

MINUTES OF A PUBLIC HEARING HELD BY THE MAYOR AND COUNCIL  
OF THE TOWN OF CHAPEL HILL, CHAPEL HILL HIGH SCHOOL,  
CULTURAL ARTS BUILDING, TUESDAY, JUNE 24, 1986 7:30 P.M.

Mayor James C. Wallace called the meeting to order. Council Members present were:

Julie Andresen  
David Godschalk  
Jonathan Howes  
David Pasquini  
Nancy Preston  
R. D. Smith  
Bill Thorpe  
Arthur Werner

Public Hearing on the Draft Interim Chapel Hill Land Use Plan

Roger Waldon, Planning Director, said this public hearing was to review and consider a Draft Land Use Plan and hear comments and recommendations from citizens and the advisory boards. He said a key part of the process of preparing and presenting the draft plan was Council's appointment of a Community Planning Task Force who since early May, had held seventeen community meetings to present the plan and solicit comments from the citizens at large. Mr. Waldon said, in addition to the Task Force, the Town had also distributed public information via fliers, questionnaires, and a video production about the plan which was prepared with the assistance of Village Cable. He then presented the slide-tape production about the proposed draft interim land use plan. After the presentation of the slides, Mr. Waldon commented that the staff believed this informational effort had been quite successful in increasing citizen awareness and understanding of the draft plan. He said community reaction as received by the Task Force was included in the memorandum for the meeting. He concluded by stating the memorandum also contained recommendations from the Council's advisory boards and that the statement in the memorandum indicating the Transportation Board and Parks and Recreation Commission recommended adoption of the draft plan was incorrect and should state that the boards supported the plan but felt there were certain considerations which the Council should consider and incorporate into the draft plan.

Berry Credle, representing the Community Planning Task Force, stated that the Task Force since its inception had been working on this draft land use plan. He presented the Report of the Task Force to the Council which was divided into two categories, public reaction and task force recommendations. Mr. Credle thanked the Council on behalf of the Task Force for the opportunity to render this community service; praised the support from Planning Director Roger Waldon and his staff; and thanked the many interested citizens who attended the meetings and expressed their opinions on the draft plan.

Mr. Credle said the Task Force report gave a summary of twelve concerns expressed by those in attendance at the community meetings. He stated that among these concerns were: 1) the question of whether it was realistic to expect the boundary to remain stationary; 2) the need for the lowering of density and the goal of preserving neighborhoods; 3) the question of whether or not there was a need to increase office areas and mixed-use development at the I-40/NC 33 interchange; 4) the pace of development be reduced or stopped until traffic problems corrected; 5) proposed site of a new landfill was deemed unacceptable; 6) new development would exacerbate an already overcrowded school situation; and 7) felt there was need for more intergovernmental cooperation. Mr. Credle then enumerated the concerns and recommendations of the Task Force among them being: 1) cooperation among all governmental units which affect Chapel Hill; 2) adoption of land use plan should be followed by strong positive action to implement the plan; 3) adoption of an ordinance that

136  
ties the approval of new developments to the existence of public facilities; 4) Town's data base needed to be expanded and organized for ease of access; 5) encouraged mixed-use development with strict guidelines at the I-40/NC-86 interchange and that part which abuts Duke Forest retained as rural residential; 6) reexamine the placement of the proposed landfill but retain its designation on the plan until another site is acquired or an alternative technology has been selected; and 7) lowering density in certain areas in order to preserve and maintain existing neighborhoods. (For copy of text, see Clerk's Files.)

Don Francisco, representing the Planning Board, said the Board recommended adoption of the draft interim land use plan with changes and reservations. The changes, he said, dealt with changing density along Estes Drive and Weaver Dairy Road east of Sunrise Drive from medium to low; making the northwest quadrant of I-40/NC-86 interchange rural residential instead of mixed-use; changing the proposed landfill site to low density residential; and changing the medium density at Smith Level Road at Culbreth to Smith Level Road at (proposed) Laurel Hill Parkway. Mr. Francisco said the Board's reservations dealt with the lack of necessary information like demographics and the lack of specific policy statement regarding the boundary issue.

