shipman advised the Council that he had several substitutions to be made to the proposed resolutions on Laurel Hill V and Ironwoods.

Council member Thorpe informed the Council an agenda had appeared in the newspaper for the school board. He asked the manager to check to see if this was a paid advertisement and if not, why the Council could not get its agenda printed without payment.

Council member Thorpe asked that a resolution of appreciation be prepared for Ms. Cannaday.

Minutes

On motion by Council member Straley, seconded by Council member Howes, the minutes of February 25, 1980, were approved.

Resolution Granting a Unified Housing Development Special Use Permit to Roger D. Messer for Laurel Hill Condominiums, Section V

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO ROGER D. MESSER FOR LAUREL HILL CONDOMINIUMS, SECTION V

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development Special Use Permit proposed by Roger D. Messer if developed in accordance with the plans submitted 12/17/79 and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,

- 3. Will not substantially injure the value of adjoining or abutting property, and
- 4. That 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.

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO SAFETY

- 1. That a paved sidewalk be constructed along one side of Rhododendron Drive. The design of such sidewalk shall be approved by the Town Engineer.
- 2. That the design and construction of the private drives serving the individual clusters of units be reviewed and approved by the Town Engineer prior to construction.
- 3. That public right-of-way for the paving of Parker Road be acquired prior to issuance of a special use permit, grading permit or building permit. That the applicant document the existence of such right-of-way to the satisfaction of the Town Manager. That Parker Road be paved to state standards prior to issuance of any certificate of occupancy. The plans for such paving shall be approved by the Town Engineer prior to start of construction. Such paving shall be from the current end of paving to the easternmost property corner adjoining Parker Road.
- 4. That the right-of-way of Rhododendron Drive be realigned so that it is adjacent to the eastern property line for a minimum distance of 1,300 feet from its intersection with Parker Road and that it be paved to Town standards with a minimum paved cross section of 33 feet back to back of curb with curb and gutter. A paved temporary cul-de-sac, with required easements, shall be provided at the northern terminus of Rhododendron Drive. The water line, including the proposed valve and blow-off, shall be extended beyond the paving of the cul-de-sac. The final design of the roadway including plans for paving the street shall be approved by the Town Manager prior to construction. Street grades of Rhododendron Drive shall not exceed 12%.
- 5. That prior to issuance of a building permit a plat shall be recorded dedicating public right-of-way to provide access from Rhododendron Drive to the Pardue property. Such access shall be at two points; one north of the location of the proposed tennis courts and a second approximately 900 feet back from Parker Road. The precise location of such rights-of-way shall be approved by the Town Engineer. If it is necessary to relocate the tennis courts to accommodate this requirement the relocation of the courts shall be approved by the Town Manager and shall not be considered a modification of the approved permit.
- 6. That the final design for fire protection, including the number, location and installation of fire hydrants and layout of water lines be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.
- 7. That prior to the issuance of the special use permit, the tract be within a County service district providing fire protection through contract to a qualified local government capable of providing such service such as the Town of Chapel Hill or Carrboro.

WITH REGARD TO APPEARANCE

8. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signage, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
9. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
10. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size by the end of the next planting season.
11. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan and shall be in place prior to issuance of a building permit.
12. That sewer and utility easements be dedicated as required by the Town Manager.
13. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. The location and screening of bulk trash containers shall be approved by the Town Manager in consultation with the Appearance Commission. The provision of such facilities shall not be a modification to the approved permit. The applicant shall provide areas for the location of bulk trash containers. Such provisions shall be approved by the Town Engineer and shall be installed prior to issuance of a certificate of occupancy.
14. That additional right-of-way be dedicated along the applicant's frontage with Parker Road. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the center line of the road.
15. That a drainage plan be submitted to and approved by the Town Engineer prior to issuance of a grading permit or building permit. Improvements included in the drainage plan shall be completed prior to issuance of any certificate of occupancy. The maintenance of the detention basin shall be the responsibility of the homeowners association.
16. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
17. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each cluster of units. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
18. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
19. That prior to issuance of any certificates of occupancy a sign indicating that Rhododendron Drive is subject to future extension be placed at its northern

terminus and that signs indicating that the rights-of-way providing access to the Pardue property are subject to future extension be placed at their respective intersections with Rhododendron Drive.

20. That a valve and tee for the extension of the water line to the Pardue property be provided at both proposed street stubs identified in stipulation #5. The water line at such stubs shall be extended a minimum distance of 30 feet to ensure the extension of the water line will not damage the street.
21. That construction begin by March 31, 1982 and be completed by March 31, 1984.

BE IT FURTHER RESOLVED that the Council hereby grants a Unified Housing Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

Council member Straley moved, seconded by Council member Kawalec, to amend the resolution to delete the words "such as the Town of Chapel Hill or Carrboro." He did not want to make the determination of what was a qualified local government at this time. Mr. Denny had no objection to this deletion. He had objected to the language used in the previous special use permit for Laurel Hill Condominiums which limited the provider for fire service to Chapel Hill or Carrboro. Council member Wallace asked who would make the determination of a qualified local government. Mr. Shipman said it would be the County Commissioners. Council member Howes thought this phrase suggestive rather than binding. It conveyed the sense of the Council's discussion. THE AMENDMENT TO THE RESOLUTION WAS DEFEATED BY A VOTE OF FIVE TO THREE WITH COUNCIL MEMBERS HERZENBERG, KAWALEC AND STRALEY SUPPORTING AND COUNCIL MEMBERS BOULTON, HOWES, THORPE, WALLACE AND MAYOR NASSIF OPPOSING.

Mayor Nassif explained that he would be voting against any action on this project because there are four pending court actions involving the project. He believed the project should be tabled until the court decided the matter.

Mr. Denny advised that in any of these actions the court could have entered orders requiring the Town to submit the record of its proceedings on this project. Had that occurred the Council could not have proceeded with action on this project. That had not occurred. No order had been entered preventing the Council from taking action. An order could have been entered enjoining the Town from taking action, but had not. Until such an order were entered, he advised that the application for permit be processed as any under the appropriate zoning and subdivision ordinances.

Mr. Lyman stated that much of the controversy in the lawsuits could be eliminated by action on the project tonight.

Council member Straley asked if stipulations 3 and 7 were beyond the control of the developer, something that he could not possibly do. Mr. Denny responded that normally a publicly maintained right-of-way was required for any subdivision or other project. While the road which was required to be widened was not on the developer's property, nevertheless it afforded access to his property. Under regulations there was to be publicly maintained access to get to the lots. Although the developer does not have the right of eminent domain, if he did not acquire the right-of-way, the question arose as to whether the Council would allow development of land with substandard access. It could not meet the four required findings without improvements.

Mr. Denny had also been concerned with specifying what entity must be contracted with for fire service; however, that problem had been eliminated with the change in language. He would be concerned with meeting finding no. 1 if residents were allowed to move into an area with no fire protection whatsoever. The normal way to provide for the health and welfare of these residents was through a service district established by the County.

