

Amy Harvey

From: Jeanette Coffin
Sent: Friday, October 02, 2020 9:31 AM
To: mpons@bellsouth.net
Cc: Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: Changes to FLUM

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

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Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Office Assistant
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: mpons@bellsouth.net [mailto:mpons@bellsouth.net]
Sent: Thursday, October 1, 2020 10:20 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>; Dwight Bassett <dbassett@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Judy Johnson <jjohnson@townofchapelhill.org>; Amy Oland <aoland@townofchapelhill.org>; Kumar Neppalli <kneppalli@townofchapelhill.org>; scott@topodistillery.com
Cc: 'Jamil Kadoura' <jamilkadoura1@gmail.com>; 'Robert Poitras' <rcpoitras@aol.com>; 'Marc Pons' <mpons@chapelhilltire.com>; 'Scott Maitland' <scott@thetopofthehill.com>; Aaron Nelson <anelson@carolinachamber.org>; kloovis <kloovis@carolinachamber.org>; 'Ellen Shannon' <ellenshannon@chapelhillmagazine.com>; 'Joel Levy' <jlevy@jilcpnc.net>; 'Curran, Joel' <jgcurran@email.unc.edu>; 'Jay Patel' <jaypatel@wintergreenhospitality.com>
Subject: Changes to FLUM

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Mayor and Council,

I learned today of proposed changes to zoning on West Franklin St. As a downtown property owner, I was not aware that such changes were under discussion. My understanding is that very few if any downtown property owners have been consulted or are aware of the zoning change.

I request that the zoning changes be put on hold until the property owners who are directly impacted by such changes have the opportunity to review and provide feedback.

Best regards,

Marc Pons
President
Chapel Hill Tire
502 W. Franklin St.
Chapel Hill, NC 27516

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From: Jeanette Coffin
Sent: Friday, October 02, 2020 9:33 AM
To: scott topodistillery.com
Cc: Judy Johnson; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
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I oppose the out of the blue proposed changes to the West Franklin portion of the FLUM to the very core of my being both on political/procedural and policy grounds.

POLITICAL/PROCEDURAL ISSUES: At West Point I was taught that being a good leader starts with being a good follower. I can't tell you how many times the Council made, in my mind, a poor decision. However, I always accepted the decisions because I felt there was an honest process. This proposed change occurring at the end of a comprehensive two year vetting process feels like a dishonest bait and switch. One I can't swallow.

1. Two years ago when I was Chair of the Downtown Partnership, the FLUM was vetted to the Partnership and feedback/approval was given informally. In March of 2020, the Downtown Partnership officially approved the proposed FLUM which included maintaining the current zoning heights for West Franklin. When did the proposed changes get suggested? Who suggested them? Most importantly, why wasn't the Downtown Partnership notified of the proposed changes?
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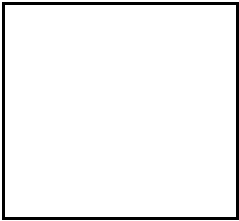
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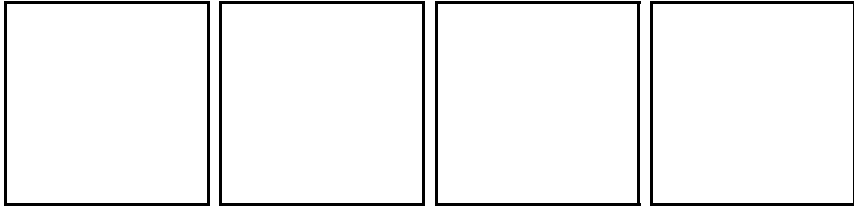
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Cheers!

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Address: 505-C W. Franklin St. Chapel Hill, NC 27516



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Dear Mayor and council,

Thank you so much for your decision this morning regarding the FLUM issue, much appreciated. Also thanks to Scott Maitland, Aron Nelson and Matt Gladdek for their time and extra effort.

Jamil Kadoura

Kadoura Properties

On Fri, Oct 2, 2020 at 10:23 AM scott [topodistillery.com](mailto:scott@topodistillery.com) <scott@topodistillery.com> wrote:

Dear Mayor and Council,

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Especially considering the context of the dumpster fire national politics has become, it does my heart good to see local self-governance work in a thoughtful and responsive way.

As always, I appreciate the hard work of all of you and the staff put in for very little praise and thanks. Please know it is appreciated by me.