Prince Taylor, representing the Parks and Recreation Commission, said the Commission was supportive of the Town's work to date on the plan but encouraged the Council to place a high priority on open space, greenways, and parkland development. Specifically, he said, the Commission felt the area east of Cedar Falls Park should be designated as a conservation or open space area, and that other areas in town like downtown, north of Weaver Dairy Road, and east of Smith Level Road should also be identified as potential areas for open space and parkland.

Manager Taylor asked that the memoranda from the Greenways Commission and Transportation Board be entered into the record of the meeting. (For copy of text, see Clerk's files.) He said he appreciated the time and effort put in by the Boards/Commissions and citizens in reviewing and discussing the draft plan. He said the staff generally concurred with the plan but differed from the Planning Board's recommendation in that the staff encouraged the Council to keep the proposed landfill site designated as such and that the Star Point area be designated as office and commercial as well as rural residential. He agreed that additional studies needed to be done but felt this draft plan was essential to help plan for development at this time.

Watts Scott, speaking as a citizen, thanked the staff and Community Planning Task Force for their help and expertise in answering questions on the proposed plan. He said if the Council was serious about preserving existing neighborhoods then it should change the proposed landfill site to low density housing. (For copy of text, see Clerk's files.)

Barbara McPherson, speaking as a citizen, expressed concern about having the proposed landfill on its currently designated site. She said she lived near the present landfill and the problems which occur with the present site would only be doubled if the Town built another landfill adjacent to it. She enumerated several problems (ranging from rodents, traffic and noise) which currently exist in her neighborhood as a result of the landfill being next door. Ms. McPherson also questioned the possibility of contamination of the water supply by the landfill and encouraged the Council to have an environmental impact study on the site. (For copy of text, see Clerk's files.)

Larry Reid, speaking as a resident, agreed with the previous speakers in requesting the proposed landfill site be designated as low density housing. He also asked that an environmental impact study be done on the site. (For copy of text, see Clerk's files.)

Randy Danzinger, speaking as a resident also spoke against the proposed landfill site saying a landfill needed sensitive study prior to placement on any site. He suggested the Council have a public referendum on the proposed landfill site.

Thomas Huber, speaking as a resident, said he was pleased the plan emphasized preserving existing neighborhoods but felt the proposal to zone the area around Somerset and Estes Drive as medium density would have an adverse effect on the neighborhood. He commented that the Library Board of Trustees had discussed the possibility of using some of the land along Estes and Airport Road near Somerset Drive for a new library site. He spoke in favor of this idea.

Arthur Moritz, speaking as a resident of Coker Hills West, also spoke against changing the density designation along Estes Drive. He commented on the traffic hazards which already exist along Estes Drive and the potential for increased traffic congestion if the density is changed to medium and high density. (For copy of text, see Clerk's files.)

Judy Jones, speaking as a resident, spoke in support of changing the proposed plan to allow for low density along Estes Drive citing the two schools and existing neighborhoods as reasons for the change. She commented that the residents had an example of what medium or high density development like Shadowood can do when located adjacent to an existing neighborhood. She introduced photographs of the creek which runs through the neighborhood, after a rainfall, before and after the development was built that show increased runoff. Ms. Jones spoke in support of having the library build a new facility on the property adjacent to Somerset and Estes Drive and lowering the density on the remaining property. (For copy of text, see Clerk's files.)

Lisa Price, representing the majority of the Library Board of Trustees, said the Board approved of the proposal made by Mr. Goforth, owner of the property along Estes Drive, to donate approximately 5 acres to the Town for a new library facility. She said the site would be large enough for a new library and any potential expansion of such a facility, would be easily accessible, had the approval of some citizens, and would be a gift rather than a purchase for the Town.