Mr. Messer stated he was not opposed to the creation of a fire district. However, he requested that the stipulation be amended to require the fire service district before the issuance of a certificate of occupancy. Mr. Shipman opposed this. If the Council was inclined to amend the stipulation, he recommended the service district be established before the issuance of a building permit. He preferred the original stipulation. Mr. Denny explained that the special use permit became valid when reduced to writing and recorded in Hillsborough. The applicant was then free to apply for a building permit. He had no objection to amending the stipulation to require the service district prior to the issuance of the building permit because this was when the question of fire protection became relevant.

Mayor Nassif asked if the fire protection would be required for a subdivision. Mr. Denny answered that the Council would not have to make the findings for a subdivision. Mayor Nassif then asked if the developer's request for a service district was sufficient for response from the Commissioners. The Commissioners would decide if it was sufficient. Council member Howes thought the change from a special use permit to a building permit reasonable before fire protection was required. Mr. Shipman argued that if there was no fire protection, there was no reason for the special use permit because the findings could not be made.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER STRALEY, TO AMEND THE RESOLUTION BY SUBSTITUTING IN STIPULATION 3 THE WORDS "BUILDING PERMIT" FOR "SPECIAL USE PERMIT." THE MOTION TO AMEND WAS CARRIED BY A VOTE OF SIX TO TWO WITH COUNCIL MEMBERS HERZENBERG, HOWES, KAWALEC, STRALEY, THORPE AND WALLACE SUPPORTING AND COUNCIL MEMBER BOULTON AND MAYOR NASSIF OPPOSING. THE FOLLOWING RESOLUTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH COUNCIL MEMBERS BOULTON, HOWES, HERZENBERG, KAWALEC, STRALEY, AND WALLACE SUPPORTING AND COUNCIL MEMBER THORPE AND MAYOR NASSIF OPPOSING.

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO ROGER D. MESSER FOR LAUREL HILL CONDOMINIUMS, SECTION V

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development Special Use Permit proposed by Roger D. Messer if developed in accordance with the plans submitted 12/17/79 and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,
3. Will not substantially injure the value of adjoining or abutting property, and
4. That 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.

March 10, 1980

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO SAFETY

1. That a paved sidewalk be constructed along one side of Rhododendron Drive. The design of such sidewalk shall be approved by the Town Engineer.
2. That the design and construction of the private drives serving the individual clusters of units be reviewed and approved by the Town Engineer prior to construction.
3. That public right-of-way for the paving of Parker Road be acquired prior to issuance of a special use permit grading permit or building permit. That the applicant document the existence of such right-of-way to the satisfaction of the Town Manager. That Parker Road be paved to state standards prior to issuance of any certificate of occupancy. The plans for such paving shall be approved by the Town Engineer prior to start of construction. Such paving shall be from the current end of paving to the easternmost property corner adjoining Parker Road.

to the eastern property line for a minimum distance of 1,300 feet from its intersection with Parker Road and that it be paved to Town standards with a minimum paved cross section of 33 feet back to back of curb with curb and gutter. A paved temporary cul-de-sac, with required easements, shall be provided at the northern terminus of Rhododendron Drive. The water line, including the proposed valve and blow-off, shall be extended beyond the paving of the cul-de-sac. The final design of the roadway including plans for paving the street shall be approved by the Town Manager prior to construction. Street grades of Rhododendron Drive shall not exceed 12%.

5. That prior to issuance of a building permit a plat shall be recorded dedicating public right-of-way to provide access from Rhododendron Drive to the Pardue property. Such access shall be at two points; one north of the location of the proposed tennis courts and a second approximately 900 feet back from Parker Road. The precise location of such rights-of-way shall be approved by the Town Engineer. If it is necessary to relocate the tennis courts to accommodate this requirement the relocation of the courts shall be approved by the Town Manager and shall not be considered a modification of the approved permit.
6. That the final design for fire protection, including the number, location and installation of fire hydrants and layout of water lines be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of any building permit.
7. That prior to the issuance of the building permit, the tract be within a County service district providing fire protection through contract to a qualified local government capable of providing such service such as the Town of Chapel Hill or Carrboro.

WITH REGARD TO APPEARANCE

8. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signage, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.

Line "216" mentions (7); "234" says "building permit" wherever; "fire protection" specified; "257" reinforces; "269" - Wallace suggests "building permit" "283" Kawalec. Passed 6-2.

9. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
10. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size by the end of the next planting season.
11. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan and shall be in place prior to issuance of a building permit.
12. That sewer and utility easements be dedicated as required by the Town Manager.
13. That at such time as municipal garbage collection is available to the development, the provisions for garbage collection shall be approved by the Town Manager. The location and screening of bulk trash containers shall be approved by the Town Manager in consultation with the Appearance Commission. The provision of such facilities shall not be a modification to the approved permit. The applicant shall provide areas for the location of bulk trash containers. Such provisions shall be approved by the Town Engineer and shall be installed prior to issuance of a certificate of occupancy.
14. That additional right-of-way be dedicated along the applicant's frontage with Parker Road. Such dedication shall be recorded prior to issuance of a certificate of occupancy and shall measure 45 feet from the center line of the road.
15. That a drainage plan be submitted to and approved by the Town Engineer prior to issuance of a grading permit or building permit. Improvements included in the drainage plan shall be completed prior to issuance of any certificate of occupancy. The maintenance of the detention basin shall be the responsibility of the homeowners association.
16. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
17. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each cluster of units. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
18. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
19. That prior to issuance of any certificates of occupancy a sign indicating that Rhododendron Drive is subject to future extension be placed at its northern terminus and that signs indicating that the rights-of-way providing access to the Pardue property are subject to future extension be placed at their respective intersections with Rhododendron Drive.

March 10, 1980

20. That a valve and tee for the extension of the water line to the Pardue property be provided at both proposed street stubs identified in stipulation #5. The water line at such stubs shall be extended a minimum distance of 30 feet to ensure the extension of the water line will not damage the street.
21. That construction begin by March 31, 1982 and be completed by March 31, 1984.

BE IT FURTHER RESOLVED that the Council hereby grants a Unified Housing Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

Resolution Granting a Unified Housing Development Special Use Permit to Goforth Properties for Ironwoods

Mr. Jennings stated that the number of units in the total project had not changed, but 10 units had been transferred from the detached housing to the townhouses. The staff was recommending the applicant complete improvements on Estes Drive to 1/2 the 4 lanes which would ultimately be needed, and that the sidewalk be on the applicant's property. The Planning Board recommended only turn lanes and at intersections. The staff, Planning Board and Recreation Commission concurred in recommending that the open space be in the interior of the property.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO GOFORTH PROPERTIES FOR IRONWOODS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development proposed by Goforth Properties if developed in accordance with the plans submitted October 4, 1979 and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,
3. Will not substantially injure the value of adjoining or abutting property, and
4. That 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.

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO ACCESS AND CIRCULATION

1. That prior to issuance of any certificate of occupancy within Phase IV, and prior to issuance of any building permit within Phases V and VI, and prior to issuance of any building permit on any lot adjoining the west side of Estes Drive Extension, the following improvements shall be completed:

A. The roadway of Estes Drive Extension between Umstead Drive and Seawell Road shall be widened along its western side with an additional 18 feet of paving with curb and gutter and a five (5) ft. wide paved sidewalk placed back of the curb within a graded shoulder having a minimum width of 9 feet. Tapers shall be provided as a transition between the existing and widened roadway sections as required by the Town Engineer.

