

MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, MUNICIPAL BUILDING,  
MONDAY, SEPTEMBER 19, 1983, 7:30 P.M.

Mayor Joseph L. Nassif called the meeting to order. Councilmembers present were:

Marilyn Boulton  
Winston Broadfoot  
Jonathan Howes  
Beverly Kawalec  
David Pasquini  
R. D. Smith  
Joseph Straley  
Jim Wallace

Also present were: Town Manager, David R. Taylor; Assistant Town Manager, Sonna Loewenthal; Assistant Town Manager, Ron Secrist; and Town Attorney, Grainger Barrett.

Mayor Nassif outlined the procedures that would be followed. He requested that citizens wishing to speak on Special Use Permit requests confine their remarks to issues that were germane to the four findings that the Council must make to approve a Special Use request. He stated that the public hearing would continue only until 10:30 P.M.; the item under consideration at that time would be completed and the public hearing would be continued.

(Material requested to be entered into the records of this meeting is entered by reference and may be found in the permanent files of the Municipal Offices indicated.)

Oxford Hills--Request for a Planned Development-Housing Special Use Permit

Mr. Taylor requested that the following documents be entered into the record of this hearing:

- Manager's memorandum dated September 19, 1983 (please refer to Clerk's files);
- Manager's memorandum dated June 20, 1983 (see Clerk's files);
- Minutes of June 20, 1983, Public Hearing (please refer to Minute Book #38, pp. 144-154);
- Manager's memorandum dated July 11, 1983 (see Clerk's files);
- Manager's memorandum dated August 22, 1983 (see Clerk's files);
- Minutes of March 13, 1978, Public Hearing, "Kennedy Apartments Special Use Permit--Public Hearing" (please refer to Minute Book #28, pp. 21-34);

Mr. Barrett requested that the Attorney's memorandum of September 19, 1983, entitled "Special Use Permit Public Hearings" be entered into the record of this hearing (see Clerk's files).

Mr. Barrett responded to Mayor Nassif that the March 13, 1978, Public Hearing for the Special Use request for Kennedy Apartments was the first public hearing on this site. This request was approved on December 11, 1978. There was no outstanding Special Use Permit at that time.

Mr. Mike Jennings, Planning Director, stated that the property was located on the east side of Old Oxford Road on approximately 27.2 acres of gross land area. The site was divided into R-1 and R-4 zoning districts.

Mr. Jennings requested that the summary of changes (since June 20, 1983), as proposed by the applicant, be entered into the record (see Clerk's files). The proposed decrease in the number of structures and the revision from "slab on grade" construction to "retaining walls with slab on grade" would reduce on-site grading, a prior concern of the Council.

Major concerns centered around the traffic impact of the proposed development:

- Traffic was expected to increase significantly on area roads; staff felt area roads could handle this increase without creating safety problems.

- Traffic on Old Oxford Road was expected to double; staff felt that the proposed turn lanes and road improvements would eliminate hazardous conditions;
- Traffic at the intersection of Elliot Road and Franklin Street was expected to increase, resulting in the frequent overload of the left-turn lane from Elliot Road onto Franklin Street.
- Fire Department personnel felt that "response in a timely manner" to emergency calls would not be a problem, even with traffic congestion.
- Staff felt that any increase in traffic on Audubon, Elliot and Clayton would be modest. Area roads were not likely to be used to reach major destinations of shopping centers and places of employment.

Mr. Jennings stated that all structures would be located outside of the flood plain.

There had been concern whether the proposal met the following requirements of Sec. 8.8.1.1 of the Chapel Hill Development Ordinance:

#### 8.8.1.1 Relation to Major Transportation Facilities

Planned developments shall be so located with respect to major street, bicycle, and pedestrian networks, or public transportation facilities, and shall be so designed, as to provide direct access to the development without creating traffic in residential neighborhoods outside the development.

