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MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING, MONDAY, MAY 18, 1981, 7:30 P.M.

Mayor Nassif called the meeting to order. Present were:

- Marilyn Boulton
- Joe Herzenberg
- Jonathan Howes
- Beverly Kawalec
- R. D. Smith
- Joe Straley
- Bill Thorpe

Also present was Town Manager E. Shipman. Councilmember Wallace was absent.

Mayor Joseph L. Nassif asked that persons wishing to speak on any of the items on the public hearing come forward to be sworn by the Clerk. This swearing procedure was necessary for testimonies to be taken into account by the Council.

Mayor Nassif welcomed Ms. Brenda Cherry who would be filling the vacancy created by the resignation of Ms. Harkins.

Franklin Park Office Complex Planned Development - Public Hearing

Mr. Jennings explained that both of the requests to be presented had been applied for under the previous zoning ordinance; therefore, the information given to Council used the old zoning ordinance terms (unified housing, unified business). The actual request was for planned development (office institutional and planned development housing). The new zoning ordinance would require that the Planning Board and Manager give their recommendations at the public hearing. (Pending adoption of the new zoning ordinance, future requests will not have the joint public hearing because the Manager and Planning Board will give their recommendations at the public hearing.)

Mr. Jennings presented the proposed project and pointed out its location and surrounding areas (R-4, R-5, and R-3 surround the R-5 property under discussion). The total floor plan was 75,000 sq.ft. for a floor ratio of .295; the ordinance allows .348 for this zoning district and use. The proposed access to the property was (1) joint access with Northwestern Bank, and (2) one access on Franklin Street. Architect drawings of the proposed area were submitted by the applicant.

The floor was opened for questions.

Councilmember Smith questioned the distance from the entrance on Franklin Street to the stoplight.

Mr. Roger Baker explained the distance to be 485 ft. from the stoplight at Elliott Road to the intersection and 560 ft. to the Eastgate stoplight.

Councilmember Boulton further inquired regarding which access was intended to be the main access. Mr. Jennings predicted that most persons not familiar with the project would use the Franklin Street entrance and those coming from the west would most likely come in on the Elliott Road, although he did not feel that he could give a good calculation. Councilmember Boulton expressed concern that both areas appeared difficult to enter, mentioning specifically clients entering the Northwestern Bank area in relation to its proximity to the Fire Station #3 entrance. Mr. Jennings reiterated that this entrance was a good distance back from the intersection which would prevent any interference of other turning traffic.

Councilmember Smith was interested in the possible impact of traffic for this project on Elliott Road.

Mr. Jennings introduced Mr. Baker, applicant for the proposed property, allowing him to answer further questions. Before answering Councilmember Smith's question, Mr. Baker presented his traffic study and other reasons supporting the intended use of this property. He qualified Town goals for public health and safety by showing, in his opinion, safe access to the property both in terms of traffic turn lanes, distance from area stoplights, relation of proposed accesses to surrounding properties, and good visibility from the proposed accesses. He did not feel that any residential areas would be impacted by the traffic to or from the proposed project. Other qualifications presented were (1) the proposed project had access to public

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utilities and transportation, (2) drainage plans were designed in accordance with the Town Engineer's requirements, and (3) the property was not in the Flood Plain.

The second requirement was that the Use meet all required conditions and specifications. The property, now zoned R-5, allowed 100,000 sq.ft. and only 75,000 sq.ft. was proposed. In addition, the open space and liveability ratios were not exceeded. He asserted that beautiful trees on the present property would be preserved by applying previous conservation experience by fitting the buildings among the trees. He also stated that there were plans to create garden areas around the structures.

Mr. Baker supported the third requirement (that the proposed use of the property not devalue surrounding properties). He stated that he had spoken with property owners of the surrounding properties and felt that all were appreciative of all aspects of the planned use for the subject project. Mr. Baker felt that the greenway plans would enhance this artery into Chapel Hill.

