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Zoning shift could halt UNC plans

TOWN REVISITS LAWS, SEEKS DELAY IN CHANGES TO PLAN

BY EMMA BURGIN AND LINDSEY LISTROM
STAFF WRITERS

The University and the town could be in a deadlock after the Chapel Hill Town Council decided Monday to send a letter to UNC asking officials to halt applications for changes to the Master Plan.

Jonathan Howes, special assistant to Chancellor James Moeser,

confirmed that the University has been in discussion about changes it wants to make to the plan.

"The University is preparing a second modification to the development plan, and we've been in conversation with the town about that," he said.

Howes declined to go into detail about the modifications to the plan.

Mayor Kevin Foy and the council agreed Monday to send a letter to the University, requesting that officials hold off on any applications they planned to submit in the foreseeable future.

The council is sending the letter to ask for UNC's cooperation in revamping the Master Plan's zoning regulations.

In September 2003, Council member Sally Greene, then vice chairwoman of the Town Planning Board, asked the council to consider lengthening the expedited 90-day review period mandated by the

special Office/Institutional-4 classification.

The town's decision to ask UNC to halt development changes came at a public hearing about OI-4 zoning, during which the council heard an excerpt from a letter from Nancy Suttentfield, UNC vice chancellor for finance and administration.

Suttentfield sent the letter in response to Greene's petition, and it was read aloud Monday by council member Ed Harrison.

"Tinkering with the OI-4 regulations, particularly with the agreed-upon review time frame for modifi-

cations, represents a broken commitment," Suttentfield wrote to the council. "A lengthened review period has the potential to impair our ability to meet our obligations to the state of North Carolina."

Howes said University officials will give the town's letter appropriate consideration once they receive it. "We want to see the letter and see what they have in mind," he said. "We'll look at it carefully."

Council member Mark Kleinschmidt said he had heard rumblings about the University's plans to apply for changes to the

development plan. "I just asked out of the blue, 'Hey, what happened to Sally's petition?'" he said.

While there have been no revisions in plan requirements since last year, some say the University holds too much power.

The petition was on the table during last summer's controversy regarding the proposed parking deck and chiller plant near Cobb Residence Hall and Jackson Circle.

"What a circus," Kleinschmidt said of the negotiations between

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Locals at hearing focus on transit

BY EMMA BURGIN
CITY EDITOR

"Transportation" was the word on everybody's lips at Monday's public hearing on recommendations to the Chapel Hill Town Council concerning the University's plan for Carolina North.

Residents echoed the sentiments outlined in the Horace Williams Citizens Committee's recommendations to the council, which call for minimal impact on traffic and commuter safety.

The committee calls for transportation in Carolina North to center around Chapel Hill Transit rather than single-occupancy automobiles.

Citizens committee member James Coley spoke as a resident Monday against the University's ideas for transportation in the development.

"If Carolina North starts as an automobile-oriented development, it will remain that way until it's too late," he said. "The proposed 19,125 parking spaces would be an act of violence against the community."

Coley said the University should consider radical improvements to its "automobile-oriented design."

During the meeting, council members Dorothy Verkerk and Jim Ward also showed interest in UNC employee Katherine Freeman's suggestion that Carolina North be a car-free community and requested that the idea be investigated further.

But Patrick McDonough, transit service planner for Triangle Transit Authority, brought a harsh reality to light for the town, noting that without a new funding source, there would not be adequate funding for a transit program until 2023.

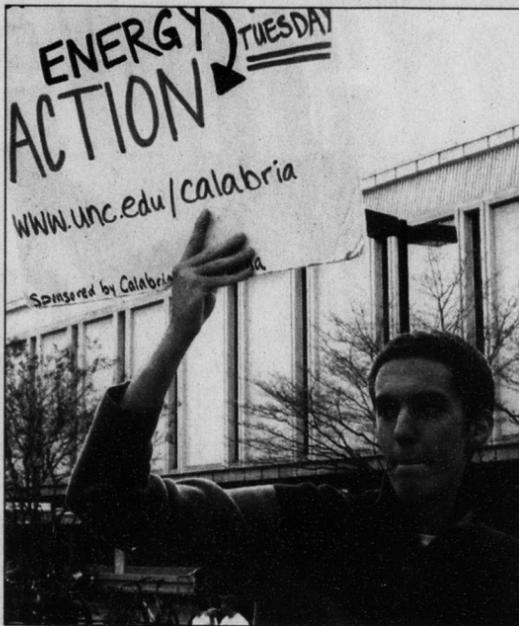
"If the town or Orange County is going to have additional transit, they need to harness dollars."

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STUDENT BODY PRESIDENT ELECTION



DTH/JUSTIN SMITH



DTH/PAILIN WEDEL

Student body president candidates Lily West (left) and Matt Calabria campaign in the Pit on Monday. Calabria and West will make a last push today in the second runoff election. Students can vote online today for an SBP candidate and on the student government funding proposal.

FINAL VOTE TO END LENGTHY SBP RACE

Calabria, West hope winner's term overcomes controversy, student doubts

BY BROOK R. CORWIN
UNIVERSITY EDITOR

It's no mistake that some campaign signs being used for today's student body president runoff election read "vote February 17th."

That was the date of the race's first runoff election, which is almost always when student campaigns end.

But two weeks later and seven weeks after candidates officially declared their intentions early in the race that it was a good thing we didn't have to do this long because we can't keep up this pace," Calabria said Monday. "Five weeks later, we're still trucking."