Mr. Jennings stated that staff felt that the increase in traffic on Old Oxford Road, a minor collector road, would not be unreasonable and would not overburden the road. It was felt that a significant amount of traffic would use Ridgecrest Road and roads through Lake Forest. Other routes were felt to be too circuitous and hilly.

Re density standards of the Comprehensive Plan, Mr. Jennings explained that the 70/30 ratio (70% low density; 30% high density) was a 20-year standard set toward achieving a density balance in subcommunities.

Mr. John McAdams, representing the applicant (Goforth properties), submitted a document entitled, "Oxford Hills Apartments...Evidence in Support of a Special Use Permit Application" and requested that this be entered into the public record (see Clerk's files). The Statement of Justification was submitted within this document.

Mr. McAdams also entered into the record two 1979 aerial photographs of the Oxford Hills area (see Planning files).

Mr. McAdams pointed out that R-4 property to the north contained the Foxcroft Apartments (at a density of 12.71 dwelling units/acre) and R-4 property to the south contained Elliot Woods Apartments (at a density of 7.8 dwelling units/acre). He stated that the proposed Oxford Hills development would have a density of 9.1 dwelling units/acre.

The proposed Oxford Hills Apartments would have two access points onto Old Oxford Road. The applicant proposed road improvements to Old Oxford Road, with sidewalk, curb and gutter.

Mr. McAdams stated that 18 single-family lots were proposed for the R-1 portion of the property. Except for selective pruning and penetration of driveways and utilities, removal of trees from the 50-foot vegetative easement across the front of the lots would be prohibited. Vegetative buffer along the rear of the lots was proposed. He felt that the only area of visibility of the proposed development from Old Oxford Road would be at the entranceways.

Mr. C. E. Vick, Jr., Chairman and President of Kimley-Horn and Associates, Inc., a consulting engineering firm, submitted an updated traffic analysis which addressed concerns presented at the June 20, 1983, public hearing. The report was based on 198 proposed dwelling units, rather than on the previously proposed 256 units on which his previous analysis was based:

--Peak hour projections were:

<u>Into</u>	<u>Out</u>
20 (A.M.)	80 (A.M.)
80 (P.M.)	40 (P.M.)

--New studies were taken since the UNC fall semester began. Results showed a 10% increase over studies made in late May 1983, when the university was not in session.

--A traffic estimate of 2300 vehicles per day (on Old Oxford Road) included additional UNC traffic and anticipated traffic from the proposed development.

--A total of approximately 60 vehicles per day was projected for area roads, although it was felt that these roads would be too circuitous to encourage through traffic.

Mr. Vick felt that all roads would continue to operate "at a good level of service during all periods of the day."

Mr. George T. Lathrop, Senior Associate with Barton-Aschman Associates, Inc., a traffic engineering consulting firm in Washington, D.C., presented an impact analysis of traffic generated by the project. He stated that his figures "were not perceptibly different from those submitted by Kimley-Horn.

Mr. Lathrop stated that (with the exception of morning left turns from Elliot Road onto Franklin Street and afternoon left turns from Franklin Street onto Elliot Road) none of the approaches neared being a capacity situation. He felt that the capacity at the intersection of Elliot Road and Old Oxford Road was well within the range of a good level of service.

Mr. McAdams stated that traffic on Old Oxford Road was still a concern to opposers of the project despite expert testimony. He stated that "an alternative that we offer for the Town's consideration which we would accept...is indicated on...Exhibit "C" (please refer to Planning files). The alternative plans would provide access to the south side of the project via a public road, connecting to a private road. This alternative had been discussed with Mr. John Tomaro, Chairman of the Inter-faith Council, owners of the adjacent property, and that the Oxford Hills developer was "willing to accept any...risk...as to our ability to acquire the right-of-way." He proposed that the alternate access, if approved, be a "condition of approval."

Mr. Thomas Heffner, a Chapel Hill real estate appraiser, stated that the proposed single-family units would be in the price range of other single-family units on Old Oxford Road, and would buffer the property site and blend well with other single-family units on this road. Proposed buffer along the front of the property would provide adequate screening.

