

MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,
MONDAY, MARCH 19, 1984, 7:30 P.M.

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

Marilyn Boulton
Winston Broadfoot
Beverly Kawalec
David Pasquini
Nancy Preston
R. D. Smith
Bill Thorpe

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

Proposed Establishment of Water Quality Critical Areas

Mr. Jennings, Planning Director, stated that experts on this matter were present to speak and that citizens' comments would be heard. A staff report would be forthcoming.

Mayor Nassif stated that the two committees (The North Carolina Department of Natural Resources and Community Development (NRCD) Falls and Jordan Steering Committee, and the Triangle J Council of Governments Water Resources Planning Committee) were working toward legislation to ban the use of phosphate detergents and to begin treatment of phosphates at water treatment plants in order to preserve the quality of both the Falls and Jordan reservoirs.

Mr. Lee Fleming, Water Quality Section Chief of the NRCD Division of Environmental Management, submitted a copy of the State Action Plan, Wake County's Plan, and supporting correspondence from Secretaries Grimsley and Summers re water quality critical areas.

Mr. Fleming stated that the NRCD in its State Action Plan recommended the establishment of a water quality critical area in order to protect the Falls and Jordan reservoirs from accidental spills of hazardous material. Mr. Fleming stated that phosphorous loadings in the Jordan Reservoir today were at a dangerous level. After reviewing many factors, the NRCD determined that this area should be 1/2 mile plus 300 feet from the high water mark of the reservoirs. In this area, the State Action Plan also recommended (1) control of the first 1/2 inch of rainfall, (2) a 6% limit on impervious coverage in the water quality critical zone, a 12% limit on impervious coverage in non-critical unsewered areas, and a 30% limit on impervious coverage in non-critical sewerred areas, and (3) control of development further away from the natural streams. Local governments were encouraged to submit recommendations for development restrictions and water quality control at the local level to Mr. James Summers, Secretary of NRCD, by May 1, 1984.

Mr. Ed Holland, Director of Resource Conservation of Triangle J Council of Governments, explained that a buffer area/greenbelt around the Jordan lake was owned by the Corps of Engineers and leased to the State. This area would be the "first line of defense" for the reservoir and would basically contain no development or access, other than for public recreation. The water quality critical zone would be the "second line of defense," and it was recommended that a high level of control of development be established for this area.

Mr. Holland stated that the greatest cause of water pollution from new development was run-off from impervious cover (i.e., pavement, roofs, sidewalks, etc.) that would not absorb rain. Vegetative areas, on the other hand, allowed water and pollutants to be absorbed into the ground before reaching streams. The recommended guideline for a 6% limit on impervious cover in the water quality critical zone would reduce run-off. He explained that infiltration of the first 1/2 inch of rainfall from impervious surfaces was a superior method of controlling run-off and could reduce pollutants by 70%-90%.

Mr. Holland stated that another recommendation was for limited development beyond the water quality critical zone. This area would be the "third line of defense," and would restrict certain types of industrial development which dealt with hazardous materials, and would require the availability of emergency response procedures and equipment, etc., of such industries.

Mr. Holland stated that uniformity in development, and water quality standards and guidelines among local governments was needed.

He proposed that the following recommendations be considered for implementation:

1. Require that new developments in the watershed provide a 50-foot vegetative buffer along streams.
2. Establish measures for infiltration of the first 1/2 inch of run-off from all impervious surfaces of new developments.
3. Limit the impervious surfaces of new developments in the extra-territorial jurisdiction of Chapel Hill.
4. Establish local controls for screening new industrial or commercial developments in the watershed which dealt with hazardous materials.

Mr. Roscoe Reeve, Chair of the Planning Board, stated that the Board requested that the Council refer public hearing comments and staff recommendation to the Planning Board for consideration and recommendation.

Mr. Taylor requested that comments be referred to the Manager and staff at the completion of this public hearing and that the Council grant additional time for the staff to prepare a report.

Ms. Margaret Holten, Chair of the Water Quality Committee for the League of Women Voters, stated that the League supported local development regulations and had petitioned the Carrboro Board of Aldermen, and the Orange County Commissioners to adopt land use regulations to protect water quality; she now urged the Council, on behalf of the League, to establish a water quality critical area.

