

MINUTES OF A CONTINUED PUBLIC HEARING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
TUESDAY, SEPTEMBER 20, 1983, 7:30 P.M.

Mayor Joseph L. Nassif called the public hearing to order. Councilmembers present were:

Marilyn Boulton
Winston Broadfoot
Jonathan Howes
Beverly Kawalec
R. D. Smith
Joseph Straley
Jim Wallace

Councilmember David Pasquini was absent, excused. Also present were Town Manager, David R. Taylor; Assistant Town Manager, Sonna Loewenthal; Assistant Town Manager, Ron Secrist; and Town Attorney, Grainger Barrett.

Mayor Nassif reminded citizens that they must be sworn if they wished statements made re requests for Special Use Permits to be considered by the Council. He asked citizens to limit remarks to the four findings the Council was required to make, and to keep comments as brief and concise as possible.

(Materials requested to be entered into the record of this meeting have been entered by reference and may be found in the permanent files of the municipal offices indicated.)

Kensington Trace--Proposed Site Plan

Mr. Mike Jennings, Planning Director, stated that the proposed site was located on 10 acres of land on the north side of Weaver Dairy Road between McClamrock Circle and Weatherstone Drive.

The property was zoned O-I-2. A Unified Business Special Use Permit had been approved by the Council on July 25, 1979. The request was for a site plan review to construct 135 dwelling units on 10 acres (a density of 13.5 dwelling units/acre). Multi-family use was a permitted use in O-I-2 zoning. Since a change in the site plan was proposed, Council's approval was necessary.

On August 22, 1983, the Council reviewed the site plan, but asked for a public hearing to allow citizen input re the proposed change from Office Park to Residential Use.

Mr. Jennings stated that the applicant proposed to place parking within the Duke Power Company easement. Duke Power Company had no objection to the joint use of the easement, but would restrict plantings to a 15-foot height maximum and require the applicant to relocate the dumpsters.

Area density was currently 61.4% low and 38.6% high.

Orange County's concerns re this proposal had been addressed.

Mr. Bob Page, representing the applicant, Benchmark Atlantic, stated that the proposed site plan was for 144 housing units in an O-I-2 zone. R-5 density was allowed in this zone. The density of the proposal was less than that allowed in R-5, but a little more than that allowed in R-3.

Mr. Page stated that the site plan carried out the multi-family theme. He felt the proposed widening of Weaver Dairy Road would eliminate traffic concerns.

Mr. Bruce Ballentine stated that the proposed development was designed to meet all requirements of the Chapel Hill Design Manual, the Development Ordinance, standards of Orange County and Chapel Hill, and meet the general requirements, goals and objectives of the Comprehensive Plan and Land Use Plan.

Ms. Gina Cunningham, Chair of the Planning Board, stated that the Planning Board voted 7 to 1 to recommend approval of the site plan. The dissenting vote was based on density concerns.

Mr. Taylor stated that the Manager's preliminary recommendation was to approve the site plan with proposed stipulations outlined in the resolution.

Mr. Dick Johnson, President of Timberlyne Homeowners' Association, felt that Weaver Dairy Road needed to be widened and graded (due to the curves and hills of the road) before accidents occurred.

Ms. Florence Kauffman, a Weaver Dairy Road resident, expressed concern for fast traffic and dangerous curves on Weaver Dairy Road. She requested that the speed limit be enforced and reduced to 35 m.p.h. She responded to Councilmember Boulton that she lived across from Weatherstone, between Timberlyne and Magnolia Hill.

Mr. Arnold Law, 7 Timberlyne Road, felt the Council should consider the number of approved developments and pending developments (totalling approximately 390 dwelling units) in the Weaver Dairy Road area. Traffic impact on surrounding roads increased the concerns for potential accidents. There was the need for road improvements and speed limit enforcement, as well as the need for additional water in the Weaver Dairy Road area.

Dr. C. M. Hunt, Jr., 22 Timberlyne Road and member of the Timberlyne Homeowners' Association, addressed concerns of health and safety. In light of the current water shortage, he questioned the wisdom of allowing these developments. Water was not adequate for existing residents. He stated that OWASA was considering a moratorium on water service extensions in Chapel Hill. He felt the Council should not approve any requests until adequate water was available. Developments could build wells and should not expect Chapel Hill to extend water services.