Mr. Heffner stated that he had compared the traffic impact on the value of surrounding properties of this proposed development with traffic impact on the value of properties adjacent to similar developments. He felt that the impact appeared negligible. Any impact would be offset by proposed road improvements and construction of curb and gutter and sidewalks along Old Oxford Road. Mr. Heffner stated that he had also compared the impact of the proximity of apartments in Chapel Hill to surrounding developments and found that property values had not been seriously affected.

Mr. Richard Chesson, a Durham real estate appraiser with 20 years' experience, stated that the proposed development would continue land use patterns of the area an ordinary flow and "should contain and create an ordinary flow of traffic on and off Oxford Road." He did not feel property values would be affected. He stated that the "topography is poor, falling approximately 50 feet from Old Oxford Road to Booker Creek." He felt that "to build a project of this magnitude on this terrain would require a top-grade engineer and a quality builder."

Mr. Martin Winfree, a real estate appraiser from Raleigh, stated that he found the area surrounding the proposed development to be a middle-class neighborhood with homes averaging 20 years of age. A similar Raleigh development had shown that "home values had held up very well, with only slight conversion to rental housing." He felt that the proposed single-family dwellings would provide excellent buffering and would be an asset to the neighborhood because of the quality of the proposed development.

Mr. P. H. Craig, a Chapel Hill realtor and appraiser, stated that he was an adjoining property owner. He felt the natural buffer created by the topography was an asset. He felt that this would be a quality development and that property values would not depreciate. Proposed road improvements would aid excess traffic and add to the appearance of the area.

Councilmember Broadfoot clarified that the wording of the finding that the Council would have to make was whether or not the project "maintains or enhances the value of contiguous property." He felt Mr. Craig should address this point, rather than depreciation concerns.

Mr. Craig responded to Mr. McAdams that, for the record, his prior involvement in this site was that he "was the broker for this and sold this to J. P. Goforth several years back." Mr. McAdams stated that this involvement, "in my opinion, does not color any expert testimony that Mr. Craig has given."

Mr. Craig responded to Mr. McAdams that, based on the reputation of the developer for quality work, he felt the proposed development would be at least as valuable as the properties across the street.

Mr. McAdams compared the following development densities (dwelling units per acre) with the proposed Oxford Hills Apartments (9.1): The Oaks (8.55); Bolinwoods (12.43); The Village Apartments (13.4); Laurel Ridge (11.76); and Willow Terrace (12.01).

Mr. McAdams' final point was that even though R-4 zoning allowed construction of 299,000 sq.ft. of floor space, plans were to construct only 190,000 sq.ft. or 63% of the allowable density.

Mr. McAdams requested that the written remarks made by Mr. Heffner and Mr. Chesson be submitted into the record (see Clerk's files).

Ms. Gina Cunningham, Chair of the Planning Board, stated that on the third presentation the Planning Board approved the request 8 to 1, the dissenting vote based on concern for the increased traffic on Elliot Road.

Mr. Jennings stated for the Community Appearance Commission that the recommendation was for approval of the request.

Mr. Taylor stated that the Manager's preliminary recommendation was that the Council grant the Special Use Permit subject to stipulations in the proposed resolution.

Mr. Lightning Brown, speaking for himself and not as a member of the Planning Board, supported the Special Use request. Mr. Brown felt that there should be a guarantee that the 50' buffer along the front of the property be protected from non-conforming development by future owners of the single-family lots. He also questioned the rate of appreciation of property in Chapel Hill. Mr. Brown referenced the need for the availability of "all types of housing and all conditions of tenancy" in Chapel Hill.

Mr. Brown stated that opponents interpreted Section 8.8.1.1 to mean that "introduction of traffic into any neighborhood as a result of high density construction" should be forbidden. He stated that "to exclude the 800 feet of Old Oxford Road from Elliot Road to the site would be arbitrary and illegal."