Mr. Robert Smythe, Conservation Director for the North Carolina Chapter of the Sierra Club, urged the Council to accept the careful and professional recommendations and analysis presented to the Council from the Triangle J Council of Governments, as he felt these recommendations were essential to the protection of water quality in Jordan Lake.

Mr. Watts Hill, Jr., speaking for the Chamber of Commerce, stated that the Chamber supported uniform development and water quality controls among municipalities in the watersheds. He stated that he felt that more detailed information on control measures was necessary in order for the public and developers to offer informed comments or express concerns. He suggested that Mr. Fleming and Mr. Holland present more definitive information to the Council at a later date as more information became available.

Mr. Patrick Davis, Systems Development Manager for the Orange Water and Sewer Authority (OWASA), stated that OWASA shared the Town's concern for the protection and preservation of the area's water resources and supported the Town's efforts to restrict development in the water quality critical zone.

Mr. Fleming responded to Councilmember Broadfoot that the State felt that development and water quality could best be controlled at the local government level. Land development was only a small portion of water quality protection; Chatham County contained a larger portion of land around the lake than did Orange County.

Councilmember Preston stated that in the future she would like for the staff to provide information to the Council re the percentage of impervious cover of proposed developments that the Council considered.

Mayor Nassif expressed appreciation to Mr. Holland and Mr. Fleming for addressing the Council.

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COUNCILMEMBER THORPE MOVED, SECONDED BY COUNCILMEMBER PRESTON, TO REFER THIS ITEM TO THE MANAGER, ATTORNEY, AND PLANNING BOARD FOR A REPORT TO THE COUNCIL NO LATER THAN APRIL 24, 1984.

Request for Planned Development-Housing Special Use Permit for Bennett's Ridge

Mr. Taylor entered the following documents into the records (please refer to the Clerk's files):

1. Memorandum for Agenda #2, March 19, 1984, "Bennett's Ridge--Request for Planned Development-Housing Special Use Permit."
2. Applicant's Project Fact Sheet.
3. Applicant's Statement of Justification.
4. Applicant's Traffic Impact Report.

Mr. Jennings stated that the request was to construct 174 dwelling units on 36.5 acres of gross land area zoned R-2 and located on the north and south sides of Culbreth Road between U.S. 15-501 and Culbreth Junior High School (Chapel Hill Township Tax Map 122, Block B, Lot 8).

The applicant proposed three access points to the development from Culbreth Road. Staff recommended left-turn lanes into and out of each proposed access. Because of the topography of this site, no access to adjoining properties was recommended.

Staff recommended that the right-of-way be dedicated, and that Culbreth Road be widened with curb and gutter. A sidewalk on the north side of Culbreth was also recommended.

Re internal circulation, the applicant proposed 20-foot wide private drives without curb and gutter. Staff recommended 27-foot wide roads with curb and gutter to accommodate traffic and provide adequate storm drainage.

The applicant proposed internal paved sidewalks and pedestrian trails. Staff recommended that the sidewalk system be extended to Culbreth Drive and proposed two options for extending the pedestrian access to the Jr. High School.

The applicant proposed to cluster the units within the development in order to minimize the amount of site coverage on the property.

Mr. John Northern, an attorney representing Martin Development Group, Inc., stated that 174 condominium units were proposed on 36.5 acres. The proposed development met all open space, recreation space, and livability area requirements of the Development Ordinance. A density of 4.9 units per acre (low-density) was proposed. This density was compatible with the area. He stated that the applicant supported adoption of proposed resolution "a" (recommended by the Planning Board), with the exception that the proposed picnic area not be located adjacent to the school property as this might pose an attraction for students. The applicant requested to work out a solution with the Town Manager for a mutually satisfactory location of the picnic area.

Mr. Northern stated that the applicant did not feel that curb and gutter was needed throughout the development. The applicant supported the recommendation for a left-turn lane from the development onto Culbreth Drive at the central exit, but did not feel that staff's recommendation for left-turn lanes at all three exits was necessary. (The applicant did not oppose the three left-turn lanes entering the development from Culbreth.)

