



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh

Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, September 27, 2023 7:00 PM RM 110 | Council Chamber

Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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919-969-5105.

In-Person Meeting Notification

Changes in Meeting Material content

- We are trying something new this fall to make our Agenda packets clearer and easier to navigate. You'll notice streamlined reports and more hyperlinks to supporting documents.
- Staff presentations will be posted after the meeting, not as drafts in the packet, to allow more time to prepare high-quality presentations.
- We will also produce an "information items" packet periodically, to share items that don't require Council action, but are important to the Council and community. Those packets will be published on our website.

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- Spectrum is replacing 1998 encoder that transmits programming to cable channel 18. It remains offline until complete.
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person -

<https://www.townofchapelhill.org/demosurvey>

Parking

- Parking is available but limited at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and Speakers

- Entrance on the ground floor.
- Sign up at the meeting starting at 6:30 PM with the Town Clerk to speak.
- If more than 14 people sign up for an item, Council will reduce speaking time from 3 minutes to 2 min./person.
- Please do not bring signs.

ROLL CALL

Mayor Hemminger called the meeting to order at 7:00 p.m. She pointed out Item 11 had been moved up on the agenda. All Council Members were present.

Present: 9 - Mayor Pam Hemminger, Council Member Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

OTHER ATTENDEES

Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Technology Solutions Director Chris Butts, Planner II Jacob Hunt, Planning Director Britany Waddell, Assistant Planning Director Judy Johnson, Planning Manager Corey Liles, Senior Planner Katherine Shor, Information Security Officer Chris Morris, Town Engineer Chris Roberts, Police Officer Gabe Shinn, Fire Marshal Chris Covington, Assistant Town Clerk Brenton Hodge.

OPENING

0.01 Proclamation: Walk and Roll to School Day. [\[23-0698\]](#)

Mayor pro tem Stegman read a proclamation about the benefits of walking and biking to human health and the environment and declared October 5, 2023, to be Walk and Roll to School Day in Chapel Hill. The proclamation emphasized the Town's commitment to providing safe walking and biking opportunities, especially near schools.

0.02 Proclamation: Energy Efficiency Day.

[\[23-0699\]](#)

Council Member Parker read a proclamation that declared October 4, 2023, to be Energy Efficiency Day in Chapel Hill and listed the many benefits of implementing energy efficiency and clean energy policies and programs. The proclamation noted that the Town's 2021 Climate Action and Response Plan focused on reducing its carbon footprint by 2050. It urged everyone to learn about local programs and to support clean energy goals.

0.03 Mayor Hemminger Regarding The Junction.

[\[23-0700\]](#)

Mayor Hemminger said that the University of North Carolina (UNC), the state Of North Carolina, Orange County and others had officially opened an ecosystem hub at The Junction in downtown Chapel Hill. The building, which had been developed in partnership with Grubb Properties, was already almost completely leased out, she said.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.04 Mayor Hemminger Regarding Leave Your Leaves.

[\[23-0701\]](#)

Mayor Hemminger said that fallen leaves benefit the ecosystem and she encouraged residents to leave them where they fall. For those choosing not to do so, Town leaf collection would begin on October 23rd, she said.

0.05 Mayor Hemminger Regarding Proposal to Extend Water & Sewer Service.

[\[23-0702\]](#)

Mayor Hemminger said that a 5:30 p.m. meeting on September 28, 2023, at Christ United Methodist Church in Southern Village would address a proposal to extend water and sewer services into a limited area along US 15/501.

0.06 Mayor Hemminger Regarding 306 West Franklin Street Public Information Meeting.

[\[23-0703\]](#)

Mayor Hemminger announced an in-person meeting at 306 West Franklin Street on October 3rd at 5:30 p.m. that would address a proposed Life Science building at that location. There would also be limited opportunities to attend via ZOOM, she said.

