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MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, NOVEMBER 16, 1981, 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

Marilyn Boulton
Joe Herzenberg
Jonathan Howes
Beverly Kawalec
R. D. Smith
Joe Straley
Bill Thorpe

Jim Wallace was an excused absence. Also present were Ron Secrist, Interim Town Manager; Sonna Loewenthal, Assistant Town Manager; and Grainger Barrett, Deputy Town Attorney.

Mayor Nassif explained the procedures that would be followed during the public hearing: all persons wishing to speak regarding Special Use Permits would have to be sworn in order for Council to consider their statements.

Future Use or Disposition of the Former Police Building

Ms. Loewenthal reviewed the history of the former Police building and its current use by tenants (tenants understood that their occupancy was limited). Present occupancy is as follows: Orange County Sheriff's Department, Orange County Emergency Services Center, Town of Chapel Hill Parking Attendants, Dispute Settlement Center, Orange County Women's Center, and Retired Senior Volunteer Program.

Alternatives for future use and/or disposition were outlined as follows:

1. Outright sale of the property. Facade easements could be incorporated into the sale that would preserve the exterior appearance. Sale would allow the Town to avoid responsibilities as landlord. Payment could be used to finance other capital projects. Full value of the property would be returned to the tax rolls. A disadvantage would be that the Town would lose control of the property.
2. Long-term lease to a private party. Terms could include that the leasee assume the costs of major renovation (rental rate could include such costs). The lease could be written for up to 10 years. Any lease for longer than 10 years would follow procedures outlined for sale of real property. Advantages would be that the Town (1) could maintain control over the building; (2) could approve renovation plans; (3) would not have to spend its own funds for renovation; and (4) could use the building in the future, if it were ever needed. Disadvantages were that the building would not be returned to the tax base unless payment of local taxes were stipulated in the lease (the Town's return would be spread over 10 years).
3. Lease of space to non-profit community agencies or other public agencies. Advantages: (1) low-cost space to agencies; and (2) close proximity would allow better coordination among agencies. Disadvantages: (1) the Town would probably have to assume the cost of renovating the building (as rental rates would probably not recover renovation costs); and (2) security of the building would be more difficult.

Staff recommendation was that a decision be reached before budget considerations (in order for the Manager to take the impact of a decision into budget considerations).

Mr. James Webb, representing The Historical Society and The Preservation Society, addressed the Council, stating that he felt that this building represented a "high water" mark in Chapel Hill history; i.e., controlling the appearance of the Town at that time, and representing the "coming of age" of Chapel Hill municipal government. He felt that the building had outstanding architectural value and requested that Council preserve the character and use of the building, consistent with past values. He also felt that Council should set priorities regarding subsidizing certain agencies, feeling it was cheaper to subsidize agencies with space than with allocation of funds.

Mr. Al Dawson, speaking for the Community Services Division of the Inter-Faith Council (IFC), stated that the IFC felt that keeping the old Police building for future Town needs outweighed the advantages of any short-term financial gain. The IFC encouraged the Town to continue their offer of space for the Women's Center and the Dispute Settlement Center.

Ms. Marian Johnson, Chair of the Women's Center's Board of Directors, expressed appreciation for the Town's allowing the Center to rent space. As there were many organizations in Chapel Hill which needed rent-free or low-rent space, the Center encouraged the Council to consider the lease of the space to non-profit community agencies or other public agencies.

General Arthur Hurov, a resident of Chapel Hill, felt that the Council could consider another option: rental or sale of the property to the University. He disagreed with the previously stated disadvantage that focused on the loss of control. He felt that whether the Town sold or leased the building, control could be maintained and the Town could stipulate that the exterior appearance of the building be preserved.

Mr. Wilson McKerrow, a home-owning taxpayer in Chapel Hill, stated that he supported the proposal that the ownership of the old Police building remain in the hands of the Town. He felt that if Chapel Hill continued to grow, as it had in the past, the Town would need additional office space (referencing past instances when the Town had leased such space). He strongly urged that the Town not allow this valuable piece of property to leave Town hands for a short-term gain.

