



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Town Council

### Meeting Minutes - Draft

Mayor Pam Hemminger  
Mayor pro tem Jessica Anderson  
Council Member Donna Bell  
Council Member Allen Buansi  
Council Member Hongbin Gu

Council Member Nancy Oates  
Council Member Michael Parker  
Council Member Rachel Schaevitz  
Council Member Karen Stegman

---

**Wednesday, October 2, 2019**

**7:00 PM**

**RM 110 | Council Chamber**

---

### Roll Call

**Present:** 8 - Mayor Pam Hemminger, Council Member Donna Bell, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Nancy Oates, Council Member Michael Parker, Council Member Karen Stegman, and Council Member Rachel Schaevitz

**Absent:** 1 - Mayor pro tem Jessica Anderson

### Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Manager Catherine Lazorko, Police Officer Rick Fahrer, Fire Inspector Donnie Morrissey, Interim Planning Director Judy Johnson, Traffic Engineering Manager Kumar Neppalli, Patrol Captain Donnie Rhoads, LUMO Project Manager Alisa Duffey Rogers, Community Resilience Officer John Richardson, Executive Director for Technology and CIO Scott Clark, Police Chief and Executive Director for Community Safety Chris Blue, and Deputy Town Clerk Amy Harvey.

### OPENING

0.01 Mayor's Salute: Colleen Minton of TerraVita Food and Drink Festival.

[\[19-0826\]](#)

Mayor Hemminger opened the meeting at 7:00 p.m., and said that Mayor pro tem Anderson was away on business. She expressed gratitude to Colleen Minton, TerraVita Food and Drink Festival founder, for putting 10 years of passion and hard work into celebrating healthy eating and earth-friendly food practices.

Ms. Minton thanked the Town for its support and said that Chapel Hill was a perfect environment for events that honor farms, the environment, chefs, and beverage producers.

0.02 Proclamation: Reduce Single Use Plastics Month.

[\[19-0827\]](#)

Council Member Schaevitz read the proclamation regarding local efforts to

reduce single use plastics. She declared October 2019 to be Reduce Single Use Plastics Month in Chapel Hill and urged all residents to reduce consumption of those products.

Christian Lutz, representing NC Public Interest Research Groups (NCPiRG), expressed support for the Town's sustainability efforts and said that NCPiRG intended to help businesses understand how to operate more sustainably while still being profitable.

Mayor Hemminger said that the Town would be working with NCPiRG to develop a resource guide for businesses and that more information was available at [sustainchapelhill.org](http://sustainchapelhill.org).

#### 0.03 Proclamation: Cyber Security Awareness Month.

[\[19-0828\]](#)

Council Member Bell read the proclamation regarding the Town Council's agreement with the U.S. Department of Homeland Security and other national organizations to declare October 2019 to be Cyber Security Awareness Month. The proclamation discussed the role of technology in citizens' lives, the increasing threat of cyber-attack, and the loss of privacy from spyware, identity theft and fraud.

Chief Information Security Officer Robert Reynolds thanked the Council for the proclamation, which illustrated the Town's commitment to cyber-security and raising awareness.

#### 0.04 Breast Cancer Awareness Month.

[\[19-0829\]](#)

Mayor Hemminger pointed out that Town staff members were wearing pink to help raise awareness regarding the importance of having mammograms.

### **PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

#### 0.05 Susan Smith Request Regarding Advisory Board Vote Policy.

[\[19-0830\]](#)

Susan Smith, a Historic District Commission (HDC) member, petitioned the Council to modify the Town statute to allow a majority vote, if necessary,

to uphold board decisions. The current HDC had only five members, and changing the rule would be preferable to rushing to appoint three new members, she said.

A motion was made by Council Member Oates, seconded by Council Member Parker, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

0.06 Daniel Dunn Request Regarding Government Transparency.

[\[19-0831\]](#)

Daniel Dunn, a Chapel Hill resident and former Town employee, said he had received no response to his inquiry about why Town employee salary data was not available on the Town's open data portal. In the interest of transparency, such information should be open by default and published consistent with open records law, he said.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

1. Parks, Greenways, and Recreation Commission Request to Permit Current Commission Officers to Serve an Additional Year and a Recommendation to Change the Policy.