0.07 Mayor Hemminger Regarding Council Committee on Economic Sustainability.

[\[23-0704\]](#)

Mayor Hemminger reminded the Council that there would be no regular meeting the following week. However, the Council Committee on Economic Sustainability would meet in person on October 6th at 136 East Rosemary Street at 8:00 a.m., she said.

0.08 Mayor Hemminger Regarding the One Orange Racial Equity Dashboard.

[\[23-0705\]](#)

Mayor Hemminger and Town Manager Chris Blue pointed out that a Racial Equity Dashboard was now live. Chapel Hill, Carrboro, Hillsborough and Orange County would all use that as they work to increase equity within their communities, they said. Mr. Blue spoke about what information the dashboard would provide and pointed out that a link was posted on the Town's website and social media.

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.

1. Trinsic Residential Request for Limited Scope Review for off site Lighting Modification at the Aura Chapel Hill development.

[\[23-0675\]](#)

This item was received as presented.

1.01 Brian Daniels Requests a Review of the Pending Application for 157 E Rosemary Street by the HDC.

[\[23-0706\]](#)

Historic District Commission (HDC) Chairman Brian Daniels asked the Council to read the HDC's petition carefully. He said that there was precedence for the HDC to comment on designs of buildings that were immediately adjacent to historic districts and asked the Council to continue extending that courtesy.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council received and referred the petitions to the Manager and Mayor. The motion carried by a unanimous vote.

1.02 Kelven Hargraves Requests Renaming Northside Gymnasium.

[\[23-0707\]](#)

Kelvin Hargraves, a member of the Northside Action Group, asked the Council to revisit its renaming process and follow the rules in its Policies and Procedures Manual.

This item was received and referred.

1.03 Earl Hargraves Requests Support of Renaming of Northside Gymnasium. [\[23-0708\]](#)

Earl Hargraves, a Chapel Hill resident, expressed support for a petition to rename the Northside Gymnasium and asked why the process was taking so long.

Mayor Hemminger replied that the matter was currently in the Town Manager's hands. There had been many discussions and attempts to reach a resolution, she said.

This item was received as presented.

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 Huynh, seconded by Council Member Anderson, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

2. Approve all Consent Agenda Items. [\[23-0676\]](#)

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

3. Approve Amending the 2023-2024 Community Development Block Grant Program Plan. [\[23-0677\]](#)

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

4. Approve the Recommended Funding Plan and Receive an Update on Racial Equity Assessment Implementation for the Human Services Program. [\[23-0678\]](#)

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

5. Authorize the Town Manager to Enter into a State Small Construction Agreement with NCDOT for the Town to be Reimbursed for Project Costs Related to a State Stormwater Infrastructure Project on Ephesus Church Road. [\[23-0679\]](#)

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

6. University of North Carolina at Chapel Hill Semi-Annual [\[23-0680\]](#)

Reporting Process.

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

7. Open and Recess the Legislative Hearing and Consideration of the 157 East Rosemary Street Conditional Zoning Application to October 25, 2023. [\[23-0681\]](#)

PM Leave your leaf's

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

8. Adopt Minutes from May 10, 17, and 24, 2023, and June 7, and 14, 2023 Meetings. [\[23-0682\]](#)

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

CONTINUED DISCUSSION

11. Adopt a Resolution Supporting Orange County Commissioners Contract with a Community Engagement Consultant for the Greene Tract. [\[23-0685\]](#)

Assistant Planning Manager Judy Johnson explained that adopting Resolution 10 would support an Orange County Commissioners contract with a community engagement consultant for a Chapel Hill/Carrboro/Orange County joint Greene Tract (GT) project. The consultant would work on engagement strategy and outreach and would work closely with a master plan consultant who had already been selected, she said.

Ms. Johnson said that the GT project was expected to get underway in fall 2023. She reminded the Council that the \$360,000 cost of that would be divided among the three jurisdictions, with Chapel Hill and Carrboro contributing \$154,800 each and Carrboro contributing \$50,400. She displayed a map of the GT and discussed how past efforts had led to a recombination of those parcels.

