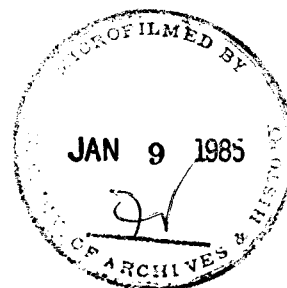


MINUTES OF A PUBLIC HEARING AND A REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN OF
THE TOWN OF CHAPEL HILL HELD IN TOWN HALL - COURT ROOM, MONDAY,
OCTOBER 14, 1974 AT 7:30 P.M.

The Board of Aldermen met for a public hearing, followed by a regular meeting, on October 14, 1974 at 7:30 p.m. in the Town Hall - Court Room. The roll was reported as follows:

Present:	Howard N. Lee, Mayor Gerald Cohen Thomas Gardner Shirley E. Marshall Sid Rancer R. D. Smith Alice M. Welsh
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Absent:	None
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A quorum of the Board was present and in attendance at the meeting. Also present were Assistant Town Manager Kurt Jenne, Town Clerk David Roberts and Town Attorney E. Denny. Planning Board members present were Libby Conley, Philip Cooke, George Hemmens, Jonathan Howes, Ann Slifkin, George Spransy, Charles Weiss and Donald Wells.

PUBLIC HEARING

Laurel Hill Condominiums
Special Use Permit

Mayor Lee said that the Public Hearing is called to consider a request submitted by Mr. William

L. Hunt for a Unified Housing Development Special Use Permit to construct 225 condominium units. Notice has been duly advertised in the Chapel Hill Newspaper and mailed to property owners in the area. Mayor Lee explained the procedure for the public hearing and requested that those persons wishing to give testimony to be considered by Planning Board and Board of Aldermen come forward to be sworn, and to give their names. All witnesses who gave evidence were sworn unless otherwise noted. The hearing was recorded. The following is a summary of the testimony given at the hearing. Mr. Kurt Jenne, Director of Urban Development and Assistant Town Manager, presented the project. The request is for a residential condominium development under Section 4-C-22 of the Zoning Ordinance. It is located on about 150 acres in the vicinity of Morgan Creek and Hunt Arboretum, in an area zoned R-20. It is bounded on the north by an arm of the Arboretum and Morgan Creek; on the east by University Botanical Gardens and Morgan Creek; on the south by undeveloped land and Parker Road; on the west by an arm of the Arboretum and Laurel Hills Subdivision. The current access to the area is via Highway 15-501 South, Farrington Road, and Parker Road. The proposed thoroughfare plan shows Bayberry Drive as a collector street from Farrington to Parker Road as a major thoroughfare, comprising a part of the outer loop. The existing development in the area is large lot single family residential. The proposal is to build 225 units clustered on peaks and ridges in the center of the property, with about 1-1/3 units per acre or about 130 units less than the limit for this zone. The proposed access is by a 60 foot right-of-way entrance road from Parker Road to the Bayberry Drive right-of-way and then closed loop, gated private road serving the units in four clusters. The applicant has not definitely stated whether he proposes to connect to Bayberry Drive or not. The units are to be 2-3 bedroom townhouse type in the price range of \$70-120,000. Each cluster is grouped around a pool facility, with a community building with tennis courts also being proposed. Two parcels of ten acres each on either side of the Bayberry r.o.w. may be added to the Arboretum. The proposed open space well exceeds the 6.1 acres required. The sewer system is to tie into Morgan Creek outfall at four locations to the north and is to use two lift stations. No easements are indicated for line service or for extension

to continue service beyond property; no easements are shown for water and electric service. In its initial review of the proposal the staff addressed the following major areas of concern: land use and natural features, traffic circulation and utilities services. Regarding land use and natural features, the site is well suited to residential use as opposed to more intensive uses, since the rolling topography and high degree of vegetation provide a pleasing and private residential setting. The placement of buildings makes good use of existing features by clustering and causing minimum disruption of the site. No development is proposed in the Morgan Creek floodway fringe site. development is proposed in the Morgan Creek floodway fringe site. There appear to be no major soil problems on the site with regard to capacity for construction; however, Soil Conservation Service has recommended impoundment and maximum ground cover retention to avoid steep slope erosion, as well as the use of erosion control measures during construction. Regarding traffic circulation, the current road situation is as follows: 15-501 and Farrington are both two-lane with an intersection controlled by a flashing signal. Farrington and Parker are both two-lane with a Y-intersection on the reverse slope of a hump on Farrington. Parker has no dedicated r.o.w. and is paved to the Arboretum Drive intersection. The Bayberry collector is not yet completed; two segments are missing between Farrington and the project property. Arboretum Drive is a residential street with 60 foot r.o.w., 20 foot pavement and no curb and gutter. In 1973 the average daily traffic counts were 8,650 on 15-501; 2,400 to 3,300 on Farrington; and 210 on Parker. State Highway Commission reports on traffic accidents in the affected area between 1971 and 1974 indicate that the accident rates at the Farrington/15-501 intersection and on Farrington Road up to Parker are above the state-wide averages for secondary roads. There were 27 accidents in each location during the 3-year period. The accident rate at the intersection was 5.49 per million vehicle miles; the state average is 3.64/mvm. The accident rate on Farrington Road was 2.1 per million vehicles; the state average is 1.2/mv. The North Carolina Department of Transportation, Division Traffic Engineer has indicated to the staff that the following actions should be taken if the proposed project is constructed: 1) sight distances of 150 feet by 150 feet should be provided at Farrington/Parker and Parker/Entrance Road, and 2) Parker should be paved to state standards up to its intersection with the entrance road. The staff believes that Bayberry Drive should not be connected with the project at this time in order to avoid additional traffic on Arboretum and Poinsett. An independent traffic consultant has analyzed the effect of the project on traffic in the area and will present his findings for the record later. Regarding utilities service to the project, 225 units are estimated to add 62,000 gallons per day to the Town's sewage treatment load at full development; this would be added at an average rate of 20-30,000 gallons per day each year between 1975-78 with the proposed project schedule. Line extension for this project would be conditional on a permit from the State Environmental Management Agency prior to construction. The Town Engineer would not approve the sanitary sewer system without maintenance easements and sufficient line sizes and easements to extend service to the south of the project site in the future. The Town Engineer is also reluctant to approve the use of lift stations as proposed because of the maintenance which they require. The UNC Utilities Division has indicated that, because the project is a closed private development with a single entrance and no access to contiguous property except through a single entrance, there exist serious problems regarding orderly future utility planning and development within and outside of the project. In addition, the Utilities Division has stated that its review of the plans revealed that insufficient water supply is currently available to support domestic and fire protection needs for the area. Two letters from the Utilities Division outlining these facts were entered into the record.

Mr. William L. Hunt, applicant for the Special Use Permit, stated that the area in question was zoned RA-20 shortly after WW II to prevent its ever being used for any commercial purpose. Subsequently, the area has been under study by the very best planning minds. Under RA zoning, the 150 acres could have around 300 single family houses built; however, there is a fine forest of big trees in the lower reaches of the area, and the applicant sought to leave the big trees and cluster the buildings on the higher old farm land. This was suggested in a book called Alternatives. The applicant wanted less than 300 buildings, and it has taken a number of years to find a developer with a demonstrated ability to do justice to the unique property and to provide the Triangle area and Chapel Hill with a really first-class development. The applicant is satisfied that the presented plan provides the highest and best use for the land. The 150 acre tract is remote; the planned entrance from south isolates it from Laurel Hill Section 2, and it has no connection with the north side of Morgan Creek. It came as a distinct shock that people entirely remote from the area should object to the development. As for the traffic at 8 a.m. and 5 p.m. on Farrington Road, the advent of more people on the south side of Morgan Creek will give people the power to have Farrington Road improved; the improvement will not come before the people are there. The plans under discussion have already been submitted to the North Carolina State Highway Division in Raleigh, along with the applicant's complaints about Farrington Road. Recently the applicant has reviewed this traffic problem with the area engineer, Mr. Jones; it is Mr. Hunt's feeling that a petition is in order to improve Farrington Road. An area resident asked Mr. Hunt if he has actually considered developing the area as a regular single family development. Mr. Hunt said that he has considered it for a number of years, but could not bring himself to have the trees cut. The maximum number of single family dwellings permitted in the area are 326. In response to questions from Mr. Robert Epting, attorney for several opponents of the project, Mr. Hunt stated that he has looked for several years for a developer who could do something really good; he, personally, will not be responsible for the development as it is placed on the site; the developer is Mr. Greer. Mr. Hunt said that he has been involved with other developments in the area, which are single family dwellings, although they are some distance away from the proposed development. The developments have restrictive covenants prohibiting commercial, apartment, or multi-family dwellings. In response to a question from Mr. Robert Midgette, attorney for the applicant, Mr. Hunt stated that under his contract he will have a continued responsibility to exercise landscape consulting services. Mr. Epting asked if Mr. Hunt will have a veto power over what is placed in the development by the ultimate developer. Mr. Hunt said that he needs to check with his attorney before he can answer the question. Town Attorney Denny said that in the event the Board approve the project, it must be developed as approved, with Town exercising supervision over the project development. Mr. Epting said that the question was asked because of the proposed price range of the condominium units and a desire to know whether the building of lower cost units can be prevented by a veto from Mr. Hunt. Mayor Lee said that the price of the condominium units is not a part of the Public Hearing.

