

MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL
PHILLIPS JR. HIGH SCHOOL, MONDAY, NOVEMBER 19, 1984, 7:30 P.M.

Mayor Pro Tem Beverly Kawalec called the meeting to order. Council Members present were:

Winston Broadfoot
Jonathan Howes
David Pasquini
Nancy Preston
Bill Thorpe

Absent were Mayor Joseph L. Nassif; excused; Council Member Marilyn Myers Boulton, excused; and Council Member R. Dee Smith, excused.

Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ronald A. Secrist, Town Attorney Grainger Barrett, and Town Planning Director Roger Waldon.

Timber Hollow - Request for a Planned Development-Housing Special Use Permit (PD-29-3)

Persons wishing to address Council on this request were sworn in by Assistant Manager Secrist.

Manager Taylor requested that the following documents be entered into the records of the hearing (please refer to the Clerk's files):

- Agenda #1, November 19, 1984, Timber Hollow-Application for a Planned Development Housing Special Use Permit (PD-29-3)
- Applicants' Project Fact Sheet
- Applicants' Statement of Justification
- Applicants' Traffic Impact Report

Planning Director Waldon introduced the request by showing the proposed location of the project and describing surrounding properties. Mr. Waldon said the key issues discussed by staff and the advisory boards were: proposed access onto Airport Road, general site design which included extensive clearing of the interior portion of the site, lack of a buffer along the northern property line, some encroachment of the 50' buffer along Airport Road, and the Piney Mountain Road/Airport Road intersection.

Robert Page, Attorney for the developer, noted that petitions from residents of Forest Creek, Coker Hills West and properties to the north of the proposed site were introduced at the Planning Board meeting. Mr. Page said staff's original recommendation was for approval of the request but he said the recommendation was changed to denial. He said the applicant has now modified the original plan which was presented to the Planning Board in order to address issues of insensitivity to natural vegetation, access and other improvement deficiencies. Mr. Page introduced a revised Traffic Impact Analysis and a revised Statement of Justification (please refer to the Clerk's files).

Bruce Ballentine, representative for the applicant, distributed a revised site plan (please refer to Clerk's files).

Council Members discussed the procedure to follow since new material was distributed to them at this hearing.

Mr. Ballentine noted the following changes in the revised site plan as compared with the original plan: fewer buildings, less parking, and more livability space.

Mr. Ballentine explained the proposed roadway and sidewalk improvements. He also described the Airport Road access and noted that it is not

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absolutely necessary for the project. Mr. Ballentine said the racquetball court was relocated in the revised site plan. He also said the revised site plan provides for more natural vegetation in the interior of the project. Mr. Ballentine stated that 360 of the 450 units are proposed to be one bedroom units with an effective density of 7.9 units per acre. The revised site plan provides for 118% of the required recreation space and 152.8% of the required livability space ratio. In the revised plan the amount of impervious surface was decreased from 32.5% to 23.6% and the amount of undisturbed land was increased from 22.9% to 31.5%. Mr. Ballentine described the proposed buffers, greenways, recreational amenities, and building materials. He said the buildings are slab-on-grade but will be stepped vertically at the party walls in order to minimize site grading. He said location of the units will provide maximum sunlight and adequate separation and buffering between buildings and parking areas. Mr. Ballentine described the proposed storm water management system.

Bill Horn, a traffic analyst, said left turns onto Airport Road should be made from Piney Mountain Road but a right turn access from Airport Road could be beneficial. However, he said the site could be well served from Piney Mountain Road. This project would create approximately 1/3 the amount of traffic of the already approved developments for Piney Mountain Road. Mr. Horn said the Piney Mountain Road/Airport Road intersection would need to be signalized. He also recommended that sufficient right-of-way be granted to provide for future dual left turn lanes for traffic exiting onto Airport Road from Piney Mountain Road.

Susan Little, a landscape architect, said three areas would be addressed by the detailed landscape plan: respect and use of existing vegetation, meeting the minimum requirements of the development ordinance in regards to landscaping, and developing a landscape plan that would go well beyond the minimum ordinance requirements by using larger materials and a greater quantity of materials.

Tom Heffner, a real estate appraiser, stated that the development, as planned, maintains the value of adjoining properties.

Council Member Pasquini expressed an objection to continuing the public hearing due to the lack of a staff report on the new documents presented at the hearing. Mayor Pro Tem Kawalec ruled to proceed with the hearing with the intent of getting as much information as possible into the record but withstanding the possibility of continuing the public hearing or calling a new public hearing if deemed necessary.

