

**BEECHRIDGE HOMEOWNER'S ASSOCIATION PETITION to CHAPEL HILL TOWN
COUNCIL (November 15, 2004)**

ISSUE: Request for removal of requirement that Beechridge's "recreation space" include three picnic tables and grills and a gravel access road to the space. (See attachment for details)

BACKGROUND:

- Eight years ago the Town Council approved a permit for a proposed development of 27 houses on hilly terrain South of Town. It included requirement for a recreation space with three picnic tables and grills and a gravel access road to the space.
- Currently there are 25 houses and the remaining 2 lots have been sold. Residents unanimously believe the generically good idea is not appropriate for this particular space and would like to see the space maintained in a natural state with a walking trail for access/use.
 - Space is heavily wooded and grills pose a fire threat to woods and 10 houses whose backyard surrounds recreation space.
 - Space is on side of a hill with a steep slope (52 feet from high to low point). Access is a 10 foot wide strip for 337 feet from road to recreation space with grade rising 12 feet and then declining 32 feet. Cutting trees for a gravel road will result in a water runoff and erosion problems and lose of many beautiful trees.
 - Space is currently home for deer and other wildlife that road/grills would affect.
 - Topography makes it impractical to use space for most recreation activity.
- In October 2003 HOA started process to amend Special Use Permit:
 - January 21, 2004 Parks and Recreation Commission voted unanimously (10-0) to recommend that the changes be allowed.
 - April 14, 2004 Town Council granted 50% reduction of fee.
 - August 18, 2004 the Community Design Commission voted unanimously its support of the requested changes. Homeowners in adjacent area were notified and none objected.
 - Number of meetings with various members of town staff during year with no objections.

RISKS: Developer has sold out development and is ready to put in the gravel road, picnic tables and grills to complete the permit obligations.

DISCUSSION: Grills and a gravel access road pose both fire and environmental problems as the space is heavily wooded and is on the side of a hill with a steep slope. Beechridge residents unanimously prefer to leave the space in a natural state. No adjacent homeowners have objected to our proposal and the Parks and Recreation Commission and the Community Design Commission have both unanimously supported it. The only problem is the Town has applied the same requirements that it applies to million dollar projects with significant impact on the town. As a result, time is becoming of the essence as the Developer wants to complete his permit obligations for a sold out development. This is not a new project, but simply asking the Town Council to amend part of an earlier decision that creates fire risks and environmental problems. In summary, the facts are clear and not contested. The petition has unanimous support and time is becoming of the essence. We believe that you have all the information that is reasonably needed and request your decision tonight.

RECOMMENDATION: Approve the attached Petition and waive any fees.