Mr. William Greer, representative of Comprehensive Ventures, Inc. of Hilton Head Island, South Carolina, developer of the project, said that the Special Use Permit is requested together with Mr. Hunt and with Mr. James Plymire, who is associated with Grandfather Mountain Golf and Country Club. Comprehensive Ventures, Inc. is a well-founded, young firm which operated primarily on Hilton Head Island, but has some property on North Carolina Coast and is now looking into primary home market. They have currently several projects under way off Hilton Head Island at a cost of about \$60 million. The company learned early that it must be attuned to nature and that it must work with people and with property to make successful projects. It is a ten person corporation, of whom seven have masters degrees; Mr. Greer has a

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Master in Urban and Regional Planning. The cluster development in the proposed project is based on Mr. Hunt's idea; it is realistic and makes sense. The condominium units are proposed to sell at about \$70,000; this is realistic, since building costs are up. The firm, as developer, can do with the property what it feels should be done to develop it in the sense of man and environment, to hurt the land as little as possible, and to build structures complementing the surrounding property. The project presentation by Mr. Jenne was very comprehensive. In response to questions from Mr. Epting, Mr. Greer stated that the proposed development may be compatible in character with the developments in the area on north and south side of Morgan Creek, since the project is envisioned as a private residential community; it is compatible in the sense that only persons who are well established in their business or profession would be able to afford to live there. A market survey has been done to determine that there will be a market for 225 units over \$75,000 in three years; however, the building will be done in phases, and the speed of development will depend on the market. A gatehouse keeper or gate, barring free access to the project, will be dependent on whether persons purchasing dwellings in the area will wish these. The condominium owners make up the governing body, which determines the maintenance and upkeep of all common properties; if this regime desires to build a gatehouse or hire security guards, it is their own business. If the streets are maintained as private drives by property owners, this is a likely possibility, since security gate concept has been shown to be successful. In response to questions from Alderman Cohen, Mr. Greer stated that the presence of security guards and gatehouses is in keeping with the type of development proposed; it is immaterial whether the roads are patrolled by private security guards or public policemen. The crime rates are high and security systems have been considered by a number of communities. Comprehensive Ventures, Inc. did not study how many single family houses could be developed on the project, since it is not in the single family construction business. The corporation will be responsible for selling the units. The corporation will entertain any comments and suggestion from Mr. Hunt. Mr. Hunt will be employed as a consultant on trees and landscaping until the completion of the project, and perhaps longer. The cost of widening Farrington Road should not be borne by the developer or Mr. Hunt; it is not part of the project. In response to questions from Mr. Epting, Mr. Greer said that it has not been discussed whether Mr. Hunt will retain legal control over plans, siting, or phasing; he would say, on behalf of his firm, that there would be no objection to Mr. Hunt retaining veto over certain aspects of the project, such as siting, but he would not have veto over the rate of construction or certain other aspects; this could be worked out with Mr. Hunt. He is familiar with the market value of the single family houses in the area; the impact of low cost condominium units would be deteriorating; however, the company is not planning to lower the cost of the development. If the economic situation becomes worse, the property will probably not be developed at all; however, the company is optimistic and is planning to spend around \$4 million to develop the first 60 units, which does not include the cost of the land. The company is proposing to sell the units for a minimum of \$70,000; the financial models cannot yet be released. The company's basic philosophy is to make money, have fun doing it, and to make projects it can be proud of. The engineer has proposed that the utilities be brought in across the Bayberry Drive access to the west of the project. The company has spent a great deal of time, effort and money to get to the request for Special Use Permit, it is premature to consider specifics since a number of other governmental bodies still have to be satisfied relative to the site, such as the University, which has control over water, sewer and electrical extension into the area. The documents relating to proposed utilities have been given to the Department of Urban Development. Mr. Epting asked if Mr. Hunt has title or owns easements to the north for sewer lines. Mr. Midgette said that, in his opinion, Mr. Hunt either owns the title or has agreement for easement with

Utilities Division
University of North Carolina
Chapel Hill, North Carolina 27514

October 11, 1974

Planning and Zoning Administration
Town of Chapel Hill
306 N. Columbia Street
Chapel Hill, North Carolina 27514

Subject: Laurel Hill Condominium

Dear Sir:

I have reviewed the revised plan of the above project which you forwarded to me on October 8.

The comments on this project submitted to you in my letter of September 23, 1974, still apply. I especially call your attention to comment #1 referring to the inadequacy of information.

Further checks on the water quantity available to this project as provided by the design shown on the submitted plans indicates an insufficient water supply to support domestic and fire protection needs for this project.

Due to the many problems inherent in the utility design that must be resolved between the utility company and the developer, I recommend delay of approval or approval with the stipulation that the electric and water utility services be satisfactorily resolved with the University Service Plants before commencement of construction.

I request that the above comments and my letter to you of September 23, 1974 on the same subject be entered at the public hearing as a matter of record.

Very truly yours,
/s/

W. E. Billingsley
Utilities Distribution
Superintendent

WEB:lb

cc: Mr. Joe Rose
Copy of September 23 letter attached

Utilities Division
University of North Carolina
Chapel Hill, North Carolina 27514

September 23, 1974

Planning and Zoning Administrator
Town of Chapel Hill
306 N. Columbia Street
Chapel Hill, North Carolina 27514

Attention: Mr. Van Opdenbrow
Subject: Laurel Hill Condominiums (The Hunt Club)

Dear Sir:

1. Your recent forwarding of the site and water layout drawings prepared by Corkern and Associates for the above project was the

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first information that the University Service Plants Electric and Water Distribution office has received. Neither the developer nor his representative has contacted this office regarding the utilities for this development. The information furnished to date is not complete and does not contain sufficient evidence nor is it adequately competent material to approve as to design or to use as a basis for design of the electric and water distribution to, through and within the project.

2. The project covers an extensive rugged geographical area that is over 4,000 feet long on the east-west dimension. Although not indicated on the drawing the site is isolated on the north and west sides by the N.C. Botanical Gardens and the William Lanier Hunt Arboretum. Additionally, it appears that the project is a closed, private development with a single entrance with no public thoroughfares or access to contiguous property except through the single entrance. The above three factors create serious problems for the orderly future utility planning and development of the project as well as within the project itself. Fundamentally from both a project basis and a systems basis it is necessary that provisions are provided for both electric and water distribution lines to serve to the further extremities of the project. This gives better assurance of service to the project and provides for future extension of utilities into undeveloped areas. An east-west public thoroughfare through the project is desirable from the utility service aspects.
3. From the information in hand it is questionable whether this project can be properly supplied with an adequate supply of water for domestic and fire protection purposes.
4. Under the University Service Plants water main policy of not owning and maintaining the water mains within a private development which exclusively serve that development, the project owners will be assuming a substantial responsibility for the maintenance and operation of the water mains commencing at the property line at Bayberry Drive and extending several thousand feet within the project.
5. The developer must make a contribution to construction costs incurred by University Service Plants for all underground electric lines in accordance with the Electric Department policies on file with the North Carolina Utility Commission. Since this is a major geographical area provisions must be made for electric feeder lines to serve not only this area but also the service area beyond. Satisfactory easements must be provided by the developer and satisfactory financial agreement entered into for contributions to electrical construction costs.

Very truly yours,

W. E. Billingsley
Utilities Distribution
Superintendent

WEB:lb

cc: Mr. Grey Culbreth
Mr. Paul Sexton

UNC to provide sewer access to the north. In response to questions from Mr. Epting, Mr. Greer stated that the company will not retain any control over the recreational facilities in the project; all common property, open spaces, drives and streets will be held in joint ownership by condominium owners on a percentage basis. It is presently under consideration by the company; Mr. Rose, Public Works Director; and University Utilities whether the maintenance and financial responsibility of utilities will be the responsibility of the unit owners. Normally, the company likes to see all utilities under the control of the condominium owners, but the company has been told that for certain facilities, such as sewer, easements have to be set aside and maintained by a government body at the request of the condominium owners. The company will not have any financial responsibility to maintain the major utility systems once the project is sold out. A resident of the area asked if the company would be willing to market the condominium units without advertising the gatehouses. Town Attorney Denny said that the marketing plans are irrelevant. Mayor Lee explained that the marketing plans are irrelevant to the Public Hearing since they do not deal with one of the four findings the Board must make, as required by the Ordinance; the Board will not determine what kind of people will live in the development. In response to another area resident, Mr. Greer stated that the cost of purchasing a condominium unit is not necessarily less than that of a single family dwelling; the cost of residing in one is theoretically lower, the proposed cost of the units is normal for luxury condominium units. In response to a question from a resident of the area, Mr. Jenne said that no widening of Farrington Road is proposed in relation to the project; the traffic consultant will discuss eventual widening of Farrington Road. Mr. Clyde Jefferson of Hillside Estates asked who will be responsible for paying for the removal and replacement of underground telephone cable which has recently been placed along Farrington Road, in case the road is widened. Mayor Lee said that the question may be answered by either the traffic consultant or the Utilities Distribution Superintendent. Mr. Midgette said that, regarding Mr. Hunt's engagement in the project, the option agreement states: "Hunt shall pass on matters relating to landscape design and architectural harmony to the land."

Mr. J. W. Horn, Executive Vice President of Kimley-Horn and Associates, Inc. of Raleigh, West Palm Beach, and Nashville, traffic consultant, said that a study of the traffic situation in the area was done at the request of the Planning Department. The following comments and opinions were entered into the record:

Kimley-Horn and Associates, Inc.
1323 Buck Jones Road
Raleigh, North Carolina 27606

October 8, 1974

Mr. Kurt Jenne
Division of Urban Development
Town Hall
Chapel Hill, North Carolina

Dear Mr. Jenne:

In reference to your request pertaining to the anticipated traffic generation and distribution that may be expected from the proposed Laurel Hill Condominiums, I have reviewed all data provided and visited the area in the field, and my comments and opinions are offered as follows.

1. Attached, please find the following:

Figure 1 - Base map of existing streets in the Laurel Hills area and a schematic illustration of the proposed Laurel Hills Condominium site plan.