Mr. Brown felt that road improvements to Old Oxford Road were necessary to assure the adequacy of the road to handle increased traffic. He felt, however, that "we are dependent on developers of property to maintain and enhance the safety of our streets." He felt that it was "unreasonable and unfair for us to require and to depend on such a method of road improvements."

Mayor Nassif asked Mr. Brown if his use of the words "arbitrary and illegal" were his own opinion or if this was related to his position on the Planning Board. Mr. Brown responded that he was speaking only for himself.

Mr. Tom Worth, Jr., a lawyer from Raleigh and representing Goforth Properties, felt that, in his opinion, the applicant "had met the legal burdens...in connection with this Special Use Permit."

Mr. P. H. Craig, speaking as an adjacent property owner, stated that because of the proposed buffer and street improvements, he did not feel that his property would depreciate.

Mr. John Thomas, a Clark Hills resident, opposed the request. He asked that his testimony at the June 20, 1983, Public Hearing concerning this project be a part of the record of this meeting (please refer to Minute Book #38, pp. 146-147). Mr. Thomas stated that he had asked several persons to address issues of the proposed development. He felt this evidence would show that the proposed development would not comply with any of the four findings.

Re density, Mr. Thomas stated that the Manager's memorandum (dated August 22, 1983; see Clerk's files) stated that the proposal would create a 65/35 density ratio. Currently, the ratio estimate was 72/28. He felt this memo contained conflicting statements re interpretation of the Comprehensive Plan. The Manager's memo of September 19, 1983 (see Clerk's files) stated that, depending on the method of ratio computation, results could vary. He asserted that the Manager's memo of August 22, 1983, clearly outlined the method to be used in computing density ratio.

He felt that change in the current ratio would not be a temporary imbalance but would, instead, be "an irrevocable departure from the 70/30 target."

Dr. Paul Cribbins, a resident of Raleigh, and a Professor of Civil Engineering at N.C. State University, stated that he had conducted a traffic impact study of this development at the request of area residents. He submitted a written report to the Council (see Clerk's files), which he stated was based on the currently proposed development and the May traffic count.

Dr. Cribbins' concerns were:

1. Both access points for proposed Oxford Hills were located on Old Oxford Road, resulting in a significant traffic increase on Old Oxford Road.
2. Ninety percent (90%) of the traffic from Old Oxford Road would turn left from Elliot Road onto Franklin Street, causing traffic to back up onto Elliot.
3. Speed limit enforcement, sidewalks, and bike lanes would be necessary to ensure the safety of school children, pedestrians, and bicyclists.

Dr. Cribbins summarized that any development placed in this area should either (1) have an alternate access to relieve traffic onto Old Oxford Road; and/or (2) decrease the density of the development.

Mr. Wallace Kaufman, a local appraiser and real estate broker, addressed the value of adjacent property values before and after the proposed development. He stated that the area was now basically a single-family, stable subdivision where property values generally rose. After completion of the proposed development, Mr. Kaufman felt that property values would either decrease, remain unchanged, or increase. He felt that "the market (i.e., 'ordinary people') determined property value...and not particularly experts in the field of real estate." He continued that the answer to the question "would [you] prefer to buy an \$80,000 house next to a project with 198 units and high density, or would [you] prefer an \$80,000 house somewhere else," was obvious: "property values in that area will go down because there are other things more suitable for the market tastes elsewhere." He stated that the question was strictly one of value and not of judgment.

Mr. Ed Hinsdale, representing residents of Coker Hills, requested that an up-to-date map of Chapel Hill, "showing all the latest developments in town" be included in the record (see Planning Department). Mr. Hinsdale referenced a petition signed by 150 residents of Coker Hills who opposed the Oxford Hills development, submitted to the Council on August 22, 1983 (please refer to petition files, Clerk's office). He requested that the opposing views of representatives of Clark Hills and Lake Shore South be considered as views of the Coker Hills residents.