Alice Ingram, Chair of the Planning Board, said the Board did not recommend the Airport Road access. The Board discussed how to "tame" the traffic on Mendel Street. In regards to the site design, the Planning Board was concerned about the slab cuts and the lack of livability space within the development. Ms. Ingram said the Board also discussed the project's cost and impact to the Town in regards to drainage into the town's waterways.

Charlie Nelson spoke for the Appearance Commission. The Appearance Commission was concerned about the spacing between buildings 14, 15, and 16. The Commission voted to recommend that Council adopt Resolution B approving the request.

Manager Taylor's preliminary recommendation was that Council adopt Resolution C denying the application. Manager Taylor asked that his recommendation on the revised site plan be reserved for a future meeting.

Tom Higgins presented a petition from Forest Creek property owners (please refer to the Clerk's files). The petition endorsed the development subject to the following conditions: that the buffers on Airport Road and Piney Mountain Road be retained, that no portion of the northern buffer be dedicated as a pedestrian easement, and that Mendel Drive be deemed a fire lane beginning with its point of entrance into Forest Creek.

Lynn Cox, a resident of Forest Creek, submitted a petition which strongly endorsed the idea of having Mendel Lane as a fire lane (please refer to the Clerk's files).

John DeVile, a resident of Forest Creek, spoke in favor of the fire lane.

Wendy Intrator, a resident of Glen Heights, expressed concern about the traffic impact on adjoining roadways.

James Haar, a resident of Shadylawn Drive, spoke against the request. He said the traffic impact analysis was optimistic in regards to Piney Mountain Road.

Mr. Haar expressed concern about the overbuilding in Chapel Hill. He also said residents of the northern part of town are accustomed to being "stepped upon" by the Council and have yet to win a "battle".

Authur Moritz, a resident of Huntington Drive, said he was concerned about the traffic impact on adjacent neighborhoods. He specifically noted a problem turning left from Somerset onto Estes Drive.

William Stanish of North Forest Hills spoke against the request. He expressed concern with the lack of an adequate water supply for Chapel Hill and asked that Council request the developers prove there will be adequate water for the residents of the proposed development. He also asked that Council require the applicant to justify the need for the units requested given the number of developments already approved in the northern area of town.

June Dunnick said that during peak traffic hours traffic can neither enter nor exit Coker Hill's West because of standing traffic on Estes Drive. She said the issue was not addressed in the traffic analysis and therefore the analysis is unrealistic and incorrect. She also said there was no consideration given in the traffic report to morning traffic on Estes Drive. She expressed concern about the lack of a bike path along Piney Mountain Road. Ms. Dunnick said she feels the information provided by the real estate appraiser was incorrect in regards to the project's effect on adjacent properties. She asked if the 50' buffer along Airport Road would be an uninterrupted one since the storm water detention basin is proposed to be sited in the southwestern corner of the property. She raised the issue of whether increased bus service is being directed towards the University population. She also expressed concern with the height of the proposed units and said the height should be judged relative to surrounding properties.

Judith Jones spoke against the request. She submitted a copy of her remarks for the record (please refer to the Clerk's files).

John Cross, chairman of the zoning committee for the Sedgewood and Stoneridge property owners association, expressed concern with the over-development of the northern area of town.

Warren Ganong of Coventry said he favors denial of the request. He also favored the institution of a moratorium on new developments.

Helen Urqhart, a resident of W. Cameron Avenue, expressed concern about the impact of traffic on surrounding roadways since there are accesses to Weaver Dairy Road from Piney Mountain Road. She asked that existing vegetation on this site be retained if the project is approved. She also stated there is a need for a stop light at the intersection of Old Forest Creek Drive/Piney Mountain Road so that school children can cross the road to the easement. Mr. Urquhart expressed support for a stop light at the Piney Mountain Road/Airport Road intersection.

Frank Evennis, a resident of Weaver Dairy Road, spoke in opposition to the request.

In response to a question from Council Member Preston, Mr. Horn described the accesses for the Misty Woods development. Council Member Preston asked Mr. Ballentine to explain the storm water management system. She also asked what percentage of the site would be disturbed. Mr. Ballentine estimated that approximately 55-60% of the site would be graded. Council Member Preston inquired as to the time table for the

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traffic light at the Piney Mountain Road/Airport Road intersection. Manager Taylor said the request has been made but the Town has not received any commitment from DOT.

Council Member Howes asked Mr. Horn to give an existing example of a right turn in, right turn out traffic maneuver within a residential area. Mr. Horn said he knew of several and he would provide them to Council at a later time.

Council Member Thorpe stated that everything possible should be done in order to protect existing trees and vegetation during construction.

Council Member Broadfoot asked Mr. Ballentine if the applicant would accept a stipulation stating that no occupancy permit would be issued until there is additional reservoir capacity from Cane Creek. Mr. Ballentine replied that he could not accept such a stipulation for the applicant.