No other citizens requested to speak.

Councilmember Broadfoot stated that on September 26, 1983, the Council would consider the issue of a moratorium on tap-ons and line extensions.

Councilmember Smith felt there should be a stoplight at the dangerous intersection of N.C. 86 and Weaver Dairy Road. Mr. Bill Morris responded that the decision to install lights was based on need. With the construction of the proposed shopping center, the State would be more inclined to consider a traffic signal and turn lanes at this location. Councilmember Smith stated that he was tired of delays. He felt that to get what was needed, the Council should "go to the top."

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO REFER THE MATTER TO THE MANAGER AND THE ATTORNEY. THE MOTION CARRIED UNANIMOUSLY.

Coventry Townhouses--Request for a Planned Development-Housing Special Use Permit

Persons wishing to speak on this issue were sworn by Mr. David B. Roberts, Town clerk.

Mr. Taylor requested that the Manager's memorandum re the request be entered into the record of this meeting (please refer to files in the Clerk's Office).

Mr. Jennings stated that this request was to modify an existing Orange County Special Use Permit to a Planned Development-Housing Special Use Permit to allow construction of 43 dwelling units on 6.3 acres of gross land area zoned R-4.

There were no major concerns re this proposal.

Mr. Bruce Ballantine, representing the applicant, stated that the first two phases of the development had been completed. Plans were to have water and sewer extended to this phase. The proposal would meet or exceed all requirements. He felt that property values would not be significantly affected by this modification. The requirements of the Land Use Plan would also be met. He entered the Statement of Justification and Traffic Impact Study into the record (please refer to the Clerk's files).

Ms. Gina Cunningham, Chair of the Planning Board, stated that the Board voted unanimously to approve the request.

Ms. Jane Norton, Chair of the Community Appearance Commission, stated that the Commission unanimously recommended approval of the request.

Mr. Taylor stated that the Manager's recommendation was that the Special Use Permit be granted, subject to the stipulations in the proposed resolution.

There were no comments from citizens.

Councilmember Smith asked if a detailed traffic impact analysis was made at the onset of this project. Mr. Ballantine responded that the applicant had not conducted an indepth study of the overall traffic conditions but had studied the impact of this development on this area. The applicant had reduced the number of developments which would reduce traffic.

Councilmember Smith stated that the intersections of both Airport Road/Weaver Dairy Road and Erwin Road/Weaver Dairy Road would need improvements as the high level of development in this area progressed.

Mr. Ballantine responded to Councilmember Straley that the units appeared to be one level structures from Weaver Dairy Road, even though the structures were two levels. A natural wood buffer was proposed on the property; in addition, a natural berm would be landscaped. A buffer was proposed around the development, and new plantings would be placed in the middle.

Mayor Nassif stated that he wished to commend the applicant for the sensitivity and the layout of this development.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER HOWES, TO REFER THE REQUEST TO THE MANAGER AND ATTORNEY. THE MOTION CARRIED UNANIMOUSLY.

The Shire of Chapel Hill--Request for a Planned Development-Housing Special Use Permit

Citizens who wished to speak on this request were sworn by Mr. Roberts, Town Clerk.

Mr. Taylor requested that the Manager's memorandum re this request be entered into the record (please refer to the Clerk's files).

Mr. Jennings stated that the request was to construct 212 dwelling units on 17.4 acres of land zoned R-4. He stated that the property was located on the east side of Erwin Road opposite its intersect with Weaver Dairy Road (Chapel Hill Township Tax Map 27, Block B, Lot 13).

There was some concern re the significance of the vegetation and rock walls that existed on the site.

The Design Manual required that the road be brought up to standards. Staff requested that the Council allow flexibility in considering improvements to Erwin Road for the following reasons:

1. The Hickory Hills developer had not been required to make improvements due to a possible realignment of Erwin Road and Weaver Dairy Road. Staff, however, had now decided on an alternate road alignment at Sage Road and Weaver Dairy Road.
2. Staff wished to try to save the existing rock walls and vegetation on the property. The staff was working with the applicant re improvements to the opposite side of the road to avoid alterations to the wall. Staff was, however, concerned about safety aspects of the closeness of the wall to the road. There was also concern about the need for a sidewalk. In addition, a transition was needed in the widening along Erwin Road between the Highlands development and the proposed Shire development.