Mayor Hemminger explained that the Mayors Managers and Chairs (MMC) group had been working hard to make sure that promises made to the community were being fulfilled. Since none of the three jurisdictions had the capacity to take the next step, the MMC had concluded that the best way to move forward efficiently was to hire consultants and work with affordable housing partners once a plan was in place, she said. She emphasized that the three jurisdictions must agree in order to move forward.

Council Member Huynh confirmed with staff that the \$360,000 would be for the community engagement piece only. He asked about the rationale for hiring that consultant, and Ms. Johnson discussed the sensitivity of the

project and the need to obtain neighborhood support in an equitable manner.

Several Council Members stressed the importance of building on Mapping Our Communities Future (MOCF), a master plan that the community had developed in 2016. Council Member Ryan asked what \$363,000 would provide that was not already in that plan, and Ms. Johnson pointed out that MOCF had focused on the entire area, not just the Greene Tract portion. Staff intended to build upon that plan and wanted the community to be involved in the process, she said.

Council Member Ryan stated that MOCF should be the heart, and intent, and starting point of the process and said she wondered why the proposed process would take more than a year when the Town already had good foundational work. Other Council Members said that the proposed year-long timeframe felt like starting over, but Ms. Johnson pointed out that not much work could be done during the summer.

Council Member Berry confirmed with Ms. Johnson that the consultant would be clarifying and defining the work more discreetly than had been done in MOCF. Council Member Parker ascertained that Orange County would oversee the project but that representatives from all three jurisdictions would meet every week and collaborate. A community engagement process was intended to be completed by December 2024 and would occur almost in parallel with the master-planning process, Ms. Johnson said.

Mayor Hemminger pointed out that there had been additional questions about access after the environmental studies were completed. And the environmental studies had defined specific areas in the GT for affordable housing but had not determined what kind of housing should be there, she said. She noted that several changes in the surrounding area had occurred since MOCF was created and said that the Town was now ready to focus on affordable housing, as promised. The sole response to the Town's request for proposals had not included any community engagement, so staff had decided to divide the project into two processes, she said.

Reverend Robert Campbell, a Rogers Road resident, said that he supported moving forward with the contract. He hoped it would incorporate the voices of the surrounding communities and provide an opportunity for the entire Town to collaborate on how MOCF would work with an overall master plan, he said. He spoke enthusiastically about the affordable housing (AH) opportunities and said there was a need for someone who could bring everyone together.

Laura Wells, speaking on behalf of the Orange County Affordable Housing Coalition, thanked the Council for its commitment to AH and reiterated the Coalition's support for building affordable homes on the GT.

Delores Bailey, executive director of EmPOWERment Inc., spoke about the need for a coordinated vision for the GT. She urged the Council to expedite the process, pointing out that an upcoming municipal election would bring a new mayor and several new Council members.

Chapel Hill resident Larry Reid said that he agreed with previous speakers and hoped the Mayor and Council would do all they could to expedite the process.

All Council Members spoke in favor of moving forward and the majority asked that the process be shorter than 15 months. Council Member Miller-Foushee pointed out that much time had already gone into community engagement during the MOCF process and proposed taking a targeted approach based on that plan. Other Council Members agreed. They stressed the importance of being clear and specific about goals and asked staff to look hard at tightening the timeframe and reducing cost. "Let's not redo the basic work," said Council Member Ryan. "Stop talking and start doing," Mayor Hemminger said.

DISCUSSION

9. The State of Cybersecurity. (no attachment)

[\[23-0683\]](#)

Chief Information Officer Chris Butts gave a PowerPoint presentation on the Town's security program and the 15-member Technical Solutions Department team's efforts to improve the system. Those efforts had been made in partnership with the U.S. Department of Homeland Security, the NC National Guard, and the Local Government Information Systems Association, he said.