B. That along the subject development's frontage with Estes Drive which is not improved with the additional 18 feet of paving the following shall be done:

- 1) The applicant shall preshoot the subsurface rock and stabilize the banks as required by the Town Engineer.
- 2) The applicant shall dedicate slope easements to accommodate future grading of Estes Drive at a 2 to 1 slope.
- 3) That a minimum 25 foot wide permanent landscape buffer be dedicated beyond the slope easement. Such easement shall not be used to meet the required rear yard requirements of adjoining lots, and such easement shall be retained as a permanent landscape buffer only with no structures or accessory buildings permitted within the easement.

2. That Seawell Road be improved in accordance with plans prepared by the Town of Chapel Hill titled "Preliminary Geometric Design--Estes Drive Widening for Ironwoods Development" dated 2/5/80. Plans for such improvement shall be approved by the Town Engineer prior to construction.

3. That a paved sidewalk be constructed along the subject property's frontage with the southern side of Seawell Road prior to issuance of any certificate of occupancy within Phase II or any subsequent phase. That the paved walkway system within Phase I connect with Seawell Road at both entrances to Phase I, and that the proposed sidewalk along the northern side of Seawell Road be deleted. Plans for such sidewalks shall be approved by the Town Engineer prior to construction.

4. That the location, design and installation of proposed bus shelters be approved by the Town Engineer. Such shelters shall be installed prior to issuance of any certificate of occupancy within Phase III of the development or any subsequent phase.

WITH REGARD TO DRAINAGE AND UTILITIES

5. That a sedimentation and erosion control plan be submitted to and approved by the Orange County Erosion Control Officer, and that such plan be implemented prior to issuance of a grading permit or building permit. Such plan shall include the provision of temporary sedimentation control basins as required by the Erosion Control Officer. Such basins shall be removed after construction.

6. That for each phase of detailed drainage plan and grading plan including final working drawings for storm drainage with hydrologic calculations be submitted to and be approved by the Town Engineer prior to issuance of any grading permit and start of construction of improvements. Improvements included in the drainage plan shall be completed prior to issuance of any certificate of occupancy within that phase. The lot lines of lots 108 and 115 shall be realigned to provide a buildable area free of potential drainage problems.

7. That for each phase a detailed utility plan be submitted to and approved by OWASA, Duke Power, or Southern Bell, as appropriate, and by the Town Engineer prior to issuance of any grading permit or building permit within that phase. Improvements included in the utility plan shall be completed prior to issuance of any certificate of occupancy within the phase. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owner's representative shall be presented to the Town Engineer prior to paving any street certifying that all utilities are in place.
8. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.
9. That the number, location and installation of fire hydrants be approved by the Town Engineer prior to issuance of any building permits.

WITH REGARD TO APPEARANCE

10. That for the townhouse section detailed architectural elevations, and a site plan showing the location of landscaped areas, signage, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit. Such plans may be submitted in phases corresponding to the development phasing plan, in which case plans shall be submitted prior to issuance of a building permit for any building within the phase. Architectural plans shall specify materials, color, and exterior elevations.
11. That for the townhouse section a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy. Such plans may be submitted in phases corresponding to the development phasing plan in which case a detailed landscape plan shall be submitted prior to obtaining a building permit for any building within the phase. The landscape plan shall include the proposed screening of bulk trash containers and exterior mechanical equipment and a precise delineation of existing natural growth to remain.
12. That the detached housing section be exempted from generally required appearance reviews including an exemption from the requirements for approval of elevations and a landscape plan. However, for each phase a plan showing the screening of building lots from Estes Drive and Seawell Road, as required by the Appearance Commission, shall be submitted to and approved by the Appearance Commission prior to issuance of any building permit within that phase. Any entrance sign(s) proposed for this section shall be reviewed and approved by the Appearance Commission.
13. That within the townhouse section any and all planting which dies during the life of the special use permit shall be replaced with planting of the same species and approximately the same size by the end of the next planting season.
14. That within the townhouse section as much significant planting as possible shall be retained and that such planting shall be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan and shall be in place prior to issuance of a grading permit for the applicable section(s) or phase(s). Paved areas shall be set back as far as possible from planting to be retained.

15. That the applicant identify on the landscape plan those trees which require a tree feeder system to ensure the continued provision of proper tree nourishment, including adequate water, air, and nutrients to the root system of said trees. The design specifications for such a tree feeder system and the proposed specifications for its installation shall be shown on the landscape plan, and shall be reviewed and approved as part of the landscape plan.

OTHER CONDITIONS

16. That Phase I-A include construction of the full width of that segment of the private drive located within that phase. That Phase I-B include the construction of the private drive loop back to Seawell Road. In lieu of full construction of the drive to Seawell Road, the developer may grade and lay a gravel base with curb and gutter and post a bond sufficient to cover the cost of completing such construction. The developer will be responsible for maintaining any uncompleted segments of the drive to Town standards for unpaved streets. That Phase III include the construction of Ironwoods Drive, including sidewalk, to Estes Drive Extension. That no certificate of occupancy be issued within any phase of development until all improvements and facilities required for such phase have been completed, except as provided for in the townhouse section above.
17. That the open space proposed at the intersection of Ironwoods Drive and Estes Drive Extension be relocated to the general area encompassed by Lots 131-138. That any revision of the lot layout necessary to relocate the open space be shown on the revised site plan approved by the Town Manager as being consistent with the approval of special use permit.
18. That the proposed names of all streets be approved by the Planning Department.
19. That the proposed pool provide at least 15½ square feet of water surface area per dwelling unit in the townhouse section.
20. That all lots within the detached housing section have a minimum lot width of 50 feet and have the following minimum setbacks: front--20 feet; rear--12.5 feet; side--10 feet.
21. That a revised site plan incorporating all the above stipulations be permitted to the Planning Department prior to issuance of a building permit or grading permit.
22. That prior to (1) issuance of any building permit; and (2) sale or recordation of any lots or parcels of land within the single family detached portion of the development, the applicant shall submit a surety bond or letter of credit, in type and amount to be determined by the Town Manager to be sufficient to cover the total estimated cost of all uncompleted improvements within the single family detached portion of the development as shown as the approved plans and described within the conditions approved as part of the issuance of this special use permit. Such surety bond or letter of credit shall be submitted to and approved by the Town Manager. With the approval of the Town Manager such bond or letter of credit may be provided in parts which reflect the applicant's schedule of development as shown on the development's phasing plan.
23. That for each phase a plat containing all information required by the Town for approval of a final subdivision plat be approved by the Town Manager and

recorded prior to sale of any lot or parcel of land or the issuance of any certificate within that phase. Such plat shall include dedication of all rights-of-way and easements within that phase.