Staff also wished to preserve existing vegetation.

There were no other major concerns.

Mr. John Castlebury, representing the applicant, proposed three corrections to the Transportation Impact Report:

1. The existing pavement should read "varies between 18' and 22' [not 20' to 22'] in width...."
2. The words "60' right-of-way" should be followed by the words "ditch-to-ditch."
3. The last paragraph should read "About 500' east [not "cost"] of the project,..."

Mr. Castlebury stated that the layout of the access points to the property avoided the sharp curve on Erwin Road. The southern access would be aligned with the realigned Old Oxford Road at Erwin Road. To address traffic concerns, left-turn lanes were proposed on Weaver Dairy Road at both entrances to the development and a left-turn lane (east) onto Old Oxford Road was proposed.

Buffers were proposed along the east and north portions of the property. No buffer was proposed on the southern part of the property as it was adjacent to a proposed development.

The proposed Shire development would meet requirements for sidewalks, access improvements, and widening of Old Oxford Road.

Re concerns for the existing vegetation and rock walls, Mr. Castlebury stated that the applicant was willing to work with the staff and boards to address these concerns.

Mr. Castlebury entered the applicant's Statement of Justification and Transportation Impact Report (as corrected) into the record (see Clerk's files).

Mr. Castlebury responded to Councilmember Boulton that the proposed structures would be two story. He showed pictures depicting the proposed units. The type of construction would reduce grading and preserve as much vegetation as possible.

Mr. Castlebury informed Councilmember Straley that the proposed maximum height of the structures would be 20 feet and the structures would be 23 feet or more from the edge of the road.

There would be a buffer of existing trees (that could be preserved) between the structures and the road. Additional landscaping was proposed.

Mr. Castlebury informed Councilmember Broadfoot that he had assumed, in his Transportation Impact Report, an average of 4 trips per day per living unit. Councilmember Broadfoot felt that a figure more in the range of 8 trips per day would be more appropriate. Mr. Castlebury responded that these apartments would probably not be rented to students, and some apartments might not generate any trips on some days.

Ms. Gina Cunningham, Chair of the Planning Board, stated that the Board unanimously voted to recommend approval of the request.

Ms. Jane Norton, Chair of the Community Appearance Commission, stated that the Commission had expressed concern that the grading plans had little relation to the existing topography and vegetation. The applicant had stated that he would make changes. The Commission wished to review the changes before the proposed development was approved.

Ms. Norton stated that the Commission would like for the Council to consider the "visual delight" of the existing wall in evaluating the site plan.

The Commission also questioned the building set-backs with respect to the wall and vegetation. Concern was also expressed for the amount of unshaded parking. The Commission recommended that the applicant:

1. Increase the number of compact car parking spaces, reducing the amount of asphalt.
2. Provide more tree islands in the parking lots.
3. Present a detailed plan of the existing landscape, vegetation, and topography.
4. Present a revised site plan showing how the existing landscape would be retained (especially on the Erwin Road right-of-way).

Mr. Taylor stated that the Manager's recommendation was that the Special Use request be granted subject to the stipulations in the proposed resolution.

Mr. Calvin Holland, contractor for the project, stated that the applicant had accomplished the aims and goals of the Community Appearance Commission. He stated that the existing buffer on Erwin Road would remain exactly in tact. Detailed plans were available of the proposed landscaping.

Mr. Arthur Werner, a citizen of Chapel Hill, submitted a petition (please refer to Clerk's files) re concerns about "traffic safety and the increased traffic congestion

on Erwin Road, Weaver Dairy Road, and feeder streets to these roads," resulting from increased development and construction. He requested that the Council:

1. Place a moratorium on new development until road improvements or new roads were constructed.
2. Immediately take appropriate steps to upgrade existing roads to absorb additional traffic that would be created from new developments.

Mr. Werner also expressed concern that he was not aware of the proposed development. Other concerns were that the traffic would double at the intersections, and that the access points of the proposed development were in a dangerous curve.

No further statements were made by citizens.

Councilmember Kawalec felt that the structure currently on the property, though not registered as a historic building, was unique. It was a two-story log house and irreplaceable. It was surrounded by beautiful vegetation and she felt it was in the community's interest to save the structure and vegetation, if possible.