Cheers!

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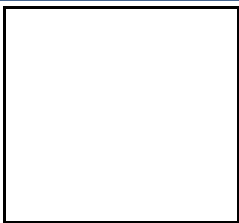
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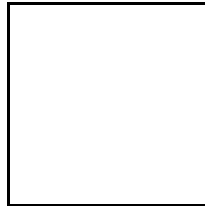
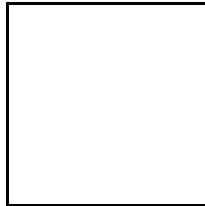
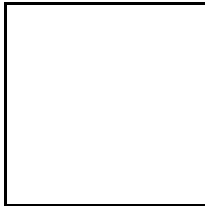
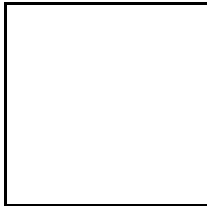
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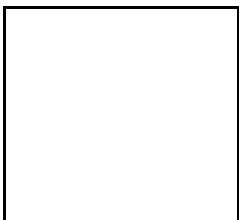
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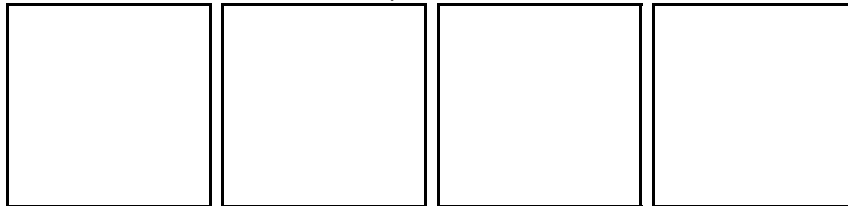
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Cc: Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: Thank you for decisions this morning

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

If your email is related to a development application or a particular issue being addressed by the Council, your comments will be made part of the record. If applicable, we encourage you to attend any public meetings related to the items addressed in your email.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Office Assistant
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: Jamil Kadoura [mailto:jamilkadoura1@gmail.com]
Sent: Friday, October 2, 2020 12:36 PM
To: Scott Maitland <scott@thetopofthehill.com>
Cc: Town Council <mayorandcouncil@townofchapelhill.org>; Dwight Bassett <dbassett@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Judy Johnson <jjohnson@townofchapelhill.org>; Amy Oland <aoland@townofchapelhill.org>; Kumar Neppalli <kneppalli@townofchapelhill.org>; Robert Poitras <rpoitras@aol.com>; Marc Pons <mpons@chapelhilltire.com>; Marc Pons <mpons@bellsouth.net>; Aaron Nelson <anelson@carolinachamber.org>; kloovis <kloovis@carolinachamber.org>; Ellen Shannon <ellenshannon@chapelhillmagazine.com>; Joel Levy <jlevy@jilcpnc.net>; Curran, Joel <jgcurran@email.unc.edu>; Jay Patel <jaypatel@wintergreenhospitality.com>
Subject: Re: Thank you for decisions this morning

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Mayor and Council,

Thank you so much for your decision this morning regarding the FLUM issue, much appreciated. Also thanks to Scott Maitland, Aron Nelson and Matt Gladdek for their time and extra effort.

Jamil Kadoura
Kadoura Properties

On Fri, Oct 2, 2020 at 10:23 AM scott topodistillery.com <scott@topodistillery.com> wrote:

Dear Mayor and Council,

Thank you for your decisions this morning about respecting the process surrounding the FLUM.

Especially considering the context of the dumpster fire national politics has become, it does my heart good to see local self-governance work in a thoughtful and responsive way.

As always, I appreciate the hard work of all of you and the staff put in for very little praise and thanks. Please know it is appreciated by me.

Cheers!

Scott Maitland Proprietor, TOPO Organic Distillery



Phone: 919.679.9120 ext 3
Email: scott@topodistillery.com
Website: www.topodistillery.com
Address: 505-C W. Franklin St. Chapel Hill, NC 27516



On Oct 1, 2020, 8:23 PM -0400, scott topodistillery.com <scott@topodistillery.com>, wrote:

Dear Mayor and Council Members,

Last night I was overjoyed by your approval of the East Rosemary Development Project.

