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ATTACHMENT 8

February 7, 2002

The Honorable Mayor Kevin Foy and Members of Council
Town of Chapel Hill
306 North Columbia Street
Chapel Hill, North Carolina 27516

Re: Public Hearing on the Adequate Public Facilities Ordinance

Dear Mayor Foy and Council Members:

The Chamber notes that a discussion of the "Adequate Public Facilities Ordinance" is scheduled for the February 18, 2002 Town Council Public Hearing Agenda.

This Ordinance was scheduled for discussion by the Planning Board on February 5, 2002, however the item was removed from the agenda because the draft "Model Ordinance" has not yet been provided to the Town by the County.

The Chamber is rethinking its position on the Ordinance and is very interested in studying the "Model Ordinance" and commenting on it. However, we are not able to see and examine the proposed materials because as of today they have not been made available to the Town or the public. With less than two weeks to go before the proposed hearing on the 18th, it appears to us that a public hearing should not proceed unless the proposed documents to be discussed have been made available to the public and town advisory boards with sufficient time for review.

If the Council plans to proceed with the scheduled public hearing, we ask that you make the materials available to the public as soon as you can after receiving them and establish future date for additional public input in advance of the Council's consideration of the Ordinance and associated MOU.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Nelson".

Aaron Nelson
Executive Director

CC: Cal Horton, Roger Walden



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March 28, 2002

Mayor Kevin Foy and Town Council Members
Town of Chapel Hill
Chapel Hill Town Hall
406 North Columbia Street
Chapel Hill, North Carolina 27516

Dear Mayor Foy and Members of Council,

On March 18, 2002, the Chamber convened a roundtable conversation about the proposed Schools Adequate Public Facilities Ordinance (SAPFO). Attending were representatives from Chapel Hill, Carrboro, Orange County, Chapel Hill-Carrboro Schools, Home Builders Association, Inter-Faith Council, Empowerment Inc., Orange Community Housing and Land Trust, and interested Chamber members.

The discussion was very productive and several meaningful suggestions came out of that meeting. One of those suggestions, which I now bring to you with our recommendation, was to take another look at the proposed "Levels of Service." Current drafts identify 105 percent for elementary, 107 percent for middle, and 110 percent for high schools as the maximum facility capacity desirable and allowable. If any of our school levels exceed the thresholds then CAPS will be denied.

There seems to be community consensus that we should not adopt this ordinance at a time when CAPS are not available as that would establish a de facto moratorium on new housing development. We are presently at capacity for elementary schools. That will be relieved in 2003 with the addition of a new school, but we will be again at or above capacity at the high school level in 2003 or 2004.

The proposed service levels were discussed early on in SAPFO planning and have not been revisited since then. Other communities have established much higher thresholds for their service levels, some as high as 170 percent. We do not propose such a high threshold, but would like to offer the recommendation that we increase the thresholds to 110 percent for elementary, 114 percent for middle, and 120 percent for high school.

The value of adopting higher thresholds would be that we could get SAPFO up and running with a relatively clear capacity horizon for the next several years. These increased thresholds are also more realistic. For example, the current capacity at each of

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Chapel Hill's two high schools is 1,500 students (total building capacity of 3,000 at the high school level). One hundred and ten percent of that would be 1,650 students per high school. Three hundred additional high school students system wide seems like a rather thin margin and it may not be reasonable to think that we need to add a new high school to accommodate 300 extra students. If the margin were 20 percent then we could accommodate 1,800 students at each high school and 3,600 system-wide before cutting off certificates of capacity. A student enrollment of 1800 students per high school is not optimal, but considerably less per school than the 2,200 students who attended Chapel Hill High at its peak.

Thank you for your attention to our recommendation.

Sincerely,



Aaron Nelson
Executive Director

CC: Cal Horton, Roger Waldon, Marc Pons, Phil Post, Mark Chilton, Robert Dowling, Chris Moran, Scott Maitland, Nick Tennyson, Craig Benedict, Roy Williford, and Steve Scroggs