Councilmember Kawalec questioned the proposed recreation areas, stating that the applicant had stated that he did not expect the units to be largely marketed to students. Therefore, she assumed that these units might be marketed to the retirement community and others who did not play tennis or use pools.

Due to these concerns, Councilmember Kawalec requested that the Manager include a stipulation that required the developer to retain the house and vegetation on the property as recreational space.

Councilmember Broadfoot suggested to Mr. Barrett that he and the Manager consider, at some point in the future, the possibility of placing bonds on stipulations.

Councilmember Boulton expressed concern for the need for a second access and questioned the possibility of just one curb cut across from the intersection at Weaver Dairy Road.

Mr. Morris, Town Engineer, explained that one curb cut was proposed across from the proposed road realignment and the site distance would be greatly improved. The distance between the access points was to allow room to provide left-turn lanes. The future of the remaining portion of Erwin Road (where the two access points would be located) was not certain.

Mayor Nassif asked Mr. Castlebury if final contours had been established. Mr. Castlebury responded that plans for the draining and grading and soil erosion had not been submitted. There had been a reduction in the number of dwelling units. Construction would be backfilled to the retaining wall to reduce exterior grading.

Mayor Nassif concluded that the Council, then, was not now considering the final plans. He stated that he had problems understanding the applicant's approach to addressing concerns expressed by staff and boards. The current proposal would crowd two-story homes near the edge of Erwin Road. Mr. Castlebury showed the revised site plan to Mayor Nassif. Mayor Nassif felt that the proposed changes might be headed in the right direction, but still more changes would be needed. He felt that the current arrangement of units along the road did not enhance this property. The Council and the boards would need to review this revised proposal.

Mr. Barrett stated that proposed stipulations 13 and 15 would allow the Manager flexibility to work with the applicant toward a more desirable plan. Mr. Taylor added that the extent of the changes in response to these stipulations would determine whether the proposal would come back before the Council.

Mayor Nassif stated that designers were given creative latitude, but it was intended that developers maintain the quality of a site. Staff would work with the developer to complete plans that showed a quality design to enhance the environment of the site. Developers should know that the Council expected that. The Council needed to know what the final development would look like. The buildings proposed were fine, but were not appropriate at this location. Mr. Taylor explained that the staff would attempt to accomplish this with proposed stipulations 13 and 15.

Councilmembers Boulton, Howes, and Broadfoot concurred with Mayor Nassif's statements.

Councilmember Kawalec stated that the Council needed to review an alternate site plan before reading a decision. She did not feel that the proposed stipulations addressed the Council's concerns.

Mayor Nassif requested the Manager to instruct the applicant to complete plans for the Council's review.

Councilmember Wallace suggested that this item on the public hearing be continued to consider the new site plan.

Mayor Nassif stated that he did not want to set a precedent for lengthy review processes. He felt the applicant should present a one-time plan.

Re Councilmember Kawalec's remarks about the existing building on the property, Councilmember Howes asked if the structure had been given consideration. Mr. Holland stated that there were currently no plans. Councilmember Howes felt that the Preservation Society might consider acquiring the house and moving it. He asked to know more about the history of the home.

Ms. Huesner, owner of the property, stated that the logs were imported from Roxboro and were hand hewn. The stair rail and furniture were hand made. The second story floors were heart pine, a material no longer available. The fireplace had been constructed of granite and petrified wood from the property. She felt the veranda would be an asset to recreational facilities. Trees would have to be cut down if the house were moved.

Mayor Nassif felt that the Manager and staff could work with the owner and designer to consider incorporation of the property into the proposed development. The effort would be worthwhile.

Councilmember Smith expressed concern re the quality of the proposed development as well as the small amount of consideration given to traffic impact of this development. Mr. Bill Morris stated that the traffic count was done by the State and was probably two years old. Councilmember Smith felt that out-dated traffic counts should not be used in traffic analyses, especially in light of currently approved and pending developments.

Mr. Jennings responded to Councilmember Smith that all property owners within 500 feet were notified of the hearing. Councilmember Smith felt this distance should be changed. Mr. Taylor also affirmed that the property owners within 500 feet had been notified.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER WALLACE, TO REFER THIS MATTER TO THE MANAGER FOR RECOMMENDATION AND TO CONTINUE THIS PUBLIC HEARING MATTER ON NOVEMBER 21, 1983, AT 7:30 P.M., IN THE MEETING ROOM OF THE MUNICIPAL BUILDING.

