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**RADWAY and WEAVER**

Planning & Development Consultants

200 Huntington Drive  
Chapel Hill, NC 27514

May 10, 2002

Mayor Kevin Foy  
Chapel Hill Town Council Members  
Town of Chapel Hill  
306 North Columbia Street  
Chapel Hill, NC 27516

Re: Dobbins Drive Realignment • Erwin Road Improvements  
Super Street 15-501 Intersection Improvements

Dear Mayor Foy and Council Members:

I am writing on behalf of my client, Summit Hospitality Group, Ltd. and Marriott International, Inc. to communicate Marriott's offer to dedicate the right-of-way needed for NCDOT to construct roadway improvements for the Dobbins Drive • Erwin Road intersection. In addition, Marriott is offering to provide a payment to the Town of \$82,550 to allow NCDOT to provide the bike lanes, curb, gutter, and sidewalk on Erwin Road and a portion of Dobbins Drive as were required of the now lapsed SUP that was previously issued to Marriott for this site.

As you know, the realignment of Dobbins Drive and the addition of curb, gutter, sidewalk, and bikelanes to Erwin Road and Dobbins Drive are important for safe movement of people and vehicles in this area. In addition, these improvements are very necessary for "super street" to function correctly. Having these improvements in place prior to any "super street" construction activity is very desirable for many reasons.

We began discussions with NCDOT last August to have them move forward with a design for the improvements they would normally make and to add the improvements required by the Town. It took approximately 8 months (since last August) for them to design, review, and get approved a plan that complied with all new environmental regulations and which would provide the correct lanes for "super street." Such a plan now exists and was approved near the middle of April, 2002.

According to Mike Mills, the NCDOT Division Engineer, the steps needed to move the project forward are:

- 1) Marriott needs to dedicate the needed right-of-way to NCDOT. The right-of-way needed for this has been surveyed and staked by NCDOT and a legal description and dedication documents will be available from NCDOT shortly,
- 2) The Town of Chapel Hill needs to formally request that NCDOT move forward with the improvements. Mike Mills needs a statement or request because the prior SUP which contained the improvements required of the developer by the Town has lapsed,
- 3) A municipal agreement between NCDOT and Chapel Hill needs to be established, and
- 4) The Town needs to provide to NCDOT the "local" share cost for the project. That share is \$82,550 according to what we were told by the NCDOT project engineer on Monday, April

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15, 2002. Regardless of the source of this money, it appears that the actual payment of this money needs to be provided from the Town to NCDOT.

We request that the Council take action to accept Marriott's offer and to authorize the Town Manager to proceed with an agreement with NCDOT to construct these needed improvements.

Review of Rezoning and Special Use Permit Application – Request for Expedited Review

As part of my clients offer to fund these improvements now, I request that the Council grant their rezoning and special use permit application expedited review status. We ask that you schedule it for your June 17, 2002 public hearing and for Council vote at your August meeting.

My clients have patiently waited for the Council to conduct important business during the past year. Delays have been brought about by: 1) the important University Master Plan and rezoning process, 2) the "unofficial moratorium" between September, 2001 and January, 2002 to look at the Erwin Road + 15-501 corridor issues, and 3) the limitations on development application reviews as the proposed changes to the Unified Development Ordinance are now considered.

My clients believe that the proposed hotel would be a positive addition to the community and that the submitted plan meets the Town's current and future requirements. They also understand that the Council may not agree with their assessment. For these reasons they request that the expedited review be granted and that the Council make a determination about the rezoning request. We believe that a full discussion of the proposed hotel and its effects as compared with residential uses that could be developed under the existing zoning will be persuasive. However, Marriott wants their land to be developed to its highest and best use under existing zoning as soon as possible should their application for a hotel be denied.

Summit Hospitality Group, Ltd. and Marriott International, Inc. wish to be good partners with the Town in any future development on this important site and in that spirit have offered to provide the right-of-way and payment for improvements. If the Council does not choose to move forward with Marriott's offer to do the improvements in partnership with the NCDOT, the improvements will probably come in the future, but not in a manner that is as convenient and certain as is currently possible.

If you have questions, please call.

Sincerely,

  
Scott O. Radway, AICP

SR/sor

cc: Gene Singleton, Partner, Summit Hospitality Group, Ltd.  
Robert Mannon, Vice President, Marriott International, Inc.