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A 'temporary' change

UNC, COUNCIL TO COLLABORATE ON CAROLINA NORTH ZONING

BY DAN SCHWIND
SENIOR WRITER

After months of escalated tensions between the Chapel Hill Town Council and the University, there might be light at the end of the tunnel.

The council unanimously approved a reworked resolution Monday night establishing any rezoning on the Horace Williams tract as a "reasonable temporary measure" in preparation for the development of UNC's satellite campus, Carolina North.

It also affirms a "willingness to work cooperatively with the University."

Mayor Kevin Foy submitted the proposal before the council approved a controversial plan that will rezone the central portion of the Horace Williams tract to Office/

Institutional-2, a more restrictive district than the current Office/Institutional-3.

Supporters of the rezoning point out that OI-2 will allow the council to have a say in all development plans, whereas OI-3 just requires planning board approval.

Foy said it is important to move quickly on any rezoning and to reaffirm a friendly relationship with University officials, who had registered strong objection to the action, as the two prepare to collaborate to plan for Carolina North.

"We are in a good position to move forward with the University," he said. "This is just a holding zone. We want to work with them on a permanent zone. It's going to be a long process to figure out what is going to be the right zone."

Foy said the proposal was a direct

response to a letter from Chancellor James Moeser dated April 21 that indicated the possibility of compromise about the zoning question.

Moeser said the University might withdraw its protest petition under three conditions:

- that the council rezone the entire tract to OI-2, as recommended in the Horace Williams Citizens' Committee report;

- that the council establish the zoning temporarily until the University is prepared to start development of Carolina North; and

- that the council agree to work cooperatively with UNC to develop a new zone for the entire tract.

Mayor Pro Tem Edith Wiggins said she believed the council's actions Monday represented the compromise UNC officials sought. "I've had a feeling all along ...

(UNC's) protest petition was to say, 'Hey, we exist. It's our property,'" she said. "I think they fundamentally understood what needed to happen."

There has been much debate in recent months about whether to rezone the 454 acres in question — 168 are now zoned as Residential-2 and 286 as OI-3 — to the more restrictive OI-2.

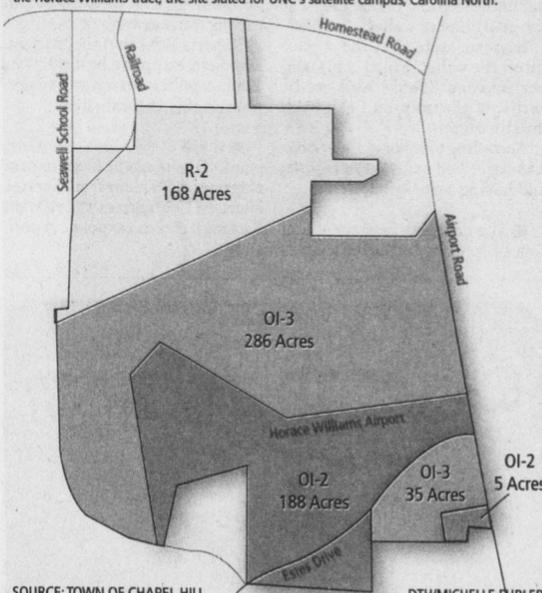
Council members' vote rezones the OI-3 parcel of the tract but will retain the R-2-zoned land.

Many residents supported rezoning the OI-3 portion so as to give the council greater control over development decisions but said the R-2 designation should stay because its standards are even more strict than those in OI-2.

SEE ZONING, PAGE 4

Contentious zoning of Carolina North site

The University and the Town Council have been battling over proposed zoning changes to the Horace Williams tract, the site slated for UNC's satellite campus, Carolina North.



SOURCE: TOWN OF CHAPEL HILL

DTH/MICHELLE FURLER



Juan, an undocumented immigrant and high school student who has lived in the area for more than six years, works on his car Monday afternoon.

DTH/JULIA LEBETKIN

DREAMING OF COLLEGE

BY INDIA AUTRY
STAFF WRITER

Chapel Hill High School junior, who has lived in town for more than six years, will graduate next year.

But he will have to wait for a legislative decision to determine whether he will be able to attend college straight out of high school.

A controversial bill in the N.C. House would allow the children of undocumented immigrants who have attended state high schools for at least four straight years to pay in-state college tuition.

Right now, those students, usually from lower-income families, are forced to pay out-of-state tuition, which can

be as much as \$14,000 more each year. Students would have to commit to apply for legal residence as soon as they are eligible.

Juan, a student at Chapel Hill High who has chosen to conceal his true identity, is academically qualified to attend a good in-state school, but his financial status puts him in a tight spot.

"I want to go to UNC(Chapel Hill) or Duke," he said. "Of course, I'm not going to get into Duke."

"My grades aren't nearly good enough, and I don't have that much money."

The bill enjoyed widespread,

bipartisan backing in the legislature, but about 10 of its 31 co-sponsors reneged in the wake of constituents' concerns.

Complaint letters reaching editorial pages and advocacy groups' Web sites across the state have said that illegal immigrants should not receive educational benefits reserved for legal residents.

The letters echo the findings of legislative researchers, who say the proposal violates a 1996 federal law.

SEE IMMIGRATION, PAGE 4

Hunt slows for Bowles

Says presidency shouldn't be political

BY STEPHEN MOORE
STAFF WRITER

After announcing his hopes to become the next UNC-system president, Erskine Bowles is taking a step back in an attempt to let the selection process run its natural course.

"I don't want to turn this into a political campaign," said the two-time Senate candidate and former chief of staff for President Clinton, who revealed this weekend that he's interested in the job. "I've said just about everything I want to say."

The UNC-system Board of Governors seeks a replacement for current President Molly Broad, who will step down within the next year.

BOG Chairman Brad Wilson said that Bowles' entrance into the race was not unexpected and that it would not alter the selection. The board still plans to conduct an open, nationwide search.

"It is the validation of a lot of public speculation, but it does not change the process," Wilson said. "We are going to find the right person for the position."

Wilson did have some concerns regarding potential applicants. Noting the lengthy terms of past presidents, he said it's important that a candidate be able to hold the post for a substantial amount of time.

Current president Molly Broad has led the system since 1997. The first president, Bill Friday, held the position for 30 years.

"We are looking for someone that could serve for more than a couple of years," Wilson said.

But N.C. Senate Majority Leader Tony Rand, D-Cumberland, said longevity plays a smaller role in his choice for the next leader.

"I want the best president we



Erskine Bowles' aims to be the UNC-system president won't affect the search process.

can find, and that president will serve for the productive period they have," Rand said.

The state Senate's 21 Republicans have endorsed Bowles for the post, citing his business acumen.

The BOG has appointed the search committee for the new president, and it will hold several public forums across the state in the next few weeks in order to gain input from students and faculty.

The forums will be held May 4 at UNC-Charlotte, May 5 at N.C. Agricultural & Technical State University and at UNC-Chapel Hill, and May 16 at East Carolina University.

The process for locating the next president has just begun, and the forums will be essential, BOG member Hannah Gage said.

"It is in the most preliminary stages," she said. "We have not discussed what we will be looking for. We hope to find information, ideas and thoughts at the forums that will help the decision."

In the meantime, Bowles said he'll continue to avoid politicizing his efforts to be the next UNC-system president.

"I am glad they are going to do a national search," Bowles said. "If it happens to be me (that is selected), then that's great."

Contact the State & National Editor at stntdesk@unc.edu.

Officials: 4 cases are a coincidence

BY ALEX ROBINSON
STAFF WRITER

Campus officials are attempting to quell the fears of students and parents in the midst of a fourth investigation this year into a case of meningococcal virus on campus.

Students on campus — especially in Granville Towers, which has seen three of the four cases — have expressed concern that the incidents could be related.

But for now, officials say the cases are a coincidence.

"Over at Granville, we are told that these cases are chance events because meningitis does not live in the environment, only in the



Bob Wirag, director of Student Health Service, said officials can't link cases of meningitis in Granville Towers.

human host," said Bob Wirag, director of Student Health Service.

"Until public authorities establish a different link, they're telling us it's a chance happening."

Meningitis, which can be a life-threatening disease, is not contracted through the environment.

SEE MENINGITIS, PAGE 4

RIAA can't get student's name

BY STEPHANIE NEWTON
STAFF WRITER

Almost two weeks ago, a federal judge rejected a request to reveal the identities of two UNC-system students accused of music-swapping practices that violate copyright law.

But the Recording Industry Association of America, which first filed lawsuits against the students two years ago, might try a second approach.

On April 14, Judge Russell Eliason of the U.S. District Court in

Winston-Salem rejected the RIAA's request to reveal the names of the two students. Currently, the RIAA has only their online aliases.

Eliason's decision was made public Thursday.

The two students, whose aliases are "hulk" and "CadillacMan," are enrolled at UNC-Chapel Hill and N.C. State University, respectively.

Both are targets of a process the RIAA initiated two years ago, when it subpoenaed UNC-CH and N.C. State. It was seeking the individuals' names under the Digital

Millennium Copyright Act.

But because the music files are stored on students' computers and not the universities' networks, Eliason wrote, the schools do not have to offer the information.

"These are old cases," said Jenni Engebretsen, spokeswoman for the RIAA. Now, she said, "We are using an entirely different process."

Known as "John Doe" litigation, that process has been used in several other RIAA cases since January 2004.

If the RIAA pursues the case,

Engebretsen said, it will first file a lawsuit identifying defendants only by their IP addresses. The association would then file a subpoena for the names and attach them to the addresses. "We are currently considering our options," she said.

The crutch of Eliason's decision not to hold the two universities accountable rests on the fact that the networks they provide were used to transmit songs, not

SEE RIAA, PAGE 4

LAWSUITS AND THE RECORDING INDUSTRY
When the Recording Industry Association of America began its attacks on downloading, UNC found itself in the line of fire.

October 6, 2003
The RIAA subpoenas the University for the first time, requesting a student's personal information under the Digital Millennium Copyright Act.

February 4, 2004
University officials refuse to reveal to the RIAA the identity of a UNC student accused of copyright infringement for downloading music files.

March 23, 2004
The RIAA announces that it has filed a new round of lawsuits. That marks the first time university users have been sued under "John Doe" litigation.

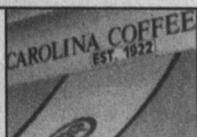
April 14, 2005
A judge in Winston-Salem rejects the RIAA's request for the names of two UNC-system students accused of violating copyright law by sharing music files.



INSIDE

DOWN THE TUBES

Area teens, children find new activities while taking part in a national week without television **PAGE 8**



INSIDE

WHEN THE LIGHTS GO DOWN

Carolina Coffee Shop leads a dual existence: Restaurant by day, local hotspot by night **PAGE 2**

WEATHER

TODAY P.M. showers, H 62, L 56
WEDNESDAY Partly cloudy, H 74, L 48
THURSDAY Partly cloudy, H 77, L 53

