

**PETITION TO BE PLACED ON THE AGENDA OF THE CHAPEL HILL  
TOWN COUNCIL MEETING FOR MONDAY, JANUARY 26, 2004**

On behalf of my client, Ginn & Company, the owner of a portion of Village Plaza, I hereby petition to be placed on the agenda of the Town Council for its meeting on January 26, 2004. The purpose is to OPPOSE the Eastern Federal Corporation petition to expedite processing of a Special Use Permit Modification for the Village Plaza Theater Project. It is my understanding that Eastern Federal Corporation has petitioned to expedite the process to modify its Special Use Permit to delete Stipulation Number 4.

Stipulation Number 4 of the Theater's Special Use Permit relates to the Elliott Road access driveways onto my client's property and the property of Eastern Federal. The design and construction of the access driveways are crucial to the overall traffic circulation of the theater project, the traffic circulation on my client's property, and the congestion on the surrounding public roads. Any decision affecting these access driveways should not be treated lightly. Given the tremendous amount of anticipated vehicular traffic onto and around Village Plaza and Gateway Commons as a result of the proposed expansion of the theater, any issue regarding the access driveways should be carefully considered. This is not a matter that should be expedited. Any changes to the access driveways should be carefully considered by the Town of Chapel Hill through its various committees and boards to examine safety concerns, traffic flow problems, access for fire trucks, garbage trucks, and other service vehicles. My client believes that deleting requirements for changing the access driveways is going to have a significant ripple effect on the traffic patterns and volume on the public roads around the project and on the contiguous property. Consequently, I am petitioning that my client be placed on the agenda for the purpose of, through its authorized representatives, opposing the expedited processing of the Special Use Permit Modification.

If there is any further documentation that you need in conjunction with this petition, please let me know.

Sincerely,



Michael Ortiz

Attorney for Ginn & Company