Figure 2 - Selection of zonal areas for purpose of evaluation

Figure 3 - 1973 average daily traffic counts as provided

Table 1 - Zonal land use as provided and estimated trip generations

2. Please note that Azalea Drive-Bayberry Drive now dead-ends from Farrington Road. In a similar fashion, Poinsettia Drive and Arboretum dead-end from Parker Road or from Farrington Road by way of unpaved Linden Road.
3. As shown in Table 1, the existing 38 DU's on Azalea Drive (Zone A) generate approximately 361 trips daily and the 33 DU's on Poinsettia Drive (Zone B) generate approximately 314 trips daily.

If the proposed 225 unit Laurel Hill Condominiums (Zone E) were connected to the platted Bayberry Drive extension, an estimated additional 1800 trips per day would distribute through Zones A and B.

It is estimated that 75 percent of these trips would follow Zone A corridor and 25 percent, Zone B corridor, consequently increasing the volumes along corridor A (Azalea Drive) to approximately 1711, and along corridor B (Poinsettia Drive) to 714 vehicles per day.

4. Corridor A currently contains 38 DU's, but has vacant lots capable of accommodating an estimated 61 additional DU's for a total of 99 DU's. Similarly, corridor B contains 33 DU's, has approximately 52 vacant lots for a total of 85 units. If and when each of these subdivisions, Zone A and Zone B, become fully developed, Zone A will generate approximately 941 trips and Zone B will generate approximately 807 trips daily.

Again, if the condominium development was connected to the Bayberry Drive extension, Zone A (Azalea Drive) would be assigned approximately 2300 vehicles per day and Zone B (Poinsettia Drive) would be assigned approximately 1250 vehicles per day.

5. I have ridden over these facilities, i.e., Azalea Drive-Bayberry Drive-Arboretum-Poinsettia Drive, and they consist of very narrow (18 to 20 feet) pavements on very steep and winding alignments. Little or no shoulder exists along the streets and no centerline marking is provided. Slight distances are extremely poor at frequent locations. This type of street may add character to suburban residential areas, but in my opinion, they are extremely hazardous and poor facilities for moving traffic.
6. Based upon the fact that a majority of the land and lots in the area is yet undeveloped, and based upon the condition of the local streets so described, it is strongly recommended that no additional traffic be assigned to these facilities other than that which will come from undeveloped lots.
7. If the Laurel Hills Condominiums are approved and developed, it is highly recommended that the access to the condominiums be directed from Parker Road through little or no single family developments. Parker Road is a proposed thoroughfare intended for the purpose of moving traffic.

8. In reference to the overall impact of the proposed condominiums, the current addition of 1800 vehicles per day can be accommodated on Parker Road and Farrington Road. However, both of these facilities are low standard secondary roads, and will need widening and other improvements in due course. As shown in Table 1, if and when the entire area of Zones A, B, C, D and E develop, approximately 8500 additional trips will be added to Farrington Road, making the total estimated volume approximately 11,700 without any increase in through traffic movement. Signalization at US 15-501, widening of 15-501, including the bridge in the vicinity of Farrington Road and widening Farrington Road to four lanes will, in my opinion, be required to accommodate volumes of this magnitude.

Very truly yours,

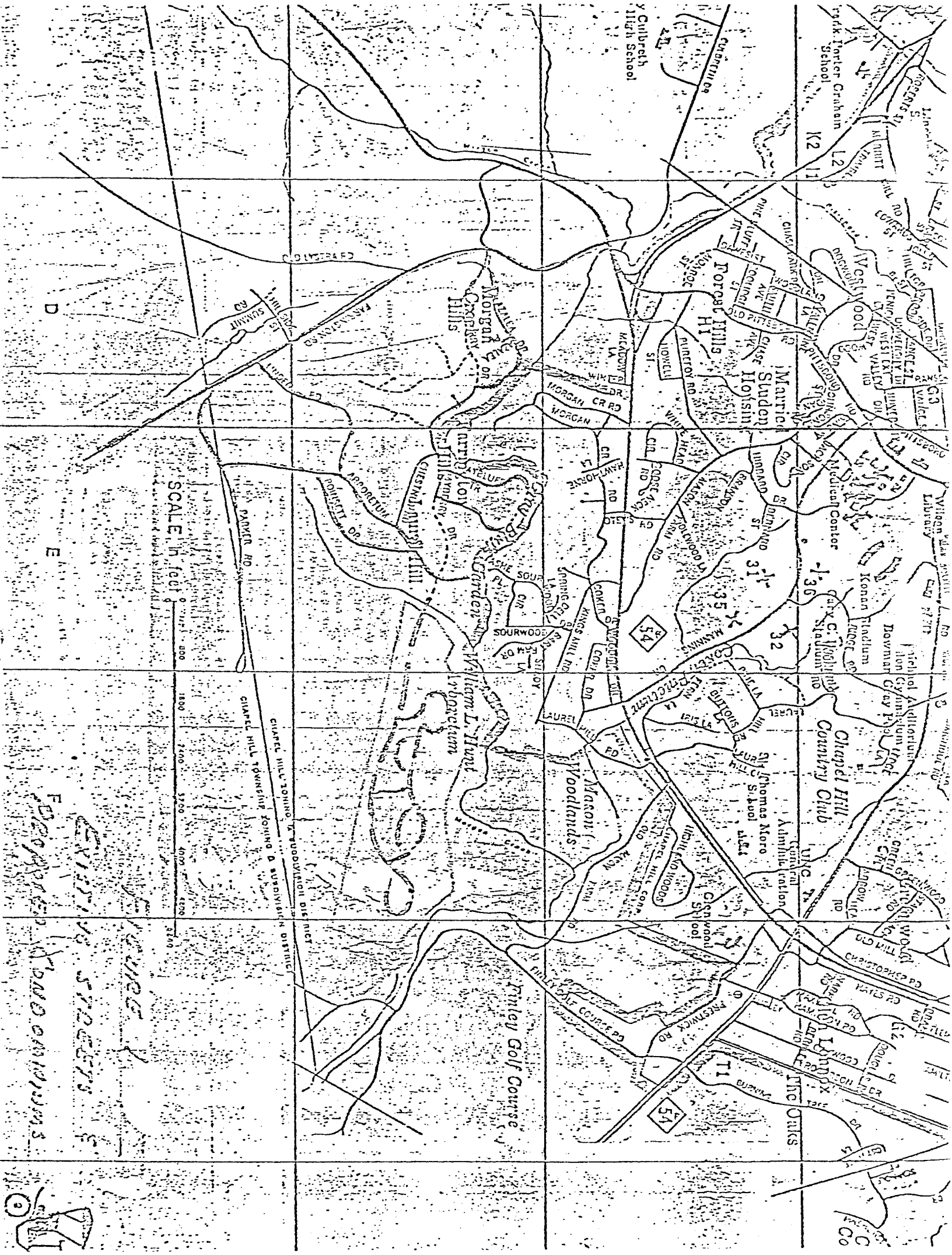
KIMLEY-HORN AND ASSOCIATES, INC.

/s/

J. W. Horn, P. E.
Executive Vice President

JWH:jb

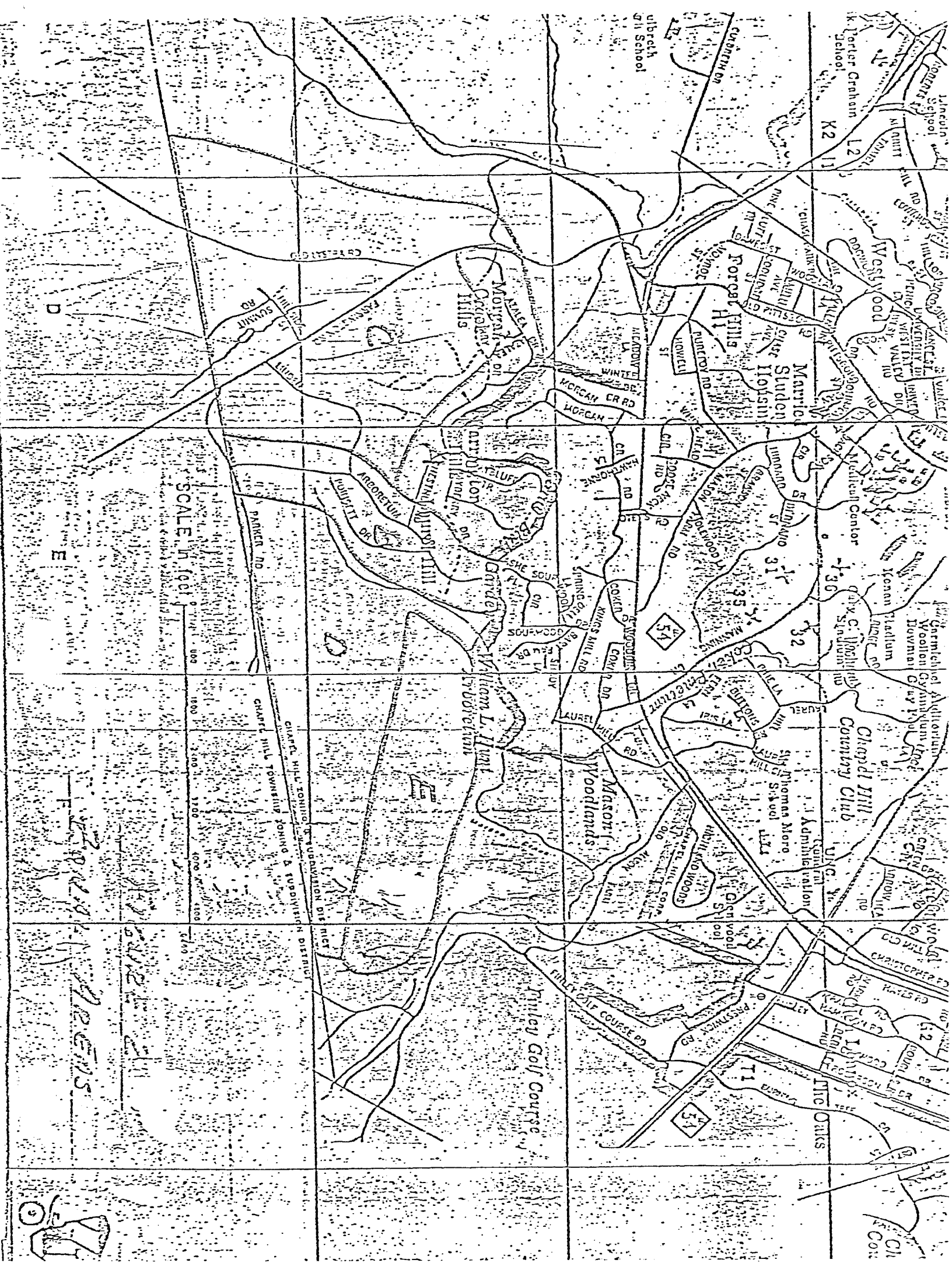
Enclosures



SCALE 1" = 1000'