24. That plans and drawings be submitted and approved as required in Subsection 4-C-23-h-13 of the Zoning Ordinance.
25. That construction of each phase be begun and completed by the following dates:

	<u>To Begin By</u>	<u>To Be Completed By</u>
Phase I-A	July 31, 1981	July 31, 1983
Phase I-B	July 31, 1982	July 31, 1984
Phase I-C	July 31, 1984	July 31, 1986
Phase I-D	July 31, 1986	July 31, 1988
Phase I-E	July 31, 1988	January 31, 1990
Phase I-F	July 31, 1989	January 31, 1990
Phase II	July 31, 1981	January 31, 1983
Phase III	January 31, 1982	January 31, 1984
Phase IV	January 31, 1984	January 31, 1986
Phase V	January 31, 1986	January 31, 1988
Phase VI	January 31, 1988	January 31, 1990

Within the single family detached portion of the development, starting and completion dates shall only apply to the site improvements and not to the construction of individual dwelling units.

BE IT FURTHER RESOLVED that the Council hereby grants a Unified Housing Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

Council member Boulton was concerned with the high school children using Estes Drive and Umstead Drive to come to Chapel Hill. She preferred not to have another street intersecting with Estes. Mayor Nassif concurred in this opinion and commented that there would probably be a control light at the intersection of Seawell and Estes. Council member Kawalec asked if the resolution could easily be amended to include the alternate plan with access to Seawell Road only. Mr. Shipman did not believe it could, and wanted the Planning Board to consider this alternative before making a recommendation. Council member Kawalec withdraw her motion.

Mr. Morris, the Town Engineer, informed the Council that because of topography and the curve on Seawell, both accesses on Seawell would be much less acceptable than an access on Estes. Both accesses on Seawell would also put more traffic loading on the intersection at Seawell and Estes. The State would probably not look favorably on a light at this intersection because the traffic would be heavy only at peak hours, not during the whole day. Council member Howes suggested the Town consider putting up its own signal.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER BOULTON, TO REFER THE MATTER BACK TO THE MANAGER AND THE PLANNING BOARD.

Council member Howes did not like to delay the developer but felt it justified in this case. Mayor Nassif questioned the precedent of requiring the developer to improve the road between Umstead and Seawell which would be a thoroughfare for the

Town. Although the same precedent was followed on Weaver Dairy Road, Mayor Nassif said that the shopping center would draw traffic. Traffic was already on Estes Drive.

Council member Kawalec then wanted the Town to consider how these roads would be paved and widened. It might need to consider a bond issue. Mayor Nassif responded that the highway department should widen the road. Council member Howes asked the Manager to investigate the question of putting up a signal at the intersection of Seawell Road and Estes Drive. Council member Straley asked that the Planning Board also address the historic significance of the iron mines, and look into their preservation.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting Unified Housing Development Special Use Permit to Goforth Properties for Creekside Townhouses

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED HOUSING DEVELOPMENT SPECIAL USE PERMIT TO GOFORTH PROPERTIES, INC. FOR CREEKSIDE TOWNHOUSES

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Housing Development proposed by Goforth Properties, Inc. if developed in accordance with the elevations submitted 12/7/79, a site plan submitted 2/18/80 and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,
3. Will not substantially injure the value of adjoining or abutting property, and
4. That 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.

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That a drainage plan be submitted to and approved by the Town Engineer prior to issuance of a building permit. Improvements included in the drainage plan shall be completed prior to issuance of any certificate of occupancy.
2. That the final design for fire protection including the number, location, and installation of fire hydrants be approved by the Town Engineer prior to issuance of a building permit.

WITH REGARD TO APPEARANCE

3. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.

Such site plan shall show the location of all existing trees having a diameter, at breast height, of one foot.

4. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy. Such plan shall show adequate mechanical means for watering landscaped areas.
5. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size by the end of the next planting season.
6. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan and shall be in place prior to issuance of a building permit.
7. That paved areas be set back as far as possible from trees to be retained.
8. That the applicant identify on the landscape plan those trees which require a tree feeder system to ensure the continued provision of proper tree nourishment, including adequate water, air, and nutrients to the root system of said trees. The design specifications for such a tree feeder system and the proposed specifications for its installation shall be shown on the landscape plan, and shall be reviewed and approved as part of the landscape plan.
9. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
10. That all utilities be placed underground.
11. That a system of paved sidewalks be constructed to connect the individual buildings to the parking area. Such on-site sidewalk system shall be extended along the proposed driveway to the eastern curb line of Village Drive. The sidewalk system shall be shown on the site plan and shall be approved by the Appearance Commission. Construction standards for the sidewalks shall be approved by the Town Engineer.

OTHER STIPULATIONS

12. That sewer, drainage, and utility easements be dedicated as required by the Town Engineer. Such easements shall be recorded prior to issuance of a building permit.
13. That provisions for garbage collection be approved by the Town Engineer. Pads for bulk trash containers shall be constructed to Town standards.
14. That a pedestrian and non-motorized vehicle easement having a minimum width of 100 feet be dedicated along Bolin Creek. Such easement shall extend along both sides of the creek a minimum distance of 50 feet from the creek's center line.
15. That all units connecting onto the sanitary sewer system be serviced by gravity flow. Individual pumps for each dwelling unit shall not be permitted.

16. That prior to paving streets, utility service lines and laterals shall be installed and stubbed-out to each structure to be served by the utility. A letter from the owner or owners' representative shall be presented to the Town Engineer prior topaving any street certifying that all utilities are in place.
17. That the off-street parking areas and drives be paved. The design of the drive-ways and off-street parking areas shall be approved by the Town Engineer prior to construction.
18. That all improvements, as shown on the approved plans or required as part of the granting of the special use permit, shall be completed prior to issuance of any certificate of occupancy.
19. That no proposed street names (public or private) duplicate or be similar to existing street names within Chapel Hill Township. Such proposed street names shall be approved by the Town Manager.
20. That construction begin by March 31, 1982 and be completed by March 31, 1984.

BE IT FURTHER RESOLVED that the Council hereby grants a Unified Housing Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Unified Business Development Special Use Permit to the University of North Carolina for UNC General Administration Offices

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A UNIFIED BUSINESS DEVELOPMENT SPECIAL USE PERMIT TO THE UNIVERSITY OF NORTH CAROLINA FOR UNC GENERAL ADMINISTRATION OFFICES

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Unified Business Development proposed by the University of North Carolina if developed in accordance with the plans dated December 31, 1978, and January 2, 1980, and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,
3. Will not substantially injure the value of adjoining or abutting property, and
4. That 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.

The stipulations upon which the above findings are based are as follows:

WITH REGARD TO PUBLIC HEALTH AND SAFETY

1. That a detailed drainage plan be submitted to and approved by the Town Engineer prior to issuance of a building permit. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy for the second building.
2. That the number, location, and installation of fire hydrants be approved by the Town Manager. A plan for such improvements shall be approved by the Town Manager prior to issuance of a building permit.
3. That water and sewer lines be installed to the Orange Water and Sewer Authority standards.
4. The applicant shall construct a paved sidewalk to Town standards along the frontage of the subject property with Raleigh Road at such time as the Town of Chapel Hill or an adjoining property owner constructs a paved sidewalk along the frontage of Raleigh Road on adjoining property either to the east or west of the subject property.