Mr. William Hood, representing Jerry Turner and Associates, Landscape Architects, supported the recommendation for the 22-foot wide road, with curb and gutter where necessary to direct drainage. He also requested that the Council approve the relocation of the picnic area closer to the development's residential units.

Mr. Northern stated that the developers proposed to protect the slopes on the site by retaining a significant amount of existing vegetation.

Mr. Roscoe Reeve, Chair of the Planning Board, stated that the Board unanimously supported the proposed development. The Board had not supported staff recommendation for curb and gutter and wider roads as it was felt that the internal road design and the steepness of the terrain did not warrant this as a stipulation. The Board also felt that pavement overlap would be sufficient without curb and gutter. The Board also felt that left-turn lanes from the proposed development at the main entrance would be adequate. The Board supported recommended improvements to Culbreth Road to extend to U.S. 15-501 as this would benefit the residents of the development traveling this route. The Planning Board recommended that the proposed easement right-of-way not be located in the gully.

Mr. Jon Condoret, speaking for the Community Appearance Commission, stated that the Commission felt the proposed development was sensitive to the site and supported the request. The Commission recommended that the road be 22 feet wide without curb and gutter.

Mr. Tom Heffner, a real estate appraiser in Chapel Hill, stated that the proposed Bennett's Ridge development was well designed and provided good screening from adjoining properties. The price range was compatible with adjoining properties and would not adversely impact, but would probably enhance, the value of adjoining properties.

Mr. J. W. Horn, Principal and Senior Consultant for Kimley-Horn and Associates, Inc. (a traffic consultant firm), stated that approximately 900 vehicles per day would be generated. P.M. hour projections were:

--FROM the development to U.S. 15-501: 21 vehicles/hr.
FROM the development to Smith Level Road: 5 vehicles/hr.

--TO the development from U.S. 15-501: 51 vehicles/hr.
TO the development from Smith Level Road: 13 vehicles/hr.

He stated that it was not felt that the additional traffic generated by the proposed development would adversely impact the area.

Mr. Taylor stated that the Manager's recommendation was to approve the request, subject to stipulations in proposed resolution "b."

Mr. Joe Capowski, a resident of 408 Coolidge Street, questioned these figures and expressed concern for peak hour traffic overload in this area.

Mr. Stanley Black, a resident of Morgan Creek Road, stated that "we should not seek to become a bedroom community" to meet housing needs "generated by the rapid growth of the Research Triangle Area."

Mr. Jennings informed Councilmember Smith that the School Board was always informed of proposed developments in Chapel Hill. He added that even with increasing populations, school enrollment had declined.

Mr. Horn responded to Councilmember Smith that traffic projections were based only on this proposed development and did not include other proposed developments in the area. The count was, however, combined with the 1983 traffic count of the area. Councilmember Smith questioned the peak hour statistics for the number of proposed dwelling units.

Mr. Phil Walker, Project Manager for Martin Development Group, Inc., stated to Councilmember Preston that there was no objection to either proposal for the location of the easement right-of-way.

At the request of Councilmember Broadfoot, Mr. Horn stated that he would provide a corrected copy of the Traffic Analysis Report for the Council.

Mr. Hood responded to Councilmember Pasquini that more trees would be planted at the entrances. Mr. Taylor stated that the Council could always stipulate such plantings.

Mr. Jennings responded to Councilmember Thorpe that curb and gutter provided better storm drainage and erosion control for steep terrains.

Councilmember Preston expressed concern for available water for this development. Mr. Walker stated that approximately 40-50 units would be developed per year.

COUNCILMEMBER PRESTON MOVED, SECONDED BY COUNCILMEMBER SMITH, REFERRAL OF THIS ITEM TO THE MANAGER AND TOWN ATTORNEY. THE MOTION CARRIED UNANIMOUSLY.

Proposed Floodplain Zone to Prohibit Construction in Floodway and Floodway Fringe Areas (to allow reconstruction, or expansion of up to 15% of existing buildings)

Mr. Jennings explained that a 100-year floodplain, as defined by the Corps of Engineers, was an area that would be covered by a flood which had the probability of occurring once in every 100 years. Currently, the Town prohibited development in the floodway. Development was allowed in the floodway fringe, providing the habitable floors were raised one foot above the basic flood level.

