

MINUTES OF A PUBLIC HEARING  
OF THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL,  
MUNICIPAL BUILDING, MONDAY, JUNE 17, 1985

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

David Godschalk  
Beverly Kawalec  
Nancy Preston  
R. D. Smith  
Bill Thorpe

Council Members Marilyn Myers Boulton, Jonathan Howes, and David Pasquini were absent, excused. Also present were Town Manager, David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ron Secrist, and Acting Town Attorney Michael Patrick.

Glen Lennox Expansion

Citizens wishing to speak to Council about this proposal were sworn in by the Town Clerk.

Manager Taylor requested that the following documents be entered into the record of this meeting: (Please refer to Clerk's files)

---Agenda #1, June 17, 1985, "Glen Lennox Expansion" - Revised Application for Planned Development-Housing Special Use Permit (PD-54-A-1)

---Applicant's Project Fact Sheet

---Applicant's Statement of Justification

---Applicant's Traffic Impact Report

Roger Waldon, Planning Director, gave a presentation on the application. He said the proposed development site was located on the east side of Hayes Road, the north side of Flemington Road and the paved portion of Hamilton Road. It contained 13.4 acres of gross land zoned area and is Residential-3. The site was predominantly open field except for three small groves of deciduous trees. To the south of the site is the Glen Lennox development, containing multi-family apartment residences and single-family detached homes. To the east is the Oakwood subdivision, containing predominantly single-family homes. To the north is undeveloped land and to the west are Hayes Road and US 15-501 bypass. Mr. Waldon said there needed to be a correction in Agenda #1 as entered into the record. He said the last sentence on page two concerning Hamilton Rd should be deleted.

Mr. Waldon said the applicant proposed to construct 72 dwelling units within six 3-story dwellings, and to convert an existing maintenance building into a laundry. He said the applicant proposed recreational facilities in the site's southeast corner and a tot lot and picnic area in the center of the site. Mr. Waldon explained that to a great extent the site design was the result of the Resource Conservation District (RCD) which overlays 4.2 acres of the proposed site. He went on to point out some of the implications of the Resource Conservation District: 1) The subdivision as proposed by the applicant would create an 8.2 acre tract wholly within the RCD. If a parcel of land is 75% within the RCD the owners are eligible for a variance. Therefore the staff was recommending that the proposal encompass 21.8 acres instead of 13.4. 2) In order for the applicants to build the sidewalk along Cleland Drive they would have to receive a variance from the Board of Adjustment. 3) Hamilton Road is almost entirely in the RCD, but since it existed prior to the effective date of the RCD, the improvements, paving and adding a sidewalk, do not violate the RCD.

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Mr. Waldon said the staff concurred with the applicant's traffic impact analysis, and that the improvements projected for Hamilton Road should also help relieve congestion and help improve the intersection of Cleland Dr. and 15-501. He concluded by saying the staff recommended that the storm water drainage system be extended.

Council Member Thorpe asked why the developer could pave Hamilton Road and add a sidewalk without obtaining a variance from the Board of Adjustment but in order to add the sidewalk along Cleland Dr. the developer needed a variance. Mr. Waldon replied that the RCD allowed for improvements to developments, etc. that existed prior to the effective date of the Resource Conservation District. Michael Patrick, Acting Town Attorney, commented that the actual use of Hamilton Road now was more of a pedestrian walkway than a vehicular road. Based on that, a distinction was made between improving Hamilton Rd. without creating a new use and Cleland Drive because Cleland Drive's principal use was a vehicular road and the addition of a sidewalk would provide a new use for that road.

Mr. Robert Page, an attorney representing the applicants, Hamner and Kenan, stated that the proposal was for 72 units on 21 acres, designed to enlarge the Glen Lennox complex and consist of large 2 and 3 bedroom apartments. He said the development was geared toward retirees, young families, and professionals rather than undergraduate students. Mr. Page said that if approved the development would be well done and attractive. He said that the use or development was located, designed, and proposed to be operated so as to maintain the value of contiguous property, citing that the remaining property which abuts Bolin Creek was and has been zoned Residential-3, which meant it was zoned to take medium density residential development. Mr. Page said the surrounding homes were built after the Glen Lennox Apartments had been developed, and that this proposal was just an extension of the Glen Lennox area.