Councilmember Smith returned to his former question regarding the possible impact of traffic on Elliott Road. He rephrased his question for clarification, asking how much additional traffic would be added to get to that proposed park (from the beginning of the project entrance on Elliott Road to the end). Mr. Baker suggested some possible cross-over traffic since it was faster to get to the downtown area by way of Franklin Street than going by way of Estes Drive--the difference being  $2\frac{1}{2}$  times longer by way of Estes Drive. He added that there was traffic in this area ordinarily due to the close proximity of the project to nearby residential areas.

Councilmember Smith inquired about potential conflicts in the left turn lane on Franklin Street, turning left from either direction. He was concerned that the left turn lanes (one turning into the Kroger Plaza and one turning into the proposed project area) would not be long enough to accommodate all cars turning left from both directions. Mr. Baker anticipated a problem only at the heavy, peak-hour traffic, offering that drivers would use their turn signals when entering this lane and that this should prevent this problem. He also felt that 480 ft. was sufficient distance for use of turn signals by drivers entering this lane. Councilmember Smith expressed feelings that Mr. Baker might be anticipating an ideal situation.

Councilmember Smith asked about plans to protect the large, beautiful trees, asking what the distance of the buildings from the trees was planned. He was concerned that there be enough time to protect the root system of these trees before the beginning of construction. Mr. Baker referred to another project in Town (corner of Roosevelt and Franklin--6 Townhouses) which "he did," and offered this as an example of good tree protection. Mr. Baker offered other measures that could be taken in order to be sure that trees survive such construction, to the satisfaction of Councilmember Smith.

Councilmember Boulton questioned potential visibility problems again. Mr. Baker redescribed the landscaping which could affect sufficient visibility and explained how this potential problem was being dealt with. Wider turn lanes were planned to aid visibility and access.

Mayor Nassif stated that, according to information he had received, use of the access road was not a guaranteed right of the owners of other properties, that it was not a stipulation of the Special Use. Mr. Baker was under the impression that this was a requirement.

Councilmember Straley asked about the anticipated number of employees. Mr. Baker could not be sure, but anticipated approximately 4 persons per 1500 sq.ft., going on his knowledge of other Office/Institutional Use areas and the zoning restrictions for this proposed project. Councilmember Straley asked for a ratio. Mr. Baker responded with a figure of about 3-5 people per 1,000 sq.ft. by completion (a period of 3-5 years) or 225 to 300 employees anticipated to be working in the proposed project.

Councilmember Straley was interested in knowing if cars entering the Franklin Street access had sufficient room to slow down before turning into the proposed area, not seeing such evidence on the map. Mr. Baker stated that a wider curb cut was planned - flaring out the driveway some 25 ft. so that cars could enter without slowing down significantly. Councilmember Straley was not sure that the plans submitted showed this clearly; however, Mr. Jennings reassured Councilmember Straley that all of these specifications did meet those standards required by the Planning staff. Mayor Nassif confirmed this as well. Mr. Baker offered to have the drawings blown up in scale and have this ready for the public hearing anticipated to be scheduled for July 6, 1981.

There was no further discussion.

COUNCILMEMBER KAWALEC MOVED, SECONDED BY COUNCILMEMBER BOULTON, THAT THE MATTER BE REFERRED TO THE PLANNING BOARD FOR THEIR RECOMMENDATION.

There was no further discussion.

THE MOTION WAS CARRIED UNANIMOUSLY.

Woodglen Townhouse Planned Development - Public Hearing

Mayor Nassif introduced the second proposal, that being Woodglen Development. The proposed project was for a planned development - Housing Special Use Permit for 18 units on 1.673 acres zoned R-4 on the south side of Longview Street.

Mr. Jennings pointed out the location on maps, and described the surrounding areas as well as the property for proposed development. He stated that the property was currently undeveloped and the proposed access for the project was an existing curb cut. The Townhouses will be 950 sq.ft. with another being 1200 sq.ft. The total floor area will be 18,300 sq.ft. for a .237 floor area ratio (.3484 being allowed). There was an existing drainage pipe across the property. Plans were submitted to depict what the project would resemble.

