

**SUMMARY MINUTES OF A BUSINESS MEETING
OF THE CHAPEL HILL TOWN COUNCIL
WEDNESDAY, JUNE 30, 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, Assistant Town Manager Bruce Heflin, Town Attorney Ralph Karpinos, Town Information Officer Catherine Lazorko, Traffic Engineer Kumar Neppalli, Engineering Director George Small, Planning Director Roger Waldon, Senior Planner Kay Pearlstein, Senior Long Range Planning Coordinator Chris Berndt, Housing Director Tina Vaughn, Library Director Kathy Thompson, Assistant Library Director Mark Bayliss, and Acting Town Clerk Sandy Cook.

Item 14 - Concept Plan: Bradley Green – Residential Development

Mr. Waldon explained that this concept plan had not been reviewed by the Town staff but did include comments from the Community Design Commission. He displayed a site map and an aerial view and explained that the development would be located where the Potted Plant's Growin' Green nursery currently resides. Mr. Waldon displayed a sketch that the applicant had provided showing an eight-lot development and including the points of access.

Calvin Green said that the applicant would improve State Road 1732 at his own expense. He explained that the lot size would be comparable to Chandlers Green, the average house size would be about 3,000 square feet, and the price range would start at about \$600,000. Mr. Green stated that one goal was to keep the development in its natural state as much as possible. He asked to hear any objections and/or opinions from the Council.

Doug Schworer reported that the Community Design Commission (CDC) had spent some time formulating its comments to the Council. He said that the eight-lot development on 7.25 acres seemed reasonable to CDC members and was within the density they believe was appropriate for the area. Mr. Schworer stated that the CDC opposed opening up Amesbury Drive, and that they had also requested that Ginger Road be paved.

Area resident Rob Nelson referred to the Amesbury Drive issue and commented that neighbors had expressed concerns about the easement being turned into a walkway. He said that many in the neighborhood had been trying to keep the area consistent with existing land uses. If this private developer brings utilities perhaps a less dense development would be more feasible for the site north of there, Mr. Nelson said.

Mayor Foy asked the applicant if there was a proposal to open Amesbury Drive. Mr. Green replied that it was a stub-out to provide connectivity to adjacent properties. But

someone had put a private fence up there, he said, adding that he was not sure that fence was legal.

Mayor Foy verified that Ginger Road was a State road.

Council Member Hill discussed providing water and sewer to the adjoining neighbor.

Council Member Harrison pointed out that OWASA typically requires that and the developer probably would have no choice in the matter.

Council Member Ward inquired about Bradley Drive. Mr. Green replied that they do not currently own that property. But there had been a suggestion to offset that intersection, he said, and they plan to look at that very closely in the future.

Mayor Foy determined that the developer had chosen the position of the stub-out to the Habitat property. Mayor Foy asked about the Duke Power easement with regard to pedestrian usage. Mr. Green replied that there had been concerns expressed about a bike/walk path to the high school. But it had never been the developer's intent to build a path there, he explained. Mayor Foy commented that such a path might be desirable. Mr. Green offered to take a closer look at that.

Council Member Greene asked how they would address the affordable housing or small house ordinance. Mr. Green replied that one house would meet the medium affordable housing criterion.

Council Member Harrison agreed that the developer must "deal with the road that appears to be on two properties, one of which you don't own." He noted that the developer's maps identified Amesbury Drive as Bradley Drive, and suggested that they choose one, probably Amesbury. With regard to the pedestrian path, Council Member Harrison said that it typically was difficult to get a paved path on a Duke Power right-of-way.

Council Member Ward asked for clarification of the Town's rules for affordable housing so that the applicant might know what was expected.

Council Member Greene stated that she remembered that a payment-in-lieu must be done absolutely to the percentage level that the houses can round down to.

Council Member Ward recalled the Council deciding that a fraction would become a unit.

Council Member Kleinschmidt said that he generally liked that idea, especially with larger developments, but that it would be particularly troublesome to do so with this because it would encourage the small house option rather than the 15% Land Trust option, which was preferable. "I wouldn't want to push to two and then have the easy way out be going to small house," Council Member Kleinschmidt said. Council Member Ward replied that he agreed in general but thought there might be a way to have one of the houses affordable and an additional payment-in-lieu.

Mayor Foy remarked that the Council prefers what Mr. Green had proposed to do, which was to build an affordable house. He asked Mr. Green not to be confused by tonight's discussion since what he had proposed to do was the Town's preferable option. Mayor Foy encouraged Mr. Green to talk with the Orange Community Land Trust to facilitate this aspect of the plan.

Acting Town Manager Florentine Miller explained that the staff could not immediately find the information that Council Member Ward had requested. They would do so later and send it to the Council and the applicant, she said.

Council Member Kleinschmidt commented that although there would likely be controversy over connecting the properties he and others did support doing so. He asked that the applicant not hear tonight's comments and then go back and close the development off.

Mayor Foy remarked that Council Member Kleinschmidt had accurately stated the general sentiment of the Council. They favor connectivity wherever it can be done without creating undo hardship, Mayor Foy said.

COUNCIL MEMBER VERKERK MOVED, SECONDED BY COUNCIL MEMBER KLEINSCHMIDT, TO ADOPT R-23. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR BRADLEY GREEN – RESIDENTIAL DEVELOPMENT (2004-06-30/R-23)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill, for Bradley Green – Residential Development; and

WHEREAS, the Council has heard presentations for 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 discussions on June 30, 2004, and reflected in minutes of that meeting.

This the 30th day of June, 2004.