

RADWAY & WEAVER

Planning & Development Consultants

March 10, 2003

505 Westminster Drive
Chapel Hill, NC 27514

Gene Poveromo
Planning Department
Town of Chapel Hill
306 North Columbia Street
Chapel Hill, NC 27516

RE: Resolution B added stipulations
Residence Inn Mixed-Use Development Proposal

Dear Mr. Poveromo:

I believe that the items covered below address potential stipulations that were discussed by the Council at its March 3, 2003 meeting and referred back to the Manager for clarification and inclusion in Resolution B. As discussed with you, we are providing comments and thoughts pertaining to these items for your consideration.

A. Approved Use Description and Limitations

We suggest the following language and adjustments for Stipulation #2 of Resolution B approving the proposed Planned Development Mixed-Use SUP. In creating the extended-stay definition I have reviewed APA information, talked to several attorneys (including Mark White, the Town’s consultant on the LUMO), and examined about a dozen ordinance definitions from towns with “extended stay” defined in their zoning ordinances. I have used the phrase “dwelling unit” in the definition specifically because of the Chapel Hill definitions of “dwelling unit” and “lodging unit.” JB Culpepper should review this carefully to make sure that my definition works within the LUMO. As written, this definition would only apply to this SUP and should not present a problem for any other hotel applications in the future.

“A. A **three-story extended-stay** hotel building and associated one-story guest check-in building containing no more than 73,120 square feet of floor area, and a maximum of 108 lodging units. Use of the guest check-in building shall include a hearth room, meeting room, exercise room, lobby/vestibule, front desk area, administrative offices, limited food service facilities, housekeeping, maintenance and associated employees and utility areas.

An extended-stay hotel is defined herein as a hotel facility containing dwelling units (including independent kitchen facilities) and designed

and marketed to the public for occupancy primarily for periods of five nights (one business week) or more.”

B. Dobbins Drive Road Improvements

1) Stipulation #7 - Dobbins Drive Relocated – Width of Pavement

Dobbins Drive is an NCDOT road over which the applicant has no control. The roadway and sidewalk cross-section for this road segment has been determined by the existing cross-section of Dobbins Drive in front of Summerfield Crossing and is the pavement section determined by NCDOT to be feasible within the environmental constraints of stream corridor disturbance. The proposed 26 feet wide pavement cross-section has been agreed to by the Town, NCDOT, and applicant.

The additional 4 feet of pavement width requested by Council Member Harrison is in our view unlikely to be agreed to by NCDOT. It would add substantial cost to the project and the environmental review process would add considerable delay to the project. Lastly, it would provide a cross-section mismatch with the existing portions of Dobbins Drive to the west of this improvement.

2) Construction Traffic Management Plan

The Erwin Road and re-aligned Dobbins Drive improvements will be an NCDOT project. They will be responsible for any construction and traffic management activities for these road improvements.

The applicant will be responsible for the improvements on existing Dobbins Drive between Summerfield Crossing and the re-aligned portion of Dobbins Drive. It is reasonable in our opinion to add a requirement to stipulation #8 stating that a traffic management plan for the construction of these improvements shall be approved by the Town Manager and NCDOT prior to the construction of these improvements by the applicant.

C. Internal Site Design Issues.

The Council indicated that it would like the applicant and the approval stipulations to address items raised by an adjoining neighbor. We have obtained the list of concerns and have the following thoughts and recommendations.

- 1) Connector paths and trails. This suggestion came from the Parks and Recreation Board. Resolution B does not include a provision requiring connecting trails and paths. We said on March 3, 2003 at the hearing we agree with Resolution B.
- 2) HVAC systems and potential noise. The applicant intends to use individual unit HVAC units for the proposed hotel. The concern about noise was raised the first time we met with adjoining neighbors. The applicant hired a sound engineer fa-

miliar with the Chapel Hill noise ordinance to model the noise generated by the proposed hotel. The results of that study showed that the noise from the proposed hotel HVAC systems complied with the Town's noise ordinance requirement for sound at the property line. Improved HVAC equipment (quieter and more energy efficient) regularly become available. Even the current models are quieter than the neighbors might believe.

The applicant is agreeable to a new stipulation that would say something to the following effect:

“That a noise impact report showing compliance with the Town of Chapel Hill Noise Ordinance be submitted to and approved by the Town Manager prior to the issuance of a Building Permit.”

We assume this would be a new stipulation in the Environmental Issues section.

We intend to measure the current noise level at the property line nearest Mr. Krasny's home again to see if the ambient noise level has changed from our previous measurements and to more precisely measure the noise generated by Mr. Krasny's outdoor HVAC unit which is near the property line.