[\[19-0802\]](#)

Renuka Soll, representing the Parks Greenways and Recreation Commission, petitioned the Council to permit existing Commissioners to serve for an additional year and to amend the policy allowing additional years of service in the event that no other board member was able to serve as an officer. The Commission's chair and vice chair had reached their two-year limit and no other member had agreed to replace them for the 2019-2020 term, he explained.

Mayor Hemminger said that the Council Committee on Boards and Commissions would be bringing back a related recommendation.

A motion was made by Council Member Buansi, seconded by Council Member Schaevitz, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

2. Parks, Greenways, and Recreation Commission Request to Reconsider the Designation of a Cemetery Champion Seat on the Commission.

[\[19-0803\]](#)

Wesley McMahan, Parks Greenways Recreation and Cemetery Commission chair, said that his Commission had voted unanimously to request that the Council change the seat reserved for a Cemetery champion to a regular seat. He described several attempts to fill the seat and said that Commissions were capable of representing Cemetery interests without

having a designated seat.

A motion was made by Council Member Schaevitz, seconded by Council Member Stegman, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

## **ANNOUNCEMENTS BY COUNCIL MEMBERS**

### 2.01 Mayor Hemminger Regarding Changes in Agenda.

[\[19-0832\]](#)

Mayor Hemminger said that Item 13 had been removed from the agenda and would return at a later date. In addition, Item 16 was being moved ahead to follow Item 12, she said.

### 2.02 Mayor Hemminger Regarding Orange County Job Fair.

[\[19-0833\]](#)

Mayor Hemminger said that a recent Job Fair had the largest pre-registration and attendance to date. She described the event and congratulated Orange County for its hard work.

### 2.03 Mayor Hemminger Regarding Transportation Impact Analysis Study at Eastowne Meeting.

[\[19-0834\]](#)

Mayor Hemminger said that a public input session regarding the traffic impact analysis at Eastowne would be held from 6:30-8:00 p.m. on October 3rd at the Seymour Center.

### 2.04 Mayor Hemminger Regarding Council Committee on Economic Sustainability Meeting.

[\[19-0835\]](#)

Mayor Hemminger announced that the Council Committee on Economic Sustainability would hold a public meeting on October 4th at 8:00 p.m. at the Public Library. The agenda would address redevelopment trends for malls and would include recommendations from the Community Design Commission for changes to the concept plan process, she said.

### 2.05 Mayor Hemminger Regarding Wegmans Street Improvements Public Meeting.

[\[19-0836\]](#)

Mayor Hemminger announced that a public meeting regarding street improvements at Wegmans would be held on October 7th at 5:15 p.m. at Town Hall.

### 2.06 Mayor Hemminger Regarding Weaver Crossing Meeting.

[\[19-0837\]](#)

Mayor Hemminger said that a community meeting on the proposed Weaver Crossing subdivision would be held on October 9th at 5:30 p.m. at the Public Library.

### 2.07 Mayor Hemminger Regarding Festifall.

[\[19-0838\]](#)

Mayor Hemminger reminded all that Festifall would begin in Downtown

Chapel Hill at 11:00 a.m. on October 12th.

2.08 Mayor Hemminger Regarding Walk to School Day. [\[19-0839\]](#)

Mayor Hemminger said that she and Council Member Stegman had participated in Walk to School Day that morning at Ephesus Elementary School and that Council Member Gu had done the same at Estes Elementary School.

2.09 Council Member Schaevitz Regarding 919 Film Festival. [\[19-0840\]](#)

Council Member Schaevitz noted that Filmfest 919 would begin on October 9th at the Silver Spot Theater. She said that seven of the films screened there last year had gone on to win Academy Awards, including best picture. More information was available at [filmfest919.com](http://filmfest919.com), she said.

## CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

### *Approval of the Consent Agenda*

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

3. Approve all Consent Agenda Items. [\[19-0804\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

4. Call a Public Hearing on November 13, 2019 for Amendments to Land Use Management Ordinance Articles 3, 4, and 6 Pertaining to Conditional Zoning. [\[19-0805\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

5. Adopt Minutes from March 6, 13, and 20, 2019 and April 10, 17, and 24, 2019, and May 1 and 8, 2019 Meetings. [\[19-0806\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

## INFORMATION

6. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0807\]](#)

This item was received as presented.

7. Receive Annual Compliance Reports for July 1, 2018 - June 30, 2019 for the Carolina North, Glen Lennox, Fire Station #2, and [\[19-0808\]](#)

Obey Creek Development Agreements.

This item was received as presented.

8. Receive Orange County Human Services Center Report. [\[19-0809\]](#)

This item was received as presented.

## DISCUSSION

9. Presentation: Chapel Hill/Orange County Visitors Bureau on its 2019/20 Strategic Plan. [\[19-0810\]](#)

Laurie Paolicelli, Orange County Visitors Bureau executive director, gave a PowerPoint presentation on the Town's tourism industry, which she said was strong and had been growing consistently over the past five years. She said that a recent study about changing perceptions of Chapel Hill would be unveiled in November 2019. She outlined some of what respondents liked most about the Town as well as what deterred visitors.

Ms. Paolicelli mentioned growing opportunities in culinary tourism and achievement travel such as classes, races, and walking tours and said she was examining the relevance of having a welcome center. She described several upcoming promotional activities and noted evolving approaches to promotion, such as placing stories on Google.

This item was received as presented.

10. Presentation: Orange Water and Sewer Authority (OWASA) Agua Vista Web Portal. [\[19-0811\]](#)

Ruchir Vora, OWASA board chair, gave a PowerPoint presentation with a background on the Aqua Vista Web Portal, a project that had begun in March 2019 to provide nearly real-time water information, eliminating the need to manually read meters.

Mary Tiger, OWASA sustainability manager, demonstrated how Agua Vista worked and said that OWASA was expecting a 10-year payback on its \$5.3 million investment. She said that 31.1 percent of eligible accounts had already registered, and she outlined efforts to increase those numbers.

Town Sustainability Officer John Richardson commented on the benefits of being able to immediately detect water leaks. Aqua Vista was revealing how residents use water and how this would lead to better management, he said.

Mayor Hemminger said that the Town would continue to promote the program. Aqua Vista had been saving water, costs, and had been installed ahead of schedule, she said.

This item was received as presented.

11. Amend Chapter 21 of the Code of Ordinances on Turn Regulations to Prohibit Right Turns on a Red Signal at Several Intersections. (Reissued from September 11, 2019)

[\[19-0733\]](#)

Chapel Hill Police Department Captain Donnie Rhodes, Special Operations Unit supervisor, addressed a petition from the Council and the North Carolina Department of Transportation (NC DOT) to review 16 traffic intersections in Town that might benefit by having a prohibition on right turns at red lights. The University of North Carolina-Chapel Hill (UNC) and the Town's Transportation and Connectivity Board had approved the proposed changes, he said.

Traffic Engineer Kumar Neppalli outlined the criteria that had been used to make the staff's recommendation. He showed where the 16 intersections were located, noted variations among them, and pointed out that most were in the Downtown area. Mr. Neppalli said that a traffic impact analysis had found that five intersections would have lower levels of service at peak hours as a result of the change. However, those changes were acceptable levels, and he recommended approval.

Chapel Hill residents Sheila Kannappan and Geoff Green, both of whom ride bikes to work in Town, expressed support for the change. Ms. Kannappan asked that the list include the intersection of Pittsboro Street and Cameron Avenue, which she described as highly dangerous.

Jason Merrill, Transportation and Connectivity Advisory Board chair, said that his board had strongly supported the change. "All road users deserve safe streets; no loss of life on a road is acceptable; and injury or death are not an inevitable price to pay for mobility," he said.

The Council confirmed with Mr. Neppalli that "No Turn On Red" signs would be installed beside signal heads and that the Town would need permission from the NC DOT to include the Pittsboro Street/Cameron Avenue intersection in the ordinance. They ascertained from Captain Rhodes that bicyclists were expected to follow the same rules as vehicles.