CHAPEL HILL COUNTRY CLUB
WOODLANDS
RINGLEY GOLF COURSE







1973 Map Paper Volumes

1250

D



TABLE I

ZONAL TRIP GENERATIONS

Zone	Land Use	Existing Units	Existing Trips	Capable Units	Capable Addition Trips	Units	Total Trips
A	SF DU's	38	361	61	580	99	941
	Azalea Drive- Bayberry Drive						
B	SF DU's	33	314	52	493	85	807
	Arboretum- Poinsettia Drive						
C	SF DU's	50	475	300	2850	350	3325
	Adjoining Farrington Road inside Planning Area						
D	SF DU's	0	0	175	1663	175	1663
	Undeveloped Area						
E	Apartments	0	0	225	1800	225	1800
	Laurel Hill Condominiums						
	Local Trips Generated		<u>1150</u>		<u>7386</u>		<u>8536</u>
	Farrington Road thru Traffic Old Lystra Road		1250 <u>800</u>				
	Total		3200				ADT

In response to questions from Mr. Epting, Mr. Horn stated that he recommends that no additional traffic be added to Poinsett, Azalea and Bayberry, as they now exist, because of dangerous grades, narrow pavement curves that are too rounded and the fact that they are not designed to accommodate the through-flow of traffic. However, Bayberry Drive is designated a future collector street, has a 70 foot right-of-way and can be widened to accommodate heavier traffic. The proposed access to the project from south is more compatible with the existing streets in the Laurel Hill and Poinsett Drive area. The Parker Road/Farrington Road intersection is not a safe one as it now exists. The increased traffic on Parker Road which presently has very light traffic, from the condominiums would create additional hazard, but the residents could probably live with that. However, there is still vacant land south of the proposed project and along Parker Road, so other future traffic must be assumed. The intersections at 15-501 and Farrington Road is now used at maximum potential in afternoon peak traffic period; it is now nearing the point where signalization may be required. The increase of traffic on Farrington Road from the condominiums would be along 15%; Farrington Road is narrow, of poor alignment, with no shoulders and needs improvement. As the volume gets into 6-8,000 range, Farrington Road will become very hazardous and badly congested; the additional traffic from the proposed development will raise traffic from about 3,800 to about 5,000, which is bordering on congestion. In response to a question from Alderman Cohen, Mr. Horn stated that both Farrington Road and Parker Road can be improved without harming adjacent properties, while Arboretum Drive and Poinsett Drive are established residential streets. Parker Road is classified a future thoroughfare. In response to a question from Alderman Welsh, Mr. Horn stated that, if Parker Road were deleted from the thoroughfare plan, it would still need to be upgraded to handle the estimated traffic load from the proposed project. An area resident asked if the Board can specify, in granting permission to the development, that no connections be made to Poinsett and Bayberry, and if such a specification is made, whether there is a time limit on it. Mayor Lee said that the Board can consider making such a stipulation, if it decides to refer the matter to the Planning Board. Dr. Rosenfeld of Arboretum Drive asked if an estimate can be made of the effect of the additional traffic on 15-501 traffic congestion. Mr. Horn said that he does not have the necessary information to make such an estimate. Dr. Peter Munt of Arboretum Drive asked how many school buses traveled on Farrington Road and intersected at Farrington and 15-501 during the counting period. Mr. Horn said that the counts used in the study were those provided by the State Department of Transportation and by the Town; he does not have information on specific vehicles. Mr. Clyde Jefferson of Crestwood Drive asked if a study was not performed on the 15-501/Farrington intersection about two years ago, a request made for a stop light, which was denied because of a curve in the highway immediately to the south of the intersection. Mr. Jenne said that Mr. Horn has studied only the area in close proximity to the proposed project and does not have the necessary information to answer questions about other areas. In response from questions by Alderman Cohen, Mr. Horn stated that, in his opinion as a traffic engineer, 15-501/Farrington intersection should be signalized now, especially in view of the high accident rate; the intersection is now bordering the point of being hazardous. In response from a question by Mr. Epting, Mr. Horn stated that the concept of a "critical" area is relative, since there are other roads in state which are worse, but the situation at the intersection is bad.

Mayor Lee asked for comments from opponents to the proposed Special Use. Ms. Margaret Taylor of Kings Mill Road asked if the proposed project would join Town sewer system. Mayor Lee said yes, that if the project were accepted, in exchange for the privilege of using Town sewer system it would have to fulfil any specifications or requirements for a Special Use Permit as set down in the ordinance by the Town; in addition, out of town residents pay 2½ times the sewer usage fee of Town residents. Ms. Taylor said that she and her neighbors would object if the condominiums were able to hook on to the sewer before her neighborhood was provided with sewer service.

In response to questions from Mr. Epting, Dr. Peter Munt of Arboretum Drive stated that he lives on the corner of the proposed extension of Bayberry as it crosses Arboretum Drive. The only mode of exit or entrance into Laurel Hills area is via Parker Road, leading off Farrington Road, down to Arboretum Drive and Poinsett. The roads in the area are very narrow, without sidewalks, with children playing and traveling in the street. The roads are winding and hilly with several very abrupt curves; the maximum speed in the area should be no more than 25 mph. The roads must be maintained at a very high frequency because of poor repair; there are always several areas that have water beneath them; the need of frequency of repair increases with each additional house built in the area. It is difficult to say whether the roads are being damaged by normal use, since the construction of houses use heavy trucks, but even some of the roads without present construction are in poor shape. Parker Road from Arboretum Drive curves about 300 feet towards Farrington Road; the right-hand curve continues at the intersection, with an abrupt downward grade and a high hill on left which makes visibility difficult. Cars approaching on Farrington Road towards Town are going up a hill and are difficult to be seen; it is also difficult for the drivers on Farrington to see the intersection. A right hand turn from Parker Road can be made only with some difficulty; the sight line for a left turn is very short. At the 15-501/Farrington intersection, Farrington Road curves down and to the right and at peak periods have long lines of cars; a few weeks ago there were 23 cars waiting. Cars coming from Pittsboro toward town are coming around at a blind curve, frequently at high rates of speed. The capacity of Farrington Road at peak travel times is full. Dr. Munt stated that he is familiar with the property values in the area, that he did not expect the condominiums to be constructed when he bought his home; this knowledge would have adversely affected his decision to purchase the property and he would have been willing to purchase his house only at a lower cost. In response to questions from Mr. Midgette, Dr. Munt stated that he was not aware of the thoroughfare plan when he purchased his property, that he has placed his property on sale and has sold it, although the sale has not yet been closed; the prospective new owner has been told about the proposed thoroughfare. In response to a question from Mr. Epting, Mr. Munt said that a condition of the contract is that any prospective purchaser be informed of the thoroughfare plan. In response to a question from Alderman Cohen, Dr. Munt stated that at peak periods it takes about 4-5 minutes to enter 15-501 from Farrington Road; it takes longer to cross it.

In response to questions from Mr. Epting, Mr. Ed Gray, resident and developer of Farrington Hills said that he is familiar with the road design in the area. The roads are steep and curving and not designed to carry additional traffic. He has not permitted access to the proposed project from Bayberry Drive, to which he retains title, although the matter has been discussed; he has not been approached in regard to access for electricity and water along the area. He is familiar with the land values in the area; his opinion is that the impact of the proposed project would be adverse to the land values. Alderman Gardner asked if there has been informal agreement about permitting access to the proposed project. Mr. Gray said no, that there have just been discussions.