Mr. Butts explained that a Security Steering Committee consisting of Town departments and directors had been formed in March 2023 to set a security risk level. In July 2023, that team had implemented a more robust Security Awareness Program and a training program to educate staff on red flags, such as phishing emails and social engineering attacks, he said. He encouraged the Mayor and Council to review an assessment that he had sent out for more information on where to focus those training efforts.

Mr. Butts said that U.S. Homeland Security had performed a cyber resilience review of the Town's programs, processes and facilities in order to identify gaps and enhance security. He hoped that the NC National Guard would perform an annual assessment as well and do a penetration test that would look for gaps and areas of improvement in 2024, he said. He noted that the Town had recently been awarded a \$100,000 security grant from U.S. Infrastructure and Jobs Act security via the NC Public Safety Department. Those funds would be used to acquire a team to help monitor Town alerts, he said.

Mr. Butts said that his department's strategic goals for 2023-2024 were: to reduce exposure and risk; to train and increase awareness; to increase identification of threats; and to develop a cybersecurity culture. He said that the Mayor and Council could assist the cybersecurity program by participating in training and providing funding support.

Mayor Hemminger pointed out that neighboring towns had been subjected to cyber-attacks, which had been very disruptive. She thanked Mr. Butts and the Technical Solutions team for their work. She had taken the quiz, she said, and she encouraged any Council Members who had not yet done so to take it as well.

This item was received as presented.

ZONING ATLAS AMENDMENT(S)

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

- 10.** Close the Legislative Hearings and Consider a Conditional Zoning Application for Chapel Hill Crossings at 5500 Old Chapel Hill Road and Huse Street. [\[23-0684\]](#)

Dan Jewell, a landscape architect with Thomas and Hutton Engineering, outlined a revised proposal for Chapel Hill Crossing from applicant Ernest Brown, founder of EB Capital Partners. He pointed out that it was Mr. Brown's third conditional zoning application for the project in the last two years.

Mr. Jewell described a plan that involved two parcels (one on the north side and one on the south side of Old Chapel Hill Road) that Town staff had recommended be combined into one project. He said that the current plan for the south side was very different in terms of scale and density than the one the Council had seen in June 2023. The number of residential units had been reduced from 390 units to 100-135 and would be a mix of townhomes, cottages and duplexes, he said. He pointed out that the number of parking spaces had been reduced from 695 to 235.

Mr. Jewell told the Council that the applicant had been able to add 50 units to the northern side of the project by pushing the building farther back over the parking lot. Other changes on the north side included rerouting a greenway, reducing surface parking, rotating the building, and removing one story along Old Chapel Hill Road, he said. He showed renderings of how buildings on both sides of Old Chapel Hill Road would coordinate with each other.

Mr. Jewell said that changes on the south side of the project included eliminating a seven-story building and parking deck. The revised plan showed four-story townhouses and cottages, duplexes and smaller townhomes that would be a maximum of two stories tall, he said. He pointed out the applicant's commitment to including a community building as well as opportunities for a coffee shop and/or pop-up retail. He said that a previously proposed retaining wall had been replaced by a berm.

Mr. Jewell explained that the stormwater pond would be larger and developed as an amenity. With regard to stormwater, Mr. Brown was committed to managing the 100-year storm event on the south side of the property, he said. He explained that the project would connect its greenways trails to others in the area, in keeping with the Complete Community Framework and the Parkline Plan.

With regard to affordable housing (AH), all of the units on the north side would be rentals and the applicant was offering two options for those: 1) 20 units, with half at 65 percent and half at 80 percent of the area median income (AMI); or 2) 14 units at 60 percent AMI. Either option would be for 30 years. For the south side, the applicant was proposing that all units be for sale and that 15 percent of them be affordable (half at 80 percent and half at 65 percent of AMI) for 99 years, he said.

Planner II Jacob Hunt said that the Planning Commission had recommended approval and that staff had found the plan to be consistent with the Complete Community Framework. He recommended that the Council close the legislative hearing, select an AH option, and consider approval.