Some Council members shared experiences of having felt vulnerable themselves while riding bicycles on Town streets and/or walking bikes across intersections. Mayor Hemminger pointed out that North Carolina was the ninth most populated state in the nation and had the highest number of pedestrian/vehicle deaths. Most of those deaths were not in Chapel Hill, but there was a huge effort being made toward using seat belts and making interactions with bikes and pedestrians safer, she said.

Council Member Oates said that she saw the issue from both sides. She pointed out that the change would make traffic jams worse, and that it would have climate implications because more cars would be idling while

waiting to turn. It was a hard decision, but she could not support the change, she said.

A motion was made by Council Member Parker, seconded by Council Member Bell, and Council Member Schaevitz offered a friendly amendment to include the Greensboro Street/Cameron Avenue intersection, if the NC DOT approved it, that O-1 be enacted as amended. The motion carried by the following vote:

**Aye:** 7 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Gu, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

**Nay:** 1 - Council Member Oates

A motion was made by Council Member Gu, seconded by Council Member Oates, that a traffic analysis be conducted in a year's time. The motion carried by a unanimous vote.

**12. Charting Our Future - Update on Engagement Efforts and Consideration of Revisions to the Draft Focus Area Maps & Principles.**

[\[19-0812\]](#)

Land Use Management Ordinance (LUMO) Project Manager Alisa Duffey Rogers provided a brief update on efforts to engage the public in conversations about the draft Focus Area Maps and Principles. She said that she had talked with approximately 325 community members and that feedback included a petition from the Glen Heights neighborhood, asking that they be removed from the focus area. She pointed out that a new character type could be created that would better reflect the individual homes at Glen Heights.

Ms. Duffey Rogers said that some had suggested that character types be less prescriptive. She said that community members appeared to be conflicted about a future vision for the Town. She reported that UNC had requested that a 56-acre parcel adjacent to Meadowmont be included in the NC 54 Focus Area. In addition, Southern Village had asked that areas adjacent to South Columbia Street and at the Market Street intersection be included as well, she said.

Ms. Duffey Rogers recommended that the Council adopt Resolution 4, authorizing the Town Manager to remove Glen Heights from the South Martin Luther King Jr. Boulevard Focus Area. Developing a new character type would be Resolution 5, she said. She also recommended adding the parcels adjacent to Meadowmont and Southern Village to the appropriate focus area maps. Ms. Duffy Rogers said she would return to the Council before the end of the calendar year with the results of further public engagement.



Council members confirmed with Ms. Duffey Rogers that their approval would merely open the discussion about the Southern Village (SV) parcel, which was currently designated as open space and what it would be in 2049. Designations for the portions of SV that run along Market Street could potentially change, she said.

The Council confirmed that a new character type for Glen Heights would apply only to that neighborhood, according to the current proposal (R-4). In response to a question from Council, Ms. Duffey Rogers agreed to return with a spectrum of options for "less prescriptive" character types. The Council confirmed with her that adding new parcels would not create significant delay.

The Council ascertained that a nearby church shared ownership with SV of the property along Market Street and that Allen Rental owned the piece along South Columbia Street. They verified that former Council had denied an application to develop the Meadowmont parcel because the land there had been deemed too environmentally sensitive for the project that had been proposed.

Glen Heights/Windsor Circle residents Heather Hille, Val Martinez, Robert Schreiner and Gary Baum described feelings of surprise and shock when they learned that their neighborhood was being recommended for "characterization". They said that the proposed change would threaten their quality of life, and they asked the Council to remove Glen Heights from the South Martin Luther King Jr. Boulevard Focus Area.

Julie McClintock, a Chapel Hill resident and former Council member, confirmed that the Meadowmont parcel had been deemed too ecologically sensitive for development in the past. She suggested that the Council contact neighbors at The Cedars to learn the history of that parcel before considering it as a focus area.

