

**Planning Commissioner's Written Comments
May 10, 2011**

Crowne Pointe (Z1100003)

Mr. Davis - I voted against recommending approval. There is no question that Durham needs affordable housing for working families of the type that the applicant offers, and I believe that many of the misconceptions about such housing are unfounded. Nevertheless, this site is not the place for it. It is strongly opposed by all the surrounding neighborhoods. The Winmore subdivision example given by the applicant is a poor analogy. Winmore was designed with affordable housing as part of the design, so that people coming in knew about it in advance. In this case, the applicant is attempting to add affordable housing as an adjunct to an older, established neighborhood without taking the time to get buy-in from the residents. Thus, in spite of the proffered commitments regarding fencing and amenities, the proposal really is incompatible with the neighborhood adjacent to it.

Traffic on Barbee Road is a major concern, and this proposal would add more to it. The staff report is in error when it describes Barbee Road as a two-lane undivided major city/county roadway without left-turn lanes. There are some left-turn lanes on Barbee Road where newer roads and streets join/cross. Consequently, the traffic volume shown in the report is probably low, perhaps by as much as 20%. This coupled with the fact that the data are two years old really means that Barbee Road today is probably operating at very close to capacity.

Addition of more traffic onto Barbee Road will have two consequences. It will no doubt increase the amount of traffic that cuts through the adjacent neighborhood via Windcrest Road and Crooked Creek Parkway to get from Barbee Road to Fayetteville Road. I was shocked by the statements in e-mails from residents that the City of Durham will not allow them to install traffic calming devices, even at their own expense. To me this is just plain wrong. People's lives (especially those of children) are at stake.

The second consequence will be to increase the present danger at the NC 54/Barbee Road intersection. I'll give you some background. The original traffic light at the NC 54/Barbee Road intersection was paid for with the blood of the people who died in the fatal traffic accidents there. Yet NC DOT maintained that their traffic data did not support a traffic light at the intersection. It wasn't until the intersection became ranked as one of the deadliest in Durham County (and perhaps the state) that NC DOT relented and installed the first traffic light there. Since then the intersection has been further improved by the addition of left turn lanes and left turn signals on NC 54 (both directions). A similar left turn lane and signal was installed on Barbee Road north of the intersection so that traffic coming south on Barbee Road can more easily turn left (east) onto NC 54. However, on the south side, a much shorter left turn lane (only three cars) was installed, and NO left turn signal was installed. So traffic traveling north on Barbee Road that wants to turn left (west) onto NC 54 really gets hung up, especially at rush hour. (It has taken me as many as three cycles to be able to make that left turn.) Angry, frustrated drivers often take risks, and there have been some minor accidents and many near misses. Yet transportation staff has told me that their data do not support any further improvements to this intersection. Not only is this eerily reminiscent of what NC DOT used to say, I believe that it is wrong.

Sooner or later the City of Durham will need to further improve this intersection (and I hope the city does so before there is another fatal accident). Two improvements are needed: a) a longer left turn lane so that traffic that wants to turn left can better sort itself out from traffic that wants to continue north; and, b) a left turn signal. I realize that no TIA was required for this proposal, and that staff don't

normally seek off-site transportation infrastructure improvements without a TIA. However, as noted above, this proposal will add more traffic to Barbee Road, some of which will undoubtedly travel south to and through the intersection with NC 54. Thus, I believe that it would be reasonable to request that the applicant make some improvements to the intersection. Even if extending the left turn lane is beyond his capability, he could at least pay for installing a left turn signal. That would save the City a little money down the road.

Thank you for your consideration of this somewhat extended comment.

Mr. Davis – I voted to deny request for re-zoning of the case Crowne Pointe because it is not advantageous of the current land use.

Mr. Harris – I voted no.

Mr. Martin – Recused.

Mr. Monds – I voted against the motion.

Mr. Whitley – I voted not to approve because of traffic concerns. Barbee Road has problems now this will increase the problem.

Mr. Winders - Applicant has extensive experience with developing and managing affordable housing. He is offering a large number of amenities to families. This housing is greatly needed. However, neighborhood opposition is extremely strong. Applicant did not do a good job of selling his project to the community.

Ms. Brown - I voted denial. The developer waited too long to have this go through the proper process. The expedited hearing granted by CC, in my opinion put the residents in the area at a disadvantage.

I will copy some correspondence between staff and some commissioners below for you. It is public information. Questions:

- 1) Have the residents who would be notified of the PC public hearing been advised that this case is expedited.
- 2) Is there any documentation of a meeting between the applicant and the adjacent neighbors?

Answers:

- 1) No, the residents that have been provided notice of the PC public hearing have not been notified (directly, via US Mail) that the case is expedited. This is based on the fact that the notice for the PC public hearing was required to be sent prior to Council's action to allow this to be an expedited case, and the fact that additional notification (i.e.: additional to standard/required notification) is not contemplated by and/or required by the UDO. As you know, the neighbors will also be notified when Council is scheduled to hear this item; and
- 2) No neighborhood meeting is required since there was no required Comp Plan change or TIA, but the applicant told Scott that a meeting had been held (we do not have any documentation to this effect).

Comment: It seems the neighbors could be disadvantaged by the timeframe since there will be no opportunity for a continuance/chance to address neighbor concerns at the PC level. Also

last proposed project on this site resulted in a protest petition and I assume there will be less time for neighbors to submit one if they decide to do so. End of Q&A, comments.

It is my opinion, that the UDO needs some tweaking to allow more notice of expedited hearings for residents.