Mr. Henry Whitfield, A Chapel Hill citizen, expressed concern regarding the decentralization of municipal government facilities and services and encouraged the Council to consider this problem of future growth, with the possibility of using the old Police building for municipal purposes. He suggested that (1) if Council decided to retain the building that they not involve the building in any kind of historical district or do anything that would add restrictions on future use to the building or the area surrounding the building; and (2) if Council did not find a use for the building, that they sell the property.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Proposal to Close Lake Ellen Dam to through Traffic by Barricading Adjacent Ends of Taylor and Lake Ellen Streets

Ms. Loewenthal described the location of the proposed barricades. The request was an effort by local residents to prevent through traffic from using the adjacent residential streets on the way to and from other areas.

Council was informed that the Town had never accepted the dam for maintenance because of its questionable condition. In addition, the North Carolina Department of Transportation had not accepted the dam for maintenance. The North Carolina Department of Natural Resources and Community Development and the Army Corps of Engineers had concluded in a preliminary report (May 1981) that "... the dam should be considered unsafe until corrective measures are completed or until further investigation proves otherwise." Remaining accesses to the area were adequate.

Ms. Eloise Neebe, speaking for the Lake Ellen Homeowners Association, stated that her organization supported the closing of the road, as it would be easier to maintain the dam, and would reduce traffic in the area. She expressed their concern that the road was not presently maintained by anyone. They hoped to later develop the present road area into a neighborhood recreational site.

Mr. James Ford, a resident of Taylor Street, had received information that the most serious deficiency of the dam was an inadequate spillway capacity. Additional emergency spillway capacity could be most economically provided by an open channel put into the top of the dam. If this solution were instigated, it would not allow a continuous road across the dam. Due to the present problems with the dam, he supported the closing of the road.

Mr. Steve Bradt, a senior at Chapel Hill High School, stated that he and his family preferred closing the road, as there were problems with people using excessive speed in the area. Closing the road would eliminate this problem. Mr. Bradt felt that the Town should not have any control over the road, as it was not maintained by the Town and was presently being used for dumping by Town vehicles.

Mr. Secrist informed the Council that the Town was not and had not used the area for dumping.

Mr. Albert Wurth, a resident of Taylor Street, supported the closing of the road, feeling that adequate alternate access was available and that the present condition of the road was undesirable. In addition, this would slow down traffic. He had taken it upon himself to question local residents regarding their feelings about the proposed closing of this road and had received favorable support.

Councilmember Smith wished to know who owned the dam, and whose responsibility it was to maintain it, taking the expressed concern of area residents into consideration. Ms. Loewenthal responded that Mr. T. M. Green owned the dam and was responsible for it.

In response to another question from Councilmember Smith, Mr. Jim Huegerich, a resident of the area, stated that he felt that commercial vehicles were mainly responsible for exceeding the speed limit, which he felt occurred mainly on the paved portions.

Ms. Loewenthal advised that there were two points of seepage downstream and felt that erosion control was lacking. She did not feel, however, that danger was immediate, even though it did not meet the standards, currently. Problems with the dam were not caused by traffic, but by water pressure. To stop traffic would not solve the problem of dam safety.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Mr. Bradt offered to obtain license numbers of vehicles that he might see dumping in the area. Mayor Nassif accepted this offer.

Request to Rezone 10 Acres on the North Side of North Street from R-1 to R-3.

Mr. Mike Jennings described the property: 250 feet east of Hillsborough Street, 200 feet northwest of Lone Pine Road and 1,200 feet north of North Street. This property had been reclassified to a lower R-1 density in the new Zoning Ordinance, as staff had been concerned about the steepness of the terrain on part of the property. However, a recently approved plan had incorporated this steep terrain as primarily open space and staff now felt that it would be appropriate to consider rezoning. Staff recommended approval.

Mr. Jerry Barrett, applicant, submitted a Statement of Justification. He stated that the proposed zoning would conform to the Comprehensive Plan and would allow in-fill in the downtown area.

Mr. Roscoe Reeve stated that the Planning Board felt that this request would fulfill goals of the Comprehensive Plan and recommended approval.

Councilmember Kawalec felt that there was a need to explain the meaning of Council's intent regarding the term "in-fill": in-fill was the use of land in Town before the development of subdivisions outside of Town that would require annexation.