In response to questions from Mr. Epting, Mr. John Sanders of 1107 Sourwood Drive stated that he is a resident of the area north of Morgan Creek; he is vice president for Planning at UNC but is appearing as a private resident and taxpayer. In early 1960's Laurel Hill Subdivision #2 was proposed, which is the initial development south of Morgan Creek. Residents who lived north of the creek were concerned about the proposed connection by a bridge at Ashe Place, which has narrow residential streets, with heavy traffic being a danger and detriment to the residents. The residents persuaded the Board to modify the plat with a cul-de-sac on south side, requiring any subsequent

crossing of the creek to come back to the Board for explicit approval. In 1962-63 the thoroughfare plan under consideration included a radial crossing the creek at Ashe Place to Arboretum Drive, since the planners were concerned about the lack of a direct entry into Town between Pittsboro Road and Raleigh Road. The Board approved a modified thoroughfare plan which did not include the radial. The concern of the residents was that if an authorization to cross the creek were given, a temporary bridge would be built to connect the area south of the creek with an inadequate local street system. It is his concern that the sudden development of an area across the creek will create pressure on the Board, State Highway Department and other bodies to force the most expedient crossing of the creek at Ashe place onto roads which are inadequate for a large number of cars; he hopes the Special Use Permit will be denied. He is familiar with the restrictions on his lot, which were placed there by the developer Mr. William L. Hunt. Mr. Epting said that he is trying to establish that the restrictive covenants cover Laurel Hills Section 2, which is within 300 yards of the condominium property. Mr. Midgette said that he is willing to stipulate for the applicant that the single family residential property heretofore developed in the area is restricted to single family dwellings. In response to further questions from Mr. Epting, Mr. Sanders said that at the time of the purchase of his property it was his understanding that the future character of the area would be single family residential only, due to the fact that Mr. Hunt retained the title to surrounding property south of the creek and had not retained the right to cross the creek. The neighborhood will retain a self-contained semi-private character only without thoroughfares going into Town. He is familiar with the uses of the surrounding areas; the proposed project is not consistent with the developed portions surrounding it. In response to questions from Mr. Midgette, Mr. Sanders stated that he does not characterize condominiums as single family dwellings; as described in the restrictive covenants, a single family dwelling is one occupied by a single family. A single family dwelling may not be physically much different from a condominium, but condominiums could not be constructed on lots in the single family residential subdivisions developed by Mr. Hunt adjacent to the proposed project. His immediate concern is the possible construction of a bridge across Morgan Creek, even though there has not been any indication that a bridge is being planned; he does not feel that property on south side of the creek should not be developed out of fear that a bridge might be constructed.

Mr. Norman Gustaveson was sworn in as a witness. In response to questions from Mr. Epting, Mr. Gustaveson stated that he is a resident of Farrington Road, between Parker Road and 15-501. He has been a resident of that area for eight years, has watched Farrington Hills grow, and is concerned about the lack of rational planning for general development of the area. He has stated before that he is concerned about any high density development because of roads and because of the tendency for other high density developments to follow. The area lacks road facilities to handle the present traffic. He recognized that the area is growing, but he would like to see some consistent planning in regard to open space, woods and a variety of types of building. The only commercial developments in the area are Merritts Service Station on Columbia Street and Tripps Store about eight miles out on Farrington Road. Once high density development is present commercial structures, such as gas stations, inevitably follow. This is not consistent with the present development. In response to questions from Mr. Midgette, Mr. Gustaveson said that he has faith in the local system of government, but that he is concerned that the proposed development will overload existing roads and services. He realizes that the development of the proposed project as a single family residential development could allow higher density than the proposed condominiums; he does not know what the size of lots is in Farrington Hills. The area is now overloaded, in respect to roads and services; and until these can be improved, develop-

ment should be slow. He is aware of the long range thoroughfare plan that would take care of some of the traffic problems. In response to questions from Alderman Cohen, Mr. Gustaveson said that the existence of undeveloped land in the area south of the proposed project, which is outside Chapel Hill Planning District, should make the Board very cautious about developments in the area. He does not know of any development plans for the undeveloped area, although he has heard some long-range speculations. In response to questions from Alderman Marshall, Mr. Gustaveson said that long-range comprehensive planning of the area should not include only facilities for high income people; part of the attraction of the area is the fact that it is very diverse with a nice mix of living opportunities. He does not believe that well planned, commercial developments in the area are a necessary evil; the area is growing at a rate slower than the rest of Chapel Hill. His concern is that long range comprehensive planning is needed to have orderly growth in the area. Alderman Welsh said that Town has a land use plan now. The proposed plan meets the density and zoning requirements; commercial use is permitted with a Special Use Permit in any of the existing projects.

Mr. Epting read Paragraph 3 of Mr. Billingsley's letter, dated October 11, 1974, and said that the September 23, 1974 letter makes the same point, which is that the development will affect traffic and health safety because of the lack of sufficient water in the area. Also the sewage treatment plant at Morgan Creek is important, but the experts in Raleigh felt that it was inappropriate to comment on the proposed project before an application is submitted.

In response to questions from Mr. Epting, Mr. Joseph Rose, Director of Public Works and Engineering Services, stated that the capacity for Morgan Creek sewage treatment plant was originally designed for 4.5; now it has an approximate flow of 3.6; Town hopes to increase capacity to about 4.5 by alum treatment. The flow figures are based on average flow per month and can range from 5-6 million gallons to as little as 1.5 million gallons. Mr. Epting asked what is Town's commitment of sewage treatment. Alderman Welsh said that the flow was 3.4 after Carrboro tied in; Town has outstanding obligations of about 500,000 gallons, which leaves about 500,000 gallons available for future tie-ins. Mr. Rose said that the state has to approve sewer line extensions; it cannot yet be said whether state will approve a request for line extension for the proposed project. In response to a question from Mr. Don Francisco, a resident of the area, Mr. Rose said that the Town controls waste treatment plant line extensions along with State. Any planned extensions, even in Carrboro or for the University must come through Town, but State has full authority to restrict approvals if plant efficiency drops below requirements.

Mr. Epting said that the Zoning Ordinance states that the project proponent bears the burden of showing that the required four findings have been met. The persons objecting to the proposal do not consider that the applicants have given factual information to the Board to enable it to make three of the required four findings.

Mr. Midgette said that the developer has no fixed idea about opening Bayberry Drive and will accept Town stipulation in this regard without reservations; a right-of-way for the future thoroughfare will be dedicated in any event. Mr. Hunt and Mr. and Mrs. John Williams, who own property on the south side of Parker Road, have signed a letter agreeing to dedicate a 90 foot right-of-way along Parker Road from Farrington Road to the access road. In regard to sewage treatment, it appears that Town has no severe problems in this respect. In regard to the problems mentioned in letters from Mr. Billingsley, a third letter mentions that these problems may be worked out. Mr. Midgette said that he does not believe the development will have an adverse effect on property values in the area. The developer will try to cooperate with Town on the project in all respects.

Mr. Epting presented petitions from area residents opposing the proposed project.

Mayor Lee asked for statements in support of the project. In answer to a question, Dr. Munt said that his house had been improved and he received more than he paid for it, but considerably less than he asked for it. Mr. Charles Delman, a resident of the area, said that he has not been sworn in, but that he would like to make a statement. He came prepared to oppose the project, but has reversed his position. The Town has two alternatives, either to control its future or to bow to the inevitable. Town can accept a very thoughtfully planned development and work toward traffic control in the area. Most arguments presented against the project have been because of the fear of traffic and safety. Given the options of 225 units of rather wealthy people or 150-326 family units, which would have children and be multivehicular, he will take the condominium traffic. He hopes that Town will accept the proposal, but impose restrictions and control it as severely as possible. If the condominium traffic can be routed from Parker Drive to Farrington Road, traffic fears will be minimized.

Mr. David Wormer, a past resident of Arboretum Drive, questioned the possible number of single family dwellings that could be built in the area, in view of streets, easements, and Morgan Creek, and said that most of the homesites in Laurel Hills 2 have more than 2/3 acres. Three hundred units could not be put in the area. Ms. Ann Lanard, resident of Parker Road, said that she bought her property two years ago and did not know of the long-range thoroughfare plan. She is concerned about the timing of Parker Road improvement and asked who will pave it; heavy construction trucks cannot use a dirt road. Mayor Lee said that he cannot answer the questions immediately, but that they will be taken under consideration. Alderman Cohen asked if Mr. Jenne has inspected the site regarding the possible types of development. Mr. Jenne said yes; it is difficult to estimate how much of the area beyond the condominium area is buildable for single family units just by looking at site and topography maps. Mr. Hunt said that all of the property is suitable for building; Mr. Pearson Stewart has used the area for development planning for student projects and has provided several alternative developments for single family dwellings. In answer to questions from Alderman Smith, Mr. Greer stated that in theory he feels that high density developments should be placed close to major thoroughfares, but that the proposed project was not based on the consideration that Parker Road is a proposed thoroughfare. The developer considered all four points that need to be met for a Special Use Permit. In regard to traffic and safety, the number of cars traveling over a road are spread over a 24-hour period. Mr. Hunt has gone far beyond reason to offer adequate exit from the project to outweigh any possible conflict between automobiles and safety. If the condominiums cannot be marketed, then the company is in trouble, but he feels that Chapel Hill has a market for the condominiums; this belief is based on conversations with individuals in the community. In answer to questions from Alderman Marshall, Mr. Greer stated that if the Special Use Permit is given and the economic situation worsens, then the project will be held in abeyance until the situation gets better; the company would keep the property and intends to develop it. Dr. Cecil Sheps of Arboretum Drive, who has not been sworn in, said that he bought his property eight years ago and built on it four years ago. Each area resident was given a definite description about the character of the area, with much being said about Hunt Arboretum. In recent years the area seems to be changing. The proposed project originally used Bayberry Drive as access road, but under pressure from area residents developed an additional access. The declared policy of developer in placing pride in development in third place does not give area residents a great deal of comfort. He feels that the Board needs to take great care to see that the residents are protected. In response to a question from Mr. Midgette, Mr. Sheps said that even though the alternative access was developed to accommodate the area residents, he would expect that people devoted to the development of an area would not be required to do so under pressure. Mr. Hunt said that he has tried for a number of years to acquire the property used for alternative access, but was unable to do so until recently.

Town Attorney Denny said that three letters from Mr. W. Billingsley have been entered into record without comment from either the opponents or proponents of the project, and asked if either attorney has any questions of Mr. Billingsley. Mr. Midgette and Mr. Epting said no. Mr. Billingsley said that University Service Plant is responsible for serving the community with electricity and water and to protect the interests of present and potential customers. The letters entered into record are in response to the preliminary plans sent in for review; the University Service Plant is impartial in the matter and will take the opportunity to resolve any existing problems with the developer.