Council Member Broadfoot questioned whether or not 600 square feet would be adequate living space for a dwelling unit. He also asked Mr. Ballentine to describe the target market for the apartments. Mr. Ballentine said the units will be marketed primarily to young professionals and to a few students. Mr. Ballentine also said he believes the provided 1.5 parking spaces per unit will be adequate.

Council Member Broadfoot asked Mr. Horne which Land Use Code he used for the traffic analysis. Mr. Horn replied that he used 6.5 which was an average.

Council Member Pasquini asked what the height of the three-story buildings will be. Mr. Ballentine replied that they will be 38' from ground line to ridge line.

Council Member Preston said a pedestrian access across Piney Mountain Road is needed whether or not this project is approved. She said the access should be in the stipulations for this project.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER THORPE, TO REFER THE REVISED PLANS AND DISCUSSION TO THE TOWN MANAGER, TOWN ATTORNEY, PLANNING BOARD, AND APPEARANCE COMMISSION FOR RECOMMENDATIONS AT THE FIRST MEETING IN JANUARY.

THE MOTION PASSED UNANIMOUSLY, (6 - 0).

Windy Hill - Request for a Planned Housing Special Use Permit (PD-27--B-13)

Persons wishing to speak to this request were sworn in by Assistant Manager Secrist. Manager Taylor requested that the following documents be entered into the records of this hearing (please refer to the Clerk's files).

- Agenda #2, November 19, 1984, Windy Hill - Application for a Planned Development Special Use Permit (PD-27-B-13)
- Applicants' Project Fact Sheet
- Applicants' Statement of Justification
- Applicants' Traffic Impact Report

Roger Waldon introduced the request by describing its location and the surrounding properties. Mr. Waldon noted some of the key issues discussed by staff and the advisory boards. They were: road improvements to Erwin Road along the inside of the curve and general site design which included a large amount of exterior clearing and the lack of livability space in the interior portion of the project.

Bob Anderson, representative for the applicant, explained the "zero lot line" concept. Mr. Anderson presented an enlarge rendering of one of the

proposed units. He said the units will be screened at the rear by either plantings, shrubbery, or fences.

Mr. Anderson gave the densities for surrounding developments. He said the open space for the development is concentrated around the existing house in order to preserve the existing vegetation. Mr. Anderson described the other open space and recreation space proposed for the project.

Mr. Anderson presented a map and cross-sections which showed the effect of the proposed widening to 41' of Erwin Road at certain points. Mr. Anderson discussed the advantages of widening Erwin Road on the opposite side. He noted the Planning Board suggested the developer put money into a fund to help pay for the future realignment of the road.

Mr. Anderson commented on the "Comment" on page 5 of Agenda #2. He said when the radius is increased, the sharpness of the curve is decreased. Mr. Anderson said realignment would involve bringing Erwin Road back into the already establishment alignment in front of the Highlands. He said this realignment could be accomplished by either adding 3-4⁰ to the curve or by taking a long range look at the needed realignment and admitting a mistake was made at the Highlands.

Mr. Anderson described the existing vegetation that would have to be removed should the road widening take place on the eastern side of the curve.

Mr. Anderson described the approved Sage Road connection. He also said that other road improvements in the area will change the traffic volumes and characteristics at the Weaver Dairy Road/Erwin Road and Weaver Dairy Road/Old Oxford Road intersections. Mr. Anderson reviewed the traffic analysis for the development. He distributed copies of the Traffic Impact Analysis for Windy Hill (please refer to the Clerk's files).

Mr. Anderson said this development will provide a type of housing not presently found in Chapel Hill.

Mr. Anderson stated that he favors allowing parking on one side of the street rather than having the street designated a fire lane with no parking allowed on either side of the street.

Mr. Anderson presented colored elevations of the proposed units.

Alice Ingram, representing the Planning Board, said the Board supports the Manager's concerns about interior crowding of the units on Valley Drive. The Board opposes adding the extra lane to Erwin Road on the inside of the curve because of the removal of existing vegetation.

Charlie Nelson, representing the Appearance Commission, said the Commission supports the Manager's recommendation and favors widening Erwin Road on the opposite side.

Manager Taylor said his preliminary recommendation was to approve the request with stipulations noted in Resolution B of Agenda #2.

Alice Cross, representing senior citizens/retired persons who chose Chapel Hill as their retirement town, asked Council to consider the effects of new projects on the quality of life in Chapel Hill.