- 3) Solid Waste Enclosure Location. We located the current enclosure to be easily served by collection vehicles and near the center of the site. It is 190 feet from the Summerfield property line and 240 feet from the nearest home.

We can move this facility north and east from this location. The attached drawings show 2 potential locations and slight revisions to the parking lot. These plans have been provided to Curtis Brooks for review by Public Works.

- 4) Stormwater Management – Northern Parking Lot. We believe that the new LUMO regulations more than adequately govern the treatment of stormwater quantity and quality on any site to be developed. We trust that the detailed stormwater management design, when approved by the Town, will address this issue.
- 5) Tree Protection Fencing. Two areas of the site were identified for a “higher” level of tree protection. These are: a) the gentle swale area in the northern part of the site, and 2) the 100-foot buffer along the Summerfield Crossing property line.

We believe that Stipulation #27 (added at the request of the applicant) addresses the swale traversing the northern portion of the site.

To ensure protection of the trees in the 100 foot buffer, the language referring to the Western property line buffer in Stipulation #19. Required Buffers could be altered to say something like:

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“ . . . Type ‘C’ Landscape Bufferyard (minimum width 100 feet) with tree protection fencing placed up to 15 feet from the 100 feet buffer line where determined necessary by the Town Manager to protect existing vegetation within the Buffer during construction.”

Tree protection fencing in all other locations will be placed as required by the town to protect existing trees. This includes vegetation in the RCD as well as along Dobbins Drive re-aligned and Erwin Road. We will not know what vegetation will remain near the roadways until after NCDOT is finished with the road improvements.

(After reading the LUMO and the UDO a number of times specifically for the word “bufferyard” with respect to buffers and landscaping, it is my conclusion that there is no such thing as a bufferyard in the Chapel Hill Ordinances or Design Guidelines. It might be time to use the word “Buffer” as that is the term used in Section 5.6 of the LUMO.)

D. Timing of Construction and Occupancy

We will address this item separately.

We are happy to provide any additional information you may request to help in reaching your decision about the application.