WITH REGARD TO APPEARANCE

5. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signage, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
6. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
7. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size by the end of the next planting season.
8. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan.
9. That the applicant identify on the landscape plan those trees which require a tree feeder system to ensure the continued provision of proper tree nourishment, including adequate air, water, and nutrients to the root system of said trees. The design specifications for such a tree feeder system and the proposed specifications for its installation shall be shown on the landscape plan, and shall be reviewed and approved as part of the landscape plan.
10. That the screening of all exterior mechanical equipment be reviewed and approved by the Appearance Commission prior to issuance of a certificate of occupancy.
11. That a permanent landscape buffer having a minimum width of fifty (50) feet be dedicated along the frontage of the subject property with Raleigh Road. Such permanent buffer may be used for landscaping, access drives, sidewalks, signs, lighting fixtures and utility rights-of-way. No buildings or parking areas shall be located within this buffer.

OTHER CONDITIONS

12. That if the proposed revision of the Zoning Ordinance is adopted with provisions allowing the inclusion of compact car spaces as meeting part of the off-street parking requirement, that the applicant is authorized to modify the proposed parking plan to convert standard parking spaces to compact car spaces provided such changes are in compliance with the adopted provisions of the Zoning Ordinance. Such change shall not be considered a modification of the special use permit.
13. That all access drives and off-street parking areas be paved with curb and gutter.
14. That construction begin by March 31, 1982, and be completed by March 31, 1984.

BE IT FURTHER RESOLVED that the Council hereby grants a Unified Business Development Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

Council member Boulton noted that the portion of sidewalk recommended by the staff would not connect to anything. Mr. Jennings responded that this would be consistent with other projects. He added that although there was interest in reducing the parking, the University did not care for the reduction. Council member Kawalec commented that the area was heavily used by pedestrians and any amenities benefitting pedestrians would benefit all. She wanted the Council to consider requiring the sidewalk. Council member Boulton argued that the dangerous portion of the road was above the General Administration building. A sidewalk at the site would encourage pedestrians to use it who then couldn't cross the street to avoid the dangerous section. Mayor Nassif again questioned the policy of requiring the developer to pay for improvements to a major thoroughfare. Council member Wallace asked for the Planning Board's rationale for their recommendation. Mr. Reeve explained that they did not believe the volume of pedestrian use that high. Also, the University had agreed to construct the sidewalk when adjoining property owners constructed a sidewalk.

THE MOTION WAS CARRIED BY A VOTE OF SIX TO TWO WITH COUNCIL MEMBERS BOULTON, HOWES, STRALEY, THORPE, WALLACE AND MAYOR NASSIF SUPPORTING AND COUNCIL MEMBERS HERZENBERG AND KAWALEC OPPOSING. .

Resolution Granting a Modification of the Special Use Permit for an Addition to a Dwelling Unit at 25 Banbury Lane to Oxford Condominiums

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR AN ADDITION TO A DWELLING UNIT AT 25 BANBURY LANE TO OXFORD CONDOMINIUMS

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Oxford Condominiums for a Unified Housing Development Special Use Permit is hereby modified to allow an addition to a dwelling unit at 25 Banbury Lane as shown on plans submitted 1/28/80 subject to the following:

1. That detailed architectural elevations for the proposed addition to dwelling unit #25 be submitted to and approved by the Appearance Commission prior to issuance of a building permit.

2. The existing porches within the subject housing development may be enclosed subject to review and approval of the detailed architectural plans and elevations by the Appearance Commission. Such plans shall be approved by the Appearance Commission prior to issuance of a building permit.
3. That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Council finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.

BE IT FURTHER RESOLVED that the Council finds that the use as modified in accordance with the plans submitted 1/28/80 continues to meet the four findings made by the Council on December 13, 1965 (and subsequently modified).

This the 10th day of March, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas"

Mayor Nassif introduced the following ordinance.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas" be amended as follows:

Section I

That property of the Chapel Hill-Carrboro School Board identified as Chapel Hill Township Tax Map 109, Lot 12 be rezoned from the current Orange County zoning to R-20.

Section II

That the Carol Woods Retirement Development including property identified as Chapel Hill Township Tax Map 17, Lots 16, 16C, 16D, and 18 be rezoned from the current Orange County zoning to R-3.

Section III

That property located at the northwest corner of the intersection of SR 1732 and Weaver Dairy Road identified as Chapel Hill Township Tax Map 17, Lot 16A be rezoned from the current Orange County zoning to Regional Commercial.

Section IV

That the Wilco Service Station property located on the west side of NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 40 be rezoned from the current Orange County zoning to Regional Commercial.

Section V

That the property located at the southwest corner of the intersection of Homestead Road and NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 41B from the current Orange County zoning to Limited Business.

Section VI

That the portions of Lots 6, 7, 8, 9, 10, 11, 12 and 13 of Chapel Hill Township Tax Map 29A within Glen Heights Subdivision which extended outside the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979 be rezoned from the current Orange County zoning to R-20.

Section VII

That property of Geneva M. Moody located on the east side of NC 86 and identified as part of Chapel Hill Township Tax Map 24, Lot 35 be rezoned from the current Orange County zoning to Agriculture.

Section VIII

That the lots or portions of lots within North Forest Hills Subdivision which were located north of the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979 be rezoned from the current Orange County zoning to R-15.

Section IX

That all property annexed on December 31, 1979 which was located north of the Chapel Hill Planning Area boundary prior to its annexation on December 31, 1979, exclusive of the properties described in Sections I through VIII above, be rezoned from the current Orange County zoning to R-20.

This the 10th day of March, 1980.

Council member Boulton objected to Section III, property across from Cedar Falls Park being zoned commercial. She stated that although a gas station was being constructed already, she understood there was enough property to allow another business and thought this would be detrimental to the park. She suggested Limited Business zoning would allow the Town some control over the business there. Mr. Jennings pointed out that the owner of the property had requested zoning plans from the Planning Department. On their information that it would be zoned Commercial, he had invested time and money for a commercial establishment. Council member Boulton responded that he could build under a special use permit. She added that there was also a tract across the street under county zoning which was commercial. She suggested contacting the county for cooperation in zoning this property. Council member Wallace commented that some commercial establishments could attract groups which would open the park to vandalism. COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE AND RESOLUTION.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas" be amended as follows:

Section I

That property of the Chapel Hill-Carrboro School Board identified as Chapel Hill Township Tax Map 109, Lot 12 be rezoned from the current Orange County zoning to R-20.

Section II

That the Carol Woods Retirement Development including property identified as Chapel Hill Township Tax Map 17, Lots 16, 16C, 16D, and 18 be rezoned from the current Orange County zoning to R-3.

Section III

That the Wilco Service Station property located on the west side of NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 40 be rezoned from the current Orange County zoning to Regional Commercial.

Section IV

That the property located at the southwest corner of the intersection of Homestead Road and NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 41B from the current Orange County zoning to Limited Business.

Section V

That the portions of Lots 6, 7, 8, 9, 10, 11, 12 and 13 of Chapel Hill Township Tax Map 29A within Glen Heights Subdivision which extended outside the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979 be rezoned from the current Orange County zoning to R-20.

Section VI

That property of Geneva M. Moody located on the east side of NC 86 and identified as part of Chapel Hill Township Tax Map 24, Lot 35 be rezoned from the current Orange County zoning to Agriculture.

Section VII

That the lots or portions of lots within North Forest Hills Subdivision which were located north of the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979, be rezoned from the current Orange County zoning to R-15.

