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**SUMMARY MINUTES OF A PUBLIC HEARING
OF THE CHAPEL HILL TOWN COUNCIL
WEDNESDAY, FEBRUARY 16, 2004, AT 7:00 P.M.**

Mayor Kevin Foy called the meeting to order at 7:00 p.m.

Council Members present were Sally Greene, Ed Harrison, Cam Hill, Mark Kleinschmidt, Bill Strom, Dorothy Verkerk, Jim Ward, and Edith Wiggins.

Staff members present were Town Manager Cal Horton, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Assistant Town Manager Bruce Heflin, Planning Director Roger Waldon, Engineering Director George Small, Stormwater Engineer Fred Royal, Principal Planner Gene Poveromo, and Acting Town Clerk Sandy Cook.

Item 4 - Concept Plan: Performance BMW/Hendrick Automotive Group

Mr. Poveromo outlined the proposal to expand an existing automotive sales/repair facility along Highway 15-501 near Sage Road. The staff believed this would mean modifying an SUP and a rezoning request, he said. Mr. Poveromo described the proposal to expand a SUP boundary by encumbering two adjacent lots and demolishing 17,000 square feet of floor area, which included a service bay, an adjacent bank, and a residence. The applicant was proposing constructing 67,000 square feet of new floor area, enlarging an employee parking lot, and rezoning a portion of the site from neighborhood commercial to commercial, he said. Mr. Poveromo added that the applicant also planned to encumber a lot adjacent to its offsite parking facility.

Phil Post, representing Performance Auto Mall and Hendrick Automotive Group, reviewed the history of the site and presented the request to expand it from 10-1/2 to approximately 14 acres. Mr. Post explained that this would be the ultimate build-out for at least 10-11 years. He believed that the LUMO would also allow expansion of accessory use for parking on the south side of Durham Road, Mr. Post said, adding that doing so would lead to the full and complete control of stormwater runoff in that area. He also proposed relocating customer parking to the front of the commercial site.

Mr. Post explained that the circulation drives would essentially remain the same. He described the landscaping plan and commented that the proposed plantings would meet or exceed buffer requirements. Mr. Post discussed a sidewalk connectivity plan and said that the applicant was doing a good job of encouraging carpooling, public transportation and walking. They were providing about a half space per employee for parking, he said. Mr. Post discussed water quality and mentioned a plan to have all water for car washing come from two rainwater cisterns. He noted the considerable amount of pervious paving and indicated where the water retention facility would be.

Architect Brooks Runkle responded to the Community Design Commission's (CDC) comment that the building seemed too long. He indicated where green spaces would help break that up and said that they would move doors and other eyesores to the back of the

building. Mr. Runkle stated that the applicant was working on architecture that would create shadows. They had also brightened the building up with clear glass and more pedestrian plazas that will pull the showroom function outside, he explained. Mr. Runkle concluded that his architectural drawings had addressed CDC's comments and said that they speak for themselves.

Performance Auto Mall General Manager Gerald Moyne mentioned the need to be competitive with Southpoint and other areas. They were attempting to utilize their space and keep people in Chapel Hill, he said. Mr. Moyne stated that his business had contributed positively to the community and said that they would continue to do so in the future.

Council Member Harrison thanked the applicant for the meaningful and thoughtful response to the CDC's comments. He mentioned a letter to the CDC from Paulette Pridgen expressing concern about the request for rezoning. Mr. Post replied that the parking lot had not been rezoned and said that he did not think it needed to be. The applicant would continue the same "laser beam approval for employee parking only" and keep the neighborhood a commercial zone, he said.

Council Member Harrison mentioned runoff that was still not controlled, and Mr. Post assured him that it would be as part of this renovation. Council Member Harrison inquired about trucks parking on nearby streets, and Mr. Post explained that they had recently installed no parking signs that were alleviating that problem. He pointed out, though, that these trucks had no relation to the applicant's business.

Council Member Greene noted that parking at the Saturn dealership next door was already problematic. She expressed concern that the applicant's plan would make a traffic bottleneck worse. Mr. Moyne showed where the exit only area would be and stated that the proposed traffic plan would help relieve that bottleneck. Also, Saturn would be moving to Durham, he said. Council Member Greene expressed concern about traffic near Hardees. Mr. Moyne described ways in which his proposed traffic plan should relieve that problem. But that intersection had been bad for a long time, he pointed out, noting that it would continue to be bad until the Town improves it.

Council Member Verkerk objected to the idea of the Highway 15-501 entranceway into Chapel Hill being a row of cars. She asked the applicant to think seriously about the aesthetics of that area and the CDC's recommendation to put the parking behind the buildings. Council Member Verkerk expressed relief that the architect had attempted to break up the design, but said that it still was "a really brutal profile." She asked the applicant to do better and bring back a more interesting design. Mr. Moyne noted that all of the parking in question would be for customers and not for car inventory.

Council Member Ward encouraged the applicant to use more porous pavement to deal with stormwater. He also asked what happens to the car-wash water after it is used. Mr. Post replied that it goes through a filter system and that some of it could be reused.

Council Member Greene expressed appreciation to the applicant for responding to the CDC's comments. She agreed with Council Member Verkerk's suggestion, however, about putting the parking in the back. Council Member Greene said that this would improve the appearance and might even enable traffic to be routed through Old Durham Road to the Sage Road intersection.

Mayor Foy urged the applicant to consider the visual impact of the site as one comes into Town. He suggested pushing the buildings to the front of the property and having the lowest possible visual impact of cars. Mayor Foy pointed out that this would require doing something to shield and minimize the parking in that area.

COUNCIL MEMBER VERKERK MOVED, SECONDED BY COUNCIL MEMBER STROM, TO ADOPT R-2. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR THE PERFORMANCE BMW/HENDRICK AUTOMOTIVE GROUP (2004-02-16/ R-2)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill, for the Performance BMW/Hendrick Automotive Group; and

WHEREAS, the Council has heard presentations from the applicant and citizens; and

WHEREAS, the Council has discussed the proposal, with Council members offering reactions and suggestions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmits comments to the applicant regarding this proposal, as expressed by Council members during discussion on February 16, 2004, and reflected in minutes of that meeting.

This the 16th day of February, 2004.

The meeting adjourned at 10:45 p.m.