Jane Norton, a resident of Summerfield Crossing, said the proposed project would have virtually the same environmental impact on the land as the previously proposed Shire project. She said the site plan, rather than just the number of proposed units, needs to be considered in regards to the amount of land that will be disturbed and the total amount of impervious surface that will be created. She also said she does not feel the setbacks are adequate even though they are allowed by the ordinance. Ms. Norton said the required grading will impinge on the buffer along the exterior of the site. Ms. Norton questioned the impact of traffic on the area roadways not only in regards to this project but to any project proposed for this site. Ms. Norton asked that Council deny

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the request of that consideration be delayed pending a study of the impact of existing and approved development in the area. She said Council should consider the cumulative effect of projects rather than just site specific concerns.

Douglas Lay expressed concern with the lack of planning for the area especially in respect to traffic. He noted that Erwin Road is a state road over which the town has little or no control. Mr. Lay suggested that the size of the Planning Board be reduced.

Council Member Broadfoot expressed disfavor to applicants submitting their detailed traffic analysis at the public hearing rather than to staff at an earlier time. He said the reports need to be available to staff and the advisory boards during their review period.

Council Member Pasquini asked that the Manager address the following issues in his next report to Council on this project: set backs on adjacent properties, attention to property on the other side of Erwin Road and an explanation of the proposed units that make them innovative and unique when compared to other types of housing available in Chapel Hill.

Council Member Preston asked Mr. Anderson to determine what the percentage of land disturbance will be for this site as well as the percentage of impervious surface coverage.

Council Member Preston expressed concern about the lack of open recreational space for children in the project. She asked if the developer made any attempts to harmonize the proposed units with the existing house. Mr. Anderson said no such attempt was made. However, he added that he hopes the design of the units will not be offensive to the existing house. Council Member Preston asked if the developer made any attempts to save the two large existing areas of trees. Mr. Anderson said there is no way to save all of the large trees given the site plan of the proposed development.

Council Member Kawalec asked Ms. Norton to review the findings she previously made when she studied this site for the Shire development. Ms. Norton explained that she analyzed the site by means of an overlay and determined how the hydrology, soil, existing vegetation and slopes relate to one another. She said from that she determined which areas of the site should not be developed. She said her study indicated that the most critical area of the site was located in the southwestern corner.

Council Member Kawalec noted that a stubout connecting the site with the Sage Road Extension might help alleviate the access problems associated with this site. She also suggested a realignment of Erwin Road through this property. Council Member Kawalec sighted her concern about the number of private roadways approved/proposed throughout town.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER THIS ITEM TO THE TOWN MANAGER AND ATTORNEY FOR REVIEW AND RECOMMENDATIONS.

THE MOTION PASSED UNANIMOUSLY, (6 - 0).

Bolin Creek Center - Request for Modification of a Planned Development-Mixed Use Special Use Permit

Persons wishing to speak about this request were sworn in by Assistant Manager Secrist. Manager Taylor requested that the following documents be entered into the record of this hearing (please refer to the Clerk's files).

- Agenda #3, November 19, 1984, Bolin Creek Center-Request for Modification of a Planned Development-Mixed Use Special Use Permit
- Applicants' Project Fact Sheet
- Applicants' Statement of Justification

- Applicants' Traffic Impact Report

Mr. Waldon explained the request. Mr. Waldon said that given the modified site plan, one of the possibilities is to move the southern access on Green Street farther away from Airport Road.

Al Rimer, representative for the applicant, said the revised site plan provides better access for the buildings as well as more green space within the project. Mr. Rimer said he does not feel that relocating the Green Street access is pertinent to this request since Council has already approved its location. He also noted that if Green Street is realigned with Umstead Road in the future, adjoining properties will also be involved.

Mr. Rimer said the setbacks are somewhat different because of the change in the building scale.

Alice Ingram, representing the Planning Board, referred Council to the Board's recommendation on page 3 of Agenda #3.

Charlie Nelson, representing the Appearance Commission, said the Commission recommends that Council approve the request subject to an additional stipulation requiring that the Appearance Commission review the reviewed landscape plan which shows existing vegetation, vegetation to be preserved and safeguards for preserving existing vegetation prior to issuance of a Zoning Compliance Permit.

Manager Taylor said his preliminary recommendation is for Council to approve the request subject to the stipulations in Resolution B of Agenda #3.

Council Member Pasquini asked the Manager to itemize the differences in the original plan and the revised plan including any differences in setbacks in his next report on the request.

COUNCIL MEMBER HOWES MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER THE REQUEST BACK TO THE TOWN MANAGER AND TOWN ATTORNEY FOR REVIEW AND RECOMMENDATIONS.

THE MOTION PASSED UNANIMOUSLY, (6 - 0).

The meeting was adjourned at 11:30 p.m.

Robin G. Rankin, Information Svcs.

Joseph L. Nassif, Mayor