Section VIII

That all property annexed on December 31, 1979, which was located north of the Chapel Hill Planning Area boundary prior to its annexation on December 31, 1979, exclusive of the properties described in Sections I through VIII above, be rezoned from the current Orange County zoning to R-20.

This the 10th day of March, 1980.

A RESOLUTION CALLING A PUBLIC HEARING ON REZONING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 PM on April 14, 1980, in the Meeting Room of the Municipal Building, 306 N. Columbia Street, to consider the rezoning of a tract at the Northwest corner of the intersection of SR 1732 and Weaver Dairy Road identified as Chapel Hill Township Tax Map 17, Lot 16A, from Regional Commercial to Limited Business.

This the 10th day of March, 1980.

Council member Howes pointed out there were parks bordered by commercial areas. Mr. Denny said that certain activity had already occurred. This would raise the question of "substantial beginning" under the existing zoning. If the Council delayed zoning the property, they also created a situation where two tracts of land would be subject to no zoning since after annexation the county zoning continued in effect only 60 days from January 1, 1980. With no zoning a building permit for any building would have to be granted. He recommended the Council zone the property as recommended then call a public hearing to consider rezoning. COUNCIL MEMBER WALLACE WITHDREW HIS PREVIOUS MOTION AND MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING ORDINANCE AND RESOLUTION.

AN ORDINANCE AMENDING THE "ORDINANCE PROVIDING FOR THE ZONING OF CHAPEL HILL AND SURROUNDING AREAS"

BE IT ORDAINED by the Council of the Town of Chapel Hill that the "Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas" be amended as follows:

Section I

That property of the Chapel Hill-Carrboro School Board identified as Chapel Hill Township Tax Map 109, Lot 12 be rezoned from the current Orange County zoning to R-20.

Section II

That the Carol Woods Retirement Development including property identified as Chapel Hill Township Tax Map 17, Lots 16, 16C, 16D, and 18 be rezoned from the current Orange County zoning to R-3.

Section III

That property located at the northwest corner of the intersection of SR 1732 and Weaver Dairy Road identified as Chapel Hill Township Tax Map 17, Lot 16A be rezoned from the current Orange County zoning to Regional Commercial.

Section IV

That the Wilco Service Station property located on the west side of NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 40 be rezoned from the current Orange County zoning to Regional Commercial.

Section V

That the property located at the southwest corner of the intersection of Homestead Road and NC 86 and identified as Chapel Hill Township Tax Map 24, Lot 41B from the current Orange County zoning to Limited Business.

Section VI

That the portions of Lots 6, 7, 8, 9, 10, 11, 12 and 13 of Chapel Hill Township Tax Map 29A within Glen Heights Subdivision which extended outside the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979 be rezoned from the current Orange County zoning to R-20.

Section VII

That property of Geneva M. Moody located on the east side of NC 86 and identified as part of Chapel Hill Township Tax Map 24, Lot 35 be rezoned from the current Orange County zoning to Agriculture.

Section VIII

That the lots or portions of lots within North Forest Hills Subdivision which were located north of the Chapel Hill Planning Area boundary prior to their annexation on December 31, 1979 be rezoned from the current Orange County zoning to R-15.

Section IX

That all property annexed on December 31, 1979 which was located north of the Chapel Hill Planning Area boundary prior to its annexation on December 31, 1979, exclusive of the properties described in Sections I through VIII above, be rezoned from the current Orange County zoning to R-20.

This the 10th day of March, 1980.

A RESOLUTION CALLING A PUBLIC HEARING ON REZONING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing at 7:30 PM on April 14, 1980, in the Meeting Room of the Municipal Building, 306 N. Columbia Street, to consider the rezoning of a tract at the Northwest corner of the intersection of SR 1732 and Weaver Dairy Road identified as Chapel Hill Township Tax Map 17, Lot 16A, from Regional Commercial to Limited Business.

This the 10th day of March, 1980.

Mayor Nassif disagreed with rezoning the tract next to the Wilco Station to residential as it was surrounded by commercial property. Mr. Jennings informed the Council that although he had believed the Wilco Station was zoned commercial, he had found it to be residential making the gas station a non-conforming use. THE MOTION WAS CARRIED BY A VOTE OF SEVEN TO ONE WITH COUNCIL MEMBERS BOULTON, HERZENBERG, HOWES, KAWALEC, STRALEY, THORPE, AND WALLACE SUPPORTING AND MAYOR NASSIF OPPOSING.

Resolution Granting a Portable Building Special Use Permit to the Chapel Hill/Carrboro City Schools for a Temporary Classroom Building at Estes Hills Elementary School

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A PORTABLE BUILDING SPECIAL USE PERMIT TO THE CHAPEL HILL/CARRBORO CITY SCHOOLS FOR A TEMPORARY CLASSROOM BUILDING AT ESTES HILLS ELEMENTARY SCHOOL

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds that the Portable Building proposed by Chapel Hill/Carrboro City Schools if developed in accordance with the plans submitted 10/5/79 and the stipulations and conditions set forth below:

1. Will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,
2. Meets all required conditions and specifications,
3. Will not substantially injure the value of adjoining or abutting property, and
4. That 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.

The stipulations upon which the above findings are based are as follows:

1. That the special use permit be valid until June 20, 1985, by which time the portable building shall be removed.
2. That the portable building be tied into the main building's fire alarm system as required by the North Carolina State Building Code and the Chapel Hill Fire Department.

BE IT FURTHER RESOLVED that the Council hereby grants a Portable Building Special Use Permit in accordance with the plans as submitted and approved and the stipulations above.

This the 10th day of March, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Granting a Modification of a Special Use Permit for Esseola Townhouses to Roy M. Spratt

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION GRANTING A MODIFICATION OF THE SPECIAL USE PERMIT FOR ESSEOLA TOWNHOUSES TO ROY M. SPRATT

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Special Use Permit granted to Roy M. Spratt on November 12, 1979 for Esseola Apartments located at 870 Airport Road is hereby modified to allow conversion from rental units to condominiums as request in an application submitted 1/14/80 subject to the following:

That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Council finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.

25

March 10, 1980

BE IT FURTHER RESOLVED that the Council finds that the use as modified continues to meet the four findings made by the Council on November 12, 1979 (and subsequently modified).

This the 10th day of March, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Approving Thoroughfare Plan Assumptions and Methodology

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING RESOLUTION

A RESOLUTION APPROVING THOROUGHFARE PLAN METHODOLOGY AND ASSUMPTIONS.

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby concurs with Thoroughfare Plan Methodology and Assumptions report dated January 1980, for use in computer models projecting future travel in the Chapel Hill urban area.

This the 10th day of March 1980.

Council member Straley asked if the resolution meant the Council would accept the document as a working document on which the Thoroughfare Plan would be based. Mr. Jennings explained that the computer results would be determined by data fed into the computer. The staff in this document wanted to make sure the assumptions made were not unreasonable. Council member Straley questioned the population projections. Mr. Jennings explained the reasoning behind the figures. He pointed out this included area around Chapel Hill, and that it included an assumption of I-40. Council member Straley did not believe I-40 had to be constructed. Council member Howes commented there was no assumption of the southern by-pass. Mr. Lathrop responded there was no assumption of any change in the highway system in the area. Neither was there evidence that the population growth was correlated with the addition of highways in the area. Council member Wallace thought Chapel Hill would need a southern by-pass as well as the four-laning of 15-501. THE MOTION WAS CARRIED UNANIMOUSLY.