Town Attorney Denny asked if both counsels are satisfied with cross-examination. Mr. Epting said that he has not called a witness who did a traffic survey on the area and submitted a report from Ms. JoAnne S. Routh dealing with accidents in the area over the past three years. Town Attorney Denny said that an attempt has been made to furnish the opposing sides with all documents; to enter the report into the record, Mr. Midgette must have a chance to inspect it. Mr. Epting said that he also has certified copies of all accident reports between Parker Road and 15-501 on Farrington Road between February, 1971 and June 4, 1974. Mr. Midgette said that the developer will stipulate that Ms. JoAnne Routh would have been called as a witness testifying that in 3+ year term certain accidents happened in the Farrington Road area as delineated in the report summary. Both Mr. Epting and Mr. Midgette advised that they were satisfied with their opportunities for cross examination.

Alderman Rancer said that he is concerned about the traffic increase in the area; he feels the sewer system is inadequate at the present time and cannot handle additional loads for several years; the situation is unsettled in regard to the sale of sewer and water utilities by University; and the financial picture is unsettled. In view of these considerations, restraint must be used to ease the strain on Town's finances necessary to supply services to adequately handle any new development. Alderman Marshall said that she is satisfied about the information given at the hearing; she hopes people will realize that the Board must make a legal decision and are not opposing or supporting residents' wishes. Alderman Gardner said that he feels adequate information was presented by both sides. Alderman Welsh said that she is satisfied with the thorough coverage of all the necessary findings. Alderman Cohen said that the Board needs to consider a lot of criteria before a decision can be made; he has not yet been able to balance all the information given but will make a decision on all of the facts on record. Alderman Smith said he feels all the necessary evidence has been presented and will wait for a recommendation from the Planning Board. Alderman Smith moved, seconded by Alderman Marshall, that the request for a Unified Housing Development Special Use Permit for Laurel Hills Condominiums be referred to the Planning Board for their consideration and recommendation back to the Board. Mayor Lee thanked all persons attending the Public Hearing. Said motion was unanimously carried.

Granville Towers--Special Use Modification

Mayor Lee said that the Public Hearing is called to hear a request submitted by Allen and O'Hare, Inc.,

agents for Frank Kenan, for a modification of the Commercial Student Resident Hall Special Use Permit for Granville Towers, to permit vehicular access to the property from Cameron Avenue. Notice of the hearing has been duly advertised in the Chapel Hill Newspaper and mailed to property owners in the area. Mayor Lee presented the procedure of the hearing and asked persons who wish to be sworn in as witnesses to step forward. The witnesses were sworn in.

Mr. Kurt Jenne, Assistant Town Manager and Director of Urban Development, presented the request.

The applicant seeks to provide access to Cameron Avenue for all cars using the Granville Towers parking lots by being relieved of the stipulation placed on the Granville South Special Use Permit in 1968, which prohibits access from the lots other than onto Franklin Street. Board members have previously received copies of these minutes. Granville South is part of a complex of three 8- and 9-story dormitory towers with associated service, recreational and parking facilities adjoining the University Square office and retail shopping complex on West Franklin Street. The entire tract on which these complexes lie is zoned CBD except for a 10-foot "buffer" of R-10A along the Cameron Avenue r.o.w. and an area of LB between Granville South and the R-10A buffer. The tract is abutted to the north by commercial uses on Franklin Street to the east by fraternity and institutional uses fronting on Columbia; to the west by single-family residences on Mallette Street, Colony Court and Dawson Alley; to the south by institutional, fraternity and single-family residential uses on Cameron. Granville Towers accommodate approximately 1100 student residents and provide parking for 500 cars. Parking for Granville is leased by residents and is controlled by stickers and towing. University Square provides 366 parking spaces for tenants and customers with no day-time parking controls currently in effect. Access to both complexes is from four entrances from Franklin Street, the eastern and westernmost of which provide access to Granville Towers. The applicant intended to establish gate-controlled attendant parking in the University Square office/retail complex starting during the month of September in a manner which would necessarily eliminate all access between University Square and Granville and which would in effect provide access to Granville only from Cameron and to University Square only from Franklin. The applicant wishes to receive approval of the access to Cameron Avenue before the complexes are divided. The staff considered a number of factors in reviewing the request. With regard to the Special Use : The stipulation which limited access to Franklin Street was made in order to enable a positive finding that the proposal would be in harmony with the area (that is, separated from Cameron Avenue, a residential street, and Mallette, a residential street) and in general conformity with the plan of development (to maintain these two streets as residential in character). It is also evident that the effects of the large volume of traffic to be generated were believed to be less of a safety hazard, if any, on a commercial street than on residential streets. The applicant implies that the movement of cars onto a now more heavily traveled Franklin Street presents a safety hazard. However, the staff does not believe that movement onto a now heavily traveled residential street would materially improve traffic safety and the factual information provided does not in the staff's opinion support such a contention. The staff agreed that police and fire access to Granville would be made easier by opening access to Cameron Avenue. However, it was also agreed that it is not absolutely necessary from this standpoint and that the existing situation could probably be improved by other means such as maintenance of fire lanes within the complex to ease access from Franklin Street. The applicant implies that the opening onto Cameron is necessary to the establishment of attendant parking. The staff contends that it is not. Prior to submission of the application the staff worked with the applicant for several weeks and suggested five alternative configurations for controlled parking at University Square without using access to Cameron. The applicant was not entirely satisfied with these suggestions and therefore made application for modification of the Granville South Special Use Permit. The staff attempted to assist in finding a solution which would not require the opening of Cameron because it believes that legally the parking arrangement at University Square has no bearing on the Granville South Special Use. It also believes, as mentioned above, that neither need there be any functional relationship between the two. In summary, the application now before the Board is made to facilitate an action which is not legally related to the Special Use and need not be functionally related to the Special Use. In addition, and most important, the staff believes that to grant relief from the stipulation would leave the Board

unable to make two of the required four positive findings for the Special Use with the factual information now at hand. An analysis of this proposal and the traffic data submitted by the applicant has been performed by an independent traffic consultant who will report his findings later in the hearing.

In response to questions from Mr. John Manning, attorney for the applicant, Mr. Harold Smith, Manager of University Square Commercial Development, said that he has held the position for about a year and is authorized to represent Mr. Kenan or Allen and O'Hare, Inc. at the hearing. Mr. Smith showed the University Square area on a plan. It is composed basically of two areas, commercial and residential, with the only viable access on Franklin Street. Other potential access areas are at Colony Court, Dawson Alley, Pfetzer Lane and an existing drive across from Wilson Court. Pfetzer Lane is a dedicated alley. There are four existing driveways on Franklin Street. He wrote the original application for the change in permit and has not made any amendment on it. Mr. Smith stated that the staff report is factually correct although he does not agree with the opinions expressed therein. Mr. Smith presented photographs, taken on August 28, 1974, between 12-1:30 pm from the roof of the west building aiming east on Franklin Street, illustrating the congestion at peak periods of traffic. The traffic situation in University Square is a serious problem, and is the largest single type of complaint. The proposed plan calls for a physical separation of the two types of traffic, residential and business. The parking slots in the residential parking area are rented and can exit most conveniently from the west or east exist. Normally, left hand turns are made from the west exit, since it is virtually impossible to make a left turn from east exit. There is fairly little usage of the two center driveways. Traffic counts in the area were made at the request of University Square by Wilbur Smith Associates. In response to a question from Alderman Cohen, Mr. Smith said that his evidence is just on the general traffic jam and not on the number of student cars attempting to exit from the lots. In response to a question from Mr. Jenne, Mr. Smith said that, aside from delivery trucks, most of the traffic into the Granville Towers parking area is from students.

In response to questions from Mr. Manning, Mr. David Yount of Wilbur Smith Associates, an engineering and planning firm, said that his company was asked to make a traffic survey in the University Square area and this was done on September 10, 1974. Traffic counts were made between the hours of 12 noon and 1 p.m. and 4-6 p.m. at various driveway entrances, Granville Towers, Franklin Street, Cameron Avenue, and a portion of Mallette Street. Between 12-1, the two-way volume on Franklin Street was 1113, on West Cameron - 480 and on Mallette - 312. Between 4-6 p.m. the two-way volume on Franklin Street was 2250, on West Cameron - 1250, and on Mallette - 580. At the entrance of the four University Square drives, the two-way volume between 12-1 was 505, between 4-5 p.m. - 532, and between 5-6 p.m. - 473. The two-way volume at the two entranceways to student parking lot between 12-1 p.m. was 79, between 4-5 p.m. - 146, and between 5-6 p.m. - 122. It was noted that during the counting period that about 90% of the cars entering the University Square parking area did so at either the east or west drives, with only about 10% using the middle two drives. If it is assumed that the student generated traffic would exit on Cameron Avenue, this would add 268 vehicles to the area during the three hour period, which are two of the three peak traffic periods in the University area. It is estimated that the total generated traffic on Cameron Avenue would be less than 1500 vehicles, which would add about 10-15% traffic to West Cameron Avenue over a 24-hour period. The types of buildings on Cameron Avenue at the proposed exit are institutional and fraternity and residential. It was observed during the survey that the students mainly walked to campus or bicycled. In response to questions from Alderman Smith, Mr. Yount said that he does not know what percentage of cars entering the residential parking area belonged to