Ms. Linda Brown, a citizen, stated that she had been very heartened when this had been previously changed from R-2 to R-1. Now, barely 6 months after the adoption of the Zoning Ordinance, it was being changed from R-1 to R-3. She felt that the increase in allowable density would be too great for this piece of land. She also expressed concern that this land was being considered as two pieces of land when it was one piece of land, under one ownership.

Mr. Colin Hall, a resident of Lone Pine Road, expressed concern that further development would increase water run-off problems and requested that Council consider the ecological effects.

Mr. Jim Eder, a citizen, questioned why Council did not consider all the property at one time, rather than in segments.

Mr. Reeve stated that the property under discussion at that time was with respect to the Land Use Intensity Ratio. At that time it was felt that the zoning designation was not appropriate for the entire property, and that Council could review it as development progressed.

Ms. Brown, a citizen, questioned what would be achieved by rezoning this piece of property.

COUNCILMEMBER HERZENBERG MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE ITEM TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Request to Close a Portion of Right-of-Way on the South Side of Mt. Bolus Road

Ms. Loewenthal reviewed the request from Mr. Marcel Robins that a portion of right-of-way for an unnamed, undeveloped street be closed and that ownership revert to adjacent property owners. The request would shorten the right-of-way between two parcels of land, each of which would have reasonable access. An adjacent property owner, Mr. Norval Luxon, opposed the abandonment of this right-of-way.

Dr. Neal Scott, a resident of Mt. Bolus Road, questioned why this request was not tied to a Special Use Request, which he felt would follow if this were granted. He felt that once the use were granted, the uses to which the properties in question could be put would become limited. He and other neighbors felt this request to be frivolous for the following reasons:

1. To revert this abandoned portion to the adjoining property owners could not be done, as neither of the adjacent property owners had ever owned this portion of property.
2. Mr. Luxon, an adjoining property owner (who opposed the request), would have limited use of his property (if the request were granted.) It would shorten his public thoroughfare frontage by approximately 3/4. Presently, his property could be divided with fronting on the present easement; however, this proposal would not permit such division.
3. If the right-of-way portion were "given" to the adjoining owners, it would increase their property taxes.
4. The area of proposed abandonment was approximately 19,000 sq.ft. He questioned if Chapel Hill just "gave land away" to private parties.

He did not feel that the Town of Chapel Hill should knowingly do something that would limit the uses to which property could be put (other than through the process of zoning) which would inflate the price the seller could get for his property. He felt that Council should deny the request.

Mrs. Ruth Paine, a resident of Mt. Bolus Road, objected to Council's even considering this request. She felt that (1) Council would be showing prejudice to existing and adjacent landholders; and (2) Council would be abetting excessive profit-taking at the expense of the Town in general, and adjacent residents in particular. She opposed the abandonment of the back portion of this easement for private benefit and the subsequent injury that such a move would do to her neighbors and community. She requested that the Council dismiss the petition.

Mr. Jennings stated that the effect would be on the flexibility of design, but there would be almost negligible effect on the density, in response to a question from Councilmember Kawalec.

Mayor Nassif did not feel that the issues addressed by Mrs. Paine were relative to the issue and that just because a decrease in the right-of-way was being considered, it did not necessarily mean that other issues of price were involved, or that any further subdivision, or any future development would necessarily be granted in any possible future request for such.

Mrs. Paine explained that the map showing the proposed request was not correct and that the proposed change would not allow Mr. Luxon access to any lots beyond the cul-de-sac and would, in essence, be cutting him off from the use of his own property. She felt that this was the main point: to deny to an existing individual the use of his own property.

Councilmember Straley spoke to a point brought out earlier regarding the process "being handled in a piecemeal way," and questioned why the request was being made. Mr. Marcel Robins addressed this question, stating that he desired to acquire this property for his own personal use. He had been advised that the property was zoned R-1. This zoning would permit him to construct 13,000 sq.ft. He proposed to build 5 units as condominiums. The layout of these proposed units would depend strictly on the distance from the street being used as a frontage or a side yard; the request was purely for proper design. He needed to know this before he began the design.

Councilmember Straley asked Mr. Barrett if Council had to act now or could they wait for additional information. Mr. Barrett stated that it was not necessary to act now.