Council Member Schaevitz suggested sending the SV parcel to the Focus Area Subcommittee for analysis, and the Council discussed the need for an environmental analysis of the Meadowmont site. There was some agreement on Resolution-5, and for having a larger policy discussion about creating a character type that would preserve other neighborhoods as well. However, Council Member Parker expressed support for removing Glen Heights because he did not think the FLUM would provide the protection those neighbors were seeking. Council Member Oates asked staff to bring back options for preserving Glen Heights and other such neighborhoods.

There was some disagreement among Council members regarding the Meadowmont and SV parcels. Council Member Oates said that adding SV to the FLUM at the current time could lead to conflict. She argued that the Meadowmont property should be removed as well, pending an environmental study.

Council Member Buansi said he thought that Meadowmont should be added, but agreed that background information was needed first. He pointed out that the Focus Area Subcommittee would be thinking holistically about the entire SV area. Council Member Parker then proposed including the SV parcels in the SV Focus Area with the understanding that the Subcommittee would recommend how they were to be designated.

Mayor Hemminger said that the Council seemed to be split (4/4) on the Glen Heights issue. She expressed support for leaving it in while finding a way to preserve that character type when development pressures become more intense. She did not want to set a precedent by removing it from the Future Land Use Map she said. With regard to the Meadowmont parcel, Mayor Hemminger said that the Council wanted more information before making a decision. Most Council members seemed okay with having the Focus Area Subcommittee return with a recommendation on the SV parcels, she said.

Council Member Gu moved that a new character type be developed that would consider the characteristics of communities in the transit-oriented development corridor. Council Member Oates seconded that, but other Council members raised questions and Council Member Gu ultimately proposed amending R-5 to include developing a new character type for Glen Heights. The motion failed by the following vote:

**Aye:** 4 - Mayor Hemminger, Council Member Gu, Council Member Oates, and Council Member Schaevitz

**Nay:** 4 - Council Member Bell, Council Member Buansi, Council Member Parker, and Council Member Stegman

A motion was made by Council Member Parker, seconded by Council Member Stegman, that the section of R-4 that would remove Glen Heights from the S. MLK Focus Area, as residents had requested, be adopted. The motion failed by the following vote:

**Aye:** 4 - Council Member Bell, Council Member Buansi, Council Member Parker, and Council Member Stegman

**Nay:** 4 - Mayor Hemminger, Council Member Gu, Council Member Oates, and Council Member Schaevitz

A motion was made by Council Member Bell, seconded by Council Member Parker, that the section of R-4 that would add the two SV parcels to the SV Focus Area be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Gu, seconded by Council Member Oates, that the section of R-4 that would exclude the Meadowmont parcel until an environmental assessment had justified its feasibility for development be adopted. The motion carried by the following vote:

**Aye:** 5 - Mayor Hemminger, Council Member Buansi, Council Member Gu, Council Member Oates, and Council Member Schaevitz

**Nay:** 3 - Council Member Bell, Council Member Parker, and Council Member Stegman

Ms. Duffey Rogers said she would return to Council with different ranges and options for character types along the South Martin Luther King Jr. Boulevard corridor.

A motion was made by Council Member Parker, seconded by Council Member Gu, that the section of R-4 that would authorize the Town Manger to investigate and return to Council with options for less-prescriptive Character Types be adopted. The motion carried by a unanimous vote.

13. Receive the Affordable Housing FY 19 Annual Report.

[\[19-0813\]](#)

This item was deferred to November 20, 2019.

*CONTINUED DISCUSSION*

16. Response to a Request to Limit the Scope of the Proposed Special Use Permit Modification Application for Wegmans Food Market, 1810 Fordham Blvd.

[\[19-0816\]](#)

Principal Planner Judy Johnson summarized a staff recommendation to limit the scope of a Special Use Permit (SUP) modification review regarding a realignment of a US 15-501 Service Road. She showed the area across from State Employee Credit Union property on an area map.

Council members confirmed with Ms. Johnson that approval would not necessarily imply that the Town was open to developing two parcels in the area. They verified that the Service Road belonged to NC DOT, which would make the decision regarding driveway permits. However, the Council could stipulate a preference and approve the realignment without indicating driveway cuts, Ms. Johnson said.