John McMillan, representing Goforth Properties, commented that Mr. Goforth would like the proposed land use plan amended to allow for the development of a new library facility and a neighborhood commercial center at the intersection of Estes Drive and Airport Road, and for single family development of approximately 13.76 acres adjacent to Somerset Drive.

Mayor Wallace left the meeting at this point, 9:26 p.m.

Rome Burnov, speaking as a resident, spoke against the proposed mixed-use development around the I-40/NC-86 interchange. He said this kind of land use would only further exacerbate the traffic congestion, noise and air pollution of the area. He said by zoning the area for office and commercial use the Town would be inviting transient development adjacent to existing neighborhoods. He also stated the current entranceway into Chapel Hill along that corridor was a nice green buffer, but with the proposed land use plan this would change to a myriad of offices and commercial establishments. He urged the Council to keep this area residential.

Dave Cleverly, speaking as a citizen, spoke against the proposed landfill site. He said before the proposed new landfill was established, extensive testing and ground water monitoring needed to be done.

Jane Tompkins, speaking as a citizen, spoke against having the I-40/NC-86 interchange as an activity node. She said she was

140  
concerned that such a node would add to the congestion and increase the pollution in the area. Ms. Tompkins said it would be better to build in areas already developed in such a way like the 15-501/I-40 interchange. She said she was worried the mixed-use designation would allow for a proliferation of fast food restaurants at the I-40/NC-86 interchange and hoped the Council would recommend this change in the proposed land use plan. (For copy of the text, see Clerk's files.)

Sam Leaman, speaking as a resident, spoke against the proposed landfill site if it would have any kind of negative impact on the neighboring elementary and high schools. He also said there needed to be an assessment of the need for additional office space prior to adopting any land use plan which provides for substantial growth of office development.

Marie Bristol, speaking as a resident, encouraged the Council to consider the children of Chapel Hill when establishing a land use plan and the need for additional schools, classrooms, and parks. She spoke against the mixed-use designation at the I-40/NC-86 interchange and for a rural residential designation. She thanked the Task Force and Planning Department for their efforts to obtain community input on the proposal.

Bill Davis, speaking as a resident, spoke against the preponderances of medium density designations on the proposed plan. He pointed out that Chapel Hill currently was characterized by low density development and should remain so. (For copy of the text, see Clerk's files.)

Adam Abram, speaking as a citizen, spoke in favor of the mixed-use designation of the I-40/NC-86 interchange saying it allowed for the opportunity to look at 20 years ahead. He said such a use would provide for an employment center, and that this was important if Chapel Hill was to be considered more than a bedroom community for other areas. He said he preferred the idea of neighborhood shopping centers so that he did not have to travel far to do his business.

Ron Strom, speaking as a resident, spoke in support of the proposed land use plan as modified by the Planning Department. He said he preferred that the proposed landfill site be redesignated as low density housing. However, Mr. Strom said, the Northwoods area needed to be connected to water and sewer lines prior to development of a new landfill in that area. He commented that he was a part owner of land in the southeast quadrant of I-40/NC-86 interchange and felt the Manager's recommendation for a rural buffer and mixed use development around the interchange was a good compromise. He further pointed out that the proposed plan did not address the affordable housing issue and stated that the Town needed to be careful not to become too elitist in its development. He said there needed to be a balance between neighborhood concerns for preservation of the status quo and the need for more affordable housing.

Scott Wallace, representing over 100 residents of Timberlyne, said they believed the proposed plan to be a positive step towards managing the growth of Chapel Hill but that it still needed modifications to further help preserve the existing neighborhood. He said the residents of Timberlyne requested the Council to designate the residential area west of Timberlyne as low density rather than medium and reconsider the extensive office/institutional designation for the areas at the northern I-40/NC-86 interchange and the Weaver Dairy/NC-86 intersection. (For copy of text, see Clerk's files.)

