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120 Woodbridge Lane, Chapel Hill, NC 27514

January 18, 2001

Mr. Rodger Waldon  
Town of Chapel Hill  
Planning Dept.  
306 N. Columbia St.  
Chapel Hill, NC 27516

**Re: Proposed development of Marriott Residence Inn of Chapel Hill--  
Perceived Impact on neighboring Summerfield Crossing Property**

Dear Mr. Waldon:

I am writing this letter as a concerned homeowner and a resident of Summerfield Crossing townhome community (140 units) and as one of the residents closest to and most affected by the proposed construction of Marriott Residence Inn. Please find enclosed as an Addendum a summary of my previous correspondence to the Town and Council on the use of this property beginning June, 1986 and up to Feb., 2000. **I ask that you please make this letter a part of the record for review by the Town, its review Commissions and the Council.**

This Marriott facility is being proposed for a R-4-Conditional zoning and will apparently serve as a commercially operated hotel for people who intend to stay longer (one or more weeks) than the usual 1-3 day period in a hotel, plus it has plans for a meetings/conference center, and an outdoor activities area to include multiple tennis courts. **Such a facility on the Marriott property could negatively impact on the value of the surrounding properties, including my own, and affect the ability to resell it. It will undoubtedly impact on the already tremendous traffic congestion in the Erwin Rd. and 15-501 intersection.**

The Marriott property was previously owned by the McFarling family (Tax Map 27.N.3) and zoned R-2 (low density). In 1997 the Marriott Corporation came to the Town and to the area residents (includes Summerfield Crossing) expressing a serious and sincere desire that, if allowed to change the zoning from R-2 to R-3-Conditional, they would place a single-story senior-assisted living facility on the property under the auspices of their National Guest Homes Div. of Washington, DC. Since 1997 Marriott has made four (4) different presentations to the Town for a facility to be built on this property for the stated and explicit purpose-- a senior-assisted living facility. The last two presentations were modified to include a separate healthcare facility for low to mid-level Alzheimer's patients.

Each time Marriott made their presentation before a Town committee (Planning, Appearance/Design) and before Council, I asked Marriott to go on record as to whether they intend in the future to convert the rooms planned for seniors to a nursing home level of care or possibly a hotel/motel. We were all told that this would NOT happen because the rooms were

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designed in such a way that made this type of conversion impossible. We were also told originally that this facility would function ONLY for senior assisted living and NOT additionally for healthcare (ie Alzheimer's) as is the case with other Marriott facilities in Raleigh. However, in the last two design changes Marriott introduced the mixed use of their property for Alzheimer's care as well as senior assisted living care. Marriott also assured us in each of their previous presentations that NO outdoor pool would be placed on the premises.

Since 1986 I and my neighbors of Summerfield, as well as the owners of adjacent Foxcroft Apts. and Franklin Square, have continued over the years to express serious concerns to the Town about the ever growing traffic problems in our immediate area (ie, Dobbins and Erwin). We at Summerfield have also expressed concern about the Town considering any further mixed-use of our immediate residential community. We and surrounding neighbors in the Erwin Rd. community bought into this area with the full knowledge and understanding through the zoning restrictions that NO further commercial growth would occur in our immediate neighborhood on this side of 15-501 at Erwin and Dobbins intersection. The proposal of Marriott for a Senior Assisted Living Facility on their property was an accommodation to that understanding (zoned R-3-Conditional) since it offered a nice residence for the elderly which is important for our community. At the same time we were assured that a minimal number of caretakers with their own transportation would come in and out of their property, so the facility would likely not impact on the area's already over-burdened traffic congestion and emission pollution. Finally, the level of noise of the senior assisted residents would obviously be expected to be consistent with that of the surrounding residential neighbors on Dobbins and Erwin. **Placing a hotel with 133 parking spaces (accommodating 126 units) and a meeting facility within 100 feet of our property line and my own home is NOT what we in this area consider maintaining the residential quality of our immediate community on Dobbins and Erwin Rd. Further, up-zoning the property for more intense use at the site would be unconscionable given the present inability of this location to deal with the increased traffic both from a volume issue and a safety issue.**

Ever since I moved into my home and this neighborhood 16 years ago, I have avidly supported (including before Council) the notion of maintaining this neighborhood as a residential community with well defined and adequate separation by distance from mixed use such as commercial or healthcare facilities. There is certainly more than enough mixed use on the periphery of our neighborhood (eg, on Dobbins Rd. and Europa Drive). I have no doubt of the good intentions and of the high quality and appearance that Marriott can and wants to bring to our community. However, a hotel/motel/meeting-conference center has NEVER, to my knowledge, been in the long-range plans of the Town for this immediate neighborhood and should NOT be allowed to be implemented on this land now or in the future by Marriott or ANY other party. **Again, such a facility on the Marriott property could negatively impact on the value of the surrounding properties, including my own, and affect the ability to resell it.**

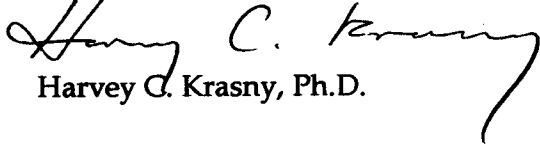
**I, therefore, ask the Town to immediately re-zone this plot of land owned by the Marriott Corp. back to its original R-2 zoning UNLESS Marriott or another qualified party agrees to build ONLY a Senior Assisted Living Facility on this property (under the Village Oaks Special Use permit), as Marriott agreed to do previously in order to obtain an R-3-Conditional zoning allowance from the Town.**

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Thank you, in advance, for your time and effort in the review of my above request.