Council Member Gu raised questions about a change to Wegmans's plans that would reduce the size of its building but leave the same number of parking spaces.

Mayor Hemminger said that the Council had voted to discuss only the Service Road and not the entire SUP, but Council Member Gu replied that the Council was also being asked to consider whether or not to have a

more general conversation about the SUP. Allowing excessive parking would be inconsistent with the Town's vision for the US 15-501 corridor, Council Member Gu said.

Council Member Parker characterized the proposed configuration for the Service Road as a vast improvement. He confirmed with Ms. Johnson that not granting that limited request could lead to the applicant abandoning the idea.

Council Member Buansi spoke in support of keeping a limited scope as well, but Council Member Gu continued to argue in favor of having a discussion, at least, about reducing parking at Wegmans.

Town Manager Maurice Jones offered to revisit the parking issue with Wegmans outside of the current SUP discussion, and Mayor Hemminger said that the Council would appreciate that. She pointed out that the Town had discussions with Wegmans about developing parts of the parking lot in the future. She agreed that there was an enormous amount of parking, but said that two years of conversations had led to road options being proposed. Mayor Hemminger encouraged the Council to vote in favor of the proposed modification.

Council Member Schaevitz moved R-9, and refused a friendly amendment from Council Member Oates to erase the driveway cuts.

A motion was made by Council Member Schaevitz, seconded by Council Member Parker, that R-9 be adopted. The motion carried by the following vote:

**Aye:** 7 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Oates, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

**Nay:** 1 - Council Member Gu

17. Consider Modifying the Process to Interview Applicants to the Boards with Semi-Autonomous Authority.

[\[19-0817\]](#)

This item was deferred and will return to the Town Council on October 30, 2019.

*CONCEPT PLAN REVIEW(S)*

---

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

**14. Concept Plan Review: University Place, 201 S. Estes Drive  
(Project #19-108).**

[\[19-0814\]](#)

Ms. Johnson explained that a current SUP on the University Place site had last been modified in 2000. Staff was expecting that the new owner, Ram Realty, would submit a Conditional Zoning (CZ) application, she said, adding that the Community Design Commission had reviewed the concept plan. She recommended that the Council hear the applicant's presentation and adopt Resolution 9, transmitting their comments to the applicant.

Ashley Saulpaugh, representing Ram Realty, gave a PowerPoint presentation on the evolution of American shopping malls and how University Place (which currently had only a 51 percent interior occupancy) would need to change in order to thrive. He said that Ram Realty had bought the property with the intention of changing it into a vibrant, open air, town center.

Mr. Saulpaugh described a plan to flip the mall's space from interior to exterior, create a better pedestrian environment, add green gathering spaces and spaces for events, and create a place for the Chapel Hill Farmers Market. He described a mixed-use environment, a commitment to sustainability and energy efficiency, and a reduction in impervious surface. He mentioned some of the site's limitations, such as current tenants having leases and the property being located in a floodplain.

Mr. Saulpaugh said that Ram's current efforts included looking at demolishing about 40,000 square feet, which would allow additional exterior storefronts to create a green, more walkable, main street atmosphere. A high priority would be to reconfigure an area along Estes Drive and create a multi-use path there that would include an area where greenway trails would connect, he said.

Mr. Saulpaugh described a five-block plan similar to that used at The Edge and Carraway Village. It would be a multi-phased development, with the current focus on a 3-5 year horizon, he said. He showed renderings of what phase one could look like and said that details regarding long-term development would be defined in the CZ application.

In response to Council questions, Mr. Saulpaugh showed two locations where the Farmers Market could be located. He also explained his intent to seek a single entitlement and said that CZ would allow open dialogue about the best way to do that. The Council asked staff to return with information on how many stories the land could support. They confirmed that the applicant had talked with a nearby church about its parking needs.

Ms. McClintock raised stormwater concerns and presented a visual that showed water flow in the area. She noted the high number of other development projects that had already been approved and said that they would amount to 3-4 million square feet of additional impervious surface. Ms. McClintock stressed the importance of thinking about future flooding in the area.