The end should come tonight. Students can vote on Student Central

between 7 a.m. and 10 p.m. today for student body president and for a referendum altering the way student government is funded through the Student Activity Fee.

Calabria and West said the prolonged campaign has tested their resolve and endurance but ultimately reaffirmed their faith in their supporters and in their candidacy.

"It pushes you to your limits, but it's also a process of self-exploration," said West of the lengthy campaign. "It's really helped me define who I am and what I stand for."

The race was prolonged by a last-minute allegation on the night of the runoff election against Alistair Cooper, a UNC alumnus and West's boyfriend, for illegally soliciting votes inside the computer lab of the Undergraduate Library.

That charge set off a slew of allegations against both candidates, all of which were evaluated by the Board of Elections during a

one-week investigation. Results from the runoff election, which gave West a seven-vote victory, eventually were deemed tainted and were never certified.

After a public hearing in which each candidate defended the multiple charges against his or her campaign, the board dropped all but the original allegation. The board ruled that Cooper "maliciously solicited votes from students" and acted as a campaign worker on the night of the election, which is illegal for nonstudents if they are not compensated for their efforts.

West's remaining legal campaign funds were reduced to less than one cent, and her campaign was warned that any future violations of election laws, no matter how small, will mean automatic disqualification.

One week of campaigning later, Calabria

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Search for IT leader stalls

Moeser to select new committee

BY JOE SAUNDERS
STAFF WRITER

After a complicated yearlong search, Chancellor James Moeser announced Monday that he will appoint a second committee to restart the search for a vice chancellor for information technology.

The stalled search marks the second time this year officials have disbanded a search committee for a position in the chancellor's Cabinet.

Last September, officials failed to come to a consensus on the three finalists recommended after a seven-month search to fill the vacant vice chancellor for student affairs position.

Through a spokesman, Moeser said that there is no timetable for the new search for the vice chancellor for information technology but that a new committee will be appointed as soon as possible.

Provost Robert Shelton said Friday that officials had selected a final candidate and that both parties were in the process of negotiating the final details of the offer.

Shelton said that Larry Levine, director of computing services at Dartmouth College, was the finalist for the post and that he could serve in the position by the beginning of fall semester.

Sunday, however, Levine, who lives in Hanover, New Hampshire, said that he was no longer the final candidate for the position and that he had not been for almost a week. He said he would not comment on the reasons why he was no longer a candidate.

Levine was one of four final candidates the original search

SEE SEARCH, PAGE 4

Prosecutor won't seek new trial for Harris in rape case

BY CHRIS GLAZNER
ASSISTANT CITY EDITOR

Assistant District Attorney Lynn Kelly confirmed Monday that she will not retry former UNC football player Robert Allen Harris for second degree rape.

Harris was acquitted Wednesday of charges of kidnapping, burglary and sexual offense, but a fourth charge of rape resulted in a hung jury, and a mistrial was declared.

Kelly said another trial would be too difficult for Harris' accuser.

"It's not fair to put her through that again where there's not a reasonable possibility that the result will change," she said.

The jury deadlocked at 11-1 in favor of acquittal. Kelly said she would have been more likely to consider another trial if the vote had not been so lopsided.

"Without any new evidence or anything else we could present to change the outcome, we're not going to proceed," she said.

Harris originally was charged with entering his ex-girlfriend's UNC residence hall in March 2003 and sexually assaulting her.

The four-day trial brought out strong emotions from both Harris and his accuser as they gave differing accounts of the incident.

Harris' lawyers attacked his accuser's credibility by presenting evidence that statements she made last summer contradicted her testimony in the trial.

Several UNC students who knew Harris or lived in his accuser's residence hall also testified.

Contact the City Editor at citydesk@unc.edu.

Jones addresses rights amid protests

Academic, political freedoms at issue

BY BRIAN HUDSON
ASSISTANT UNIVERSITY EDITOR

A meeting of the UNC College Republicans on Monday night featuring a U.S. congressman resulted in heated discussions of homophobia in the classroom and a protest by several dozen students.

Rep. Walter Jones, R-N.C., came to speak in Hamilton Hall to a group of about 200 students. Almost 50 protesters were in the audience, advocating the rights of gay, lesbian, bisexual and transgender students on campus.

Jones became involved in University politics recently after he advocated for academic freedom by defending a student's right to make comments in class opposing homosexuality. The student was

chastised by his professor, English lecturer Elyse Crystall, in an e-mail sent to the class.

Jones recently contacted an attorney in the civil rights division of the U.S. Department of Education to investigate civil rights violations at the University.

Although his speech was scheduled by the College Republicans before the incident, much of the night focused on conservative allegations of a lack of academic freedom and liberal allegations of heterosexism in the classrooms.

Several minutes into his speech, a group of 11 same-sex couples walked through the doors and stood along the aisles on the far left

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DTH/NANCY DONALDSON

U.S. Rep. Walter Jones, R-N.C., speaks to a crowd of students in Hamilton Hall on Monday as student protesters line the walls.

SPORTS

KEEP THE STREAK ALIVE

The Clemson Tigers are 0-49 at the Smith Center, and the Tar Heels hope to hand them loss No. 50 PAGE 6

Vote TODAY

at studentcentral.unc.edu, 7 a.m. to 10 p.m.

WEATHER

TODAY PM showers, H 74, L 52
WEDNESDAY PM showers, H 70, L 51
THURSDAY Partly cloudy, H 74, L 55