Tonight I am so disappointed. I am also frustrated and angry. Twenty six years ago as a broke law student, I conceived of Top of the Hill to prevent a chain restaurant from dominating downtown Chapel Hill. For the past twenty-five years, I have poured my heart and soul into my business and downtown. I have navigated numerous issues and problems of downtown and council politics - anarchists, gangs, homeless, parking, nude parades, the Great Recession, LUMO, Covid, etc.- none of them have frustrated and angered me more than what I am writing about tonight.

I oppose the out of the blue proposed changes to the West Franklin portion of the FLUM to the very core of my being both on political/procedural and policy grounds.

POLITICAL/PROCEDURAL ISSUES: At West Point I was taught that being a good leader starts with being a good follower. I can't tell you how many times the Council made, in my mind, a poor decision. However, I always accepted the decisions because I felt there was an honest process. This proposed change occurring at the end of a comprehensive two year vetting process feels like a dishonest bait and switch. One I can't swallow.

1. Two years ago when I was Chair of the Downtown Partnership, the FLUM was vetted to the Partnership and feedback/approval was given informally. In March of 2020, the Downtown Partnership officially approved the proposed FLUM which included maintaining the current zoning heights for West Franklin. When did the proposed changes get suggested? Who suggested them? Most importantly, why wasn't the Downtown Partnership notified of the proposed changes?

2. Paragraph 1 can be repeated verbatim with respect to the Chamber of Commerce, except I wasn't on the board. I only remembering discussing FLUM as part of the Government Affairs Committee. But as a former Chair of the Chamber, I am confident the same process

occurred. Government Affairs ok'd it. The Board provided the official unofficial feedback/approval to town staff. When did the proposed changes get suggested? Who suggested them? Most importantly, why wasn't the Chamber notified of the proposed changes?

3. Were any landowners contacted about the proposed changes to the FLUM? Landowners often rely on the Downtown Partnership and Chamber to help navigate the political issues but they are themselves savvy, accomplished and knowledgeable. And, frankly, they are ignored as a constituency. Was any one of them consulted about the proposed changes?

4. Were citizens consulted? As a community, we went through the 2020 process as a way to chart the path forward. Density in our downtown was a key principle adopted by this extremely inclusive process. To walk back increasing density by policy unvetted by debate or an election would take the wind out of even the most civic of citizens. It does me.

POLICY ISSUES: The proposed change is just bad policy. As discussed ad nauseam prior to, during and after the 2020 process, Chapel Hill has only one way to build: up. This density is occurring as it should in downtown and major transit corridors. This was a hard earned consensus for our town and we should not deviate from it.

1. Attracting good development projects requires a large degree of certainty of process. It takes years even decades to assemble property, work through leases, raise capital, develop a vision, get approvals and build a project. Over the last 25 years as I have acted as a civic booster for our town, almost all North Carolina developers I have spoken with laughed at the idea of doing a project in Chapel Hill due to the uncertainty of process. This current proposed change just plays to type. And makes it harder to attract what we want as a community. Developers watched with horror the approval process of the old Breadman's site and it really dampered enthusiasm to get involved in our town. If they see we down-zoned downtown, it will kill it.

2. Down-zoning is the worst possible precedent to set when attracting development. If the town can arbitrarily down-zone the long established 8 story limit of West Franklin, what else can it down-zone? How can any person or company assess the risk of development anywhere in Chapel Hill if we are willing to down-zone our downtown?

Finally, on more of a personal note. Think about the people that are damaged economically by this proposed change. For the most part, the landowners of West Franklin are the people who have helped create and maintain the downtown we know and love: Jamil Kadoura (Med Deli), Angelo Marrone (IP3), Marc Pons (Chapel Hill Tire), Robert Poitras (Carolina Brewery) and, if I can be so bold to include myself in such an illustrious group, Scott Maitland (Top of the Hill/ TOPO Distillery). For us, these buildings and the rights to develop them, are really a savings account built one kabob, one slice, one tire and one beer at a time. They represent the decades of hard work and sacrifice that will hopefully secure our families' futures.

In this time of COVID especially, I ask all of you to please not proceed with a poor policy born of a horrible process that is sure to create political and legal animosity and damage the reputation of our town for decades.

Cheers!