THE MOTION CARRIED UNANIMOUSLY.

Shop Quick Convenience Store--Request for a Planned Development-Shopping Center (Neighborhood) Special Use Permit

Mr. Taylor requested that the following documents be entered into the record of this meeting:

--Manager's memorandum (Shop Quick Convenience Center--dated September 19, 1983)(please refer to Clerk's files).

--Minutes of November 16, 1981, public hearing (please refer to Minute Book 35, pp. 205-207).

Mr. Jennings outlined the request to construct a gas pump island at the existing convenience center on the east side of U.S. 15-501 at Star Point.

The Planning Board approved the site plan for the convenience store in July of 1981. The request for a Shopping Center Special Use Permit to allow gas pumps had been denied by the Council in November 1981.

This request had been reviewed by Orange County, but no comments were submitted.

The applicant agreed to widen U.S. 15-501 with curb and gutter. Sufficient distance was proposed between the pump islands and the parking area. Staff recommended that the islands be angled to reduce the effect of car headlights at the pumps on oncoming traffic.

Two of the three requirements of the Development Ordinance could not be met:

--The convenience center was 100 feet from the nearest service stations (the Development Ordinance required a distance of 750 feet between service stations).

--The center was 190 feet from the nearest intersection (the Development Ordinance required a distance of 300 feet from the nearest intersection).

The Council could modify the standards of the Special Use request if it found that the public purposes were satisfied to an equivalent or greater degree than if strict adherence to the Development Ordinance standards were followed.

Ms. Jean Connerat, a Chapel Hill attorney representing the applicant, felt that the request would present a positive safety factor. Currently gas was available only on the west side of U.S. 15-501, requiring persons traveling north to turn left across the on-coming traffic lane; the proposal would offer gas on the east side of U.S. 15-501. Currently many persons shopped at this center and then crossed U.S. 15-501 to purchase gas. She submitted that proposed road improvements would improve access to the property.

Ms. Connerat stated that the convenience store was considering remaining open 24 hours/day if it were allowed to sell gas. She submitted that these hours would not be a problem to the residential area due to adequate buffer; in addition, 24-hour service would fit in with current area land uses.

Ms. Connerat requested that the Traffic Impact Statement be entered into the record (please refer to Clerk's files). She added that this report had been prepared for the November 1981 public hearing and changes in traffic projections since that time showed "no appreciable difference in the traffic flow" at the intersection of U.S. 15-501 and Smith Level Road.

Ms. Connerat requested that the Council consider the fact that proposed road improvements and the benefit of providing gas on both sides of the road would serve the public purposes to a greater or equivalent degree. She also asked the Council to consider the convenience factor of having a well-lighted, 24-hour service and safe haven for travelers in this isolated area. She also felt that the competition in the area would be a direct benefit to the public. The proposal would not decrease surrounding property values.

She submitted that the 750' distance between service stations was not as necessary in this rural area, on a major thoroughfare, as it was in town. She submitted the Statement of Justification for the record (please refer to the Clerk's files).

Ms. Gina Cunningham, Chair of the Planning Board, stated that the Board unanimously recommended denial of the request as (1) the proposal did not meet all the requirements of the Development Ordinance, and (2) there were poor site distances from the property.

Mr. Taylor stated that the Manager recommended denial of the request as it did not meet the locational standards for service stations. An alternate resolution ("b") was recommended, should the Council approve the request.

Ms. Linda Harris, applicant, stated that the Traffic Engineer had assured her that the sale of gasoline at this location would not endanger the public health or safety in this area. She felt that the provision of gas on the east side of U.S. 15-501 at a well-lighted, 24-hour service center was important for this area and would serve the public purpose.

Ms. Bonnie Harris, a Sanford resident, stated that as a Chapel Hill student she traveled this road alone several times a week. She preferred to get gas outside of Chapel Hill, as it was less congested, and expressed the need to have a safe place to stop.

Mr. Noel Lee, Manager of the Shop Quick Convenience Center, stated that the sale of gas would allow the center to provide a more complete service to its customers.

He stated that he had witnessed many "near rear-end collisions where people...turn left to get gas in the mornings." He felt that gas at this location would alleviate this traffic situation.