Mr. Jennings continued that the proposal would prohibit new development in the entire floodplain zone (comprised of both the floodway and the floodway fringe zone) but would allow reconstruction or expansion of up to 15% of existing buildings.

Mr. Roscoe Reeve, Chair of the Planning Board, stated that the Board requested that this matter be referred to the Planning Board in order to study the comments from this hearing before submitting a recommendation to the Council.

Mr. Taylor stated that the Manager's recommendation was to refer the matter to the Manager for further study and recommendation.

Mayor Nassif stated that in 1973, the Council established a floodplain zone to allow construction of one unit/6 acres. He stated that he had not been able to document that this was ever incorporated into the zoning ordinance. In 1979, the staff and Council discussed for many months an overlay zone, but ultimately rejected the proposal. He submitted that it was time again to bring out concerns re development in the floodplain.

Ms. Betty Sanders, a resident of North Street, supported the proposed control for development in the floodplain. She referenced severe drainage problems in her neighborhood and on her property. She felt that storm drains that had been installed many years ago were no longer adequate for controlling run-off from the dense development that had taken place since then.

Ms. Adelaide Allison, Chair of the Brookwood Homeowners' Association, distributed photographs showing flooding and damage from flooding in the Brookwood area. She also stated that "after the water goes down, we have liquid waste in our front yard." She stated that the homeowners had spent \$13,000 cleaning up and repairing after floods since 1978. Ms. Allison also expressed concern for more flooding that might result from what apparently was the widening of the creek at Camelot Apartments.

Ms. Allison stated that in 1981 the then Town Manager had promised that "\$5,000 would be set aside to look at the Bolin Creek waterflow." She stated that a letter from Mr. Feller, Assistant to the Town Manager, had stated that this had never been done. She requested that the promise be renewed. She asserted that the Town's planning should be well thought out to include concerns for potential affects on all development, not just adjacent properties.

Mr. Robert Page stated that he represented several land owners of property in the floodway fringe who opposed Mayor Nassif's proposal because it would render their land useless. They felt this was reverse condemnation without just compensation. Mr. Page submitted that the power authorized by the North Carolina General Statutes should be exercised in a reasonable manner. Mr. Page introduced Dr. James Gregory, Professor and Associate Professor of Forestry at NC State University, to speak on floodplain management.

Dr. Gregory explained the ecological significance of floodplains and how development in floodplains interfered with these ecological values by decreasing the amount of infiltration zones and increasing run-off and flooding. If development were allowed, Dr. Gregory recommended:

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1. That a vegetative buffer along stream channels be required;
 2. That channels be maintained;
 3. That the total area of disturbed land be limited;
 4. The use of pilings as building supports;
 5. Limited encroachment in the floodway fringe;
 6. Elevation of inhabitable floor areas, taking into account the effect of total development that could occur.

In response to Mayor Nassif, Dr. Gregory stated that "the amount of floodplain land that is present in Chapel Hill...should be utilized because it represents a fairly significant portion of a total land area...and the fringes of Chapel Hill.... I think it can be done, if it's done properly...."

In response to Councilmember Thorpe, Dr. Gregory stated that floodplains could be used for recreation. Development could occur in less sensitive areas of the floodplain zone.

Mr. Everett Billingsley, Executive Director of OWASA, stated that OWASA supported the proposed establishment of a floodplain zone, as it reduced potential loss of life and property, and reduced potential public water and wastewater-related utility problems associated with flooding.

Re expansion of up to 15% of existing structures in the floodplain zone, Mr. Billingsley submitted the following recommendations:

1. No building additions be permitted if the proposed flood elevation is below the elevation of the upstream manhole, unless adequate provisions are made to prevent the backup of wastewater into both the new and proposed portions of the building; and
2. No rebuilding of existing buildings be permitted unless adequate provisions are made to prevent the backup of wastewater into the rebuilt structures.

Mr. John Hanes, representing the Oaks Homeowners' Association, stated that even though the Oaks Apartments were adjacent to the floodplain, there were flooding problems and storm sewer overflows in their area on many occasions. He expressed concern for the rate of development with impervious cover in Chapel Hill, and supported the proposal to prohibit development in the floodplain.