Bill Lovingood, speaking as a citizen and for two of his friends, commented that up until this proposed land use plan was made public, his two friends had owned land believed to be marketable. He said the proposed land use plan designates this land as conservation areas. He asked the Manager how the Town proposed

141  
to compensate land owners if a land owner's property were placed in a conservation area. He said the plan should be criticized for failure to deal with its impact on private ownership.

Bruce Guild, speaking as a resident, spoke against the land use designation of medium density for the area in Durham County proposed to be annexed adjacent to Pope Road. He also spoke against the mixed use designation along Old Chapel Hill Road near the I-40/15-501 interchange.

Bill Rohe, speaking as a citizen, said it was inappropriate to designate a future landfill site prior to having an environmental impact study on the site. He urged the Council to proceed with such a study.

James A. Watson, representing the Masonic Lodge Real Estate Committee, asked the Council to designate the Masonic Lodge site as office/institutional instead of residential.

Alice Gordon, representing the Parker Road/Laurel Hills Neighborhood Association, spoke in support of the plan as it affects that neighborhood because it used the ridge line between drainage basins to divide those areas to be developed and rural residential, it recognizes the environmental constraints of the area, and sets the residential designations at low density. She also stated that the plan needed to include designations of parks and recreation areas on the map, designate areas for schools, and if additional commercial areas are needed then expand the Star Point and NC 54/Barbee Chapel Road areas since these areas already have commercial development.

Joan Shapiro, representing the Alliance of Neighborhoods, thanked the Council for giving townspeople the opportunity to share in the discussion of the proposed land use plan. She commented that the Alliance questioned whether or not the plan had been devised for the purpose of facilitating growth rather than preservation of the Town's traditional character, especially since the plan was indicated an annual growth rate of 2.5%. Ms. Shapiro also said the group disagreed with the plan for compact development within the "boundaries" of Chapel Hill, feeling this represented in-fill. She commented that the Alliance also questioned the justification for compact development, i.e. that low density land use reduces the effectiveness of transit services, stating they wondered if the people of Chapel Hill wanted the Town's future planned on the basis of effectiveness of transit service. Ms. Shapiro said that she did not believe Chapel Hill citizens wanted to give up their cars for busses. (For copy of text, see Clerk's files.)

Joy Williams, speaking as a resident of southern Orange County, spoke against the designation of her property at the intersection of Old Lystra and Mt. Carmel Church Roads as retail commercial. She pointed out that her property was an old home place and asked that the site be redesignated low density.

Harvey Krasny, speaking as a resident of Summerfield Crossing, spoke in support of changing the designation of medium density along Erwin Road and 15-501 to low density in an effort to help the already bad traffic situation along that route.

Ray McArthur, speaking as a citizen, expressed concern about the east side of Chapel Hill along Pope Road and the I-40 corridor. He asked that the medium density designation in that area be changed to low density.

Diane McArthur, speaking as a citizen, also expressed concern over the plan for medium density near Devonshire Manor and Colony Lake areas. She also expressed concern that the proposed Laurel Hill Parkway would create more traffic for the already congested Ephesus Church Road area.

142  
Mike Harpham, speaking as a resident, spoke against the designation of retail/commercial for the area of I-40/NC-54. He also agreed with the Task Force's opinion that further office centers were not needed. He said he did not want to see the entranceways to Chapel Hill cluttered with office and commercial property.

Richard Keena Levin, speaking as a citizen, spoke against the designation of the proposed landfill. He reiterated the need for an environmental impact study before the Town should reach a decision on how to develop this land.

Marjorie Swenson, speaking as a resident, spoke against the designation of medium density for the Ephesus Church Road/Colony Woods Drive area. She encouraged the Council to change this designation to low density.

Stephen Halkiotis, speaking as a citizen, spoke against the proposed landfill site designation.