He did not feel that site distance was a problem as there was ample roadway width that allowed room for patrons to pull off the main road as they entered the property. Access to the area would be well-maintained and well-lighted. Patrons had expressed the desire to have gas sold at this location.

Ms. Liz Carroll, a resident of the Cedar Lake Road area, stated that she would prefer to buy gas at this location because of the convenience and safety it would provide.

Mr. Mark Carroll, a resident of the area, stated that the availability of gas at this location was preferable to obtaining gas at other locations in the area.

Mr. Andrew Stephens, an area resident, stated that it would be safer to obtain gas at this location than at other locations.

Mr. Bob Windsor, an area resident and property owner, presented pictures of three accidents that he had taken prior to this meeting: one at the intersection of U.S. 15-501 and Smith Level Road, and two at Cole Park Plaza at Manns Chapel Road.

Mr. Windsor stated that development had increased in the area over 79% since 1981 and the N.C. Highway Department was currently studying this area to determine the need for turn lanes and or traffic signals. Considering traffic in the area, Mr. Windsor stated that he did not feel that the request should be granted.

Mr. Charles Burns, an 11-year resident of the area, stated that a recent traffic study at the Cole Park Plaza showed a 15% increase since 1981. He expressed concern for traffic safety in the area and for the safety of patrons of a child care center in the area. Because of these concerns, Mr. Burns requested that the Council "initiate a moratorium on further development in this area by denying the request until such time that the Department of Transportation can do something to alleviate some of the traffic hazards in this area."

(Mayor Nassif stated that this public hearing would be continued to October 3, 1983.)

Mr. Marvin Poythress, speaking for Robert Poythress and other adjoining property owners, submitted a petition from area residents who opposed the Special Use request (please refer to Petition files in the Clerk's office). He concurred with statements made by Mr. Windsor and Mr. Burns. He felt that the property was too close to the highway (1) to allow construction of adequate turning lanes, and (2) to install gas pumps.

Mr. Poythress stated that the increase in traffic due to recent developments increased traffic hazards in the area. He felt an all-night business in this area would create noise problems for area residents. He also did not feel that a gas facility in the area was necessary, especially a non-conforming gas facility.

Mr. Poythress stated that visibility was poor due to the Junque dealer's merchandise on the adjoining property. Orange County had no jurisdiction over this property, as it was in Chatham County.

Mr. Phillip Poythress concurred with earlier remarks that opposed the request.

Mr. Robert McDuffie felt that the area was inappropriate for current activities and that further activities should not be encouraged.

Mr. James McCoy, a resident of the area, stated that comments re the characterization of existing facilities were incorrect. Mayor Nassif stated that prior remarks were not part of issues to be considered by the Council.

Mr. Robert Poythress concurred with earlier remarks opposing the request.

Mr. Dumpsey Edwards, life-time resident of the area, stated that he supported the request.

Mr. Benjamin Rawlings, a 6-year resident of the area, expressed concern for traffic and personal safety in the area.

Ms. Francis McCraig and Ms. Pat Reynolds concurred with previously expressed opposition to the request.

Mr. Tim Hollens, an area business owner, stated that most of his business took place between 4-6 P.M. and not in the A.M.

Mr. Windsor informed Councilmember Smith that one of the car accidents he witnessed was headed north and rear-ended a car turning left. Councilmember Smith asserted that the accident had no connection with the proposed request for gas pumps. Councilmember Smith also stated that the child care center was not on U.S. 15-501.

Councilmember Smith asked about the concerns re inadequate site distances referenced by the Planning Department. He stated that the Traffic Engineer had felt the site distance was adequate within 3-5 seconds. Mayor Nassif stated that the Chair of the Planning Board was not present to respond and that clarification would be made at a later date.

Councilmember Boulton questioned if the Junque antique dealer's materials could be removed to improve the site distance. Ms. Connerat responded that she was not authorized to address this concern at this time.

Councilmember Broadfoot questioned if this building had been constructed without any authorized permit. Ms. Connerat responded that a permit had been issued from Chatham County.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER STRALEY, TO REFER THE REQUEST TO THE MANAGER AND ATTORNEY.

THE MOTION CARRIED UNANIMOUSLY.

At 11:43 P.M. the public hearing was recessed to Monday, October 3, 1983, 7:30 P.M., Meeting Room, Municipal Building.