Mr. John McAdams, representing the applicant, thanked the staff for their cooperation in getting this proposal before the Council and said that the applicant agreed with all of the staff's stipulations.

Mr. Dan Sears, representing the applicant, spoke to the design aspects of the project. He said the developer planned to cluster the buildings in an attempt to lessen its impact on the remaining land and to reduce the amount of clearing to less than an acre. Mr. Sears said the impervious surfaces for parking was lessened by having parking for one car per dwelling unit per building under each building. He also said the buffering would consist of trees and berming. He said the buffer along the east will consist of two stands of trees which will overlap to avoid having the OWASA utility easement from eliminating a buffer zone.

Mayor Nassif asked about the buffers along Hayes Road, saying that there were few trees in that area. Mr. Sears replied that the developer planned to plant trees and build berms to help buffer that area.

Mayor Nassif asked if there was a site plan available showing the proximity of the surrounding developments. Mr. Sears replied that he did not have one available.

Mayor Nassif requested that all future projects show the areas surrounding the developments, including the location of homes, driveways, etc.

Jon Condoret, the architect and representing the applicant, spoke to the design of the buildings. He said the maximum height of the buildings was forty feet, similar to that of a large two story Colonial style home with 10' ceilings. He showed a profile of the buildings from the street level and indicated the areas where the developer planned to create berms to help lessen its impact on the surrounding neighborhood.

Mr. Ed Vick, representing Kimley-Horn & Associates and the applicant, spoke on the traffic impact of the proposal. He estimated there would be 29 trips into and out of the development during peak hours. He said planned improvements included right and left turn lanes off of Cleland at its intersection with 15-501, extension of the left turn lane onto Cleland and the addition of a right turn lane onto Cleland.

Mr. John McAdams, speaking for the applicant, said the development promotes the public health, safety, and welfare in that the offset in Hayes Rd. improves the transportation system as it relates to that intersection, the paving of Hayes and Hamilton Roads also improves the transportation system. Sidewalks would be built along the public roads thus providing a positive separation of pedestrian and vehicular traffic. The project also provides housing conveniently located close to public transportation. Mr. McAdams stated that the project complies with the regulation and standards of the Development Ordinance and conforms with the Comprehensive Plan in that it is zoned Residential-3 and the proposal is only medium density.

Ms. Alice Ingram, representing the Planning Board, recommended adoption of Resolution A.

Manager Taylor recommended approval of the project with the adoption of Resolution A.

Ms. Bonnie Bechard, speaking as a resident, requested the Town purchase the property known as Glen Lennox park with proceeds from a bond referendum. She stated it was needed by Chapel Hill citizens, citing its use by various groups for various sports. She pointed out its accessibility, being on bike and bus routes. Ms. Bechard said that Cedar Falls Park, where many of these activities could occur, is not on a bus or bike route. She concluded by saying that she was distributing a petition requesting the Town to purchase this land.

Ms. Jay Jenzano, speaking as a resident, spoke against the project because it was in the flood zone, and because the traffic impact would be larger than estimated by the applicant.

Mrs. Jane Hare, speaking as a resident, spoke against the proposal. She said the area was flood prone and that the land had been used as if it were a public park. She said was against additional cars, 3 story buildings across from her house and the loss of open space. She concluded by saying she felt most citizens did not know that this land was not a public park and that it would not be available if the project was approved.

Mr. Ralph Boatman, speaking as a resident, spoke against the project due to the loss of open space and increased traffic.