Mr. Robins felt that this proposal would not in any way deny access to the adjacent owner's property. He felt the access was there, and under a Special Use Permit, the owner could provide access anywhere he wanted it.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER HERZENBERG, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Proposed Annexation of the Central Carolina Branch Bank at Sage Road and U.S. 15-501

Previously, Council had adopted a resolution to state its intent to consider this annexation, and had approved a report on provision of services. Such annexation would provide about \$2,000 of annual revenue. Town services could be provided at no incremental cost.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER SMITH, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

request for a Planned Development-Housing Special Use Permit for Yonce Apartments at the Northeast Corner of McCauley and Ransom Streets (to Convert Garage to Dwelling Unit)

Witnesses were sworn.

Mr. Jennings outlined the request: a Planned Development-Housing Special Use Permit to allow six dwelling units on 13,616 sq.ft. of land zoned R-4. Five dwelling units presently existed on the property (one structure), and the applicant proposed to convert the garage on the property into a sixth dwelling unit. The proposal would not comply with several requirements of the Zoning Ordinance: (1) the proposal could not provide a 5-ft. landscape buffer and still provide adequate parking spaces; (2) could not meet parking and landscape standards which required a 10-ft. setback from the street right-of-way; (3) a 5-ft. required buffer between the parking area and entranceways could not be provided; (4) recreation space could not be provided; (5) the site did not have a suitable location for bulk garage containers which would have to be provided; and (6) the proposal would provide only six (6) parking spaces. Therefore, staff recommended that Council fail to make a positive finding for Finding #2.

Mr. Yonce, owner of the property, outlined plans for the planned development. The reason for the request was that the garage was presently non-usable due to its size and location. The proposal would provide for more efficient use of the area and would enhance the value of the property; keeping it as a garage would not.

Mr. Yonce explained that proposed parking plans would require that one of the cars be a compact car, in order for the space to be usable. As the proposal could not be adjusted to meet setback requirements, Mr. Yonce requested that Council waive such requirements.

Mr. Reeve stated that the Planning Board had based their decision on a map slightly different from that being shown to the Council at this time. There had been problems of safety of parking access.

Mayor Nassif felt that Council should consider the re-evaluation of this property, as property in this area was valued at \$50,000-\$60,000. He had understood that properties in this area would be reviewed to see if this valuation was accurate. He felt that something would have to be done to such properties in the future, as it would be impossible to reconstruct this area if something were to happen. An increase in the density would have to be undertaken in order for some property owners to afford the property. He suggested that the Planning Board look at the area to consider what the future appeared to hold. Mayor Nassif asked Mr. Yonce if he were asking for apartments or condominiums. Mr. Yonce stated that he was asking for efficiency apartments.

COUNCILMEMBER HERZENBERG MOVED, SECONDED BY COUNCILMEMBER HOWES, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Request for a Planned Development-Shopping Center (Neighborhood) Special Use Permit for Construction of a Muffler Shop Selling Gasoline at the Southeast Corner of Airport Road and Hillsborough Street

Witnesses were sworn.

Mr. Jennings stated that the request was for construction of a muffler shop selling gasoline.

Mr. Jorgen Peterson, applicant, presented his request for a muffler shop selling gasoline.

The proposed service station could not meet the requirements of the Service Station Special Use Permit and was deficient in livability space. In addition, it would not be possible for the applicant to provide a buffer, as required by ordinance, due to the shared driveways and existing ingress/egress easement.

Mr. Jennings stated that staff recommended failure to make positive findings for Finding #1, concerning the promotion of public health, safety, and general welfare; and Finding #2, concerning compliance with all required regulations and standards of the Zoning Ordinance; and that Council deny the request for Special Use Permit.

Mr. Reeve explained that the Planning Board recommended that Council fail to make Finding #1, concerning the promotion of public health, safety and general welfare; and deny the Special Use Permit request.

Councilmember Boulton asked why the Planning Board had been able to make Finding #2, and the staff had not been able to make this finding.

Mr. Reeve explained that this was often done in light of an existing use as compared to a similar proposal.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER THORPE, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Request for a Service Station Special Use Permit for the Proctor Convenience Store with Gasoline Sales on the East Side of U.S. 15-501 South near Its Intersection with Smith Level Road

Witnesses were sworn.