the students living there, but since students pay for the use of their spaces, unauthorized parking is strongly discouraged. In response to questions from Alderman Cohen, Mr. Yount said that the removal of resident traffic from Franklin Street exits during rush periods would not significantly improve the traffic jams, since persons tend to leave for lunch and work at roughly the same time. There are other ways to separate the student traffic from the commercial traffic than by additional exits, such as forcing the active use of the two center driveways, but active competition exists in this block with other existing driveways. He has not observed the intersection at Pittsboro and Cameron and has not made actual measurements of sight lines on Cameron. In response to a question from Mayor Lee, Mr. Yount said that an ordinance prohibiting blocking intersections and driveways would not be very effective in the area, since it would be difficult to enforce. Alderman Welsh said that Town staff is maintaining that the University Square parking situation has no bearing on the Granville Towers Special Use. Town Attorney Denny said that all of the University Square is not under a Special Use Permit, but that one of the conditions for Granville South Special Use is that no exit be permitted on West Cameron Avenue until such a time as Pittsboro Road is extended through. In response to questions from Alderman Smith, Mr. Yount said the actual traffic on Mallette Street should not affect the application; an attempt was made to find the turning movements at the Mallette Street intersections. It is not important in which direction the cars travelled on Mallette. In response to a question from Alderman Gardner, Mr. Smith said that there are about 1400 students in Granville Towers, with over 400 cars. In response to questions from Alderman Gardner, Mr. Yount said that the student traffic in the proposal would be removed from Franklin Street, which is two-lane in each direction, and added to Cameron Avenue, which is one-lane in each direction. The projected 24-hour traffic on Cameron Avenue is about 8000, which is above the traffic count for a residential street and is more in the category of a major artery. He thinks that a signal light will eventually be placed on Franklin Street opposite University Square exit. During the traffic count, no attempt was made to identify the turnover rate of parked cars. In answer to questions from Alderman Welsh, Mr. Yount said that, proportionally, reduction of traffic on Franklin Street would be smaller than increase of traffic on Cameron Avenue; the volume added to Franklin Street from Granville Towers is not substantial. The general problem involves overall traffic in the area, although the application deals only with student parking lots. Mr. Jenne said that the proposed staff schemes for alternate ways of handling the residential parking were given to Mr. Smith around July 18, 1974, prior to the submitted request for a Special Use Permit. Mr. Smith said that he and Mr. Jenne reviewed the proposed suggestions, but there are flaws in each proposal either blocking off access to a retail establishment or requiring a large number of attendants. He has done site examination on Cameron Avenue from the time the area of South Granville Towers, with the driveway opposite Wilson Court as proposed egress. Mallette Street is uphill, about 200 years west, with no sight problems; Cameron Avenue runs downhill all the way to Pittsboro Street. Basically, students like to have their cars for use on weekends; there is relatively little use during the week. In response to questions from Alderman Smith, Mr. Smith said that it is hazardous for students to exit on Franklin Street and would be in their best interests to exit on Cameron Avenue. The existing problem is one of degree; while 200 cars on Franklin Street make up only a small portion of overall traffic, in University Square Parking lot, they make up a high proportion of cars. In answer to a question from Ms. Slifkin, Mr. Smith said that he does not know why the problem of parking was not considered when the Special Use Permit was originally granted, but that he assumes traffic situation in Chapel Hill has changed a lot since 1968, and that the present problems with university parking and higher traffic were not

anticipated. In answer to a question from Alderman Smith, Mr. Smith said that the manager of Granville Towers should have the power to limit the number of cars of dormitory students. At the present time all of the spaces have been rented.

In answer to questions from Mr. Manning, Mr. T. L. Kemp of Kemp's Jewelry at University Square said that his business faces Franklin Street and he can observe traffic conditions; there is continuous traffic in an area that the merchants would like to preserve for their customers. The problem is getting progressively worse. The traffic is highest at the two periods when the count was taken, but it is always a problem to get out of the east exit. It is easiest to exit from the center drives. The traffic in the area behind the commercial buildings is very busy during the peak times, making it difficult to reach parked cars. In response to questions from Alderman Smith, Mr. Kemp said that attendant now attempts to control the parking of non-customer cars in the parking area.

In response to questions of Mr. Manning, Mr. Gordon Kage, manager of CCB in University Square, said that he is able to observe traffic conditions in the area. The problem is caused by the fact that there is a continuous stream of traffic on Franklin Street, making it difficult to exit into it. Students have a lot to do with the existing problem in the parking lot, since primary traffic in the lot uses the east entrance. Cars get backed up in the driveway past CCB, blocking the entrance and exit of bank drive-up window. Some of the problem is caused by the fact that pedestrian traffic across pedestrian crossing on Columbia Street slows down vehicle traffic, causing extensive back-ups on Columbia Street and preventing cars from making a right-hand turn from Franklin Street onto Columbia. In answer to questions from Alderman Smith, Mr. Kage said that it is basically correct that the traffic problem that needs solving is on Franklin Street and not in the parking lot. Having a traffic light at the pedestrian crossing and synchronizing lights will not solve the problem; eliminating students from University Square commercial parking area will help in solving the back-ups inside the driveways. Alderman Gardner said that he feels the control of situation at the Columbia Street pedestrian crossing will be of more benefit than providing access to Cameron Avenue. Alderman Welsh said Town should consider the existing traffic problems on Franklin Street.

Ms. Madeline Sparrow said that the present problem is traffic and not parking. The matter of exit to Cameron has been considered twice since 1968; students would be better off exiting on Cameron Avenue; left hand turns could be prohibited there to eliminate additional traffic going to Pittsboro Road intersection.

Mayor Lee asked for comments in opposition to the project. Mr. W. L. Wiley of 412 Cameron Avenue said that Granville Tower Special Use Permit was granted in 1968 by one vote. At that time the representative of the builder said that Granville Towers did not intend to exit on Cameron Avenue but was focused toward University Square complex. There are many residents on Cameron Avenue who consider it their home; he has lived there 40 years. The tradition of Cameron Avenue goes back a long time. It is a mixture of residences and institutions. Additional traffic load of 15% is sizable for the area. He hopes that the Board will consider the matter and that esthetics and tradition will win out.

Ms. Charlotte Adams, resident of Patterson Place said that she has lived in Chapel Hill since 1927. Cameron Avenue does not need more traffic; any additional traffic will endanger the lives of children who live there and attend day care centers.

Mr. J. W. Horn, executive vice president of Kimley-Horn and Associates, Inc., of Raleigh, West Palm Beach and Nashville, said that his company was asked by the Department of Urban Development to study the traffic count figures submitted by the applicant. The following report was entered into record:

Kimley-Horn and Associates, Inc.
1323 Buck Jones Road
Raleigh, North Carolina 27606

October 7, 1974

Mr. Kurt Jenne
Division of Urban Development
Town Hall
Chapel Hill, North Carolina

Dear Mr. Jenne:

As requested in our meeting on October 4, 1974, I have reviewed the report of the Development Review Staff concerning Granville Towers Parking access dated July 29, 1974. I have also reviewed the traffic count data presented and have studied the site and area in the field. My comments are offered as follows.

Traffic Counts and Access to West Franklin Street

From the traffic counts provided, it appears that approximately 260 vehicles enter and 260 vehicles exit the University Square hourly during peak periods and approximately 65 vehicles enter the Granville Parking lots and approximately 85 exit the parking lots during peak periods, or a grand total of 325 vehicles enter and 345 exit the total complex during peak periods. During peak periods:

80% enter to University Square
20% enter to Granville Parking

75% exit from University Square
25% exit from Granville Parking.

As stated in the report, access to both the University Square and to Granville Towers is by four entrances from Franklin Street. The Eastern most access is a three lane facility (one enter lane, one left exit lane and one right exit lane) and leads directly southward into the Granville Tower parking area. Whereas there were no divisions in the traffic count pertaining to which driveway was used (Table 3) it is my opinion that a large majority (75-80%) of the Granville tenants use the Eastern most driveway.

West Franklin Street is classified as a major thoroughfare, is five lanes wide with intermittent signalization and from the count date provided, carries approximately 1,200 vehicles during the peak hour. Access to any major thoroughfare is dependent basically upon the passing volume traveling on the facility and the frequency of gapping in the passing traffic. Twelve hundred vehicles per hour is not a great volume for a five lane facility to accommodate, and West Franklin Street does have frequent signals to provide gapping in the flow of traffic.

As stated earlier, the counts provided indicate approximately 325 vehicles enter the Granville-University Square hourly and 345 exit onto Franklin Street hourly during peak periods. Three hundred forty-five vehicles exiting is an average of one vehicle each 10.4 seconds, and if equal distribution occurred at each of the four driveways, it would average only one vehicle every 41.6 seconds exiting. These are not congested or burdensome conditions.

Consequently, I see no real difficulty with the entering and exiting conditions from West Franklin Street at this time.

Cameron Street

Cameron Street is a residential type street, not classified as a thoroughfare or as a collector street on the Thoroughfare Plan. It is 44 feet wide with parking on both sides and contains one lane of through traffic in each direction. Its character of single-family residential, institutional and fraternity use is of concern to the City, and must be evaluated accordingly. The hourly volumes on West Cameron Street, as provided, total 1,723 for the three count periods (12-1, 4-5, 5-6). The peak hour, as provided was 714 vehicles. This expands to a range of 7,000 to 9,000 vehicles per day, far above the level of two to three thousand as a maximum desirable for residential or non-thoroughfare streets.

The hourly volumes to and from Granville Towers parking area, as provided (Table 3) for the hours 12-1, 4-5, 5-6, total 268 trips in and out. If this volume of traffic were added to the existing 1,723 vehicles for the same periods, it would increase the traffic on Cameron Street by 15.5% to 1,991 vehicles for the three hour period illustrated.

The intersection of Cameron and Mallette Street is located approximately 200 feet west of the Granville Parking lot. This "T" intersection is located at the top of an extremely blind crest hill on Cameron Street. From Mallette Street, sight distance is fair in both directions, however at a point 200' East, in the vicinity of the Granville parking, the sight distance for entering the street is very poor. In my opinion, it would create a hazardous traffic condition to permit traffic of this magnitude to enter and exit at this location.

Summary

- 1. With the given environment and traffic conditions along Cameron Street, it would, in my opinion, be detrimental to the residential and institutional activities along Cameron Street to permit or encourage increased traffic on Cameron Street at this time.
- 2. In my opinion, the four driveways from West Franklin Street are fully capable of serving both University Square and the Granville Towers parking at this time.
- 3. If there is a desire to attendant-control the parking around University Square, in my opinion such control could be arranged to separate, but yet accommodate access to Granville Tower parking area.