Councilmember Smith asked to have the exact curb cut pointed out on the map. Mr. Jennings complied. Councilmember Smith questioned if there had ever been a Special Use Permit granted for this in the past. Mr. Jennings believed this to have been true several years ago, but felt that it had expired. Councilmember Smith wanted to be sure that such a permit had, indeed, expired. Mr. Jennings affirmed that ordinance did not allow more than 5 years on any Special Use Permit and he was sure that 5 years had passed.

An additional spokesperson for the project, Ms. Lucy Davis, offered to be available to answer any questions that might arise.

Architect for the project, Mr. Giles Blunden presented the project. He described the project as undeveloped and overgrown, with a nearby unkept creek bed. There was access from one curb cut to the roadway for either left or right turns. The Townhouses were proposed to be 4,000 sq.ft. per unit, 33 ft. high. He felt that all zoning requirements had been met. Plans were to have two parking spaces per unit (more than that required). He felt that the proposed plan would not devalue existing properties in the area. He supported his statement by explaining that plans are for the structures to be solar units (60% of heat provided will be solar heat). He felt that there was a demand for this type of housing in the \$50,000 to \$60,000 range close into town that this proposed project would meet.

Councilmember Howes inquired regarding the grading to be encountered upon exiting the proposed drive. Mr. Blunden described the grade as quite steep upon exiting, but could not compare it to any other grade in Town. Grading would have to be done and were part of the plans.

Councilmember Howes was concerned about any anticipated problems with the planned loading zone. Mr. Blunden did not anticipate any problems, stating that this zoned area was necessary for fire access as well as for tenants moving various items to and from vehicles.

Councilmember Smith asked about the distance from the curb cut to Johnson's garage and the distance from the curb cut to the other curb on the other side. Mr. Blunden stated the distance was approximately 180 ft. from the entrance of the project to Clark Street. The entire property measured 450 ft. long. He further stated that his findings regarding traffic flow in this area showed approximately 60 cars in one hour and that these statistics were taken between the hours of 4:30 P.M. and 6:30 P.M., a heavy traffic flow time.

Councilmember Smith asked that Councilmembers take into consideration the proposed project entrance in relation to the two curves on Clark Street. He anticipated this to be a dangerous situation.

There was no further discussion.

COUNCILMEMBER HOWES MOVED, SECONDED BY COUNCILMEMBER HERZENBERG, THAT THE MATTER BE REFERRED TO THE PLANNING BOARD.

There was no further discussion.

THE MOTION WAS CARRIED UNANIMOUSLY.

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Resolution Calling for a Public Hearing for July 6, 1981

COUNCILMEMBER SMITH MOVED, SECONDED BY COUNCILMEMBER HOWES, ADOPTION OF THE FOLLOWING RESOLUTION:

A RESOLUTION CALLING A PUBLIC HEARING FOR JULY 6, 1981 (81-R-83)

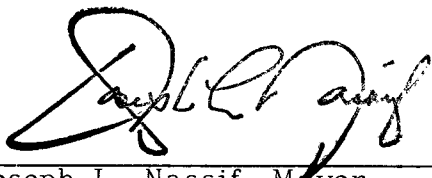
BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby calls a public hearing for 7:30 P.M., July 6, 1981 in the Meeting Room of the Municipal Building, 306 North Columbia Street, Chapel Hill, North Carolina to consider the following:

1. Franklin Park
2. Woodglen Townhouses

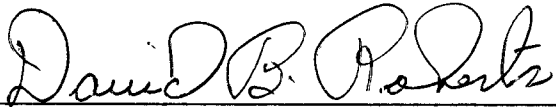
This the 18th day of May, 1981.

THE MOTION WAS CARRIED UNANIMOUSLY.

There being no further business to come before the Council, the meeting was adjourned at 8:50 P.M.



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Joseph L. Nassif, Mayor



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David B. Roberts, Clerk