Council Member Ryan clarification with Mr. Hunt that the developer would build a greenway connection to the west and a sidewalk along Old Chapel Hill Road and would dedicate an easement along that road to the Town for a potential future greenway. She asked about Town recourse if the stormwater system failed, and Manager of Engineering and Infrastructure Chris Roberts replied that the Town's ordinance required annual maintenance reports and quarterly inspections. In a worst-case scenario, the Town had a security bond that could be used for maintenance until the situation was resolved, he said.

In response to a question from Council about the Town regulations pertaining to downstream flooding, Mr. Roberts said that post-development runoff could not exceed pre-development rate, according to several Town ordinances. Staff had reviewed the proposed project and found that it complied with Town ordinances, he said.

Council Member Parker and Mr. Jewell discussed the affordable rentals proposal and Council Member Parker recommended that the applicant "sharpen your pencil and squeezing a little more out".

In response to questions from the Council, Mr. Jewell described how the berm would work. With regard to a question about what would happen if the NC department of Transportation did not determine that a blind curve in the area warranted traffic-calming measures, Mr. Jewell said that grading some of that area back would address any site line issue. The Council asked if the applicant would pay for signage and/or traffic-calming measures and accept vouchers, and Mr. Jewell agreed to discuss those items with Mr. Brown.

Council Member Anderson questioned the proposal to meet 70 percent of the Town's recreation requirement with walking trails, and Mr. Jewell replied that walking was one of the best and easiest forms of exercise and recreation. However, there would be other recreational amenities, such as community gardens, a pavilion on the pond, and a children's playground, he said.

In response to a question about preserving an area of trees on the north side, Mr. Jewell said there were no current plans to build there but the applicant was interested in having the right to put in six to eight townhouses or cottages in the future. The Council confirmed that a 3,000 square-foot community building could include daycare and asked for a condition that would allow that.

Council Members determined that the applicant had not yet decided who would manage AH on the south side, and they strongly encouraged working with Community Home Trust. With regard to stormwater management during development, they confirmed with Mr. Jewell that Durham County would review and approve permits regarding sedimentation and erosion control. However, the applicant was committing to putting in a double silt fence along the property line during construction, Mr. Jewell pointed out.

Council Member Searing asked if staff had reviewed other projects where sidewalks had been counted as recreational amenities, and Mr. Hunt said that he had not personally worked on one. Council Member Searing confirmed that staff had not discussed preserving the northern area with the applicant because that area could not currently be disturbed. He asked if increasing impervious surface would affect stormwater runoff, and Mr. Jewell replied that the applicant would be required to hold that to predevelopment levels. Council Member Searing confirmed with Mr. Roberts that Town ordinances did not require looking at the Clark Lake dam.

Mayor Hemminger verified with Mr. Jewell that all amenities, such as the pool and walking trails, would be open to residents on both sides of Old Chapel Hill Road. She verified where the sidewalks and greenway trails would be and asked for evidence that the three northern acres were not needed to meet tree canopy requirements. She mentioned that impervious surface could be reduced if the walking trail was not paved.

Council Member Berry confirmed with Mr. Brown that he had met several times with Habitat for Humanity and had talked with Community Home Trust regarding AH management. He liked both and had not made a choice yet, he said.

Chapel Hill residents Angus Ewington and Samuel Gee spoke in favor of the project. Mr. Ewington discussed the need for more rental housing. Mr. Gee agreed and said that the arguments against the development had been contradictory.

Chapel Hill residents Anne Hartley, Charles Berlin, Susan Rice, Ann Rogers, Nolan Cain, Joanna Pomerantz and Keith Shaw raised concerns about the project's effect on Clark Lake and its dam. Ms. Hartley gave a PowerPoint presentation that showed how stormwater flowed through the area and asked the Council to delay its vote and address run-off issues. Mr. Berlin also asked the Council to conduct additional stormwater studies before approving the project.