Based on his experience, he expressed concerns for the increased use of Elliot Road as a cross-town/cross-county artery.

Mr. Hinsdale referenced the public transit and school bus stops on Elliot Road near the Franklin Street intersection which created the potential of having three lanes blocked, obstructing the emergency vehicle exit and conceivably delaying response time.

Mr. Hinsdale stated that the wording of Development Ordinance Section 8.8.1.1 was clear and specific: "developments shall be located...to provide direct access...without creating traffic in residential neighborhoods outside the development," interpreting the word "shall" to mean "always mandatory," as stated in Article 18.1 of the Development Ordinance.

Mr. Hinsdale enumerated developments in Chapel Hill that did not create traffic in area neighborhoods. He felt that proposed Oxford Hills development would violate Section 8.8.1.1 by dumping 100% of its traffic into a fully-developed, built-up neighborhood. Mr. Hinsdale felt that the alternate exit, as proposed by Mr. McAdams (as a stipulation if the request were approved) was "a step in the right direction" toward bringing the proposed development into compliance with this Section.

Mr. Hinsdale read Section 8.4.6 of the Development Ordinance that stated that "The applicant shall bear the burden of presenting evidence sufficient to establish conclusively that the proposed development will comply with the determinations required in Section 8.3." Mr. Hinsdale stressed the words "shall" and "conclusively."

(Mayor Nassif stated that, due to the lateness of the hour, the public hearing would be continued to Tuesday, September 20, 1983.)

Mr. Thomas submitted a petition from "residents of Elliot Road, east of Audubon Road," stating that the proposed "Oxford Hills development would mean an enormous increase in westbound traffic on Elliot Road" (please refer to petition files in the Clerk's office).

Dr. Thelma Harms, Secretary of the Board of the Lake Forest Association, stated that the Association had reviewed the revised proposal and unanimously opposed the development.

Dr. Marion, a resident of Markham Court, stated that his property overlooked the proposed apartment complex and he was concerned that grading and clearing that was necessary to build the proposed high density apartment complex would eliminate a significant amount of the buffer. He was also concerned that the lack of buffer between the proposed apartment complex and adjacent lots would encourage construction of rental housing.

Dr. Marion referenced the earlier proposal for 100 units on this site (Kennedy Apartments, 1978). He submitted that the number of units had increased over the prior proposal due to the new zoning designation of this property. He felt that this was an oversight of Town staff. He felt that area residents had not understood that the zone change would create an increase in density. It was felt that the change was an effort to simplify the old Ordinance and to basically translate the same densities in a more organized way.

Dr. Marion continued that the former zoning designation of R-10 should have been changed to R-2 as had been done with other R-10 zones in Chapel Hill. When the Council decided not to implement the flood hazard overlay district, the Town staff should have, in his opinion, redesignated this area as an R-2 zone.

He expressed concern for the strain on municipal services resulting from density and traffic, combined with the increased need for municipal services that would result from previously approved developments.

Dr. C. M. Hunt, Jr., was not present to speak.

Mr. Brian Kileff, a resident of Clayton Road, expressed concerns for safety of school children in this area.

Councilmember Smith stated for the record that he had no interest whatsoever in any of the items that were to be considered during this series of public hearings, as had been intimated.

Mr. Vick explained to Councilmember Smith that peak hour counts were taken between 7:30 and 8:30 A.M. and between 4:30 and 5:30 P.M. One count was taken in May of 1983; the second count was taken when the university was in session.

Mr. Barrett responded to Councilmember Smith that enforcement of maintaining the required buffer would be through a combination of private and public methods.

Councilmember Smith questioned if "we are building a monster that we can't control 20 years from now, at the intersection of Elliot Road and Franklin Street."

Councilmember Smith stated that he had recently conducted a traffic count of 451 cars and 3 motorcycles entering Elliot Road from Franklin Street between 4:30 and 5:30 P.M., for an average of about  $7\frac{1}{2}$  cars/minute "...on the way to building that monstrosity in that subcommunity."