Mr. George Taylor, Chair of the Chapel Hill Homeowners' Association, stated that the Association supported the proposal to prohibit development in the floodplain. They opposed an increase in impervious coverage and opposed proposed expansion of up to 15%.

Mr. Robert Smythe, Conservation Director of the North Carolina Chapter of the Sierra Club, supported the proposal to prohibit development in the floodplain, as development "increases the impervious area..., accelerat[es] run-off, increas[es] downstream flooding, and enlarg[es] the area...subject to...flooding." He supported the reconstruction of existing structures in the floodplain, provided the reconstruction reduced the net restriction in the floodway. He urged adoption of the strongest possible ordinance.

Mr. David Stagner, a resident, stated that he had experienced deaths and destruction due to floods in other states. He asserted that additional construction would cause the 100-year flood mark to rise; any construction in this area should take this into consideration. He supported no development in the floodplain.

Dr. Elmer Oettinger, Professor Emeritus, a resident of Oakwood Drive, stated that he supported the proposal and that he felt that development in the floodplain would "diminish the quality of life...." He stated that he also spoke for Mr. Paul Johnson and other residents of Oakwood Drive.

Mr. Henry Whitfield, a resident, stated that he felt that flooding problems were a result of impervious cover in the downtown area. He

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also referenced several area creeks which contained water flow obstructions which he felt increased the problem. Mr. Whitfield stated that development in the floodplain could increase the Town's tax base. He also suggested that the Town could buy floodplain property from owners who would not be able to develop it.

Ms. Doris Kaneklides, a resident of Brookwood, distributed photographs of floodwaters and damage at Brookwood.

Mr. Wes Hare, of 243 Flemington Street, explained to the Council the problems of flooding on the bikepath between Cleland and Ridgefield Road three or four times each year, and on the area soccer field. He supported prohibited construction in the floodplain, with possible uses for recreation.

Councilmember Broadfoot asked to know the impact of flooding in the next 20 years on Brookwood Apartment residents that might occur as a result of approved and future development.

Councilmember Smith supported prohibited development in the floodplain. He expressed concern for flooding problems, stating that "if we solve the problems that we have created, we will take care of the future."

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BOULTON, TO REFER THE ITEM TO THE MANAGER, PLANNING BOARD, AND ATTORNEY. THE MOTION CARRIED UNANIMOUSLY.

Proposed Re-zoning of 116 Acres on North and South Sides of NC 54 East Between Burning Tree Drive and Durham County Line from Residential-4 to Residential-1

Mr. Mike Jennings stated that land along major arterials had been zoned low-density in the old Zoning Ordinance. Zoning designation for undeveloped thoroughfares with excess capacity were re-zoned R-4 or R-5 in the new Development Ordinance in order to encourage high density development on major arterials.

Mr. Roscoe Reeve, Chair of the Planning Board, asked the Council to refer this matter and comments from this hearing to the Planning Board for recommendation.

Mr. Taylor recommended referral of this matter to the Planning Board and requested a time extension for a staff report to the Council, in order to co-ordinate this report with the report from the Entranceways Task Force.

Mr. D. St. Pierre Du Bose, Jr., stated that he represented the property owner most affected by the proposed down-zoning. He opposed the proposed zoning change as he felt it was not consistent with the recently approved development of Finley Forest. He encouraged the Council to wait until the report from the Entranceways Task Force had been submitted to the Council.

Mr. Leonard Berlow, owner of the property (.8 acre) located between the Du Bose property and the Finley Forest development, asked the Council to not consider rezoning his property.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER THORPE, THAT THIS MATTER BE REFERRED TO THE MANAGER, ATTORNEY, PLANNING BOARD, AND ENTRANCEWAYS TASK FORCE, FOR A REPORT TO BE TIMED IN CONJUNCTION WITH THE REPORT FROM THE ENTRANCEWAYS TASK FORCE, SCHEDULED FOR JULY.

COUNCILMEMBER THORPE REQUESTED THAT THE MOTION ALSO INCLUDE THAT THE PLANNING BOARD AND ENTRANCEWAYS TASK FORCE CONSULT WITH THE LAND OWNER. THERE WAS NO OBJECTION FROM THE COUNCIL.