Scott Maitland Proprietor, TOPO Organic Distillery



Phone: 919.679.9120 ext 3
Email: scott@topodistillery.com
Website: www.topodistillery.com
Address: 505-C W. Franklin St. Chapel Hill, NC 27516



Amy Harvey

From: Amy Harvey
Sent: Wednesday, October 28, 2020 12:26 PM
To: Allen Buansi; Amy Ryan; Hongbin Gu; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Tai Huynh; Maurice Jones; Flo Miller; Mary Jane Nirdlinger; Ann Anderson; Sabrina Oliver; Town Council
Cc: Alisa Rogers; Jeanne Brown; Christina Strauch; Ross Tompkins; Carolyn Worsley; Ran Northam; Rae Buckley; Laura Selmer; Shakera Vaughan; Judy Johnson; Amy Harvey
Subject: 10/28/20 Item #13 additional materials - FW: UNC Health FLUM Comments
Attachments: UNCHC FLUM Letter_BURKS signed_October 2020.pdf

Good afternoon

Please see the email below with attachment for tonight's Item #13.

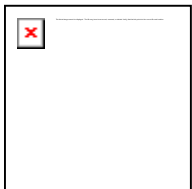
Amy Harvey

From: Pam Hemminger <phemminger@townofchapelhill.org>
Sent: Wednesday, October 28, 2020 12:02 PM
To: Sabrina Oliver <soliver@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>
Cc: Alisa Rogers <adrogers@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>
Subject: Fw: UNC Health FLUM Comments

Please make sure this gets to all of Town Council before tonight-

Thank you!

Pam



Pam Hemminger

Mayor

[Town of Chapel Hill](#)

405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

Phone: (919) 968-2714

From: Ziegler, Emily <Emily.Ziegler@unchealth.unc.edu>

Sent: Tuesday, October 27, 2020 7:39 PM

To: Pam Hemminger <phemminger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>

Cc: George, Simon <Simon.George@unchealth.unc.edu>; Judy Johnson <jjohnson@townofchapelhill.org>; Hadar, Janet

<Janet.Hadar@unchealth.unc.edu>

Subject: UNC Health FLUM Comments

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Mayor Hemminger and Manager Jones,

First of all, on behalf of UNC Health, I'd like to thank you, council members and staff for all the time and effort that has been put into the proposed Future Land Use Map. We are appreciative of the thoughtfulness of so many as we all plan for the Chapel Hill of tomorrow.

The UNC Health team has carefully reviewed the proposed FLUM. Attached is a letter from Dr. Burks outlining our comments for consideration. We have already spoken with staff about some of these comments and hope that council will support our suggested minor changes. Simon George will be highlighting key components of this letter during tomorrow's public hearing.

If you have questions or would like to discuss any of our proposed changes in further detail, please don't hesitate to contact Simon, me or the UNC Health team. Thank you again for your time and continued partnership.

Sincerely,
Emily Ziegler

Emily Ziegler | Director of Government Affairs
UNC REX Healthcare
2500 Blue Ridge Road, Suite 300
Raleigh, NC 27607
919.784.4575 (o) | 919.606.8784 (c)
Emily.Ziegler@unchealth.unc.edu

----- Confidentiality Notice -----

The information contained in (or attached to) this electronic message may be legally privileged and/or confidential information. If you have received this communication in error, please notify the sender immediately and delete the message.



A. Wesley Burks, MD
CEO, UNC Health

wesley.burks@unc.edu
T (919)-966-4161 | F (919)-966-8623

UNC Health
4030 Bondurant Hall | Campus Box 7000
Chapel Hill, NC 27599-7000
unchealth.org

October 26, 2020

Mayor Pam Hemminger and Members of Chapel Hill Town Council
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Dear Mayor Hemminger and Council Members,

Chapel Hill is a unique community with its rich history and future opportunities. Creating a land use plan that both protects the town's character while promoting growth and development is challenging. We appreciate the time you have put in to the Future Land Use Map (FLUM) as well as the opportunity to share our feedback on the proposed map.

Like Chapel Hill, UNC Health is a unique institution. We have many partners, including UNC-Chapel Hill and the state of North Carolina, but also have parts of the organization that operate like private businesses. Overall, our goal is to continue fulfilling our mission of improving the health and wellbeing of North Carolinians and others whom we serve. We want to ensure the proposed FLUM will allow us to remain mission focused in the decades to come.

Following are UNC Health's comments and concerns with the FLUM as presented:

1) Land Use Categories

We have reached out to staff regarding the land use categories and requested that more specific language regarding health care be included. Under *University Land Use* we have asked for the removal of *medical facilities and clinics* and requested the inclusion of *medical/health services, hospitals*.