Sincerely yours,



Harvey C. Krasny, Ph.D.

enc (1): Addendum (summary of previous correspondence to Town).  
cc: Secretary, Summerfield Crossing Homeowners Assoc

ADDENDUM

January, 18, 2001

CORRESPONDENCE SUMMARY

Harvey C. Krasny of Summerfield Crossing to Town of Chapel Hill --

Re: Development of adjacent PROPERTY (formerly McFarling and now Marriott)

I have addressed the Town by letters (identified below) on several occasions over a 15-year period regarding the use and subsequent impact of development of the THE PROPERTY which is bordered 25 feet from the side of my house--

(i) June 25, 1986-- to Council wherein I documented my oral testimony to Council on my request for R-2 zoning (low density residential) of THE PROPERTY and adjacent tracts instead of R-4 zoning (medium density residential) and office/institutional.

(ii) May 12, 1997-- to Planning Dept. wherein I voiced opposition to change the R-2 zoning (ie, in anticipation of dense occupation of THE PROPERTY) because of (1) ever-increasing traffic congestion (Irwin Rd. and 15-501 intersection); (2) disruption of Summerfield's heretofore quiet neighborhood due to environmental changes (also property value impact); and (3) likely destruction of highly developed landscaping in the rear of my home and two neighbors in order to install adequate sewage lines (via an OWASA easement in our three backyards) to satisfy the needs of an institution or high-density housing potentially developed on THE PROPERTY.

(iii) May 12, 1997-- to OWASA wherein I requested that OWASA use alternative sewage access for the developers of THE PROPERTY instead of using the 30 foot wide easement in my backyard and that of my two neighbors where mature shrubbery and trees already exist.

(iv) August 4, 1997-- to Planning Dept. wherein I enclosed a copy of a letter sent (same day) to Kimley-Horn (Engineers for Marriott) expressing my concern about certain aspects of their submitted (July 8) design plan and I ask them for clarification as to (1) their proposed use of individual through-the-wall air/heating units (can they install the lowest noise-producing units available and/or add a thick wall of tall vegetation along Marriott's side of the 50-foot buffer line to diffuse the noise?); (2) the location of all anticipated large outdoor grounds lighting and parking lot lighting on the side facing the common property line with Summerfield Crossing; (3) the protection throughout construction of the existing vegetation screen at the edge of the 50-foot buffer by placement of a "retaining fence" at least 15 feet in front of the beginning of the 50-foot buffer (bordering to Summerfield Crossing property); and (4) whether there is a plan now or in the future to build a pond or pool on THE PROPERTY facing the common border (drainage issues and potential noise).

(v) January 20, 1998-- to Planning Dept. wherein I voiced serious concern and opposition to the movement of the building footprint 52 feet closer to the common property line with Summerfield Crossing (Town originally recommended (Aug. 28, p. 2 ) that Marriott move it "approximately 20 feet" or 2 1/2 times less distance) to protect the root system of two existing trees. This change/revision in the original plan submitted by Marriott adversely impacts Summerfield (1) by reducing the privacy of Summerfield residents like myself who will be the closest to Marriott's building and now 52 feet closer; (2) by thwarting the efforts to preserve the root system of the trees and shrubbery (ie, screen) along the 50-foot buffer caused by having to subsequently move a section

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Addendum (Jan. 18, 2001 correspondence to Town)  
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of the sidewalk/walking path up to the very edge of the buffer-- hence there can be no tree and shrubbery protective "retaining fence" placed 15 feet in front of the 50-foot buffer screening Summerfield from the facility; and (3) by potentially altering the natural flow of water from the existing pond on the neighboring McFarling property which overflows after each rain causing flooding of an area in my backyard (quasi flood plain) where the developers of Summerfield Crossing (Plaza) were not allowed to build due to this constant problem-- the change/revision now appears to call for Marriott's sidewalk/walking path to cross the path of the water run-off which will likely necessitate Marriott re-directing the path of flow and that is likely to be in the direction of the backyards of my backyard neighbors on Berry Patch Lane.

(vi) **January 31, 1998** – to Mayor and Town Council wherein I made the following three (3) requests per Marriott's second proposal to the Town:

Town requires Marriott to not construct on or change the grade of the existing path of water run-off from the pond to Summerfield Crossing property; and the restricted area be cited on a map.

Town requires Marriott to rescind the movement of the building footprint 52 feet and return to the Town's original suggestion of the Professional Forester to move the footprint 20 feet. Also, that Marriott move back by 32 feet the section of sidewalk that is now closest to the beginning of the 50 foot buffer to Summerfield Crossing, and place a retaining fence 15 feet in front of the entire length of the buffer to protect trees during construction.

Town requires Marriott to specify the quietest (in terms of outdoor noise) possible heating/air system (heat pump) for the in-the-wall units used. Town also will review lighting plans with consideration and concern for minimizing exposure of Summerfield Crossing homeowners to large outdoor lighting on the Marriott property.

(vii) **February 25, 2000** – to Mr. Rodger Waldon wherein I made the following two (2) requests per Marriott's fourth proposal to the Town:

Protect our separation for us and STOP and even REVERSE as much as possible the progressive movement (77 feet) of the Marriott building footprint towards our common property line, as has occurred in the last three proposed plan changes (includes the most recent proposal) requested by the Town or by Marriott; and

NOT allow Marriott to change their original occupancy proposal (senior assisted) in order to include a facility for low to mid-level Alzheimer's patients. This changes the property use originally presented and now places a type of healthcare facility (referred to as "special care" by Marriott) within just over 100 feet from my home. A healthcare facility on the Marriott property could negatively impact on the value of the surrounding properties, including my own, and affect the ability to resell it.

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