Mr. Jennings presented the request to permit the construction of gas pumps and the sale of gasoline at a convenience store which had been built, but was not yet open.

Mr. Bob Epting, representing the applicant, requested that Council permit the convenience store to sell gas. He felt that the revised site plan for the project would accommodate staff and Planning Board's concerns with respect to the safety of internal traffic circulation.

Regarding the recommendation of failure to make Finding #2, Mr. Epting stated that there were two regulations which the project did not meet: it was too close to an existing service station, and was less than 300 feet. from the intersection. These regulations could be waived by Council. He felt the project would enhance the public safety because:

1. The applicant proposed to close the use of the adjacent property (presently a junque/antique business), thus improving the sight line, and enhancing the property.
2. The applicant felt that traffic safety would be enhanced by having gas sold on both sides of the road, prompting potential north-bound customers to pull into this station rather than cross traffic into another station. On the other hand, south-bound customers might prefer to do business with the station across the road.

Mr. Terry Lathrop presented a traffic analysis of the location. He felt that traffic increase, as a result of this proposed sell, would be relatively negligible. Regarding

sight distances, Mr. Lathrop felt that adequate sight distance could be achieved with removal of obstructions in the yard of the junque/antique business, and would substantially enhance the safety of vehicle operations.

Mr. Jennings stated that staff recommendation was to deny the request on failure to make Finding #2, concerning compliance with all required regulations and standards of the Zoning Ordinance.

Mr. Reeve stated that the Planning Board recommended denial of the Special Use Permit regarding failure to make Findings #1 and #2. The Planning Board had expressed concerns regarding internal traffic circulation. Regarding both the southern and the northern approaches, the Planning Board felt that safety conditions were severe.

Mr. John Northen, a citizen, spoke to the issue of safety, feeling that the present traffic situation was already dangerous. He favored removal of the junque/antique business, but felt that future acquisition and development of that property could re-establish the risk factor.

Mr. Marvin Poythress, a citizen, submitted a petition by neighboring property owners, opposing the approval of a Special Use Permit to allow this store to sell gasoline. Mr. Poythress felt that approval of the request would add to existing safety problems. He also questioned any assurance that the junque/antique business would be cleaned up, as (he felt that) it was in Chatham County.

Mr. Barry Burns spoke in opposition to the request, stating that gas pumps would increase the amount of turning traffic by 25%, increasing traffic hazards. He also felt that the nearby intersection was one that exceeded the physical limits of the road. He also questioned if the junque/antique business would close, if the Special Use permit were not approved.

Mr. Robert McDuffie, a citizen, spoke against the request for reasons of traffic safety. He felt that the applicants most obviously anticipated increased traffic by the mere fact that they were bearing a substantial expense of installing these pumps.

In response to an inquiry from Councilmember Smith, Mr. Epting stated that, originally, plans had been submitted through Chatham County, and gas pumps had been planned. However, a permit for a convenience store in Chapel Hill did not mean that the applicant could sell gasoline. This was the reasoning behind the request at this time.

Councilmember Thorpe requested that Mr. Jennings be certain to include proposals to improve the sight distances along the right-of-way, in the final resolution.

Councilmember Straley asked Mr. Barrett about any permanence of a requirement to close the junque/antique business. Mr. Barrett responded that special use stipulations would have to "run with the land." If there was any activity that obstructed the sight lines, it would have to be presented for another Special Use Permit modification. Even though the junque/antique business was not involved in this Special Use Permit, it was under the power of the applicant to request such improvements. If the applicant were to sell off the property on which the junque/antique business existed, the same stipulations would still apply to the land. Mr. Epting stated that stipulations to not obstruct the view line along the right-of-way would apply, even if the sight line were in another county, and the Special Use Permit could be withdrawn if the Special Use Permit were violated.

Mr. Barrett felt that there could be a difference in subsequent owners, as these matters were recorded in another county.

Mayor Nassif felt that if the property itself were not part of the property under consideration for this Special Use Permit, regardless of what county it was in, stipulations could not be required. He felt that stipulations could be required for the property itself, but not for the off-premises property.