Under *Commercial/Office Land Use* we have requested the inclusion of *medical/health services, hospitals*.

The relationship between UNC-Chapel Hill and UNC Health is critical for both organizations, so we also support the university's proposed revisions to the University land use description: *Those properties utilized by The University of North Carolina at Chapel Hill including, but not limited to, academic buildings, residence halls, administrative offices, conference facilities, recreational facilities, retail establishments, parking, medical/health services, hospitals, athletic facilities, research facilities, and any other land uses that support the University's mission.*

2) Character Types

We have met with staff to discuss our suggestions for character types. Under *Commercial/Office Character Type* we propose the inclusion of *medical/health services, hospitals, research facilities* and the removal of *less intense laboratory facilities and maker spaces*.

3) Collaboration

In addition to the items outlined above, we request that additional conversations about the FLUM be inclusive of your key partners, including UNC Health. Your guiding statement from the draft FLUM is to *'Cooperate and collaborate with all of the Town's regional partners, especially the University of North Carolina at Chapel Hill and UNC-Health Care.'* UNC Health and UNC-Chapel Hill are economic drivers in the Chapel Hill community and state of North Carolina. Partnership and collaboration between UNC Health, UNC-Chapel Hill and the town is imperative for the continued success of all three entities.

UNC Health feels that the aforementioned items will allow us to continue serving our community as both Chapel Hill and the health care system grow and evolve. We have planned our buildings to maximize their lifespan and therefore request this flexibility to use, adapt and reuse our buildings as needed to achieve our mission.

Thank you for your review of our recommended changes to the FLUM. We are happy to speak with you about any of these proposed items as well as other matters regarding the FLUM proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Wesley Burks". The signature is fluid and cursive, with the first name "A." and last name "Burks" clearly visible.

A. Wesley Burks, MD
CEO, UNC Health

cc: Maurice Jones, Manager, Town of Chapel Hill
Judy Johnson, Interim Director of Planning, Town of Chapel Hill
Janet Hadar, President, UNC Hospitals
Simon George, System Vice President, Real Estate & Development, UNC Health

Amy Harvey

From: Jeanette Coffin
Sent: Thursday, October 29, 2020 9:14 AM
To: CHALT
Cc: Judy Johnson; Dwight Bassett; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: comments Future Land Use Plan

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Office Assistant
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: CHALT [mailto:info@chalt.org]
Sent: Wednesday, October 28, 2020 9:02 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: comments Future Land Use Plan

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

To Mayor and Council members:

Citizens, staff and council members have spent hundreds of hours on the Land Use Plan. It's regrettable this last consideration of the FLUM could not have occurred in a crowded public hearing council chamber, but we press ahead given where we are.

We ask you to consider the following changes to the Future Land Use Plan before you vote.

1. The pandemic will readjust our economy, like it or not, and must be factored into economic expectations. We sent [this petition](#) to you in July because we anticipate many changes in transit funding, work and play patterns, UNC attendance and our town's priorities. We strongly recommend that you review this plan in 2 years, post covid.

2. There have been previous conversations about how, under this plan, the Town will be able to secure community benefits from developers to improve energy efficiency or provide affordable housing. **It will be** better to set the maximum height at 4 stories and then offer the additional 2 stories (where deemed appropriate) as a density bonus. Otherwise we will not get the desirable community benefits.

3. Please consider these specific recommendation for the following areas:
North MLK: Area marked D is too close to I-40 to handle housing. We sent a detailed memo to staff.

S MLK: all areas marked 100 year flood areas should not accommodate buildings

Nr 15-501: No building in 100 year floodplain; reserve Heritage property for possible preservation.

So Columbia: This Southern Gateway contains older charming neighborhoods and cannot at the same accommodate large looming buildings opposite the historic Merrit's Oil Station - now a popular restaurant.

4. We appreciate the addition of the floodplain overlays. Given the facts on the ground and future changes brought by more impervious surface and climate change, there should be additional modeling to estimate future conditions, and those areas should be barred to buildings.

5. What plans have you made to set aside or plan for the recreational and community infrastructure to support future growth such as parks and community centers?

6. Trees are essential to the environmental health of our community. They are also a signature part of our town's character. We'd like to see this plan reflect that interest more strongly and clearly.

Thank you!

Julie McClintock for CHALT