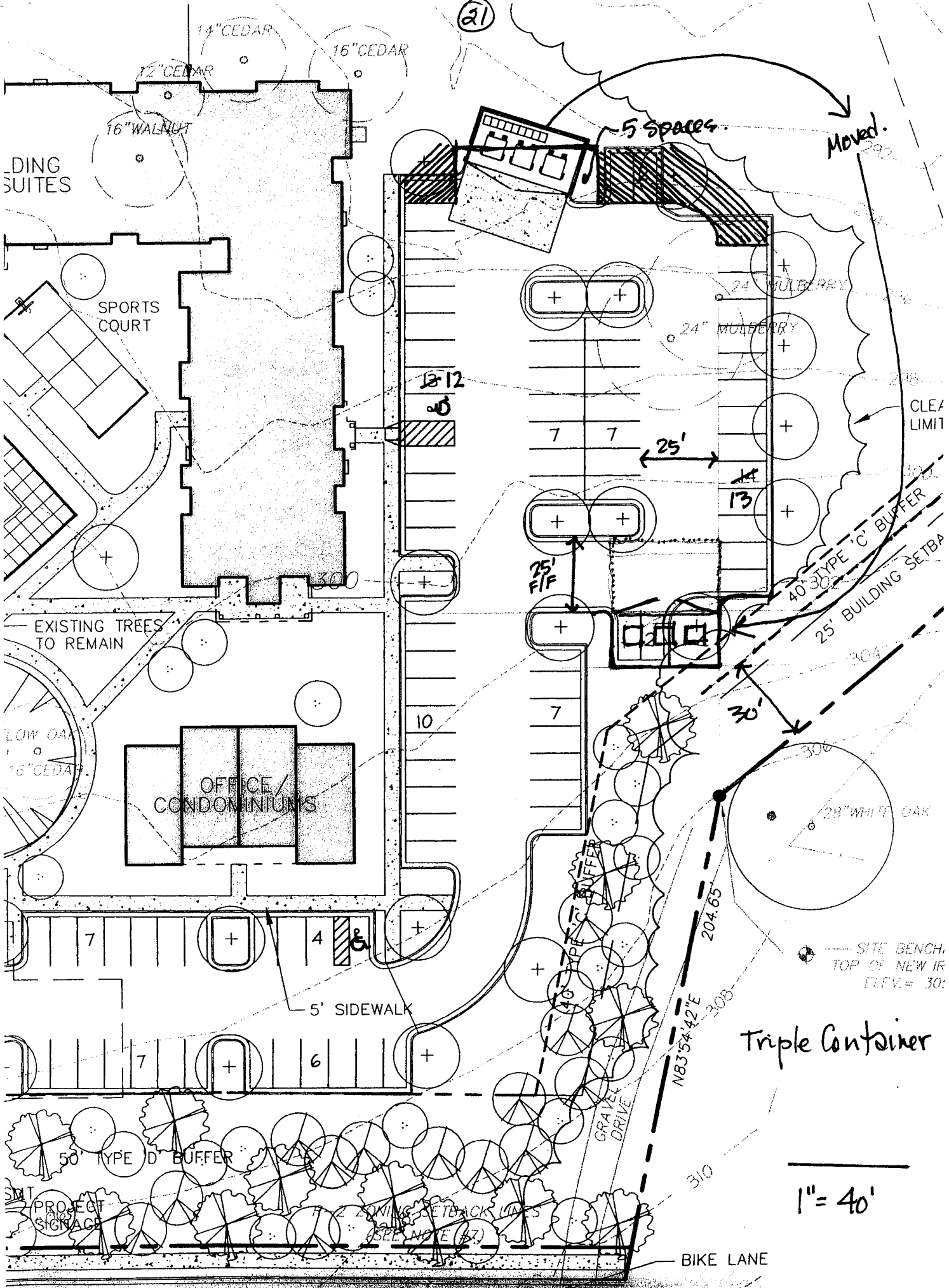
Sincerely,



Scott Radway, AICP

CC: Gene Singleton, Summit Hospitality Group, Ltd.
encl (2)

(21)



DING SUITES

SPORTS COURT

OFFICE/CONDOMINIUMS

Triple Container

1" = 40'

BIKE LANE

Moved.

5 SPACES

12-12

25'

25' FIF

30'

EXISTING TREES TO REMAIN

CLEAR LIMIT

40' TYPE 'C' BUFFER

25' BUILDING SETBACK

SITE BENCH, TOP OF NEW IR ELEV. = 30.0

N83°54'42"E

204.65

308

310

GRAVEL DRIVE

PROJECT SIGNAGE

EXISTING SETBACKS (SEE NOTE (51))

(22)

14" CEDAR

16" CEDAR

12" CEDAR

16" WALNUT

DINING SUITES

SPORTS COURT

18' 12"

Moved

5 SPACES

9 SPACES

24" MULBERRY

24" MULBERRY

CLEAR LIMIT

25'

40' TYPE 'C' BUFFER

25' BUILDING SETBACK

EXISTING TREES TO REMAIN

OFFICE / CONDOMINIUMS

LOW OAK

16" CEDAR

10

7

304

30'

306

28" WHITE OAK

SIT BENCH TOP OF NEW IR ELEV. = 30.

Double Containe

5' SIDEWALK

7

4

+

7

+

6

+

50' TYPE 'D' BUFFER

PROJECT SIGNAGE

SWING SETBACK LINES

SEE NOTE (27)

N83°54'42"E

204.65

308

310

BIKE LANE

1" = 40'

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Planning & Development Consultants

March 21, 2003

505 Westminster Drive
Chapel Hill, NC 27514

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

RE: Residence Inn Mixed-Use Development Proposal
Resolution B – Stipulations Regarding Timing of Construction and Issuance of Permits

Dear Mayor Foy and Council Members:

The applicant believes it has satisfied the town staff with responses to all but one of the Council's issues regarding additional stipulations for Resolution B.

With respect to concerns about the construction and opening of the Residence Inn prior to the completion of "Superstreet," the applicant believes traffic problems will be considerable if the missing link of the Dobbins Drive improvements to be constructed by the applicant is not completed before "Superstreet" construction begins.

Furthermore, if the hotel opening is tied to the "Superstreet" completion that would result in simultaneous construction of the missing link portion of Dobbins Drive, the Residence Inn, and the "Superstreet" improvements on US15-501. Part of the traffic management plan for the construction of "Superstreet" will be to move traffic onto Dobbins Drive. The smooth and safe flow of traffic will be compromised if the Dobbins Drive improvements that the applicant will construct are not completed prior to "Superstreet" construction.

If the Residence Inn development follows a normal construction schedule, the applicant will be paying for and constructing its portions of the required sidewalk, curb and gutter, and widened road section of Dobbins Drive before the construction of "Superstreet."

The applicant believes that the information contained in the public hearing record supports the position that the construction and opening of the Residence Inn does not need to be tied to the completion of "Superstreet."

We have worked diligently with immediate neighbors and staff and have incorporated suggestions by advisory boards to design an outstanding project that will be a good neighbor. We hope you will agree with our conclusions and support approval of Resolution B.

Sincerely,


Scott O. Radway, AICP

cc: Gene Singleton, Summit Hospitality Group, Ltd.