Yours truly,
KIMLEY-HORN & ASSOC., INC.

/s/

J. W. Horn
Executive Vice President

JWH/mey

Mr. Manning asked that the testimony on traffic count be stricken since he had not been notified of it in advance. Mr. Kurt Jenne said that the data given to the consultant is the traffic data given by Mr. Yount to the Board on September 10, 1974. Town Attorney Denny said that an attempt was made to present all data to the

applicant. The traffic study is dated October 7, 1974, and there has not been a reasonable opportunity to get the information to Mr. Manning prior to the latter part of last week, which gave him several days opportunity to review it, and Mr. Yount was present, and also had reviewed it prior to the hearing. Alderman Marshall said that all the response that Town has made in the matter since July has been in response to the request for Special Use Permit; there appears to be a lack of communication between Mr. Manning and Mr. Smith in the matter. Town Attorney Denny said that Mr. Smith's request for a Special Use Permit is dated July 26, 1974. Town Attorney Denny ruled that, since the traffic information has been available to Town only a short time, was distributed as soon as possible and prior to the hearing, it is proper to admit the traffic report. In response to a question from Mr. Yount, Mr. Horn said that he took measurements on Cameron Avenue at the proposed driveway exit. The distance between Mallette Street and proposed driveway opposite Wilson Court is 2-300 feet; the safe stopping distance is about 200 feet. In response to a question from Mr. Manning, Mr. Horn said that, while Cameron Street is 44 feet wide and Franklin Street is 55 feet wide, Cameron Street could accommodate no more than four lanes, while Franklin Street is five-lane. Town Attorney Denny asked if Mr. Manning objects to entering photographs of Cameron Avenue illustrating Mr. Horn's testimony as evidence. Mr. Manning said that he objects to the photographs being used, and the photographs were not entered in evidence.

Alderman Smith said that he finds it significant that the Special Use Permit asks for relief for parking problems for the student residents, and no students are in the audience. His conclusion is that the problem is not so much the student cars as the traffic on Franklin Street and does not warrant providing a driveway exit on Cameron Avenue. Board at the present time is working to find a solution of traffic problems; a partial solution will be the synchronization of lights. He does not think it would be a wise move to open the residential parking lots to Cameron Avenue for the very small number of students who use it during peak traffic hours. Alderman Cohen said that he feels the proposal does not deal with the real traffic problem. Alderman Welsh said she has no comment. Alderman Gardner said that he recognizes the traffic situation causes a serious problem, but he does not feel that the proposal is a solution. Alderman Marshall said that, while she realizes stipulations on Special Use Permits are not sacrosanct in a changing situation, the fact that the matter has been considered twice before, the seriousness of such a request should be taken into very careful consideration. Alderman Rancer said he has no comment. Mayor Lee said that the problem before the Board is a serious one. Cameron Avenue has been a unique residential street in Chapel Hill. At the same time, the increase in traffic has been very heavy and is causing a serious problem at University Square. The matter has to be taken under careful consideration by the Board, although providing another exit on Cameron Avenue may not be the only solution to the problem. The Planning Board should take a close look at the whole problem and should make a recommendation to the Board. Alderman Smith moved, seconded by Alderman Gardner, that the matter be referred to the Planning Board for consideration and recommendation back to the Board. Said motion was unanimously carried. The Public Hearing adjourned at 12:35 a.m.

REGULAR MEETING

Alderman Smith moved, seconded by Alderman Marshall, that minutes of the meeting of October 7, 1974, be approved as circulated. Said motion was unanimously carried.

Public Hearing--Rescheduling from October 28, 1974

Assistant Town Manager Jenne petitioned the Board that the regularly scheduled Public Hearing on October 28, 1974 be rescheduled, since a quorum would not be present on that date. Alderman Welsh moved, seconded by Alderman Cohen, that the Public Hearing scheduled for October 28,

1974, be rescheduled for November 11, 1974. Said motion was unan-
imously carried.

Motor Vehicles--
Specifications

Mr. Joseph Rose, Public Works
Director, said in response to a
request by Board at their October 7,

1974 meeting that detailed specifications for 1/2 to 3/4 ton
vehicles are necessary because the present general statutes require
competitive bidding on purchases of this size; the specifications
have to be uniform to make sure that each bidder is given an oppor-
tunity to bid competitively. Very few of the specifications listed
in the request are in addition to a standard truck. Additions, such
as alternator requirements, battery size and transmission require-
ments are made because the vehicles are used during emergency situa-
tions, in all kinds of weather. Mayor Lee asked if, of the bids
rejected at the previous meeting, any bidders met the specifications
for a 1974 vehicle. Mr. Rose said no. Town Attorney Denny
explained that Ilderton Dodge met the specifications but failed to
file a bid bond and, according to law, the bid could not be con-
sidered. Mayor Lee asked why the readvertisement is for 1975 model
Mr. Rose said that since no new 1974 vehicles are being made, it
was felt that it would cost as much to get a bid on a 1975 model as
to obtain a 1974 model without all the specifications and have to
spend additional money to meet the specifications. Alderman Smith
asked if a good maintenance program would not allow the use of a
regular battery and alternator on trucks. Mr. Rose said that the
department has an excellent maintenance program, but that the extra
requirements are for emergency equipment; the cost difference for
alternator specifications amount to about \$50. Alderman Gardner
asked about the automatic transmission specifications. Mr. Rose
said that the cost of maintaining an automatic transmission is less
than that of a straight drive and is more convenient to drivers.
Alderman Gardner asked if the trucks have oversized radiators. Mr.
Rose said yes, this is a specification for an emergency vehicle.
Mayor Lee said that he is concerned about overspecifying and making
it less possible for people to bid. Mayor Lee suggested ~~that~~ the
discussion be continued at the next Board meeting. Assistant Town
Attorney Drake said that the bids for 1975 pick-ups will be opened
on the afternoon of Wednesday, October 16.

Eubanks Road Public
Hearing

Assistant Town Manager Jenne said
that, since Town's role in the
Public Hearing will be one of

neighboring property owner, he cannot recommend opposing the rezoning,
since Town property will not be adversely affected. Assistant Town
Attorney Drake will represent Town at the Public Hearing. Mr. Jenne
will instruct Mr. Drake as to the questions Town would like to ask at
the Public Hearing.

Agreement with Chapel Hill -
Carrboro Schools--Gym Space--
Resolution

Assistant Town Manager Jenne said
that paragraph 1, 2e and 2g of the
agreement may have to be slightly
altered from the form distributed

to Board members. Alderman Gardner asked about the anticipated
costs for providing a custodian at the storage facility. Mr. Jenne
said that Town is approaching this through the Emergency Employment
Act, through Employment Security Commission. Alderman Welsh moved,
seconded by Alderman Gardner, that the following resolution,
authorizing Town Manager to enter into an agreement with Chapel Hill -
Carrboro City Board of Education, Inc., be adopted:

R E S O L U T I O N

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN
AGREEMENT WITH CHAPEL HILL - CARRBORO CITY BOARD OF EDUCATION,
INCORPORATED.

BE IT RESOLVED BY THE TOWN BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL, ORANGE COUNTY:

SECTION I

That the Town Manager is authorized to enter into an agreement (attached) with Chapel Hill - Carrboro City Board of Education, Incorporated for the use of gymnasium space and provide storage space for the Board of Education.

SECTION II

That this resolution shall become effective at the earliest time allowed by law.

Said motion was unanimously carried.

Transportation Bonds--
Resolution

Town Attorney Denny read the resolution. Alderman Welsh moved, seconded by Alderman Smith, that the following resolution, accepting the sale of transportation bonds and confirming the interest rate, be adopted:

EXTRACTS FROM MINUTES OF BOARD OF ALDERMEN

Alderman Welsh introduced the following resolution and moved that it be adopted.

WHEREAS, the Local Government Commission of North Carolina has informed the Board of Aldermen that it has sold in the manner prescribed by law the \$350,000 Transit System Bonds of the Town of Chapel Hill, dated November 1, 1974 authorized to be issued by a bond ordinance adopted by the Board of Aldermen on December 11, 1972 and that the contract of sale contemplates that said bonds shall bear interest as hereinafter provided: NOW, THEREFORE,

BE IT RESOLVED that said bonds shall bear interest as follows:

Bonds payable in the year 1976, 7% per annum; bonds payable in the year 1977, 5.80% per annum; bonds payable in each of the years 1978 to 1980, inclusive, 5.20% per annum; bonds payable in the year 1981, 5.25% per annum, bonds payable in the year 1982, 5.30% per annum; and bonds payable in each of the years 1983 and 1984, 5.40% per annum.

Alderman Smith seconded the motion, and the motion was adopted. These voting for the resolution were Aldermen Cohen, Gardner, Marshall, Rancer, Smith and Welsh. No one voted against it.

Said motion was unanimously carried.

Parking Bonds--Retirement

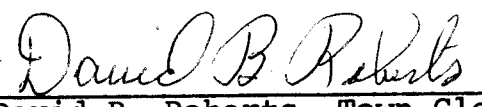
Mayor Lee said that the Board must consider granting approval to retire \$5,000 of parking facility bonds on December 1, 1974. The Director of Finance has verified that sufficient funds are available. Alderman Smith moved, seconded by Alderman Welsh, that approval to retire \$5,000 of parking facility bonds on December 1, 1974 be granted. Said motion was unanimously carried.

Other items on the agenda were postponed to October 21, 1974 meeting.

There being no further business to come before the Mayor and the Board of Aldermen, said meeting was adjourned at 1:05 a.m.



Mayor



David B. Roberts, Town Clerk