Cemetery Policies

Council member Kawalec stated there were a number of citizens who wished to speak on the cemeteries. She pointed out that in the meetings of the committee it became clear that there were differing opinions on how the cemeteries should look. They had tried to be sensitive to these opinions.

Mr. Blyth believed the restrictions imposed on the cemetery represented an infringement on reasonable individuality. He read some eulogies from other cemeteries to show what could be. Mr. John Macfie stated that landscaping would require variety. The current markers allowed no more than name and birth and death dates. He requested that the size of the marker be increased.

Ms. Brock read a letter from Ms. Barbara Gryer expressing her intention of removing her husband's ashes from Boston to Chapel Hill. She had not done so before because the cemetery was, in her words, "disgraceful and forlorn looking." Ms. Brock objected to the constant erosion of freedom of choice in many things, especially in the freedom of epitaph in death.

Mr. Whitfield requested citizens be given a choice of larger stones for some variety in the cemetery.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING CEMETERY LANDSCAPING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to contract with a landscape architect at a cost of no more than \$5,000 to review the present landscape plan for the municipal cemeteries and to develop a new plan for the cemeteries to be recommended to the Council.

This the 10th day of March 1980.

Mr. Shipman asked if the intent was for the landscaping to be done this fiscal year or planned for the budget. Council member Kawalec responded the committee had not tried to answer that question; they wanted the cemetery to be no longer neglected. Council member Boulton suggested a commitment now with work to begin now, but the appropriation would be dealt with in the budget. Council member Howes thought the resolution left to the discretion of the manager when to contract with the landscape architect and on what terms. COUNCIL MEMBER WALLACE MOVED TO AMEND THE RESOLUTION TO INSERT THE WORDS "AS SOON AS POSSIBLE." Council member Kawalec accepted the amendment. Mayor Nassif commented that a plan could be developed with Town personnel and the funds spent on implementing it. THE FOLLOWING RESOLUTION WAS ADOPTED UNANIMOUSLY.

A RESOLUTION REGARDING CEMETERY LANDSCAPING

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Town Manager to contract with a landscape architect as soon as possible at a cost of no more than \$5,000 to review the present landscape plan for the municipal cemeteries and to develop a new plan for the cemeteries to be recommended to the Council.

This the 10th day of March 1980.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING SECTION 6-27 (DELETING STANDARDIZATION OF MARKERS)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 6-27 of the Code of Ordinances, Town of Chapel Hill, to read as follows:

Section 6-27. Markers, Shrubbery, Landscaping Generally

No planting of trees, shrubbery, flowers, or placement of other decoration shall be permitted in the cemetery except by or under the direction of the Town Manager and in accordance with the master plan map. No walls, markers, trees, shrubbery or any other obstruction shall be permitted in the cemetery except in areas designated for such purposes on the master plan.

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March 10, 1980

SECTION II

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

This the 10th day of March, 1980.

Council member Howes asked if it was necessary to have the details of individual markers under the control of the manager. He suggested there be a general plan with the manager to deal with exception. The manager responded that the old plan had given guidance to what was allowed. Mayor Nassif proposed deletion of the words "or placement of other decoration" to allow for the placement of flowers on graves. Mr. Shipman requested that if the ordinance was adopted it become effective when the new plan was formed. Council member Herzenberg stated the purpose of the ordinance was to allow individual treatment, with especial respect to markers, and the Council wanted that to begin immediately. Mr. Denny commented that the current master plan which the Council had determined was no longer valid was the only plan in existing. The ordinance was requiring the Manager to go by a plan which did not exist. Council member Howes thought it appropriate to adopt the ordinance and treat it as an interim measure. The mover and seconder accepted the amendment suggested by Mayor Nassif. COUNCIL MEMBER HERZENBERG MOVED TO AMEND THE ORDINANCE FURTHER BY DELETING THE WORD "MARKERS." THE AMENDMENT WAS ACCEPTED. THE FOLLOWING ORDINANCE WAS ADOPTED UNANIMOUSLY.

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SECTION II

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

This the 10th day of March, 1980.

COUNCIL MEMBER KAWALEC MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION REGARDING COST OF GRAVE SPACE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby requests the Town Manager to study the cost of grave space in the Chapel Hill Memorial Cemetery and report back to the Council when said study is completed.

This the 10th day of March, 1980.

Council member Straley expressed his opinion that this much land should not be used for commemorating the dead. Council member Kawalec asked that the manager also investigate the possibility of eliminating non-residents from buying cemetery lots. THE MOTION WAS CARRIED UNANIMOUSLY.

COUNCIL MEMBER KAWALEC MOVED ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING SECTION 2-5 (ABOLITION OF CEMETERY COMMITTEE)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 2-5 of the Code of Ordinances, Town of Chapel Hill, to delete the word "Cemetery" therefrom.

This the 10th day of March, 1980.

The motion died for lack of a second.

Apple Chill, 1980

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION TEMPORARILY CLOSING PORTIONS OF FRANKLIN STREET AND HENDERSON STREET (APPLE CHILL '80)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the closing of Franklin Street between Columbia Street and western entrance of the Morehead Planetarium parking lot, and Henderson Street between Rosemary and Franklin Streets on Sunday, April 20, 1980 from 10:45 A.M. to 8:00 P.M., to allow the holding of the Apple Chill Street Fair and cleanup of the streets following said fair.

This the 10th day of March, 1980.

THE MOTION WAS CARRIED UNANIMOUSLY

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER WALLACE ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TEMPORARILY REMOVING PARKING FROM PORTIONS OF FRANKLIN AND HENDERSON STREETS (APPLE CHILL '80)

BE IT ORDAINED by the Council of the Town of Chapel Hill:

That on the 20th day of April 1980, between the hours of 12:45 P.M. and 8:00 P.M., there shall be no parking on either side of Franklin Street between Columbia Street and the western entrance of the Morehead Planetarium parking lot, nor on either side of Henderson Street between Franklin and Rosemary Streets.

The Police Department of the Town of Chapel Hill is hereby authorized to cover the parking meters situated on said streets during such hours on said date, and to post signs during said time that said area is a tow zone. The Police Department is further authorized to remove, tow in, and impound automobiles and vehicles of any kind which are parked on said streets during such hours in contravention of this Ordinance. The owner shall be responsible for and pay storage and moving cost of any vehicle removed pursuant to the provisions of this Ordinance, and the Police Department shall use reasonable diligence to notify the owner of the removal and storage of such vehicle.

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March 10, 1980

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER STRALEY, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE TO ESTABLISH PARK HOURS

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends Section 12 of the Code of Ordinances, Town of Chapel Hill, as follows:

At Section 12-1, add:

The following Town parks are open from 6:00 a.m. until midnight:

Burlington Boulevard Park
Cedar Falls Park
Dogwood Drive Park
Emily Braswell Perry Park
Gomains Tot Lot
Hargraves Park
Jones Park
Oakwood Park
Phillips Park
Umstead Park

Upon complaint by any person or Town police or public safety officer or Town Parks and Recreation Department employee, any person upon any Town Park after the park has closed may be asked to leave. It shall be unlawful to remain upon the park during the time the park is closed after being asked to leave by any police or public safety officer or employee of the Town Parks and Recreation Department.