Councilmember Smith asked Mr. Barrett if the proposed alternate access could be considered as a part of this hearing. Mr. Barrett responded affirmatively to Mayor Nassif's assertion that it was not a part of the plans before the Council at this time, and had not been advertised as part of this public hearing. Mr. Barrett stated that this was the applicant's attempt to arrive at an alternative way to address the problem, by suggesting that a stipulation be made as a condition of approval.

Mayor Nassif asked Mr. Barrett if he was aware that the Special Use Permit for Elliot Woods contained the stipulation that there could be no access through Milton Road. Mr. Barrett responded that he was not aware of this. Mayor Nassif stated that this alternative exit suggested by Mr. McAdams could "not be a stipulation that the Council can automatically tack on."

Councilmember Pasquini asked if the Manager could verify this stipulation and advise the Council on how to proceed if the alternate access were feasible. Councilmember Smith felt the Council should not consider the alternative without input of Elliot Woods residents. Councilmember Howes concurred.

Councilmember Howes expressed concern for the traffic projection differences of 1600 trips/day:

--Mr. Vick responded to Councilmember Howes that his figures for average trips/day were based on information from the Institute of Transportation Engineers.

--Dr. Cribbins explained that he took into consideration the number of proposed units, the number of persons per dwelling unit, and the number of parking spaces to obtain a range of 1800-1900 trips per day.

Re Mr. Kaufman's statements that the proposed development would devalue property values, Councilmember Howes asked how appraisers could conclude that property values would be maintained. Mr. Kaufman responded that his statements were based on "the before and after situation."

Mr. Heffner responded to Councilmember Howes that his own statements were based on studies of similar impacts on property values in Chapel Hill, and concluded that there was no negative impact. Many factors--proximity of property to shopping centers, schools, etc.--affected property values. He also felt that property values on Old Oxford Road would be maintained or even enhanced because of proposed improvements to Old Oxford Road.

Mayor Nassif asked Mr. Kaufman to explain his meaning re traffic from high density apartments "emptying into" an area. Mr. Kaufman stated that he referred to access points of a development emptying into a residential area "rather than onto a major highway." Mayor Nassif felt that there were several apartments in Chapel Hill that created traffic through area neighborhoods.

Mr. McAdams responded to Councilmember Boulton that he would be agreeable to providing vegetative buffer between the houses and the apartments of the proposed development.

Mr. Vick responded to Councilmember Broadfoot that he used 6.1 as the average for daily trips for the proposed development. Councilmember Broadfoot submitted that, according to his own figures, trip generations per day would double over those projected by Mr. Vick.

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Councilmember Broadfoot asked if Oxford Hills Road would be correctly designated as "Local A," now that it would not cross Booker Creek. Mr. Bill Morris, Town Engineer, responded that the "Local A" classification indicated that this was a subcollector road for the community. This was appropriate because of the strong residential and non-commercial character of the road.

Councilmember Pasquini stated that he would wait for the Manager's report re the proposed alternate access before raising questions.

Mr. Chesson responded to Mayor Nassif that a developer would have to have a lot of experience and do a lot of grading to construct this development due to the steepness of the terrain from the street to the back of the property. Mayor Nassif asked Mr. Chesson if he was advocating that the boards judge proposals on the basis of the credentials of the developer and not on the development itself. Mr. Chesson responded that he was not.

Mr. McAdams responded to Mayor Nassif that the proposed development of this land was influenced by the multi-family development in the area. He stated that he felt that the site plan shown was a fair representation of the trees that would remain on the site after development. He stated that the site plan did not show final contours and that building heights had only tentatively been established. Mayor Nassif questioned how he would know, for certain, what trees would remain. Mr. McAdams responded that the intent of the construction was to limit large amounts of cut and fill. The plan showed which trees might be disturbed. Mayor Nassif explained that contours on maps made it easier to understand what the intent of the development was.