Fred Simon, speaking as a resident, spoke of the need for preserving the ambience of Chapel Hill, protecting the people from surprises, like the future landfill site, and for progress for a better Chapel Hill. He encouraged the Council to remember these ideas when adopting a land use plan.

John Thomas, speaking as a resident, said downtown Chapel Hill showed that mixed use development could work and suggested that it could be duplicated elsewhere. He said the concept of medium density development could be good for Chapel Hill in that it was good for transportation services which reduce the amount of individual traffic. He also said medium density, along with mixed use allowed for neighbors to walk to conveniences. Mr. Thomas urged the Council to remember that Chapel Hill needed balance and he felt this could be accomplished through more mixed use, medium and high density, and quality growth management.

John Coffey, speaking as a citizen, said he would like to see single family cluster developments encouraged in the rural residential areas. He commented that this type of development would still maintain the buffers and greenways important to Chapel Hill. He said cluster developments would provide a variety of affordable housing for Chapel Hill, and the rural residential areas were some of the few areas where land was affordable enough to enable a variety of housing to be built.

Peter Thorne, speaking as a homebuilder, spoke in support of the Town's goal for affordable housing through medium density land use designations. He said there needed to be various types of housing in Chapel Hill. He invited the Council to attend a meeting sponsored by the Triangle J Council of Governments in September with regard to affordable housing needs.

James McNaull, speaking as a resident, spoke against the medium density designation for the Clark Lake area and against the proposed landfill site. Mr. McNaull expressed concern over the proposed Laurel Hill Parkway and its impact on the Clark Lake neighborhood.

Faye McNaull, speaking as a citizen, also had concerns over the medium density designation for the Clark Lake area. She also said that as part of Durham County, this area did not feel it had been included in the planning stage for this land use plan even though the Town had plans to annex this area.

Bob Ward, speaking as a citizen, urged the Council to review the medium density designation adjacent to NC 86 and below Timberlyne with the result being a change in the proposed plan that this area be low density. He said doing so would keep the goal of preserving existing neighborhoods alive.

Bob Page, an attorney representing the DuBose heirs, expressed concern over the designation of a large portion of their property as conservation and thoroughfare areas. He said the property owners would like to reach a mutual agreement as to the designation of land use for the property.

Len Van Ness, representing the Chapel Hill-Carrboro Chamber of Commerce, commented that those that evening who had requested the Council to reduce density designations, needed to remember that the Council had just recently taken steps to reduce the allowable density in zoning areas. He said the Chamber supported the staff recommendation for redeveloping the Star Point area. Mr. Van Ness concluded by saying that the Chamber also had statistics and reports which indicated the need for additional office development in Chapel Hill and that they would be glad to share that information with those citizens who said there was no evidence to support the need for more office development.

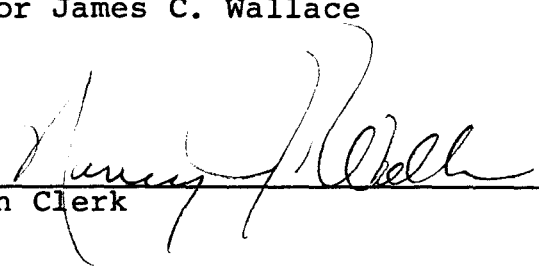
Council Member Smith commented that the request to place a neighborhood commercial center and new library along Estes Drive and Airport Road would probably generate as much traffic if not more than a multi-family development. He also commented that the Council had no responsibility for the planning and development of schools. He said that was the domain of the County School Board.

Mayor Pro-tem Thorpe complimented the staff for their presentation and hard work and gave a special thanks to the Community Planning Task Force for their efforts in disseminating the information on this proposed draft interim land use plan.

A MOTION WAS DULY MADE AND SECONDED TO ADJOURN THE MEETING. THE MOTION PASSED UNANIMOUSLY, (8-0).

The meeting adjourned at 11:15 p.m.

\_\_\_\_\_  
Mayor James C. Wallace

  
\_\_\_\_\_  
Town Clerk