This the 10th day of March 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Regarding Sale of Assessment Liens

COUNCIL MEMBER WALLACE MOVED, SECONDED BY COUNCIL MEMBER THORPE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION SETTING AN ASSESSMENT LIEN SALE

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby directs the Revenue Collector to sell Town of Chapel Hill assessment liens on June 9, 1980.

This the 10th day of March 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Closing a Portion of Seawell School Road

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER WALLACE, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION CLOSING A PORTION OF SEAWELL SCHOOL ROAD

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the closing to vehicular traffic of the portion of Seawell School Road which is within the corporate limits of the Town on March 15, 1980, between the hours of 10 a.m. to 2 p.m. to allow a footrace to be held, upon the following conditions:

1. The Keywanettes of Chapel Hill High School will erect barricades and station persons at barricades at Homestead Road, Estes Drive and High School Road to allow immediate access by emergency vehicles; and
2. The Keywanettes will completely clean up debris from the race by 2 p.m.

This the 10th day of March 1980.

Mr. Shipman stated that at the work session the Council had requested that a responsible person authorized by the school sign the necessary papers and take responsibility for having the barricades manned. The faculty advisor had agreed to do this. THE MOTION WAS CARRIED UNANIMOUSLY.

Ordinance Amending the Position Classification and Pay Plan

Council member Boulton asked if the title for the position in the Mayor's office was being changed to "Executive Assistant." It was. She then asked if there was a problem with anyone in this position insisting on staying when a new mayor took office. Mr. Denny explained that in hiring for the position, a contract was entered into that the position was for four years with the possibility of renewal if mutually agreed to by the employee and the mayor. Council member Boulton wanted it understood that the mayor's assistant would be working with the Council as well. Council member Wallace commented that with different mayors, the assistant had undertaken varying responsibilities. Under the proposed job description it could be implied that the assistant would be handling some policy matters which might be done by the mayor pro tem. He wanted it indicated that the mayor pro tem should take part in representations to other governmental units and that the Council members could take part in the preparation of the agenda.

Mayor Nassif explained that he had met with each of the Council members in November to discuss what he believed the position should encompass. He had then begun interviewing using the description as a guide for applicants. If the Council wished, the description could be changed to direct that the assistant would perform related work as directed by the Mayor. Mayor Nassif did not in his opinion represent the Council at outside functions. He could delegate someone to represent him as any member of the Council could delegate a representative. Council member Boulton reiterated the Mayor's suggestion that the description be changed to "performs related work as directed by the Mayor." She also requested the title be changed to "Assistant to the Mayor and Council" with the understanding that the position would come under the Mayor. Council member Thorpe wanted the title to be "Assistant to the Manager assigned to the Mayor's office. He explained that only Charlotte had a similar position. In that manner it would come under the personnel ordinance. Council member Straley commented that he had no objection to the position as described. Council member Thorpe suggested that the supervisor be specified, such as "work performed under the general supervision of the Mayor." Mayor Nassif stated the description was shown to applicants as what the position would involve. The Council continued to discuss what the description for the position should be. Council member Boulton suggested adopting the ordinance changing the classification for the position and continuing discussion of the description at a later time. COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, ADOPTION OF THE FOLLOWING ORDINANCE.

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND PAY PLAN (1979-1980)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council hereby amends the "Ordinance establishing a position classification and pay plan, etc., for the period July 1, 1979 through June 30, 1980," as follows:

SECTION ONE

In Section III, DELETE the line:

14 Assistant to the Mayor

and ADD the line:

19 Executive Assistant

SECTION TWO

In Section IV C., DELETE the line:

	<u>Full Time</u>	<u>Grade No.</u>
MAYOR AND LEGISLATIVE OFFICE		
Assistant to the Mayor	1 ---	14
and ADD the line:		
Executive Assistant	1 ---	19

This the 10th day of March 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Resolution Accepting Bids and Awarding of Contract for Automotive Tires and Tubes

COUNCIL MEMBER STRALEY MOVED, SECONDED BY COUNCIL MEMBER BOULTON, ADOPTION OF THE FOLLOWING RESOLUTION.

A RESOLUTION ACCEPTING BIDS AND AWARDING OF CONTRACT FOR AUTOMOTIVE TIRIES AND TUBES

WHEREAS the Town of Chapel Hill has solicited formal bids on February 7, 1980 and the following bids have been received:

<u>Item</u>	<u>Bidder and Bid</u>		
	<u>Chapel Hill Tire Co.</u> (Goodyear Price List 8/15/79)	<u>Firestone Store #2360</u> (Firestone Price List 8/1/79)	<u>Triangle Tire Co.</u> *(Firestone Price List 8/1/79)
A. Auto Tires:			
1. Bias	10%	19%	19%
2. Steel Belted	20%	27%	27%
3. Mud & Snow	15%	25%	--
4. Radial	25%	35%	35%
5. Police Special	40%	46%	46%
B. Truck Tires:			
1. Regular up to 7.50	--	27%	30%
2. Regular, 7.50-12.00	25%	30%	30%
3. Regular, 12.00-14.00	10%	22%	22%
4. Regular 16.00 up	--	4%	4%
5. Steel Belted	15%	15%	15%
6. Mud & Snow up to 7.50	--	30%	--
7. Mud & Snow	15%	11%	--
C. Farm Tires	15%	21%	21%
D. Industrial Tires	8%	8%	8%
E. Tubes	15%	10%	10%
F. Recapped Auto Tires	\$16 each	45%	--
G. Recapped Truck Tires	\$20.90-\$73.14 each	45%	--

*Bidder has bid prices firm through 1/30/80 then with an increase of up to 7% firm through December 31, 1980 only.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town accepts the bid of Firestone Store #2360 as determined by discounts from Firestone's published Price List dated August 1, 1979 and firm for one year.

This the 10th day of March 1980.

THE MOTION WAS CARRIED UNANIMOUSLY.

Transportation Board--Nominations

The Transportation Board had submitted the names of David McCairn and Warren Collier for nomination for a vacancy with term expiring June 30, 1980. Council member Boulton said that in the past the student serving on the Transportation board had also served on the Chancellor's Transportation Board. She thought this a conflict and asked if either of these students served on that Board. Mr. Collier did not and he did not believe Mr. McCairn served.

Future Agenda Items

Council member Kawalec asked the Council to set a time to hear Ray Green give a presentation on development in the Triangle Area. Mr. Shipman would set a time, tentatively on the 31st.

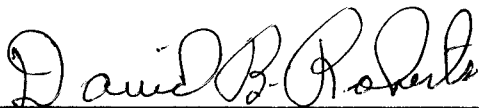
Mr. Shipman requested the Council to postpone the work session scheduled for March 13 to March 31. The Council agreed.

Council member Thorpe wanted a proposal from the Manager in the budget to increase the salary paid to the Mayor Pro Tem.

There being no further business to come before the Council the meeting was adjourned.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk

