

PETITION TO COUNCIL

From Ed Harrison, November 21, 2005

This is a petition to the Council to ask the Town Attorney to initiate a process with the City of Durham to amend the annexation boundary agreement between our municipalities for Pope Road and a part of Ephesus Church Road.

Since the signing of Consent Order on the municipal annexation boundary by the Town and City in November 1986, the boundary has been at the western edge of the right of way of Pope Road and of a small part of Ephesus Church Road. Several Chapel Hill residents mow grass and maintain shrubbery outside of the Town limits in what appear to be their front yards. The only section of public sidewalk on the west (Chapel Hill) side of Pope Road is outside the Town limits, and technically inside the City of Durham's Urban Growth Boundary.

The request to Durham would be to agree to move the boundary thirty (30) feet to the east and southeast to the centerline of the appropriate sections of state road. In one location near Old Durham Road, the relocation would be somewhat larger. (Property on the eastern side of that section of Pope road belongs to NCDOT).

Immediate goals would be for Chapel Hill to:

- (1) have jurisdiction over existing sections of sidewalk required of an applicant in the past, or potentially required of other applicants in the future, or potentially built by use of public funds;
- (2) be able to receive DOT concurrence in lowering posted speed limits to the standard urban arterial limit of no more than 35 miles per hour.

About a mile of frontage on Pope Road and Ephesus Church Road could be affected by this change. There may be other reasons than those cited to justify this change.

In recent weeks, the City of Durham has acted to lower the speed limit, with NCDOT concurrence, for part of the northbound lane on Pope Road which was annexed this year, to 35 MPH. All other parts of Pope Road, including the other lane in this section, have a 40 MPH speed limit. (That is, the speed limit is different in adjoining lanes). As is the case on every road of any significance at the eastern edge of Chapel Hill, speeding is rampant.

When the City of Durham annexed the parcel on Pope Road, effective January 1, 2005, it declined to annex to the western edge of the ROW, although the Urban Growth Boundary extended to that point. This is an excellent indicator that the City would not oppose this annexation boundary adjustment.

I will ask Durham County, host of the December 14 meeting of the Durham-Chapel Hill-Orange Work Group, to place this on the agenda for discussion at that time.

This Work Group took the lead in asking for the modification of the Consent Agreement which was approved by the municipalities in 1994.

Thank you for your consideration.