Mr. Vick responded to Mayor Nassif that his traffic study did not take origin or destination into consideration. Traffic counts were conducted, however.

Mr. Cribbins stated that he also did not consider origin or destination; nor did he perform traffic counts. He asserted to Mayor Nassif that the current design of Elliot Road, with the proposed increase in traffic, could be detrimental to persons living in the area. He felt proposed improvements to Old Oxford Road would be sufficient to accommodate the increase in traffic.

Mr. Kaufman stated that he felt there was property in Chapel Hill where property values decreased, especially in areas where owner-occupied properties were converted to rental housing properties.

Mayor Nassif stated to Mr. Hinsdale (re Section 8.8.1.1) that many subdivisions emptied traffic onto Franklin Street, a residential neighborhood that had 2800 vehicles using this road. This was also true of Estes Drive. Mr. Hinsdale felt that many of these subdivisions were in existence before the adoption of the Development Ordinance.

Mayor Nassif questioned Mr. Hinsdale as to how he knew if traffic was from Carrboro or Hillsboro. Mr. Hinsdale stated that he felt this could be readily proved.

Mr. Marion responded to Mayor Nassif that R-10 zoning designations in Chapel Hill had been changed to R-2; however, this property was changed from R-10 to R-4. If a flood-hazard overlay had been approved, only 1/3 of the land could be developed under R-4 zoning.

Mr. Jennings stated that 106 units were proposed under the previously approved Kennedy Apartments.

Mr. Craig responded to Mayor Nassif that two years ago he had sold property to Mr. Goforth. He stated that 106 apartments had been approved for the Kennedy Apartments at that time.

Councilmember Broadfoot requested that Orange County Deed No. 352, Book No. 668 showing that Chapel Hill Electric Company (Mr. Goforth) brought property from J. Carroll Kennedy on December 1, 1980 and, subsequent to rezoning, sold 1/3 of the property to Mr. Mark Daily (Rocky Mount, N.C.), and 1/3 to L. G. Frazier, Jr. He felt Mr. Goforth had 1/3 interest. Mr. Goforth responded that he had 100% contractual interest.



Mr. Craig felt that part of the problem was that there had been two different zoned areas of this property. Mr. Marion felt that it would be necessary to consider the allowable density in the R-2 zone to resolve the question.

Councilmember Broadfoot asked to have the Design Manual entered into the record (please refer to documents in the Planning Department or Clerk's Office) to show street classification for various streets. This determined street uses.

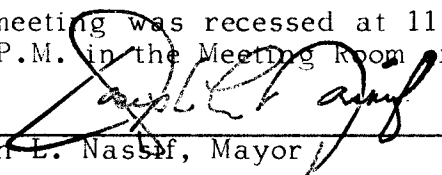
Councilmember Smith asked how the response time would be affected if the intersection at Elliot Road and Franklin Street were congested. Mr. Taylor responded that the Fire Department felt response time could vary.

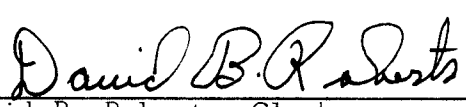
Mr. McAdams responded to Councilmember Smith that the Planning Board had not seen the updated traffic analysis report by Kimley Horn since the University was back in session. Mayor Nassif advised that the Planning Board did not make any of the four findings, but would have the opportunity to review these documents after referral to the Planning Board and Manager.

No citizens requested to cross-examine the witnesses.

COUNCILMEMBER BOULTON MOVED, SECONDED BY COUNCILMEMBER HOWES, TO REFER THE MATTER TO THE MANAGER AND PLANNING BOARD. THE MOTION CARRIED UNANIMOUSLY.

The meeting was recessed at 11:48 P.M. to be reconvened on September 20, 1983, at 7:30 P.M. in the Meeting Room of the Municipal Building.

  
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Joseph L. Nassif, Mayor

  
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David B. Roberts, Clerk