Pamela Schultz, Stormwater Advisory Board chair but speaking only for herself, pointed out that the chances of flooding grew greater with each passing year. She stressed the need to be careful with how University Place was developed, noting that in-fill in one place could lead to more flooding elsewhere.

Wesley McMann, Greenways Parks and Recreation chair but speaking only for himself, commended the applicant for involving the Estes Greenway in the plan and for proposing a connection to Bolin Creek. He recommended designating a way for bikes to go into the property.

Linda Brown, a Chapel Hill resident, commended the applicant for the plan and said that having space that was green and shaded would help the floodplain. However, the concept was missing an opportunity to create housing for University students, she said, and she showed pictures of similar town centers that had apartments and condos above retail.

Council members expressed enthusiasm for the concept's green aspects, connectivity plans, gathering spaces, and general approach. They raised concerns about potential flooding and expressed their desire for a greater reduction in parking and impervious surface. Several Council members mentioned the Farmers Market's quest for a permanent home, and Council Member Gu said she wanted to see a master plan with a guiding vision for the entire project.

Individual Council members' suggestions included having a splash pad, green roofs and solar panels, a large gathering space, designated bikeways, and a bike fix-it station. The Council asked the applicant to

bring back pictures of what could really be built, given the property's flood conditions.

Mr. Saulpaugh said that Ram Realty intended to do what it could to soften the parking area, but he pointed out that much of that was protected by current tenants' leases. He was showing a 3-5 year plan, but those parking areas would be freed as leases began to end, he said.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-6 be adopted. The motion carried by a unanimous vote.

**15. Concept Plan Review: 136 E. Rosemary Street/137 E. Franklin Street (Project #19-109).**

[\[19-0815\]](#)

Ms. Johnson explained the applicant's proposal regarding a property that was zoned Town Center-2 on Rosemary Street and Town Center-1 on the Franklin Street side. She said that the applicant was required to bring the request to add about 5,000 square feet of new floor area to the Council because it exceeded what was allowed under existing zoning. She showed pictures of the building and a rendering of what it would look like after improvements. Ms. Johnson recommended that the Council adopt Resolution 7, transmitting Council comments to the applicant, and Resolution 8, which would limit the scope of the SUP modification review.

Joe Dye, representing Grubb Properties, provided background information on the property, which had been purchased in April 2019. He said that the Franklin Street side had already been renovated, and he showed a rendering of how the Rosemary Street side would look after renovation had been completed.

Council members asked the applicant to consider improving a brick wall that faced a parking garage. They confirmed that people would still be able to cut through the building from Rosemary to Franklin Street and verified that there would be adequate parking in the area.

Mayor Hemminger said that the Council was excited about the opportunity to have the more functional and better looking building that was being proposed. She suggested incorporating some form of signature art on the Rosemary Street side and said that the Council accepted the limited scope and hoped to expedite the process.

Council Members Oates and Gu raised questions about environmental standards pertaining to buildings with as much glass as was being proposed. Council Member Oates suggested that the applicant consult with the Environmental Stewardship Advisory Board.

Ms. Johnson pointed out that Council policy required applicants to submit energy management plans as part of the SUP process.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-7 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Parker, seconded by Council Member Stegman, that R-8 be adopted. The motion carried by a unanimous vote.

## **APPOINTMENTS**

**19.** Appointments to the Short Term Rental Task Force. [\[19-0819\]](#)

The Council appointed Shelley Def Osset, Jamine Ifedi, James Parrott, Sally Persing, John Quintero, Manish Atma, Anthony Carey, Steven Whitlow, Nathan Ligo, Alexa Nota, and Alternate members: Jennifer Hoffman and Mary Stowe.

**18.** Appointments to the Board of Adjustment. [\[19-0818\]](#)

The Council made a recommendation to the Orange County Board of Commissioners to appoint Thomas Wortman and Michael Murphy to the two County positions and appointed Enton Hito and Ian Morse to the Town Alternate seats.

A motion was made by Council Member Parker, seconded by Council Member Gu, that R-11 be adopted as amended. The motion carried by a unanimous vote.

## **ADJOURNMENT**

The meeting was adjourned at 11:18 p.m.