Ms. Rice said that risks to the area would not be adequately addressed by the 100-year storm standard and proposed that the developer pay for a bond to cover damages in the event of a flood. Both Ms. Rogers and Mr. Cain said that the developer had been intentionally manipulative and that approving the project would set a terrible precedent for the Town. Ms. Pomerantz said that the proposed development did not meet Complete Community standards. Mr. Shaw mentioned buffer and stormwater requirements that he thought the Town should impose but urged the Council to not approve the rezoning.

Area residents Dottie Eddleman and Linda Convisor expressed concern about how a proposed berm would affect their neighborhoods. Ms. Convisor mentioned stormwater concerns as well and said that neighbors had not received a response to three requests for a meeting with the developer's stormwater engineer. Resident Debbie Baker commented on traffic and stormwater issues and said that the south side parcel was the last nine acres that could be saved in that part of Town.

Rachel Willis, a Stormwater Utility Advisory Board member, urged the Council to look at a draft report from a Booker Creek Watershed study group. She said that Town stormwater staff was limited to using old data and urged the Mayor and Council to either postpone their vote or vote against the project.

In response to Council and residents' comments, Mr. Jewell said that the applicant would commit to preserving the three-acre northern parcel and increase the affordable rentals. He proposed increasing the number of units at 80 and 65 percent AMI from 10 to 13 or increasing the number at 60 percent AMI from 14 to 17. The for-sale units on the south side would remain at 15 percent of whatever the final number was, he said. In

addition, Mr. Brown was willing to fund a stormwater study of the entire 250-acre basin, he said.

Council Members thanked community members for their remarks and said that they understood the concerns. Some of them thanked the developer as well for offering to conduct a stormwater study and for increasing the amount of AH. Council Member Ryan said she would prefer a bond to a stormwater study, but that Mr. Brown and the neighbors should make that choice. The Council confirmed with Town Attorney Ann Anderson that, legally, the privately-owned Clark Lake and dam were its owners' responsibility.

Several Council Members commented on how much the plan had improved since they had last seen it. They said that preserving the three-acre northern area would help make up for a lack of recreation space and would reduce the percentage of impervious surface. They spoke in favor of the 13/13 choice for AH, recommended that the applicant work with Community Home Trust on the for-sale units and asked the applicant to accept vouchers for rental ones. They asked for a stipulation that would allow a daycare center and commercial pop-ups at the site. They asked that the playground be an inclusive one and that the applicant pay for bus stop improvements.

Council Member Berry said that she disagreed with speakers' comments about the applicant being manipulative. Rather than doing a "bait and switch", she thought Mr. Brown had been too exuberant with his second proposal and had subsequently pared it down, she said.

Council Member Searing said that the location was a great place for density, but the proposal needed more work. Sidewalks and retention ponds were not recreational amenities and he wanted to see a proposal to preserve green space, he said. He said that the Council could address the stormwater issue by not allowing the development to exceed impervious surface standards.

Mayor Hemminger said that she agreed with many of Council's comments. She remained concerned about the increase in impervious surface but thought that preserving the northern parcel would help balance that, she said.

Council Member Huynh moved Ordinance A with the following stipulations: 13 AH units at 65 percent AMI and 13 at 80 percent AMI; preservation of the northern parcel; signage on Pope Road; an inclusive playground; a stormwater study; and daycare/elder care options. Attorney Anderson confirmed with Mr. Jewell that the applicant was willing to work with staff on language that would keep the northern parcel untouched in perpetuity.

A motion was made by Council Member Huynh, seconded by Council Member Berry, that the Council close the legislative hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Huynh, that the Council adopt R-8. The motion carried by a unanimous vote.

A motion was made by Council Member Huynh, seconded by Council Member Parker, that the Council enact O-6 as amended. The motion carried by the following vote:

Aye: 8 - Mayor Hemminger, Council Member Stegman, Council Member Anderson, Council Member Berry, Council Member Miller-Foushee, Council Member Huynh, Council Member Parker, and Council Member Ryan

Nay: 1 - Council Member Searing

ADJOURNMENT

This meeting was adjourned at 10:55 p.m.