Mayor Nassif explained that Mr. Proctor owned both parcels of land. If the Special Use Permit was for the entire property, it would be one thing, but the request for the Special Use Permit was exclusive of that property. Mr. Barrett felt that anything recorded with respect to this portion of the property would be recorded in Orange County, but there was still the question as to a portion of the property being located in Chatham County. He felt that the Special Use permit could be recorded in such a way so as to bind subsequent property owners of the property lying in Chatham County.

Mr. Epting explained to Councilmember Smith that the sight distances would be cleared along that right-of-way no later than the opening date for the convenience store.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER HOWES, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Request for a Modification of the Unified Business Special Use Permit for the Hotel Europa on Europa Drive near U.S. 15-501 To Construct Recreational Facilities in an Area Previously Approved for Parking and To Relocate Required Parking across Europa Drive

Witnesses were sworn.

Mr. Jennings reviewed the currently approved plans and explained that the request was to modify the Special Use Permit issued under the old Zoning Ordinance in order to construct tennis courts (and, in the future, a pool) in the previously designated parking area. The required parking would be relocated across the street. The distance from the entrance to the relocated parking area to the entrance to the hotel was about 500 feet. The distance from the previously designated parking area to an entrance was approximately the same.

Mr. Bill O'Brien submitted a Statement of Justification. The basic intent was for employees to use the proposed parking area and valet parking would be used for guests for additional parking needs. The topography, a large existing pond, and future plans for development prompted the proposed relocation of the parking site.

Mr. Jennings stated that Phase 1 would provide for 307 parking spaces, and Phase 2 would provide for a total of 387 parking spaces.

Councilmember Smith expressed his concern for hotel guests having to park this distance from the hotel, especially during inclement weather, and felt this should be given extra consideration. Mr. O'Brien stated that the owner had proposed valet parking.

Mr. Henry Whitfield expressed concern regarding parking on U.S. 15-501 and on Legion Street by construction workers which obstructed regular vehicular traffic. He felt that widening of the road should be considered, along with the increased development of this area.

Mr. Eugene F. Honder, representing the Legion Road Office Park, questioned if the number of parking spaces quoted was for the entire property. He asked if the ownership of the Village Office Park would have any control if a valet were to park hotel guest cars there. Mr. Jennings assumed that this situation could be worked out with the Hotel Europa owner. Mr. Jennings assumed that this parking area was to be used only as an overflow lot.

COUNCILMEMBER HERZENBERG MOVED, SECONDED BY COUNCILMEMBER HOWES, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

Proposed R-3 Zoning of Gatewood Townhouse Development on the North Side of Weaver Dairy Road Adjacent to Carol Woods

This property was annexed to the Town effective September 28, 1981. As it was not part of Chapel Hill's Planning Area, it had no designation in the Town's Zoning Atlas.

Mr. Reeve stated that the Planning Board recommended approval of the request.

COUNCILMEMBER STRALEY MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

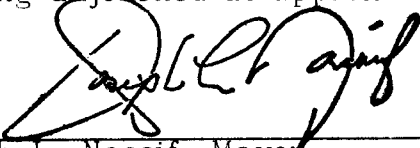
Proposed Amendment of Sections 3.1.3 (Intent of Neighborhood Commercial Districts) and 4.3 (Schedule of Use Regulations in Neighborhood Commercial Districts) of the Chapel Hill Zoning Ordinance

Staff proposed amendments concerning Neighborhood Commercial Districts of the Zoning Ordinance. These amendments would broaden the uses permitted in Neighborhood

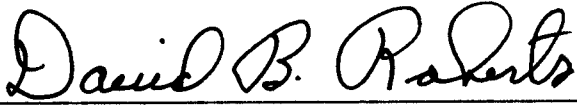
Commercial Districts. Concerns had been raised during the review of the Chapel Hill Muffler Shop request.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER SMITH, TO REFER THE MATTER TO THE MANAGER. THE MOTION CARRIED UNANIMOUSLY.

As there were no more issues to be considered during this public hearing, the meeting adjourned at approximately 12:00 midnight.



Joseph L. Nassif, Mayor



David B. Roberts, Clerk