THE MOTION CARRIED UNANIMOUSLY.

Proposal to Limit Dwelling Units per Acre (to 3 in R-1 zones; 7 in R-2 zones; 12 in R-3 zones; 15 in R-4, OI-1, and Neighborhood Commercial; and 20 in R-5, R-6, OI-2, and Community Commercial)

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Mr. Jennings stated that the proposed maximum number of dwelling units per acre of gross land area would set lower density caps and would better relate to the density in those districts.

Mr. Roscoe Reeve, Chair of the Planning Board, stated that the Board felt a strong commitment to the intent of the Development Ordinance when it was adopted, and that the Land Use Intensity system could adequately control the rate and impact of development.

Mr. Taylor stated that the Manager's recommendation was that the Council adopt the proposed ordinance to establish a maximum number of units per acre. A combined system of control was felt to be better than either system alone.

Mr. George Taylor, Chair of the Chapel Hill Homeowners' Association, stated that the Association felt concern for all areas of Chapel Hill and that no established neighborhoods should be degraded due to growth. Therefore, the Association proposed that the Council seriously consider (1) excluding high density development from established neighborhoods, and (2) the designation of appropriate areas (to be zoned R-7) for development of high density.

Mr. Watts Hill, Jr., speaking for the Chamber of Commerce, stated that the Chamber concurred with the remarks of Mr. Reeve that the Land Use Intensity ratio was a better limit of intensity than caps.

Mr. Robert Joesting, a citizen, supported the use of Land Use Intensity ratios. He felt a wider range of zoning might be desirable. He felt there was a need for housing in Chapel Hill and that he opposed any proposal that would further restrict the possibility of more high density housing.

Mr. Henry Whitfield, a citizen, concurred with the Planning Board's recommendation. He expressed concern for the protection of established neighborhoods.

Mr. Taylor explained to Councilmember Boulton that unit caps controlled density; the Land Use Intensity method allowed a larger number of smaller units. He felt the proposed caps were satisfactory; a combined use of systems would address the Council's earlier concerns to lower the land use intensity ratio figures.

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER BROADFOOT, TO REFER THE ITEM TO THE MANAGER AND ATTORNEY. THE MOTION CARRIED UNANIMOUSLY.

Proposed Requirement that Applicants for New Developments Demonstrate Compliance with Standards for Design and Construction

Mr. Jennings stated that the original advertisement for a public hearing was for an amendment to Article 8, to require a fifth finding. Staff then realized that this requirement would have a greater impact as an amendment to Article 6 (which controls the design of all projects, whether or not they require a Special Use Permit).

Mr. Roscoe Reeve, Chair of the Planning Board, stated that the Board unanimously supported the proposed amendment to Article 6.

Mr. Taylor stated that the Manager's recommendation was to adopt the proposed amendment.

Mr. Barrett explained to Councilmember Preston that the proposed amendment highlighted requirements for developers. It clarified for the developers that the Council could choose to reject a project based on those findings.

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

Proposed Requirement of Special Use Permit for All Multi-Family Developments in R-4, R-5, and R-6 Zones

Mayor Nassif stated that the Development Ordinance currently required the Planning Board's approval of a site plan for multi-family developments in R-5 and R-6 zones and for three to seven multi-family units per lot in R-4 zones.

Mr. Jennings stated that the staff understood that the Council's intent was to require a Special Use Permit for multi-family developments in residential districts, and not to require a Special Use Permit for multi-family developments in non-residential districts.

Mr. Roscoe Reeve, Chair of the Planning board, stated that a majority of the Planning Board concurred with the proposed amendment.

Mr. Taylor stated that the Manager's recommendation was for adoption of the proposed ordinance.

Mr. Watts Hill, Jr., stated that the adoption of the proposed ordinance would substantially increase the review process, increase the costs to developers, and would probably increase housing costs. In addition, there would be the cost of the Council's time.

Mr. George Taylor, Chair of the Chapel Hill Homeowners' Association, stated that the homeowners supported the proposed amendment.

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

As there were no other items to be considered at this public hearing, the meeting was adjourned at 11:12 P.M.

Joseph L. Nassif, Mayor

Robin G. Rankin, Deputy Town Clerk