Council Member Thorpe questioned the validity of the traffic impact analysis. He also spoke against discriminating against undergraduate students with regard to the renting of apartments. He spoke in favor of the developer giving part of the land within the Resource Conservation District to the Town to use for recreation since the developer could not use it. He also commented that he thought the proposed height of the buildings too high.

Council Member Godschalk said that the OWASA right of way would probably be cleared so that the developer should consider this when establishing the buffer along the eastern side of the project. He asked if any retroactive studies had been done on traffic counts showing what actually occurred in comparison to what had been projected. Mr. Vick replied that it had been done.

Council Member Godschalk then asked if the pitch of the buildings could be changed to lessen the visual impact of the three story buildings. Mr. Condoret replied that the roofline had been designed to blend with the neighborhood but that they were willing to compromise.

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Council Member Godschalk asked the Manager what was the possibility of part of the site becoming open space for the Town. Manager Taylor replied that if the owners wanted to give it to the Town the administration would recommend acceptance. Council Member Godschalk commented that the fields had been used for recreation uses at the pleasure of the owners.

Council Member Kawalec asked what would happen to the intersection of Cleland Dr. and 15-501 when the Bypass was widened. She was concerned about how traffic would make a left turn onto Cleland Drive. She felt the situation would only be worsened with the addition of this development. Manager Taylor replied that a left turn lane could be established. Mayor Nassif said that the original plans for the Bypass showed there being no left turn possible at that intersection.

Council Member Kawalec questioned the need to include the area to be designated as a laundry facility and that the scale of the buildings, twelve units per building, was larger than the existing Glen Lennox development. She also felt the Resource Conservation District lines might not be accurate in that land not included within the RCD also has a tendency to flood.

Council Member Preston asked what was the proposed impervious surface coverage. She was concerned that the berms planned for visual buffering might hinder storm water runoff. She asked how the staff proposed to handle the sidewalk along Hamilton Rd. without increasing the impervious surface. Manager Taylor replied that there would be more impervious surface but there would be no curb and gutter along Hamilton and the sidewalk would be outside of the shoulder.

Council Member Preston said that since the development was considered an extension of Glen Lennox would that mean that those current residents of Glen Lennox would be able to use the new recreational facilities. Mr. Page replied that he was not sure.

Council Member Preston asked if the fields had been used by the Parks and Recreation Department this year as they had been in the past. Ron Secrist, Assistant Town Manager for Community and Human Services, replied that he believed some organized sports had been relocated this year at the Parks and Recreation Department's discretion because of this proposal. He also said that the area had received less organized Town sponsored recreational activity since the late 1970's, but other recreational activities sponsored by community groups are held on the site.

Council Member Smith asked what was the number of cars being estimated to stack in the left turn lane on US 15-501 to turn onto Cleland Drive. Mr. Vick replied an estimated 7 or 8 cars. Council Member Smith said he still had questions on the traffic generation report. He then asked if the parking would be lighted underneath the buildings. Mr. Condoret replied yes.

Council Member Smith questioned the relationship of the development to the character of the surrounding land. He asked how 3 story buildings related to the surrounding area. Mr. McAdams replied that the character of the surrounding area was that of a 440 existing apartment units. He said the design was different but different so as to improve the visual impact. Council Member Smith asked how there could be a quiet lifestyle with a 5 lane highway nearby. Mr. McAdams replied that the proximity to an existing highway did not preclude a quiet lifestyle from occurring. He said the term referred to the character of lifestyle not the decibel level of noise surrounding it. Mr. McAdams cited Carol Woods as an example of a project near a major thoroughfare.

Council Member Smith asked if the change from side loading garbage containers to front loading garbage containers would necessitate a change in dumpster location. Manager Taylor replied yes.

Council Member Smith concluded by saying that he was against the continual signalization of intersections along 15-501 because he felt it only hampered the flow of traffic.

Mayor Nassif asked for the developer to find out if the recreation facilities would be for all the Glen Lennox residents. He commented that there was a ditch between buildings 1 & 2 and it was the source of water which floods the fields. He asked if the storm drainage pipes could carry all that water and if so, how many pipes were planned and at what speed would the water be at its egress. He was concerned that it might further erode and chanelize an additional ditch in the existing area.

Mayor Nassif then asked where the right-of-way was for 15-501 in relation to Hayes Road. He said it appeared to be in the front yards of the homes and apartments abutting Hayes Road. He questioned what would happen to the proposed changes in Hayes Road if the right-of-way for 15-501 is where he presumes it to be.

Mayor Nassif concluded by asking what was the percentage of cut and fill expected to occur.

COUNCIL MEMBER THORPE MOVED, SECONDED BY COUNCIL MEMBER PRESTON TO REFER TO THE MANAGER. THE MOTION PASSED UNANIMOUSLY, (6-0).

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN. THE MOTION PASSED UNANIMOUSLY, (6-0).

The meeting adjourned at 9:40 p.m.

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Mayor Joseph L. Nassif

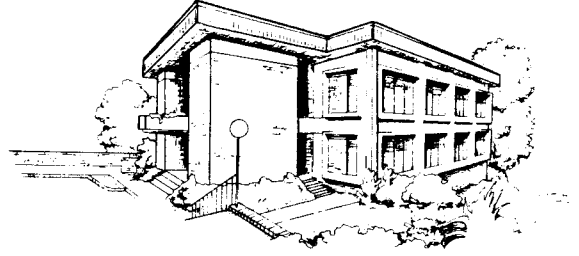
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Nancy J. Wells, Town Clerk



# TOWN OF CHAPEL HILL

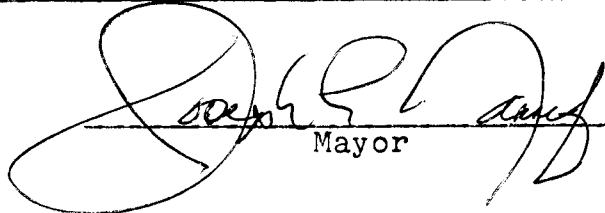
306 NORTH COLUMBIA ST.  
CHAPEL HILL, N.C., 27514  
(919) 929-1111



## NOTICE OF SPECIAL MEETING OF THE CHAPEL HILL TOWN COUNCIL

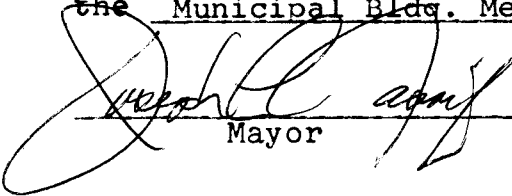
TO: Marilyn Myers Boulton  
David Godschalk  
Jonathan Howes  
Beverly Kawalec  
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Bill Thorpe

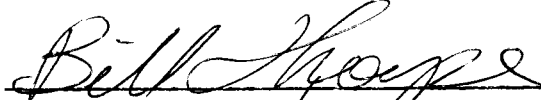
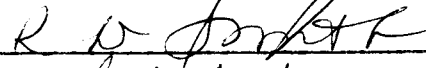

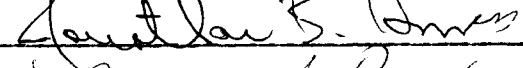

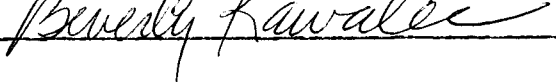
You, and each of you, are hereby notified that the Town Council has called a Special Meeting, to be held in the Meeting Room, at 3:00 pm on Monday, June 24, 1985, To convene an executive session to discuss personnel matters.

  
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Mayor

### ACCEPTANCE OF NOTICE

We, the undersigned, members of the Chapel Hill Town Council, hereby accept notice of a Special Meeting of the Council, called by Honorable Joseph L. Nassif, Mayor, to be held in the Municipal Bldg. Meeting Room, Monday June 24, 1985 at 3:00pm.

  
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Mayor

  
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